

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, December 15, 2014, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustee Lynn Leopold, John O'Neill, Patricia O'Rourke and Trustee Gerald Monaghan; Clerk/Treasurer, Jodi Dake; Attorney David Dubow;

Mayor Hartill called the meeting to order at 7:37pm and opened the public comment period. There was no public comment.

Motion- To Close the Public Comment Period

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

Mayor Donald Hartill-Aye Trustee Gerry Monaghan-Aye
Trustee John O'Neill-Aye Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye

Bernd Blosssey was present to discuss proceeding with the NYSDEC Deer Nuisance Program. He distributed an outline to the Board giving information on the proposed program and a map of potential locations. The Nuisance Hunt would take place from 2/1/15 to 3/31/15 from day break until 11pm, which is what the DEC approves. Locations would be strategically placed through the Village of Lansing, depending on landowner approval. Currently, three Cornell sites and the Leopold property are the only properties that have already agreed to a nuisance hunt. Other landowners would need to be approached. The operating procedures would be:

- Bait with corn, tree stands, including shooting using light
- Group of hunters selected from current participants
- Single hunter for each location with a maximum of 2 visits per week
- Only compound bows will be used.

The proposed operating procedures are the same as those used by Cornell. Hunters that will be used in the Village were trained by Cornell Nuisance program personnel.

For the nuisance hunt, there is a request that the Village pay for the corn used for baiting and the automated feeders that will be used. Bernd estimates that the cost of corn would be between \$240-\$360. Each automated feeder runs around \$50-\$100. The number of feeders needed depends on the number of properties that are being hunted. Bernd believes we will start with 5 to 10 sites.

O'Neill asked if there is a fee to hunt in the Village. Bernd stated that there is no required fee. They do, however, ask people if they would like to contribute to maintenance of tree stands.

Monaghan asked what is done with the meat. Bernd stated that it is used by the hunters or landowners, and also goes to the southern tier food bank. Monaghan was happy to learn that some of the venison goes to the food bank.

We've taken 40 deer so far during the regular hunting season. Bernd has already discussed this program with the NYSDEC. We would apply as a Village. Bernd can draw up the simple form, but a Village representative would have to sign.

It was asked when the fly-over for the deer census would be done. Bernd stated that they would like to have snow on the ground so he thinks that it will be the end of January. They would also like the Village to contribute to that cost.

Dubow stated that if the Board decides they want to proceed with a nuisance hunt pursuant to the NYSDEC provisions and the Village Law provisions, the Village may need to amend the Village's current firearms/deer hunting provisions. Dubow pointed out some of the current Code provisions are inconsistent with a nuisance hunt. Changes may have to be made by Local Law which would require a public hearing. The Board asked Dubow to review the current law and if necessary, put a law together to be presented at the January 5th Board of Trustee meeting. A public hearing could then be scheduled for the next meeting, which would be February 2nd. Dubow stated that if timing is an issue, the Board can always schedule a special meeting. Lynn thinks we need two separate laws. The current Law is broadly defined and Dubow feels you just need to address the nuisance permit.

The next item on the agenda was to approve minutes from November 17th and December 1st.

Motion- To Approve the Minutes November 17th

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

Mayor Donald Hartill-Abstain
Trustee Gerry Monaghan-Aye
Trustee Patricia O'Rourke-Abstain

Trustee John O'Neill-Aye
Trustee Lynn Leopold-Aye

Motion- To Approve the Minutes December 1st

Trustee Monaghan 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 Gerry Monaghan-Aye Trustee Lynn Leopold-Abstain
Trustee Patricia O'Rourke-Abstain

Dake asked if everyone had had a chance to review the minutes from Thursday's meeting.

Motion- To Approve the Minutes December 11th

Trustee Leopold moved to approve the minutes. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye Trustee John O'Neill-Aye
Trustee Gerry Monaghan-Aye Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye

Leopold asked if we had a new MEO to consider for hiring. Hartill stated that we have found a replacement for LaLonde. Today he and John Courtney met with Thomas Stephens of Newark Valley and offered him the Position of Motor Equipment Operator contingent upon the Board's approval. Thomas seems to be very low key, has lots of experience working with the Town of Union, is familiar with plowing and heavy equipment operation, and seems like he will be a good match for the Highway Department. One concern was that he lives in Newark Valley, but his wife also works in this area and is not against relocating. The hourly amount of \$19 was the agreed upon payment amount along with giving him 8 hours holiday pay on Christmas, the day after Christmas, New Year's Day and the day after that. If the Board approves this appointment, Courtney would like to have Stephens start tomorrow.

Resolution # 6117- To Hire Thomas Stephens as Motor Equipment Operator at a Rate of \$19.00 Per Hour and Agree to Pay Holiday Pay for Christmas, The Day After Christmas, New Year's Day and the Day After New Year's at 8 hours Holiday Pay Each Day.

Trustee Monaghan moved to hire Thomas Stephens. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye Trustee John O'Neill-Aye
Trustee Gerry Monaghan-Aye Trustee Lynn Leopold-Abstain
Trustee Patricia O'Rourke-Aye

Dake stated that she has run a social security check on Stephens and had him fill out payroll paperwork. Courtney was also able to get his pre-employment drug test today.

Mayor Hartill stated that we may be lucky to get our new truck by the end of the year. Our Sterling is doing well so it isn't an issue.

