

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, March 2, 2015, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Lynn Leopold, John O'Neill, and Gerald Monaghan; Clerk/Treasurer, Jodi Dake; Planning Board member, Deborah Dawson.

Mayor Hartill called the meeting to order at 7:43pm and opened the public comment period. There was no public comment.

Motion- To Close the Public Comment Period

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

Mayor Donald Hartill-Aye Trustee Gerry Monaghan-Aye
Trustee John O'Neill-Aye Trustee Lynn Leopold-Aye

The next item on the agenda was a public hearing to consider Proposed Local Law A (2015) to allow the override of the Tax Levy Limit established in General Municipal Law 3-C

Motion-To Open the Public Hearing on Proposed Local Law A (2015)

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

Mayor Donald Hartill-Aye Trustee Gerry Monaghan-Aye
Trustee John O'Neill-Aye Trustee Lynn Leopold-Aye

This proposed law is to provide for allowing an override of the Tax Levy Limit if it is necessary when the budget process is completed. The adoption of the Local Law provides the authority to exercise the permitted override, but does not in any way require it. In essence, it is available if ultimately determined as the budget process goes forward – a safety net of sorts. The adoption of a Local Law is required on an annual basis.

Hartill stated that this is our traditional response to the good governor. There is a fair amount of concern in the State Legislature. This tax levy was only supposed to be temporary but Cuomo is trying to make it permanent. Hartill feels it is pure politics. A way to get state hands into the property tax. CHIPS funding which we receive from the State comes from gasoline tax. Each year we try to keep the tax increase to inflation or less. It has been successful in the past. There were no comments from the public. Hartill read about a survey in the paper on people's satisfaction with government. Local governments got good marks in the survey that was reported in the paper. However, people are not satisfied with the State or Federal government. People feel that if there is a

problem at the local level something happens. This is not the case at the State and Federal levels.

Motion- To Close the Public Hearing

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

Mayor Donald Hartill-Aye Trustee Gerry Monaghan-Aye
Trustee John O'Neill-Aye Trustee Lynn Leopold-Aye

RESOLUTION #6126-To Adopt a Local Law to Allow the Override of the Tax Levy Limit Established In General Municipal Law §3-C

WHEREAS, a resolution was duly adopted by the Board of Trustees of the Village of Lansing directing that a public hearing to be held by said Village Board on March 2, 2015, at 7:35 PM, to hear all interested parties on a proposed local law entitled "**A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C;**" and

WHEREAS, notice of said public hearing was duly advertised in the official newspaper for the Village; and

WHEREAS, said public hearing was duly held on said date and time at the Village of Lansing Office and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any part thereof; and

WHEREAS, the Village of Lansing Board has determined under the Implementing Regulations pertaining to Article 8 of the New York State Environmental Conservation Law (the State Environmental Quality Review Act ["SEQRA"]) that the approval of the proposed action is not an "action" (because it will not affect the environment) or is a Type II action, and thus, in either case, may be processed without further regard to SEQRA;

NOW, THEREFORE, be it

RESOLVED, that the Village of Lansing Board of Trustees hereby adopts said local law entitled "**A LOCAL LAW TO ALLOW THE OVERRIDE OF THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C;**" and designated Local Law No. 1 of the year 2015, a copy of which is attached hereto and made a part of this resolution; and it is further

RESOLVED, that the Village Clerk is hereby authorized and directed to file said local law with the Secretary of State and any other governmental agencies as required by law.

Trustee Leopold 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 Trustee Lynn Leopold-Aye

At the February 24th, the Planning Board recommended the following amended to the Village Zoning:

145-30. Commercial storage. All storage of goods, machinery or materials must be in buildings or structures designed for that purpose. Trailers or other movable vehicles may be used for storage or warehousing for a time period not to exceed six (6) months by Special Permit. Such Special Permit renewals shall be allowed in accordance with section 145-59 (G) of the Village of Lansing Zoning Law.

