

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, March 16, 2009, in the Village Office.

Present: Deputy Mayor Larry Fresinski; Trustee Lynn Leopold, Julie Baker and John O'Neill; Clerk/Treasurer Jodi Dake; Attorney David Dubow

Deputy Mayor Fresinski called the meeting to order at 7:35 P.M. and opened the public comment period. Sorel Gottfried of 1016 Cayuga Heights Rd. would like to suggest that we do something about the cliff area in Bolton Estates Subdivision. She would like to see it preserved or protected. John Dennis of 893 Cayuga Heights Rd., who attended the last Monday night meeting, wanted to clarify what he had said at that meeting regarding the Bolton Estates Subdivision. He indicated that on further review, Lot 4 contains the entire waterfall. It borders on John Butler's property that is immediately to the north in the Town of Lansing. John suggested that the Village work with the Town and create a park there. At the last meeting he had the idea of splitting off the waterfall from Lot #4, but now realizes that can't be accomplished because the remaining lot would not be large enough to build on. John stated that he has heard from Lynn that there are discussions on this and he encouraged the Board to continue those discussions.

Motion-To Close the Public Comment Period

Trustee O'Neill moved to close the public comment period. Trustee Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye	Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye	Trustee John O'Neill-Aye

Motion-To Open the Public Hearing on Proposed Local Law B

Trustee Leopold moved to open the public hearing. Trustee Baker seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye	Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye	Trustee John O'Neill-Aye

David Dubow explained Local Law B once again. Dan Veanor asked how many areas were on the list of "no parking" areas provided for in the proposed local law. It was explained that originally there was a list of 16 Village streets or portions which the Planning Board felt should be subject to "no parking" restrictions. After further discussion at the recent joint meeting of the Board of Trustees and Planning Board, it was decided by both Boards that the Proposed Local Law should be revised to reflect the need for only 5 streets or portions thereof.

Julie stated that she had spoken with the people in the Shannon Park area and there were two people who would like to see the existing no parking area remain. They stated that there are problems about twice a year. One time is when people have their driveways resurfaced and they can't park in their driveways. Other people in the area did not have a problem. Julie asked if this area could be added back in the future if it was deemed necessary. Dubow explained that another local law would need to be adopted for any future changes and that would be accomplished in the usual fashion.

Dan stated that it appears that four out of the five proposed "no parking" areas will affect those going to worship. Lynn clarified that these parking restriction have nothing to do with religious establishments and that only two areas of the five have religious establishments. She indicated that Sheraton Dr., Cinema Drive and Uptown are all connected and the overall concern is that those roads are very narrow and curvy in certain areas with a lot of vehicular and pedestrian traffic. It was made clear that the Village did not want to risk public safety. When the religious establishments were granted special permits there were long discussions regarding off-street parking requirements and appropriate conditions regarding such parking requirements were attached to the approvals. There are sufficient off-street areas for parking at both locations involved because it was part of the planning process, and it was always made very clear that the off-street parking must be maintained.

David Dubow stated that these are places of assembly and at which large numbers of people generally arrive at and leave from at the same time, and it is therefore not surprising that parking demands are greater. The Village is always concerned with traffic flow, parking and public safety. In these areas the roads are narrow and have many pedestrians.

Dan asked what the cost of signage would be. It was indicated that John Courtney had previously estimated that it would take about 20 signs which would cost about \$1,200.

#### Motion-To Close the Public Hearing

Trustee Leopold moved to close the public hearing. Trustee Baker seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O'Neill-Aye

The SEQR Short Environmental Assessment Form was completed by the Board.

Resolution # 5515-SEQR Review of Proposed Local Law B (2009)

#### **WHEREAS:**

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law B (2009), to be designated Local Law 2 (2009) upon its adoption, to amend Chapter 135 (entitled "Vehicles and

Traffic”), Article VI (entitled “Schedules”), Section 135-22 (entitled “Schedule VI: Parking Prohibited at All Times”) of the Village of Lansing Code so as to amend such Schedule VI and thereby provide for the updated designation of streets or portions thereof within the Village of Lansing where parking is prohibited at all times; and

- B. This proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is an involved agency for the purposes of environmental review; and
- C. On March 16, 2009, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), (i) thoroughly reviewed the Short Environmental Assessment Form (the “Short EAF”), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Short EAF, Part II;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

- 1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Short EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance with SEQR for the above referenced proposed action, and determines that neither a Full Environmental Assessment Form, nor an Environmental Impact Statement will be required; and:
- 2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Short EAF, Part III, confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

Trustee Leopold moved to approve this resolution. Trustee Baker seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O'Neill-Aye

Resolution # 5516- To Adopt Proposed Local Law B (2009), Amendment to Village of Lansing Code- Village of Lansing Vehicles and Traffic Regulations As Local Law 2, 2009

