

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Thursday, December 16, 2021, via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees Carolyn Greenwald, Simon Moll and Patricia O'Rourke, Randy Smith; Clerk/Treasurer, Jodi Dake; Code & Zoning Officer, Michael Scott; Working Supervisor, John Courtney. Attorney Natalie French and Planning Board Member Lisa Schleelein came in for the executive session.

Mayor Hardaway called the Board of Trustees meeting to order at 12:03pm.

Hardaway entertained a motion to pay the bills.

Resolution #6801- Abstract of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 7 for the General Fund, in the amount of \$54,868.14 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No.7 for the Sewer Fund, in the amount of \$46,584.32 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 7 for the Water Fund, in the amount of \$19,819.21 is hereby approved for payment.

Trustee Smith moved that the foregoing Abstract of Audited Vouchers resolutions be adopted, and Trustee O'Rourke seconded the motion. A vote was taken:

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

Trust Patricia O'Rourke-Aye  
Trustee Carolyn Greenwald-Aye

Smith notice that there are significant legal fees for the Beers and Lansing Meadows. Scott stated that we cannot collect from Lansing Meadows. The fee that Lansing Meadows paid for the special permit was significant. The Beers have established an escrow account. The Beers had to do that before the Planning Board could review their final plat. All expenses relating to the preliminary plat will be refunded to the Village from the Beer account. Dake has set up an interest-bearing account as specified in the agreement. Any new expenses that are incurred for this project will also come out of that escrow fund and all bills will be paid through the Trust & Agency Fund.

Greenwald asked how we budget for legal fees each year. She also wondered how cautious we should be about contacting our attorney and asking our attorney questions. Dake stated that our general legal budget is \$37,500. The Planning Board legal budget is also \$37,500

and the Board of Zoning Appeals is \$3,300. As far as contacting the lawyers, it usually is only the staff or mayor that contacts them. Typically, the Trustees or Planning Board members should not be contacting the Village Attorney. Hardaway added that one exception is the Planning Board when they are working on a particular project, and they need guidance. Dake stated that in situations like that usually the Code Officer will contact the attorney on the Planning Boards behalf. Greenwald also asked how close our estimates are each year. Dake stated that it changes every year. We have to remember that a budget is just a guesstimate on how much we are going to spend. We do budget transfers to balance each line item. Courtney added that we can recover legal and engineering fees associated with subdivisions because they have to set up escrow accounts to pay their expenses related to the project. Lansing Meadows on the other hand is not required to put up an escrow and we have spent a lot of money on that project.

Courtney asked Scott if Lansing Meadows did decide to subdivide, would we be able to recoup those funds. Scott did not think so because basically what they are doing now is under a special permit. Scott would have to confirm that with our attorney.

Dake explained that according to our zoning law if someone is doing a subdivision, they must set up an escrow to pay for expenses relating to that subdivision. The Beers just set up their escrow so all expenses from here on out for that subdivision will come out of the Trust & Agency Fund. The agreement states that the expenses related to the preliminary plat are also covered by this escrow so you will see a transfer from the escrow back to the individual line items for those expenses. Scott stated that to avoid having to go back and figure preliminary plat expenses, he would like to change the Code so that that escrow gets set up at the preliminary plat and not the final plat, so we do not have to retro back. Dake stated that if the expenses relating to the subdivision are more than what is in escrow the contractor has to replenish the escrow.

Dake stated that besides the normal accounting and payroll duties she has spent a couple of days working on record retention since it is a little slow with the holidays. This past month Dake has been doing a lot of activities associated with personnel changes. All of Hatfield's benefits had to be canceled. We went through Tompkins County to hire a new person, which she let Courtney elaborate on. Smith asked if the locks were changed. Dake stated that they were not. Keys and credit cards were collected from Hatfield.

Courtney stated that he has been dealing with Lansing Meadows Plan review. Courtney feels they have been playing games with us. He has also been dealing with stuff for the Beers property. Graham Road West was paved but it does not look like they will be able to stripe it due to the weather. There have been a couple of snow events to test our vehicles. They have just been cleaning around the shop and getting small stuff done. Courtney wants to start a small storm sewer job on St. Joseph Lane and Votapka. Road. It was previous planned in the last budget, but they never got around to doing it. There is money left in the storm sewer line item in this year's budget. The road in this area is narrow with lots of pedestrians. In addition to widening the road shoulder there, they will also install some streetlight infrastructure and move all the mailboxes to one side.

Courtney thanked Ronny, Randy and Jodi for their support during the interview process. All the candidates that were interviewed were capable and the interview team allowed Courtney to make the final choice since he would be working directly under him. Courtney recommended that the Village hire Nicholas Dean as a laborer. He would like him to be able to start Sunday if we get snow. Dake reminded Courtney that Dean needs to fill out employment paperwork and be drug tested before he can start. Courtney will look into getting him drug tested on Friday.

Resolution #6802-To Hire Nicholas Dean as a Laborer at the Rate of \$18.50 with a Start Date of 12/19/21 with a 6-month probationary period

Trustee Smith moved to hire Dean. Trustee Simon seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Simon Moll-Aye  
Trustee Carolyn Greenwald-Aye

Trust Patricia O'Rourke-Aye  
Trustee Randy Smith-Aye

Scott stated that he has been working on outstanding permits and transferring files over to the County. The Planning Board approved the new Lansing Meadows special permit. Escrows are set up for sidewalk and landscape. The Beers had a meeting for their final plat. Beer's engineer reviewed with the Planning Board what they changed on the preliminary plat. Aldi's is looking into going into Cayuga Mall. Scott has received their plans and is currently reviewing them. The Alcohol & Drug Council sent in there building permit yesterday. They want to start mobilizing at the beginning of the year. It will take 3 weeks to go through all of their plans. They want to start mobilizing the beginning of the year.

