

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 6, 2014, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees John O'Neill, and Gerald Monaghan; Clerk/Treasurer, Jodi Dake; Attorney David Dubow; Lisa Schleelein, Planning Board member.

Mayor Hartill called the meeting to order at 7:33pm and opened the public comment period. Lisa Schleelein thanked Eric Goetzmann for taking down the dead trees on his property on Oakcrest Rd. With the senior development project not happening yet, it's good that he took the trees down.

Motion- To Close the Public Comment Period

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

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

Trustee Gerry Monaghan-Aye

Marty Moseley previously sent the Trustees an email stating that on September 8<sup>th</sup> the Planning Board made a recommendation to the Board of Trustees that the Shops at Ithaca Mall (Planned Sign Area) PSA be altered to allow the mall to have temporary signs not to exceed 144 square feet administratively approved, and that the temporary signs shall not exceed 90 days for the entire PSA. In the event that the temporary signs would exceed 144 square feet, the mall would need to be granted Planning Board approval for the sign before installation. Currently, there is no maximum timeframe that constrains temporary signs for the mall's PSA, and the current PSA document requires that the mall have all signs approved that exceed 50 square feet in area. This proposal would only affect the temporary signs as proposed by the Planning Board.

Dubow stated that the summary Moseley had previously sent is accurate. All PSA's require the Planning Board to give a recommend to the Trustees. Eric Goetzmann added that what is being proposed are the same signs they have had for the last 3 years.

Resolution #6098- Recommendation to the Planning Board to Allow the Shops at Ithaca Mall Planned Sign Area to Have Temporary Signs Not to Exceed 144 Square Feet and That the Temporary Signs Shall Not Exceed 90 Days for the Entire PSA

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

Mayor Donald Hartill-Aye

Trustee Gerry Monaghan-Aye

Trustee John O'Neill-Aye

Eric Goetzmann sent a letter to the Village petitioning to modify the existing Lansing Meadows Planned Development Area (PDA). Arrowhead Ventures is requesting an alteration to the existing Lansing Meadows PDA regulations that have been established in the PDA zoning, more specifically they are requesting a change to not require minimum street frontage within the Lansing Meadows PDA Commercial component. Currently in the Lansing Meadows PDA, BJ's Wholesale Club doesn't have access to a public street, but it does have a recorded easement that gives BJ's ingress and egress to a public street.

Goetzmann reviewed with the Board a copy of a map that was previously sent to the Trustees. Eric explained that the tail to Hickory Hollow was originally needed because BJ's had to have frontage on a Village road. There is an easement, but they are trying to make the BJ's parcel as small as possible and add that area to the parcel which will eventually have the senior living units. Goetzmann is asking for a lot line adjustment within the PDA.

Dubow stated that the Trustees need to decide if this will be a major or minor PDA change. If this is a minor change then it goes to the Planning Board for initial review and recommendation to the Trustees. If the Trustees think the proposed revision would be a major change, then it would have to go through the whole PDA process. If the Village wants to change minimum 75 foot frontage requirement, then they would also have to modify the applicable PDA provisions. The 75 feet change is easy; however the question is whether changing the boundary lines for portions of the PDA is a major or minor change? The BJ's parcel never had direct access to a public road; the road frontage that was created was because our Village regulations provide for that frontage. Dubow stated that we need some confirmation of the easement and right of way that provides access to the Shops at Ithaca Mall. It was asked if there is a current road that comes out on Oakcrest. There is only an emergency access road that comes out onto Oakcrest by the Fire station.

O'Neill asked Goetzmann when he would be starting the senior living project. Goetzmann stated that he is still working with the Army Corp of Engineers. At a meeting back in March, Goetzmann had reported that he has been working with the Army Corp of Engineers to see if he can get rid of the wetland designation on the project so he can build more than the originally approved 12 units of senior housing. The wetlands were created when Pyramid Mall was being built. As a compromise to getting rid of the designated wetland on Pyramid property, Goetzmann was told he could build a real wetland somewhere else. Eric bought land that contains an inland salt marsh by Montezuma Wildlife Refuge. This was part one of two parts of the process.

Dubow indicated that it would be helpful for Goetzman to explain the reason for this requested change of the boundaries. Goetzmann wants to make the BJ's parcel as small as possible. Dubow explained that this is a PDA was originally approved with 3 separate components. Monaghan stated that he did not see a down side to making this change. He feels it enhances the housing portion of the PDA.