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law B (2009), to be designated Local Law 2 (2009) upon its adoption, to amend Chapter 135 (entitled "Vehicles and Traffic"), Article VI (entitled "Schedules"), Section 135-22 (entitled "Schedule VI: Parking Prohibited at All Times") of the Village of Lansing Code so as to amend such Schedule VI and thereby provide for the updated designation of streets or portions thereof within the Village of Lansing where parking is prohibited at all times; and.
- B. On February 2, 2009, the Village of Lansing Board of Trustees (i) acknowledged receipt of Proposed Local Law B (2009) and the Village of Lansing Planning Board's recommendation thereof, and (ii) preliminarily discussed the purposes and intent of Proposed Local Law B (2009), whereupon it determined that it would be appropriate to discuss this proposed action further with the Village Planning Board at the scheduled joint meeting of the Board of Trustees and Planning Board on February 9, 2009; and
- C. On February 9, 2009, at the joint meeting of the Village Board of Trustees and Village Planning Board, the Village Board of Trustees further discussed the purposes and intent of Proposed Local Law B (2009) with the Planning Board and the two Boards thereupon agreed upon revisions to Proposed Local Law B (2009) providing for a modified designation of the streets or portions thereof within the Village of Lansing where parking is to be prohibited at all times; and
- D. On March 2, 2009, a revised Proposed Local Law 2 (2009) was presented to the Village Board of Trustees reflecting the agreed upon modification of the designation of the streets or portions thereof within the Village of Lansing where parking is to be prohibited at all times, whereupon the Board scheduled a public hearing for the revised Proposed Local Law B (2009) for March 16, 2009; and
- E. On March 16, 2009, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law B (2009), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and

- F. On March 16, 2009, the Village of Lansing Board of Trustees determined that the proposed action is an Unlisted Action for which the Board is an involved agency, and thereupon, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), the Board (i) thoroughly reviewed the Short Environmental Assessment Form (the “Short EAF”), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), (iii) completed the Short EAF, Part 2; and (iv) made a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action and determined that an Environmental Impact Statement would not be required; and
- G. On March 16, 2009, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law B (2009), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations;

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Village of Lansing Board of Trustees hereby adopts Proposed Local Law B (2009), to be designated Local Law 2 (2009).

Trustee O’Neill moved to Adopt Local Law 2. Trustee Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O’Neill-Aye

The following is a copy of Local Law 2 (2009):

**AMENDMENT TO VILLAGE OF LANSING CODE - VILLAGE OF LANSING  
VEHICLES AND TRAFFIC REGULATIONS**

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

**SECTION I. PURPOSE AND INTENT.**

The purpose and intent of this Local Law is to amend Chapter 135 (entitled “Vehicles and Traffic”), Article VI (entitled “Schedules”), Section 135-22 (entitled “Schedule VI: Parking Prohibited at All Times”) of the Village of Lansing Code so as to amend such Schedule VI and thereby provide for the updated designation of streets or

portions thereof within the Village of Lansing where parking is prohibited at all times.

**SECTION II. AMENDMENT.**

Chapter 135 (entitled “Vehicles and Traffic”), Article VI (entitled “Schedules”), Section 135-22 (entitled “Schedule VI: Parking Prohibited at All Times”) of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

§135-22. Schedule VI: Parking Prohibited at All Times.

In accordance with the provisions of § 135-10, no person shall park a vehicle at any time upon any of the following described streets or portions thereof:

Name of Street	Side	Location
Burdick Hill Road	Both	From North Tripphammer Road to a point 500 feet west thereof
Bush Lane	Both	From Brook Way to a point 450 feet east thereof
Cinema Drive	Both	Its Full Length
Sheraton Drive	Both	Its Full Length
Uptown Drive	Both	Its Full Length

**SECTION III. SUPERCEDING EFFECT.**

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superceded to the extent necessary to give this local law full force and effect.

**SECTION IV. VALIDITY.**

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

**SECTION V. EFFECTIVE DATE.**

This Local Law shall be effective upon (i) its filing in the office of the Secretary of State and (ii) in the case of newly imposed parking provisions, the posting of signs and markings properly giving notice of the new parking prohibitions provided for herein.

The next item on the agenda was to approve minutes from the March 2<sup>nd</sup> meetings.

Motion - To Approve the Minutes of March 2<sup>nd</sup>, 2009

Trustee Leopold moved that the draft meeting notes, as reviewed and revised by the Clerk/Treasurer and the Board, are hereby adopted as the official minutes. Trustee Baker seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O’Neill-Aye

The next item on the agenda was to continue budget discussions. Jodi explained that she has gone through the revenue and expense reports and looked very carefully at what revenues we would still receive and which expenditures were actually going to occur this year. She sat down with Don after the Thursday noon meeting and the following adjustments were done as a result of that meeting.

