

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Thursday, May 12, 2016, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, Gerry Monaghan, Patricia O'Rourke and John O'Neill; Clerk/Treasurer, Jodi Dake; Code & Zoning Officer, Marty Moseley; Supt. of Public Works John Courtney; MEO, Chris Zavaski, Deborah Dawson, Planning Board Member.

Mayor Hartill called the Board of Trustees meeting to order at 12:15.

Boris Simkin was present to discuss the water and drainage issues at 1664 E. Shore Drive and Sun Path Road. Simkin stated that on April 8th he talked with the Mayor and expressed his concerns and has been waiting for a response to see if the Village would reimburse him for the cost of ditching and installing a culvert along the north side of Sun Path Road in front of 1664 East Shore Drive. Mayor Hartill apologized for not contacting him sooner. The situation was considered at the meeting on April 14th. Simkin was under the impression that he would be invited to that meeting. Simkin didn't think it was fair to discuss the situation without his input. After reading the minutes from the April 14th meeting, Simkin stated that he is even more confused. Simkin read the portion on this topic from the 4/18 minutes to the Board. He also handed out a "Statement of Facts" which he had created.

Simkin feels the work was done in the Village right of way (ROW), and was the responsibility of the Village and not his to perform. In Mayor Hartill's email to Simkin he stated that the work is on his property. Hartill feels that at least 1/2 of the ditching is on Simkin's property. Simkin asked Courtney if the property where the ditch and culvert are located is his or the Town's property. Courtney stated that he could not answer that question because some roads are owned by dedication and others by right of way. Courtney would need to see the deed to actually determine that. Hartill stated that usually the right of way goes from the middle of the road to a certain width of road. Boris thinks that it is 25ft from the center line. If this is the case, it is definitely in the Village ROW. Boris asked Moseley if when someone submits plans, are you required to have the Highway Department sign off before a building permit is issued. At 1654 E. Shore Dr. the engineer designed the culvert. At 1664 E. Shore Dr. nothing was mentioned in the resolution. Moseley stated communication, with the Superintendent of Public Works, is required for the building permit application process by the applicant and that there is a condition on the building permit that you must get the Highway Superintendent to sign off prior to the Certificate of Compliance being issued. When Simkin got the building permit Courtney was ok with it.

Courtney stated that he went to look at the property being discussed again today. Courtney stated that originally the sheet flow went onto property from the road, and when the foundation was dug the elevation of the lot was raised and pushed the water to the

road. That is altering the lot and it is not the Village's responsibility. Courtney stated that he was fine with the no culvert design if the water could drain to E. Shore Dr. Courtney stated that there were multiple times that he went to the site but the contractor was not there to meet him. Courtney feels the contractors' incompetence caused this problem.

Simkin stated that the culvert is there. Simkin indicated that there is a waterline running from Route 34 to others on Sun Path Road and that there is now an issue because there is less dirt cover for frost protection. Simkin asked Courtney if he approved the waterline. Courtney indicated that he did not and that the Town approved this waterline, not the Village. Courtney added that Bolton Point also inspected the waterline. There is 200 feet of water main in the Village ROW. Boris asked if when a water line is accepted then it is ok for the Town to accept it for the Village. The point is the water main was installed 2 years ago and it was accepted. Courtney stated that Simkin added dirt because they hit rock instead of jackhammering out rock for the correct depth. Simkin asked if Courtney told the Town the waterline was not acceptable because of the depth from the finished grade to the waterline. Courtney stated that they asked them to go back and grade to add cover for the waterline. Simkin disagreed. Courtney stated that Steve at Bolton Point indicated that the waterline is shallow. Courtney feels the situation was created because they built up the lot. Courtney stated that they pushed the water to the road. Courtney feels it was forced upon him because of poor workmanship. Courtney feels that the developer created the problem. If there was a natural ditch he would have no problem.

The water main was accepted but now there is a problem because the water line is only 3 ft. deep, not the necessary 5 feet. Courtney stated that he never looked at the water line or accepted it. Courtney stated that Steve from Bolton Point doesn't have a problem with the depth since the line is an 8-inch line and will have flow to other residents on the road. Courtney stated that he would pipe the culvert if there ends up being a problem. Courtney stated that if it is my fault I will take care of it. We are accepting the problem; however, Courtney is confident that the water line will work fine. Courtney added that he required Simkin to install 2" blue board insulation over the waterline lateral to 1664 East Shore Drive to protect the water lateral from freezing. Boris questioned why Courtney didn't tell Chuck from the beginning that this needed to be done. Courtney stated that he is not on trial for this. Simkin thinks it wasn't done correctly. Simkin doesn't think it was fair business from the Village of Lansing.

