

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, May 6, 2002, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Frank Moore and Lynn Leopold; Carol Klepack, Planning Board Member; John Barney, Attorney.

Mayor Donald Hartill called the meeting to order at 7:38P.M. He opened the public comment period. John Oneil & Carol Brentlinger of Janivar Dr. addressed their concern with the flooding that is occurring, which is due to the topography. They feel that when developing the area, Ivar Jonson did not allow for proper drainage. John went to the village website and downloaded Chapter 125 of the codification. The Mayor explained that the codification is still in draft form but the current zoning law addresses the same thing. Mayor Hartill went out to look at the situation with their neighbor Pioter last Thursday evening. Don will ask Bill Troy to explore our options. The original plan for retention is quite different then what is in place. The Mayor is very sensitive to the situation and will try his best to resolve the drainage situation. Another issue was that grass has not been planted on the lot adjacent to Carol's house and it looks more like a dumpsite. The run off from this lot is flooding her garage. Carol & John ask whom they could turn to get this situation resolved. The Mayor explained that the final grading of lots goes back to the owner, Ivar Jonson. Next week the Mayor will meet with Brent Cross to survey the area. One of the problems is that we haven't had sewer units to continue construction up in that area. The regulations that are in place are the initial approval of plat and the code enforcement officer. John & Carol will write letters to the Mayor so it is part of public record. He will then write them back. Carol Brentlinger asks if this area was built lot by lot or as subdivision. The Mayor stated that the subdivision was approved as a stage project and the plat is included. Carol's windows face this lot and all she sees when she looks out her window is a dump on an empty lot. The owner of the property is responsible for it. Don will have Ben see if Ivar is in violation. Lynn suggested writing a letter to Ivar.

Sorel Gottfried requested that the village hold a public information session on sewers. She and her neighbors would like help understanding the whole situation. The board will designate most of its next Monday night meeting to sewer. The Mayor went on to explain that the whole Village is one sewer district. Village's can not have different districts. There are two options for sewer. The first is a gravity solution, which would run along the old Ithaca/Auburn railroad bed. This is a sensitive natural area. The other option is to go along Cayuga Heights Rd. with a gravity and forced main system. If a developer wanted to get sewer he would be responsible for paying for the pipe to get to the sewer line. It cost approximately \$100 a foot to do this. Presently we have no sewer units available. The Village of Cayuga Heights supplies us with units since we don't have our own plant.

Sorel asked how this would be paid for. Bond act monies will pay some and the cost to the Village will be approximately \$500,000. This will be funded out of the sewer fund by connection fees and surcharges. The Village has a sewer capital reserve fund which can be used.

Motion-To Close the Public Comment Period

Trustee Larry Fresinski moved to close the public comment period. Trustee Janet Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Frank Moore- Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe-Aye		

Next on the agenda was the approval of minutes.

Motion-Approval of Minutes for April 1& 15th, 2002

Resolution #3854 - To Authorize Ben Curtis to Extend the Temporary Certificate for Pyramid Mall Site Work, Stage 1-South End until June 30, 2002.

Trustee Lynn Leopold motioned that we extend the Temporary CO until June 30, 2002. Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Frank Moore- Aye	Trustee
Lynn Leopold- Aye	Trustee Larry Fresinski- Aye	
Trustee Janet Beebe- Aye		

Organizational Meeting

RESOLUTION # 3855-Appointment of Member to Planning Board

Be it RESOLVED, that the Board of Trustees hereby appoints Doris Brown as a member of the Planning Board for a five-year term that will expire at the end of the Village's official year in 2007.

Trustee Lynn Leopold moved to appoint Doris Brown to the Planning Board. Trustee Larry Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Lynn Leopold- Aye	Trustee Larry Fresinski-
Aye	Trustee Frank Moore- Aye	
Trustee Janet Beebe- Aye		

This will make Doris the longest standing Planning Board Member.

Next proposed resolution was to appointment a Member to the Board of Zoning Appeals. Don is still working on this so he asks to postpone this until later. It was not necessary to reappoint the clerk/treasurer and clerk P.T. this year since they are two-year terms. The Mayor has a problem with making the Ithaca Journal the Village official newspaper. The reporting that the Ithaca Journal does is pretty much non-existing. When they do report it is usually wrong. However, this is our only choice for a newspaper.

RESOLUTION # 3856-Official Newspaper of the Village

Be it RESOLVED, that the Ithaca Journal is hereby established as the official paper for the publication of legal notices for the Village of Lansing.