Resolution #6099- Recommended the requested PDA Change Go to the Planning Board and Be Considered a Minor Change.

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

Mayor Donald Hartill-Aye

Trustee Gerry Monaghan-Aye

Trustee John O'Neill-Aye

The next item on the agenda was to approve the 2015 Water Rate Schedule proposed by Bolton Point. It was acknowledged that this matter was discussed at the previous Board meeting and then tabled pending more review and explanation. Mayor Hartill stated that he pushed hard to change the way we do the water rates at Bolton Point and he was unsuccessful. He had suggested that we have a fixed cost for water and then pay a price per gallons of usage. That approach would be income neutral. However, there was a problem with sewer rents. The subsidy to large users is 11-13%. The proposed Bolton point rate is a significant increase. The reasons for the increase are partly due to an upgrade to the computer control system, which costs \$50,000 initially, and then a yearly maintenance cost of \$20,000. Bolton Point is also trying to anticipate the retirement of senior personnel and has decided to have an orderly transition that may require a short-term and temporary overlap of personnel. The plan is to increase the staff by one person. When you add all this up, it leads to the rate 6.7% increase. Hartill assured the Board that the intent is to temporarily increase the staff by one and when one of the staff retires they will not be replaced.

Resolution #6100-To Approve the Amendment To the Southern Cayuga Lake Intermunicipal Water Commission Agreement Increasing the Water Rate Charges and to Establish Such Amended Water Rate Charges for the Village of Lansing

**WHEREAS**, the Village of Lansing entered into an agreement of intermunicipal cooperation with several other municipalities creating the Southern Cayuga Lake Intermunicipal Water Commission ("SCLIWC") and authorizing the construction by such Commission of the Bolton Point water treatment plant and related transmission and other facilities, which agreement was restated as of June 5, 1979, and which agreement has been subsequently amended from time to time (such agreement as so amended being hereinafter referred to as the "SCLIWC Agreement"); and

**WHEREAS**, the SCLIWC Agreement included a schedule of the water rates to be charged, which schedule has been amended from time to time; and

**WHEREAS**, the parties to the SCLIWC Agreement wish to amend the Agreement to increase the water rates, and a copy of the proposed amendment has been submitted to this Board for its approval; and

**WHEREAS**, the Village of Lansing Board of Trustees finds it is in the best interests of the Village of Lansing and its citizens to affect the proposed water rate increases;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Village of Lansing Board of Trustees, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”) and 6 NYCRR Section 617.5, hereby determines that adoption of said proposed amendment and the establishment of water rates constitute a Type II action, constituting “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment,” and thus may be processed without further regard to SEQR; and be it further

**RESOLVED**, that the Village of Lansing Board of Trustees hereby authorizes on its behalf the execution of the proposed amendment to the SCLIWC Agreement submitted to this meeting, approving thereby the amendment to the rate schedule so as to increase the water rates to be charged under the SCLIWC Agreement generally from \$4.08 per thousand gallons of water to \$4.35 per thousand gallons of water; and be it further

**RESOLVED**, that upon the approval by all required parties of the proposed amendment to the SCLIWC Agreement setting the increased rate of \$4.35 per thousand gallons of water, and concurrently with the effective date of such amended rate as provided for in the approved amendment to the SCLIWC Agreement, the Village of Lansing Board of Trustees hereby establishes the foregoing increased rate as the base rate chargeable to each owner of property that is provided with water service by connecting to the Village of Lansing Water System, all such water service charges being subject to the additional water rate surcharge (currently 25%) imposed by the Village from time to time by resolution of the Village Board of Trustees.

Trustee O’Neill moved this resolution. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye                      Trustee John O’Neill-Aye  
Trustee Gerry Monaghan-Aye

There are minutes from three meetings that need approval but only the minutes from August 18<sup>th</sup> can be done with the Trustees that are present.

Motion- To Approve the Minutes from August 18, 2014

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

Mayor Donald Hartill-Aye                      Trustee John O’Neill-Aye  
Trustee Gerry Monaghan-Aye

Dake presented the updated Electrical Fee Schedule to the Board. She explained that after reviewing the Fee Schedule with the Code Officer and Electrical Inspector, it was revised to make it clear that there is a Minimum Filing Fee of \$85 plus a charge for each device. The device fees have not changed. The \$20 additional inspection statement at the bottom of the old form has been removed per the electrical inspector's recommendation.

