

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, March 16, 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, Phil Dankert.

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

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 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 2 (2015) to amend the Village of Lansing Code-Zoning Law-Commercial Storage.

Motion-To Open the Public Hearing on Proposed Local Law 2 (2015)

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

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

Hartill explained that this proposed change is to the Zoning Law- Commercial Storage. Dubow explained that this change establishes a procedure for the renewal of previously approved special permits for Commercial Storage by either administrative action of the Village Code and Zoning Officer or by action of the Village Planning Board, such alternate procedures to be consistent with the same procedures previously established and currently effective with respect to Special Permits for Temporary Commercial Activities. An example of this would be the storage of salt in a commercial area. This change would also allow the Code Officer to approve the Target temporary storage in the fall. Dubow explained that this change allows the Village to do these approvals administratively and therefore not having to come to the Planning Board every time if there is no significant change. An applicant still has to apply for an initial special permit from the Planning Board, but after the initial approval they don't have to go back to the Planning Board each time. Dubow feels this is a more user friendly way to do things. Gerry expressed his concern as to ensuring that there will not be a junky look at the Mall with all of the outside storage in the parking lot. There is a time limit already built into the Village

Code/Zoning Law. One needs to remember that the applicant must go through the special permit process initially, and this is just for a repeated request.

Motion-To Close the Public Hearing

Trustee Monaghan moved to close 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

Resolution #6130-Adoption of Proposed Local Law 2 (2015)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law 2 (2015), to be designated Local Law 2 (2015) upon its adoption, to (i) 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 Commercial Storage by either administrative action of the Village Code and Zoning Officer or by action of the Village Planning Board, such alternate procedures to be consistent with the same procedures previously established and currently effective with respect to Special Permits for Temporary Commercial Activities; and to amend accordingly as set forth below the provisions in Sections 145-30 [entitled "Commercial storage"] and 145-59G [entitled "Renewal of Special Permits for Temporary Commercial Activities"] of said Chapter 145 of the Village of Lansing Code; and
- B. The Village of Lansing Planning Board has reviewed the proposed action and referred it to the Village of Lansing Board of Trustees with a favorable recommendation; and
- C. On March 2, 2015, the Village of Lansing Board of Trustees preliminarily discussed the proposed action and the purposes and intent of Proposed Local Law 2 (2015), and thereupon scheduled a public hearing for March 16, 2015; and
- D. On March 16, 2015, the Village of Lansing Board of Trustees held a public hearing regarding the proposed action, and thereafter discussed and reviewed (i) Proposed Local Law 2 (2015), (ii) the Village of Lansing Planning Board's recommendation in favor of the proposed action, (iii) all other information and materials rightfully before the Board, and (iv) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and

- E. On March 16, 2015, the Village of Lansing Board of Trustees determined that the approval of the proposed action is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”); and
  
- F. On March 16, 2015, the Village of Lansing Board of Trustees completed its review of (i) the proposed action, (ii) Proposed Local Law 2 (2015), (iii) the Village of Lansing Planning Board’s favorable recommendation of the proposed action, (iv) all other information and materials rightfully before the Board, and (v) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations; and
  
- G. On March 16, 2015, the Village of Lansing Board of Trustees completed its review of (i) the proposed action, (ii) Proposed Local Law 2 (2015), (iii) the Village of Lansing Planning Board’s favorable recommendation of the proposed action, (iv) all other information and materials rightfully before the Board, and (v) 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 approves the proposed action and adopts the attached Proposed Local Law 2 (2015), to be designated Local Law 2 (2015).

Trustee Leopold moved to approve Local Law 2. 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

The following is a copy of Local Law 2 (2015):

**AMENDMENT TO VILLAGE OF LANSING CODE – ZONING LAW – COMMERCIAL STORAGE**

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

**SECTION I. PURPOSE & INTENT.**

It is the purpose and intent of this local law to 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 Commercial Storage by either administrative action of the Village Code and Zoning Officer or by action of the Village Planning Board, such

alternate procedures to be consistent with the same procedures previously established and currently effective with respect to Special Permits for Temporary Commercial Activities; and to amend accordingly as set forth below the provisions in Sections 145-30 [entitled “Commercial storage”] and 145-59G [entitled “Renewal of Special Permits for Temporary Commercial Activities”] of said Chapter 145 of the Village of Lansing Code.

SECTION II. AMENDMENT TO THE VILLAGE OF LANSING CODE.

