

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, October 17, 2022, in person at 2405 N. Triphammer Rd. and via Zoom Videoconferencing/Teleconferencing.

PRESENT: Deputy Mayor Patricia O'Rourke; Trustees Carolyn Greenwald, Susan Ainslie, Jeff Dobbin; Attorney Natalie French; Public; Donald Hartill, John Courtney, Chris Zavaski, Mario Tomei, Randy Smith, Mr. & Mrs. Furry, Larry Bieri and one other public.

Zoom: Mayor Ronny Hardaway; Planning Board member Jim McCauley; Eric Goetzmann, Ryan Bieber and one other public.

O'Rourke called the Board of Trustees meeting to order at 7:30 pm.

Roll Call: Susan Ainslie, Carolyn Greenwald, Patricia O'Rourke, Ronny Hardaway (zoom due to illness), Jeff Dobbin

O'Rourke opened the public comment period. There were no comments.

Motion - To Close the Public Comment Period

O'Rourke made a motion to close the public comment period. 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 next item on the agenda is to approve the minutes from September 15<sup>th</sup> & October 3, 2022. Two separate resolutions were necessary since Ainslie and O'Rourke were not present for the September 15<sup>th</sup> meeting and Dobbin was not present at the October 3<sup>rd</sup> meeting.

Motion - To Approve the Minutes from September 15, 2022

Dobbin moved that the meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes of the September 15, 2022, meeting. Greenwald seconded the motion. A vote was taken:

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

Motion - To Approve the Minutes from October 3, 2022

O'Rourke moved that the meeting notes, as reviewed and revised by the Board, are

hereby adopted as the official minutes of the October 3, 2022, meeting. Greenwald seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Carolyn Greenwald-Aye  
Trustee Jeff Dobbin-Abstain

Trustee Susan Ainslie-Aye  
Trustee Patricia O'Rourke-Aye

### **Dedication & Reception**

The next item on the agenda is to dedicate the conference room to Donald Hartill. There have only been 5 mayors of the Village of Lansing. What is distinctive about Don's time is that he was Mayor for 25 years making him the longest reigning Mayor for the Village. Some of the big projects during his time as Mayor include the reconstruction of N. Triphammer Road, the building of a new Village garage and this administration building, a new park on Northwood Road, many roads, sewer and water reconstruction and expansion projects and all this was done while keeping the Village taxes low. Hartill is currently chair of the Physics Department at Cornell. He has been a great leader for both the Village and the university. It is with great pleasure that O'Rourke put forward the following resolution:

**Resolution #6892** - To Dedicate the Village of Lansing Conference Room to Donald Hartill.

BE IT RESOLVED, that the Board of Trustees hereby dedicates the Village of Lansing conference room to Donald Hartill in appreciation of his many years of service to the Village of Lansing. Donald Hartill served well and faithfully as Trustee from 1989 to 1993, as Deputy Mayor from 1993 to 1996, and as Mayor from 1996 to 2021. A plaque has been purchased by the Village of Lansing and shall be prominently displayed within the Village conference room in recognition of his service.

O'Rourke moved that the Village conference room be dedicated to Donald Hartill and Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Carolyn Greenwald-Aye  
Trustee Jeff Dobbin-Aye

Trustee Susan Ainslie-Aye  
Trustee Patricia O'Rourke-Aye

Dake announced that Roy Park emailed the Village on Friday stating that the Triad Foundation would be making a grant of \$10,000 in honor of Don's service to the Village of Lansing. The plaque was pointed out on the wall and the meeting took a break to have a reception for former Mayor Hartill.

O'Rourke started the meeting again at 8pm.

### **Greenway Plan - Public Hearing**

Hardaway had previously sent an updated version of the Greenway Plan to everyone with the changes that were made by Greenwald and a few more errors that Dake had found were also fixed. There were no public comments at the August 15<sup>th</sup> meeting. Greenwald had further changes at the

September 19<sup>th</sup> meeting and the public hearing on the proposed Greenway Plan was closed. The Trustees did not adopt that version of the revised Greenway Plan since Greenwald's changes were significant. The Trustees felt that a new public hearing should be done with the new document. A new version has been created and posted on the village website.

O'Rourke entertained a motion to open the Greenway Plan public hearing.

Motion – To Open the Public Hearing

Hardaway made a motion to open the public hearing. Dobbin 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	

There were no comments from the public.

Motion – To Close the Public Hearing

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

Hardaway thanked everyone for their comments and revisions to this document.

O'Rourke entertain a motion to approve the updated Greenway Plan.

