

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, February 7, 2005, in the Village Office.

Present: Mayor Donald Hartill; Trustees, Larry Fresinski, Lynn Leopold, John O'Neill and Frank Moore; Attorney David Dubow; Clerk/Treasurer, Jodi Dake; Planning Board Chairman, Ned Hickey.

Mayor Hartill called the meeting to order at 7:30P.M.and opened the public comment period. There was no public comment.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye	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 January 3rd and 12th.

Motion-Approval of Minutes for January 3, 2005

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

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

John O'Neill stated that Lansing Ledger should be capitalized in the January 12th minutes.

Motion-Approval of Minutes for January 12, 2005

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

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

Two members of the public showed up and had public comment. Mayor Hartill allowed them to speak to the Board. Trisha indicated she was representing Meadow Town Homes and was there asking the Board to remove a penalty which they received on their water bill. She explained further that the Meadows had changed accountants during the end of 2004 because the one they were using stopped paying bills, which included the October 2004 billing. Trisha had called the Village office to ask to have the penalty removed because they have never been late before and this was a special circumstance. Jodi informed her that the only way to have a penalty removed is by an action of the Board. The late fee is 15% of the bill, and in this case amounted to \$951.05. Frank commented that he has paid his bill late and had to pay the penalty. Larry questioned why the Village should pay for a mistake by a staff member of a customer. Trisha stated that the person has been terminated so she cannot go after him. Trisha stated that they were asking for forgiveness for this one time and it would not happen again. She also presented previous billing and payment records to support her contention that this was the first time payment had been late, and in some instances payment was made well in advance of the due date. John indicated that he was inclined to credit the penalty back to their water/sewer account. Frank asked if we could refund it in part. The Mayor stated that he believed it should be all or nothing. Action of the Board is the only way to remove a penalty and the Board passed the following resolution:

Resolution #4112 - Given the Situation, the Board of Trustees Authorized a One Time Credit to Account M1685 in the Amount of the October 2004 Penalty of \$951.05

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

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

The next item on the agenda was to consider the Supplemental Agreement Schedule #2 to Master Agreement for N. Triphammer Rd. Jodi had given the Mayor the only copy, which was home on his desk. This item will be moved to the Wednesday noon meeting.

The Mayor stated that it is budget time again. The budget, by law, must be completed by April 15th. The plan is to receive proposals by February 16th and have a tentative budget by March 7th. The Mayor will be out of town for that meeting so the major discussions will be at the March 21st Board Meeting. On that date the plan will be to set the public hearing for April 4th, and then approve it at that meeting. If there were any problems the Board would still have the April 13th meeting. The Mayor sees no major deviations this year. One thing that needs to be figured out is what the Village will be doing with our roadways. Ned stated that the Planning Board is trying to pull together all the new sidewalks and detention ponds for which the Village will be responsible, and wondered if this would be something we would hire an additional person to do or contract out. Don stated that the Public Works Department is looking into a different device for plowing snow on the sidewalks. This would result in an additional equipment item in the budget. In the past there has been money in the budget for pond maintenance but it just hasn't been used. The Mayor went on to explain that we may see an increase in the amount we use our engineers. There has been a significant increase in assessment and we may actually be able to decrease our tax rate. We will look at our sales, mortgage and utility taxes and see if there are any changes there. The Mayor asked John O'Neill to be the liaison to the staff. John will meet with the staff to find out their concerns and desires. The Public Works Department and the engineer will do roadways. Lynn will do Planning Board.

The Mayor hopes to have two new people to add to the sewer committee this week so they can start meeting. He also reported that we had a significant sewer problem two weekends ago in the Yardley Green area. There was a blockage earlier in the week, that was cleared and then on Friday, January 28th it reappeared. The owner of Drain Brain identified the problem as being in the Village's line. He told the residents that he would contact the Village for permission to do the work and would get on it first thing Saturday morning. He tried contacting the Village that night but had the wrong phone number. He tried again the next morning and was unsuccessful because again he was calling the wrong number. He had an important appointment out of town and had to leave. Dennis first learned of the problem when he came in to spread salt on the road at 10:30am. He immediately called Drain Brain because they are the most responsive service in the area, but because he only contacted the answering service, he didn't know the owner was unavailable until later in the day.

