

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, June 16, 2003, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Larry Fresinski, Lynn Leopold, Janet Beebe and Frank Moore; David Dubow, Village Attorney; Ned Hickey, Planning Board Chairman

Mayor Donald Hartill called the meeting to order at 7:37P.M. He opened the public comment period. Joan Lovejoy of 999 Cayuga Heights Rd. announced that she was observing for the Community Party.

Motion-To Close the Public Comment Period

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

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

Dave Putnam, engineer for TG Miller, reported that during the recent inspection of the sewer system they discovered a 4-inch line through the top half of the Village sewer where it goes under the east driveway for 22 Thornwood Drive. He advised the Board as follows:

It appeared that this pipe was bored under the driveway during the extension of utilities and needs to be repaired soon before enough dirt and pipe pieces plug the sewer line.

It was originally thought it was a NYSEG gas line and Dave met with NYSEG on site. It was hard to pick up the exact route of the sewer line because you cannot see between adjacent manholes, but it appeared to them that it could be the gas line. NYSEG reviewed their records and told Dave that the gas line had been installed in a trench before the driveway was constructed and therefore NYSEG did not think it was their line.

Dave had the survey crew mark the driveway in the exact spot of the break and reviewed the tape of the sewer. He came to the conclusion that the line was a sleeve bored under the driveway for the installation of Cornell's CIT fiber optics line that was completed last year. Additionally there is a long segment of this line that has been installed almost directly over the Village water main (Bolton Point would like it a minimum of 3-feet of separation) on both sides of this driveway, which is another issue that needs to be resolved.

Dave contacted CIT and met with Ken Downey on site. Ken had the contractor that installed it for them call Dave and they also think it could be theirs. A summarization of the conversations follows:

- CIT has turned the problem over to the contractor but told them to cooperate with the Village.
- The contractor provided Dave with a DSNY (formally UFPO) case number for the project and questioned whether the Village marked the line as required by DSNY, but is willing to provide the manpower to lift the line out of the sewer.
- Nobody seems to want to pay for the sewer repair.

Because of the time lag and the ongoing construction in the area there are recent and old paint markings of utilities and Dave does not know how to prove or disprove if the sewer was marked, but the installation over the water main makes him wonder if it was requested or done. The probability of both the Village and Bolton Point not marking their utilities seems remote.

Dave emphasized to the Board that the problem cannot wait for this dilemma to be resolved and Dave recommended that the Village have Grant Street Construction make the repair at time and materials. The Village should submit this bill to the CIT for reimbursement and see what happens. The danger of letting this situation go is that the sewer could

plug up creating all kinds of other problems.

Resolution #3976- To Authorize Dave Putnam to Contract with Grant Street Construction to Repair Sewer Line Break at 22 Thornwood Drive Subject to Investigation as to Whose Financial Responsibility it is and to Seek Payment From Such Responsible Party.

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

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

It was agreed that there would be more investigation to see whose responsibility it is to pay for this and to pursue such payment.

It was next reported that there is also a big hole at the end of Northwood Drive which Dave suggested we get fixed while Grant Street Construction has their sewer by-passing equipment up there for the break on Thornwood Dr. David Dubow requested that there be two separate invoices for this work so that it is clear what costs are associated each job.

Ned Hickey commented that the St. Joseph's overlay looks very nice but questioned why they didn't do Votapka Road also. Ned continued to explain that 3-5 years ago he told Dennis of the water problem on Votapka and now it has caused the east side of the road to alligator crack. Dave stated that he didn't know why Votapka wasn't fixed because it was Dennis's project. Dave indicated that he would look into the matter to insure that it is properly taken care of.

Dave advised the Board that TG Miller's has completed the road specifications for the codification. They will now go back to Carol, after which a clean copy of the codification will go to David Dubow for a final review.

Dave reported that Cayuga Heights Rd. striping is on Dennis' schedule along with the corner on Dart Drive. Delineators (posts with reflectors on them) will also be placed on that corner. Dave will ask Dennis if striping includes pedestrian crossings at Sevanna Park. Frank suggested zebra striping the pedestrian crossings to make drivers more aware of the crossing. Mayor Hartill added that we are very sensitive to pedestrian traffic and in the N. Triphammer Rd. Project textured material will be used for the pedestrian crossings.

John Bailey from the George B. Bailey Insurance Company was present to review our insurance coverage. The following is a hand out he gave to the Board explaining the Village's coverage.

