

Village of Lansing

MINUTES of the Board of Trustees of the Village of Lansing held on Monday, October 7, 2013, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Lynn Leopold, John O'Neill and Patricia O'Rourke; Attorney David Dubow; Clerk/Treasurer Jodi Dake

Mayor Hartill called the meeting to order at 7:31pm and opened the public comment period. Jodi stated that Jim Trent of 56 Nor Way called the office today requesting that his late fee of \$20.89 be waived. He is unable to be here tonight since he has had a heart attack. He sent his payment in last quarter but it never made it to the Village. He has never been late before. The Board agreed that the late fee should be waived since this is the first time he has been late.

Resolution #6009-To Waive the Late Fee of \$20.89 for Account N6468

Trustee Leopold moved to waive the late fee. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye	Trustee Lynn Leopold-Aye

There were no other comments.

Motion-To Close the Public Comment Period

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

Mayor Donald Hartill-Aye	Trustee John O'Neill-Aye
Trustee Patricia O'Rourke-Aye	Trustee Lynn Leopold-Aye

Hartill stated that Ed Marx, Commissioner of Planning, was present to talk to the Village about the solar installations that have been done on the County buildings. Ed explained that in 2011 the County entered into an agreement to install solar panels on seven County buildings, of which six have been completed. They were guaranteed by Solar Liberty that the lease would actually save \$9-10,000 per year. The County has limited responsibility. Solar Liberty checked the roofs and gave estimates of electric generation. They made sure the buildings were structurally sound to hold the panels. There were no repairs that needed to be done to their buildings. The term of the lease was 15 years. At the end of the lease, the County can purchase the solar panels for fair market value, renegotiate a lease or have them taken off the roof by the owner. 20 KW systems were installed and on two of the buildings it was increased to 40kw. NYSERTA gives incentives for up to 50kw, originally it was 20kw. What was nice with the lease was that it allows the owner to get

tax incentives which the government can't. The County is not responsible for maintenance. It was asked what the County gets back from NYSEG. Ed stated that it is different now. Currently, they are offering a power purchase agreement. You make roof space available and they guarantee you a price per kilowatt hour as opposed to buying. Ed feels using solar is good for leadership and to be a role model.

The company, Solar Liberty out of Buffalo NY, uses all American made solar panels. They are committed to the expansion of solar energy. The whole process of installing solar panels takes some time to do, but there is little effort by the municipality. Solar Liberty will give you an output estimate. Mayor Hartill asked if there was any warranty for damage to the roof. Ed doesn't know. Leopold asked if there were any problems with orientation of the sun. Ed stated that all the panels were installed on roof tops. They looked at the option of installing ground panels but ultimately opted for the roofs. In one place there was an issue with tree shading but they moved the panels around and it was okay. Mario asked where the panels were located. The solar panels are on the 911 emergency building at the airport, Human Services and the annex building downtown, Health Department, public works building, Board of Election building and the last one will be installed soon on the Public Safety building. Mario Tomei stated that most of these buildings have flat roofs and you don't see the panels.

A representative from the Community Party stated that there are a number of local businesses that allow for solar panel leases also. She used Nanovice for solar. They also have a lease program. The net savings are there.

It was asked if the solar panels are performing to capacity. Ed stated that they haven't been working that long so they don't know. The solar panels provide 15% of electrical use in the building. Dan Veanor stated that when the Town of Lansing put theirs in they couldn't sell back to the grid. They could only use what they were getting. Ed stated that you can't put back more than your annual use. Leopold asked if the County had help searching for the companies. Ed indicated that they were aware of the solar panels installed on public library several years ago and the County facilities staff felt comfortable with it. Leopold asked if the County has plans to put solar on other County buildings. Ed stated they have already done all the buildings that don't have prohibitive issues.

It was asked how practical this is for the Village. Leopold thinks it is worth looking into. Hartill stated that we looked at solar panels for the new Administrative Building now under construction and it wasn't cost effective. It would have cost us a significant amount of money. Leopold thinks things have changed and it may now be worth it.

Lynn stated that there is a coalition of Towns which was organized by local residents to get solar. Now there is also a push to do this in the Town of Lansing. Mario is concerned with esthetics. He feels we have this new beautiful building and it wouldn't look right. Leopold thinks the opposite. When she looks at the building she sees the roof as wasted space. Ed stated that the solar panels have a 30 year life expectancy. As technology changes this may also change. The County is committed to this technology for 15 yrs.

Leopold stated that she had a hot water solar system in her home for 10 yrs. The problem she found was that most solar companies went out of business. No one knew how to fix it. Hartill stated that he has a 70 watt on his cabin and he is on his second controller at \$150 ea.