Don stated that after Mr. Middleman at 15 Yardley Green called his home Saturday morning, he drove by to survey the situation. The overflow had been fixed at that point. Around 4 p.m. Don met with Mr. Middleman to assure him that the sewer flow was now ok. Don also inspected the overflow path to make sure that the appropriate chemical treatment had been properly applied, which it had. As weather permits the remaining debris, mainly paper towels, which caused the problem, will be cleaned up and any damage on the right of way will be repaired. The Village cannot perform work on private property so our activities have to be confined to the right of way over the sewer line. We are tracking the source of the paper towels and will take appropriate action to avoid problems like this in the future. Letters stating all this information have been written along with our apologies. Jodi will mail them out tomorrow.

We have taken steps to prevent this in the future. The owner of Drain Brain now has the correct number to call, and we have his personal cell phone number. We will also be discussing the merits of authorizing him to do the work, if he is unable to contact the Village.

Ned stated that he and Ben have been discussing with Bob Dean having Transact on Bomax Drive eventually tie into the manhole at Yardley Green and he wondered if that was a problem. Don said it was not a problem.

Don met with the Lansing Town Sewer Committee at the end of January. They are now exploring three possible routes for the sewer main including Route 34. They are meeting with George Doucett and reviewing specifications and costs. The Mayor explained that in this situation the Village will not be the lead agency for the SEQR environmental review, but instead will be an involved agency. The goal is to have a solution by the end of the year. Frank stated that the engineering design effort at this point is essentially zero. We are very far from a resolution. Ned wondered if there would be any design criteria set. Don's read on the situation is that it will be another 2-3 months before they get to that point. The money for the project will not be available unless used within a certain period of time.

We have had a couple of water main breaks. One was at the Ramada. As part of the N. Triphammer Rd. Project there will be a rationalization of water lines.

On the North Triphammer Road Project, NYSEG was supposed to start pole relocation on January 15th. Thus far, stakes have been set and Fisher needs to survey them and then the poles can be set. A lot of hand digging will be necessary when putting in the poles due to all of the underground utilities. The next project meeting is February 24th and on the 25th Don will be meeting with the State.

Ned informed the Board that the Village of Lansing Planning Board had a Public Hearing on the Draft Comprehensive Plan on January 25th. Few comments were sent to Carol Willard via e-mail. Additional amendments are being considered and will be discussed at the Planning Board meeting on February 15th. Following that process, the revised document will be recommended to the Board of Trustees and they will also have to hold a public hearing before ultimately approving the newly revised Plan.

Ned has received a County Agriculture District Proposal for a property in the Village on East Shore Drive. What this means is this property will remain open space for 8 years. Ned also stated that preliminary plans for Lansing Trails II will be reviewed and worked on at the February 15th meeting at which a public hearing will be held. Jonson is anxious to build. Bomax Road will be used to access Lansing Trails II during the construction phase. Frank questioned whether that road would hold up to truck traffic. Ned stated that the base for Bomax was built to Village standards. Ned also asked when we should consider the right turning lane on Bomax. The County is looking into redoing Warren Road, which would be a good time. Ned will talk with Fernando at the County.

John stated that he attended the Planning Board meeting while Lynn was away but Ned has pretty much covered everything. One thing he added was that the Andersons, who apparently have a contract to purchase property on Pembroke Lane formerly used as a residence and kennel, wanted to get a special permit to turn the kennel into an additional apartment constituting a third residential unit. Another resident in that area stated at the public hearing that there is a restrictive covenant attached to all of the Pembroke lots limiting uses to one primary residence and a second small accessory apartment. Therefore, this application for a special permit was tabled and the public hearing adjourned until the next meeting so the parties involved can clarify the restrictive covenant issue.

Motion- To Go into Executive Session to Discuss Personnel Issues

Trustee O'Neill moved to go into executive session. Trustee Leopold seconded the motion. A vote was taken:

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

The Board went into executive session at 8:42pm.

Motion- To Come Out of Executive Session

Trustee Fresinski moved to come out of executive session. Trustee Leopold seconded the motion. A vote was taken:

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

The board came out of executive session at 9:34pm.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye
O'Neill-Aye

Trustee Lynn Leopold-Aye

Trustee Larry Fresinski-Aye

Trustee Frank Moore- Aye

Trustee John

The meeting adjourned at 9:35 PM.

Jodi Dake

Clerk/treasurer