

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, April 7, 2003, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Janet Beebe, Lynn Leopold, Larry Fresinski, and Frank Moore; David Dubow, Village Attorney; Phil Dankert, Planning Board Member

Mayor Donald Hartill called the meeting to order at 7:40P.M. He opened the public comment period. There were no comments.

Motion-To Close the Public Comment Period

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

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

The Mayor proposed a motion to open the public hearing on the budget.

Motion-To Open the Public Hearing on the 2003-04 Proposed Budget

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

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

The Mayor gave the following overview of the budget: The budget proposal provides for a 3% tax increase from \$1.75 to \$1.80 per \$1,000 of assessed value. This is generally consistent with the rate of inflation. The main reason for the increase is to pay for the N. Triphammer Rd. Project costs not covered by Federal and State funding. Over the years we have minimized our dependence on State funds. CHIPS highway aid is the only money we receive yearly from the State. We have added money to the Capital Reserve Fund yearly so that major projects such as N. Triphammer are manageable.

The Mayor added the following: The employees' salary and benefits have been incorporated. Janet Beebe compared our salaries to those of other municipalities. She found that our motor equipment operator's wage is slightly lower so it was increased by \$.75 per hour to bring it in line with our sister municipalities. The Code & Zoning Officer was given a 3% raise (because his salary was also determined to be slightly below that of comparable positions in our sister municipalities) and the rest of the salary staff was given a 2.5% raise. The Mayor's and the Trustees' compensation remains the same. The staff had originally asked for a 5% increase with their main concern being the increased cost of health care. The Board decided to increase the amount that they pay for health insurance. The Village will now pay the first \$1550 and then 80% of the remaining premium. These changes are all reflected in the proposed budget.

The Mayor pointed out that there were two income items that are not listed in the proposed budget that should be added. Cornell Real Estate previously agreed to pay approximately \$30,000 towards a traffic light the Village installed at Uptown Road and \$10,000 towards the demolition of the elevated water tank. Those funds are now due and the Mayor indicated that he would write Cornell Real Estate a letter to have them pay. The \$30,000 will be an addition to the General Fund Income and the \$10,000 will be an addition to the Water Fund. This will allow for additional monies to be transferred to the capital reserve funds.

suggested that the Mayor write a letter to Steve Vetter requesting an increase in funding for the design since our actual contract is more and there are additional costs due to SHPO requirements.

The following project development outline for the NYS Route 13 segment written by Rich Brauer, Fisher Design was presented to and reviewed by the Board:

The approach being proposed is to include the area between Pyramid Drive and Sevanna Park Road into the current project development for obtaining design approval and design. This would cut 5 to 10 years off of progressing the SR 13 project as an independent project. This would redefine the limits of the current project to a single project from Sheraton Drive to Brook Drive for obtaining design approval through the design report. Both the original project and the SR 13 project would be taken through final design and plans.

If additional money is available when the original Village project is put out to bid then it could be constructed as one project. The additional money may be available by that time due to other projects missing their letting schedules or by a reallocation of funding by ITCTC. My earlier discussions with ITCTC indicated that they would look very favorably on a project that would address the capacity and safety needs at the SR 13/North Triphammer Road junction. Also, the Village could choose to pursue a Reverse Betterment, which is an option under the Federal Aid program. If the additional money were not available at the time the Village project is let, then the current Village project would proceed to construction and the SR 13 project would be put off until funds can be made available for construction. However, the SR 13 project would be a fully approved, permitted and designed project simply waiting for funding.

The steps that would need to be taken to make this happen are as follows:

1. Fisher Associates to progress the concept design further and complete a cost/benefit analysis of the potential project to determine whether the project is viable
2. If the project is viable, obtain concurrence from NYSDOT on analysis and schedule commitments
3. Complete engineering studies and environmental screenings of the SR 13 area
4. Modify and submit Pre-Draft Design Report to NYSDOT
5. Distribute Design Report to Involved Agencies
6. Obtain Design Approval
7. Complete Final Design

The key issues in introducing the SR 13 segment into the project are:

- All of the above steps must be completed by January 2004 in order for the Village project to begin construction of the original project
- The NYSDOT reviews of the project will be more in-depth and must be conducted in a timely manner
- The design and construction efforts will need to track the two project areas separately for reimbursement/budget/audit purposes.
- The SR 13 project must be compatible with a future SR 13 bridge replacement/widening project

