

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, January 6, 2020 in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, John O’Neill and Patricia O’Rourke and Randy Smith; Clerk/Treasurer, Jodi Dake; Attorney Bill Troy; Planning Board Representative, Lisa Schleelein; Community Party Representative Carla Marceau, and 6 additional public.

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

Hardaway made a motion to close the public comment period. O’Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway- Aye
Trustee Patricia O’Rourke-Aye	Trustee Randy Smith-Aye
Trustee John O’Neill-Aye	

The next item on the agenda was the approval of minutes from December 2, 9 & 12, 2019. Everyone was present for the December 2nd & 9th meetings so those two can be approved together. O’Neill was not present for the December 12th meeting.

Motion - To Approve the Minutes of December 2nd & 9th, 2019

Smith made a motion to approve minutes. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Patricia O’Rourke-Aye	Trustee Randy Smith-Aye
Trustee John O’Neill-Aye	

Motion - To Approve the Minutes of December 12, 2019

Smith made a motion to approve minutes. O’Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Patricia O’Rourke-Aye	Trustee Randy Smith-Aye
Trustee John O’Neill-Abstain	

Informal Discussion on Proposed Lansing Meadow Subdivision

Jim Bold & Eric Goetzman were present to request an amendment to the Village of Lansing District Regulations that would allow them to subdivide the Lansing Meadows parcel and sell as townhouses. The reason for this proposed change is the highly competitive market for apartments. They feel that selling the units would be more beneficial to the developer and the Village because there would be more home ownership. The requested modifications have to do with changing lot size and frontage on a private road. In the existing requirements, they would need the frontage and lot size amended to accommodate townhouses.

Mayor Hartill asked if the Tompkins County Industrial Development Agency (TCIDA) had an issue with this since they were given a tax break for senior housing. Bold stated that it would still be senior housing. A certain percentage of the units would have to be occupied or purchased by individuals that are 55 yrs. old and over.

O'Neill questioned how they could guarantee that this senior requirement will be met and continue to be met in the future. Bold stated that one of the stipulations will be that it is a senior community. It will be part of the deed restrictions and the Homeowners Association (HOA) Agreement. Hartill pointed out that the Horizon Development has the same thing. Hardaway asked if the HOA Agreement would provide for selling or renting. The stipulation is that 12 of the units must be constructed and occupied by someone that is at least 55 yrs. old.

Goetzman stated that originally, he was going to own and rent out the units but the market is changing.

Troy asked if they were proposing to subdivide each building. Bold stated that if you look at the condo's in Lansing Trails, they have a zero-lot line configuration. The buildings in Lansing Meadows are being built to meet this same type of requirements.

It was asked how the Village would be guaranteed that these units would continue to be senior living. Bold stated that there would be a deed restriction. If a couple were to purchase a unit at least one of them would have to be 55 yrs. old. Troy asked how do we see that this is enforced. Bold stated that it is part of the real estate transaction and a testament would have to be made. Also, the requirements for senior ownership would be in the HOA bylaws along with other common area agreements. Hartill stated that the HOA must maintain the private roadway, roofs and common areas.

The Board was concerned with the enforcement of the age requirement. It was asked who would enforce this 55+ age restriction. Bold stated that it would be a legal document that the HOA enforced. Hartill added that an HOA has a governing body that would manage that.

Troy stated that it seems that for the TCIDA there is self-affecting and the landlord would honor the requirements and that is not going to be the case. Now it will be up to the HOA if they feel like they want to enforce the 55+ age requirement.

Hartill stated that, just to be clear, the Board would want a letter from TCIDA confirming that the proposed changes are okay with them. Bold agreed to get that. The Board would also like Goetzman's legal person to propose what needs to be changed. Bold feels this is very simple, and they would be happy to present the information in writing to the Village of Lansing.

Smith confirmed with Bold that the actual building sizes are not changing.

Smith lives in an area that has a HOA and is familiar with how it operates. Shannon Park has a similar HOA Agreement which has been going since 1989. There is also an active HOA in Lansing Trails.

There are legal requirements for HOA. The private road would be a different tax parcel and the maintenance would be charged to the HOA.

The Board would like Bold and Goetzman to provide the Village with a marked-up copy of what they are proposing and an actual layout.

Hartill asked if there would be a pathway to the YMCA. Jim stated that there is a sidewalk that was agreed to by the Planning Board that comes from Hickory Hollow, across to Oakcrest then down Oakcrest to where their curb cut is. There is no sidewalk after that on Oakcrest Road. Smith asked if there is a way to connect the sidewalk to the YMCA. The YMCA has already contacted Bold and Goetzman on connecting to the YMCA.