Resolution #6101- To Update the Electrical Fee Schedule

Trustee O'Neill moved to update the schedule. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee John O'Neill-Aye

Trustee Gerry Monaghan-Aye

The Electrical Fee Schedule will also be posted on the Village webpage with the electrical permit form.

The next item on the agenda was to discuss the Tax Freeze that has been proposed by the State. Dake sent a summary of what the Tax Freeze is to the Trustees on Friday. Governor Cuomo and the State Legislature enacted the Property Tax Freeze Credit as part of the 2014-2015 State Budget. The law provides a Freeze Credit to qualified homeowners. To qualify, a homeowner must be eligible for the School Tax Relief (STAR) property tax exemption. Commercial properties are not eligible. Dake contacted the Assessment Department to find out that there are 472 households in the Village of Lansing that qualify for the STAR Exemption. For the Village to qualify, we would have to limit any increase in our tax levy to a property tax cap set by State law and develop and implement a Government Efficiency Plan determined to be compliant by the New York State Division of Budget.

The new law encourages local governments and school districts to generate long-term tax relief for New York State taxpayers sharing services; consolidating or merging; and demonstrating and implementing operational efficiencies. One of the problems is the look back period only goes back to 2012. For municipalities like ours that has been sharing services long before that, we don't get any credit. This program is only in effect for two years.

Mayor Hartill agrees with the Mayor of Ithaca's statement that services need to be taken care of. Hartill feels this is pure politics. The Ithaca School District has a 9% increase so the residents will not get a check from them. The State has cut support by tax. School funding is down. The Village doesn't want to cut services. Deferred maintenance will cost our residents even more in the long run. The Board all decided to ignore the Tax Freeze.

Resolution # #6102- To Ignore the Tax Freeze

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

Mayor Donald Hartill-Aye  
Trustee Gerry Monaghan-Aye

Trustee John O'Neill-Aye

Another State issued credit that just came out is the Family Relief Credit. To receive this credit a household has to have at least one dependent child and have an income of \$40-300,000 to be eligibility. Many people received a check in the mail for \$350 and didn't even know what it was for.

During the Mayor's Comments, Hartill stated that things are going along reasonably well. He did a pitch to the Town of Lansing to move snow plowing from the full-town budget to the part-town budget in which case only residents outside the Village would pay. This would save Villagers approximately \$100,000. It's an attempt to have fairness. New York State Law provides the discretion for Towns to include snow plowing in either the part-town or full-town budget.

This year we are starting the joint Village/Bolton Point water main construction project that goes under Route 13. We are sharing costs and saving expenses for both parties because we are working together. If the existing Bolton Point pipe fails we would be able to transport water for them.

We are finally getting the landscaping done for the new Village Office. The new sidewalk out in front of the building was replaced due to it having cracks. The responsibility for the replacement and cost will be the contractor's. When the Mayor came into the office on Friday, Marty Moseley was mowing the lawn. Hartill stated that he will not be here for the second Monday meeting in November.

Hartill has been thinking about what the Village should do with the old Village office building. Initially, we talked about having half of the space as storage and the other half as a community room that residents could reserve. To have a community room, we would have to install fireproofing, bring the building up to be ADA Compliant, meet all code requirements for a place of assembly, replace the carpet and make other cosmetic improvements. The Board agreed that it would be quite expensive so we should only use it for storage. This will get all of our records out of the highway garage and pump room and into one location.

During general comment, O'Neill stated that his neighbors hope to get a small playground and would like an asphalt area with a basketball hoop. The current park is on a slope, but they wonder if it would be possible to have a basketball hoop on one of Ivar's spur roads.

Monaghan stated that at the last meeting there was a gentleman with a hearing problem. He wondered how we could better serve such people who attend Village meetings. Mayor Hartill wants to avoid a sound system. If the audience has a problem hearing, he

suggested that they let the board know so that the members can be reminded to speak up. We could also invite them up to sit closer or at the board table.

Motion- To Adjourn

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

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

Trustee Gerry Monaghan-Aye

The meeting adjourned at 8:28pm.

Jodi Dake  
Clerk/Treasurer