The Mayor reported that he and Rich Brauer met with George Doucett and other gentlemen at NYSDOT to go over the current situation on N. Triphammer Road at the Route 13 bridge. They discussed the different possibilities of uses of lanes on the bridge and ramps. The Mayor was impressed that NYSDOT had actually looked at the situation. The Mayor suggested that the Board should consider if it wanted to go forward with the additional design and engineering of this area. He then explained the following: The ramps could be done as a separate project but the downside is not having State funds available. We could approve an initial design as part of an expanded project if we treat the new piece as a reverse betterment. This is basically the only opportunity we will have in the next decade to work on the ramps. This is because at the State level the bridge won't reach a high priority level because it is in too good of shape. To forward fund this project it would be \$600,000 - \$700,000 of which we would expect to get 80% reimbursement of Transportation Improvement Program (TIP). Essentially, the Village would be loaning the State money. The Mayor asked if the Board would like to press ahead with this approach. Larry stated that if the ramps were done as a separate project then the State wouldn't do it for 10-15 years. The downside is up front funding where the upside is use and benefiting now. It was indicated that the bridge area has experienced approximately twice the State average for accidents. However there have not been any fatalities. This is basically because the area is so congested that the traffic is not moving very fast. Rich spoke with Mr. Fernando deAragon and he feels that the ramps are the current problem

on N. Triphammer. The ramps will be designed with future development of a 6-lane bridge in mind.

The Mayor also reported that the State Historic Preservation Office (“SHPO”) is requiring that there be an archaeological survey done to demonstrate that the N. Triphammer Road Project is a disturbed area. This involves digging a hole every 50 feet along both sides of N. Triphammer Road and will cost an additional \$3,000. This will be done in the next week, the archaeologist will send a report to SHPO, and then SHPO will have 30 days to review the report. The bottom line is a 2-month delay.

The Board agreed to have Fisher Design further develop a plan for the ramps at Route 13. It was indicated that the project will now need State approval also. Once we include this new design component, the State’s engineer will have to do an analysis and a State Work permit will be needed. The monetary risk is \$10-30,000 not recoverable for the design. The Mayor feels the major value here is safety.

Rich is making a presentation to ITCC on April 15th and will mention this possibility in his presentation. Our goal is to get the N. Triphammer Road project out to bid by January of 2004.

Resolution #3941-Authorize the Mayor to Have Fisher Development Explore the Possibilities for the Route 13 Ramps as Part of the N. Triphammer Road Project Design.

Trustee Moore moved this resolution. Trustee Fresinski seconded the motion. A vote was taken:

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

The Board was then advised that another issue with the N. Triphammer Road project involves the feasibility of relocating utilities underground. There is a meeting with the utility company to explore this possibility further. The cost and necessity for the large boxes along the road is making this idea less desirable. The Mayor asked the gentlemen at NYSDOT in Syracuse what their experience has been with other municipalities putting their utilities underground. They replied that many had explored the possibility but once they discovered the cost it was not done.

Resolution #3942-To Transfer \$364,000 from the General Capital Reserve Fund to the Capital Projects Fund for the Design/Engineering of N. Triphammer Road Reconstruction Project as Previously Authorized in a Resolution Passed 2/18/02.

Trustee Fresinski moved this resolution. Trustee Leopold seconded the motion. A vote was taken:

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

Next on the agenda was the approval of minutes.

Motion-Approval of Minutes for March 17, 2003

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

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

Motion-Approval of Minutes for March 28, 2003

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

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

The Board was advised that the Planning Board has created a proposal for the Board to review on cluster subdivisions. Ned Hickey, as Chairman of the Planning Board, had previously presented the following proposal to the Board:

**Amendment to Village Subdivision Law Section 314
Application of Section 7-738 of the Village Law
Cluster Subdivision**

314.05 Park, Recreation, Open Space or Other Municipal Purposes
(Village Code Section 125-17E)

ADDED:

1. Definition: Open Space: is an area that is intended to provide light and air and is designated for either environmental, scenic or passive recreational purposes. Open Space shall not include driveways, parking lots, or other surfaces (designed or intended for vehicular travel) nor other set asides required by law, eg. 6% recreation exaction. In no event shall any area of a developable lot, nor any part of an existing or future road or right-of-way be counted as constituting "Open Space".
2. Required Open Space: In a residential subdivision that has been approved for "clustering" no less than 20% of the gross area shall be designated as "Common Open Space". In determining "Open Space" any land in the Conservation Combining District or land that is undevelopable will be included for such determination. Land set aside for parks or other forms of active recreation are not to be included as "Open Space". This requirement may be waived or modified by the Planning Board depending on the location and the significance of the land to be preserved.
3. Ownership of Open Space: The open space created by the use of these provisions in this chapter must be clearly labeled on the subdivision map as to its use and the rights of the owners in the subdivision as well as whether it is to be dedicated ultimately to the Village or other governmental body or to an approved private or conservation corporation or to a homeowner's association or otherwise under conditions meeting with Planning Board approval. The details as to use and ownership of such open space are further to be set out in a declaration recorded by the owner or other appropriate instrument. Such open space is preserved in perpetuity and the Planning Board may require an open space easement running to the Village of Lansing as a condition of approval. The declaration of any lands by easement to the Village are subject to approval and acceptance by the Board of Trustees of the Village of Lansing.
4. Homeowner's Association:
 1. If the open space or an open space easement therein is not to be dedicated to the village or other governmental authority or to an approved private conservation corporation, the applicant must either simultaneously with the filing of the map create a homeowner's association or neighborhood corporation embracing all homeowners within the map and providing for adequate contributions for maintenance of said open space or otherwise satisfy the Planning Board with regard to the maintenance of said open space.
 2. If a homeowner's association is selected by the Planning Board as the method of maintenance of the open space to be preserved, the following must be adhered to:

