

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, August 1, 2022, in person at 2405 N. Triphammer Rd. and via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees Carolyn Greenwald, Susan Ainslie and Jeff Dobbin; Clerk/Treasurer, Jodi Dake; Attorney Natalie French; 1 members of the public.

The following attended via ZOOM: Trustee Patricia O'Rourke; Code Officer Mike Scott; Planning Board Member, Patrick Gillespie; BZA Member, Roy Hogben.

Due to technical difficulty, Hardaway called the Board of Trustees meeting to order late at 7:35pm.

Roll Call: Jeff Dobbin, Patricia O'Rourke, Susan Ainslie, Carolyn Greenwald, Ronny Hardaway.

Hardaway opened the public comment period. Carla Marceau stated that she was the community party observer.

Hardaway entertain a motion to close the Public Comment Period.

Motion - To Close the Public Comment Period

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

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

The next item on the agenda is to approve the minutes from July 14th and 18<sup>th</sup>.

Motion - To Approve the Minutes from July 14<sup>th</sup> & 18<sup>th</sup>, 2022

Hardaway made a motion to approve the minutes. Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

Proposed Local Law E(2022)

Motion-To Open the Public Hearing for Proposed Local Law E (2022)-Amendment to Village of Lansing Code Chapter 105 Village of Lansing Records, Public Access to

Trustee Hardaway moved to open the public hearing. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

Proposed Local Law E is being proposed to clean up Chapter 105 of the Codification. Hardaway stated that this are minor changes to the Village Code. The changes include updating the office hours and location and adding the Mayor as the appeal officer.

Mike Scott stated that we have a FOIL request for the Cayuga Mall property. They want to know if there are any violations. This address has a whole filing cabinet full of material so it will take quite a bit of time to do this. Hardaway does not think we can charge for our time, but we can ask for them to give a more specific request. Dake stated that we have 5 days to respond. When we did a FOIL request regarding deer a few years ago we were not allowed to charge for our time. French will see if anything has changed and will email everyone tomorrow.

#### Motion-To Close the Public Hearing

Trustee Hardaway moved to close the public hearing. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

**Resolution #6873**-To Adopt Proposed Local Law E (2022) as Local Law 7 (2022)-Amendment to Village of Lansing Code Chapter 105 Village of Lansing Records, Public Access to

Trustee Hardaway moved to adopt Local Law 7. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

#### **Update from Code Officer**

Hardaway stated that we have Scott here to update the Board on 134 Graham Road. Last Friday Scott met with Peter Bentikwoski. The issue is the owner is not going to do anything unless Scott enforces something. Scott and Bentikwoski will go through the public areas and make a list of things that need to be take care of without going with enforcement. Bentikwoski would like to see the place look better. Scott was there to look at issues regarding some of the complaints by residents. Mold in an apartment and someone living in the laundry room were two of the violations. The apartment complex has taken care of the mold and laundry room issue. Scott will stay on top

of the upkeep and trash area. Bentikwoski and Scott will meet Wednesday to discuss more ideas. Scott is looking into how many dumpsters are needed for that size apartment building. Scott will speak with Bentikwoski about adding a dumpster or adding a surround.

Hardaway stated that there seem to be people from University Heights Apartments that are cutting through to the church property and leaving their garbage there. Once the trash is left on the church property it becomes the church's responsibility. If people are walking to other properties and dumping their trash it may be that the police must get involved. Hardaway feels that this could be alleviated by getting more dumpsters or empty them more often. Scott stated that last year there was an issue with the dumpster at 134 Graham Road overflowing and it was alleviated by having the dumpsters emptied twice a week instead of once. Maybe emptying the dumpsters more frequently is the answer.

Scott drove around the village today to check hidden areas for issues. He also went to other multi-unit properties and noticed that there are other dumpsters that are overflowing. Scott will investigate how to resolve this issue. Greenwald thinks we need a code update. She feels the owners could fix this very easily. Scott would like to see if he can solve the problem first. Greenwald suggested drafting a letter to all apartment complexes sending the message that the Village does not want to see overflowing dumpsters. Scott will look to see if there are recommendations for the number of dumpsters per apartment complex unit. Hardaway suggested maybe having this be part of the special permit process. Scott will try to resolve this on his own but will get Attorney French involved if necessary.

Scott brought up the new 1203 Code Enforcement that must be adopted. Multiple unit buildings will be required to have an operating permit and a fire/maintenance inspection annually instead of every three years. This will also potentially help alleviate any issues.

Greenwald asked about Lansing Meadows. Scott stated that building #2 has a Temporary C of C. There are a couple of issues, but it is safe for someone to live there. Courtney needs to inspect the outside sewer vent and pee trap. There are also some lawn issues in the back. All safety items are done so Scott was able to issue a Temporary C of C. Lansing Meadows has one year to get these issues resolved.

### **Penalty Removal**

There are two requests to have water & sewer penalties removed. The first is account N5963-Demer for \$16.75 and the second is M1673-Lansing West Apartments for \$3,161.59. Both have to do with cliches in the new online billing that is being offered by Bolton Point. Dake has confirmed with Winona at Bolton Point that Lansing West Apartments was having issues. The issues have since been resolved.

