

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 5, 2012, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Julie Baker, Patricia O'Rourke and John O'Neill; Clerk/Treasurer Jodi Dake; Attorney David Dubow

Mayor Hartill called the meeting to order at 7:35 pm. and opened the public comment period. There were no comments from the public.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

The Board then reported on the progress that they have made on the Comprehensive Plan. Hartill stated that he went to the census website and it is trivial process to get information. He couldn't get 2000 census information. He found total population data which appeared to indicate that the Village has grown by 3.3% between 2000 and 2010. He was interested in seeing if there were any significant shifts but he did not see that there. O'Neill stated that Maria Stycos and Yasamin Miller will be working on the census data together.

Hartill stated that we will do some sort of survey in the future and the key to it being useful is going to be the list of questions. Don would like the Board of Trustees and Planning Board to start thinking about the questions to be included on a survey; not only for our residents, but also for the businesses. The biggest challenge is a mechanism to involve the businesses. The Mayor thinks it is very important to involve business concerns in the update of the Comprehensive Plan. Tompkins County retail dollars were approximately \$1 billion for 2010. There appeared to be some potential confusion as to extent of population growth between 2000 and 2010 as reflected in the census numbers, so both Julie and Don are going to check the County's census numbers to clarify this information.

Julie reported that she met with Marty Moseley to ask to get some new maps. The new maps will come from USGS and also from the Tompkins County Planning Department. She doesn't have a resident working with her Comprehensive Plan group and wondered if the Mayor had any suggestions. Mayor Hartill stated that Joe Stycos has offered to do some census type things with Julie's group. It was also reported that Debra Dawson has agreed to help wherever she is needed. Julie also has a version of Chapter 1 of the current Comprehensive Plan that has updated numbers.

O'Neill reported that he is also trying to get maps for infrastructure. John Courtney told O'Neill that he won't have a map until next spring. Jeff Scott of 4 Ayla Way has also suggested to John

that the primary elementary school listed in the Comprehensive Plan should be updated to be Beverly J. Martin Elementary School. O'Neill also talked to Marty about maps for roads and he'll have that next week. O'Neill feels that after he gets maps, the evaluation process should be very simple.

Pat O'Rourke hasn't met again with Lisa Schleelein because they both have been out of town. Their group is also looking for a resident to work with them on their section of the Comprehensive Plan. Julie will get Debra Dawson to work with them.

The Mayor stated that we do need to update all of our infrastructure maps. Currently, the only sewer map that we have is an old map that is falling apart. Jodi stated that Dennis (the prior Village Highway Department Superintendent) use to have drawings for every new connection to the sewer system and wondered if that information is still being collected and where it could be found. Hartill stated that the Village needs a central electronic file. Deciding how we will go about this is a useful topic for next Thursday's noon meeting.

Mayor Hartill reported that he received a letter from Roy Park, President of Triad Foundation, regarding the need to explore the possible installation of a traffic light at the intersection of Craft Rd. and N. Triphammer Rd. Even if it is too late in the year to install a traffic light, Mr. Park would at least like a traffic count taken at this intersection. Mr. Park states in his letter to the Mayor that a number of people have told him of the close calls they have had turning left onto N. Triphammer. Triad Foundation has set aside \$19,000 to assist the Village in this project this year and can issue a check against the cost of this project upon request. A grant for this amount must be made in 2012 to some recipient in November and Mr. Park hopes it could be to the Village of Lansing with the goal of preventing a serious accident at this location. If a traffic count confirms the need for a traffic light, there can be additional grant money available for the Village for this project in 2013. Mr. Park has requested that he know what the Village would like to do by November 12th. Currently, we have budgeted \$75,000 for half of the cost for a traffic signal at that intersection.

Mayor Hartill stated that business is increasing in that area. A traffic signal would chop the traffic up making it easier for others to get out along N. Triphammer. It would also slow traffic down. One of the concerns is that it may enable traffic through the Lansing Trail residential area. Most of the traffic is attributable to the businesses and not so much the residents. The first step is to have a traffic count done. We need approval from NYSDOT to install a signal. Mayor Hartill stated that he has asked John Courtney to start the process but hasn't had a chance to follow up.