VILLAGE OF LANSING  
COVERAGE DESCRIPTIONS

PROPERTY

Coverage will continue to be written, for both building and contents, on a blanket replacement value basis in the amount of \$893,491. This means that \$893,491 would be available to replace any structure and its contents, listed in the policy. By providing coverage in this manner, the Village would be assured of having enough coverage to replace any structures and contents, owned by the Village.

Coverage is provided for any direct physical loss to buildings or contents, subject to specific standard exclusions in the policy, i.e. Flood, Earthquake, Law or Ordinance, etc.

GENERAL LIABILITY

The Commercial General Liability policy provides liability coverage for Bodily Injury and Property Damage arising out of the operations of the Village. It also covers the existence hazards of streets and roads that the Village is responsible for maintaining.

The premium is based upon the expenditures in the budget and the road miles that the Village is responsible for maintaining.

#### AUTOMOBILE

The Automobile policy covers all owned, non-owned and hired automobiles used by the Village. A coverage amount of \$1,000,000 is provided for Bodily Injury and Property Damage liability.

#### CONTRACTORS EQUIPMENT FLOATER (Inland Marine Coverage)

This policy covers contractors equipment owned by the Village.

#### UMBRELLA

The Umbrella policy provides excess liability coverage of \$3,000,000 over the primary limits of liability on the General Liability, Public Officials Liability and Automobile Liability. This combines to provide the Village a total of \$4,000,000 of coverage for any judgments related to the above policies. The Village increased the coverage amount from \$1,000,000 to \$3,000,000 in 1999.

#### BOILER & MACHINERY

The policy covers a wide range of equipment including breakdown of such things as mechanical or electrical equipment, boilers and pressure vessels, air conditioning and refrigeration equipment, computer and communication systems.

#### OWNERS & CONTRACTORS PROTECTIVE LIABILITY (OCP)

An OCP policy is provided in the amount of \$1,000,000 for special hauling and work permits required by the State of New York and Tompkins County.

#### PUBLIC OFFICIALS LIABILITY

This policy covers Town Officials for civil claim or claims first made against the Town because of a "wrongful act" rendered in discharging their duties on behalf of the Town. A "wrongful act" means any alleged or actual breach of duty, or violation of federal, state, or local civil rights, by an insured while acting within the scope of his/her duties as a public official.

#### CRIME COVERAGE

This coverage protects the Village for the dishonest acts of its employees. \$50,000 of coverage is provided per employee should they be involved in stealing property or money from the Village. An additional \$7,500 of coverage is applicable to those individuals occupying the position of Mayor and Village Clerk. \$35,000 of additional coverage is applicable to the person occupying the position of Tax Collector.

#### SELECTIVE INSURANCE COMPANY PREMIUM SUMMARY

COVERAGE	2002-2003	2003-2004
General Liability	\$4,119	\$5,779

Automobile	\$2,656	\$2,494
Inland Marine	\$577	\$612
Property	\$1,637	\$1,866
Umbrella	\$3,370	\$3,269
OCP (Owners and Contractors Protective)	\$250	\$255
Crime (Fidelity, Forgery, Money & Securities)	\$200	\$398
Public Officials Liability	\$2,504	\$2,801
Boiler & Machinery	INCL.	INCL.
<b>TOTAL ANNUAL PREMIUM</b>	<b>\$15,313</b>	<b>\$17,474</b>

To give some perspective, had insurance premiums increased since 1994 at an annual rate of 3%, the annual premium for 2003-2004 would be \$21,846.

I have provided a summary of the Village's previous insurance premiums and it shows pretty dramatically the time frames that the insurance industry was subsidizing its writings by its investment income (a time in the industry that is known as a "soft market"). Then as 2000 closed and investment income diminished significantly, insurance companies were forced to address their loss in income and focus on generating income from their insurance writings. This return to conservative underwriting and increased premiums is known as a "hard market". The insurance industry was in a cycle of soft market conditions from 1995 to 2001. Then as the industry entered the hard market cycle in 2001, market conditions were further complicated by the huge losses experienced in the September 11<sup>th</sup> attacks. While difficult to predict, it is likely the hard market cycle will continue for a number of years and could be further impacted by another terrorist attack on our country.