Mayor Hartill stated that in Germany many power plants are going broke. There are no incentives to maintain. Two or three large producers are going bankrupt. Private companies provide power for the grid. Germany also has a big wind farm that isn't connected because there is no way to get the power there. One needs to keep this in mind. For us, it is not an issue because of the small scale.

Ed stated that Solar Liberty does all the maintenance since they own the panels. The Mayor asked if the County was doing practical things like replacing windows and adding insulation. Ed stated that that was their first step in trying to be energy efficient. Mayor Hartill thanked Ed for coming and stated that the Village may be in contact to discuss this more in the future.

Ed stated that Dooley Keifer asked him to find out where we are with senior housing which is part of the Lansing Meadows PDA on Oakcrest Road. Hartill stated that it is being held up with a wetland issue which is affecting efforts to expand the number of housing units in the project.

The next item on the agenda was to approve the minutes of September 16 & 23, 2013.

Motion- To Approve the Minutes from September 16, 2013

Trustee O'Rourke moved to approve the minutes. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Abstain	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye

Motion- To Approve the Minutes from September 23, 2013

Trustee Leopold moved to approve the minutes. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Patricia O'Rourke-Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye

The Survey Research Institute (SRI) results have been received by the Village. Pat thought that Julie was going to print a copy. On Sept 23rd an electronic copy was emailed to the Trustees. There is also a printed copy in the Clerk's office. Mario requested that the Planning Board members all receive an electronic copy. Jodi will email it to the Planning Board members. Dan Veanor also requested a copy.

Leopold stated that many questions in the survey pertained to both the Town and Village. She asked what our next step was after we've all had a chance to look at the results. Leopold also questioned how we move forward with updating the Comprehensive Plan. Hartill stated that we will use the survey along with other census data to update the Comprehensive Plan. The Board still wants to go to the business sector to get their input before an update is done.

Leopold stated that people are still having trouble realizing that the Village is a community. Town people think that the Village commercial center is the Town's center. Leopold feels there is not a sense of community. One reason may be that we are divided between transient and long term residents. It was asked how much of the taxes we collect are paid by commercial businesses in the Village. The total assessed value on which taxes are levied is approximately \$458 million. Pyramid's assessed value is approximately \$45 million. Sales tax from commercial activity is distributed in Tompkins County based on population, not where the business is located. The Village generates more than 1/2 the sales tax for the County. The revenues that the Village receives come from 1/3 property tax, 1/3 sales tax and the remaining 1/3 comes from other receipts and fees. Hartill stated that in this fall's Newsletter he explained what we get for our taxes. The largest chunk of taxes billed to property owners is for schools, followed by County, Town and Village.

As we look at updating the Comprehensive Plan, Mayor Hartill thinks what would be very useful would be for each Trustee to look at the designated section that they were previously assigned together with a designated Planning Board member, and continue their respective efforts. Then we will have a joint meeting with the Planning Board to present the proposed revisions to see if others agree.

Leopold would like to hear from business owners also. It has been difficult to get business owners to comment as we found when trying to address the cart issues. You can't make people talk to you. Hartill suggested setting a goal for having proposed updates by the first meeting in November. Leopold stated that she will not be here for that meeting.

The next item was the introduction of Proposed Local Law A (2013) and setting of a public hearing. Dubow explained that the proposed law looks more complicated than it really is. We now have two sets of sewer rents collected by the Village for the Village of Lansing sewer use and the Village of Cayuga Heights sewer use. There was a 2% change in the water rate by SCLIW, and since we calculate our Village surcharge rate at 25% of the water rate charged by Bolton Point, it is \$1.02. Dubow stated that we previously updated the Sewer Law so sewer rents could be established by resolution, but after doing some review and research, it was determined that since the sewer rents were originally provided for by local law, it would be best and most appropriate to continue in that manner. The new rate will take effect January 1, 2014 with the 1st billing being April 2014.

Leopold asked if the non-water users pay the same rate as everyone else. They do pay the same.

Motion- To Set a Public Hearing for Proposed Local Law A (2013) to Amend the Village of Lansing Code-Sewer Rents for October 21, 2013 at 7:35pm.

Trustee Leopold moved to set a public hearing. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye

Trustee Patricia O'Rourke-Aye
Trustee Lynn Leopold-Aye

The following is a copy of the proposed law:

PROPOSED LOCAL LAW A (2013) AMENDMENT TO VILLAGE OF LANSING CODE – SEWER RENTS

Be it enacted by the Board of Trustees of the Village of Lansing as follows:

SECTION I. PURPOSE AND INTENT.