Section 145-59(G):

G. Renewal of Special Permits for Temporary Commercial Activities and for Commercial Storage.

- (1) The Village Code and Zoning Officer shall have the administrative authority to grant approval for the renewal of a previously approved Special Permit for a Temporary Commercial Activity or Commercial Storage. No renewal of such a previously approved Special Permit for a Temporary Commercial Activity or a Commercial Storage shall be considered unless and until the party seeking such renewal submits an application therefor setting forth information and material(s) regarding such proposed amendment satisfactory to the Village Code and Zoning Officer, together with a fee in an amount consistent with the applicable required fee for a building/land use or Special Permit as set forth in §145-57 D above. If the proposed Special Permit renewal application material(s) is/are determined sufficiently adequate, satisfactory and acceptable to the Village Code and Zoning Officer, he/she may act upon such application and grant approval thereof administratively, in which case the application material(s) shall not be required to be referred to the Planning Board, nor shall the renewal application need to be referred or submitted to the Tompkins County Planning Department and neighboring municipalities in accordance with General Municipal Law Sections 239 -l, -m and -nn. If, however, the Village Code and Zoning Officer determines that the renewal application material(s) is/are sufficiently adequate, satisfactory and acceptable to the Village Code and Zoning Officer,

but that further and more extensive review and evaluation should be undertaken by the Village Planning Board, such renewal application shall be referred to and considered and acted upon by the Village Planning Board as a minor special permit amendment as provided for in § 145-59 F(2) above.

- (2) In the event the party seeking the Special Permit renewal for the Temporary Commercial Activity or the Commercial Storage substantively alters said application material(s) from what was previously approved by the Planning Board, approval for the renewal request shall be deemed to be a new and separate special permit application and shall be acted upon in accordance with all Special Permit provisions and procedures set forth in § 145-57 and this § 145-59. **[Added 11-19-2012 by L.L. No. 5-2012]**

This amendment would allow for individuals that have already been granted a special permit for commercial storage to be granted an administrative extension as long as the application has not substantially changed. If there was a substantial change the applicant would need to amend their existing special permit and return in from of the Planning board for approval. David has prepared a resolution for the Board of Trustees to consider.

Motion- To Set A Public Hearing on Monday, March 16, 2015 at 7:35 to Consider Proposed Local Law B (2015)

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

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

Trustee Lynn Leopold-Aye
Trustee Gerry Monaghan-Aye

Motion- To Approve the Minutes of February 2nd & 12th

Trustee Leopold 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 Lynn Leopold-Aye
Trustee Gerry Monaghan-Aye

The next item on the agenda was to consider the Intermunicipal Agreement and Operating Guidelines of the Joint Youth Commission. Hartill feels that this new agreement is substantially the same, just cleaning up some language.

Resolution #6127- To Approve the Intermunicipal Agreement and Operating Guidelines of the Joint Youth Commission and Authorize the Mayor to Sign

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 Lynn Leopold-Aye
Trustee Gerry Monaghan-Aye

The Deer FOIL requested by James LaVeck of cayugadeer.org was completed. LaVeck now wishes to file an appeal to challenge certain aspects of the Village's response to their request for records under New York State's Freedom of Information Law. He would like to know who the Village government has designated to review and respond to Freedom of Information Law appeals so he may submit their filing to that party for processing. This has never been requested before and the Village has not formally appointed a FOIL Appeal Officer. Dake has spoken with Bob Freeman of NYSCOG and he has stated that it has to be someone other than the records access officer which is the Village Clerk. He suggested that we appoint the Mayor, a Board member or attorney to be the Appeals Officer. Mayor Hartill volunteered to be appointed the FOIL Appeal Officer.

