

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, August 2, 2021, at the Village of Lansing Office.

PRESENT: Mayor Ronny Hardaway; Trustees, Carolyn Greenwald, Simon Moll and Patricia O'Rourke, Randy Smith; Clerk/Treasurer, Jodi Dake; Attorney, Bill Troy; Supt. Of Public Works, John Courtney; Code & Zoning Officer, Mike Scott; Public-Eric Goetzmann, Lansing Meadows.

Mayor Hardaway called the Board of Trustees meeting to order at 7:33pm. Hardaway opened the public comment period. There was no public comment.

Motion - To Close the Public Comment Period

Moll made a motion to close the public comment period. Smith seconded the motion. A vote was taken:

| | |
|--------------------------|-------------------------------|
| Mayor Ronny Hardaway-Aye | Trustee Carolyn Greenwald-Aye |
| Trustee Simon Moll-Aye | Trustee Patricia O'Rourke-Aye |
| Trustee Randy Smith-Aye | |

Motion - To Approve the Minutes of July 15, 2021

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

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|-------------------------------|-------------------------------|
| Mayor Ronny Hardaway-Aye | Trustee Patricia O'Rourke-Aye |
| Trustee Carolyn Greenwald-Aye | Trustee Randy Smith-Aye |
| Trustee Simon Moll-Aye | |

Local Law D-Sidewalks

Hardaway entertained a motion to open the public hearing on Proposed Local Law D-Amendment of the Village of Lansing Code/Zoning Law to Add a Section on Sidewalks and Walkways.

Motion - To Open the Public Hearing on Proposed Local Law D

Greenwald made a motion to open the public hearing O'Rourke seconded the motion. A vote was taken:

| | |
|-------------------------------|-------------------------------|
| Mayor Ronny Hardaway-Aye | Trustee Patricia O'Rourke-Aye |
| Trustee Carolyn Greenwald-Aye | Trustee Randy Smith-Aye |
| Trustee Simon Moll-Aye | |

Dake stated that Tompkins County Department of Planning and Sustainability did a 239 Review and had no recommendations or comments on this proposal. There was no public comment.

Motion - To Close the Public Hearing on Proposed Local Law D

Greenwald made a motion to close the public hearing O'Rourke seconded the motion. A vote was taken:

| | |
|-------------------------------|-------------------------------|
| Mayor Ronny Hardaway-Aye | Trustee Patricia O'Rourke-Aye |
| Trustee Carolyn Greenwald-Aye | Trustee Randy Smith-Aye |
| Trustee Simon Moll-Aye | |

Resolution #6769- To Adopt Proposed Local Law D As Local Law 3 (2021)

WHEREAS:

A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law D (2021), to be designated Local Law 3 (2021) upon adoption, which provides as follows: the purpose and intent of this local law is to amend the Village of Lansing Code/Zoning Law to improve Village walkability and bike routes within the Village, to provide safe routes to schools and workplaces, to decrease vehicular traffic, carbon emissions, greenhouse gases and pollution and to promote the Village goal of being a Climate Smart Community. The proposed zoning action is intended to be consistent with the Village Comprehensive Plan, and

B. The Village of Lansing Planning Board has (i) performed a review of the proposed action, and (ii) referred such proposed action to the Village of Lansing Board of Trustees with a recommendation for approval; and

C. On July 15, 2021, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law D(2021), and thereupon scheduled a public hearing for August 2, 2021; and

D. On August 2, 2021, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law D(2021), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations; and

E. On August 2, 2021, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law D (2021), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during public hearing and/or otherwise raised in the course of the Board's deliberations;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law D (2021)-Amendment of the Village of Lansing Code/Zoning Law to Add a Section on Sidewalks and Walkways to be designated Local Law 3 (2021).

Trustee Greenwald moved to adopt Local Law 3 (2021).
Trustee Moll seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Randy Smith-Aye
Trustee Patricia O'Rourke-Aye

Trustee Simon Moll-Aye
Trustee Carolyn Greenwald-Aye

LOCAL LAW 3 (2021)- AMENDMENT OF THE VILLAGE OF LANSING CODE/ZONING LAW TO ADD A SECTION ON SIDEWALKS AND WALKWAYS

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

SECTION I. PURPOSE AND INTENT.

It is the purpose and intent of this local law to amend the Village of Lansing Code/Zoning Law to improve Village walkability and bike routes within the Village, to provide safe routes to schools and workplaces, to decrease vehicular traffic, carbon emissions, greenhouse gases and pollution and to promote the Village goal of being a Climate Smart Community. The proposed zoning action is intended to be consistent with the Village Comprehensive Plan.

SECTION II. AMENDMENTS.

Chapter 125 (entitled "Subdivision of Land") of the Village of Lansing Code is hereby amended to add Section 145-20.1 as follows:

145-20.1 Sidewalks and Walkways.

