

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, December 4, 2000, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Lynn Leopold, Larry Fresinski, Frank Moore and Janet Beebe; Village Attorney Randy Marcus; Ned Hickey, Planning Board Chairman.

Mayor Hartill called the meeting to order at 7:30P.M. The Mayor Appointed Janet Beebe to fill the vacancy of John Bailey. She will be in the position until the elections in April 2001 due to statute. There will be four positions up for reelection this April. Janet works in Human Resources at Cornell. At Cornell she manages recreation and works with youth. The Board welcomed Janet. The Mayor then opened the public comment.

Don King, a resident of Kensington, stated that he and several other residents visited the Board 4 months ago and would appreciate an update on concerns expressed back in May. They had come to a meeting July 24, 2000 and the Mayor had stated that he would respond to the Kensington residents in 60 days, which he did not. Mr. King also stated that he had heard that Audrey Edelman was giving the land where a possible road would connect from Coventry Walk to Janivar Dr. to Cornell and wondered how this would affect the whole situation. The Mayor had not heard of this. Randy Marcus asked where he had heard this. Ned Hickey had heard this from Audrey Edelman and told Mr. King. Randy assured Mr. King that if this did happen and if there were any restrictions on the parcel, the deed restrictions on that parcel would transfer.

Mayor Hartill feels that the key to this whole puzzle is the sewer situation. Also related to this is if the Colbert's would give Northwood Road to the Village. Right now it is not a public road, and the Colbert's are not interested in dedicating it to the Village. The Mayors main concern lately has been the sewer issue. There is a draft partnership agreement between the municipalities. There is another sewer meeting Dec. 13th. In the meantime, there is a proposal that with some I&I work completed, additional capacity will be freed up, and this concept has received tentative agreement with DEC. We are exploring aggressively with the Village of Cayuga Heights and the Town of Ithaca a way to improve the system and free up sewer units. Otherwise, for the intermunicipal agreement to become effective, we must go through the full EIS process and then it will be 1 year until we get sewer units. The conversation that the Mayor had with the Colberts to dedicate property is coupled strongly to the sewer situation.

Mayor Hartill knows that the Kensington residents have been here three times and they must feel that they are getting the run around but the Village can not go on private property to perform maintenance and snowplowing. The Mayor is not going to leave this island. Mr. King stated that this dispute has been going on for 10 years and wanted to know why they aren't receiving more than lip service. The Mayor stated that the Village is prepared to build a road but we have to get across the Northwood Road. It was asked if we could get Audrey Edelman to dedicate their road (Coventry Walk) only so the Village could take over maintenance on it. The Village can't because it is illegal to accept dedication of a public road that does not have access to an existing public road. The Kensington residents felt that their street was done illegally and why is the Village now following the law? These Board members were not in office at that time and this Board is following the law. The Kensington residents asked what would happen to the property if Audrey Edelman gives the property to Cornell. The Mayor stated that he did not own the property and had no idea.

Mayor Hartill understands that there is a safety concern because there is only one exit. Mr. Colbert has been approached. He has requested a traffic count, which was done and given to Mr. Colbert. Nothing more has been discussed with Mr. Colbert and it is because of his concerns with sewer issues.

Don King stated that we all have busy lives. He's frustrated because he hears different messages each time he comes to the Board. This situation goes back to 1991 and is still not resolved. Mr. King asked the rest of the Board what they thought of the whole situation.

Lynn felt that we can't come up with a conclusion that isn't legal. What initially happened with Audrey Edelman and

the Kensington development she couldn't comment on because she was not on the Board then. This Village Board will only do what is legal. She stated that this whole situation is very complicated because everything is interrelated.

Larry was very sympathetic. A mistake was made but we should be able to rectify it in some way. He feels stuck as they do. The energy that the Mayor is putting into this situation is the most effective way to deal with the problem. If we could build the road we would.

Cliff Buck commented that he knows the situation because he worked hard on it when he was a Trustee. The Village went to great efforts to have the spur to the end of Ivar Jonson's property completed and dedicated in order that it may connect to a road that would be built on Edelman's property if they develop the land. The Edelman property has not been developed because of no sewer units. Cliff's advice to the Kensington residents was to stay on top of the issue and to get the Mayor to commit to getting something going with the Colbert's. Cliff feels that that is all one can do now. Cliff also asked the Mayor if Cornell actually was given the Edelman property, is there any chance that Cornell would give the Village the property to build the road. The Mayor didn't know, it certainly was a possibility.

The Mayor stated that the only way he sees to resolve the issue is to get sewer units, at which he has been working diligently. He did state that he faulted himself in not keeping the Kensington Residents informed but will do a better job of it in the future. Don King asked for a time frame. The Mayor stated that in Feb. at budget time a good test would be whether there was a line item in the budget for the road.

Frank stated that we all have the same goal here. He feels that a lawyer could give them good advice about what is legal. A lawyer could also explain to them what the Mayor has been talking about.