Resolution #6128-To Appoint the Village of Lansing Mayor as the FOIL Appeal Officer

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

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

Trustee Lynn Leopold-Aye
Trustee Gerry Monaghan-Aye

Mayor Hartill gave an update on deer. The baiting program is working. Hartill spoke with Bernd and the deer are coming to the bait. Leopold stated that there were 10 very fat deer at her house. Seven deer have been taken already. The flyover hasn't been decided yet. Bernd has given Leopold Toni DiNicola contact information so she can deal with him directly. She will find out if he would reconsider doing the flyover for \$3,000 since we are back in hunt. If we wait to do flyover it would be too late to take advantage of a nuisance hunt therefore the Village approved it on a limited basis at their last meeting. Leopold stated that Bernd would like us to add additional properties on Dart Drive, Street property on Cayuga Heights Road. Hartill is willing to do a small increase but not the full shot. Hartill doesn't want any nuisance hunting in the Northwood area because of the delicate negotiations that we are in up there with trying to take over the road. If it is visible from the road then we don't want to do. The Board decided that they would only add the Street property. Leopold stated that a lot of meat has been donated to the venison program.

During budget discussions, Hartill stated that cash surplus is less this year. We have comfortable reserve but we don't want to use those in a serious way. The requests from Department of Public Works (DPW) are the usual road reconstructions, a little more salt and a new pickup truck and a larger excavator. Courtney has estimated that the new truck and excavator will cost the Village a net of \$60,000 after we trade in the old truck and

excavator. The reason for purchasing a larger excavator is because our new trucks are taller and the current excavator can only reach into one of our trucks. Hartill is happy to report that our new DPW employee is working out well.

Hartill will check to make sure money is allocated in the 2015-16 budget for sidewalks on Graham Road and Uptown Road. The plan for Graham Rd. is to go down the south side then would have to cross so the sidewalk will go down the north side. O'Neill asked if there is pedestrian crossing infrastructure to cross Graham Rd. at N. Triphammer signal. Craft Road traffic signal is included in the 2014-15 budget. It is ready to go out to bid. Our legal fees are up quite a bit this year due to the legal fees for the Water Project. The Village and SCLIWC will both still save money doing this project jointly.

Leopold & Monaghan are talking to people about installing solar panels on the Village Garage. They have no estimate at this time. Hartill stated that if we decide to do a solar project we can just move monies from our Capital Reserve Fund. We won't plan for it in this budget because we don't know how much it would be. There is \$23,000 allocated for developing the Dart Park area in the 2014-15 Budget. Dawson suggested putting off substantial improvement to the new park until we have completed the Greenway Plan and we've had a chance to survey the parcel and get a clearer idea of what the Village wants. There is a little creek in there. The property by Warren has a lot of standing water.

Hartill stated that he has a meeting on Friday that was called by Kate Supron, Village of Cayuga Heights Mayor. The meeting is to talk about making the water minimum more fair. Currently our water rate subsidizes the big users.

Monaghan asked about budgeting for sidewalks. Hartill feels we need to reconstitute the Greenway Plan to help plan for what the Village would like for sidewalks. Hartill stated that one might be surprised at how much it costs to install a sidewalk. For example, the Sheraton Drive sidewalk from CFCU to N. Triphammer Rd. cost over \$70,000 to install which now would cost about \$200K. When installing sidewalks we need to be careful with routing and consider maintenance issues. It takes planning. In this year's budget we will plan sidewalks for Graham Road and Uptown Road.

Hartill anticipates that the tax rate will be within the guidelines. If it ends up not being within the tax levy, we have passed the resolution to protect us.

Monaghan stated that he wants the Village to keep sidewalks open around mall. One of the sidewalks that he was concerned about was the sidewalk by the Ramada.

Motion- To Adjourn

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

Mayor Donald Hartill
Trustee John O'Neill –Aye

Trustee Lynn Leopold-Aye
Trustee Gerry Monaghan-Aye

The meeting adjourned at 8:38pm.

Jodi Dake
Clerk/Treasurer