

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 7, 2002, in the Village Office.

PRESENT: Mayor Donald Hartill (arrived late); Trustees Larry Fresinski, Lynn Leopold, Frank Moore and Janet Beebe; Planning Board member, Carol Klepack; Bill Troy, Attorney.

Deputy Mayor Larry Fresinski called the meeting to order at 7:45P.M. and opened the public comment period. Michael Ward of 107 Oakcrest is concerned with the Butler's plans for the land next to his on Oakcrest. Butler has received a permit from the code & zoning officer to put fill on the lot. Michael stated that the area is currently zoned commercial low traffic and he wants to see it remain that. Larry informed Michael that it is not in the board's interest to change the zoning. The zoning has been the same for over 25 years. Lynn, being a member of the lighting commission, asked Michael how the lighting situation is at his home. Michael stated that the fill has blocked most of the light from Pyramid Mall's parking lot and there hasn't been a problem.

Motion-To Close Public Comment Period

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

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

Motion-Approval of Minutes for September 11, 2002

Trustee Janet Beebe moved that the draft meeting notes, as reviewed and revised by the Board, are hereby adopted as the official minutes. Trustee Frank Moore seconded the motion. A vote was taken:

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

Lynn had asked Bob Nevin of 1261 East Shore Drive to come be part of the discussion on Kate's Hole. Bob lives down hill from Kate's hole and has been concerned with the amount of debris that has accumulated there. This area is a small watershed. Lynn, Bob and Dennis have hiked down in there and were shocked to find the culvert is 50% covered with debris. Lynn took pictures and shared them with the Board. The point is, Lynn & Bob feel it would be a dangerous situation if we should get a heavy rain and the culvert gets blocked. Lynn read a letter written by Brent Cross in 1998 after he had inspected Kate's Hole. Brent stated "although there appears to be a low risk (historically) of an obstruction, there could be a significant impact, both upstream and downstream, if the inlet was to become completely obstructed. This is due to the height of the embankment at the RR ROW." Brent also suggested in that letter that the village keep track of the status of this area once the Village becomes responsible for the maintenance of the McLain Recreation Area. The board was unclear who owned the property in question and suggested that we first find out who owns the property. A survey may need to be done. It was known that the Village owns some and that the Twin Glens owned the southside. The culvert is the responsibility of the landowner and the board did not know who it was. Bob went on to explain that 6-8 years ago the box culvert below his house got plugged and it did a lot of destruction. There were 22 truckloads of debris carried out of there. Troy stated that he remembers Brent Cross doing a calculation and telling him that there is no chance of that culvert giving way. Bob Nevin would like to see that calculation. Frank suggested we hire a consultant to access the situation. Larry suggested we first find out who owns the property. The Village can not do work on private property. Bob stated that Ben told him the Village could contract the work and charge it back to the property owner if they wouldn't agree to clean out the culvert. Troy stated that this

is only if there is a really hazardous situation. Bill will talk to the Mayor to see if we should get TG Miller to do a survey.

Jeff Geiger sent a letter to the Board requesting permission to hunt deer with bow on the Murray Estates again this year. The Village has allowed him to hunt on the Murray Estates for the last nine years to help to control the deer population. Again this year DEC Region 7 has given special permits that can be used during hunting season to help thin out the doe population. This ordinance is renewed on an annual request. Frank felt we should not approve this because it was not on the agenda for the public to be aware of and also because we have had a couple of complaints in the village. After some discussion it was concluded that it is unclear if the hunting incidents were part of Geiger's controlled hunt or if it was intruders.

Carol and Jodi have been reviewing and updating the Policies and Procedures Book and have found a few minor changes that should be addressed because they are no longer correct. The following list was compiled by Carol for the Board to consider:

**1. Emergency Preparedness Plan**

Old version: Red Cross is located at 531 W. State St., 273-6684

Correct Info: Change Red Cross location to 201 W. Clinton St., 273-1900

The Board agreed to update this information.

**2. Hazard Communications Statement**

Old version: Refers to Smith & Howell – no longer employees

Refers to Village Hall rather than Village Office

Attorney Troy suggested that we do not list names but rather list positions. Also the records are stored in the Village Garage and not the Village Hall. Instead of referencing people insert working supervisor. Remove Smith & Howell from document.

