

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, June 17, 2013, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Lynn Leopold, Julie Baker, John O'Neill and Patricia O'Rourke; Clerk/Treasurer, Jodi Dake; Attorney David Dubow; Planning Board Member, Lisa Schleelein

Mayor Hartill called the meeting to order at 7:32pm and opened the public comment period. There were no comments.

Motion-To Close the Public Comment Period

Trustee O'Neill moved to close the public comment period. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Lynn Leopold-Aye	Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye	

The next item on the agenda was to continue to discuss Comprehensive Plan survey questions. Lynn stated that the Town has not gotten back to her after their last discussion on the survey. Once they get the information back to the Village, Lynn and Julie will do a final review. Hartill stated that the Board endorses Lynn's and Julie's wisdom. It's time to move on.

The next item on the agenda was to approve five sets of minutes.

Motion- To Approve the Minutes from April 15, 2013

Trustee Leopold moved to approve the minutes. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain	Trustee John O'Neill-Aye
Trustee Julie Baker-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

Motion- To Approve the Minutes from April 29 and June 3, 2013

Trustee O'Rourke moved to approve the minutes. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Julie Baker-Aye	Trustee Lynn Leopold-Aye

Trustee Patricia O'Rourke-Aye

Motion- To Approve the Minutes from May 6, 2013

Trustee Baker moved to approve the minutes. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye	Trustee Julie Baker-Aye
Trustee Lynn Leopold-Abstain	

Motion- To Approve the Minutes from May 20, 2013

Trustee Leopold moved to approve the minutes. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Julie Baker-Abstain	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

The Board reviewed a copy of the letter the Mayor received from the Tompkins County Council of Governments (TCCOG) regarding turning over the funds that were collected several years ago by various municipalities and held by the Village for negotiation expenses relating to the Time Warner Cable Franchise. Currently, \$3,462.67 is held in Trust here at the Village of Lansing. The Village acquired the funds because Ben Curtis, the Village's former Code & Zoning Officer, was the President of the previous Cable Franchise group. The funds would be turned over to be controlled by the Tompkins County Finance Department on behalf of TCCOG in the same manner in which they manage other TCCOG funds. Many municipalities have contributed to this. Hartill entertained a motion to turn the funds over. The money will be used to negotiate with TWC on behalf of all municipalities involved. Contracts are for ten year periods. Services change dramatically in a ten year contract period.

Res#5982-To Authorize the Clerk/Treasurer to Turn Over the Time Warner Cable Checking Account Monies to Tompkins County Finance Department for the Purpose of Time Warner Cable Franchise Negotiations.

Trustee Leopold moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Lynn Leopold-Aye	Trustee Patricia O'Rourke-Aye
Trustee Julie Baker-Aye	

Jodi has forwarded to the Board members a notice which came from NYCOM General Counsel Wade Beltramo regarding the Uniform Notice of Claim Act. On December 17,

2012, Governor Cuomo signed the Uniform Notice of Claim Act into law. The Act, which became effective on June 15, 2013, amended New York's General Municipal Law to allow notices of claim against cities and villages\* to be served on the New York Secretary of State as agent for New York's public corporations. Pursuant to the Act, the New York Department of State will forward any notice of claim served on it to the individual the city or village designates to receive the notices of claim.

To effectuate this new method of serving notices of claim on public corporations, General Municipal Law § 53 was added and requires each city and village to file with the New York Department of State a certificate that (a) designates the New York Secretary of State as the local government's agent for service of notices of claim, (b) provides the name and address of an officer, person, or designee, nominee or other agent-in-fact to which the Secretary of State will forward any notices of claim, and (c) provides the applicable time limit for filing a notice of claim on the city or village. Note that General Municipal Law § 50-e imposes a general 90 day time limit for filing a notice of claim. City and village officials should check with their attorney to determine if a different time limit has been established by statute.

The Village needs to adopt a resolution approving the designation and appointing the individual to whom the Secretary of State must mail notices of claim. City and village officials have until July 15, 2013 to file the certificate with the Secretary of State.

In the past the Notices of Claim were sent to each municipality, but now the State will receive the Notices and they will inform the individual municipalities affected. It was explained that claims generally must be made within 90 days, and the State is concerned that there is no uniform way to do this. One example is the bus accident that happened in the Village at Warren Road and Northwood's Drive. Even though the accident happened in the Village of Lansing we are not liable because Tompkins County owns Warren Road and Northwood Road is a private road. This change is an attempt to normalize this type of situation.

