

## Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, September 23, 2002, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Lynn Leopold, Frank Moore and Janet Beebe; Planning Board member, Maria Stycos; Bill Troy, Attorney.

Mayor Donald Hartill called the meeting to order at 7:40P.M. and opened the public comment period. There was no public comment.

### Motion-To Close 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 Janet Beebe-Aye  
Trustee Lynn Leopold-Aye

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

Next on the agenda was a public hearing on a proposed local law which has to do with regulating how we use our village right of way. Attorney Troy suggested this matter be tabled because of a recent decision of the United States Court of Appeals for the Second Circuit, which struck down a right of way ordinance enacted by the City of White Plains. This decision came down on September 12<sup>th</sup> and the case may be heard by the United States Supreme Court. A decision on this may not happen until next summer. Given the current legal situation, Attorney Troy proposed there be no public hearing on this issue this evening.

### Motion-To Not Hold A Public Hearing

Trustee Larry Fresinski moved not to have a public hearing. Trustee Lynn Leopold seconded the motion. A vote was taken:

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

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

Larry stated that the right of way is one issue of the cable consortium. A draft agreement has been created. Time Warner has created a table of ways to sign off and the consortium is not interested in any of the three options. The committee will talk with Tom Downy, the local administrator, tomorrow. Mayor Hartill added that because of the 1996 telecommunications legislation, the cable companies have the same power as NYSEG and the telephone companies in regards to right of way.

John Dennis was present to give a report on the Environmental Management Council (EMC). John thanked the board for the privilege of representing the Village on this council. The following issues have been addressed and activities done in the last year:

- Gas drilling in the Fingerlakes National Forests
- John participated in the Adopt a Highway Program by cleaning up Warren Road
- Reviewed the airport proposal to cut trees by Sapsucker Woods. A frustration with this was the airport went ahead and cut before receiving EMC's recommendations.
- In April a protocol was developed for adopting unique natural areas. If anyone has any issues relating to environmental issues they should contact John Dennis.

- In May they did a recommendation on the aquifer study

Mr. Dennis urged the village to protect trees. He recommended a resource book entitled Preserving, which was published by Pace University.

Next on the agenda was the engineers report. Dave Putnam informed the board that Uptown road is completed except for the striping, which will be done in the next couple of days. Barry Stevens called Dave and approved the issue of having three lanes at the Lansing West entrance. This will be added to the N. Triphammer Rd. project.

The Mayor asked Dave if there was a loop from the Ramada at the light. There have been many complaints regarding the amount of time it takes to get out of the Ramada parking lot. Dave Putnam will look into it.

The Cayuga Heights Road project is progressing but not as fast as Dave had hoped. They are doing a good work and will be done by the end of October.

A kick off meeting needs to be arranged between Fisher Development, Dave Herrick, Don Hartill, Larry Fresinski and Ned Hickey. It was decided that this Friday between 10am and 2pm would be good. Jodi will have Carol call Fisher tomorrow to see what time would be good for Fisher. The meeting will only need to be about an hour.

#### Motion-Approval of Minutes for August 14, 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 Larry Fresinski seconded the motion. A vote was taken:

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

#### Motion-Approval of Minutes for August 19, 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 Larry Fresinski seconded the motion. A vote was taken:

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

The next item on the agenda was to discuss the Intermunicipal Agreement Regarding the Cayuga Lake Watershed Restoration and Protection Plan. We have already paid our share but Attorney Troy was reviewing the language of the agreement before we sign. Attorney Troy had no objections to the agreement particularly since there was a 30-day written notice clause to get out of the agreement.

#### Resolution #3901-To Authorize the Mayor to Sign the Intermunicipal Agreement Regarding The Cayuga Lake Watershed Restoration and Protection Plan

Trustee Lynn Leopold moved this resolution. Trustee Frank Moore seconded the motion. A vote was taken:

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

Lynn agreed to hand deliver the agreement. Lynn also went to Lake George with the watershed group to see a

floating classroom. The boat goes out and studies different aspects of the watershed. A floating classroom is being considered for on Cayuga Lake. There is nothing like this on Cayuga Lake and Lynn feels it would be very beneficial. Currently, unless you have a boat, it is hard to access the lake unless you are swimming in a state park.

Lynn will be completing the Tree Beautification Proposal for N. Triphammer Road. She asked the board what caliper trees we would like. The board decided on 2-3" caliper trees.

The Greenway ad hoc committee met last Thursday and the following two conclusions resulted from their discussion. Indicated actions are italicized.