**3. Smoking Policy**

Old version: Enforcement agent is Harriet Budke – no longer employee

Board would like this sentence completely removed.

**4. Street Tree Approvals & Street Tree Planting Program**

Old version: In procedures and guidelines, CAC is referenced numerous times

Correct Info: Replace CAC with the Superintendent of Public Works

**5. Worker's Compensation Pay for Employees**

Old version: This is a separate policy

The Board would like to leave it separate from the Employee handbook.

**6. School, Conferences & Seminars**

Old version: Again, a separate policy

Correct Info: Add it to the Employee's Handbook

Already in the Employee Manual so no change.

**7. Water Rates Adjusting Procedure**

Old version: References the Village Water Inspector position which no longer exists

New version: Delete reference to Village Water Inspector

The Mayor entertained a motion to approve the update of the changes with the modifications as listed above.

**RESOLUTION #3906-To Adopt The Updates to the Village's Policies & Procedures**

Trustee Lynn Leopold moved to adopt this resolution and Trustee Frank Moore seconded the motion.

Mayor Donald Hartill- Aye

Trustee Larry Fresinski- Aye

Trustee Janet Beebe-Aye

Trustee Lynn Leopold- Aye

Trustee Frank Moore-Aye

(The updated policies in their entirety will be attached to the minutes.)

The board continued discussion of the controlled deer hunt. The major concern was the observation of hunters obviously hunting within the 500-foot limit of adjacent houses. This was a particular concern along Oakcrest Road. Residents have seen hunters getting out of cars on Oakcrest and entering the Murray Estate property. The board did not know for sure if these hunters were trespassers or part of the controlled hunt. The Mayor will write a letter to Jeff Geiger telling him of these concerns and encourage him to call DEC if anyone is on the property that is not part of his controlled hunt. The Board was also concerned that you could see the hunters from the road and that this may increase the chance that others may think they can also hunt. Jodi will give Frank and Jeff both a copy of the law. If incidents such as these are seen again this year it will seriously jeopardize the renewal of this agreement for next year.

RESOLUTION #3907-To Continue the Arrangement the Village Has With Murray Estates to Allow Them to Have a Controlled Bow Hunt for Deer Herd Management While Following all Conditions Stated in the Village Local Law of 1993 During the 2001 Bow Hunting Season Subject to Conditions Underlined in the Mayors Letter.

Be it RESOLVED, that the Board of Trustees renews the request of Murray Estates to have a controlled bow hunt under the terms of the 1993 law.

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

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

Now that the Mayor was present, the board continued its discussion on Kate's Hole. Don stated that the Village owns a small strip on the north side. Don Hartill is one of three owners of the property the culvert in question is located on. Don stated that the logs that have fallen across the stream are inhibiting erosion. He feels the trees should be left to control the speed of water but agrees that the culvert needs to be cleared. Don is against bringing in heavy equipment that would disturb this unique natural area. A workday should be organized to remove the debris from the culvert and the area 50-100 feet in front of it. The end result was to find out the exact owner of the properties involved and get an engineer to go in and assess the situation and advise us of the appropriate action to take. The Mayor will get together with Engineer Brent Cross and then update Bob Nevan.

Mayor Hartill gave an update on the water and sewer meetings he has been attending. He also told the Board about his tour of the Cargill salt mine.

Frank reported that Dennis Reinhart has found where the bridge goes and is ready to build it. Frank thinks the Greenway Development Committee should get together with Dennis to create a work plan. Don supports this and thinks it would be a good idea for the committee to establish a relationship with Dennis.

Larry Fresinski stated that we needed to set up a public hearing to consider the Cable Franchise Agreement. The deadline to act on Time Warner Cable's response to the RFRO is November 7, 2002. Larry had hoped that Tom Doheny would have attended tonight's meeting to discuss this but he had not. The issues that need to be dealt with are the franchise fee and if we want public access.

RESOLUTION #3908-To Set a Public Hearing for Consideration of a Cable Franchise Agreement for October 21, 2002 at 7:35 at the Village Office, 2405 N. Triphammer Rd.

Trustee Fresinski moved to adopt this resolution and Trustee Leopold seconded the motion.

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

Trustee Janet Beebe-Aye

Motion- To Adjourn

Trustee Fresinski moved adjournment. Trustee Leopold seconded the motion.

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

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

The board adjourned at 10:25pm.

Jodi Dake  
Village Clerk