

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, August 15, 2016, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, Patricia O'Rourke, Gerry Monaghan and John O'Neill; Clerk/Treasurer, Jodi Dake; Attorney David Dubow; Supt. of Public Works, John Courtney showed up for a brief time; Planning Board Member, John Gillott.

Mayor Hartill called the Board of Trustees meeting to order at 7:30pm and opened the public comment period. There were no comments.

Motion - To Close the Public Comment Period

Trustee O'Neill made a motion 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 Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Gerry Monaghan-Aye	

The next item on the agenda was to consider Proposed Local Law 3. The Mayor would like to delay this and instead spend some time on the process we need to go through. Dubow has prepared Proposed Local Law 3 of 2016 regarding the proposed Zoning Law amendment being considered as a result of the discussions over the last month or two. The primary issue is the possibility of taking a parcel that is currently part of the Business & Technology District and converting it to a higher level of residential use. Dubow indicated that if and when the Village Board decides to proceed, the Local Law can be introduced by a Board member at an upcoming Board meeting, a public hearing can be set, the Board can undertake the required SEQR Environmental review, and the required Local Law can be approved.

Dubow went on to explain the Local Law and SEQR procedure which is simplified based upon the SEQR EAF provisions. Specifically, SEQR regulations skip over provisions that don't apply to the Local Law environmental review. The current issue is whether the Village Board wants to do this. The Planning Board has already reviewed this proposal for rezoning and sent a communication to this Board that they believe this would be a favorable approach. Hardaway asked if we had done this in the past. Dubow explained that we did a similar zoning change a couple of years ago because it made more sense for planning purposes at that time.

Hartill stated that one of the considerations is what the effects on the adjoining properties might be. This kind of careful procedure may require a month or more. It was indicated

that there was a presentation done on July 18th which preliminarily explained the proposed downzoning.

The Mayor is thinking about whether the Village should have its own traffic study done. Passero Associates already did a traffic study to the east and west of the parcel that is being proposed for rezoning. We may want a little more evidence to assess if their analysis is okay.

Dubow went on to explain that these types of zoning changes can be started in different ways. For example, the process could be initiated by the Planning Board and/or Board of Trustees, an individual Board member, the Code and Zoning Officer, a developer, or any other interested party.

Hardaway asked if we had heard any comments regarding this proposed rezoning. Hartill stated that he heard a negative response from Janet Jonson of IJ Construction, the company that built the Lansing Trails Development. The Mayor feels we need to really understand what is going on. O'Neill stated that it is business. Dubow stated that there have been Zoning changes to the Lansing Trails Development, various other projects and developments in the past, as well as other properties. At the end of the day, this Board makes the Zoning decisions.

O'Neill asked when we would do the traffic study. Hartill is thinking about it. Monaghan would like to get as much public input as possible. He feels it will help us make our decision. Hartill wants the Board to review the Proposed Law, but would like to defer scheduling a public hearing until the September 19th meeting. Hartill asked the Board to consider this as an initial draft.

Hardaway asked if we have any idea if Park Grove, the interested developer, was under some kind of deadline. Dubow explained that they have a proposed project, but at the moment the Board is targeting the Zoning Law change issue. The developer has presented a proposed plan. If the proposed zoning is changed, the developer would need to formally pursue a special permit and then work with the Code Zoning Officer and the Planning Board. The Mayor indicated that this would be a significant change so it is good to take your time and really think about this.

Courtney stated that he had a question about the wooden playground structure at Community Park on the west side of Uptown Road. He is worried that we might want to take it away sooner than later. The play structure has some integrity issues. At this point he thinks it would be better to take it down. There are also some tree issues. Hardaway agreed to meet Courtney tomorrow morning to look at the structure that he thinks is a severe liability. O'Neill stated that there are a lot of children that play on the structure. We need to make sure there is a replacement. Hartill feels we should try to stabilize the structure if it can be done without too much expenditure. Courtney would like to see the Village stay away from wooden structures in the future.