Carol Klepack commented that it was the Village's oversight to not collect an escrow. She feels it is the Village's responsibility to come in and build the road. Randy Marcus commented that the Board made a mistake in not collecting an escrow but the escrow would only have provided the security in case something happened. There was no property dedicated for the road. Randy was not involved with the Village at that time so he is unaware as to exactly what happened. Not getting the money was only part of the mistake. There should have been an arrangement in writing that if the developer didn't complete the road, the Village would receive not only the escrow money but also the property to build the connecting road. In response to Carol Klepack's further question, Randy explained that it is possible to get the property for a road through eminent domain but it would be very costly for the Village.

Ned Hickey stated that a subdivision plan for Stage II of the Edelman property was never completed because of the sewer moratorium. The Edelman's were as frustrated with the sewer moratorium as we were.

The Mayor stated that this situation has percolated up to the highest priority. The Mayor will try to arrange a meeting with the Colberts. The Mayor is concerned that if the road were built on Edelman's property then this would become an east-west shortcut between Triphammer and Warren and would increase traffic considerably. These issues take much more time than one would expect. The Mayor knows that the Kensington residents are frustrated and promised to be more conscientious. He understands that when there is no communication that they feel we aren't concerned so he will try and keep them more informed. Frank also feels we need to keep them more informed. Mayor Hartill will express his concerns to John Majeroni from Cornell.

Motion-To Close the Public Comment Period

Trustee Lynn Leopold moved to close the public comment period. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye Trustee Frank Moore- Aye Trustee Lynn Leopold- Aye Trustee Larry Fresinski- Aye

Trustee Janet Beebe- Aye

Motion- To Open the Public Hearing for Proposed Local Law

F, Amendment of Village of Lansing Zoning Law to Correct

Errors and Omissions in Local Law 5

Trustee Larry Fresinski moved to open the public hearing and Trustee Lynn Leopold seconded the motion.
A vote was taken:

Mayor Donald Hartill - Aye Trustee Lynn Leopold- Aye

Trustee Larry Fresinski- Aye Trustee Frank Moore-Aye

Trustee Janet Beebe- Aye

The public hearing was opened at 8:35pm. Randy explained that there were typographical errors that needed to be fixed with Local Law 5.

Motion- To Close the Public Hearing

Trustee Lynn Leopold moved to open the public hearing and Trustee Larry Fresinski seconded the motion.
A vote was taken:

Mayor Donald Hartill - Aye Trustee Lynn Leopold- Aye

Trustee Larry Fresinski- Aye Trustee Frank Moore-Aye

Trustee Janet Beebe- Aye

Next on the agenda was Cliff Buck, Kathy Miller and Susan Miller representing the Lansing Library. Cliff stated that he was on the committee to find something to do with the old Town Hall. It was decided that a library would be the best use and he is now on the Lansing Community Library Board. Tonight they are here looking for support. The Town of Lansing has agreed to let the library occupy the building for the next 5 years for \$1.00 per year. The Town has also agreed to give them \$6,000. This group needs to have local support so that Tompkins County could support them as well. They have received donations from various community members including Watch Tower, Friends of the Library in Ithaca, Stafford Chevrolet, Cutting Motors and some anonymous donors.

Kathy Miller gave the Board copies of the library budget. She went on to explain that the library downtown would share books with the Lansing Library. They are discussing becoming a branch of the Tompkins County Library in the future. The library will start out with all volunteers. They hope to have computers, meeting space and different reading programs. They asked for support in a resolution. The Mayor stated that the Village Board would draft a resolution of support in the next few meetings. The Board may consider giving \$1,000 as they do to the Science Center. Frank thought it was a very good idea.

Ned Hickey gave a report on the traffic counts. Dennis conducted traffic counts on Burdick Hill Rd., Cayuga Heights Rd., Craft Rd., Northwood Blvd., and Oakcrest Rd. during the week of Oct. 9, 2000. There was a 12% increase on Oakcrest Rd. from 1999. There was a 2.5% increase on Cayuga Heights Rd. Northwood Blvd. Had an 8% increase from July 2000. The Mayor stated that you have to be sure and compare counts from the same time each year. The college schedule can throw the numbers off. No action is indicated. We will just watch. The Planning board uses these counts when dealing with development.

Next on the agenda was the approval of minutes. Jodi has already received corrections from Lynn & Larry via email.

Motion-Approval of Minutes for November 6, 2000

Trustee Lynn Leopold moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Frank Moore seconded the motion.
A vote was taken:

Mayor Donald Hartill-Aye Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye Trustee Larry Fresinski- Aye
Trustee Janet Beebe- Abstain

Motion-Approval of Minutes for November 15, 2000

Trustee Frank Moore moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye Trustee Larry Fresinski-Abstain
Trustee Janet Beebe- Abstain

Resolution#3728-To Change the Board of Zoning Appeals Meetings from the

Third Monday of the Month to the Second Tuesday of the Month.

