

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 15, 2004, in the Village Office.

Present: Deputy Mayor Larry Fresinski; Trustees, Lynn Leopold, John O'Neill and Frank Moore; Attorney David Dubow; Clerk/Treasurer, Jodi Dake, and Engineer Dave Putnam.

Deputy Mayor Fresinski called the meeting to order at 7:37P.M. and opened the public comment period. Susan Wait, president of Sevanna Park Homeowners Association, and Caroline Spicer, also of Sevanna Park Homeowners Association, were present to inquire about the status of the North Triphammer Road improvement project and to help improve communication between the Village and the 160 residents of Sevanna Park. They indicated that Dennis has been helpful in the past, but he doesn't seem to know the information they are currently looking for. Stan Burin, the Manager of the complex, has contacted Kathryn Wolf and obtained some specific information. She thanked Larry for the email updates. Caroline wanted to make sure that the moving of the signs and plantings at the intersection of Sevanna Park Drive and North Triphammer Road would be at the Village's expense. She stated that they have placed caution tape around 5 trees by the road to make sure that they are not cut down. They asked what the stakes out front meant. Dave Putnam informed them that surveying was taking place and the stakes were most likely related to marking out the centerline of the road before construction commences. Larry asked what was the best way to keep them informed. It was decided that they would continue to receive email updates and they would pass that information on to the others in their association. Larry stated that the newsletter was a major source of information, but doesn't generally provide specific details. He explained that the project engineer for the job is Byron Hall and that his office trailer is located out back by the Village garage. Jodi told Caroline if she gave her a call tomorrow she would give her Byron's phone number. Caroline wanted to clarify a few issues of the project and will contact Byron to talk to him about specifics. The goal of both parties was to have good communications.

It was explained that the North Triphammer Road project goes from Brook Drive south to Sheraton Drive. Originally it was two separate jobs; one on either side of Route 13, but it was combined into one large job. Suit-Kote is the general contractor who was awarded the contract. Their staging area is set up on N. Triphammer Rd. next to Billy Bob Jacks. The project includes rebuilding the road, new infrastructure, adding turning lanes, new cross walks, bike lane, and sidewalks. The only things they plan to do this year are surveying, cutting down trees and clearing brush that is in the right of way, and sewer work. The start of major roadwork in the spring will depend on the weather. The Village will do its best to keep people informed. Currently, there are project meetings about every two weeks and the minutes will be available on the Village website. Larry will continue to send out email updates for those that are signed up. When major work occurs we will make sure the media is alerted.

Motion-To Close the Public Comment Period

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

Trustee Larry Fresinski-Aye	Trustee Frank Moore- Aye	Trustee
John O'Neill-Aye	Trustee Lynn Leopold-Aye	

Next on the agenda was a public hearing to consider accepting Ayla Way as a Village road. David Dubow explained that at the Trustees meeting on November 1st the Board adopted a preliminary resolution to accept the offer of dedication, so now, as required by Village Law, there must be a public hearing so that the residents have a chance to comment before the Board reaffirms the previous acceptance. Larry made the following motion:

Motion-To Open the Public Hearing on Ayla Way

Trustee Leopold moved to open the public hearing. Trustee Moore seconded the motion. A vote was

taken:

Trustee Larry Fresinski-Aye	Trustee Frank Moore- Aye	Trustee
John O'Neill-Aye	Trustee Lynn Leopold-Aye	

It was explained that Ayla Way is a road in the Lansing Trails subdivision. Ivar Jonson has offered the road to the Village. It is currently a private road built by Ivar Jonson, and to accept the road as a public road it must be built up to Village specifications. Once we accept the road and all the legal requirements are fulfilled we will take over responsibility for the maintenance of this road. There were no comments from the public.