Courtney stated that Whitmore Fence is replacing the fence on Route 13 along Triphammer Marketplace. He stopped and asked them to come and look at the fencing at Dankert Park and give us a price for repair or replacement while they are in the area. Courtney stated that this week is dedicated to repairs and maintenance of the park so he would like a decision to be made as soon as possible. Hartill will also drive by in the morning to assess the situation. Courtney feels it is a liability. Originally, a new play structure was added to the other side of the road in Dankert Park with the intent to replace the questionable wood playground structure. However, the wood structure was never removed. Monaghan stated that the after school program uses this play structure. People like the fact that it is in the shade.

Hartill asked how the paving was going. Courtney stated that there was an issue with a guy who stopped the TCAT bus on Thursday which caused a backup. He wanted to get on the bus, he got hostile, he wouldn't move and they called the cops. They physically had to remove him. Since he wouldn't move, it caused a significant backup of traffic since no one could get around the bus. Hartill stated that he has been impressed with how smoothly our traffic is running. Suit-Kote is doing a good job of keeping the traffic flowing. Courtney stated that they are using a new blacktop which allows for traffic to drive over it after a few rolls which also helps.

Hardaway asked what time the guys come in in the morning. The guys come in at 6am, but probably won't go to the park until 7:30am. Hardaway will meet them at the park at 7:30am.

Courtney stated that Rizzo was supposed to be paving Bush Lane today, but the Lansing and Waterloo Asphalt Plants both broke down so they plan to finish tomorrow. Rizzo notified the 8 or so residents that were affected.

It was asked when N. Triphammer Road would be finished. Paving should be completed by Wednesday. Then Accent Stripe Inc. will take 3-4 days for striping. Courtney added that the Route 81 paving project is our most competitive job. The striping is very sensitive to rain so that could cause a delay.

Permissive Referendum

The Village had budgeted to transfer money from the Water Fund in the amount of \$93,468 for the 2016 Bush Lane Water Project. The budget also calls for a transfer from the General Capital Reserve Fund for permanent improvements. The total A2850 Transfer from General Reserve is \$1,315,036. This requires a 30 day permissive referendum. The projects that we have budgeted for under A5112.2 are:

- Bush Resurface-\$373,018
- N. Triphammer Rd.-\$815,000
- North Wood Rd.-\$396,000
- Graham Rd. West-\$120,400

One problem that Dake sees is that we don't currently own Northwood Road or Graham Road West. Hartill asked if we can transfer more money than we need for Bush and N. Triphammer Road to cover the other two once we take the roads over. Dake stated that when you transfer the reserve money to the Capital Project Fund to pay for the expenses of the specified projects and other possible projects, and you have money left over, you can use that money for other Capital expenditures. Dubow confirmed this. The following resolution was proposed:

Resolution #6306- Capital Reserve Expenditure Authorization

WHEREAS:

- A. The Village of Lansing (the "Village") is intending to consider the transfer monies from both the General and Water Capital Reserve Funds for capital improvements, the intent being to accommodate the needs of the community and for the benefit of the Village and its residents, such potential needs and related projects/equipment being set forth on Schedule A attached hereto, incorporated herein, and made a part hereof; and
- B. The Village Board of Trustees has reviewed the needs of the community and for the benefit of the Village and its residents, including potential acquisition of equipment and materials, and thereupon determined that such actions will be in the best interests of the Village; and
- C. In anticipation of the current need and anticipated future needs for future acquisitions of equipment and materials, including street maintenance/improvement projects and other projects and undertakings, the Village has maintained reasonable and appropriate capital reserve funds so as to set aside such funds for such current and future purposes as they may arise; and
- D. Each of the Village General Capital Reserve Fund and Water Capital Reserve Fund have sufficient funds for such contemplated and intended acquisitions of equipment, materials and project needs, some or all of which have been included in the recently approved 2016 - 2017 Village budget; and
- E. The Village Board of Trustees wishes to authorize at this time the sufficient expenditure of such funds such that the aggregate sum of \$1,408,504 be transferred from the General Capital Reserve Fund and Water Capital Reserve Fund as each needed;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1. The Village Board of Trustees hereby authorizes the expenditure of funds contemplated and intended for acquisitions of equipment, materials and project needs as set forth above, and the transfers of \$1,315,036 from the General Capital Reserve Fund and \$93,468 from the Water Capital Reserve Fund, as determined by the Board of Trustees for such purpose; and

2. Within ten (10) days after the adoption of this 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 this resolution or an abstract thereof concisely stating the purpose and effect thereof. Such notice shall specify that such resolution was adopted subject to a permissive referendum; and
3. This 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 resolution is adopted subject to a permissive referendum as required by law.

