

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, March 7, 2022, via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees, Carolyn Greenwald, Simon Moll, Randy Smith, and Patricia O'Rourke; Clerk/Treasurer, Jodi Dake; Attorney, Natalie French and Peter Grossman; Code & Zoning Officer, Mike Scott; Supt. Of Public Works, John Courtney; Planning Board Member, Mike Baker; and 7 members of the public.

Mayor Hardaway called the Board of Trustees meeting to order at 7:35pm. Hardaway opened the public comment period. There were no comments.

Motion - To Close the Public Comment Period

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

Mayor Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye
Trustee Randy Smith-Aye

Scott has requested that the Trustees approve him attending four stormwater training webinars. (April 6th, April 27th, May 18th, and June 8th.) This is in addition to his other Code training that have been previously approved. Scott has previewed this year's topics and feels that this Stormwater training would significantly improve his service as Stormwater Management Officer.

Resolution #6811-To Authorize the Code & Zoning Officer to Attend the 2022 Central New York Stormwater Management Training Series March – June 2022 (A 4-hour Virtual Class Via Zoom) at a Cost of \$175 for Each Class.

Smith made a motion to approve this resolution. O'Rourke seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye
Trustee Randy Smith-Aye

Waive Penalties

Dake stated that she received an email from Georgiana Mazingo from Synergy asking the Village to waive the late fees from October 2021. The October payment was dated the 21st so there were late fees added. Synergy services the 21 accounts for Ithaca Apartments and Northwood Apartments.

They have never been late before, and they are asking the Village to remove the penalty as a onetime courtesy because they were one day late and have never been late before. Smith feels this

is the same situation as the waiver the Trustees did last meeting. The Board agreed to remove the penalties as a onetime courtesy.

Resolution #6812-To Waive the October 2021 Late Fee for the Following Accounts as a Onetime Courtesy Since They Were Only One Day Late

These accounts are under the name of ITHACA APARTMENTS MNGMT, NORTH WOOD APARTMENTS.

Account #	Late Fee Amt
M1654	186.67
M1647	219.41
M1651	255.72
M1653	275.54
M1649	379.56
M1655	358.63
M1632	329.67
M1619	200.48
M1621	289.35
M1620	318.98
M1618	234.12
M1625	247.03
M1624	319.42
M1623	413.87
M1622	292.69
M1626	344.38
M1627	221.41
M1628	236.56
M1631	260.39
M1629	344.15
M1630	294.26

Smith made a motion to waive the late fee. Moll seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye
Trustee Randy Smith-Aye

Public Hearing- Lighting Law

Motion-To Open the Public Hearing for Proposed Local Law A (2022)- Amendment of the Village of Lansing Code/Zoning Law to Add a Section on Exterior Lighting

Hardaway made a motion to open the public hearing. Smith seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye
Trustee Randy Smith-Aye

After further review by the staff and the Planning Board, the Exterior Lighting Law was presented to the Trustees. This public hearing was set and a copy of the proposed law was sent to Tompkins County Planning (TCP) for a GML-239 Review. TCP has suggested that language be added to the Proposed regulation requiring the use of low color temperature LED lighting. TCEMC has studied outdoor lighting and recommends that outdoor LED lighting be not higher than 2700 CCT to minimize adverse human and ecological impacts.

We have recommended 3,000 kelvin and they recommend 2,700 kelvin because it is less of a blue light. It is more of an orangy light. Courtney stated that it is hard to get. 3,000 kelvin. Currently, the LEDs in the Village are between 3-4,000 kelvin. The lower the kelvin the more expensive.

Samantha McBean stated that she cannot get action on the light behind her house. Hardaway stated that this was not related to this Local Law but suggested that she email her request and Hardaway will check into it.

Motion-To Close the Public Hearing on Proposed Local Law A (2022)

Smith 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 Simon Moll-Aye
Trustee Randy Smith-Aye

A Short EAF was completed after the public hearing. The next step is to complete Part 2 and then do a resolution to approve. Hardaway suggested that we put this off until the next Monday meeting on March 21st.

O'Rourke left the meeting at 7:54pm.

TCAT Bus Shelter Discussion

Matt Yarrow & Megan Pulver from Tompkins TCAT were present to discuss the bus shelter at Gaslight Village. They gave the same slide show they presented back in November with additional pictures taken today. Moll stated that he liked the old design with railings and a curb. Without those it makes Moll nervous and if that is changed, he would prefer that the two stops be off set from one another. Pulver stated that cost was the issue when deciding on the design.

Courtney thinks the Village will be taking on a huge liability. He does not agree with the design. He feels it is dangerous. Railing would impact the plowing. The snow off the wing would destroy the rail. If it gets built Courtney would prefer no railing. Greenwald thinks this is safer than the current situation. Courtney would like the riders to be picked up at Dankert Park. Courtney thinks

this is a potential liability. Yarrow asked their counsel if there was any liability issues but it seems like it would be an improvement because it is increasing safety.

