

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, May 15, 2000, in the Village Office.

PRESENT: Mayor Don Hartill; Trustees Lynn Leopold, Larry Fresinski, Frank Moore; Planning Board Chair Ned Hickey; Village Attorney Randy Marcus (for second half of meeting).

Mayor Don Hartill called the meeting to order at 7:37P.M.

The Mayor opened the public comment period. There were no comments.

Motion- To Close Public Comment Period

Trustee Larry Fresinski moved to close the public comment period.

Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold –Aye

Motion- To Open the Public Hearing In Accordance with the Provisions of Article 2 of the Eminent Domain Procedure Law to Acquire Title to the Ramada Parcel in Order to Complete the Village's Acquisitions as Necessary for Execution of the N. Triphammer Reconstruction Project.

Trustee Lynn Leopold moved to open the public hearing.

Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold –Aye

There were no comments. The Mayor decided to leave the public hearing open and discuss other business. Lynn stated that she drove slowly up Burdick Hill to examine the crack seal job done by Patch 'n Seal. On the issue of the ruined tires, Don feels that the driver paid attention to the flagman and by no fault of his own, ruined the tires because he was sent through before the crack seal material had sufficiently cooled. He would like to figure out a strategy as to take care of this resident without setting a precedent. This is a unique situation and the special circumstances should be stated. There was extensive discussion on this issue. Larry explained what had happened at the last meeting. The Board is interested in humanistic aspects but concerned with the legal issue. Larry will contact Gretchen Papariello and have her submit her claim to Patch 'n Seal. Don ask Larry to make sure she knew that we weren't pitching her out and that we wanted to hear what happens. The Board wants her to be happy. If we return to this, the Board will set thresholds at that time.

A reporter from the Ledger was present and asked the Mayor what had actually happened. The Mayor explained to her that the Village through state contract hired a subcontractor. Patch 'n Seal did a poor job crack sealing the Village roads and we have refused to pay them. While the job was being done, a flagman from Patch 'n Seal sent a motorist through hot material and it stuck to her tires. She has asked the Village to pay for the ruined tires. Lynn stated that we need to develop a policy for this kind of situation. We now have an incident report but a policy is needed so people will use it.

Larry brought to Don's attention a certified letter from Patch 'n Seal, which Dennis handed out at the Wednesday meeting. The letter stated that on April 27th a special meeting was conducted at the State Office of General Services in Albany and an agreement was reached for Patch 'n Seal to return to the Village to complete the crack sealing project. Don stated that Randy needs to address this with NYSDOT and District 7. Larry commented that Dennis is unsure if the crack sealing can even be fixed. Larry pointed out that, according to the letter, they are coming in June and

someone needs to contact Patch 'n Seal very soon.

At this point Don once again asked if there was any comment on the public hearing. There were still no comments.

Motion- To Close the Public Hearing In Accordance with the Provisions of Article 2 of the Eminent Domain Procedure Law to Acquire Title to the Ramada Parcel in Order to Complete the Village's Acquisitions as Necessary for Execution of the N. Triphammer Reconstruction Project.

Trustee Lynn Leopold moved to close the public hearing.

Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill - Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold -Aye

Don left for the Village of Cayuga Heights meeting to try and get more sewer units for the Village.

Motion-Approval of Minutes for May 1, 2000

Trustee Lynn Leopold moved that the amended meeting notes are hereby adopted as the official minutes. Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Absent
Trustee Larry Fresinski-Aye

Trustee Lynn Leopold-Aye
Trustee Frank Moore-Aye

Next on the agenda was the engineer's report. Dave Putnam showed the Board a map of Cinema Drive. They discussed an alternate TG Miller's has prepared to continue the Uptown Road project south on Cinema Drive to the boundary between The Small Mall and Cooke Imports. Dave feels to go to the driveway of Bishops would make the most sense. The plan included removing the large asphalt area on the cinema side of the road and making a 10 foot grassy area. Lynn commented that this area is an eyesore. Ned thinks we should consider landscaping at the same time, maybe some Linden trees. The Board would like Ned to talk to Walter Wietgreffe about looking at this area and develop a plan. Dave suggested maybe doing the landscaping under separate contract with someone locally. Dave also suggested leaving room for a sidewalk so that if it were ever decided to put one in that we wouldn't have to go around trees. Dave still needs to get permission from Thaler to have the guardrail removed. The new road will have curbing so it will no longer be necessary to have the rail.

