

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 1, 2010, in the Village Office.

Present: Mayor Donald Hartill; Trustees John O'Neill, Lynn Leopold, Patricia O'Rourke and Julie Baker; Attorney David Dubow; Clerk/Treasurer Jodi Dake; Planning Board Member, Richard Durst

Mayor Hartill called the meeting to order at 7:33 pm and opened the public comment period.

Audrey Kahin introduced herself as an observer for the Community Party. There was no public comment.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye	Trustee John O'Neill -Aye
Trustee Julie Baker-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

Mayor Hartill pointed out the resignation letter that the Board has received from Ned Hickey. Ned had previously retired as the Planning Board Chair but agreed to stay as an alternate until the Village found a replacement. Don stated that Ned will definitely be missed and he hopes that he will continue to be available for his historical memory. Ned was one of the original instigators for creating the Village of Lansing. He has served on and off on the Board of Trustees and Planning Board since the Village was formed. The Village honored Ned when he retired as Planning Board chairperson. Lynn stated that he is retiring from retirement. Jodi stated that Ned has agreed to continue to assist the Village in the future by sharing his knowledge. Don accepted Ned's resignation. Mario Tomei and the Planning Board have recommended Jonathan Kanter to fill the alternate position.

Resolution #5668-To Appoint Jonathan Kanter as the Alternate to the Planning Board

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

Mayor Donald Hartill-Aye	Trustee John O'Neill -Aye
Trustee Julie Baker-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

Jonathan stated that he has lived in the Village on Stone Creek Drive since July 2009. He is currently the Director of Planning for the Town of Ithaca and will be retiring from that position at the end of 2010 after sixteen years of service. John is excited to work with the Village.

David explained that Planning Board alternate members are appointed for one year terms, and therefore Jonathan would serve for the remainder of Ned's one year term through the end of May. The Mayor indicated that it is common practice for alternate members to be regularly reappointed each year at the Organizational Meeting.

The Mayor stated that Mark Mahony of 700 Warren Road is interested in serving on the Joint Youth Commission. He has been attending the Joint Youth Commission as a nonvoting member.

Resolution #5669-To Appoint Mark Mahony as the Village of Lansing
Representative on the Joint Youth Commission

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

Mayor Donald Hartill-Aye	Trustee John O'Neill -Aye
Trustee Julie Baker-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

Jodi informed the Board that Centro (the bill paying company for the Cayuga Mall) has requested that the Village waive their water/sewer penalties for October because their payment was mistakenly mailed to Lansing, Illinois instead of Lansing, New York. Jodi pointed out that this water account is usually late at least two times each year; however they have not contacted us before to have penalties removed. Lynn felt we should give them the benefit of the doubt this one time. Don suggested that a strong letter be sent to them stating that this is a one time deal. The Mayor also indicated that this might offer an opportunity to further pursue the Catherwood Road East issue that John Courtney has been working on and discussing with Cayuga Mall representatives. The issue that he is referring to is the large hole in a small strip of the Mall property beside HSBC Bank and at the end of the Village's road right-of-way which needs to be repaired and which might enable the Village to create a turn-around area for snowplowing. Don will write a letter to the appropriate representative of the Mall.

Resolution #5670-To Credit Account #M1686 for Water/Sewer Penalties
That Were Incurred on October 21, 2010 in the Amount
of \$989.96

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Ithaca Tofu is requesting a refund of their building permit received 7/6/09 for 23 Cinema Drive. Michael Pan came into the office requesting that the building permit fee be refunded because he was unable to complete his project as originally intended. There was a shed type structure that, at first, was built and attached to a primary structure without a permit. Michael then applied for a permit. Since the structure was out of compliance with New York State Building Code and the Village of Lansing Zoning Code, Ben Curtis, the previous Code & Zoning Officer, made him remove it. Marty is now recommending that we refund half of the building permit fee since Ben had done at least one site inspection.

Resolution #5671-To Refund Half of Building Permit #2389 from
7/6/09 in the Amount of \$52 to WB Ithaca Tofu Inc. at
23 Cinema Drive

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

It was explained that every year the Village taxes that are unpaid get turned over to the County for collection and are thereby relieved on the Town & County Tax bill. The Board approved the returned Village taxes that will be sent to Tompkins County and signed the Certificate of Trustees.

Resolution #5572-To Forward the Delinquent Village Taxes in the
Amount of \$4,653.98 to Tompkins County

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Next on the agenda was to approve the minutes from October 14th & 18th.