SCHEDULE A

- Bush Lane Water Project Not to exceed \$ 93,468
- Bush Lane Water Project- Road And Storm Sewer Not to exceed \$373,018
- N. Triphammer Reconstruction Not to exceed \$942,018

Trustee O'Rourke moved this resolution be adopted and Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill –Aye	Trustee John O'Neill –Aye
Trustee Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Monaghan-Aye	

Motion to Approve Minutes from July 14th

Trustee Monaghan moved to approve the minutes. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain	Trustee Patricia O'Rourke-Abstain
Trustee Ronny Hardaway- Aye	Trustee John O'Neill- Aye
Trustee Gerry Monaghan-Aye	

Motion to Approve Minutes from August 1st

Trustee Hardaway 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 Ronny Hardaway- Aye	Trustee Patricia O'Rourke-Aye
Trustee Gerry Monaghan-Abstain	

Naveen of 16 Janivar Drive has requested that the Board waive the late fees of \$30.09 on his water/sewer bill. He was out of town traveling on business for the last month or so and as a result could not pay the bill by July 20, 2016. This is the first time since he bought the house 7 years ago that he has been late.

Resolution #6307-To Waive the Late Penalties for Account #N4897 in the Amount of \$30.09

Trustee O'Neill moved to waive the late penalty. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Ronny Hardaway- Aye
Trustee Gerry Monaghan-Aye

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

Mayor's Comments

Mayor Hartill stated that one thing that is coming up is the agreement that originally set up Bolton Point. It has been reviewed and there is now an update to the agreement. If the Board would like, we can get a presentation of the changes by someone from the Bolton Point Board. The process has been very reasonable. O'Neill asked what the changes were. Hartill stated that they changed the wording to be clearer. One thing that was made current is what triggers an expansion to the plant. Hartill is concerned with the water supply and situations like what we are currently facing. His vision is to start seriously thinking about expanding the plant. The revised Municipal Agreement has a procedure to do an expansion. Several years ago Cornell University was going to join SCLIWC and the Mayor of Ithaca backed out. So here we are. The Board decided that they would like a presentation. Hartill will start by forwarding a copy of the proposed agreement to the Board members. After that, if there are more questions, then we can have a representative come. If after reviewing the agreement we can do without an additional presentation, then that is fine too.

Hartill stated that we are making progress with both the Northwood Road and Graham Road West road acquisitions. There was an outstanding issue involving Neil Tarallo's property, but that has now been resolved. Tarallo has agreed to grant an additional enlargement to the easement in favor of the Village, the easement area is to be used for sidewalk purposes. We are close with the Shops at Ithaca Mall. We are in the process of trading some properties on Pyramid Drive for property related to Graham Road West. Hartill hopes for a positive report at the next meeting.

General Discussion

Hardaway asked if we have to tear down the wooden playground structure at Dankert Park, can we use the money we had planned to use for the new park on a new play structure. Yes, a budget is just a plan. We could do more at the current park locations this year and do less at the new park since we don't yet have road access to the newly proposed parkland. Currently, we have budgeted \$50,000 to be used for Playgrounds & Recreation Center Equipment (A7140.2). This is also the amount we were planning on transferring from the Park & Recreation Reserve Fund. This would also require a permissive referendum. We will do as much as we can this year with our funding. Hartill would hate to tear down the wooden play structure and leave nothing.

Motion to Adjourn

Trustee Monaghan moved to adjourn. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Ronny Hardaway- Aye
Trustee Gerry Monaghan-Aye

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

The meeting was adjourned at 8:15pm.

Jodi Dake
Clerk/Treasurer