Motion-To Close the Public Hearing on Ayla Way

Trustee Leopold moved to open the public hearing. Trustee O'Neill seconded the motion. A vote was taken:

Trustee Larry Fresinski-Aye	Trustee Frank Moore- Aye	Trustee
John O'Neill-Aye	Trustee Lynn Leopold-Aye	

Resolution #4101-To Reaffirm Actions Taken in Resolution #4098 Adopted
November 1, 2004 Authorizing the Village to Accept the Offer of Dedication of Ayla
Way

WHEREAS, by Resolution No. 4098 adopted on November 1, 2004, the Village of Lansing Board of Trustees (i) conditionally accepted the Offer of Dedication made by Ivar R. Jonson and Janet B. Jonson for Ayla Way, and (iv) directed that a public hearing be conducted in regard to the foregoing actions at the next regular meeting of the Board of Trustees of the Village of Lansing, on November 15, 2004, at 7:35 PM; and

WHEREAS, such public hearing was held on November 15, 2004 as required, at which time the Board heard no sufficient expressions of opposition to the Board proceeding as resolved in Resolution No. 4098; and

WHEREAS, the Board therefore wishes to reaffirm the actions provided for in Resolution No. 4098;

NOW, THEREFORE, in accordance with Sections 6-610, 6-612 and 6-614 of the Village Law of the State of New York, and for the purpose of reaffirming its previous action as provided for in Resolution No. 4098 adopted on November 1, 2004, be it resolved by the Board of Trustees of the Village of Lansing as follows:

The Village of Lansing hereby reaffirms its acceptance of the Offer of Dedication made by Ivar R. Jonson and Janet B. Jonson, subject to full and complete satisfaction of each of the following conditions:

Delivery to, review by and approval by the Village Attorney of original and executed copies of each and every document required in order to complete conveyance of the subject property in accordance with (i) the Village of Lansing Land Subdivision Regulations and (ii) all applicable provisions of the State of New York and Village of Lansing laws, rules and regulations;

Receipt by the Village Attorney of a satisfactory and fully updated abstract of title and all related title documents to confirm that the premises will be conveyed free and clear of all liens and encumbrances other than customary public utility easements of record; and

- c. Recording and filing of the warranty deed conveying the subject property to the Village of Lansing, and recording and filing of any other documentation necessary to complete the conveyance of such property

free and clear of all liens and encumbrances other than customary public utility easements of record.

2. The Village of Lansing's acceptance of the Offer of Dedication is expressly subject to the above-stated conditions, and such acceptance shall not become effective until each of said conditions has been satisfied in full.

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

Trustee Larry Fresinski-Aye	Trustee Frank Moore- Aye	Trustee
John O'Neill-Aye	Trustee Lynn Leopold-Aye	

Next on the agenda was the engineer's report. Dave Putnam brought up the issue of whether the Village should change its current policy of using sand and salt on Village roads to the application of all salt. Dave has no problem with straight salt. He feels that from a maintenance standpoint it is easier to maintain. There is less damage to cars now than in the past because they are making them better. He has not seen that there is a major effect on plants on the side of the road. Lynn stated that white pines and sugar maples are very much harmed by the salt. Property owners are more aware of the effects of salt on certain plants and are planting accordingly along the roadside. The salt into the water system is not an issue. The salt does not bother animals. There is more trouble with dumping sand and the costly clean up. The major benefits are no ice on the roads and less trips needed by the snowplow. Frank was concerned that once the temperature goes below a certain level the salt may no longer be effective, and wondered if at that point the mixture would be changed. This is an issue to ask the Town Highway Department. It was asked why the Village should be unique and use a sand and salt mixture when everyone around us is using pure salt. John O'Neill stated that in the spring when the street sweeper went through his neighborhood the sand caused quite a dust cloud, which is not healthy for people to breath. Frank added that another concern is the accumulation of sand on the side of the road which results in no longer being able to see the white line that marks off the pedestrian area. The bikers move out into traffic because they don't want to ride on the loose sand. This also makes it a safety issue. The Board did not want to make this decision without the Mayor. At this point Jodi read the Board Don's email on the subject. He is flexible on the subject and because we are the only ones who don't use pure salt, he is inclined to go with pure salt. The Board decided to pass the following resolution so as to advise the Town of Lansing of the Village's new salt policy. This action is being taken in accordance with the 1990 snowplowing agreement between the Village and Town, and to modifying the "low salt policy" previously in place. The snowplowing agreement was last updated in 1999, but that was to amend payment arrangements.

