

## Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Wednesday, June 16, 2004, in the Village Office.

Present: Mayor Donald Hartill; Trustees John O'Neill, Larry Fresinski, Lynn Leopold; Jodi Dake, Clerk/Treasurer; Carol Willard, Clerk PT; Ben Curtis, Code & Zoning Officer; Dennis Reinhart, Supt. Of Public Works.

Mayor Hartill called the meeting to order at 12:25P.M.

John O'Neill stated that at the last Trustees meeting Don had stated that he would talk to New York State about cleaning up the bridge over Route 13 or seeing if we could get permission to do this. Don has not spoken with them but will. Dennis stated that we have been taking care of the area between the guardrails. John asked if the Bobcat had a brushing device or if we could rent one. Don stated that there is a liability associated with this because debris can fall onto the cars below. Carol asked why a lawn vacuum couldn't be used to suck all the debris up. Dennis will look into renting one.

Next John asked if the highway department could do some minor maintenance on the road signs. Dennis will have Rick make frames that hold the signs so that they can take the old brackets down, repaint them and put new ones up.

John also asked about repairing the Greenway. Dennis stated that 1 of 5 contractors has responded. Kasonic was the only one and Dennis would need three quotes for work over \$3,000. He could do the job with one quote if he documents his attempts to get other quotes. John was concerned about the short season we have to accomplish this. Dennis will get something done in the next three weeks.

John asked if Dart Drive would be resurfaced this year. Dennis stated that it would get resurfaced to last until it is decided what to do long term on this road. The Board discussed putting in a speed table but decided not to do anything until the Village redoes the road.

Lastly, John recalled that Ned Hickey had mentioned that the Lansing Trails pond silted up badly. The best time to dredge it out will be in August. It was thought that it would need to be cleaned out with a track bobcat and scooped into a truck to be hauled away. Don will go up and look at the pond to see what can be done.

Lynn stated that she had attended a stormwater meeting. The Town of Ulysses will be doing a thermal analysis by flying over the lake to look for septic leakage. They are looking for grant monies to fund this. Other municipalities can get involved. Ben questioned why Tompkins County wasn't doing this.

Lynn also announced that Tom Johnson of Cornell would be doing sediment training. DEC is getting away from using hay bales. There are new guidance manuals and Lynn feels we should be considering this when new plats come in. She feels more training is needed. Lynn asked if it was our responsibility to maintain retention areas or if we just have maintenance easements.

Lynn gave Ben a sample model ordinance to review for Storm Management, which was prepared by Kate Hackett. Ben stated that it is a State requirement anyway. Lastly, Lynn thanked Dennis for planting the flowers in the office planters.

Don stated that the Kline Road Bypass bid opening was today at 3:30pm. Once this project is complete we will initially only connect 10 residents. The Village of Cayuga Heights has guaranteed that once the project is connected, the moratorium on the issuance of sewer permits will be over. He still needs to negotiate a financial agreement with the Village of Cayuga Heights. We will also be seeing an increase for phosphorus removal.

Don advised the Board that we are in the final run down on the N. Triphammer Road Project. We have to publish our job in the State Recorder. Jodi is working on registering online and Don is investigating the option of piggybacking on

the County. We should be set to advertise July 7<sup>th</sup> and publish on the 12<sup>th</sup>. The bid opening can then be done three weeks later around July 30<sup>th</sup>. The project can then start in August by moving utility poles and doing some underground work. Having the project go over two seasons will actually be better for traffic flow this season since there will be no disturbances this year. Don plans on having a meeting with business owners to exchange information. The current estimated cost for the project is approximately \$6 million. The Village's share will be approximately \$2.4 million.

It was explained that when working in the State's right-of-way, a municipality must pass an undertaking resolution that basically says we will do a good job.

Resolution #4071-Undertaking (Municipality) In Connection with Highway  
Work Permits Issued by the New York State Department of  
Transportation

WHEREAS, the undersigned Village of Lansing from time to time receives permits from the Department of transportation of the State of New York (hereinafter referred to as the "Department") allowing the Village of Lansing to temporarily obstruct, install, construct, maintain, operate or replace any facilities within the bounds of a State highway right-of-way pursuant to Section 52,103,203,249 and or 250 of the Highway law; and

WHEREAS, the Department requires that the municipality file an undertaking to secure the Village of Lansing faithful performance within the terms of any such permit and also to indemnify the State of New York (hereinafter referred to as the "State") and others with respect to all operations under such permits by the Village of Lansing.

