

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, April 4, 2022, in person and via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees, Simon Moll, and Patricia O'Rourke; Clerk/Treasurer, Jodi Dake. Since the executive order has been extended through April 15, 2022, members of the Board can still vote if zooming in.

The following attended via Zoom: Trustees, Randy Smith and Carolyn Greenwald; Attorney, Natalie French; Code & Zoning Officer, Mike Scott; Supt. of Public Works, John Courtney; Planning Board Member, Monica Moll; Roy Hogben, Susan Ainslie, Don Hartill, Andrew Sullivan, Samantha McBean, Jeff Dobbin and Jeremy Thomas.

Mayor Hardaway called the Board of Trustees meeting to order at 7:32pm. Hardaway opened the public comment period. Monica Moll stated that she is the liaison for the Planning Board. Hardaway stated that the following email was received from Jeff Diver:

Please submit this as a written public comment this evening for the Trustees to consider.

Apartments are encroaching within easy walking distance *for children* in the vicinity of flood retention ponds in the vicinity of Dart Drive and Ivar's Way. These ponds are deep and retain several feet of water throughout the year.

The time has come for the Village to consider the safety and future of these year-round impoundments.

Can they be developed for safe use for fishing, swimming and ice skating? Should they be fenced or should signs be posted to place them off-limits for the public that can read?

What would happen if a child wandered away and drowned in one of these Village facilities?

Is there some way to continue wildlife access while restricting human access?

I am not as concerned about the pond in the middle of the existing Lansing Trails development (Peek-a-Boo Pond) as it is now pretty much a muck-filled cattail swamp rather than a pond and is not immediately accessible to automobile traffic.

Thanks for giving this matter your attention.

-Jeff

Hardaway thanked Diver for his concerns and stated that the Village will take this under consideration.

Motion - To Close the Public Comment Period

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

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

Motion - To Approve the Minutes from March 17th & 21st, 2022

Moll made a motion to approve the minutes. O'Rourke seconded the motion. A vote was taken:

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

7:35pm Public Hearing Proposed Local Law A (2021)-Rezoning on Uptown Road

Motion-To Continue the Public Hearing on Proposed Local Law A (2021) Amendment of the Village of Lansing Code/Zoning Law to Rezone an Existing Portion of the Medium Density Residential District Located on Uptown Road to a High Density Residential District

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

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

There were no comments.

Motion-To Close the Public Hearing on Proposed Local Law A (2021)

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

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

The Board will complete the SEQR after the Budget public hearing.

Budget

The next item on the agenda was a public hearing on the Proposed 2022-23 Budget.

Motion-To Open the Public Hearing on Proposed 2022-23 Budget

O'Rourke made a motion to open the public hearing. 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

Don Hartill stated that he sees that the sewer cost has increased but we do not know the actual cost until it goes out to bid. The Village has already spent several hundred thousand dollars on engineering. Hartill hopes that we will go forward with the sewer expansion project and volunteered to help in any way he can.

Hardaway gave the following summary:

Village of Lansing Budget Summary

For our 2022-2023 budget year, the Village property tax rate will remain at **\$1.50 per \$1,000** of assessed value.

The estimated revenue from 2022-2023 property taxes is **\$816,121**, this is a **2.59%** increase from our previous year's budget.

There is no need for a Tax Levy Override Law this year.

The budget includes **\$186,973.80** in 2021 American Recovery Plan Act funds to be used for water and **\$186,973.80** in 2022 American Recovery Plan Act funds for sewer projects.

