

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, February 5, 2024, in person at 2405 N. Triphammer Rd. and via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees, Susan Ainslie, Wolfgang Bullmer, Carolyn Greenwald, Drew Riedl; Clerk/Treasurer Jodi Dake; Code & Zoning Officer Mike Scott; Attorney Natalie French; there were 5 members of the public in attendance including Cathy Yen and the manager and residents of 37 Uptown Road.

Zoom: Mike Baker and Lisa Schleelein, Planning Board Members; Monalita Smiley, Tompkins County Community Justice Center

Hardaway called the Board of Trustees meeting to order at 7:30pm.

Roll Call: Susan Ainslie, Wolfgang Bullmer, Carolyn Greenwald, Drew Riedl, Ronny Hardaway.

Hardaway opened the public comment period. There were no comments.

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 Susan Ainslie-Aye     |
| Trustee Drew Riedl-Aye       | Trustee Carolyn Greenwald-Aye |
| Trustee Wolfgang Bullmer-Aye |                               |

Hardaway entertained a motion to approve the minutes from January 11, 2024.

Motion - To Approve the Minutes of January 11, 2024

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

|                                   |                              |
|-----------------------------------|------------------------------|
| Mayor Ronny Hardaway-Aye          | Trustee Susan Ainslie-Aye    |
| Trustee Drew Riedl-Aye            | Trustee Wolfgang Bullmer-Aye |
| Trustee Carolyn Greenwald-Abstain |                              |

Hardaway stated that we needed to wait until 7:35pm to open the public hearing.

Dake provided the Trustees with the 2024-25 Budget Schedule:

- February 15<sup>th</sup> Noon Meeting-Ask questions and get all proposals to Dake
- March 4<sup>th</sup> Meeting-First Round of Budget Discussions
- March 14<sup>th</sup> Noon Meeting-Staff available to answer questions

March 18<sup>th</sup> Meeting-More Budget Discussions  
April 1<sup>st</sup> Meeting Finalize Budget and set Public Hearing for April 15<sup>th</sup>  
(This information will be in the April Newsletter)  
April 15<sup>th</sup> Meeting-Public Hearing and Approve Budget

Hardway reminded the Trustees of their assigned roles in the budget process.

Dake informed the Board that Cayuga View was given a one-time waiver of late fees because they were having trouble with eBilling. Dake has received an email from their general manager that the issue has been resolved.

Hardaway entertained a motion to open the public hearing regarding the declaration of the structure located at 37 Uptown Road (Building 12) being unsafe and ordering the repair or removal.

#### Motion - To Open the Public Hearing

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

Mayor Ronny Hardaway-Aye  
Trustee Drew Riedl-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Susan Ainslie-Aye  
Trustee Wolfgang Bullmer-Aye

John Kennedy stated that he is the regional manager for the Solomon Group. He stated that since the fire they have taken all the necessary steps. Engineers came in and gave their scope as to how things should proceed. They've had a few companies come in and look at remediation. There is asbestos which has complicated the situation. There are two units that they recently did a moisture mapping on which were the ground floor apartments. They had very little damage so items can be removed from apartments B & D once he receives a release from legal. They have gotten multiple quotes from vendors, and he hopes to have finalized numbers by Wednesday, February 7<sup>th</sup>. At that point they can apply for a demo permit and also petition the State for a variance for the removal of the asbestos. They are probably a few weeks from the actual start date. They plan to do a full restoration. The fire affected six units, there were no injuries, and all tenants were relocated. Insurance examiners have been through along with structural engineers and remedial companies. It will be 9 months of lost revenue for the apartment complex. They still have not been able to get into the building to retrieve everyone's belongings. Kennedy stated that he has not been able to get a report from the fire marshal. The initial report stated that the origin was a candle in the 3<sup>rd</sup> floor apartment. He needs a full statement.

One of the upset tenants, Tereasa Spaulding, stated that their apartment was on the top floor. She hasn't been able to finish submitting her insurance claim because the insurance company needs pictures. She understands that they cannot get up into the apartment, but she has belongings that have great sentimental value. She also wanted to make sure they do not end up with a bill that they cannot afford. She wants to be able to get those items before she graduates and leaves in May. Hardaway stated that he was sorry for her losses. Hardaway informed her that as a Village we cannot override laws. He asked her to stay in touch.