O'Neill is concerned that if we eventually have a road that attaches to Bomax then he feels people would cut through his neighborhood. He thinks the signal light would enable traffic. Hartill indicated that he would be surprised if there would be any difference between a stop sign and a traffic light with through traffic. The Mayor feels there is a significant advantage of slowing traffic down. O'Neill stated that he is thinking about the future. Julie stated that there is no direct path through the Lansing Trails development. It is a serpentine path, not a straight shot through. Hartill thinks the real question is if there is a difference with a stop sign verses traffic signal at the intersection of Craft Rd. and N. Triphammer Rd. Don will get Courtney to get going with this traffic study. We have fairly accurate traffic counts from MPO. It was asked if there

was some provision for a traffic signal installed when the Village reconstructed N. Triphammer Road. This is a question for Courtney or Dave Putnam.

Dubow stated that the Planning Board has recommended Proposed Local Law E which would amend Chapter 145 (entitled "Zoning") of the Village of Lansing Code so as to establish procedures for the renewal of previously approved special permits for Temporary Commercial Activities by either administrative action of the Village Code and Zoning Officer or by action of the Village Planning Board; and to amend accordingly the provisions in Section 145-59 [entitled "Special Permits"] of said Chapter 145 of the Village of Lansing Code so as to add a new subsection "G" of said Section 145-59. The proposed new provisions are intended to simplify the process of approving repeat Temporary Commercial Activities and allow for this action to be done administratively if it is very similar to what was originally approved by the Planning Board. Throughout this last year the Planning Board has recognized a need to make this process for the returning applicant slightly easier so as to allow the Planning Board to focus on other items. This change will have a minimal impact on the Village and will streamline the process. The example that Dubow used was the outdoor car sale at the Shops at Ithaca Mall. The Board acknowledged the introduction of this Proposed Local Law and the need for a public hearing if they want to proceed further.

Motion- To Set a Public Hearing for Proposed Local Law E (2012), Amendment to Village of Lansing Code-Zoning Law for November 19, 2012 at 7:35pm

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

Mayor Hartill once again indicated that the bids for the new Village of Lansing office building came back high compared to the estimate that the architect gave us and the bids were therefore rejected. The Mayor would like to meet with Vince of QPK Architects to see if there are any areas in which to save money. He explained that the cost of the building is reasonable based upon current construction costs, but it is the infrastructure and site preparation that was more costly than anticipated. The tab for the road that goes back to the DPW garage area is \$200K. We may be able to use our staff to do some of the work. The Mayor is reluctant to redesign the building. It is basically what we need and what we want. We may consider using slightly different materials. We need to go through the process of looking at it again very carefully. O'Neill likes how the proposed new office looks. He thinks it is large, but if we can afford it than it is very good. He also suggested maybe having a public meeting again. The Mayor stated that every time we have a board meeting it is a public meeting at which interested parties can attend. Baker stated that people were unhappy when it was estimated at \$700,000. Julie feels we need to make sure we can justify why we need the new building and its cost. It was acknowledged that with the noise and vibration of the pumps right next to the current office, we need a new building. Don will write something up for the website. The Mayor will meet with Vince to look at other options and put together a recommendation for the Board. Since this will have to go out to bid again, this will only list the percentage of costs of each piece of the project. The cost per

square foot was within the norm. With the rebidding process the Mayor plans to request qualifications first. Dubow stated that the NYS statute generally provides that a bid award for a project is to be given to the lowest responsible bidder. The intent is to expend no more than necessary, but also ensure quality workmanship.

The next item on the agenda was to consider decreasing the Village of Lansing sewer surcharge from 30% to 25%. The Board had previously lowered the water surcharge from 30% to 25% when they approved the rate increase by Bolton Point from \$3.15 to \$4.00 per 1,000 gallons of water. Currently we also bill our users the amount that we have to pay the Village of Cayuga Heights (\$3.22/1,000 gallons) and then a % is added to cover our maintenance cost. This is new this year with the change over from being charged per unit on ones taxes to being based on consumption. Reducing the surcharge to 25% would compensate for the increased water rate. Currently, the rate is \$0.95/1,000 gallons and with the water rate increase it would be \$1.20/1,000 gallons if we kept the current 30% surcharge. Lowering the surcharge to 25% would make it \$1.00/1,000 gallons. The net result is a smaller % surcharge on a higher water cost resulting in not much of a change from the current surcharge. This action will require an amendment of the Village Code/Sewer Law, which necessitates this action being accomplished by the adoption of a local law. Dubow prepared Proposed Local Law F (2012), and its introduction was confirmed.