NOW THEREFORE, the Village of Lansing hereby undertakes, to and with the State and the Department, that:

1. The Village of Lansing will well, truly and faithfully comply with and perform all the terms and conditions of each such permit on its part to be kept and performed, and abide by and comply with all such conditions, rules, and regulations as may be, from time to time, promulgated by the Commissioner of Transportation of the State of New York (hereinafter referred to as the "Commissioner"), according to the true intent and meaning of such permits, rules and regulations.
2. The Village of Lansing will, at its own expense, promptly complete the work allowed under each permit and within a reasonable time restore State property damaged by its work to substantially the same or equivalent condition as existed before such work was begun; and in the event that the Village of Lansing fails to so restore damaged State property within what the Commissioner deems to be reasonable time, the Commissioner, after giving written notice to the Municipality, may restore the property to substantially the same or condition as existed before the Municipality began the work and require the municipality to reimburse the state for any and all costs incurred by the State in such restoration;
3. The Village of Lansing will indemnify, hold harmless and defend and protect the State of New York, the Commissioner and the Department, their officials, officers, agents and employees against and pay any and all amounts, damages and costs and judgements which may or shall be recovered against said State, or its officers, or agents, or which such State may be called upon to pay to any person or corporation by reason of damages arising or growing out of operations pursuant to said permits or the manner of doing the same, or the neglect of said Village of Lansing, or its agents or servants, or the improper performance pursuant to the conditions of said permits by the Municipality, its agents or servants.
4. The Village of Lansing which is self-insured, will pay any and all damages, costs, including but not limited to attorney's fees, and judgements recovered against the State, the Commissioner of Transportation, the Department of Transportation and their officials, officers and employees in connection with work allowed by a permit or from use of a permit by the Village of Lansing or by any person acting by, through or for the village of Lansing, including omission and supervisory acts of any of the entities or persons named above;
5. It is understood that this undertaking is one of indemnity only and is not to be construed as imposing on

the Village of Lansing an obligation to pay claims for which there would not otherwise be a remedy in law against the State of New York.

6. Any payments required by the foregoing will be guaranteed by the full faith and credit of the village of Lansing, or its districts, as applicable, and will be paid out of current laws permit the Village of Lansing, to issue to pay claims against it.

IN WITNESS WHEREOF, the Village of Lansing has caused this instrument to be signed by Mayor Donald Hartill, a copy of which is annexed hereto.

Larry moved to authorize the Mayor to sign the above Undertaking and O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Larry Fresinski- Aye	Trustee Lynn
Leopold-Aye	Trustee John O'Neill-Aye	

The Mayor then wished Jodi happy birthday and the Board took a cake break.

Ben, who had just returned from vacation, reported that things went well in his absence. The Village is currently working on three new subdivisions. Spitsberg is pretty much approved. The Hamlet will appear before the Board of Trustees on Monday for approval as a minor amendment to the Shannon Park Planned Development Area. There will be a public hearing on June 29<sup>th</sup> at the Planning Board meeting for Lansing Trails II. There are drainage problems in Lansing Trails I. Ben stated that John brought up a good point of trying to get control of the southwest corner to be used as a detention pond to help with the water issues. The property in question may be the result of a surveying error. The parcel does have a separate tax map number. Ben will have David Dubow look into the possibility of acquiring the property.

Ben suggested setting up a mutual aid agreement with the Village of Cayuga Heights for those instances when the code officers are on vacation. Floyd Ferris has Common Wealth cover for him when he is out of town. Don will speak with the Mayor of Cayuga Heights.

Dennis stated that the public works department has been busy trying to keep the grass mowed. R.C. Wilson will be in the Village fixing potholes next week. Don reminded Dennis of the holes on Graham Road as you are making a left turn out of Pyramid Mall. These holes are in the Village right-of-way. Dennis has received a final agreement from Computel that he will forward to David Dubow. Sewer manholes have been retired on Warren Road.

Don told Dennis that the damaged Cayuga Heights Road guardrail needs to be replaced. Dennis will look into this to see who is responsible for the damage so that they can pay for the replacement.

Jason is working out great. Today Rick and Jason are not at the meeting because they are flagging for the Village of Cayuga Heights. In return, we will be getting their flusher truck for our sewers either Thursday or Monday.

Lynn asked Dennis if he got the dead trees out of Dankert Park. Dennis did it this spring.

Mayor Hartill introduced the following:

Resolution #4072- Abstracts of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 13 for the General Fund, in the amount of \$23,977.50, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 1 for the General Fund, in the amount of \$41,586.57, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 13 for the Water Fund, in the amount of \$1,253.11, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 13 for the Sewer Fund, in the amount of \$7,284.75, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 13 for the Capital Projects Fund, in the amount of \$14,135.82 is hereby approved for payment

Trustee Fresinski moved that this resolution be adopted and Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Larry Fresinski- Aye	Trustee Lynn
Leopold-Aye	Trustee John O'Neill-Aye	

Motion- To Adjourn

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

Mayor Donald Hartill-Aye	Trustee Larry Fresinski- Aye	Trustee Lynn
Leopold-Aye	Trustee John O'Neill-Aye	

The meeting adjourned at 1:40pm.

Jodi Dake  
Village Clerk