Kennedy stated that remediation is step 1. He does not have the information on what items will be salvageable yet. It will take someone to come in and recording item by item. Usually, hard surfaces can be restored and returned but things that are saturated he just doesn't know. This is a big process that takes time. Kennedy thinks the remediation will be done way before May 2024.

Greenwald asked if the Village has received information on the fire. Scott stated that we have not received the full fire report of cause which he requested a month ago. Greenwald wondered if the insurance would accept a report instead of pictures. Teresa stated that they need pictures of the items. The insurance company already knows the building was destroyed.

Kennedy stated that the remediation company will document the entire process. Greenwald suggested that Tereasa give a list of everything she needs pictures of. Kennedy thinks that the final preliminary numbers should be in by this Wednesday. At that point they can issue a contract. Kennedy stated that they will share information with tenants, and they are trying to be as transparent as possible. Once that report is received, Greenwald asked Kennedy to let Scott know, and he will let the Trustees know. Kennedy stated that he has been sharing information with the tenants and will continue to do so.

Another resident of 37 Uptown Road Building 12 who lived in a ground floor apartment stated that this has been very stressful. There are her documents of citizenship and sentimental items from her grandmother in the apartment that she would like to retrieve. She described the situation as being very challenging. On Feb 1<sup>st</sup> there was a moisture mapping and they found very little water damage in the first-floor unit so there is a high probability that her belongings will be returned. The other four units have to follow NYS Guidelines for remediation.

Hardaway stated that this is a very complex situation. Scott stated that Kennedy has been very good at getting him any requested information. Kennedy thinks that by next week he should get the legal release for Apartments B and D. Kennedy agreed to share all the documentation digitally with both the Village and the tenants. Kennedy stated that he has been supplying information along the way to the tenants and insurance company.

#### Motion - To Close the Public Hearing

Hardaway made a motion to close the public hearing. Bullmer seconded the motion.  
A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Drew Riedl-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Susan Ainslie-Aye  
Trustee Wolfgang Bullmer-Aye

French stated that is this point we can continue with the resolution that was passed last meeting or revoke it. French recommended pushing out the time frame for Solomons Group to complete the work but perhaps have intervals at which we get updates to keep the process moving. Bullmer wants to see the property management company develop a major milestone plan with their contractors and communicate it to the Village. Instead of being completed in 60 days, it was

changed to 4 months or 120 days for remediation with milestones, with full restoration to be completed in nine months. Bullmer wants corrective actions if the milestones are not met. Riedl wants to know if after this time we can revisit this.

Kennedy stated that it is also in their best interest to get this done quickly. The Trustees will reconsider this at the February 15<sup>th</sup> meeting once he gets a contract. We will be able to come up with the milestones once we see a contract. Hardaway informed Kennedy that he does not need to be at the next meeting. Information will be emailed to Scott and the tenants.

### **Community Resource Hub Services**

Next was a PowerPoint presentation by Monalita Smiley from Tompkins County Community Justice Center Regarding Community Resource Hub Services. Smiley stated that there is already a hub at the Groton Library and Enfield Community Center. Ruth Groff, Town of Lansing Supervisor, reached out to Smiley about having a hub in Lansing. Smiley is trying to strengthen the relationship and get the word out on what resources are available. There is space available at the Town of Lansing library. They are trying to serve the rural communities. Funding for the resource hub comes from the City of Ithaca and Tompkins County. This is all part of the reimaging plan. People do not pay for the services.

Hardaway was thinking that a hub could take place in the Village community room. It would take place once every other week for two hours on Mondays.

Greenwald wondered if there was a definition of rural. Smiley thinks it would be any place outside of the Ithaca City limits. Greenwald does not consider the Village of Lansing rural. The Village has residents at the EconoLodge that houses unsheltered individuals from our community and the apartments on Graham Road house lower income people. To reach individuals they would do a mass mailing to residents regarding the services. They would also do a press release. Since August, at the Groton food pantry they have served over 75 people in any way shape or form. Enfield has served about 15 people. It is significantly less because of the location. Greenwald wondered if a better location would be the food pantry in Lansing at The Rink. Smiley is leaving it up to the municipalities to decide. The Shops at Ithaca Mall community room may be an even better location. We do not have Wi-Fi in the Village community room. Smiley stated that would not be an issue because she could get a mobile hot spot from the county.