- A. The text as set forth in Section 145-30 [entitled “Commercial storage”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

**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.**

- B. The text as set forth in Section 145-59G [entitled “Renewal of Special Permits for Temporary Commercial Activities”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

**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 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.**

**SECTION III. SUPERSEDING 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 superseded 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) ten (10) days after publication and posting as required by law; provided, however that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

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

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

Trustee O'Neill moved to approve the minutes. 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

During budget discussions, Hartill stated that after speaking with Courtney about where we stand with completing projects, he has increased the General Appropriated Fund Balance to \$300,000.

The salary increase for the staff is 3% except for the MEO's who will receive 5%. In Nolan's case, he was basically provisional and is working well. Also, our new MEO is working out well.

Hartill stated that we will be purchasing a bigger excavator so we will be able to load into all of our trucks. Our current excavator only reaches into the 1 ton dump truck. This is a key element for repairing water main breaks. We also plan to trade in our pick-up truck. After selling our current equipment it should only be an additional expense of \$30,000.

We have finished this building so we don't anticipate any building expense. In the current year budget we allotted for the Craft Road Signal Project which should be finished by early fall. In the Water Fund we will have finished the big joint water main project with Bolton Point.

Hartill explained that the Bush Lane Water Main Replacement is the biggest chunk of our water expenditures. The main will be replaced from Triphammer Road to the Millcroft development. Hartill has left the water and sewer surcharge the same because we have been using a little more fund balance than he would like. The Sewer Fund is in good shape. Money has been set aside in the Sewer Fund for Capital Improvements that will become apparent when we do the tests this spring. The Budget is very straightforward. We do incremental budgeting.

It was explained that there is no longer a Harbor Festival in the Town, but we have kept that line item the same to allow for the intended Art Festival that Monaghan is proposing for Dankert Park. Monaghan explained that this is an attempt to reach out to all our international residents. Good addition.

It was asked why there wasn't money in the budget to start development of the park area north of Dart Drive. Hartill stated that once we have officially taken over Northwoods Road, we will start with a parking area. Next year we will probably establish a playing field somewhere in that area. We are working hard to get public access to that area. Money was not included in the budget to develop that access, but we can use Capital Reserve funds once we need to do something there.

The proposed tax rate is \$.99 per \$1,000 of assessed value. This is a 2% levy increase. Next year we will probably have to increase by 5% for 4-5 years to get back into equilibrium. Hartill hopes the State Legislature will see the wisdom in stopping this cap. It is supposed to expire this year.

Leopold asked why the audit cost was less. Jodi explained that we do a full audit every three years and a review the other years which is significantly cheaper.

Hartill asked if everyone was happy with the proposed budget. Once the Public Hearing is set it can't be changed until after the Budget Public Hearing.

Resolution #6131- To Set the Budget Public Hearing for April 6, 2015 at 7:35pm

Trustee Monaghan moved to set the public hearing. Trustee Leopold seconded the motion. A vote was taken:

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

Trustee Lynn Leopold-Aye  
Trustee Gerry Monaghan-Aye

Hartill stated that he will not be here for the April 6<sup>th</sup> meeting. The North Triphammer/Craft Road project can go out to bid as soon as the easements are secure. The project should be completed by September. The project includes a slip lane to turn right. We hope to go out to bid in the next 10 days. Poles have a 2 month lead time. We have received the signed easement from Bailey Place Insurance, but we are still waiting on the easement from the doctor's office. The Mayor asked the Board to pass a resolution allowing him to sign the two Craft Road Easements once they have been executed by the involved property owners.

Resolution #6132- To Approve the Mayor to Sign the Two Craft Road Easements.

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

Hartill stated that he has a meeting Wednesday with Cornell University Finances to talk about the financial situation of the University and the relationship with local municipalities. The Village of Lansing doesn't rely on Cornell for financing like other municipalities in the area.

Hartill has a meeting tomorrow with the Northeast Pediatric Doctors to discuss the possible acquisition of a small portion of their property to widen Graham Road West. The Board discussed the best options for getting pedestrians down to the mall area from N. Triphammer Road. Hartill added that the sidewalk to nowhere on the Shops at Ithaca Mall property is part of this complicated negotiation that is going on. It also has to do with stormwater facilities. There is a sidewalk on the north side that has safety feature issues as well. Monaghan feels we just need to make it as safe as we can.

Leopold reported that 5 deer were removed in a week. Tonight there were 18 deer in Sun Downs.

New York State will begin work soon on the Cayuga Heights Road Bridge. The area is all marked with UFPO Markings.

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 Lynn Leopold-Aye  
Trustee Gerry Monaghan-Aye

The meeting adjourned at 8:11pm.

Jodi Dake  
Clerk/Treasurer