Motion- To Set a Public Hearing for Proposed Local Law F (2012), Amendment to Village of Lansing Code-Sewer Rents for November 19, 2012 at 7:40pm

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

The next item on the agenda was to approve the minutes from October 1, 11 & 15, 2012.

Motion- To Approve the Minutes from October 1, 2012

Trustee O'Neill moved to approve the minutes. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Abstain
Trustee Julie Baker-Abstain

Motion- To Approve the Minutes from October 11 & 15, 2012

Trustee Baker moved to approve the minutes. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

It was explained that every year the Village taxes that are unpaid get turned over to the County for collection and are relieved on the Town & County Tax bill, and the County reimburses the Village in the spring. The amount of delinquent taxes is significantly less this year compared to previous years. The Board approved the returned Village taxes that will be sent to Tompkins County and signed the Certificate of Trustees.

Resolution #5916-To Forward the Delinquent Village Taxes in the
Amount of \$923.57 to Tompkins County

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

Mayor Donald Hartill-Aye
Trustee Julie Baker-Aye

Trustee John O'Neill -Aye
Trustee Patricia O'Rourke-Aye

Dubow explained that the October 1st resolution the Board approved authorizing the issuance of licenses for games of chance in the Village pursuant to Local Law Number 3 of 2012 adopted by the Town of Lansing needs to be reaffirmed since it was not published in the Ithaca Journal Legal Notices within 10 days. The Town of Lansing's Local Law will not be deemed effective until it is approved at the November 6th General Election. In addition, the Village's resolution will be subject to a 30 day permissive referendum period and therefore will not be effective until that 30 day period has expired.

Resolution #5917 -Village of Lansing – Reaffirmation Games of Chance Resolution

WHEREAS:

A. The Town Board of the Town of Lansing, in accordance with General Municipal Law §188, adopted Local Law Number 3 of 2012 entitled "Local Law to Authorize Bingo and Games of Chance Within the Town of Lansing" to be effective on November 6, 2012, which Local Law Number 3 was filed as required with the Department of State on August 28, 2102; and

B. Such Local Law Number 3 provides, in accordance with General Municipal Law §188, that it shall not become operative or effective unless and until it shall have been approved at the next general election on November 6, 2012, within the Town of Lansing by affirmative vote of a majority of the qualified electors of the Town voting upon the proposition; and

C. Such Local Law Number 3, in accordance with General Municipal Law §187, provides that it shall apply to the territory of the Town within the Village of Lansing only if, after adoption of such Local Law 3, the Board of Trustees of the Village of Lansing adopts a local law or resolution in accordance with General Municipal Law §187 authorizing the Town to issue licenses for games of chance within the Village, such local law or resolution to be subject to a permissive referendum; and

D. The Village of Lansing Board of Trustees, following review, discussion and consideration, determined that it would be appropriate and beneficial to adopt a resolution in accordance with General Municipal Law §187 for the purpose of authorizing the Town to issue licenses for games of chance within the Village; and

E. The Village of Lansing Board of Trustees did in fact adopt a resolution substantially as below at its meeting on October 1, 2012, such resolution having been subject to permissive referendum as so indicated; and

F. Inadvertently, the Village of Lansing did not post and publish the adopted resolution within ten (10) days after its adoption as required; and

G. The Village of Lansing Board of Trustees hereby wishes to reaffirm its adoption of its October 1, 2012 resolution as so indicated below;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees hereby reaffirms its adoption of its October 1, 2012 resolution, and hereby re-determines, pursuant to General Municipal Law §187, that this reaffirmation resolution shall serve to confirm the Village of Lansing's grant of authority to the Town of Lansing to issue licenses for games of chance within the Village of Lansing in accordance with Local Law Number 3 of 2012 of the Town of Lansing; and
2. This reaffirmation resolution shall be subject to a permissive referendum in accordance with General Municipal Law §187 and Article 9 of the Village Law; and
3. This reaffirmation resolution, and the authority granted hereunder, shall not become operative or effective unless and until Local Law Number 3 of 2012 of the Town of Lansing shall have been approved at the next general election on November 6, 2012, within the Town of Lansing by affirmative vote of a majority of the qualified electors of the Town voting upon the proposition; and
4. The Village Board of Trustees hereby authorizes and requests that the Mayor, Village Clerk/Treasurer and the attorney for the Village take such steps as may be necessary, desirable and/or appropriate to effectuate the intent of the foregoing reaffirmation resolutions; and
5. Any and all actions heretofore or hereafter taken by the Mayor, Village Clerk/Treasurer and the attorney for the Village within the terms and in conformity with the intent and purpose of the foregoing reaffirming resolutions hereby are in all respects ratified, confirmed and approved as the proper and authorized acts and deeds of the Village.