Frank asked if we had a master plan for sidewalks. Ned stated that the Planning Board will be updating our current walkway plan and submit it to the Board of Trustees for final approval. Ned hopes this will be the beginning of September. Frank was concerned with the sidewalk being on the Cooke side and pedestrians having to cross at the corner which is already a hazardous area because of the way cars fly through there. Dave stated that there would be a stripped cross walk there and a small section of sidewalk across the end of the grassy area.

The County needs to know the amount of the Cornell contribution for the signal at Uptown Road. Don recalled that originally it was a 50/50 split between the Village and Tompkins County then they would split Cornell's contribution. Ned spoke with John Majeroni of Cornell in the beginning but never had a formal decision. He recalls it always being a three way split. Ned will contact John Majeroni. A reporter asked how much a signal light cost, reply \$90,000.

Dave has received a schedule from CBord of when they would be willing to shut down the parking lot for the demolition of the airport elevated water tank. They can do it any time but in June. The contracts will be completed and bids received in July for demolition in August, September or October.

Lake Source Cooling has not been in contacted with Dave in the last month concerning the agreement to allow the emergency sewer connection to the Village sewer transmission main. Dave thought they wanted to start in June.

Next the Board discussed the list of watershed issues which the IO had compiled from the Watershed Characterization.

The Planning Board had taken the list and selected the 15 items they felt were most important. Ned said they looked at the global issues rather than small Village areas. The issues that the Village would like to see addressed were:

- impact of development
- preservation of open space
- urban and rural sprawl/growth control
- lake patrol enforcement
- regional wastewater treatment programs
- evaluate support for multiple uses of lake
- stormwater management
- best management practices for water management
- sampling and monitoring of tributaries and lake
- public awareness and involvement
- fisheries
- tourism and other economic developments
- quality of water/natural resources
- invasive plants and animals/exotic species

Lynn will take this list to the next Intermunicipal Organization meeting.

Steve Halevy has found the same digital camera that we approved payment for on Abstract #12, voucher #371 for approximately \$200 cheaper at Ritz Camera. Jodi is still holding the check because the camera hasn't been shipped yet and would like the Board's approval to cancel this order and buy the cheaper camera.

Resolution #3677 - Authorization for the Village Clerk/Treasurer to void check #3409 to Publishing Perfection for \$998.95 and issue a check to Ritz Camera for \$799.95 for the purchase of a digital camera.

Trustee Lynn Leopold moved to void check #3409 and buy the same digital camera from Ritz for \$200 less. Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill - Absent
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold –Aye

At this point a reporter asked when the N. Triphammer Road project would be done. Larry stated that it was an 18-month process that would hopefully begin construction season 2002. Once property is acquired, the Village still needs to complete engineering, and Larry further explained the process.

Ned reported on the April 30th EDR meeting. He feels we are on track for completing by July 2000. It's been a struggle. Lynn thinks they seem to be more on track now. Originally, they had preconceived ideas without speaking with the focus group. Now they are dealing with the reality of N. Triphammer Road and are doing a better job.

Ned reported that the Town and Village of Lansing Planning Board's were going to meet. Viola Miller is the chair for the Town. The Town would like to do an exercise on paper roads and where they will connect with the Village. Ned thinks this is a great idea.

Larry brought up the cable franchise agreement and RoadRunner. Currently the Cable Company would like to offer free I-Net connection but this really doesn't have any advantages to the Village. RoadRunner is a connection through cable that has increased speed. We would have to change our e-mail and website address if we went with RoadRunner unless we bought a domain name. The cost is approximately \$1,000. He is still unsure if there is an additional cost to run the cable up to the garage behind the office. The cable representative is in the area every Thursday so it's just a matter of meeting with him to find out. If we went with RoadRunner we would be the first municipality in the area with a high-speed connection.

Don returned to the meeting. The Village of Cayuga Heights has agreed to let McDonald's move 5 of their 7 sewer units across the street to the new location but they must use one of our units to bring them up to 6 sewer units for the new property. The Village of Cayuga Heights was very careful to use special wording for this situation because they are very worried about setting a precedent. Don asked Jodi to send Betty, Village of Cayuga Heights Clerk, the address and parcel number's for the present and proposed sites for McDonald's. Don also stated that Cayuga Heights is also interested in a shared dumpsite.