Trustee Janet Beebe moved to establish the Ithaca Journal as the Village's official newspaper. Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill- Aye	Trustee Lynn Leopold- Aye	Trustee Larry Fresinski-
Aye	Trustee Frank Moore- Aye	
Trustee Janet Beebe- Aye		

RESOLUTION #3857-Establishment of Meeting Days

Be it RESOLVED, that the 1st and 3rd Mondays of the month, at 7:30PM, and the second Wednesday, following the first Monday of the month, at 12:00 noon are hereby established as regular meeting days for the Board of Trustees of the Village of Lansing with the exception of Federally Acknowledged Holidays and Major Religious Holidays.

Trustee Lynn Leopold moved to establish the meeting days. Trustee Larry Fresinski seconded the motion. A vote was taken:

	Mayor Donald Hartill- Aye	Trustee Lynn Leopold- Aye	Trustee Larry Fresinski-
Aye	Trustee Frank Moore- Aye		
	Trustee Janet Beebe-Aye		

The holidays that will be observed are Labor Day, Yom Kippur, Martin Luther King Day and Presidents Day. They all fall on our Monday meeting night.

RESOLUTION #3858 -Roberts Rules of Order

Be it RESOLVED, that the Board of Trustees hereby adopts Roberts Rules of Order as a procedural guideline for Village meetings.

Trustee Larry Fresinski moved to adopt Roberts Rules of Order as the procedural guidelines for Village meetings. Trustee Janet Beebe seconded the motion. A vote was taken:

	Mayor Donald Hartill- Aye	Trustee Lynn Leopold- Aye	Trustee Larry Fresinski-
Aye	Trustee Frank Moore- Aye		
	Trustee Janet Beebe-Aye		

RESOLUTION #3859-Authorization to Pay Claims prior to Audit

Be it RESOLVED, that the Village Clerk/Treasurer is hereby authorized to pay claims for utilities, postage, insurance, debt service and Bolton Point's charges for the quarterly water bills prior to audit by the Board of Trustees.

Trustee Larry Fresinski moved to authorize the Clerk/Treasurer to pay the above stated bills prior to audit by the Board of Trustees. Trustee Janet Beebe seconded the motion. A vote was taken:

	Mayor Donald Hartill- Aye	Trustee Lynn Leopold- Aye	Trustee Larry Fresinski-
Aye	Trustee Frank Moore- Aye		
	Trustee Janet Beebe-Aye		

RESOLUTION #3860-Salary for Board of Trustees

Be it RESOLVED, that the salaries for the Board of Trustees and the Mayor are hereby set at \$3,500 for each member of the Board of Trustees and \$9,000 for the Mayor for the 2002-2003 fiscal year.

Trustee Larry Fresinski moved to establish the salaries for the board members at \$3,500 and for the Mayor at \$9,000. Trustee Lynn Leopold seconded the motion. A vote was taken:

	Mayor Donald Hartill- Aye	Trustee Lynn Leopold- Aye	Trustee Larry Fresinski-
Aye	Trustee Frank Moore- Aye		
	Trustee Janet Beebe-Aye		

RESOLUTION #3861-Compensation for Planning Board

Be it RESOLVED, that the compensation paid to Planning Board members is hereby set at \$5,000 for the chairman and \$2,500 for each of the four members for the fiscal year 2002-2003.

Trustee Larry Fresinski moved to set the compensation rate for the Planning Board at \$5,000 for the chairman and \$2,500 for each member. Trustee Janet Beebe seconded the motion. A vote was taken:

Aye Mayor Donald Hartill- Aye Trustee Lynn Leopold- Aye Trustee Larry Fresinski-
Trustee Frank Moore- Aye
Trustee Janet Beebe-Aye

RESOLUTION #3862-Appointment of Elected Member to the Southern Cayuga Lake Intermunicipal Water Commission

Be it RESOLVED, that Donald Hartill is hereby appointed as an elected Village representative to the Southern Cayuga Lake Intermunicipal Water Commission.

Trustee Larry Fresinski moved to appoint Donald Hartill as the elected S.C.L.I.W.C representative. Trustee Frank Moore seconded the motion. A vote was taken:

Aye Mayor Donald Hartill- Aye Trustee Lynn Leopold- Aye Trustee Larry Fresinski-
Trustee Frank Moore- Aye
Trustee Janet Beebe-Aye

The Mayor stated that Michael Newman was the current chair of the commission. He has brought an expertise to the committee. Don recommends reappointing Michael.