> Our most urgent need is to develop and maintain the Greenway elements we already have. A regular process to keep on top of these tasks is lacking; trails and paths require constant attention. *We should see to this present need, and should formulate a process for meeting this need in the future, before trying to extend the system or further implement the Greenway Plan.*

> There should be a formal Greenway Committee established by Trustee resolution. We felt that this action is needed to give force to our efforts to deal with the staffing and budget issues implied by the problems mentioned above. We agreed that local interested citizens should from time to time be affiliated with the Committee, and also that contractor help may be needed from time to time. *I have asked that the proposal for a Greenway Committee first made in April be re-offered to the Trustees at our next meeting (9/23).*

The particular items or tasks of interest, and related information gotten since our meeting, follow:

1. Votapka-Janivar-Leif's Way Trail: Path surface from the pond East to Leif's Way has disappeared, and needs to be reestablished. The surface in the vicinity of the drainage work is very coarse stone, and needs additional material for comfortable walking or cycling. Overhanging brush needs pruning. Plantings at the pond need attention. There is no directional sign at Janivar telling user to go North on Janivar to pick up next leg.

*All these tasks can be accomplished, assuming staff and money are available.*

2. Leif's Way-Bush Lane Trail: While there is an easement from Johnson covering a strip at the edge of Leif's Way, there is no easement yet for the Southern part of the route across the Miller property. *Dennis advises that the owner intends to develop that property, and until there is a decision and approval of such a plan, the route of the trail can not be fixed.*

3. Wakefield-Coventry Trail: I walked this path--it has been mowed, and it is in regular use as a dirt path. There is a piece of plywood across the creek at Wakefield. There is no obvious impediment to action in this case. The path itself could easily be graded, and bark chips added (like Sapsucker Woods) if there is some uncertainty about its future route. Dennis says that access from Wakefield, and providing the needed bridge, await clarification of property lines, and possible need for easement from Swarthout. *It seems that an hour spent in the Deeds office would settle this point. One of us, or Dennis, or Bill Troy could do it.*

4. Triphammer-Highgate Trail: This a beautiful shaded trail which connects Highgate and the SW corner of Lansing West Apts. From there, there is a newly paved road to Triphammer. That road is to be adopted by the Village, and so would prospectively complete the Trail. However, the well-used connection between the existing trail and the new road traverses perhaps 20yds of private (Lansing West) land, for which we have no easement. Owner doesn't want trail signs to direct users across his land. I would have thought that negotiations for adoption of the road would look for an easement to complete the trail. There would be no interference with apartment parking or any other owner use that I can see. Neither Dennis nor Dave Putnam, who is negotiating the adoption, ever heard of that idea. *I would urge that we try to achieve such an easement, as part of the road adoption agreement. Perhaps we could add a sidewalk, or at least gravel trail along the South edge of the new road.* With no signs, this would remain a secret trail! What appears to be an equally attractive trail, along but outside the West boundary of Lansing West, dead-ends at Rte 13. Dennis informs me that this is not a trail at all, but a multi-utility ROW on residential property. *Because this wrongly appears to be a trail, I suppose we should block off its apparent entrance where it connects to our trail.*

5. Pyramid-Shannon Park Trail: Ned reports that this short connecting trail has a stone segment which needs more stone or blacktop, and it lacks any trail sign. *Subject to staff and money, these things should be fixed.*
6. Shannon Park Park: Ned also reports that the village park near the West end of Shannon Park is in good condition, but totally lacks identification. Parks as well as trails should be identified; a stranger would probably assume this is private property, and, for example, would desist from bird-watching at the pond. This is wrong, of course. *We should see to the identification of this tract as a village park, perhaps with a name!*

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Frank proposed we set up a formal committee with some authority to get things done. The committee feels our public works department can do more than they are doing. Our trails need continual maintenance not just once a year. Bill Troy reminded the board of the open meetings law which states that no more than two members from the Board of Trustees or the Planning Board can be present or it constitutes a meeting.

It was asked whatever happened with the Swartout bridge that was supposed to be built. Frank spoke with Dennis who said there was a problem with the property lines. The Village has access off Wakefield Rd., we paid for this to be cleared up. We have an easement and a survey was done 6 months ago. Bill Troy will speak to Dennis. The committee would like to get going with some of these projects. The question is who will be involved in the work plan and oversee it. Dennis is in charge of overseeing and getting the job done. Don stated that the current assessment is a great start.

After a few proposed revisions the following resolution was proposed:

Resolution #3902-To Establish a 3 Member Standing Committee which has Adjunct Members from Time to Time Called Greenway Development Committee

A. Establishment of Committee

The Village Board of Trustees hereby creates a joint committee of the Board of Trustees and the Planning Board, to be called the Greenway Development Committee.

B. Purpose of the Committee

The purpose of the Committee will be to develop and implement the Village Greenway Plan, together with all walkways and parklands, in order to encourage pedestrian traffic and recreational activity in the Village. The Committee will advise the Board of Trustees and the Planning Board and recommend actions for that purpose. Especially, the Committee will undertake the following tasks:

1. Evaluate, and recommend appropriate revisions of the Village Greenway Plan of 1994, with emphasis on identifying feasible projects and initiatives.
2. Further develop and oversee the sidewalk plan for the Village, with a view to integrating sidewalk and Greenway developments.
3. Oversee the creation of Village parks, to be integrated with walkways of all types.
4. Identify, prioritize, and pursue specific projects, considering financial, technical, aesthetic, and environmental aspects, and seeking expert advice as necessary.
5. Work with and through the Village's Mayor, Board of Trustees, Planning Board, Code Enforcement Officer, Engineer, Counsel, Public Works Superintendent, and with other municipalities as appropriate, to secure financial support, and to bring projects to fruition.
6. Oversee the improvement and maintenance of all walkways and parks, recommending appropriate actions and developing budgets for these purposes.