**Resolution #6874**-To Waive the Late Fees for Account N5963-Demer in the amount of \$16.75 and the Late Fees for Account M1673-Lansing West Apartments in the Amount of \$3,161.59

Trustee Hardaway moved to waive the late fees. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Susan Ainslie-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Patricia O'Rourke-Aye  
Trustee Jeff Dobbin-Aye

**Partial Escrow Return to Lansing Meadows**

Code Officer Scott has inspected and is recommending that \$99,358.35 be returned to Arrowhead Ventures, LLC for construction of certain improvements at the Lansing Meadows (Oakcrest Road) Planned Development Area (PDA). The escrow agreement dated December 15, 2021, was for a total of \$152,859 of which Scott is recommending that 65% be returned. All work, except for various finishing and repair matters, has been completed.

Eric Goetzmann had asked for 90% of his escrow to be returned. Scott spoke with Courtney regarding the issues, and Courtney wanted 50% retained. Scott compromised with 65%. There are significant differences with the as-builts for the sewer. Until the as-builts are corrected or satisfied with Courtney, Scott will not issue any more Temporary C of C's.

**Resolution #6875**-To Authorize the Clerk/Treasurer to Release 65% of the Escrow on Deposit with the Village of Lansing to Arrowhead Ventures, LLC for Construction of Certain Improvements at the Lansing Meadows Planned Development Area in the Amount of \$99,358.35

Trustee Hardaway moved to partially return the escrow. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Susan Ainslie-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Patricia O'Rourke-Aye  
Trustee Jeff Dobbin-Aye

**Proposed Greenway Plan Revision**

Hardaway stated that he emailed a revised draft copy of the Greenway Plan to everyone last week. Hardaway stated that thanks to Dake and the committee members it has been reduced in size and is easier to read. Greenwald stated that she wanted to thank Hardaway and Dake because it was a lot of work and thanked them for the effort they put in.

Dobbin asked if the costs of upkeep are being budgeted for and if we are insured. Hardaway stated that we go through the budgeting process each year to make sure these expenses are covered. We are insured. We plan for the future by putting money into our reserve funds. These funds are used for purchasing park land or other major purchases. Sidewalks are under a different budget item and are part of the annual budgeting process.

Dobbin asked if motorized vehicles are allowed on sidewalks. The Village does not allow motorized vehicles on our sidewalks. Courtney stated that the sidewalks are on village property or right-a-way by easement. It falls under our general liability since it is village property.

Motion-To Set a Public Hearing for Proposed Greenway Plan Update for August 15, 2022, at 7:35pm

Trustee Hardaway moved to set a public hearing. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

For the next Monday night meeting on August 15<sup>th</sup> O'Rourke and Greenwald will both be on vacation.

#### Easement Agreement

This afternoon, Attorney Grossman emailed the easement that was received from Cornell. In the email Grossman stated that there was a somewhat last-minute change to add as parties to the grant of the easement. Two of the ground lessees that possess properties will be subject to the easement. Grossman did not think that would be a problem, however, the easement includes indemnification obligations in favor of Cornell on the part of the Village and this addition would extend the indemnification to the ground lessees. Grossman has a call into the Cornell counsel to find out what Cornell's obligations are and what the ground lessees rights are in circumstance such as this. Grossman did not want to create a new right for the ground lessees to seek indemnification from the Village where they do not already have such a right via their lease with Cornell.

At this point, assuming there is no additional liability beyond what we would have with Cornell, this form should be executable. Given the pressure to get this in place and start the work, if satisfactory to the Board, Grossman would like the Trustees to authorize the mayor to sign the final easement form as finally approved by the attorney for the Village. That will give us an extra day to make sure that no other changes need be made in the form. Otherwise, the project may be delayed while we wait for the next Board meeting to get the authority.

Hardaway stated that he had not read the easement but trusts Grossman's changing. If Hardaway has doubts when he reviews the final document, he will not sign it. Passing this resolution will allow us to continue the project. Ainslie is comfortable with approving this resolution since Grossman, French and Cornell Council have all reviewed it. French added that the final version should be ready tomorrow.

**Resolution #6876**-To Authorize the Mayor to Sign the Final Easement Form as Finally Approved by the Attorney for the Village of Lansing

Trustee Hardaway moved this resolution. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Patricia O'Rourke-Aye
Trustee Susan Ainslie-Aye	Trustee Jeff Dobbin-Aye
Trustee Carolyn Greenwald-Aye	

Mayors Comments

Hardaway stated that he and Deborah Dawson met with Kip Cerasaro and Pastor Steve from the Christ Chapel Church. Pictures were previously shared with the Trustees. Scott has worked with Brixmore's property manager to have the homeless area cleaned up. Brixmore has been very responsive on this issue. The Sheriff was also contacted by the property owner and the deputies will be monitoring this area for homeless public. The Sheriff does not want to see the Village have the problems that are being experienced by the jungle area down in the City of Ithaca.

Courtney stated that at the bend of Graham Road and Dart Drive there is a little road that goes out by the Roy Parks billboard sign. It looks like there is an encampment there. Cayuga Mall is working well with the Village and is taking care of that also.

General Discussion

Ainslie & French gave a Planning Board report. See Planning Board minutes for more details.

Adjournment

Motion- To Adjourn

Hardaway motioned to adjourn. Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye

Trustee Susan Ainslie-Aye

Trustee Carolyn Greenwald-Aye

Trustee Patricia O'Rourke-Aye

Trustee Jeff Dobbin-Aye

The meeting was adjourned at 8:33pm.

Jodi Dake, Clerk/Treasurer