RESOLUTION #3863-Appointment of Non-elected Member to the Southern Cayuga Lake Intermunicipal Water Commission

Be it RESOLVED, that Michael Newman is hereby appointed as non-elected Village representative to the Southern Cayuga Lake Intermunicipal Water Commission.

Trustee Lynn Leopold moved to appoint Michael Newman as the non-elected S.C.L.I.W.C representative. Trustee Larry Fresinski seconded the motion. A vote was taken:

Aye Mayor Donald Hartill- Aye Trustee Lynn Leopold- Aye Trustee Larry Fresinski-
Trustee Frank Moore- Aye
Trustee Janet Beebe-Aye

The Mayor commented that a contractor was installing a diesel generator at Bolton Point a couple of weeks ago and when fishing to draw conductors through a line they shorted out a transformer. There were no injuries. Michael played a key role in getting the plant back up and running in 8 hours. Lynn asked if the improvements they were doing meant that people would be losing their jobs. The Mayor said they weren't cutting any positions. With this automation they will have better control.

RESOLUTION #3864-Mileage Reimbursement Rate

Be it RESOLVED, that the mileage reimbursement rate to Village employees using personal cars for Village business shall be the federally approved mileage reimbursement rate.

Trustee Larry Fresinski moved to set the mileage reimbursement rate at the federally approved mileage reimbursement rate. Trustee Lynn Leopold seconded the motion. A vote was taken:

Aye Mayor Donald Hartill- Aye Trustee Lynn Leopold- Aye Trustee Larry Fresinski-
Trustee Frank Moore- Aye
Trustee Janet Beebe-Aye

The next resolution to consider was annual adoption of the procurement policy. The only change the board made was to increase the amount for the Estimated Amount of Purchase Contract from \$250-\$2,999 to \$500-\$2,999. This change

reflects the change made earlier in the year to increase the amount on property cards from \$250 to \$500. Any item that is purchased that cost over \$500 we have listed on property cards.

Resolution #3865-Annual Adoption of the Procurement Policy

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the Village involved in the procurement process, now, therefore, be it

RESOLVED, that the Village of Lansing does hereby adopt the following procurement policy which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE VILLAGE OF LANSING

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000; emergency purchases; certain municipal hospital purchases; goods purchased from correctional institutions; purchases under State and County contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This document may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. The purchase of all goods and services not subject to competitive bidding pursuant to Section 103 of the General Municipal Law will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided.
3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

Estimated Amount of Purchase Contract

\$500- \$2,999
\$3,000- \$19,999

Method

2 verbal quotations
3 written/fax quotations or written responses to the Village's request for proposal

Estimated Amount of Public Works Contract

\$500- \$2,999
\$3,000- \$19,999

Method

2 verbal quotations
3 written/fax quotations or written responses to the Village's request for proposal

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation is required whenever a contract is awarded to other than the lowest responsible offeror. This document will include an explanation of how the award will achieve savings or how the lowest offeror was not responsible. A determination that the offeror is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
6. Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the Village of Lansing to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performances of the services; and (c) whether the services require a personal relationship between the individual and the municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare or review plans, maps, and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of prepackaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
- c. Purchases of surplus and second-hand goods from any source other than a governmental entity. If alternate proposals are required, the Village is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
- d. Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.

This policy went into effect January 1, 1992 and will be reviewed annually.

Revised 5/6/02

Trustee Janet Beebe moved that we adopt the procurement policy. Trustee Larry Fresinski seconded the motion.

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

The Mayor stated that Jodi does a good job of making sure the village's money is earning the highest possible interest rate. We used to use Fleet Bank but they presently have a lower rate. Therefore, the two depositories the Village uses are Tompkins Trust Company and M&T Bank.

RESOLUTION #3866-Designation of Depositories

WHEREAS the board of trustees has determined that Village Law 4-412(3)(2) requires the designation of banks or trust companies for the deposit of all village monies;

NOW THEREFORE BE IT RESOLVED:

Section 1. That the board of trustees does hereby designate the following institutions as depositories of all moneys received by the village treasurer, clerk, and receiver of taxes.

Tompkins Trust Company
M&T Bank
Fleet Bank

Section 2. That this resolution shall take effect immediately.

Trustee Larry Fresinski moved to adopt this resolution. Trustee Frank Moore seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

This concluded the annual organizational meeting.