Schleelein, Planning Board Chair, stated that in general the Planning Board has been receptive to ownership but there are a couple of things that need to be addressed. Schleelein voiced her concern with the agreement they have with the Tompkins County Industrial Development Agency (TCIDA) and final documentation. Bold stated that he would get a preliminary plat to the Village.

The Board agreed that before referring this proposal to the Planning Board the Village needs the documentation showing what their proposed setback changes are, the changes shown on a preliminary plat and a letter from the TCIDA stating that they are okay with the changes. This topic will be on the February 3rd agenda.

Consider Climate Smart Community Resolution

The Board had asked Bill Troy to create a resolution to establish a Climate Smart Communities Taskforce Committee. Hartill stated that the taskforce could have up to 7 voting members. Other people may attend as observers or advisers. O'Neill thinks this is going to be a trojan horse from New York State and is totally against this. Hartill had the same concerns, however, the resolution is written in such a way that we manage this and not New York State. Hardaway agreed that all recommendations, allocation of monies and changes to law will go through the Board of Trustees. Troy put together the following resolution that is simple and clearly addresses the issues.

RESOLUTION #6627- Authorizing Creation of a Climate Smart Communities Task Force for the Village of Lansing

WHEREAS, on November 4, 2019 the Village of Lansing unanimously passed Resolution #6618, entitled Adoption of the New York State Climate Smart Communities Pledge, and the Village now wishing to create a Climate Smart Communities Task Force, it is hereby

RESOLVED that the Village of Lansing does create a Climate Smart Communities Task Force as follows:

1. There shall be as many as seven members of the Task Force, all of whom shall be appointed by the Board of Trustees in the regular course for a term of one year. One person shall be appointed as Coordinator/Chair and that person will serve as the chair of the Task Force. As vacancies occur, the Board of Trustees may fill those vacancies for a term of one year, or such lesser term as the Board of Trustees finds appropriate.
2. No more than two members of the Task Force can be members of the Board of Trustees. No more than two members of the Task Force can be members of the Planning Board. No more than one member of the Task Force can be a member of the Board of Zoning Appeals. Residents of the Village who do not hold a position on the Board of Trustees, the Planning Board or the Board of Zoning Appeals can be considered for appointment to the Task Force.
3. All persons appointed to the Task Force are volunteers and will receive no compensation.
4. The Task Force shall meet at such times as may be appropriate.
5. The members of the Task Force will be guided in their work by the ten elements of the New York Climate Smart Communities Pledge, which has been adopted by the Village, and the function of the Task Force shall be to make recommendations to the Board of Trustees in connection with those elements.

Hardaway made a motion to approve this resolution. Smith seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Opposed

Trustee Ronny Hardaway-Aye
Trustee Randy Smith-Aye

The next order of business was to appoint a CSC Task Force Coordinator/Chair to the Task Force. Hartill stated that he was going to volunteer but Hardaway is very interested in that position. The Board agreed that Smith would be the other Trustee representative.

RESOLUTION #6628- Appoint Ronny Hardaway as Coordinator/Chair of the Village of Lansing Climate Smart Communities Task Force and Randy Smith as Trustee Representative both for a one-year term

Hardaway made a motion to approve this resolution. O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Opposed

Trustee Ronny Hardaway-Aye
Trustee Randy Smith-Aye

Hartill reiterated that the Trustees must appoint all members of the Task Force. It is a Task Force and not a committee. The Village now has two members to get started.

Status of Cell Phone and Computer Use Policy

Hartill has distributed to the Trustees a simplified cell phone, tablet and computer usage policy. Originally, we started out with a very restrictive document from NYCOM. What Hartill handed out is just a statement. Our staff needs cell phones and computers. Everyone needs to understand that anything on these devices is subject to FOIL. Dake was concerned with not having explicit procedures for handling replacement, device clearing and other common-sense issues that are required. Hartill added that this is just a draft to start. At the next Thursday meeting, the Mayor hopes to have a little more to present to the Staff. The policy will be consistent with how we currently use the devices and take into account that in our modern electronic world we use our devices in many different ways.

Consider Planning Boards Recommendation

The Planning Board has recommended to the Trustees that the five parcels located on the eastern side of North Triphammer Road from Graham Road south to the Cayuga Mall be rezoned from Commercial Low Traffic (CLT) to Commercial Medium Traffic (CMT). Hartill added that this change does not impact any residential areas. Since it will be a change in the law, Troy will draft a law to make sure all is clear. Hartill thanked Schleelein for the nice letter and the discussions she had on this issue.