**SUMMARY  
OF  
VILLAGE OF LANSING PREMIUMS  
June 25, 1993 to Present**

	1993-1994	1994-1995	1995-1996	1996-1997
General Liability	\$10,092	\$7,994	\$8,974	\$8,662
Automobile	\$2,394	\$2,147	\$2,328	\$3,255
Inland Marine	\$113	\$392	\$540	\$540
Property	\$1,369	\$1,302	\$1,275	\$1,419
Umbrella	\$1,914	\$1,529	\$1,570	\$1,421
OCP	\$248	\$248	\$248	\$248
Crime	\$672	\$639	\$639	\$639
Public Officials Liability	\$2,614	\$2,493	\$2,493	\$2,493
<b>TOTAL</b>	<b>\$19,371</b>	<b>\$16,744</b>	<b>\$18,067</b>	<b>\$18,677</b>
	1997-1998*	1998-1999	1999-2000	2000-2001
General Liability	\$3,747	\$4,408	\$4,642	\$3,837
Automobile	\$2,267	\$2,315	\$2,018	\$2,217
Inland Marine	\$341	\$391	\$424	\$368
Property	\$1,124	\$2,102	\$862	\$1,006
Umbrella	\$1,676	\$1,676	\$2,738**	\$2,776
OCP	\$150	\$150	\$150	\$150

Crime	\$336	\$326	\$326	\$398
Public Officials Liability	\$2,491	\$2,488	\$2,510	\$1,938
<b>TOTAL</b>	<b>\$12,132</b>	<b>\$13,856</b>	<b>\$13,670</b>	<b>\$12,492</b>

\*Coverage was moved from Titan Insurance Company to Selective Insurance Company

\*\*Umbrella limit increased from \$1,000,000 to \$3,000,000

	2001-2002	2002-2003	2003-2004
General Liability	\$3,912	\$4,119	\$5,779
Automobile	\$2,266	\$2,656	\$2,494
Inland Marine	\$505	\$577	\$612
Property	\$1,321	\$1,637	\$1,866
Umbrella	\$2,812	\$3,370	\$3,269
OCP	\$200	\$250	\$255
Crime	\$200	\$200	\$398
Public Officials Liability	\$2,093	\$2,504	\$2,801
<b>TOTAL</b>	<b>\$13,309</b>	<b>\$15,313</b>	<b>\$17,474</b>

John went on to explain the following: We are currently in a hard market. Underwriting is stricter now than it was in the late 90's. We are all aware of the affects that 9-11 had on the country and insurance. The Village has a good loss history, which is keeping our rates lower than they might otherwise be. The Village could schedule a loss control review to be done at no charge, but he doesn't feel it is necessary right now.

The Mayor and David Dubow questioned whether our liability insurance is enough. We currently have \$4 million coverage (\$1 million on our liability policies and \$3 million in umbrella coverage). John estimated that the incremental cost would be \$1,000-1,200 per million increase in umbrella coverage. It was acknowledged that this amount was discussed back in 1999 when John Bailey was on the Board of Trustees, and that the Board discussed and agreed at that time to increase it from \$1 million to \$4 million. John still feels that this is a good amount for the Village. However, at David Dubow's request, John will get the Board cost increments on umbrella coverage to see what they would be if the limits were raised. John suggested that when we get ready to do the N. Triphammer Rd. project, the Village be named as an additional insured. He also offered to review insurance coverage issues and documents for that project and other projects.

Next on the agenda was the approval of the May 19<sup>th</sup> minutes.

Motion-Approval of Minutes for May 19, 2003

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

Trustee Larry Fresinski-Aye	Trustee Frank Moore-Aye	Trustee Janet
Beebe- Abstain	Trustee Lynn Leopold-Abstain	
Trustee Donald Hartill-Aye	(because not present at that meeting)	

Motion-Approval of Minutes for June 2, 2003

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

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

(because not present at that meeting)

Next on the agenda was to set a public hearing to consider construction of the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC) building addition. David Dubow explained that is unclear whether the Village is required to hold a public hearing before approving this project as one of the participating municipalities of SCLIWC, and that this is a gray area because it is a cooperative agreement of many municipalities. He indicated that it is very clear under Town law that a public hearing is necessary. David advised the Board that he had prepared a resolution providing for a public hearing in case the board decided to proceed in that fashion, in part because of the nature of this project and the questions that have been raised regarding its scope and cost. Since the funding of this project will include a customer rate increase, he felt that was another reason the Board should consider informing the public and allowing the public to have a chance to ask questions and offer comments. One obvious downside of not having a public hearing is that one may argue that it was actually necessary or should have been done even if not necessary. To be on the safe side and to offer the public an opportunity to be heard on this matter, the Board agreed that they should hold a public hearing.