Next on the agenda was to consider Cayuga Lake Watershed Intermunicipal Agreement. The Mayor had Lynn introduce this. Lynn explained that this is a continuation of the IO. As it stands it is still just municipalities and grant money which fund it. The focus is on water quality and education. The annual fee they are requesting is the same amount as last year. There was an Intermunicipal Agreement Regarding The Cayuga Lake Watershed Restoration & Protection Plan which they proposed each municipality pass but the village felt that they should have Bill Troy revise it. The Board did decide to continue its support by paying the annual contribution of \$900.

Resolution #3867-To Contribute an Annual \$900 to the Normal Operating Budget of the Cayuga Lake Watershed Intermunicipal Organization for the Period of August 2002-August 2003

Trustee Lynn Leopold moved to adopt this resolution. Trustee Janet Beebe seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

Next on the agenda was mayor's comments. Don stated that the Assessment Department has done an update and mailed letters out to those whose assessed value has increased. If one would like to protest they may get a Complaint on Real Property Assessment form in the office to send in or attend the meetings.

Larry gave a report on where he was with choosing an engineering firm for the N. Triphammer Road Reconstruction Project. There are 15 firms that have been preapproved and he, Ned Hickey and Dave Herrick have selected 5 firms, which they will send a letter to. The criteria they used for selecting the firms was to look at the ranking done by both the County and the Region and then look at the number of subcontractors each firm would be using. Larry has a draft letter ready to go. Don added that there are very strict accounting rules that go along with this. Larry stated that all of these firms have worked on projects that require the same paperwork.

Don has not heard any more from the State but this summer they will be redoing the bridge over Route 13. The County

hopes to award the bid May 7th, start construction in June and complete the work on Triphammer by November. Burdick Hill Rd. will be the detour route for that project in the Town of Lansing.

Frank reported that he walked Cayuga Heights Rd. with Dave Putnam after the last meeting. Dave convinced Frank that the pavement width would be 28 feet without a major rework. Dave also stated that we could always go back and widen some areas. Each lane will be 10 feet wide with 4-foot shoulders on both sides. Frank suggested painting the shoulders. It was also suggested that we have rumble strips but the board decided that did more to cause panic than anything. Frank also commented that the pavement width in the Village of Cayuga Heights is only 22 feet. Frank is now ok with what's being done on Cayuga Heights Road. Don suggested we look into microcoating the shoulders a different color.

Don spoke with Dave Putnam and he mentioned that there is a property issue with regards to the Swartout property. Our road goes across someone else's property. The Trans have agreed to quit claim to the Village their portion of property, which has our road is on. There is another portion of property that is adjacent to the Edelman Property we recently acquired. Jerry Talandis is the owner of this property and has agreed to quit claim the triangled piece of property us for \$1,000. The size of the property is close to an acre.

Resolution #3868- To Authorize the Mayor to Spend a Maximum of \$1,000 for Quit Claim of the Talandis Property in Question

Trustee Larry Fresinski moved to accept this resolution. Trustee Lynn Leopold seconded the motion.

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

Don stated that he hadn't heard any more about an Article 78 regarding the Target Store. He feels that this probably will not happen.

Don asked the public if anyone had any additional questions regarding sewer since there was time left. Sorel ask how all this would be paid for. Don replied that the village currently has money in the sewer capital reserve fund and some can be BAN. The general tendency is to make it as painless as possible for the residents. Connection fees can then pay the sewer capital reserve fund back. The guiding principal is to be as fair as possible. Presently sewer goes as far north in the Village as Cedar Lane. Frank added that he received a sewer map from Dave Putnam today, which he'll try and copy in a smaller size so we can use it as a handout at the next meeting. Presently having no sewer units has dictated a non-sewered area. Technically the whole village is one sewer district. If we had units and a developer wanted to put in sewer they could if they paid for the pipe to connect to the sewer main. This however is very expensive.

The sewer draft agreement is taking so long because there are a number of errors. Chazen is the consultant. Each representative is trying to straighten out it's own municipality so that Chazen has correct information.

Motion- To Adjourn

Trustee Lynn Leopold moved adjournment. Trustee Larry Fresinski seconded the motion.

Mayor Donald Hartill-Aye
Trustee Lynn Leopold-Aye
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye
Trustee Larry Fresinski- Aye

The meeting adjourned at 9:45 P.M.

Jodi Dake
Village Clerk