1. The homeowner's association must be established before the lots are sold.
 2. Membership must be mandatory for each lot buyer or owner and any successive buyer or owner of each lot created must be legally required, by duly filed covenants and restrictions, to pay to the homeowner's association a yearly fee to be used for maintenance of the open space.
 3. The open space restrictions must be in perpetuity, not just for a given period of years.
 4. The association must be responsible for liability insurance, local taxes and the maintenance of any recreational or other facilities.
 5. Homeowners must pay their pro rata share of the cost, and the assessment levied by the association can become a lien on the property.
 6. The association must be able to adjust the assessment to meet changing needs.
 7. The applicant shall make a conditional offer of dedication, binding upon the homeowner's association for all open space to be conveyed to the association, such offer to be accepted by the village, should it choose, upon the failure of the homeowners' association to take title to the open space from the applicant or other current owner or upon dissolution of the association at any future time.
 8. The association must comply with the laws of the State of New York and the Attorney General's rules and regulations for creation of homeowners' associations.
5. Zoning Requirements specifically relating to setbacks shall apply to the land bordering neighboring parcels of land.

Phil Dankert was present to answer any questions and take feedback to the Planning Board. Phil explained that under the Village's subdivision regulations clustering is voluntary and not required. He also indicated that the Planning Board felt that there is insufficient detail in our current law on clustering. If someone came in and wanted to cluster, these new proposed regulations would apply. The intent is to tighten up what we lack in specificity. This is also a mechanism to control open space. This has nothing to do with the 6% set aside that is State Law. The Board had a problem with the last two sentences of #3 providing that the Open Space, even in excess of the minimum 20%, would be reserved in perpetuity. Attorney Dubow stated that B5 and B7 needed to be clarified. He indicated that he will review this and the Board's concerns with the Planning Board at their next meeting. Mayor Hartill suggested we make this as simple as we can with some benefit.

Next on the agenda was the Mayor's comments. He reported that the next sewer meeting has been canceled due to Cornell Hockey being in the Frozen Four. However, the Mayor sees no roadblocks. He commented on his dissatisfaction with the consultants that did the EIS and the errors that have been made. There will no longer be a group of 6, but 2 separate groups. The Town and Village of Lansing will be customers of the Village of Cayuga Heights. Another concern he identified is what appears to be wrong information regarding flow readings. We have found that our sewer flow meters were installed improperly and we are delivering 150-300,000 gallons less a day than was previously suspected. It is still unclear where the transmission line will go. Once we install the Kline Road Bypass we should be home free. The Mayor expects Kline Road bypass to be done this fall. There is an I&I problem in the line up to Northwood which will be fixed when the weather breaks. This translates to an additional 20 units.

Lynn reported that she attended the Homebuilder's Luncheon. Don Lake from the State Soil & Water Conservation did a talk on Stormwater Regulations. This new unfunded mandate requires lots of inspections for the builders and code officers.

Jodi informed the Board that Ben, Rick and she would all be on vacation next week. The Board decided to cancel the staff meeting next Wednesday and approve the vouchers at the Monday April 21st meeting.

Resolution#3943- To Cancel the Board/Staff Noon Meeting Wednesday
April 16, 2003.

Trustee Leopold moved to cancel the meeting. Trustee Beebe seconded the motion.

Mayor Donald Hartill-Aye
Trustee Janet Beebe-Aye
Trustee Lynn Leopold-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

Motion- To Adjourn

Trustee Fresinski moved adjournment. Trustee Leopold seconded the motion.

Mayor Donald Hartill-Aye
Trustee Janet Beebe-Aye
Trustee Lynn Leopold-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

The meeting adjourned at 9:50pm.

Jodi Dake
Village Clerk