

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Thursday, December 15, 2022, held at the Village of Lansing 2405 N. Triphammer Road and also via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees Susan Ainslie, Patricia O'Rourke; Clerk/Treasurer, Jodi Dake; Code/Zoning Officer, Mike Scott; Supt. of Public Works John Courtney; MEO, Chris Zavaski and Nick Dean.

ZOOM: Jeff Dobbin attended via Zoom.

Mayor Hardaway called the Board of Trustees meeting to order at 12:04pm. Hardaway stated that Dake had emailed a lot of information for today's meeting and hopes everyone has had a chance to read through it.

Courtney stated that there isn't much going on. The sewer expansion project has shut down for the season. There may be a small change order to add a different kind of gravel to the Twin Glens area. The water project will finish up in the spring. Courtney stated that they have been working on the trucks and tying up some loose ends with mall paperwork.

Hardaway confirmed that everyone had looked at the license agreement with the mall regarding the installation of a light by the trail to Shannon Park area. Courtney stated that he would like approval for the mayor to sign this today since they are running out of weather to get this pole in and they are working close to our trail and we do not want them damaging our trail. The mall is in the signature phase with their company. The mall is paying storage fees on the light now. This is the light on the walking trail. They looked to find a place off village property, but this was not possible because of gas lines. This is an agreement for them to maintain the light. Scott stated that the Planning Board spent a lot of time getting this stuff in the subdivision agreement.

Resolution #6909- To Authorize the Mayor to Sign a License Agreement Between the Shops at Ithaca Mall and the Village of Lansing to Install a Light to be Placed on Village Property that was Conveyed to the Village During the Malls Subdivision Contingent on Attorney Approval.

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

Mayor Ronny Hardaway-Aye
Trustee Susan Ainslie-Aye

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

The final document will come to the mayor to sign after it is approved by our attorneys and signed by the mall.

Surplus and Purchase of Excavator

Courtney stated that he budgeted \$81,000 to replace the Bobcat E55 with a new Bobcat E60. When given a quote, the salesperson did not include the auxiliary hydraulics to run the ditching, tamping, and hydraulic hammer function. To include this option was an additional \$3,000. Being that it was missed, Clark Equipment Company has offered \$59,000 trade in instead of the original \$57,000. In the past we have put the surplus machinery at an auction but Courtney is recommending we trade it in when we purchase the E60 Excavator. Courtney pointed out that the purchase price of the E55 Bobcat Excavator in 2019 was \$61,722. Given that we are receiving a trade in of \$59,000 the cost to own that excavator works out to be \$800 a year. We have been able to do this with many of our other machines. Trading in equipment allows the Village to cut down on maintenance costs of older machines. The cost of the new excavator is unfortunately much higher. We could loss money when we go to sell this machine.

Resolution #6910-To Surplus the Bobcat E55 T4 Excavator and Replace with Bobcat E60 R2 Excavator Purchased from Clark Equipment Co Who are Offering a Trade In of \$59,000 Which is Considered Fair and Equitable

Mayor Hardaway moved this resolution. Trustee O'Rourke seconded the motion. A vote was taken:

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

Since the purchase came in above the budgeted amount, a transfer was needed.

Resolution #6911- To Authorize the Transfer of \$2,351 from General Fund, Transportation, Permanent Improvements, Capital Outlay, A5112.2 to General Fund, Transportation, Street Maintenance, Equipment, A5110.2 for the Additional Funds Needed to Purchase the Bobcat E60 R2 Excavator with 24" Bucket

Mayor Hardaway moved to authorize the transfer. 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

Jodi stated that on the Purchase Request Form for the E60, the form should answer yes to the question "Does this purchase require bids". Being that the purchase is over \$35,000, procurement does require bids if not on State Contract. Dake suggested adding an option of "on Government or County contract". The Board agreed. Hardaway will update the form he created. Courtney stated that the purchase of the excavator was on state contract.

The Uptown Road easement has been signed by Mayor Hardaway. Courtney will drop off the paperwork to Grossman next week.

Courtney stated that the Village got 318 tons of salt delivered yesterday. The price of salt has not changed much. There was only a \$.60 fuel adjustment per ton.