Mayor's Comments

Hartill stated that he circulated a draft letter to be sent to Heights of Lansing to satisfy their concerns. Hartill had previously met with Janet Jonson to hear her concerns. Among other things, there were engineering issues with the retention pond. Hartill stated that he should have stamped "DRAFT" across the letter so people don't get excited. Hardaway had started a chain of concerns when he assumed that the letter was already sent without consulting the Board. Hartill stated that the letter had not been sent and the contents of the letter had already been reviewed by Courtney and Scott. The letter that he presented to the Trustees to review addressed several concerns. We are replacing a blacktop sidewalk that doesn't match the concrete sidewalk that runs along Bomax Drive in front of the East Pointe Apartments.

Hardaway stated that he talked to Courtney today and the blacktop is actually on our right-of-way and we are responsible for the sidewalk. It wasn't a good job. Another concern was the retention pond which is a foot higher than it should have been. Janet Jonson was concerned with the backyards flooding.

O'Neill questioned the Village paying to install evergreen trees. It was explained that we are taking over that right-of-way and the trees are part of a package to reorient the streetlighting on the north and west side of Nor Way instead of the other way. As part of this agreement we will be given a sewer line. All these things Courtney feels strongly about. It is all part of a package.

Hardaway clarified that after they transfer ownership to the Village is when we would be planting the trees.

Hardaway stated that he was concerned that we had not discussed the items in the letter. Hardaway spoke with Courtney and it is a safe change for streetlights. Courtney previously explained to Hardaway that having to move the streetlights and extra wiring is a greater expense to IJ Construction. Courtney predicts that the trees would be \$150 each.

There is still an issue with Northwood Road streetlights.

Hartill attended the Farmers Market ribbon cutting at Triphammer Mall. There was great enthusiasm. The place was full.

The sewer expansion to the Town of Lansing is still in the process of getting easements. We need an iron clad agreement that the Town of Lansing is going to pay for a third of the sewer project before we proceed.

O'Rourke will be gone with her husband on sabbatical in New Zealand for the next 4 months. Tonight will be her last meeting until she returns in April. It was asked if the Village would have a replacement for her while she was away. There is no replacement for Trustee positions since they are elected. Three people is enough to do business at a meeting. O'Rourke's responsibility was to balance the checkbooks and Smith has agreed to do that.

Schleelein asked when the Northwoods Road lights would be connected to NYSEG. Hartill assured her that before he leaves for California there will be a plan to connect.

Hartill stated that the engineer that is part of the negotiations on Graham Road is going to come to the Planning Board meeting to talk about Graham Road West and an extended stay hotel. Once the exchange is done the Village will redo Graham Road West, the retention pond and sidewalk.

Dake has distributed a budget schedule. All departments will start to pull their information together. By law the Village must adopt a budget by April 15th. Hartill does not see any large projects on the horizon from our normal sources. The sewer project that will extend from the Town of Lansing will be paid for by contribution from the Town of Lansing and our reserve funds. It is part of our current budget but there are still easements that need to be obtained.

The last sewer bond payment will be made this month so the Village will be debt free. There will no longer be a sewer collector charge on the Village tax bills.

General Discussion

Hardaway stated that the Vacker Sign designs for park signs were done and circulated to the Trustees and staff. The concerns were the word “Park” not being at the top and the lettering being too large at the top. The Board decided that the name of the park should not be just Marian Hartill but should read Marian Hartill Park. Going to three lines should make the top lettering smaller. Carol of Vacker Signs was concerned that we are using two size signs. She suggested we go with the larger size for all the signs and they would give them to use for the same price. It was asked how the size of the signs compared to the sign that is currently at the Phil R. Dankert Park. Hardaway stated that the size is pretty close. Hardaway will email the new proofs to the Trustees when he receives them to get everyone’s thoughts. Smith feels that big parks should have big signs. The Trustees agreed that they should get the larger signs and be consistent with all parks. The signs will all be 31.67” high by 47.75” wide.

Hardaway stated that CJ Randall, Town of Lansing Planner, has invited him to join the Trails Advisory Committee. He will help guide the Town of Lansing in their trails to link town and village trails.

Planet Fitness has moved out of the Shops at Ithaca Mall and moved into Cayuga Mall across the street.

Troy informed Schleelein that he would not be here next week so he will have Natalie attend the Planning Board meeting.

Motion- To Adjourn

O’Neill motioned to adjourn. Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Patricia O’Rourke-Aye
Trustee John O’Neill-Aye

Trustee Ronny Hardaway-Aye
Trustee Randy Smith-Aye

The meeting was adjourned at 8:40pm.

Jodi Dake, Clerk/Treasurer