

## Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Thursday, February 15, 2018, in the Village Office.

PRESENT: Mayor Donald Hartill (arrived late); Trustees Ronny Hardaway, John O'Neill, Patricia O'Rourke and Gerry Monaghan; Clerk/Treasurer, Jodi Dake; Code & Zoning Officer Adam Robbs; Working Supervisor, John Courtney; MEO Nolan Hatfield and Chris Zavaski; Lisa Schleelein, Planning Board member.

Deputy Mayor Ronny Hardaway called the Board of Trustees meeting to order at 12:11pm.

John Courtney stated that now there is not much going on. They had been doing a lot of snow plowing but it looks like we will have a break in the weather for the next couple of weeks. Courtney plans to meet with Dake next Monday or Tuesday to work on his budget.

Hatfield stated that he has been plowing snow.

Zavaski stated that he has been plowing the sidewalks and fixing little things when they break.

Schleelein stated that she used to lose his mailbox every year until the Village took over plowing.

Robbs stated that he has been in contact with NYCOM lawyers regarding the Lansing Meadows PDA. They suggest that when any development comes in we need to think about setting a time limit on building. Along with that they also suggested that in the Code we should have a requirement for performance bonds. This would give the Village some protection if a company starts a project and then walks away from it before the project is finished.

Another issue that should be considered is if any new development should have sidewalks as a requirement. This obviously would depend on the area. If the Board agrees with this requirement then it needs to be added to the Code. If there is a plan for the future, that needs to be documented. One example is that there was no sidewalk requirement for Lansing Trails II. Courtney stated that a problem occurs when development is done at different times. For example, Homewood Suites has a sidewalk and CFCU has a sidewalk, but there was nothing in between the two since the middle property wasn't developed. This issue is now resolving itself because that property is now being developed and will have a sidewalk. Adam stated that it may be several years until it is pieced together. We need to have a plan of where the sidewalks would be beneficial. If we can make it a requirement it would be beneficial in the future. Robbs suggested that the Greenway Committee look at this.

Robbs stated that performance bonds and time limits are needed so we can hold developers accountable. An example is the senior parcel across the street which is owned by Goetzmann. A PDA was developed and only the commercial portion was completed. Eight years later the senior development portion still has not been completed and Goetzmann is back before the Board to get an additional commercial parcel and then again to change the senior housing design. The Board feels we may want to take away the A-1 Commercial portion that he was just granted if he is changing the PDA. Before doing this the Board will consult Troy for legal advice on this. To do this it would require a local law.

Robbs stated that permits are starting to pick up with the good weather. There is a proposal for the development of the Millcroft property, 9 Dart Drive and Lansing Meadows.

The Shops at Ithaca Mall is looking at options, photo metrics for the whole site and stormwater survey of everything on their property to see if they meet the requirements. The next step would be a developer's conference. The Hotel and Target are the only two properties that currently want to purchase their property. Once the mall owners get some money from these sales they will move forward. There will be an ECCR agreement for parking, property maintenance and security. Courtney was concerned with snow removal at the Mall. The Mall management would oversee all of the property and would be our main contact if there was any kind of issue with that parcel. The Mall is failing and if this investor hadn't come in they would have failed. Bon Ton has filed bankruptcy this year so it is probably just a matter of time before they actually leave. The new Mall owners are still trying to see if they will go to the Board of Zoning Appeals instead of continuing on the path they are now with a PDA. The new owners are a large company with 30 mall properties. Robbs has done some research on this company and they have done similar things at other locations.

John O'Neill left the meeting.

Gerry Monaghan asked if there is anything that we can do about the Trip Hotel. Monaghan feels it looks trashy on the outside. Last April the Trip Hotel got a demo permit to remove the roof over the pool but it still has not been completed. Robbs stated that they have one year to complete this. There are no safety issues at the moment since it is not being used. It meets all the requirements at this time. Safety is the only issue we could pursue.

It was pointed out that Pichel's property on Graham Road is also trashy. There is garbage all over. Robbs stated that the church next door complained about the garbage blowing onto their property. Robbs wrote them a property maintenance violation.

