

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 3, 2014, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustee Patricia O'Rourke, John O'Neill, and Gerald Monaghan; Clerk/Treasurer, Jodi Dake; Attorney David Dubow; Planning Board Chair, Mario Tomei.

Mayor Hartill called the meeting to order at 7:35pm and opened the public comment period. There were no comments.

Motion- To Close the Public Comment Period

Trustee O'Neill moved to close the public comment period. Trustee O'Rourke seconded the motion. A vote was taken:

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

The next item on the agenda was to approve minutes from October 6<sup>th</sup>, 16<sup>th</sup> & 20<sup>th</sup>. O'Rourke was not present for the October 6<sup>th</sup> meeting, so two separate motions will be needed.

Motion- To Approve the Minutes from October 6, 2014

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

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Gerry Monaghan-Aye	Trustee Patricia O'Rourke-Abstain

Motion- To Approve the Minutes from October 16<sup>th</sup> and 20<sup>th</sup>

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

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

The next item was to consider accepting the offer of dedication of the extension of Nor Way southerly and westerly from Bomax Drive, and Village Park Way intersecting at the westerly end of Nor Way, all as part of the Lansing Trail II subdivision .O'Neill questioned whether the current binder course for the road had to set for a year before it could be dedicated to the Village. Hartill explained that this

would be true if The Heights of Lansing Development, LLC was doing the top coat. It was explained that part of the agreed upon arrangement between the Village and developer, as more specifically set forth in the current Subdivision conditions, to widen the proposed Nor Way road to allow an area for pedestrians was to have the Village install the top coat for the road. Dubow stated that The Heights of Lansing Development, LLC was putting in the first layer of the road and is to provide a warranty in favor of the Village for the winter and up to one year, after which the developer would have no further obligation unless the warranty is exercised . The Village will then put on the top coat. At this time we are only accepting the offer of dedication with the conditions being attached. We will still need Brent Cross, as the Village Engineer, to sign-off that all required matters and obligations are completed. There is a meeting tomorrow morning here at the Village Office to discuss the dedication requirements with the developer's engineer, the Village's engineer, the Village's Highway Superintendent, the Village Code Officer, and the Village's attorney. We are still trying to coordinate the dedication procedure and conditions. O'Neill is comfortable with the acceptance so long as the conditions are included. Dubow stated that you don't have to accept the offer of dedication if there are outstanding questions or concerns. O'Neill also recalled that there would be a side walk. Hartill stated that the road was widened for pedestrians and there are no plans for a separate sidewalk. It was asked who would plow the road if we did not accept it. The developer would be responsible for plowing if we do not accept dedication of the road and take ownership. To help clarify, Dubow read part of the newly approved condition list for the Lansing Trail Trails Subdivision Phase II.

Dubow had informed the Board earlier in an email that the road dedication process requires the initial acceptance, by resolution, of the intended dedication of the roadway in question. That resolution includes certain customary conditions to be met by the party dedicating the roadway – in this case, The Heights of Lansing Development, LLC. If the Board so proceeds, the adoption of this initial resolution provides for the scheduling of a public hearing, presumably at the November 17<sup>th</sup> meeting. If, after that public hearing, the Board further endorses the dedication by way of a follow-up reaffirmation resolution, the dedication can be completed, once again subject to the satisfaction of the remaining conditions. Among the dedication conditions is the delivery of the necessary conveyance documents, including the abstract of title, proposed deed, meets and bounds description, and map.

Mayor Hartill entertained the following motion:

**RESOLUTION # 6106- To Accept Offer of Dedication of the Extension of Nor Way Southerly and Westerly from Bomax Drive, and Village Park Way Intersecting at the Westerly End of Nor Way**

WHEREAS, the Village of Lansing has received in writing an Offer of Dedication dated October 22, 2014 (the "Offer of Dedication") on behalf of The Heights of Lansing Development LLC, a New York limited liability company ("Heights of Lansing"), for (i) the extension of Nor Way southerly and westerly from Bomax Drive,

and (ii) Village Park Way intersecting at the westerly end of Nor Way, all in accordance with the Final Plat approval for the “Lansing Trails II Subdivision” in the Village of Lansing, as amended, together with and subject to any and all related and existing improvements (including, but not limited to, water mains sewer mains, and other utility infrastructure located within the bounds of such road right-of-way premises); and

WHEREAS, the Village of Lansing wishes to accept the Offer of Dedication, subject to the conditions and obligations to be satisfied by The Heights of Lansing as set forth below;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village of Lansing as follows:

The Village of Lansing hereby accepts the Offer of Dedication made by Heights of Lansing, subject to full and complete satisfaction of each of the following conditions:

- a. Satisfactory conclusion of the public hearing to be held in reference to the dedication of the subject property in accordance with Sections 6-612 and 6-614 of the Village Law of the State of New York;
- b. Confirmation from the Village’s engineer that (i) all required work with respect to the proposed road right of way and related improvements has been completed as required and (ii) acceptance of the road right of way and related improvements is thereby recommended;
- c. Delivery to, review by and approval of the Village Attorney of original and executed copies of each and every document required in order to complete conveyance of the subject property and related improvements in accordance with all applicable provisions of the State of New York and Village of Lansing laws, rules and regulations;
- d. Receipt by the Village Attorney from Heights of Lansing of a satisfactory and fully updated abstract of title and all related title and transfer documents to confirm that the premises will be conveyed free and clear of all liens and encumbrances other than customary public utility easements of record and such additional easements and/or rights-of-way provided for on the foregoing Final Plat, as amended; and
- e. Recording and filing of the required deed(s), maps, and related transfer and conveyance documents for the subject property and related improvements to the Village of Lansing, and recording and filing of the any other documentation necessary to complete the conveyance and transfer of such property free and clear of all liens and encumbrances other than customary public utility easements of record and such additional easements and/or rights-of-way provided for on the foregoing Final Plat, as amended.