Courtney is working on getting pedestrian crossing signs replaced. They will be taking 8 heads and turning them into 16 heads. The price of these will also be increasing. Dake asked if this is just the times or will the prices remain higher. The salesman told Courtney it will be the new norm. Once Courtney finds out the actual price, he will get the information to Dake so that a budget transfer can be put on the agenda. They are working on the pricing for the camera that will go up at the Uptown/Warren traffic intersection.

There was an accident on Cayuga Heights Road that destroyed the rusty guardrail. The guardrail will be an insurance claim of approximately \$10,000. The rusty guardrail can be repaired but you cannot replace a whole section. Therefore, that corner will now have a galvanized guardrail on the other side. Rustic guardrail is no longer allowed per Federal law. Hardaway asked if we need to look into replacing all of our rustic guardrail. Courtney does not think we need to do it because the village is mainly 30mph. However, down the road we will have to.

Zavaski stated that he has done a couple of trial snow runs.

Dean stated that he is making sure the village is ready for the snow.

Scott stated that Cayuga Medical has their building permit. You will see a lot of activity now around the mall. The VA Clinic and the Alcohol & Drug Council are in the last stage of getting their Certificate of Compliance. The Alcohol & Drug Council should be opening in early January. The VA Clinic is waiting for their exterior sign.

Scott and Quadrozzi are working on an operating permit list for the R-2's. The permit would require their management companies to go thru their property and verify with the village that they are up to Code. Operating permits will be done once a year. The Village cannot go into private rooms to inspect but we can have them do this and submit written verification to us. Quadrozzi does fire inspections every three years.

Scott has handed out several lighting violations. The new lighting law is working. Scott observed that Squeaking Clean has tilted down their lights and it is much better. Scott asked Courtney to check it tonight when they are out plowing to see what he thought. Scott thinks it looks totally different now.

New York State Planning Federation has their annual training conference in April. We have budgeted for two Planning Board members to attend. The new alternate Yamila Fournier and Patrick Gillespie would like to attend.

Eliminate Lighting Commission

Scott feels that it is no longer necessary to have a Lighting Commission. On 3/21/22 Local Law 1-2022 added Section 145-20.2 on Exterior Lighting. This section gives you Lighting Regulations/Requirements that we did not have before. Since we now have these

requirements, and not just guidelines, it is no longer necessary to have a Lighting Commission. The Code/Zoning Officer interprets the laws of the Village.

It is difficult to get people together to discuss plans when Mike can review the proposed lighting plans using the Codification and have it quickly approved or changed. Scott has spoken with Courtney, and he will be available to consult with if needed.

If it's over the maximum requirements, then it is a variance issue.

Courtney recommended that dark sky compliance be changed a little in the exterior lighting law. Courtney and Scott will review this and change.

In reviewing the Comprehensive Plan under Planning for Character, Quality, and Sustainability (page 12-13) it states that one of the planning strategies is to "Update the Village Lighting Plan guidelines and encourage all builders and developers to follow". Also, it says the Village requires prior approval of landscaping and lighting plans for development, but it does not say by the Lighting Commission or Code Officer so there would be no change needed there.

To dissolve the Lighting Commission the Village would need to:

- keep the Lighting Plan alive but update it to remove having a Lighting Commission and replace with Code/Zoning Officer.
- Pass a Local Law to amend Section 145-20.2 Exterior Lighting to replace "Lighting Commission" with Code/Zoning Officer in three places.
- There is an Informal Special Permit Checklist that would also need to be updated-#10 Exterior Lighting. We should also confirm that that matches our Code.

Dake has provided the Trustees with a copy of Section 145-20.2 Exterior Lighting from the Codification, a copy of our current Lighting Plan, and a copy of the Informal Special Permit Checklist.

Hardaway asked if dissolving the Lighting Commission would increase his workload. Scott feels it will take less time to do it himself then it would to get the Lighting Commission together and educated. Trustees suggested we move forward with this. Dake and Scott will work on updating the law and effected documents. Scott thinks it should be much easier since we now have cut and dry rules for lighting.