C. Committee Membership

1. Basic membership will initially number three, who will be current members of the Board of Trustees and the Planning Board, appointed by the Mayor with Trustee concurrence. No more than two members of either board may be members. Members will serve at the pleasure of the Mayor and Trustees. The Chair will likewise be appointed by the Mayor and Trustees.

2. When a particular concern of the Committee is identified, one or two additional members of the public having relevant interests or expertise may be invited to attend meetings during the Committee's consideration of that matter. An important purpose of such participation will be to insure that specific public concerns are represented; for example, those of a neighborhood through which a walkway may potentially pass.

D. Reporting

The Committee will make timely reports of its activities to the Board of Trustees and the Planning Board.

Trustee Frank Moore moved this resolution. Trustee Lynn Leopold seconded the motion. A vote was taken:

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

Resolution #3903-To Appoint Frank Moore, Lynn Leopold and Ned Hickey as Initial Members of the Greenway Development Committee

Trustee Frank Moore moved this resolution. Trustee Lynn Leopold seconded the motion. A vote was taken:

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

Ben Curtis has recommended that the Trustees approve a Temporary Certificate of Occupancy to Dr. Green. His house at 9 Pembroke Lane is substantially complete except for establishing ground cover, landscaping and minor cosmetic work. Drainage and erosion control measures are in place, but the lawn will have to wait til spring. The garage and gym are being constructed under a separate permit.

Resolution #3904-To Authorize Ben Curtis to Issue a Temporary Certificate of Occupancy for Dr. Greene's House at 9 Pembroke Lane with a \$200 Security Deposit and an Expiration Date of June 30, 2003

Trustee Lynn Leopold moved this resolution. Trustee Larry Fresinski seconded the motion. A vote was taken:

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

Mr. Park at 1 Hampton Hill Lane has requested an additional water meter and service line for irrigation. Southern Cayuga Lake Intermunicipal Water Commission does not object to the proposed additional water meter and service line. SCLIWC has listed some conditions that must be met to finalize the new connection to the Village of Lansing water main. According to our law, the Board must waive the limitation of one additional water meter for a tax parcel.

Resolution #3905-To Waive the Limitation of One Additional Water Main to 1 Hampton Hill Lane and Allow for Three Water Meters.

Trustee Janet Beebe moved this resolution. Trustee Larry Fresinski seconded the motion. A vote was taken:

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

Trustee Frank Moore- Aye  
Trustee Larry Fresinski- Aye

Next on the agenda was Mayor's comments. Don met with Dave Herrick to discuss sewer costs. The sewer consortium has agreed to have an outside person manage the sewer discussions. The Town of Lansing needs to figure out if they can afford to join. The next step is for Don to meet with Cathy Valentino to discuss the \$.48/gal. Frank finds all these numbers confusing. It's unclear how they are calculated. The next sewer meeting is next Thursday. Don hopes to hear from the facilitator before then. The project cost for the Village is about the same unit cost. The Village does not have a large financial exposure.

The Village of Cayuga Heights has issued us 14 more sewer permits. We should receive a letter from them in the next week.

At the July 30<sup>th</sup> Planning Board meeting the Planning Board didn't think the Board of Trustees paid much attention to the tree inventory. Don commented that it is a liability issue. We must think through all the legal ramifications. Attorney Troy stated that it comes down to an act of negligence or a sin of omission. It is a matter of not assuming responsibility. The Board has no problem with the Tree Inventory but it does with a written maintenance plan. Don would rather pay a forester to come in and do an assessment every three to five years. This way someone with experience can come in and tell us what trees we need to perform maintenance on. Don would like to see us continue with the tree inventory.

Don and Larry met with Greg Bronson regarding the audiovisual for the conference room and will meet with Ben to discuss this issue. One problem is storing the tapes. The Board wondered if it would be more cost effective to have a note taker at the meetings. After some discussion they agreed that there was a lot of specific detail at the BZA and Planning Board meetings and it is good to have a tape record. The Board really would like to get away from Ben using his own personal camera. After meeting with Greg Bronson they think that a video camera mounted to the wall in the back of the conference room along with microphones and a mixer would be appropriate. The audio is the important part. The Village will engage Greg with new criteria.

Motion- To Adjourn

Trustee Larry Fresinski moved adjournment. Trustee Lynn 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 10:10pm.

Jodi Dake  
Village Clerk