Resolution #4102-To (i) modify the Village's current "low salt" snowplowing policy to an "all salt" policy (except in cases where the temperature falls below a level at which the use of salt alone is ineffective, in which case salt and sand are to be used), and (ii) to so notify the Town of Lansing in accordance with the 1990 Village/Town snowplowing agreement, such notice to indicate that such new policy is to commence for the 2004-2005 snowplowing season and continue for successive seasons unless the Village advises the Town otherwise.

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

Trustee Larry Fresinski-Aye	Trustee Frank Moore- Aye	Trustee
John O'Neill-Aye	Trustee Lynn Leopold-Aye	

David Dubow had prepared a resolution for the discontinuance of certain portions of the old Sapsucker Woods Road as a follow-up to the construction of the new road (partly in the Village and partly in the Town of Dryden) in conjunction with the new Ornithology Lab project. He showed the Board a map of where the road used to be and where the new road is. Cornell would like title conveyed back for those portions of the old road no longer in use. The following resolution was presented:

Resolution #4103 -To Discontinue and Convey Portions of Sapsucker Woods Road and Brown Road Extension as Originally Laid Out Due to Construction and Relocation of New Sapsucker Woods Road and Dedication and Conveyance of a Portion Thereof to the Village

WHEREAS, the Village of Lansing (the "Village") and Cornell University ("Cornell") entered into a certain Agreement to Dedicate Brown Road Extension dated June 18, 2001 (the "Village/Cornell Agreement"), providing for certain terms, provisions, requirements and conditions governing the new construction and relocation of Sapsucker Woods Road and Brown Road Extension in conjunction with the construction of a new Laboratory of Ornithology facility, which project is located partially in the Village of Lansing and partially in the Town of Dryden; and

WHEREAS, in accordance with the terms and provisions of the Village/Cornell Agreement, and following the offer of dedication and conveyance by Cornell of the portion of the newly constructed Sapsucker Woods Road (formerly, in part, Brown Road Extension) situated in the Village, (i) the Village, in accordance with Article 6 of the Village Law, accepted the dedication and conveyance of such newly constructed Sapsucker Woods Road situated within the Village and (ii) Cornell conveyed to the Village such newly constructed Sapsucker Woods Road situated within the Village by deed dated August 10, 2004 recorded in the Tompkins County Clerk's Office on August 11, 2004; and

WHEREAS, as a result of the aforesaid construction, relocation, dedication and conveyance by Cornell of the newly constructed Sapsucker Woods Road situated within the Village, certain portions of the previously laid out Sapsucker Woods Road and Brown Road Extension situated within the Village are no longer needed as a thoroughfare for public use; and

WHEREAS, the Village of Lansing wishes to (i) discontinue such unneeded and useless portions of the previously laid out Sapsucker Woods Road and Brown Road Extension situated within the Village, and (ii) convey such property to Cornell, being the original grantor of such property and the owner of the lands adjoining such proposed discontinued street area; and

WHEREAS, as a result of the aforesaid construction, relocation, dedication and conveyance by Cornell of the newly constructed Sapsucker Woods Road situated within the Village, the Village has received adequate and reasonable consideration for the conveyance to Cornell of the portions of the previously laid out Sapsucker Woods Road and Brown Road Extension hereby deemed to no longer be needed as a thoroughfare for public use;

NOW, THEREFORE, in accordance with Sections 6-612 and 6-614 of the Village Law of the State of New York, be it resolved by the Board of Trustees of the Village of Lansing as follows:

1. The Village hereby discontinues the portions of the previously laid out Sapsucker Woods Road and Brown Road Extension hereby deemed to no longer be needed as a thoroughfare for the public, such discontinued property being more particularly described on Schedule A attached to this resolution;