- A. Unless waived by the Planning Board, the installation of sidewalks by the owner or developer shall be required for special permit and subdivision approvals within all Zoning Districts except Farm and Craft Market Combining and Low Density Residential.
- B. Considerations for waiver may include but not be limited to (i) drainage issues that may arise from installation of the sidewalk; (ii) lack of connectivity to other sidewalks; (iii) subject lot is located on a low pedestrian and or low vehicle traffic roadway; (iv) sidewalk installation is inappropriate for minor subdivision in residential area; (v) sidewalks are not in keeping with the characteristics of the neighborhood; (vi) Board of Trustees or Planning Board determination that installation of sidewalks in the new location is impractical; (vii) sufficient sidewalks exist on the other side of the street; (viii) such new sidewalks would be overly difficult to maintain; (ix) sidewalk slope would not be ADA compliant; and (x) or such other issues as the Planning Board or Board of Trustees deems appropriate to consider.
- C. Sidewalks shall be located on the property frontage within the Village right-of-way unless this requirement is waived by the Planning Board.
- D. Where the Planning Board determines that suitable sidewalks are not immediately required, the Planning Board may require that the builder deposit a performance guarantee with the Village in lieu of construction of sidewalks. Such payments shall be placed in an escrow fund held by the Village to be used for the construction of sidewalks in the Village. The

amount of such payment shall be determined by the Village engineer and recommended to the Board of Trustees based on required linear feet of sidewalk.

- E. Width. Sidewalks shall be a minimum five feet in width unless otherwise specified by the Planning Board.
- F. All required sidewalks shall be maintained and constructed in accordance with current New York State DOT specifications issued by the Village Superintendent of Public Works including but not limited to width, thickness, and minimum base requirement, and must be designed to bear the weight of emergency vehicles in accordance with the International Fire Code.

And; Subsection B. of Section 125-29 (entitled Minor Subdivision Plat Submission: contents.) of Chapter 125 (entitled “Subdivision of Land”) of the Village of Lansing Code is hereby amended so as to be read in its entirety as follows:

B. An actual field survey of the boundary lines of the tract, giving complete descriptive data by bearings and distances, made and certified to by a licensed land surveyor. The corners of the tract shall also be located on the ground and marked by monuments as approved by the engineer and shall be referenced and shown on the plat. Identification of proposed sidewalk location as per Section 145-20.1

SECTION III. SUPERCEDING EFFECT.

All local laws, resolutions, rules, regulations, and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

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

Hardaway thanked the Planning Board for initiating this law, specifically Greenwald and Monica Moll.

Lansing Meadows

Eric Goetzmann, Arrowhead Ventures, was present to discuss sidewalks and the hydrant at Lansing Meadows.

Goetzman stated that they were scheduled to grade the site early July and got delay with the rain. The site was graded last week. When reviewing the sidewalk with the new grade, Goetzmann feels there is a safety issue. On the plans the elevations indicate that the sidewalk is at road level. Goetzman is proposing that they move the sidewalk in five feet and out of the right of way (ROW). Then either the ROW could be expanded or Goetzmann would give the Village of Lansing an easement.

Smith asked who maintains the sidewalk. Courtney stated that the Village maintains the sidewalks.

Moll asked if water would be an issue when the sidewalk goes in. Courtney stated that he spoke with the Village engineer, Dondi, who said the stormwater practice for the property is supposed to catch all the storm water. As it stands now, stormwater for the site is going into the ditch. Courtney feels the stormwater prevention plan needs to be re-evaluated. Currently, surface water is draining over the sidewalk and if not minimized, could cause a hazard with ice. The big ditch of eastern culvert is a hazard. Typically, the sidewalk would be on the same plane as the road with a small swale between the two. Courtney recommended that the Village stay consistent and require what is safest for the Village residents.

Hardaway thinks that the proposal would be a hazard. He feels we should stick to the original plan of having the sidewalk in the Village ROW and a stormwater and extra fill for grading.

Moll would like to see the Planning Boards original plan implemented and the sidewalk in the original ROW.

Goetzmann stated that placement of a sidewalk in the ROW, according to NYSDOT, should be far as possible from the road. Courtney stated that the distance between the sidewalk and road would be 7 feet. The sidewalks on N. Triphammer Road are about 6-7 feet from the road. Goetzmann would like to have his engineer rework the plan. Hardaway stated that there is no need to reengineer. Courtney stated that the site plan has been changed many times in this project. The storm sewer should be between the road and sidewalk to make it easier to maintain.

Hardaway stated that Scott, Courtney and he went to the site today. He feels the sidewalk should be over the stormwater system. This would be 6 feet between the road and sidewalk. Hardaway feels that this would then give a driver a visual cue that there is something there and not just a drop off. Goetzmann feels if there was a ditch between the sidewalk and the road it would stop a car from hitting a pedestrian if it went off the road. Greenwald thinks the design should come from the original proposal and be reviewed by our engineer.

To move the sidewalk would require a new engineer drawing which would delay the decision. The more we postpone the more we are delaying his ability to get things done.