In the General Fund the appropriated cash surplus was originally \$277,850. We came up with this original amount using a textbook method of cash on hand minus budgeted expenditures plus budgeted incomes still to come. After some review of what will actually happen in the remainder of this fiscal year it was increased to \$506,150. This is due to a combination of under estimating the appropriation in the past year and the Village being efficient and saving money on purchases and projects. With this proposed budget the tax rate is \$1.21/\$1,000 of assessed value.

After looking at the current economic situation and the current trends, the following income amounts have been adjusted:

A1120 Sales Tax – lowered from \$600,000 to \$450,000, this year we'll probably be about \$45,000 short of reaching our budget number.

A1130 Utility Tax- decreased from \$85,000 to \$65,000, this year it looks as if we will be \$25,000 short of our budgeted \$90,000

A1170 Franchise Fees-lower than normal

A2590-Building Permits budgeted amount will remain the same as last year

A2665 Equipment Sales-lowered from \$30,000 to \$25,000, anticipated amount we'd receive for the sale of our backhoe

A3005-Mortgage Tax- Don had anticipates a \$30,000 increase in the mortgage tax due to people refinancing but realistically, we are unsure if that will happen so we left it the same as this year.

On the Expense side:

A1440.4 Engineering we increased by \$7,000 to allow for planning of Dart Drive.

A3310.2 Traffic Control Equipment-Added \$50,000 for half of the Warren Road traffic signal.

A3620.11 Code Officer-We budgeted for Ben and his replacement. These two salaries have been split out so they each have their own line item. Added A3620.14. This was also done with the A8010.1 Zoning Officer. Added A8010.11.

In the water fund the appropriated cash surplus was lowered from \$543,766 to \$215,824 because Don did not take into consideration the transfer in from capital reserve when he added back in the amount to appropriated cash surplus when it was determined that we would not do the Burdick Hill tank this year but will in 2009-10. This means that more money will need to be transferred out of our Capital Reserve in 2009-10 because we will not be transferring out \$327,942 this budget year. F5031 was increased from \$130,454 to \$458,396.

In the sewer fund appropriated Fund Balance was increased to \$57,725 which allowed us to make a transfer to reserve (G9962.2). We still don't know what the Village of Cayuga

Heights will charge us for sewer rents. Hopefully, by the public hearing we will know what they will be charging us and lines G2374 and G8189.4 can be adjusted accordingly.

Interest Earnings are significantly less in all three funds due to the current rates with a chance of them only decreasing more in the next year. The amounts have been lowered further in the General Fund because we will be using more of our unreserved fund balance for appropriated cash surplus therefore there will be less money in the bank to collect interest. Lynn asked what our current interest rates were. Jodi stated that on our savings accounts with over \$1 million we receive 1.139%. Jodi has moved all of our monies from Chase and closed those accounts because their rate was getting down around .6%. Jodi explained to the Board that when they look at their Treasurer's Report they will see a shift from CD's to Savings depending on where the best rate is at the time. Jodi is constantly looking at the rates and placing the Village's money where it will earn the most interest. All of our funds are collateralized.

Resolution #5517 -To Set a Budget Public Hearing for April 6, 2009 at 7:35pm at the Village Office

Trustee Leopold moved this resolution. Trustee Baker seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O'Neill-Aye

Jodi explained that Ben Curtis has prepared a memo for the Trustees requesting that Building Permit fees be reimbursed to IJ Construction for 47, 49 & 51 Nor Way. Ben stated in his memo that at this time, it is not feasible to build town homes with these bad economic times. Ivar has requested that the Village of Lansing refund the fees that he paid back on November 4, 2008. In his memo, Ben states that the Village has incurred no significant costs to date in processing the permits since the plans are almost identical to those of the previously constructed units. Very little time has been spent on plan review. Instead of town homes, Ivar will be building a single family home on his property at 6 Bomax Drive. Jodi stated that the amounts to be refunded would be \$1,200 for the three building permits and \$7,050 for the three sewer permits.

Resolution #5518 -To Refund IJ Construction of Ithaca for the Three Building Permits (\$1,200) and Sewer Permits (\$7,050) That It Purchased Back on November 4, 2008.

Trustee O'Neill moved this resolution. Trustee Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O'Neill-Aye



Lynn stated that this is the first real indication that things are slowing down. Larry stated that if you have leverage with money it's a great time to buy with so many foreclosures. Larry has also heard that people are considering trading houses.

Larry announced that the next meeting will be a joint meeting with the Town of Lansing on Thursday March 26, 2009 here at the Village Office at 7:30pm.

Motion- To Adjourn

Trustee Baker moved for adjournment. Trustee Leopold seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye  
Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye  
Trustee John O'Neill-Aye

The meeting adjourned at 8:27 PM.

Jodi Dake  
Clerk/Treasurer