Hartill arrived at 12:38pm.

Robbs reported that the Mosque is running into issues with the State. They want to install

a manufacture home. The 12x12 storage unit they are proposing would be a 4<sup>th</sup> floor and a sprinkler system would then be required. Gerry thinks it will be great to bring the community together up there and would like to see us work with them. Robbs stated that we have no say over the manufactured building, only the outside. The Mosque pays cash for everything and their original design is not affordable.

Robbs reported that NYSEG will be back in front of the Planning Board. Their Smart Meter project is moving slower than anticipated. NYSEG has made no headway with the gas pipeline proposal. Hardaway stated that he heard they were supposed to come through last fall but now it may be October. Hardaway stated that the deadline to complete was the end of next year. NYSEG is getting public pressure. There are currently no new gas connections for this area.

Monaghan stated that what appears to be a stolen bike is still lying by the path behind the Mall. He has called 911 and Mall security and has received no response. It was suggested that we pick up the bike since it is on Village property. If no one claims the bike we can donate it. Monaghan reported that he will start attending the Greenway Committee meetings. He is also running for reelection in April.

Hartill stated that the sewer extension project continues to go forward. All the property owners along the path will be receiving a letter from the Village regarding the surveying that will be taking place in March and April. Hartill again described the project scope. Brent Cross, Village of Cayuga Heights Engineer, assures us that there is enough capacity for this project. There will be a \$1 million contribution from the group constructing the project in the Town of Lansing. They will connect to the gravity main on the east side of E. Shore Drive. There is a gas line in that area that we will have to avoid which will add a minor expense. \$3 million is the total projected cost. It would cost the Village approximately \$2 million, which we have in the Sewer Capital Reserve Fund. This would still leave us money for I&I. Hartill stated that Courtney participated in a meeting where other users have realized that they must watch their I&I. Other municipalities do not even have flow meters like we do to monitor sewer flow. If you add the total flow we have going in all municipalities, there is a negative flow out of Cayuga Heights. We are the biggest sewer user.

Hardaway questioned who would cover cost over runs with the joint sewer project. Hartill stated that the budget has a 20% contingency. It is a small project and they are deadly in terms of costs. Courtney stated that one big advantage is that we know the amount of rock in that area and it has been incorporated in the budget. Hartill feels we may have a problem finding an adequate contractor.

Schleelein asked if individual home owners can tie into the new sewer line. Residents will have the option. The current connection fee is \$1,000. In the undeveloped portions of the Village, the Mayor will be suggesting a change in the minimum lot size from 30,000 to 45,000 sq. ft. which is half way between 30,000 and 60,000. The time scale for the sewer extension project is tight. They want to be done by the end of 2019. Hartill feels it is pushing the envelope for this size project. The alternative for the Town of

Lansing is to do a package plant which is more expensive plus a big footprint to their development. They are depending on funding from the Federal level. They have that in line, but it has a time limit.

Hartill stated that it is budget time. We will start discussions with the Board of Trustees at the next meeting on March 5<sup>th</sup>. Hartill asked Courtney to have his budget for the Highway Department projects completed by mid-week next week. Then he and Dake can sit down and look at the proposals. We may be able to get away without raising our tax rate. However, Hartill would like to get away from using our capital reserve for ongoing maintenance.

Hartill entertained a motion to approve the Minutes from February 5, 2018

Motion-To Approve the Minutes of February 5, 2018

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

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

Dake stated that EDF is requesting that we refund their Gross Receipt Tax payment from the third quarter of 2017 in the amount of \$85.04. The reason for the request is because EDF was providing services to XPO Logistics, which was previously located in the Village of Lansing, but in July 2017 XPO Logistics changed their location of service to the City of Tonawanda. The change of address was missed by EDF and they filed the Gross Receipt Tax return incorrectly to the Village of Lansing instead of the City of Tonawanda, NY.