Boris asked the Board to reconsider the reimbursement for the work that was done. Mayor Hartill stated that he doesn't want to reconsider this issue. Hartill told Simkin to consider a legal path if he would like.

Boris left the meeting. Hartill stated that the whole development from beginning has been a problem. The difficulty was the Town accepting the water line. Courtney stated that Moseley did a great job of keeping a paper trail. O'Rourke asked if the Mayor had spoken with Jack at the Town of Lansing. Hartill had not; Jack is no longer the Town Highway Superintendent.

Courtney reported that they are gearing up to get some projects going. Next week the

sidewalk from Pyramid down to the existing walk will be started. Courtney has tentatively come up with a good layout of a proposed park on the Dart property. The plan is to leave most trees except in the playing field area. He continues to work on getting easements to do Uptown sidewalk. A 30" culvert needs to be replaced. Paving will take place next Wednesday and Thursday on Cayuga Hills and Hampton Hills. Then the cold joint on Sheraton Dr. will be paved. The guys have been working on mowing the parks and buttoning up the water breaks we had. He has contracted for lights in Highgate Circle area and some tree trimming.

It was asked where we were with acquiring Northwood Road. Hartill stated that it is currently in the Northwood lawyers' hands but he will make a call to see if it can be moved along.

Courtney requested that the Board surplus the 2011 Truck. He would like to list it on Craig's List for 10 days at the Kelly Blue Book value and take sealed offers with a set minimum offer. He feels we will get more this way than we would if we sent it to auction.

Resolution#6279- To Surplus the 2011 Chevy Silverado Truck

Trustee Hardaway moved this resolution. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee John O'Neill -Aye

Trustee Gerry Monaghan-Aye

Trustee Patricia O'Rourke-Aye

Trustee Ronny Hardaway-Aye

Chris had nothing to report.

The Mayor noticed that they have done some improvements to our lawn. There are still some bad spots in our lawn and Courtney stated that they will try some weed and feed fertilizer. Moseley added that the Village is holding some escrow money that can be used to pay for lawn restoration. On 10/29/14 Edger Enterprises of Elmira placed \$1,000 in escrow for lawn repair which was supposed to take place in the spring of 2015 as part of the new Administration Building project. Edgar was supposed to come back and fix the lawn and sidewalk. They did come back and fixed the sidewalk but not the lawn. We may want to consider buying sod if we are having difficulty getting grass to grow.

O'Neill feels that Janivar Dr. has a horrible speeding problem. In the morning there are 2-3 kids waiting for the bus on Janivar Dr. and another 2 children on Leifs Way. O'Neill wants the Village to consider installing stop signs on Janivar. Courtney highly discourages the installation of stop signs to be used as traffic calming. To install stop signs we would have to do a local law and a traffic study to justify the installation of stop signs. Hartill feels we should get a speed recording device installed in that area to see how fast people are going up there. Courtney stated that the cost is about \$2500 for each sign. He would like to order two speed signs that store data which we will be able to

analyze.

Resolution#6280- To Authorize the Purchase of Two Traffic Speed Signs and 6 Batteries for the Signs

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

Mayor Donald Hartill-Aye

Trustee John O'Neill –Aye

Trustee Gerry Monaghan-Aye

Trustee Patricia O'Rourke-Aye

Trustee Ronny Hardaway-Aye

Courtney stated that the UNCS School on Dart Dr. would like a school speed zone. They don't qualify because there is no crosswalk or crossing guard. Hardaway feels the physics of that intersection already controls the speed. Courtney stated that it would cost about\$1,500 to sign a school zone. A majority of the kids are not walking, they are driven in.

The Craft Rd. traffic signal needs some adjustments. Courtney will talk to TG Miller and do the adjustments.

Moseley stated that he had a Nor Way discussion with David Dubow. Dubow anticipates having the closing in one week. We are still trying to progress on Graham Rd West. Hartill apologized for not having the discussion with other interested parties.

There is a new house that will be built at 19 Millcroft. Other permits have been issued for solar installation, additions, decks, and a rebuild of Gaslight Village decks. There is a sign permit for the Health Care campus area which are for wayfinding purposes. The last two Planning Board meetings were canceled. CU Suites is still progressing . Moseley has reviewed the plans and sent five sheets of questions back to them.