Motion - To Approve the Minutes from October 14, 2010

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 O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Motion - To Approve the Minutes from October 18, 2010

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

The next item on the agenda was an update on the Village of Lansing Garage Addition. David Dubow gave the history on what had been done so far. He explained that the a resolution was passed at the last meeting to approve the award of bid and give the Mayor authorization to sign all relating documents. The purpose of this discussion is to keep the Board informed. Tonight, Don will be signing five copies of the construction contract and the Notice to Proceed. The construction period under the Notice to Proceed will commence to run on November 4, 2010. The date of Substantial Completion is December 31, 2010, and the date of readiness for final payment is February 15, 2011. Dave Putnam informed the Board that McPherson's has already called UFPO so they do plan to start this week.

The one thing that the Board needed to decide was whether to pay for the \$2008 Building Permit out of Capital Projects or to waive the fee since it is the Village paying itself. It was clarified that the Building Permit Fee was not part of the bid.

Resolution #5673- To Waive the Building Fee for the Village of Lansing
Garage Addition

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Mayor Hartill stated that the roads we planned on striping have been completed with the exception of N. Triphammer Rd. At the last Bolton Point Commissioners meeting it was decided that the Bolton Point water rate would be increased by \$0.12/1,000 gal. and an additional \$0.10/1,000 gal. to be earmarked for a capital reserve fund for future capital projects such as trucks, pumps, transmission mains and other large projects. David briefly explained how capital reserve funds work in terms of legal procedures and requirements for future withdrawals and expenditures. Don is unsure if they realize that each time

money is removed from a reserve fund it is subject to a permissive referendum and such action will require each municipality that belongs to the SCLIWC to publish a legal notice accordingly indicating that a permissive referendum can be petitioned within 30 days. Don stated that he was one of a minority of two that voted against this at the Bolton Point Commissioners meeting. The bottom line is that there will be an upcoming increase in our water rates. Don indicated that what has happened with SCLIWC is that they have been spending down their fund balance instead of increasing water rates along with inflation. Don will not be at the next Commission meeting but he will talk to Paul Tunison before this to voice his concerns. David has also been asked to attend the next Commission meeting to discuss this further.

During General Discussion, John O'Neill stated that he attended a meeting on hydraulic fracturing presented by James Northrup. James warned them at the meeting that given the topography of this area and all this water, the proposed fracking process may be very dangerous. He encouraged everyone to get together and stop this. The message was that it would be good for the economy for about one year and residents would get a little money for the leases, but then when it's complete we are left with risks to our water, environment, agriculture and infrastructure. John O'Neill handed out a list of informative documents that could be found on the internet.

Don stated that one of his colleagues, Tony Engrocia, is an expert on these matters and will be giving a talk. Don stated that the only significant leverage we have as a Village is on road usage. We already have stringent rules for our Village roads. Lynn stated that there is currently a moratorium.

Lynn reported that she attended the Cayuga Lake Water Shed meeting and the IO is going to issue a request for RFP to update _____ Plan (Lynn they will be reevaluating their current RFP to see what needs to be updated. The original RFP was done with State monies. They have received another \$59,000 grant. Currently, the dues paid by each municipality are funding the Floating Classroom. Don asked if they had looked into having Tompkins County Planning Department help them since they have a staff of 9 people. Lynn stated that they have had no interaction with Tompkins County Planning since Kate left. Don stated that he will ask Ed Marx specifically to see what they do.

Jodi stated that she would not be at the Thursday noon meeting on Veteran's Day. Three Planning Board members have requested to go to a training being held at TC3 on December 1, 2010. Since it is required to have pre-approval to attend training, the following resolution was presented:

Resolution #5674- To Send Three Board Members to the Regional
Conference & Training at TC3 on December 1, 2010
From 4-9pm at a Cost of \$25 per Person

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Don suggested that the Board cancel the noon meeting on Thursday the 11th and just approve the vouchers at the next Monday meeting on the 15th.

Resolution #5675- To Cancel the November 11, 2010 Noon Board of Trustees Meeting

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

Motion- To Adjourn

Trustee Baker moved for adjournment. Trustee O'Neill seconded the motion to adjourn. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye
Trustee Patricia O'Rourke-Aye

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

The meeting adjourned at 8:35 pm.

Jodi Dake
Clerk/Treasurer