

## Village of Lansing

MINUTES of a regular meeting of the Board of Trustees of the Village of Lansing held on Wednesday, May 10, 2000, in the Village Office.

Present: Trustees Larry Fresinski, Lynn Leopold, Frank Moore; Jodi Dake, Benjamin Curtis, Rick Beckwith and Dennis Reinhart.

Deputy Mayor Larry Fresinski called the meeting to order at 12:15pm

Rick stated the grass is growing like crazy. The seasonal laborer will start on Monday. There are many areas in the Village, which need top soil repair so they will be able to start this. The repairs are needed in the areas where we had water main breaks this winter. Larry asked if we had a normal amount of water main breaks this year. Dennis stated that it was unusual because the breaks happened in warm weather. Bolton Point reported about 36 total breaks in their service area this year.

Dennis stated that the Town has finished brush pick up in the Village. We had the usual 3-4 people reporting that their brush was missed so Rick went and picked it up. Lynn asked what we pay the Town for this. This is a service that is paid for through your town taxes, there is no additional fee to the Village. Street sweeping will start in the next couple of days. Burdick Hill will be chip sealed the week of May 22<sup>nd</sup>. Dennis has to make final arrangements with Pete Larson at the Town to use their truck.

Dennis gave each of the Board members a copy of the certified letter that came from Patch 'n Seal. The letter states that after a special meeting at the State Office of General Services in Albany, an agreement was reached for Patch 'n Seal to return to the Village of Lansing and complete the crack sealing project. Dennis called OGS and stated that the Village was not a part of this meeting and the Board would not be happy to hear that an agreement was made without the Village being a part of it. Dennis has spoken with David Orr, of the local roads program, and he doubts that it can be repaired. We pay by the volume and how would we know how much sealant was really used. There was material where there were no cracks and cracks were not cleaned out. Lynn asked why OGS even got involved. Dennis stated that OGS lines up contractors for NYS and in this instance they made a bad choice and want to resolve it. OGS can't negotiate disputes. State Agency doesn't have any rights in this situation and how it is resolved is up to the Village Board. It was decided that this situation should be directed to our attorney.

This brought us back to the tire claim submitted by Gretchen Papariello. Jodi had spoken with Don and he was going to follow up with Randy on this issue. Larry asked Dennis to enlighten us on the details of the situation. Dennis stated that when the tire problem first happened he called Patch 'n Seal to inform him that they had let this vehicle through on N. Triphammer Road before the crack sealing material had cooled which caused 2 tires on a lady's car to be ruined. Patch 'n Seal came back the next day and said that a woman had driven on through when she was signaled to stop. They assumed it was that lady and since she did not follow the instructions they would not be responsible. The stories are mismatched because the boyfriend was driving so it was a different car. Dennis called Jeannie at the Bailey Insurance Agency and she asked if the Village was responsible. Larry stated that we are thinking this through in a more humane way. If we made a bad choice in choosing this contractor to do the crack sealing job in the Village should we ask the driver to be stuck in the middle and submit the claim themselves to Patch 'n Seal? We need to ask Randy before we do anything. Lynn asked Dennis if there were any DOT regulations on work zones. Dennis said there were and didn't know if Patch 'n Seal was in total compliance. Lynn thought we needed an incident report for things like this. Jodi stated that after it was suggested at last meeting she called Sharon to get a copy of the Town of Lansing incident report and designed one for the Village. we now have an official incident report. Larry reminded the Board of what Randy had stated at the last meeting about the assumption of risk that a motorist takes on. Jodi asked if we should first send the bill to Patch 'n Seal to see if they will pay the claim instead of assuming that they won't because we aren't paying them for nonperformance. Larry will contact Gretchen to have her submit the bill for tire damage to Patch 'n Seal since legally we are not responsible.

Ben stated that we still have people interested in cell towers in the Village. There is a technical point in our law that doesn't state where towers are allowed. Randy will be looking carefully at the law and there should be a proposed resolution coming to the Board of Trustees.