Scott is having a hard time this late in the season finding someone to clean up the house on Bush Lane. Scott suggested that we wait until the spring to do the cleanup. The Board agreed. Hardaway suggested Scott check to see if we can get on a schedule for the spring. Courtney questioned whether we had to pay prevailing wage for this. Dake stated that this would be paid for by the landowner by putting the charges on their tax bill. Scott will look into this. It was questioned just how much the Village could actually do and place on the tax bill. Scott will ask our attorney for advice.

Smith asked for the status of the bus stop. Scott has not heard anything. Moll asked about trash on Graham Road. Scott has not had any problems with them and it has gotten better.

Moll asked if Beers are amendable to changing the intersections there and getting rid of the T intersections. Scott stated that they are quite resistant to that. Moll asked if the Village would want that road to be private. Moll was concerned that we would end up with the same problem of them not doing maintenance as we did with Graham Road West. The Trustees would have to pass a resolution to accept a road as long as it is up to our standards.

Smith stated that the new law from the Lighting Commission was approved by the Planning Board. Scott stated that he has put it in proposed local law form and sent it to Jodi to review. It will also need to be reviewed by the attorney before coming to the Trustees.

Greenwald stated that the solar code is also being put into code form by Mike.

Smith stated that he is on the Tompkins County Youth Development Board. It is complicated. It is a social service offering. They are an overseer for anything youth that happens in the county. Other social service groups come under them. The last 3 months have been spent trying to agree where the money will go for 2022. There has not been a quorum at these meetings. There is a group of people pushing for education. A lot of kids have been left behind because of Covid.

Greenwald stated that she attended a Town of Ithaca Board meeting this week and when they did a SEQR they didn't read through the whole thing. Greenwald wondered if our Board could do that instead of going through it point by point like our Planning Board currently does. Scott stated that we should go through it word by word so it is on record.

Moll stated that the Final draft of the tree replacement & conservation law is with the Planning Board. The Town of Lansing voted to opt out of both retail sales and onsite consumption. JYC is still looking for another village board member. Quorums are an issue here also. He is concerned because we send so few kids to the programs. The Recreation Partnership has many more participants from the Village. Most of the JYC programs are in Caroline. Moll would like another board member to give an opinion on this. Maybe use youth money somewhere else to help our youth and be closer to home. Maybe YMCA summer camp. CG stated that her kids use it and she thinks it is fantastic.

Hardaway stated that the Consortium is having trouble with getting a union quorum. Everyone is experiencing the same problem. The Climate Smart Communities will meet briefly today because we have a new representative at Cornell Cooperative that the Mayor would like to introduce. The Greenway Committee is waiting for the tree law to be finalized and passed so they can refer to that.

Scott has sent out information about the Tompkins County Hazardous Mitigation Plan. Hardaway would like to consider it at our January 3<sup>rd</sup> meeting.

Hardaway stated that Bolton Point has picked up the cost for e-billing service to all of the municipal participants in the SCLIW. There is a link on our website to sign up for e-billing. Residents can receive their bill by email, paper or both. Dake stated that one of the problems she sees is if everyone is getting their bills electronically, they will not have a stub to send in that lists their account number. If we do not get the account number with their payments it is going to make a lot of work to go and figure out where to apply the payments.

At some point the Village needs to decide what project they want to use the ARPA money on. Warren/ Brown material costs will be around \$334,000 so that would be a great project.

Hardaway attended an elected officials meeting today. They are seeing a rise in Covid cases primarily from the two colleges. It appears to be mainly from the omicron variant. Contact tracing is being drawn out because of staffing problems. This past week New York State mandated masks for businesses. Not all counties are enforcing that. There are no updates on open meeting law, however, after the 1<sup>st</sup> of the year it will probably be extended. The new omicron variant is transmitted much easier, but symptoms are not as severe. At the elected officials meeting Kruppa talked about the timing of tests. Getting the results is longer because they now have 3 sequencing cycles. Tompkins County is focusing on youth clinics.

Hardaway will be out of town December 22-30<sup>th</sup>. O'Rourke will be leaving town on 29<sup>th</sup> leaves.

O'Rourke asked why do we not fund the YMCA? Dake stated that we would have to look into because as a municipality there are restrictions on how you spend taxpayers money. Smith stated that United Way donates to YMCA.

Dake stated that there is nothing for the Monday Board meeting other than approving the December 6<sup>th</sup> minutes.

Resolution #6803-To Cancel the Board of Trustees Meeting on December 20, 2021 Due to Lack of Agenda Items

Trustee Smith moved to cancel the 12/20/21 Trustee meeting. Trustee O'Rourke seconded the motion. A vote was taken:

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

Motion- To Approve the minutes from December 6, 2021

Trustee Smith moved to approve the minutes. Trustee Moll seconded the motion. A vote was taken:

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

The Planning Board has also canceled their meeting on the 28<sup>th</sup>.

Hardaway asked the Board to go into executive session for possible litigation. Dake, Courtney, Scott, Attorney French and Schleelein were asked to join the executive session.

Motion- To Go Into Executive Session to Discuss Possible Litigation

Trustee Smith moved to go into executive session. Trustee O'Rourke seconded the motion. A vote was taken:

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

The Board went into executive session at 1:07pm. Courtney, Dake, Scott, French and Schleelein were all invited to join the Trustees in executive session.

Motion- To Come Out of Executive Session

Trustee Smith moved to come out of executive session. Trustee Moll seconded the motion. A vote was taken:

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

The Board came out of executive session at 1:58pm. Nothing came of the executive session that requires a decision by us.

Motion- To Adjourn

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

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

The meeting adjourned at 1:59pm.

Jodi Dake, Clerk/Treasurer