Hardaway stated that he had asked Goetzmann to send engineering drawings for tonight's meeting, but Goetzman never sent any plans. Given we have no engineering drawings related to moving the sidewalk, Hardaway feels the sidewalk should stay south of the stormwater ditch where it was originally proposed.

Moll feels this could have been taken care of back when the Trustees set the escrow. Moll doesn't want to drag this on. Greenwald stated that the evidence in front of us is not compelling for a change.

The Trustees did not accept Goetzmann's proposal to change the sidewalk location. They asked Goetzmann to get engineering drawings to Courtney, Scott and Brent Cross with the sidewalk along Oakcrest as originally planned. Courtney will make sure the proposed layout meets NYSDOT requirements and Scott will make sure it meets Code.

The second request from Goetzmann was to eliminate one of the hydrants on the plans and use BJ's private hydrant to meet Code requirements.

Scott stated that the NYS Code does not distinguish between private and public when considering the use of a hydrant. The hydrant complies with the wording of the Code but Scott feels that the Village would be held liable if it was used and there was damage to the hydrant owner's infrastructure. Scott is looking to the Trustees to see if they want to take on that responsibility.

Courtney stated that any deviation from the approved Tompkins County approval would have to be resubmitted. Courtney sees no reason to even consider the use of BJ's hydrant. Courtney also voiced his concern over the mall going through a subdivision and BJ's water runs through the malls meter. If the subdivision goes through, this could also cause an issue. When hydrants are used there is a high percentage of water breaks.

The Trustee's main concern was going onto BJ's private property and the liability. The Board felt that a hydrant should still be built on the Lansing Meadows property as originally planned. The Trustees want to see Goetzmann stick with the original plan with the hydrant, no deviations.

Conference Room AV System

The Village has received two quotes for equipping the conference room with an AV System:

- Zufall Communications- \$4,999.99
- Presentation Concepts Corporation (PCC)-\$10,405.00

Since there is a quote under \$5,000 the Village is only required to get two verbal quotes. Hardaway stated that we are looking for a system which is simple to use. Hardaway did research on the system proposed by Zufall Communications and it has high ratings from its users. Hardaway then met with PCC and described the same system to them and they sent a quote which was nearly double Zufall's quote.

Smith stated that he didn't go through the quotes with great detail but trusts the Mayor. Hardaway stated that he liked the fact that Zufall is a local company and Aaron works with a lot of the local businesses and university in this area. The Trustee's agreed to have Zufall Communications install an AV System in the Village conference room.

The Board discussed the meeting that Hardaway, Troy, Scott, and Courtney had with Goetzmann today. Courtney stated his concern with the elevation coming down the road. There is a drop from one driveway to the other. The drainage plan shows positive from Butler to the North. They have

raised the commercial lot by 8 feet. The elevations keep changing, and as it is now, you will need a swale on each side. The original grade would not of needed more fill. Courtney is frustrated because everytime the Village looks at a map it is a new map which requires that all information on the map must be inspected and compared with the original map.

Scott stated that he can allow hydrant only if there is a flow test. Smith thinks we should only allow the hydrant that was on the plan. The sidewalk is tied to the final Certificate of Occupancy. Goetzman will either have to install the sidewalk or put up an escrow with the Village. Goetzmann's engineer designed the water system with the hydrant.

Mayor's Comments

Hardaway asked when the Graham Road culvert would be installed. Courtney stated that rain has been an issue. He expects it to be installed by the end of August.

Hardaway asked Moll what was going on with the Heat Smart Campaign. Moll stated that the Village is hosting a Clean Heating and Cooling Zoom webinar on Thursday, August 12th at 7pm. We need 10 people to sign up.

O'Rourke reported that she is waiting on Gerry Monaghan to design the plaques for the office. He has been delayed because he has had some personal issues. Hardaway stated that he has been contemplating how to recognize Don Hartill and thought that the Village may want to name the conference room after him. O'Rourke will look into it. The recognition party is scheduled for noon on August 15th. O'Rourke and Greenwald will both be out of town. Hardaway will place the order for the celebration food with BJ's, and Dake will pick up the order and pay with the Village credit card.

The Village has received ARPA funds. Hardaway asked the Trustees to start thinking about how to use the money. Dake suggested it be for a capital water or sewer project. One project would make it easier to account for the money. The water fund would be the first chose since our sewer fund is pretty healthy.

Greenwald asked Courtney where we are with the sewer line extension to the Town. Syracuse DOT has given us an approval. Courtney just needs to send a pdf to them with the information. Borings have been done which should help with determining future costs. Putting a bid packet together is the next step.

O'Rourke asked if the Village was responsible for the culverts behind the mall. Courtney stated that it is the stormwater retention for the mall. Mall is currently doing zero maintenance. Scott stated that part of the subdivision approval is taking care of that area.

Motion- To Adjourn

Smith motioned to adjourn. Moll seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Simon Moll-Aye
Trustee Randy Smith-Aye

Trustee Carolyn Greenwald-Aye
Trustee Patricia O'Rourke

The meeting was adjourned at 8:56pm.

Jodi Dake, Clerk/Treasurer