NYS Department of State Codes Division in cooperation with the NYS Building Officials Conference is developing a mutual aid system for code enforcement officers. This would be to help each other after a disaster such as the ice storm that hit the Syracuse area a couple of winters ago. A resolution by the Board will need to be done to enroll in this program once it is established.

The International codes are coming along. They hope to adopt it 2/1/02.

There is a GIS course at Cornell, which Ben went up to observe. A student had come to him with questions on having a digitized cable system in the Village. Ben feels we should talk to the professor and see if they could do something useful for the Village. It was also suggested that maybe they could work with the fire department in making elaborate building design plans.

Tops and the Hotel are coming along. We are still trying to resolve the sewer issue for McDonalds.

Frank asked Ben if he was concerned with the fire department and their ability to accommodate the Village. Frank thought the fire chief was very vague when he asked what was the thing in the Village that concerned the fire department the most. Ben felt there was a very good relationship between the Village and the Fire Department. The former chief, Chris Burris, has always wanted to see the fire department develop an emergency response plan for each individual building, though not as elaborate as the one Frank suggested. They are volunteers and just don't have the time to complete such a project. This may be a good project for some Cornell graduate students. If someone has the knowledge and expertise they could become an auxiliary member of the fire department and take on this project. Ben stated that we are fortunate that the buildings in the B&T Park all go beyond what is required and have sprinkler systems and other safety devices. Before a business is given a Certificate of Occupancy it is mandatory that they have an emergency response plan at the front desk.

While canvassing, Lynn spoke with Bob Nevin who was concerned with "Kate's Hole Brook" at McLain Subdivision. He had sent a letter to the Village back in September of 1998 stating his concern with the possible blockage of the box culvert, which directs Kate's Hole Brook beneath the abandoned railroad bed. Now there are many dead trees down in there that need to be removed. Lynn thought since this was a Village recreation area that we should clean it out. Dennis told her that the Village has not yet accepted that recreation area. Before we do accept that area we should make sure this situation is cleared up so we don't take on the liability. It is the property owner's responsibility. In response to Nevin's letter Brent Cross examined the area in September 1998 and thought the fallen trees should be removed or simply moved out of the potential flow channel. Although historically there appears to be a low risk of an obstruction, there could be a significant impact if the inlet was to become completely obstructed. Brent also recommended that the Village keep track of the status of this area once the Village becomes responsible for the maintenance of the McLain Recreation Area. Lynn thinks something needs to be done. If the trustees would like, Ben said he could send a letter to the Twin Glens Association and McLains and tell them that on the advice of an engineer that this area needs to be cleaned up in a certain amount of time.

Frank brought in an article for Jodi to copy to all the Board members regarding sidewalks in Santa Rosa, California. He feels we have a similar situation.

Next the Larry proposed a motion to approve the vouchers.

Resolution # 3676- Abstracts of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the General Fund, in the amount of \$309,441.46, is hereby approved for payment, and

Be it further RESOLVED, that Abstract of Audited Vouchers No. 12 for the Water Fund, in the amount of \$136,208.11, is hereby approved for payment, and

Be it further RESOLVED, that Abstract of Audited Vouchers No. 12 for the Sewer Fund, in the amount of \$38,073.98, is hereby approved for payment.

Trustee Lynn Leopold moved that this resolution be adopted and Trustee Frank Moore seconded the motion. A vote was taken:

Trustee Lynn Leopold- Aye  
Trustee Larry Fresinski-Aye

Trustee Frank Moore-Aye

Motion- To Adjourn

Trustee Lynn Leopold moved to adjourn and Trustee Frank Moore seconded the motion.  
A vote was taken:

Trustee Lynn Leopold- Aye  
Trustee Larry Fresinski-Aye

Trustee Frank Moore-Aye

Meeting adjourned at 1:57pm.

Jodi Dake  
Village Clerk/Treasurer