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

The same reaffirmation is necessary for the authorization to use capital reserve funds for real estate property acquisition that was approved at the last meeting.

Resolution #5918-Real Property Acquisition Capital Reserve
Expenditure Authorization Reaffirmation Resolution

WHEREAS:

- A. The Village of Lansing (the "Village") is considering the potential acquisition of certain unimproved real property and its use to accommodate the needs of the community and for the benefit of the Village and its residents; and
- B. The Village Board of Trustees has reviewed the potential acquisition of such unimproved real property and determined that it will in the best interests of the Village; and
- C. The Village has, in anticipation of the potential acquisition of real property from time to time, maintained a general capital reserve fund so as to set aside funds for the potential acquisition of unimproved real property; and
- D. The Village is undertaking discussions and negotiations regarding the potential acquisition of such unimproved real property and the financial terms related thereto; and
- E. The Village General Capital Reserve Fund has sufficient funds for the contemplated potential acquisition of such real property; and
- F. The Village Board of Trustees adopted a resolution substantially as below at the October 15, 2012 Joint meeting of the Board of Trustees and Planning Board, such resolution authorizing the expenditure of funds if and when such potential acquisition of unimproved real property is contemplated such that the sum of \$500,000 be transferred from the General Capital Reserve Fund to the General Fund; and
- G. Inadvertently, the Village of Lansing did not post and publish the adopted resolution within ten (10) days after its adoption as required; and
- H. The Village of Lansing Board of Trustees hereby wishes to reaffirm its adoption of its October 15, 2012 resolution as so indicated below;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The Village Board of Trustees hereby reaffirms its adoption of its October 15, 2012 resolution re-authorizing the expenditure of funds for such potential acquisition of unimproved real property and the transfer of \$500,000 from the General Capital Reserve Fund to the General Fund for such purpose; and

2. Within ten (10) days after the adoption of this reaffirmation resolution, the Village Clerk shall, as set forth in Article 9 of the Village Law, post and publish a notice which shall set forth the date of the adoption of this resolution and contain an abstract of this resolution, concisely stating the purpose and effect thereof. Such notice shall specify that such resolution was adopted subject to a permissive referendum; and
3. This reaffirmation resolution shall take effect thirty (30) days after its adoption, unless a referendum is requested, in which event it shall take effect, if approved at such referendum, upon such approval; and
4. This reaffirmation resolution is adopted subject to a permissive referendum as required by law.

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

Jodi will submit legal ads to be published in the Ithaca Journal for both these reaffirmations and also get affidavits of publication.

The Mayor reported that construction of the new SCLIWC Burdick Hill water tank is moving right along. Bolton Point hopes to have it online by the first of year. Once the new tank is up and running they will then decommission the tank beside it. It is still unknown if they will refurbish or replace that tank since there are significant structural issues with this tank. Bolton Point is also currently replacing the transmission line that runs up N. Triphammer Rd. and rerouting it a little to the west. That project is also moving along. Mayor Hartill will get an update Thursday at the SCLIWC meeting. Bolton Point also anticipates having to replace the transmission main under Route13 that extends into the Village of Cayuga Heights and along Pleasant Grove Road. It was also acknowledged that the general election will be tomorrow and voting will be at the Village Office, and everyone was encouraged to get out and vote.

There were no comments during the General discussion period. Mayor Hartill asked for an executive session concerning real property acquisition/Village financial matters and value matters that may be affected by publicity.

Motion- To Go Into Executive Session

Trustee O'Rourke moved to go to executive session Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

The Board went into executive session at 8:30pm.

Motion- To Come Out of Executive Session

Trustee Baker moved to come out of executive session. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

The Board came out of executive session at 8:50 pm.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye

The meeting adjourned at 8:51 pm.

Jodi Dake
Clerk/Treasurer