The Village's budget includes:

General Fund: <u>\$2,680,168.70</u> – an increase of <u>9.87%</u>
Water Fund: <u>\$1,478,000.00</u> – a reduction of <u>7.29%</u>
Sewer Fund: <u>\$6,197,000.00</u> – an increase of <u>44.32%</u>
Grand Total: <u>\$10,355,168.70</u> – an overall increase of <u>22.02%</u>

Major projects include:

- The Sewer Expansion project between the Town of Lansing/Village of Lansing/Cayuga Heights Wastewater Treatment Plant. Those costs have increased from \$3.2 million to an estimated \$4.8 million due to the pandemic impacts on manufacturing, materials and delivery charges. The Village will go ahead with the bid process in the next couple of months to see what the actual cost will be.
 - Bidders' responses might increase the cost of the project beyond what the Village can afford at this time.

- We may be able to get State or Federal grants.
- If so, alternative plans will be negotiated between the affected municipalities.
- We plan to use the second half of our ARPA money.

Hardaway asked Hartill if this answers his question. Hartill stated that one needs to be mindful that the DEC is becoming very interested in wastewater disposal and the septic systems that are in this particular area are long in the tooth. So eventually the Village will need to do something to abate that. Hartill stated that villages are here to accommodate and provide the public services that are needed, and this is one of them. Hardaway agreed.

- Replacing a water main on Brown Road and Warren Road – including repairs to the Airport Water tank.
- Expansion and complete resurfacing of Graham Road West. What was done last fall was basically a superficial coating on top of the road to make it safer. Now that we have all the agreements signed from the owners of the mall, we will be reconstructing the road.
- Installation of sidewalks and streetlights on Dart Drive.
- Various improvements to Village parks including installation or repairs of backstops, installation of new benches, a new pavilion in Ned Hickey Park, and trails through Ned Hickey Park and Shannon Park.

Major purchases include:

- Replace Bobcat E55 Excavator (trade estimate \$57,000) Total \$81,000
- Replace 2018 Work Pickup (resale estimate \$56,000) Total \$74,000
- Purchase an Asphalt Planer (for smoothing blacktop repairs) \$22,000

Motion-To Close the Public Hearing on Proposed 2022-23 Budget

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

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

Moll asked what the timeframe was for getting the bids on the sewer expansion project. Hardaway stated that the sewer expansion bids should be received in May 2022. Moll asked if we would be looking at grants at that point if needed. Hardaway stated that once we get the numbers back, if they are too high, we will have to look into grants or other opportunities to fund the work. We would also approach the Town of Lansing and the private developers in the Town to see if they could contribute more to the project.

Smith feels it is irresponsible for the Trustees to vote on this budget that is \$2 million dollars higher than previous years because of this one project. Smith feels it is not right. Hardaway stated

that the budget is not final, it is a plan. We do not have to spend the money. If the price is low enough or if we get extra funding, then we will proceed with this budget. If not, we reserve the right to not do the project. To properly do this we have to include the project in the budget.

Moll stated that his understanding is that if the bids come back at \$4.8 million, we would not do the project but at least including it in the budget allows us to collect bids and then potentially seek out grants and decide if we do want to do the project. Moll stated that if it did come in at \$4.8 million, we still have the money to do the project. Although he thinks the Board should caution against doing it.

Hardaway stated that we cannot spend our sewer fund down to close to zero because we might have other emergencies or needs within the Village, but we can at the same time ask the Town and the private developer in the Town to contribute more and start looking for grants. This is a large project, and the numbers are unpredictable in the current environment. We do not want to throw away all our efforts so far. If we cannot afford it, we will not spend the money. We have to adopt our budget by the end of April which is before we actually receive the bid numbers. Hardaway stated that we have had projects budgeted for in the past that we have not done. We will make sure we do not stress the sewer fund. It would be irresponsible if we did think we could. We are hoping that the costs are not as high as estimated and that the Town and developer will contribute more. We need real numbers from people that will do the work.

Smith would like assurance that if it is higher, we only proceed if the Village gets additional funding, or we discontinue the project. Hardaway stated that if we do not have the money we would have to discontinue the project or look into ways to get outside funding or wait until materials go down to an affordable level.