Courtney stated that Gaslight Village has a walk up to Dankert Park and an integrated walk system throughout the development. He would like to encourage people to walk to Dankert Park to get on the bus. A retaining wall would be a deadly fixed object. He thinks we can make it safer without making improvements there by relocating the bus stop. Yarrow stated that they will continue with their submission and the Village can make that call.

Moll asked about the ridership at Dankert. Yarrow stated that is similar to that at Gaslight, at around 10,000 boardings per year. Moll trusts John's opinion. Hardaway stated that he was ambivalent, he thinks getting on at Dankert Park is best but thinks people will still stand there unless the stops are completely removed. He feels John's concerns about the retaining wall are valid. Hardaway wondered if we could move the stop to the south side of the road and make one stop for both directions where the bus would stop. There would be plenty of flat space away from the slope, it would not require a retaining wall and could potentially be a little larger at approximately the same cost without a retaining wall.

Smith asked what their second option was if the Village does not approve this. If the Trustees do not approve then they will do nothing. This is a high-density residential area without sidewalks.

Hardaway asked the Board if they would like to vote on this tonight. Smith stated that he would be against this without getting legal counsel on this. Natalie will look into the liability issue Courtney mentioned and get back to the Trustees.

Greenwald does not want to make it harder to ride the bus. She does however understand Courtney's concerns. Greenwald does not like the people standing on the side of the road the way they are now. Courtney thinks that when we eventually add to the sidewalk it will be different. Hardaway stated that they will continue the discussion and let them know whenever it is on the agenda.

Land Transfer & Easement for The Shops at Ithaca Mall

Grossman stated that this entails a number of transfers of real property interests. It starts with the final fee transfer for Graham Road West from Triphammer down to the corner where the road turns to go to BJ's and then turns to the south. It includes a boxed area where there's a turnaround. It includes an easement for future potential extension of a water line down the road towards BJ's property and Target, which is intended someday to assist with pressure and flow and make it safer for fires down there. It includes reservation to the Mall for their sign at the northeast corner of Graham Road West. There is a snowplow turnaround easement at Catherwood Road. We are swapping parcels at the end of Pyramid Drive to improve the stormwater facilities. This will help to pull water away from the parking lot and the mall itself. The mall will be transferring the path that goes to Wedgewood Drive so that the path can be straightened out and made safer. In total there are 5 deeds and two sets of easement documents. There are no taxes or transfer taxes for the Village to pay. The mall is paying all the recording fees. All of this is derived from the Planning Board resolution conditions of the subdivision approval. This should be the final step for the subdivision. This will solve a lot of issues the Village has had with the mall over the years and will

help with the flooding that has happened at Target. Scott stated that the Stormwater Agreement that we now have in place will help with the care and maintenance of the facility behind the pediatricians building. Courtney stated that it will also give us pedestrian movement.

Resolution #6813 -To Authorize the Mayor to Sign the Land Transfer and Easements for The Shops at Ithaca Mall

Greenwald made a motion to approve this resolution. Smith seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Randy Smith-Aye

Trustee Simon Moll-Aye
Trustee Carolyn Greenwald-Aye

Verizon Gross Receipt Tax Audit Recovery Settlement Agreement

Dake explained that we worked with Computel to find companies that were not paying their gross receipts tax. Verizon has not admitted to being wrong but has agreed to a settlement. The settlement Agreement went to Natalie to review, and she made some corrections. Dake is waiting to hear back from Mike Caton. The Board decided to wait until we have received an answer from Caton.

Recreation Partnership Agreement for 2023-27

The 5-year Recreation Partnership is currently up for review for the period 2023-2027. Moll previously emailed the draft agreement to the Trustees. The agreement is the same as for 2018-2022, with updated dates and appendix financials. The Partnership aims to vote on this agreement at the April 26th meeting. For reference, the Village currently commits \$18,027 per year to the Recreation Partnership. Moll stated that out of all the members, the Village has the highest participation rate in the Recreation Partnership outside the City and the Town of Ithaca.

Resolution #6814 To Approve the Recreation Partnership Agreement for 2023-27 and Authorize the Mayor to Sign.

Hardaway made a motion to approve this resolution. Greenwald seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Randy Smith-Aye

Trustee Simon Moll-Aye
Trustee Carolyn Greenwald-Aye

Kick Off Budget Discussions

The Board went through the revised version of the draft budget that Dake sent to the Trustees this afternoon. We have received most of the input that was needed. There are still a few outstanding items. The staff salaries will need to be updated once the Trustees have a chance to discuss that. We have to take into consideration the global issues that are going on right now. Hardaway stated that in the budget we were conservative on revenues but loose on costs. We are concerned that the costs are going to skyrocket for a little while. The Trustees will submit any changes they may have.

Moll asked why the Mayor contractual and Trustee contractual were up quite a bit. Hardaway stated that we plan to send the two new Trustees to NYCOM training. We have also budgeted for the Mayor to go.