Scott has been researching the Lansing Meadows PDA. Goetzmann has a landscaping escrow that was set up for BJs in 2010-11. When the gas station went in the escrow got transfers over to the gas station in 2012. The escrow has been sitting there. Goetzmann wants us to look at it to see if it meets criteria that the Planning Board wanted at that time. Scott feels like he has met what needed to be done. Scott recommends we release that escrow. The Planning Board had an escrow recommendation for landscaping for the residential area that will have an agreement and an escrow deposit of \$38,700. On 10/17/22 the Trustees approved this amount with Resolution #6894.

Hardaway recalled there was supposed to be trees planted between the residential section and BJ's, but it ended up being a fence. Hardaway questioned whether the requirements were met. Scott stated that on the plans there was an alternate of either fence or trees. The original plan for BJS was to have trees on the west side to create a buffer and that was changed to fancy grasses since it borders woods. Scott will have that the escrow agreement for the Trustees in January. The escrow is to make sure the site is safe if the buildings are not built.

O'Rourke asked what the IDA was doing for that development. The IDA seems to be litigation adverse. This kind of funding will probably never happen again, he has soured that type of deal for anyone in the County.

Scott received an email from a resident that lives on St. Joseph Lane that was very happy with the new streetlights on that road.

O'Rourke was happy to hear that Squeaking Clean has corrected their exterior lighting finally.

Courtney stated that Attorney French just sent a revised agreement. The only change was a Namdar signature block. The contents are the same.

The Planning Board passed Resolution #2020-4402 for final plat approval of major subdivision on 3/8/21 and then later amended it on August 18, 2021. One of the conditions was within 30 days after the recording of the signed final plat, the applicant would provide a letter of credit, establish an escrow account of \$49,081 or complete the excavation of the stormwater infrastructure to allow offsite stormwater from Pyramid Dr. to flow along the south side of the mall property. They chose to place an escrow with the Village on 4/19/22. The Village DPW Department ended up doing the emergency work and all parties agreed on it informally. On September 21, 2022, Courtney created an invoice for what the project. There was an understanding that the Mall would pay for 2/3 of the project. Nothing can be done with the escrow until the Village has something official. The work was all on Village property. A memorandum to proceed has been written up but is not signed yet. When Courtney receives the completed document, he will get it to Dake. Once she receives that memorandum from Courtney, she can transfer the escrow funds from Ithaca Mall Realty to the General Fund.

Dake asked if the Board would like to approve the vouchers.

Resolution #6912- Abstract of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 7 for the General Fund, in the amount of \$39,508.66 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No.7 for the Sewer Fund, in the amount of \$204,382.15 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 7 for the Trust & Agency Fund, in the amount of \$575.00 is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 7 for the Water Fund, in the amount of \$2,929.52 is hereby approved for payment.

Trustee Hardaway 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 Carolyn Greenwald-Aye

Trustee Jeff Dobbin-Abstain
Trustee Susan Ainslie-Aye

Dobbin stated that he abstained because he was not able to review the vouchers since he was zooming in.

Dake reported that the audit by our accountants is done. A draft will be circulated to the Trustees after Dake reviews.

Dobbin reported that the Youth Service December meeting was canceled. The next meeting will be in February.

O'Rourke had nothing to report.

Ainslie stated that she covered the last Planning Board.

Hardaway stated that he did not have anything to report.

Scott asked if he could review the lighting plan for Maguire Chevy Cadillac or if he should try and get the Lighting Commission together. Since the Trustees decided to do away with the Lighting Commission the following resolution was introduced.

Resolution #6913- To Authorize Mike Scott, Code/Zoning Officer to Review the Lighting Plan for Maguire Chevy Cadillac In Lieu of the Lighting Commission.

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

Mayor Ronny Hardaway-Aye
Trustee Susan Ainslie-Aye

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

Since there were no agenda items for Monday, the Trustees passed the following resolution:

Resolution #6914- To Cancel the Board of Trustees Meeting on Monday, December 19, 2022, Due to Lack of Agenda Items

Mayor Hardaway moved to cancel Monday's meeting. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Susan Ainslie-Aye

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

The next Trustee meeting will be Thursday, January 12th at noon. If something of substance comes up we can always schedule a special meeting in January.

Motion- To Adjourn

Mayor Hardaway moved for adjournment. Trustee Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye
Trustee Susan Ainslie-Aye

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

The meeting adjourned at 1:02pm.

Jodi Dake, Clerk/Treasurer