The next item on the agenda was an update on the Catherwood Road conveyance. Hartill stated that NYSDOT has acknowledged its ownership of Catherwood Road and expressed its willingness to transfer the road from the State to the Village.

Dubow explained that what NYSDOT has requested of the Village is that we provide a resolution whereby the Village accepts ownership of the road and confirms its willingness to maintain and repair the road. Dubow has previously prepared a proposed resolution for the Board's to review. Unfortunately, the NYSDOT has not provided much guidance as to exactly what they want and/or need, so what he has prepared may very likely require some revisions. After some discussion, it was agreed that it would make sense for us to not formally adopt the resolution at this time, but rather to provide the draft resolution to Marty Moseley's contact at the NYSDOT in the hope that she can take a look and hopefully confirm that the resolution is appropriate and satisfactory. The Board was in favor of the proposed resolution being sent to them. The following draft resolution will be given to Moseley to be forwarded to his contact at NYSDOT:

Proposed Resolution-To Accept the Offer Made By New York State to the Village of Lansing for the Transfer of Catherwood Road, Currently Owned by New York State and Situated in the Village of Lansing

WHEREAS, the Village of Lansing, a municipal corporation in the County of Tompkins (the "Village"), with offices in the Village and with an address at 2405 North Triphammer Road, Ithaca, New York 14850, has received an offer by the State of New York (the "State") to transfer to the Village a road identified as Catherwood Road and currently owned by the State ("Catherwood Road"), situated in the Village, together with any and all related and existing improvements (including, but not limited to, water mains, sewer mains, and other utility infrastructure located within the bounds of such road right-of-way premises), and all other existing rights and benefits associated with and in favor of the Village (the "Offer"); and

WHEREAS, Catherwood Road, as owned by the State, was originally situated in what was previously the Town of Lansing and is now the Village pursuant to the incorporation of the Village and subsequent annexation proceedings during the early 1970's and;

WHEREAS, it has been determined that the Village has prior hereto and over an extended period of time, assumed repair and maintenance obligations with respect to Catherwood Road; and

WHEREAS, the Village is in favor of (i) the State formally transferring Catherwood Road to the Village as proposed and (ii) the Village continuing its obligations to repair and maintain such road as has been done in the past; and

WHEREAS, the Village wishes to accept the Offer, subject, however, to certain required additional conditions as set forth below;

NOW, THEREFORE, be it resolved by the Board of Trustees of the Village as follows:

1. The Village hereby accepts the Offer, subject to full and complete satisfaction of each of the following conditions:
 - a. The scheduling of and completion of the required public hearing to be held in reference to the Offer to transfer the subject property in accordance with Sections 6-612 and 6-614 of the Village Law of the State of New York, and confirmation thereafter that the Village Board intends to reaffirm its acceptance of the Offer by further resolution of the Village Board in accordance with Sections 6-612 and 6-614 of the Village Law of the State of New York; and
 - b. Delivery to, review by, and approval of the Village Attorney of original and executed copies of each and every document required in order to complete the transfer and conveyance of the subject property and related improvements in accordance with all applicable provisions of the State and Village laws, rules and regulations; and
 - c. Recording and filing of the required transfer and conveyance documents for the subject property and related improvements, and recording and filing of any other documentation necessary to complete the conveyance and transfer of such property free and clear of all liens and encumbrances other than customary public utility easements of record and such additional easements and/or rights-of-way that will not impair the Village's ability to use Catherwood Road for its intended purpose.
2. The required public hearing shall be conducted in regard to the Offer at the regularly scheduled meeting of the Board of Trustees of the Village on January 5, 2015, at 7:35 PM, all in accordance with the provisions of Sections 6-612 and 6-614 of the Village Law of the State of New York.

Dubow stated that once we receive the needed confirmation for the resolution from NYSDOT, the Board can then formally adopt the resolution, schedule a public hearing, hold the public hearing and then adopt the necessary reaffirmation resolution.

It was pointed out that we have maintained that road since the Village was formed. The ownership issue came to our attention during N. Triphammer Road Reconstruction Project, and NYSDOT has finally acknowledged that they do own it and are willing to transfer it to the Village. This whole situation was inherited when the Village was formed. Hartill stated that we are also trying to obtain ownership of property to increase the width of Graham Road West and install a proper sidewalk.

During the Mayors Comments, Hartill stated that the last easement for the Route 13 Water Improvement Project is just about in place. Confirmation will be obtained as to the approval and execution of the joint agreement documentation by all five SCLIWC member municipalities. After this is confirmed, the Mayor will sign the Notice to Proceed. The Route 13 Water Improvement Project will be done this winter. The ground needs to be frozen before they can start so we are still good on timing.

Monaghan stated that he has been very interested in researching the history of the Village of Lansing. He stated that the Village was officially formed on December 19, 1974 so it is very close to our 40th anniversary. Monaghan also informed the Board that former Mayor Sy Smidt has undergone heart surgery.

Monaghan is concerned with the YMCA path. It is full of boulders and there is a path that is not cleared. He is also concerned with what seems to be auto storage behind the old Sears Store. The Village Code & Zoning Officer, Marty Moseley, would be the one to contact on these issues.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye
Trustee Gerry Monaghan-Aye
Trustee Patricia O'Rourke-Aye

Trustee John O'Neill-Aye
Trustee Lynn Leopold-Abstain

The meeting adjourned at 8:27pm.

Jodi Dake
Clerk/Treasurer