Resolution #3977-To Set A Public Hearing To Consider Approving A Proposed two-story Office and Work Space Addition to the Southern Cayuga Lake Intermunicipal Water Commission (“SCLIWC”) Water Treatment Plant in the Village of Lansing, Tompkins County, New York, Bonding for a Portion of the Cost Thereof, and Execution of an Amendment to the Intermunicipal Agreement Related Thereto.

RESOLVED, that the Board of Trustees of the Village of Lansing hold a public hearing at the Village Office, 2405 North Triphammer Road, on the 7th day of July, 2003, at 7:35 p.m. for the purpose of considering the approval of (i) the construction of an addition and related improvements to the Southern Cayuga Lake Intermunicipal Water Commission (“SCLIWC”) water treatment plant (the “Project”) at a cost not to exceed \$2,310,835, (ii) the authorization of joint and several serial bonds in an amount not to exceed \$1,000,000 for payment of part of the costs of the Project, (iii) the expenditure by SCLIWC of current revenues and surplus funds for the balance of the costs of the Project, (iv) the amendment of the existing Agreement of Intermunicipal Cooperation between the participating Municipalities to authorize the Project, the bonding therefor, and all other required activities related thereto, (v) the delegation of certain authority to the Treasurer of SCLIWC to issue such bonds on behalf of the participating Municipalities, and (vi) the grant of certain other powers and authority to SCLIWC related to all of the foregoing, and to hear all persons interested in the subject thereof and concerning the same and to take such action thereon as may be required by law; and it is further

**RESOLVED**, that the Clerk of the Village of Lansing is hereby authorized and directed to publish and post a notice of such public hearing as required by law not less than ten (10) days before the day designated above for the public hearing.

Trustee Fresinski moved to set a public hearing. Trustee Moore seconded the motion.

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski- Aye  
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye  
Trustee Lynn Leopold-Aye

Next on the agenda was Mayor’s comments. Don stated that the sewer issue is moving very slowly because of the upcoming elections in some of the participating municipalities. However, we have many fixes that can be completed which could result in 100 sewer units. If the expanded sewer project falls through, upgrades to the Village of Cayuga Heights Plant could increase its capacity by 3-400,000 gallons a day. Brent Cross, engineer for the Village of Cayuga Heights, respects us for our I&I. Don does not think we will be caught in a moratorium.

The North Triphammer Road Project is in good shape. We are waiting on the SHIPO report. The Route 13 ramps however, are going to be very close in terms of approval. Don explained that the way they judge our proposal is to see if it is a betterment to our project. There is an MPO meeting tomorrow which the Mayor will try and get some help. We still plan on putting the project out to bid in December 2003.

Ned reported that proposed Miller subdivision would be on the agenda for the Planning Board meeting on the 24<sup>th</sup>. He indicated further that with the Lansing Trails Phase II proposal, there are two major subdivision approvals going on right now.

Lynn informed Don that at the Wednesday staff meeting the subject of AV equipment for the conference room was brought up. Don will get with Ben and get the equipment this summer.

The board discussed different options for spending the Beautification Grant money. Originally the Village submitted a proposal that would include building the planters around the Village office but they were not approved for grant money because it was too far away from the road. The planters for the road signs will still be built with budgeted Village funds. The planters at the Village entrance signs have been planted. A couple of planters still need to be made. Don stated that the planting of two trees out by the road in front of the office would use up the money.

Lynn indicated that she went over to look at Dankert Park and stated that it needs some shrub maintenance. There are dead trees that need to come out and the short trees by the soccer field need pruning. Lynn feels the park is dark and needs more light especially around the children's play area. The Board also discussed having a water fountain in the park. In the past it has been vandalized so they have not had the water turned on this year. The Mayor thinks that this is probably a common problem and suggested looking into a new design of a fountain. . Lynn will work with Dennis on a plan to get this work done.

Frank questioned whether it was feasible for Dennis to get these projects completed since we are still waiting on the Janivar trail to get done. If these items are something Dennis can't get done, Frank inquired if the Village would then need to hire out some of this work. The Mayor indicated that he will make sure the Janivar Trail gets completed this summer.

Larry stated that there is a standing water issue with some residents. With all the storm water regulations now in place, it was agreed that we must be careful on how we deal with water and that we simply can't just go and dig out the ditch.

#### Motion-To Adjourn

Trustee Fresinski moved adjournment. Trustee Leopold seconded the motion.

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski- Aye  
Trustee Janet Beebe-Aye

Trustee Frank Moore- Aye  
Trustee Lynn Leopold-Aye

The meeting adjourned at 9:00pm.

Jodi Dake  
Village Clerk/Treasurer