Res#5983-To Approve the Designation and Make the Appointment of Jodi Dake to Be the Receiver of Notice of Claim from the Secretary of State for the Village of Lansing

WHEREAS, Governor Cuomo has signed the Uniform Notice of Claim Act (the "Act") into law, which law amends New York's General Municipal Law to allow notices of claim against cities and villages to be served on the New York Secretary of State as agent for New York's public corporations; and to effectuate this new method of serving notices of claim on public corporations, General Municipal Law § 53 has been added to the laws of the State; and

WHEREAS, pursuant to the Act, the New York Department of State will forward any notice of claim served on it to the individual that the city or village designates to receive the notices of claim so served;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Village of Lansing shall file with the New York Department of State the required certificate that (a) designates the New York Secretary of State as the local government's agent for service of notices of claim; (b) provides Jodi Dake, Village Clerk/Treasurer, as the designated individual for the Village to which the Secretary of State will forward any notices of claim; and (c) confirms that General Municipal Law § 50-e imposes a general ninety (90) day time limit for filing a notice of claim.

Trustee Baker moved this resolution. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Lynn Leopold-Aye  
Trustee Julie Baker-Aye

Trustee John O'Neill-Aye  
Trustee Patricia O'Rourke-Aye

During the Mayor's comments Don stated that we had our ground breaking ceremony this afternoon for the new Office building. Lynn stated that when Adam dug out a bush from the rain garden it was right over a gas line. It is very nice to finally get the project under way. At the ceremony, the Board was introduced to Matt Pratt, our project manager and his supervisor Link Morse of Morse Project Management. Edgar Enterprises is the General Contractor. Vince Nicotra from QPK Design was also present.

Lynn stated that we have until mid-July before they remove the rain garden. Lynn stated that if anyone would like to adopt a plant please take them! Many of the plants can be reused around the new building. At the last meeting the Board asked Marty to contact David Fernandez of Cayuga Landscape to do a landscaping plan for the new Office and he will be incorporating many of the plants we already have.

O'Neill asked if the Southern Cayuga Lake Intermunicipal Water Commission had started building a sister tank to the current Burdick Hill Tank. Hartill stated that the new tank was thought to have a leak, but after further testing it was ok. The same company that built that tank will build the replacement tank. The bid was awarded; bonding was completed Thursday so they will be proceeding soon. That will be the last of the big capital projects that will need to be done by the Commission. The other big project the Village has is to go under Route 13 with a transmission main. Bolton Point also has to go under Route 13, so we hope to coordinate the process and possibly use a common contractor to lower the overall costs of the two combined projects.

Lynn reported on this afternoon's Water Resource Council meeting. They have been surveying this month the inlet for Hydrilla. It's been too cold for them to start moving. Some are now up 3-4 inches and still in the sediment. They plan to start aqua treatment in mid-July. Meanwhile, lots of surveying is going on. There are 2 ponds in Broome County that also have identified Hydrilla. No one knows how it got there. A new treatment will be tested on one of the ponds. Hydrilla can be transported by ducks or geese, and it is really aggressive. There are stewards at different locations around the county to help inform boaters.

Lynn stated that the Ithaca Journal had an article on chemicals in our drinking water. The headline was eye grabbing. Hartill explained that SCLIWC has one tank by NYSEG Plant area where water consumption is down due to low operating conditions so the volume of water sits there longer than in the past. The Mayor indicated that the sampling of the Ithaca Water Plant and Cornell Plant indicates a much bigger problem for them. Our system wide count is 50 parts per billion. The limit is 80 parts per billion and this particular tank was 89 parts per billion. It's better than what is in your plastic water bottle you buy in the store. The problem is the length of time water stays in the tank. This is the Town of Lansing's problem since it is their tank. To resolve the issue they will probably just install an aerator. Veavor stated that the Town Supervisor, Cathy Miller, said that the Town will flush the pipes and then eventually utilize an aerator.

It was also indicated that there is some work being done on arsenic with respect to smaller municipal water plants served by wells. Some have been detected in the Village of Dryden, mostly in deep wells in glacial type areas. One committee is working on a public information piece that will go out in the paper.

Dubow stated that the Village of Dryden issue is largely due to federal government and NYS standards having been adjusted downward. Their arsenic levels are generally the same as they have been in the past under the previous provision, but now there is some non-compliance because of altered standards. Hartill stated that once you can sense something easily you change bases even if there is no scientific basis for it. The Mayor feels we are in relatively good shape. Reverse osmosis and charcoal gets rid of most of it.

Motion- To Adjourn

Trustee O'Neill moved for adjournment. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Patricia O'Rourke -Aye

Trustee Julie Baker-Aye

Trustee Lynn Leopold-Aye

Trustee John O'Neill -Aye

The meeting adjourned at 8:10pm.

Jodi Dake  
Clerk/Treasurer