The Village hereby (i) authorizes the conveyance to Cornell by quitclaim deed of the portions of the previously laid out Sapsucker Woods Road and Brown Road Extension hereby deemed to no longer be needed as a thoroughfare for public use, as more particularly described on Schedule A attached to this resolution, and (ii) determines that the Village has received adequate and reasonable consideration therefor as a result of the construction, relocation, dedication and conveyance by Cornell of the newly constructed Sapsucker Woods Road situated within the Village;

The Village hereby directs that a public hearing be conducted in regard to the foregoing resolutions at the next regular meeting of the Board of Trustees of the Village of Lansing, on December 6, 2004, at 7:35 PM.

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

Trustee Larry Fresinski-Aye

Trustee Frank Moore- Aye

Trustee

John O'Neill-Aye

Trustee Lynn Leopold-Aye

The next item on the agenda was the approval of the minutes for November 1, 2004.

Motion-Approval of Minutes for November 1, 2004

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

Trustee Larry Fresinski-Aye
O'Neill-Aye

Trustee Frank Moore- Aye
Trustee Lynn Leopold-Aye

Trustee John

During general discussion Frank distributed a hand out of the November 10th sewer meeting at the Town of Lansing. It was a summary of the 3 Village alternatives:

- A. Cayuga Heights Road Force Main System
- B. Ithaca-Auburn Railroad Gravity Sewer System
- C. Route 34 Gravity Sewer with Force Main System

Frank stated that Stearns & Wheeler, engineers for the Town of Lansing, have been working on this. The Town wants decisions made and costs determined over the next several months. The Town is currently in favor of alternative B. Frank feels the Village needs to come to grips with this and take a position. Stearns & Wheeler and the Town Board would like to meet with our Board. The Village must first have a position before these very complex negotiations take place. Don had previously stated that he would like to see a committee formed to deal with this. Frank feels this is a great idea and should be done once the Mayor returns. Don has been our resident expert on this subject and should be part of the committee. Then the advantages and disadvantages of pumping sewage can be discussed. Another issue is access for maintenance. There will be a loss of some mature trees. Lynn stated that they were the 6 hemlocks on her property.

John O'Neill stated that he has contacted the Cayuga Mall merchants and spoken with the managers, and they were overwhelmingly enthusiastic with having the TCAT bus come into the Cayuga Mall. The managers contacted New Plan Realty with the idea and they told them to have John contacted Lisa Piazza at the Syracuse Office of New Plan. She in turn suggested that he contact Joel Crystal at New Plan's home office in New York City. Mr. Crystal suggested that the Village send a fax with the proposal for bus access to the Cayuga Mall parking lot to him, for consideration and conveyance to the New Plan Business Office. John will give the information to the Mayor so that he may send a letter. John will also speak with the bus company regarding this issue.

Lynn informed the Board of a letter she received from Tompkins County Planning informing us that there is a change in the federal wetland regulations. The protection of isolated wetlands smaller than 12.4 acres in size is now primarily the responsibility of local government. Anything over 12.4 acres is regulated by the NYSDEC. Lynn feels we should be aware of this. Wetlands are non-permeable surfaces. They help protect water quality by filtering pollutants, reduce flood damage by temporarily storing runoff from heavy rains and snowmelts, support recreational activities such as hunting, fishing and birding and provide habitat for fish, waterfowl and other animals. The Planning Board does a good job at looking at wetlands during its review of site plans, subdivisions and special permits. She wanted the Board to be aware and feels we can deal with this on a case by case basis. David Dubow stated that the subdivision regulations of the Village address these issues.

Motion- To Adjourn

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

Trustee Larry Fresinski-Aye

Trustee Frank Moore- Aye

Trustee John

O'Neill-Aye

Trustee Lynn Leopold-Aye

The meeting adjourned at 9:00 PM.

Jodi Dake
Clerk/treasurer