Monaghan stated that he wants to review the circus permit. Moseley stated that the way the local law is written there is no chance for it to be reviewed by the Board of Trustees or the Planning Board. Administratively, Moseley can work with them to move where the camping area will be. The circus might not even come back. We currently don't even have a request.

Monaghan stated that he will be attending the transit services meeting today at 3:30pm. He is currently working on a referendum of support which he would like to see supported by all municipalities in the area. Rural areas are not getting the support they need.

The installation of art in Dankert Park will be done the last week of May. Shannon Park is having a neighborhood meeting. Monaghan wants the Village to redesign the entrance of that park.

Monaghan is concerned with the intersection at the north end of Cayuga Heights Rd. with East Shore Drive. He wondered how we move ahead with that discussion. Courtney will talk to Dave Herrick to see where the right-of-ways are in that area. Hartill stated that we've talked about this intersection a number of times. You have a problem with sight distance up the hill. Hartill feels the correct solution would be to close it off and go around to Burdick Hill Rd. There was a study done in 1990 and in a 25 year period there were approximately 90 accidents. Monaghan feels we need to advocate for this. Monaghan wants to present this to transit services. This project would be a combination of the State and Village. It would have to satisfy all NYSDOT standards. We first need to understand who owns the property.

Hartill stated that he has chatted with Courtney about a number of projects. We did hear from Andrew on the acquisition of Northwood Road and he stated that his legal staff is tied up. We can't start work until Northwood is dedicated. To work on the new park area we can get to on the north side of Woodthrus Hollow but not from the south side. There is some pressure on getting Northwood Road.

Hartill had lunch with Ed LaVigne and they discussed some opportunities to make progress on Village/Town matters. Ed is aware of our tax concern and is interested in building bridges. One way the Village could help the Town out would be with snow plowing. Several of the Town's DPW employees are senior and not able to plow.

Mayor Kate Supron is retiring after serving the Village of Cayuga Heights for 6 years. She has accepted a full time position at Cornell beginning May 31, 2016. Her position as Mayor will be filled by Linda Woodard, a retired statistician.

Dake informed the Board that the Joint Youth Commission Annual Report is in everyone's folders. There is a sign-up sheet for Trustees to sign up to cover Planning Board meetings in the next year. She asked the Trustees to fill in where they are able to cover the meetings. Once everyone has signed up, Dake will email the list to the Trustees.

Dake stated that there are some more budget transfers that need to be completed. Budget Transfers Needed. The following accounts are overspent:

GENERAL

A1420.4-Law, Contractual-\$2,217 (There was approximately \$6,000 in April legal expenses and there will be more in May) Can transfer from Planning Board Legal, A8020.41 The Board suggested adding \$6,000 for possible May expenditure

A3310.4-Traffic Control, Contractual-\$414 Have another month so Dake suggested transferring \$800 from Public Safety, Traffic Control, Contractual, A3310.4

A8010.42-Zoning, Legal Expenses-\$120
Also transfer from Planning Board Legal, A8020.41

A9045.8-Employee Benefits, Life Insurance \$26
Can transfer from Employee Benefits, Hospital & Medical Insurance-A9060.8

WATER

F8320.45-Engineering-\$19,975 plus will have next month also
Transfer from Source of Supply, Power, Pumping-Purchases, F8320.44
There is \$26,000 available to move to engineering.

F8340.4- Water Distribution & Transmission, Contractual-\$173. There will
probably be more next month. Can take from Transmission &
Distribution, Equipment, F8340.2

Resolution #6281 -To Authorize the Following Budget Transfers

Be it RESOLVED to transfer

- \$ 8,217.00 from Home & Community Services, Planning Board, Legal, A8020.41, to
General Government Support, Law, Contractual, A1420.4
- \$ 800.00 from, Public Safety, Traffic Control, Equipment A3310.2 to Public
Safety, Traffic Control, Contractual A3310.4
- \$ 120.00 from Home & Community Services Planning Board, Legal, A8020.41, to
Home & Community Services, Zoning, Legal Expenses, A8010.42
- \$ 26.00 from Employee Benefits, Hospital & Medical Insurance, A9060.8, to
Employee Benefits, Life Insurance, A9045.8

WATER

- \$26,000.00 from Source of Supply, Power, Pumping-Purchases, F8320.44, to Source
of Supply, Power & Pumping, Engineering, F8320.45
- \$ 173.00 from Transmission & Distribution, Equipment, F8340.2, to Transmission
& Distribution, Contractual, F8340.4

Trustee O'Rourke moved to authorize the budget transfers. Trustee
Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill -Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	

O'Neill questioned the William Troy attorney bill regarding LaVeck. Dake explained that
the court ruled in the Village's favor on the deer issue. James LaVeck has appealed the
NYS Supreme Court decision. Mayor Hartill entertained a motion to approve the
vouchers.