2. A public hearing shall be conducted in regard to the Offer of Dedication at the next regularly scheduled meeting of the Board of Trustees of the Village of Lansing, on November 17, 2014, at 7:35 PM, all in accordance with the provisions of Sections 6-612 and 6-614 of the Village Law of the State of New York.

The Village of Lansing's acceptance of the Offer of Dedication is expressly subject to the above-stated conditions, and such acceptance shall not become effective until each of said conditions has been satisfied in full.

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

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

The next item on the agenda was to consider setting a public hearing for Proposed Local Law 6 (2014) to amend the sewer rents. The Village previously accepted the increase in the water rate for 2015 which in turn will increase the sewer rate. Our sewer rate equals the 25% surcharge of the water rate. The proposed sewer rate increase is from \$1.02 per 1,000 gallons to \$1.09.

Motion- To Set a Public Hearing for November 17, 2014 at 7:40 to Consider Proposed Local Law 6 (2014)-To Amend the Sewer Rate

Trustee Monaghan moved to schedule a public hearing. Trustee O'Neill seconded the motion. A vote was taken:

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

Legal ads will be published in the newspaper regarding both public hearings.

At the Planning Board meeting on Tuesday October 28<sup>th</sup>, the Planning Board formally recommended to the Board of Trustees that the Lansing Meadows Planned Development Area be allowed to alter the existing Lansing Meadows PDA district regulations which would not require a minimum 75' road frontage requirement for the commercial component.

Dubow explained that the procedure with a PDA is for the Board of Trustees to decide if this is a major or minor amendment. At a previous meeting it was decided that this is a minor amendment and was therefore referred to the Planning Board for their recommendation back to the Board of Trustees. The Planning Board has now provided its comments. There are two components being discussed. The first is to do away with the 75 feet of road frontage requirement in the commercial area of the PDA, and the second is an amendment to the two existing subdivided parcels. The subdivision action will be

under the jurisdiction of the Planning Board. This Board should acknowledge and modify the Village Code/Zoning Law to eliminate that 75 foot road front requirement. The 75 foot requirement will be eliminated for the commercial component, but not for the residential portion. Eric Goetzmann stated that that area is partially wetlands so you could never go through there anyways.

It was stated that the Planning Board also acknowledged that Mr. Goetzmann would most likely be providing an application, to the Planning Board, to alter the existing subdivision for the parcels that are located in the Lansing Meadows PDA so as to decrease a portion of the commercial area and thereby increase the residential area.

Resolution #6107- To Accept Allow the Lansing Meadows Planned Development Area to Alter the Existing Lansing Meadows PDA District Regulations so as to Not Require a Minimum 75' Road Frontage Requirement for the Commercial Component of the Lansing Meadows Planned Development Area

Trustee Monaghan moved to approve this resolution. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain  
Trustee Gerry Monaghan-Aye

Trustee John O'Neill-Aye  
Trustee Patricia O'Rourke-Aye

Mayor Hartill stated that voting will take place here tomorrow. He indicated that the dealings associated with joint Village /SCLIWC water main project have become more complicated than anticipated. We have an opportunity for both organizations to save a couple of hundred thousand dollars each, but the process has been difficult with additional parties getting involved. The project is still scheduled for this construction season, including the winter months. We are prepared to pay for the whole project but if Bolton Point ever needs to use of our new water main, the cost will be significant. It is the Mayor's understanding that the Commission has the authority to enter into agreements such as this proposed intermunicipal agreement, but unfortunately representatives of other municipal members seemed to have indicated otherwise.

All of our construction projects are winding down. The new snow plow truck is in Syracuse. However, the dump bed, which is being built in Canada, won't be in until the end of November. Salt has been ordered, the salt barn is full and we are ready to go. Hartill stated that we have the easements almost complete for the signal project at North Triphammer and Craft Roads. The batch plants are closing so we will not be doing this project until the spring. It will take 16 weeks to order the pole which Courtney plans to order soon. We are in the final design phase of that.

During general discussion, O'Neill stated that he had contacted the Montessori School and they have no problem with our hunting program, and Roy Park is also okay with hunting on the Village property behind the garage. Courtney had previously expressed some concerns which the Mayor and he will talk about further.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye  
Trustee John O'Neill-Aye

Trustee Gerry Monaghan-Aye  
Trustee Patricia O'Rourke-Aye

The meeting adjourned at 8:05pm.

Jodi Dake  
Clerk/Treasurer