Trustee Lynn Leopold moved to change the BZA meeting day to the second Tuesday of the month and Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye Trustee Larry Fresinski-Aye
Trustee Janet Beebe- Aye

Resolution #3729-To Adopt Local Law F, Amendment of Village of Lansing Zoning Law to Correct Errors and Omissions in Local Law 5 (2000)

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

SECTION I. PURPOSE AND INTENT.

The purpose of this Local Law is to correct miscellaneous errors and omissions that were contained in Village of Lansing Local Law 5 of 2000, amending the Village of Lansing Zoning Law to clarify and improve parking space requirements. It is the intent of this Local Law to add to the coverage of Local Law 5 of 2000 the appropriate references to amendment of the requirements of the Shannon Park Planned Development Area at Section 202.045 of the Zoning Law, as well as to correct certain references in said Local Law 5 of 2000 to the subsections of the Commercial High Traffic District, Section 202.08, that were incorrectly stated in said Local Law 5.

SECTION II. AMENDMENT.

The following amendments are hereby incorporated into the Village of Lansing Zoning Law, via amendment to the terms of Local Law 5 of 2000:

A. At Section 202.045 of the Zoning Law, the district regulations for the planned development area known as "Shannon Park", under subsection "A", "Permitted Uses", a subsection (6) is hereby added that shall read:

Alteration to Building or Improved Site or Change in Use that Does Not Result in Change in Applicable Parking Space Requirements.

B. Further in Section 202.045 of the Zoning Law, under subsection "B",

"Permitted Uses with Additional Conditions", the text of subsection (1) is hereby amended to read, "None", and the former text reading, "Alteration to Building or Improved Site" is hereby deleted.

C. Further in said Section 202.045, under subsection "C", "Permitted

with Special Permit: General and Additional Conditions", a new subsection is hereby added that shall read:

Alteration to Building or Improved Site or Change in Use that Results in Change in Applicable Parking Space Requirements.

D. In Section II(B) of Local Law 5 of 2000, the reference to the amendment being made to the regulations for the Commercial High Traffic District "by adding a new Section 202.08(c)(14)", is hereby corrected to be a reference to "adding a new Section 202.08(c)(15)".

E. The reference at Local Law 5 of 2000 at Section II(C) to amendment of The regulations for the Commercial High Traffic District "by deleting Section 202.08(b)(2)", is hereby corrected to read, "by deleting Section 202.08(b)(1)".

SECTION III. **EFFECTIVE DATE.**

This Local Law and the amendments of the Village of Lansing Zoning Law contained herein shall be effective ten (10) days after publication and posting as required by law, except that it shall be effective from the date of its 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.

Trustee Frank Moore moved to adopt Local Law F and Trustee Lynn Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye Trustee Larry Fresinski-Aye
Trustee Janet Beebe- Aye

Randy explained that passing this law is exempt from the SEQR process as an administrative action. He added that the Planning Board recommended this change at their last meeting.

Mayor Hartill stated that he would be attending the next joint sewer meeting on December 13th. There has been no progress on the EIS. They are working on the scope document now and are hopeful that by the first of the year we will be into the full EIS process.

John Majeroni and Dennis have identified a spot on Warren Road where there is a break that leaks about 10,000 gal. a day. Which translates to about 10 sewer units. There is also a spot in the Town of Ithaca on Hanshaw Road, which leaks about 50,000-100,000 gallons. Cornell has offered to forward fund the repair to Hanshaw Road and this will probably happen this winter. Don is in the process of drafting a letter to the Village of Cayuga Heights to negotiate getting some more sewer units once these repairs are completed.

Larry Fresinski reported on his presentation to the Village of Cayuga Heights Board. He feels that the Board is confused on the sewer permit and flow issue. Brent Cross went through this very slowly with the Village of Cayuga Heights Board. John Majeroni was also at this meeting asking for sewer permits. The Village of Cayuga Heights did not make a decision and went into executive session. The Village of Cayuga Heights wants to get their paperwork together and write DEC.

The Mayor stated that all the purchase offers for North Triphammer Road property acquisition had gone out. It was asked if Dennis had the sewer lines in the Highgate area televised yet. Don will make sure that Dennis has The Drain Brain do it when they are here to do the Warren Road sewer line.

Randy Marcus stated that the Graham Road easements are in from Pyramid. He also reported on his research on a proposal to put the Arrowwood lights on a timer. There are no legal issues in doing this but suggested we hold a public hearing and notify the building owners and their tenants.

Resolution#3730-To Set a Public Hearing for Monday, January 15, 2000

at 7:35pm to Consider Putting the Arrowwood Dr.

Streetlights at the Medical Complex on the East Side

of Warren Road on Timers

Trustee Lynn Leopold moved to set a public hearing and Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye Trustee Frank Moore-Aye Trustee Lynn Leopold-Aye Trustee Larry Fresinski-Aye

Trustee Janet Beebe- Aye

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye Trustee Frank Moore- Aye

Trustee Lynn Leopold-Aye Trustee Larry Fresinski- Aye

Trustee Janet Beebe-Aye

The meeting adjourned at 10:10 P.M.

Jodi Dake

Village Clerk