Resolution #6454-To Refund EDF Energy Services for \$85.04 In Gross Receipts Tax that was Erroneously Sent to the Village of Lansing on 10/30/17

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

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

Monica Moll is currently a member of the Board of Zoning Appeals (BZA). The Planning Board, after meeting her, is requesting that she be appointed as the Alternate to the Planning Board. This would mean that she would give up her position on the BZA. Jim McCauley previously held the alternate position before being moved to a regular member in January when Deborah Dawson left the Planning Board. The appointment would only be until May 2018. Yearly reappointments happen each year at the organizational meeting.

Resolution #6455-To Appoint Monica Moll as an Alternate to the Planning Board until May 2018

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

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

There are four budget transfers that are needed at this time:

- Storm Sewers is over spent by \$1,025.30. It was suggested that \$1,026 be transferred from Engineering.
- Life Insurance is over spent by \$5.06. It was suggested that \$6 be transferred from Disability Insurance.
- Water Engineering is over spent by \$141.80. We previously transferred \$7,150 from Contingency. Dake proposed that we transfer the remaining \$2,850 from the Contingent Account.
- Sewer I&I is over spent by \$5,423.98. It was suggest that we transfer the whole \$10,000 from Sanitary Sewer Capital Projects, G8120.22 to cover future I&I.

Resolution#6456 –To Approve the Following Budget Transfers:

General

\$1,026 from General Government Support, Engineering, Contractual, A1440.4 to Home & Community Services, Storm Sewer A8140.4

\$6.00 from Employee Benefits, Disability Insurance, A9055.8 to Employee Benefits, Life Insurance, A9045.8

Water

\$2,850 from General Government Support, Special Items, Contingent Account, F1990.4 to Source of Supply, Power & Pumping, Engineering, F8320.45

Sewer

\$10,000 from Home & Community Services, Sanitary Sewer Capital Project G8120.22 to Home & Community Services, Sanitary Sewer, Contractual I&I, G8120.4

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

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

Mayor Hartill entertained a motion to approve the vouchers.

Resolution #6457- Abstract of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 9 for the General Fund, in the amount of \$68,406.32, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 9 for the Sewer Fund, in the amount of \$35,192.03 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 9 for the Water Fund, in the amount of \$1,314.96 is hereby approved for payment.

Trustee O'Rourke moved that the foregoing Abstract of Audited Vouchers resolutions be adopted and Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Patricia O'Rourke-Aye

Trustee Ronny Hardaway-Aye  
Trustee Gerry Monaghan-Aye

O'Rourke gave an update on the Planning Board meeting. See Planning Board minutes for details.

The Board discussed the Tompkins County IDA controversy over the Lansing Meadows PDA. Goetzmann has not been fulfilling what he intended to do and what he had proposed to the Village. The Planning Board feels that the new project proposed would be a major change which would mean he would have to go through one or more procedural requirements. They feel what Goetzmann is now proposing is not the original intent. The Planning Board is concerned with the proposed senior living units being crammed into one end. The Planning Board has made it clear that they want to see the whole parcel developed. Monaghan would like to revoke the A-1 Commercial that Goetzmann was recently granted if this is the case. To do this would require a local law. Every time Goetzmann has wanted something the Village has bent over backwards for him. The deadline has come and gone for the buffer of trees being planted. There are no trees down there.

Robbs attended the last Tompkins County IDA meeting and Goetzmann is going to have to give significant amounts of money back. At the Planning Board meeting on March 2nd there will be a Public Hearing on Goetzmann's new proposal. Robbs has sent Goetzmann his minimum requirements via email.

Hartill had to leave meeting. 1:23pm.

Hardaway asked if Planning Board Chair Tomei would be expressing his concerns to the Trustees. Robbs stated that Tomei sent the IDA a report of what happened at the last Planning Board meeting. Mario will also have a formal report for the Trustees.

Hardaway stated that Chris Bennet from Youth Commission would like to be on the agenda for the March 19<sup>th</sup> meeting.

Motion- To Adjourn

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

Trustee Ronny Hardaway-Aye  
Trustee Gerry Monaghan-Aye

Trustee Patricia O'Rourke-Aye

The meeting adjourned at 1:30pm.

Jodi Dake, Clerk/Treasurer