Resolution #6282- Abstract of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the
General Fund, in the amount of \$99,298.36, is hereby approved for
payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the Sewer Fund, in the amount of \$16,121.27, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the Trust & Agency Fund, in the amount of \$6,489.96, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 12 for the Water Fund, in the amount of \$40,322.86, is hereby approved for payment.

Trustee O'Neill moved that the foregoing Abstract of Audited Vouchers resolutions be adopted and Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill –Aye
Trustee Gerry Monaghan-Aye

Trustee Patricia O'Rourke-Aye
Trustee Ronny Hardaway-Aye

The 2016-17 Village taxes have been finalized with the Assessment Office. The tax rate is \$1.10 and the Special Assessment sewer rate will be \$.035/1,000 of Assessed value and \$7.56 per unit. The bills will be printed, folded, tabbed and sorted by Challenge Industries in the next week. The Board authorized the Tax Warrant.

Resolution #6283-To Approve the 2015-16 Tax Warrant and Authorize the Mayor to Sign the Following Warrant:

WARRANT TO TREASURER TO COLLECT TAXES

To: Jodi L. Dake
Treasurer of the Village of Lansing

YOU ARE HEREBY COMMANDED to receive and collect from the several names in the assessment roll, hereunto annexed, the several sums named in the last column thereof opposite their respective names, altogether a total of \$579,697.96, for the following purposes:

For the General Fund	513,086.51
For the Special Assessment-Sewer Collector Fund	12,404.46
For Delinquent Water Rents	32,209.18
For Delinquent Sewer Rents	21,997.81

YOU ARE HEREBY COMMANDED to receive as much thereof as may voluntarily be paid to you from June first to and including July first of this year, without

additional charge, and after expiration of the time mentioned to proceed forthwith to collect the residue of the sums not so paid in as aforesaid, with five per centum charge for the first month and an additional one per centum charge for each month and fraction thereof thereafter, and you are to file the tax roll and warrant in your office on or before the 15th day of November 2016, at which time the taxes will be returned to the County tax roll.

Mayor

Dated: 6-1-16

Attest: _____

Trustee Hardaway moved this resolution. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill -Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	

Resolution #6284- To Authorize the Mayor to Sign Documentation for Cornell Easements for Uptown Road.

Trustee Hardaway moved this resolution. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill -Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	

Dake asked if anyone had any items for Monday's agenda. There was nothing so the Mayor entertained a motion to cancel Monday's meeting.

Resolution #6285- To Cancel the Board of Trustee Meeting Scheduled for Monday, May 16, 2016.

Trustee O'Rourke moved to cancel the meeting. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill -Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	

O'Rourke asked who was responsible for the pot holes in the road around Triphammer Mall. It is Triphammer Mall property so they are responsible. Moseley will call them and see if they would repair the pot holes.

Hardaway reported on the Greenway Committee. The DPW hired a contractor to Hydro-Ax the proposed park area within the Dart parcels. Dart residents have walked in and commented to him on how they found it very peaceful. Hardaway asked what the next steps would be. Monaghan asked when the Board would discuss the design. Courtney stated that there is only one way to set up the park due to the lay of the land. Courtney would like to start the trail system next. It would follow a path of least resistance. Monaghan asked why a soccer field was needed. He would like to see it more open and natural. It was pointed out that we can have a soccer field and an open space to the east . with mature trees. Courtney suggested walking the area. Hartill stated that we can have it both ways. The Greenway Committee would like to have a public meeting to get input from residents. Dake suggested having it during a Trustee meeting. Monica Moll is also helping the committee look into grant opportunities. The Village can do playground in stages. They are also looking at the pros and cons of having a Dog Park. Moseley reminded everyone of the EPA requirements for the Village to report to State. Hartill feels the trail system is essentially a dog park. Dispenser for the park may be needed. Hartill and Courtney will discuss the next step of working on the trails. Hartill suggested that we err on the side of caution with Northwoods. Moving heavy equipment over Northwoods Road for Village purpose is not allowed until the Village takes over ownership of the road.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye
Trustee John O'Neill –Aye
Trustee Gerry Monaghan-Aye

Trustee Patricia O'Rourke-Aye
Trustee Ronny Hardaway-Aye

The meeting adjourned at 1:50pm.

Jodi Dake, Clerk/Treasurer