Moll stated that last year we did a straight across the board percentage increase and he wondered if that was standard. Dake stated that it is, unless there are certain circumstances that warrant an additional raise like with Scott passing his Civil Service Test to become a permanent employee instead of provisional. At the beginning of next year, we will find out if we will need to increase the Fire Inspectors hours due to the new regulations that are coming out. It should not affect the 2022-23 Budget but may affect next year.

Moll asked if it is looked at as unfavorable if we don't get projects done. Hardaway stated that there are a lot of external reasons with Covid and the current supply chain issues and global issues. We just need to try to control what we can and get things done on time. If we cannot, then we need a valid reason for not being able to complete them. We track and report this as part of our AUD.

Hardaway stated that we plan to replace the pedestrian heads at Uptown & Warren Roads and install a real time camera. The camera will allow the DPW to keep an eye on the traffic at that intersection and the road conditions. Courtney is requesting a new bobcat and work pickup truck. Hardaway asked if there was hybrid version that could be purchased. Courtney stated that there are prototypes, but there is not currently that option.

Hardaway asked Courtney why the price of striping had tripled. Courtney stated that we have not done striping the last couple of years because of rain last year and Covid the year before has stripers backed up.

Courtney stated that the three projects we are doing in house this year is St. Joseph/Votapka Road out of the 2021-22 Budget and then Dart Drive and Graham Road West this summer. The Sewer Extension and the Warren/Brown Road Water Projects will be contracted out.

Hardaway stated that he and Greenwald would like to consider adding trails within Shannon Park, Ned Hickey Park and repairs to the trail behind the mall once the easements are finalized. There is \$8,000 budgeted for trees in the Ned Hickey Park.

Hardaway stated that the Village has received a substantial amount of sales tax which the county believes is the result of the State finally sending out the sales tax from online sales. It made the County a lot healthier. At the current rate we could receive around \$900,000 this year but given the way the world is now, Hardaway has suggested that we be conservative and budgeted \$750,000.

Courtney asked if the ARPA money was going to be used in the Water Fund since that is our least healthy fund. Dake stated that we have been advised not to budget for that amount. Dake has a call into the State Comptroller's Office to see how to account for it. The Trustees have discussed it and we will be using the ARPA money for the Warren/Brown Water Project. We just received engineering numbers from TG Miller today. We will be encumbering money for the Warren/Brown Project.

Hardaway asked if getting the GPS unit would allow us to provide as built instead of TG Miller doing it. Courtney stated that by putting the GPS unit on the fittings as they go in the ground we will be able to do it. We will also be able to use this to locate services.

Hardaway stated that the Town of Lansing Sewer Expansion Project costs are increasing. Originally, we budgeted \$3.2 million back in 2018 for this project and the cost now is estimated at being \$4.8 million. We have \$900,000 coming from a commercial interest. The project will benefit a small portion of the Village. With the costs going up we are going to negotiate with the Town to get them to pay and also help with future maintenance if it is needed. The Town is getting a lot of benefit from this project. Hardaway stated that this is our starting point for the 2022-23 Budget and everyone should markup questions and we will discuss this again at our next meeting.

Moll asked if the Board wants to do an across-the-board percentage or does there needs to be in executive session. French confirmed that if it is general, it should be part of a regular meeting but if it is a specific individual, it can be in executive session. Hardaway things that we may need to have executive session to discuss Brian and Mike.

The current budget proposes that the tax rate of \$1.50 remains the same. Hardaway stated that there is a possibility that it could go down but given the economic and financial factors related to all of our suppliers and contractor, he would not want to lower the rate.

General Discussion

Dake reminded everyone that newsletter articles are due to her by the morning of March 22nd.

Greenwald is very interested in planning out sidewalks for the future and wondered if a committee should be started for that. Dake suggested that that be included in topics for the Greenway Committee. This type of planning is part of the Village's Capital Plan and is included in the Greenway Plan and Comprehensive Plan. The last plan for future sidewalks was done by the Planning Board when Ned Hickey was the chair. Hardaway stated that the Greenway Committee can start looking at this. Hardaway stated that Monica Moll will be leaving the Greenway Committee, so Greenwald is welcome to join. Dake reminded them they can not have a Trustee quorum on that committee.

Moll stated that the Recreation Partnership needs a letter from each municipality stating who they have appointed to the Recreation Partnership. Moll stated that he is currently attending the meetings but will be leaving the Village and wondered if anyone else wanted to do it. He has agreed to stay on since there is nothing that says he has to live in the Village to be on the Recreation Board. Moll asked the Board to think about it. We just need to decide before April 26th. One of the new Trustees may decide to take over after the elections.

Motion- To Adjourn

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

Mayor Ronny Hardaway-Aye
Trustee Randy Smith-Aye

Trustee Simon Moll-Aye
Trustee Carolyn Greenwald-Aye

The meeting was adjourned at 9:17pm.

Jodi Dake, Clerk/Treasurer