Hardaway asked how they measure success. Smiley stated that if she can get the community justice center information out then it is a success for them. She is always working even if she is not communicating with a community member. Riedl wondered if she has considered an evening hub. She is flexible with timing. She has never considered an evening hub. When fliers are sent out a phone number is provided for individuals to call the resource center. Smiley will check with Ithaca Mall and we will continue to discuss and see how we can help each other.

Monalita left the meeting.

### **Amendment to Rental Equipment, Operator & Laborers Insurance**

Bellisario has requested that the Village alter the limits of the equipment contract. The change provides an increase in the per occurrence limits which is more common than multi-claim

aggregate ceiling risk. Our insurance carrier has reviewed the contractor's request, and they are comfortable with the proposed changes to the insurance requirements in the contract. As discussed, and noted by the contractor's agent, this provides an increase in limits to the per occurrence limit. Whereas the only real reduction requested is to the aggregate limit. TG Miller has also reviewed this and created Amendment Number One. There are no cost savings for the Village, however, Bellisario may see a cost savings.

**Resolution #7017-** To Accept the Following Amendment #1 of the Rental Equipment, Operator & Laborers Contract and Authorize the Mayor to Sign the Amendment

### **AMENDMENT NUMBER ONE**

to the Form of Agreement

Contract: Rental of Equipment, Operators and Laborers  
Contract Date: June 1, 2023  
Owner: Village of Lansing  
Date: January 22, 2024

ENGINEER: T. G. Miller, P.C.  
605 West State Street, Suite A  
Ithaca, New York 14850  
(607) 272-6477  
(607) 273-6322 (fax)  
[dmh@tgmillerpc.com](mailto:dmh@tgmillerpc.com)

Contractor: Pro-Lawn DBA Bellisario Excavating and Drainage  
41 Oakbrook Dr.  
Ithaca, NY 14850

This amendment contains changes to the requirements of the Agreement which have been issued to date. Such changes are to be incorporated into the Agreement documents and shall apply in the same meaning and force as if they had been included in the original documents. Wherever this amendment modifies a portion of a paragraph of the Agreement documents, the remainder of the paragraph shall remain in force.

Contractor agrees there is no changes in Contract Price or Contract Times. If you consider that a change in Contract Price or Contract Times is required, please notify the Engineer immediately.

### **ARTICLE 9 – INSURANCE:**

Amend section 901.A.b Commercial General Liability to read as follows: "General Aggregate \$2,000,000". General Aggregate reduced from \$3,000,000 to \$2,000,000.

Amend section 901.A.d Excess or Umbrella Liability to read as follows: “Per Occurrence \$5,000,000 and General Aggregate \$5,000,000”. Per occurrence increased from \$3,000,000 to \$5,000,000 and General Aggregate reduced from \$6,000,000 to \$5,000,00.

Add section 901.A.I to read as follows: “Provide a per project Aggregate endorsement that ensures the entire policy limits are available to each particular job.”

Hardaway made a motion to adopt this resolution. Ainslie seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Drew Riedl-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Susan Ainslie-Aye  
Trustee Wolfgang Bullmer-Aye

### **Solar Law**

Hardaway thanked the Planning Board for all their work on the Solar Law. The Planning Board has spent many months creating a Solar Energy Local Law. Their proposed law was then formatted by Dake and French so that it would be in the same form as the rest of the Village of Lansing Codification.

Riedl asked what the intention of the law was. Greenwald stated that this is so a resident cannot just build whatever they want. This is also to promote solar energy. Riedl sees additional costs and bureaucracy.

Baker stated that the proposed solar law is based off a model law provided by the State. This is to make it safe and protect neighboring properties. It also ties into some of our other laws.

Greenwald stated that when they started creating this law 4 years ago, they tried to make it simple. It is no longer that.

There were concerns about having a decommissioning plan. Decommissioning is at the discretion of the Code Officer or Planning Board for Tier 1 & 2. Riedl also questioned the part on ownership changes. French stated that special permits run with the land. When there is a special permit, we want the new owners to be aware of the conditions and the only way to make it feasible is to put something in the abstract. Special permits are only required for large ground solar arrays.

Schleelein stated that they tried to keep it simple. It got complicated when they got to ground mounted solar. Some situations could cause issues for abutting neighbors. We did not want to see neighboring property values being degraded because of their neighbors' solar.

Riedl was concerned that having regulations would deter people from installing solar panels on their roof. Baker stated that that would be Tier 1 and that is the easiest since you only go to the Code & Zoning Officer, and you do not have to go to the Planning Board.