Resolution #6822-To Adopt the Proposed 2022-23 Budget as the Official Budget for
2022-23

Moll motioned to adopt the budget. 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

The Board went back to Proposed Local Law A (2021). Hardaway stated that the Board will now be going back to do a full Environment Assessment Form (EAF). Scott stated that this began a year ago. Scott has spoken with Scott Doyle at the County, and it was decided that a full EAF was needed. The question is how do you fill the EAF out since we are upzoning and not really looking at a certain property or project while you complete it. Scott advised the Trustees to answer these questions as to what the effects of the new uses would have on the environment. It is opinion based so Scott advised the Board to keep in mind that there will be more commercial uses and a n added multifamily residential use. The Board completed the SEQR Parts 1 & 2.

RESOLUTION#6823- SEQR REVIEW OF PROPOSED LOCAL LAW A (2021)

WHEREAS:

- A. This matter involves consideration of the following proposed action: To amend the Village of Lansing Zoning Law and Zoning Map so as to re-zone a Medium-Density Residential District (MDR), containing tax parcel #46.1-6-6.3 (Village of Lansing), tax parcel 46.1-6-6.22 (Cornell University), and tax parcel #46.1- 6-6.11 (Ithaca Swimming Club Inc.) into the High-Density Residential District (HDR). The MDR District in question borders Uptown Road and tax parcel 46.1-6-6.23 to the south, Uptown Road to the west, Route 13 to the north, and Warren Road, tax parcel #46.1-6-6.21, and tax parcel #46.1-6- 6.23 to the east. The re-zoning of this MDR District is intended to allow for a favorable transition to a contiguous HDR District west of Uptown Road. The proposed re-zoning action is intended to be consistent with the Village Comprehensive Plan.; and
- B. On April 4, 2022, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), (i) determined that the proposed action provided for herein is a Type I Action in accordance with SEQR; (ii) thoroughly reviewed the Full Environmental Assessment Form (the “Full EAF”), and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; (iii) completed its thorough analysis of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv) completed the Full EAF, Part II; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Full EAF, Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review [including any Visual Environmental Assessment Form deemed required, and comments and recommendations, if any, provided by the Tompkins County Department of Planning in accordance with General Municipal Law Sections 239-1 and 239-m], (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Full EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance with SEQR for the above referenced proposed action, and determines that an Environmental Impact Statement will not be required; and
2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Full EAF, Part III

confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Full EAF shall be attached to and made a part of this Resolution.

Hardaway motioned to approve this resolution. 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

After this resolution was passed, Part 3 was completed. It was decided that it is a negative impact. Mayor Hardaway will sign Part 3.

RESOLUTION #6824- To Adopt Proposed Local Law A (2021) As Local Law 4 (2022)

WHEREAS:

A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law A (2021), to be designated Local Law 4 (2022) upon adoption, to Amend the Village of Lansing Zoning Law and Zoning Map so as to re-zone a Medium-Density Residential District (MDR), containing tax parcel #46.1-6-6.3 (Village of Lansing), tax parcel 46.1-6-6.22 (Cornell University), and tax parcel #46.1-6-6.11 (Ithaca Swimming Club Inc.) into the High-Density Residential District (HDR). The MDR District in question borders Uptown Road and tax parcel 46.1-6-6.23 to the south, Uptown Road to the west, Route 13 to the north, and Warren Road, tax parcel #46.1-6-6.21, and tax parcel #46.1-6-6.23 to the east. The re-zoning of this MDR District is intended to allow for a favorable transition to a contiguous HDR District west of Uptown Road. The proposed re-zoning action is intended to be consistent with the Village Comprehensive Plan; and

B. On February 1, 2021, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law, and thereupon scheduled a public hearing for March 1, 2021; and

C. On March 1, 2021 and March 15, 2021, the Board of Trustees held a public hearing and decided to keep the public hearing open; and

D. The Village of Lansing Planning Board (i) reviewed of the proposed action on February 22, 2022 and March 14, 2022, and (ii) on March 17, 2022 referred such proposed action to the Village of Lansing Board of Trustees with a recommendation for approval; and