Cornell Federal Credit Union has requested to build on the vacant land at the corner of Sheraton Drive. This is the last commercial high traffic vacant parcel in the Village. CFCU will be in to meet with the Planning Board on July 1, 2000.

Now that Don was back, Ned asked what was Cornell's share of the money for the Uptown Road Light. Don thought Ned had already finalized an agreement with them. Ned stated that there was never a finalized deal. Ned will meet with John Majeroni to negotiate this deal. They feel it should be a three way split between Cornell, Tompkins County and the Village.

Lynn is to call Steve Farkas to find out when the planning group will be meeting so she can fill in for John Bailey.

Attorney Randy Marcus entered the meeting. Don informed him that we held the public hearing and there were no comments. Randy handed out draft findings for the Board to review. He stated that the "whereas" sections described the reasons for the N. Triphammer Road project and the numbered paragraphs described the Village efforts taken to acquire other parcels, all of which have been apparently successful except for the Ramada Property. Randy also handed out a preliminary survey map to show the Board the portion of property we were speaking of. Don thought the total square footage the Village needed to acquire was approximately 2481 sq. ft. Don asked Dave Putnam to get the exact number for him. This area needs to be acquired so sidewalks can be developed in this area along with greenspace. Frank asked if a fourth lane was being added. Randy said that only a turning lane and bike lane are being added. After carefully reviewing the draft findings there were two changes made. Grammatical language was added to #9, "unwilling to sell" was added after "effected parcels, and a date will be added to the end of the document.

Resolution #3678 – Adoption of the Determination & Findings

WHEREAS, throughout the history of the Village of Lansing, North Triphammer Road has served as a primary transportation corridor both for the Village and surrounding communities; and

WHEREAS, both residential and commercial development, both within and outside of the Village of Lansing, have resulted in continually increased usage of the portion of North Triphammer Road located within the Village of Lansing; and

WHEREAS, as of March 4, 1996, by resolution duly enacted by the Board of Trustees of the Village of Lansing, the Village undertook to evaluate the needs for repair, renovation, expansion, reconfiguration or redesign, or any combination of such undertakings, of such portion of North Triphammer Road; and

WHEREAS, the ad hoc committee formed to undertake such evaluation determined that reconstruction of North Triphammer Road had become a necessity in order to complete necessary repair and maintenance to the road surface, improve safety for motorists, bicyclists and pedestrians using this portion of North Triphammer Road, improve traffic flow in this area, better provide for multi-modal means of transportation, including pedestrian and bicycle travel, and enhance the aesthetic characteristics of this primary thoroughfare through the Village; and

WHEREAS, in accordance with the recommendations of the Triphammer Road Corridor Committee, the Village's engineers developed, as of September, 1996, preliminary plans for the North Triphammer Road reconstruction, incorporating appropriate improvements to safety, traffic flow and multi-model means of transportation; and

WHEREAS, since these preliminary plans were produced, the Village has proceeded to analyze a variety of issues related to the North Triphammer Road reconstruction project, including various funding sources and including the Village's acquisition of any additional property that may be necessary in order to complete this project;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Lansing as follows:

The Village of Lansing hereby makes the following findings concerning the proposed North Triphammer Road reconstruction project, in accordance with the requirements of Section 204 of the Eminent Domain Procedure Law of the State of New York:

1. Completion of the North Triphammer Road reconstruction project is necessary in order to improve the safety of motorists, bicyclists and pedestrians using the portion of North Triphammer Road located from the Village's southerly boundary line northward through the vicinity of its intersection with Craft Road (the "Project Area").
2. Completion of the North Triphammer Road reconstruction project is necessary in order to improve traffic flow within the Project Area.
3. Completion of the North Triphammer Road reconstruction project is necessary in order to better provide for multi-modal means of transportation within the Project Area, including pedestrian and bicycle travel.
4. Completion of the North Triphammer Road reconstruction project shall substantially enhance the aesthetic characteristics of the Village's primary thoroughfare.
5. In order to complete the North Triphammer Road reconstruction project, it shall be necessary for the Village to acquire thin strips of property along both the easterly and westerly sides of the existing North Triphammer Road right-of-way, which strips shall be up to fifteen feet (15') in width.
6. The Village's acquisition of these additional strips of property shall affect twenty-nine (29) properties within the Project Area.
7. The Village has obtained appraisals of each of the strips of property to be acquired, and the Village has provided to the owners of each of such parcels offers for the Village's purchase of such parcels based upon the appraised values thereof.
8. In response to the Village's offers, each of the owners of the twenty-nine (29) parcels, except one (1), has indicated willingness to sell such strip of property to the Village in consideration of the offer made based upon the appraised value.
9. The only property owner of any of the twenty-nine (29) effected parcels unwilling to sell is Homik Inns Corp., which owns the premises located at and known by the address of 2310 North Triphammer Road and identified as Village of Lansing Tax Parcel No. 47.1-1-22.2, currently operated as the "Ramada Inn" (the "Ramada Parcel").
10. The Village is currently in the process of acquiring title to each of the other twenty-eight (28) strips of property along North Triphammer Road within the Project Area that shall be necessary in order to complete the North Triphammer Road reconstruction project.
11. Each of the other twenty-eight (28) strips of property are anticipated to be conveyed to the Village voluntarily by the owners thereof, with closings of such acquisitions anticipated to occur within the next six (6) months.
12. In order to complete the North Triphammer Road reconstruction project, and thereby establish the turning lanes necessary to improve traffic safety and traffic flow, to complete the bicycle lanes, the

green-space adjacent to the roadway and the pedestrian sidewalks included in the project, it is necessary to acquire the additional strips of right-of-way from all twenty-nine (29) adjacent properties within the Project Area.

13. It shall not be possible to complete the North Triphammer Road reconstruction project if one of the twenty-nine (29) adjacent strips is not included.
14. The Village shall have no alternative but to acquire this last of the twenty-nine (29) required strips of property by proceeding in accordance with the Eminent Domain Procedure Law.
15. Completion of the North Triphammer Road reconstruction project is necessary for the safety of motorists using North Triphammer Road in the Project Area, and therefore completion of the North Triphammer Road reconstruction project would serve the public use, benefit or purpose of improving traffic safety.
16. Considering the continued commercial development in the Project Area in the recent past, and the anticipated commercial development in the Project Area in the future, it is of vital necessity to the safety of motorists, bicyclists and pedestrians utilizing this portion of North Triphammer Road that the improvements to North Triphammer Road provided for in the North Triphammer Road reconstruction project be completed as designed.
17. Among the elements incorporated into the North Triphammer Road reconstruction project that shall provide for improved safety of motorists shall be the elimination of various curb cuts that would otherwise provide for access onto North Triphammer Road from adjacent properties, or exit from North Triphammer Road onto adjacent properties. One of the curb cuts to be eliminated in completion of this project is located on the Ramada Parcel, in the area to be acquired by the Village. The Village's acquisition of the Ramada Parcel shall permit the Village to eliminate this curb cut and as a result improve both traffic safety and traffic flow.
18. The Village is responsible, in accordance with the Village Law of the State of New York to promote the well-being of the Village's economy and residents, and completion of the North Triphammer Road reconstruction project shall promote these goals.
19. The proposed acquisition of the Ramada Parcel will serve the public use, benefit or purpose of improvement of North Triphammer Road in the Project Area as necessary for the safety of motorists, bicyclists and pedestrians using this road.

Adopted: Village of Lansing Board of Trustees May 15, 2000

Trustee Larry Fresinski moved to accept this resolution and Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill – Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold –Aye

Randy informed Jodi that a synopsis of this determination and findings would need to be published in the Ithaca Journal for 2 consecutive days. Don will sign and Randy will deliver the formal offer to Daniel Homik, all in accordance with the Eminent Domain Procedure Law.

Don suggested we delay the SEQR on the N. Triphammer reconstruction project until the next meeting. He entertained a motion to go to executive session.

Motion- To Go To Executive Session to Discuss the Proposed Acquisition of Real Property by the Village.

Trustee Lynn Leopold moved to go to executive session. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye

Motion- To Come Out of Executive Session at 10:15pm

Trustee Larry Fresinski moved to come out of executive session. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye
Trustee Larry Fresinski- Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye

The meeting adjourned at 10:16 P.M.

Jodi Dake
Village Clerk