**Resolution #6893 - To Approve the Updated Greenway Plan**

Hardaway made a motion to approve the updated Greenway Plan. Greenwald 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	

### **Lansing Meadows Escrow**

The Planning Board is recommending that the Trustees establish an escrow account for Lansing Meadows in the amount of \$38,700. Natalie has prepared a resolution. The resolution reads as follows:

**Resolution #6894-Village of Lansing –Lansing Meadows Escrow**

WHEREAS:

A. Developer Eric Goetzmann has failed to meet the deadline “n” of Special Permit #2021-4516, completion of the foundations for Phase 2, Buildings 8 and 14 by July 26, 2022; and

B. Pursuant to condition “q” of Special Permit 2021-4516, if any deadline under the Special Permit is not met, an additional escrow may be required to be established and funded for the costs of complying with the Special Permit as determined by the Village of Lansing Board of Trustees and Department of Public Works; and

C. At a meeting of the Village of Lansing Planning Board on September 12, 2022, the Planning Board voted to recommend to the Board of Trustees that an escrow be established as a result of Developer’s failure to comply with condition “n”; and

D. Upon review of the Planning Board recommendation and following discussion of the issues related to the failure of the Developer to complete the foundation construction with the Department of Public Works, the Board of Trustees accepts the recommendation of the Planning Board and shall require an establishment of an escrow account as a result of Developer’s failure to fulfill condition “n” of Special Permit # 2021-4516; and

E. The use of the escrowed funds shall be limited to the Village securing the build site if at any point prior to the completion of the foundations for Phase 2, Buildings 8 and 14, the build site is left in such a condition and for such a duration which, upon the determination of the Department of Public Works and the Code Enforcement Officer, poses a threat to public safety: and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees hereby requires that in connection with Special Permit #2021-4516, an escrow account be established and that the Developer fund said escrow account in the amount of \$38,700 within 7 business days of the filing of a fully executed Escrow Agreement which conforms to the intent and restrictions set forth in this resolution.
2. The Village of Lansing Board of Trustees hereby authorizes the Mayor to execute such Escrow Agreement on behalf of the Village, subject to the final approval as to form and content of the Mayor and the Attorney for the Village, and to take such further action as may be necessary and appropriate to give full force and effect to this resolution; and
3. The Village Board of Trustees hereby authorizes and requests that the Mayor, Village Clerk/Treasurer and the Attorney for the Village take such steps as may be necessary, desirable and/or appropriate to effectuate the intent of the foregoing resolutions; and

4. Any and all actions heretofore or hereafter taken by the Mayor, Village Clerk/Treasurer and the Attorney for the Village within the terms and in conformity with the intent and purpose of the foregoing resolutions hereby are in all respects ratified, confirmed and approved as the proper and authorized acts and deeds of the Village.

O'Rourke asked Courtney to explain how he came up with the recommended escrow amount. Courtney stated that he feels the simplest way to secure the site is to fence it in. The Village had several feet of fence installed at the garage and it was \$70/lineal foot which he used as the estimate. Fence was figured at \$70 a linear foot for 510 feet of fence. Courtney also added \$3,000 for soil stabilization. This is how he came to the total of \$38,700.

Ainslie motioned to approve this resolution. Greenwald seconded the motion.  
A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Jeff Dobbin-Aye

Trustee Susan Ainslie-Aye  
Trustee Greenwald-Aye

#### **Discuss Little Free Library Liability/Approve**

At Thursday's meeting the Board discussed a request from Mackenzie Torelli of Northeast Elementary to add Little Free Libraries to Dankert and Hartill Parks. The Board first wanted to know from Attorney French if there were any liabilities.

Attorney French stated that she would not consider this an alienation of park land because the use is incidental to that of a public park. French thinks that just general issues of premise liability as with any park or attraction would apply. There is some inherent liability any time you are attracting the public to a specific spot.

The Board felt the free libraries would be a nice feature and an additional attraction. Many different children attend the parks. Stewards will change out the books.

One of the concerns was that someone would put something other than books in the library. The box would be donated to the Village so it would be village property and our staff would install the free libraries.

Attorney French stated that another option would be to see if they would be open to a licensed agreement. The Board did not prefer this option.

Courtney stated that we would have the DPW staff monitor it to make sure other things do not get put in there. They will do this when they are there collecting garbage.

Dake will check with Bailey Insurance tomorrow to see if they think there will be any liability. This will be discussed again at the November 7<sup>th</sup> meeting.

### Solar Farms NY Campaign Letter

At the last meeting Hardaway had stated that Attorney French advised against sending the Solar Farms NY Campaign letter from the Village and mayor. It was decided not to send the letter. However, Hardaway has requested that this be on the agenda for further discussion.

Hardaway stated that Attorney French had sent him a clarifying email that he had not read before the last meeting. The clarifying email stated that there were two options:

1. Send letter and not receive the \$100 per new subscription or
2. Not send and passively support the campaign and collect \$100 per new Solar Farms NY subscriber

Attorney French spoke with NYCOM, and they recommend against any sort of letter which is seen as an endorsement of a private company. Plus, they consider the \$100 to be a fund-raising effort. NYCOM had no issue with the village receiving the funds as long as they are a passive participant.

Hardaway will contact Solar Farms NY tomorrow and let them know we decline sending the letter per the advice of our attorney but will continue to receive \$100 donation per account.

### Mayors Comments

Hardaway apologized for not being here. He has a cold which he did not want to share. Hardaway thanked Duke for putting together the celebration and taking care of the refreshments. He also thanked O'Rourke for the plaques.

### Adjournment

Motion- To Adjourn

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

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Jeff Dobbin-Aye

Trustee Susan Ainslie-Aye  
Trustee Greenwald-Aye

The meeting was adjourned at 8:23pm.

Jodi Dake, Clerk/Treasurer