E. On March 21, 2022, the Village of Lansing Board of Trustees revisited this Proposed Local Law and recommendation by the Planning Board, and thereupon decided to continue the public hearing on April 4, 2022; and

F. On April 4, 2022, the Village of Lansing Board of Trustees continued the public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law, (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

G. On April 4, 2022, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) determined that the proposed action provided for herein is a Type 1 Action in accordance with SEQR; (ii) thoroughly reviewed the Full Environmental Assessment Form (the "Full EAF"), and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; (iii) completed its thorough analysis of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c); and (iv) completed the Full EAF Part II; and

H. On April 4, 2022, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local, (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;

- **NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law A (2021) to be designated Local Law 4 (2022)

Hardaway motioned to adopt Local Law 4. 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

The Following is a copy of Local Law 4 (2022):

Local Law 4 (2022)

AMENDMENT OF THE VILLAGE OF LANSING CODE/ZONING LAW TO REZONE AN EXISTING PORTION OF THE MEDIUM DENSITY RESIDENTIAL DISTRICT LOCATED ON UPTOWN ROAD TO A HIGH-DENSITY RESIDENTIAL DISTRICT

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

SECTION I. PURPOSE AND INTENT.

The purpose and intent of this Local Code change is to amend the Village of Lansing Zoning Law and Zoning Map so as to re-zone a Medium-Density Residential District (MDR), containing tax parcel #46.1-6-6.3 (Village of Lansing), tax parcel 46.1-6-6.22 (Cornell University), and tax parcel #46.1-6-6.11 (Ithaca Swimming Club Inc.) into the High-Density Residential

District (HDR). The MDR District in question borders Uptown Road and tax parcel 46.1-6-6.23 to the south, Uptown Road to the west, Route 13 to the north, and Warren Road, tax parcel #46.1-6-6.21, and tax parcel #46.1-6-6.23 to the east. The re-zoning of this MDR District is intended to allow for a favorable transition to a contiguous HDR District west of Uptown Road. The proposed re-zoning action is intended to be consistent with the Village Comprehensive Plan.

SECTION II. AMENDMENTS.

The Village of Lansing Zoning Law and Zoning Map are hereby amended so as to re-zone a Medium Density Residential District (MDR), containing tax parcel #46.1-6-6.3 (Village of Lansing), tax parcel 46.1-6-6.22 (Cornell University), and tax parcel #46.1-6-6.11 (Ithaca Swimming Club Inc.) into the High Density Residential District (HDR). The MDR District in question borders Uptown Road and tax parcel 46.1-6-6.23 to the south, Uptown Road to the west, Route 13 to the north, and Warren Road, tax parcel #46.1-6-6.21, and tax parcel #46.1-6-6.23 to the east. The re-zoning of this MDR District is intended to allow for a favorable transition to a contiguous HDR District west of Uptown Road.

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.

Mayors Comments

Hardaway let everyone know about the new SIREN System that is replacing the SWIFT 911 System on Friday. SIREN is an emergency response system. If you were on the 911 System you should automatically be switched over. Even so, Hardaway suggested that everyone still log in to pick the proper notifications. Go to Village of Lansing website to get more information.

General Discussion

Moll wanted to know what the Village liability would be if someone drowned in a retention pond. Attorney French stated that she would have to look more at the surrounding area of the retention ponds. French will need to look at the exact pond they are referring to. French thinks that the Village should look into possible steps for remedying it if that is what the area is like. Moll stated

that he has kids and is more concerned with them falling off the play equipment then falling into a retention pond. French cannot say what the liability would be without looking into it. Hardaway stated that we will continue this discussion.

Motion- To Adjourn

O'Rourke motioned to adjourn. 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

The meeting was adjourned at 8:45pm.

Jodi Dake, Clerk/Treasurer