Greenwald pointed out that we should also consider what size is appropriate for ground mounted. In the proposed law it is 500 sq. ft. Solar technology continues to get smaller. Greenwald also

questions the need for the panels to be parallel. Scott stated that besides the Village Code, there are also requirements in the Uniform Code. Scott will send information to the Trustees on this issue. Bulmer feels we need to be absolute. We need a set of criteria that are nonnegotiable. This is a living document and some of the definitions are technically wrong and need to be reworked. It was explained that the Planning Board used the definitions recommended in the NYS solar model law. Bullmer stated that the model law is not correct even though the state provided the definitions. Hardaway thinks we need to stay wrong on a larger scale to be consistent with the State. Attorney French stated that solar installers are going to expect to use the State language and feels we should stick with that to incentivize solar installation. Bullmer thinks it is too technical for the Planning Board to decide. Greenwald asked Bullmer to send a definition of general system.

Baker stated that these are minor changes. This is about cleaning up the solar law and making it clear.

Riedl stated that we want to encourage solar development. It seems that aesthetics is the main issue.

Baker explained that most of the projects in the Village will be Tier 1. Tiers 2 and Tier 3 deal with safety related issues. This gives direction to our Code & Zoning Officer on how solar is to be dealt with. The proposed law provides guidelines, so everyone is treated equally.

Scott explained the process that installers must go through when getting a solar permit. The Code Officer decides which tier the project will fall under. He has nothing to do with the engineering of the solar projects. Having an inspection protects the resident.

Greenwald feels this is overwhelming for Tier 1 and has an element of discouragement. We do, however, have to have checks and balances.

Schleelein thinks the decommissioning aspect is very important. Baker hopes that the decommissioning plan for Tier 1 is used sparingly. Baker stated that there has been a lot going on in the Village in the last decade and what the Planning Board is trying to focus on is making sure they have a way to address special situations. Scott explained that some of the decommissioning requirements came from our code section on telecommunications. French stated that decommissioning is required in Tier 3 but at the Code Officer's discretion or Planning Board's for Tier 1 and 2.

Greenwald wants to be more flexible and encourage solar. Schleelein stated that the code is to protect our residents, not incentivize. If the Village wants to encourage solar this should be part of the Comprehensive Plan.

Hardaway stated that this is not ready for a public hearing. Size and decommission needs to be explored further. Hardaway recommended that we assign perspectives for the Trustees. Hardaway asked Greenwald to look at it from the perspective of how to make it more palatable for the end user and decommissioning. Bullmer was asked to give suggestions for definitions. Hardaway asked Riedl to do some research on potential size for moving from Tier 1 to Tier 2. Ainslie has been covering the Planning Board meetings through this whole process and wanted to let the

Trustees know how diligent and thoughtful the Planning Board has been. She wants to get this document off the Planning Board agenda. Hardaway explained that the goal is not to rewrite but to refine and make it better. Hardaway wants the Trustees to have information together before the next trustee meeting on February 15<sup>th</sup>.

\*There has been a lot of discussion on the solar law at the Planning Board level. These videos can be reviewed on the Village of Lansing YouTube channel.

### **Mayor's Comments**

Hardaway reminded everyone to start on the budget and make appointments with staff if you need to discuss anything with them.

### **General Comments**

Greenwald stated that she attended the Town of Lansing board meeting. They have committee report, and one was from their Town historian. Greenwald wondered if we should have a Village historian. Dake explained that the Village residents pay town taxes and wondered why we would need another historian. The Village is only 50 years old and was part of the town before that. The Village already has a book that explains the start of the Village plus our minutes are essentially the writing of history. Greenwald stated that there was also a report from Tompkins County Legislator, Mike Sigler. She wondered why we didn't have that. Hardaway stated that we have a report in each newsletter from Deborah Dawson. Youth Services Commission announced that they have all these jobs available, but it was unclear if Village residents were allowed to participate. Ainslie stated that Travis Judd is new so he may not know for sure and needs to confirm the answer. The Town of Lansing cannot participate in Joint Youth Commission, only the Village youth. The confusion is that there are many youth commissions.

### **Adjournment**

Motion- To Adjourn

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

Mayor Ronny Hardaway-Aye  
Trustee Drew Riedl-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Susan Ainslie-Aye  
Trustee Wolfgang Bullmer-Aye

The meeting was adjourned at 9:47pm.

Jodi Dake, Clerk/Treasurer