As a follow-up to the prior adoption by the Board of Trustees of Local Law 4 of 2012 and Local Law 6 of 2012, both of which relating to the amendment of Section 111-21 (entitled "Rents for property owners connected to the Village of Lansing water system") and Section 111-22 (entitled "Rents for property owners not connected to the Village of Lansing water system") of Article II (entitled "Sewer Rents") of Chapter 111 (entitled "Sewers") of the Village of Lansing Code, and both of which providing for the imposition and collection of sewer rents for the use of the Village of Lansing sewer system and the Village of Cayuga Heights sewer system, it is the purpose and intent of this proposed Local Law A of 2013 to provide for further amendments intended to:

- (1) increase the current sewer rents payable to the Village of Lansing for the use of the Village of Lansing sewer system based upon the concurrent and like increase in the Southern Cayuga Lake Intermunicipal Water Commission ("SCLIWC") water rates and the Village of Lansing water rates; and more specifically, to amend accordingly (i) subsection A of Section 111-21 [entitled "Rents for property owners connected with Village of Lansing water system"] of Article II [entitled "Sewer Rents"] of Chapter 111 [entitled "Sewers"] of the Village of Lansing Code, and (ii) subsection A of Section 111-22 [entitled "Rents for property owners not connected with Village of Lansing water system"] of Article II [entitled "Sewer Rents"] of Chapter 111 [entitled "Sewers"] of the Village of Lansing Code; and
- (2) alter and clarify the manner in which such sewer rents may, from time to time, be modified by further local law adopted by the Village of Lansing Board of Trustees.

SECTION II. AMENDMENT TO THE VILLAGE OF LANSING CODE.

A. Subsection A of Section 111-21 [entitled “Rents for property owners connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

A. Each owner of property that is provided with water service by connecting to the Village of Lansing Water System shall be charged for, and shall be obligated to pay, a total annual sewer rent amount comprised of the following:

- (1) an annual sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and two cents (\$1.02) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of ten dollars and twenty cents (\$10.20) for each quarterly billing (as provided in subsection “B” below); and**
- (2) an annual sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to three dollars and twenty-two cents (\$3.22) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of \$32.20 for each quarterly billing (as provided in subsection “B” below).**

The amount charged for use of the Village of Lansing sewer system shall be individually calculated, and thereafter collected by the Village of Lansing for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2014. The amount charged for use of the Village of Cayuga Heights sewer system shall be individually calculated, and thereafter collected by the Village of Lansing (or such other party designated by the Village of Cayuga Heights), for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2014. Each such amount shall thereafter continue until otherwise modified from to time by further local law adopted by the Village of Lansing Board of Trustees.

B. Subsection A of Section 111-22 [entitled “Rents for property owners not connected with Village of Lansing water system”] of Article II [entitled “Sewer Rents”] of Chapter 111 [entitled “Sewers”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

- A. Each owner of property that is not provided with water service by connecting to the Village of Lansing Water System shall be charged for, and shall be obligated to pay, a total annual sewer rent amount comprised of the following:**
- (1) an annual sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and two cents (\$1.02) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of ten dollars and twenty cents (\$10.20) for each quarterly billing (as provided in subsection “B” below); and**
 - (2) an annual sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to three dollars and twenty-two cents (\$3.22) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of \$32.20 for each quarterly billing (as provided in subsection “C” below).**

The amount charged for use of the Village of Lansing sewer system shall be individually calculated, and thereafter collected by the Village of Lansing for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2014. The amount charged for use of the Village of Cayuga Heights sewer system shall be individually calculated, and thereafter collected by the Village of Lansing (or such other party designated by the Village of Cayuga Heights) for all quarterly billings commencing with the Southern Cayuga Lake Intermunicipal Water Commission/Bolton Point quarterly billing after January 1, 2014. Each such amount shall thereafter continue until such amount is otherwise modified from time to time by further local law adopted by the Village of Lansing Board of Trustees.

SECTION III. SUPERSEDING EFFECT.

All local laws, resolutions, rules, regulations and other enactments of the Village of Lansing in conflict with the provisions of this local law are hereby superseded to the extent necessary to give this local law full force and effect.

SECTION IV. VALIDITY.

The invalidity of any provision of this local law shall not affect the validity of any other provision of this local law that can be given effect without such invalid provision.

SECTION V. EFFECTIVE DATE.

This Local Law shall be effective upon its filing in the office of the Secretary of State.

The next item on the agenda was Mayor's Comments. There is a subcommittee of the Bolton Point Water Commission that is in charge of public outreach. The minimum charge has been bothering him because it supplements the water rate by 10%. They are considering having a lower minimum that everyone is charged. Hartill had suggested \$8 per quarter to be charged per 1,000 gallons. This would ensure that big users pay their fair share. Despite the spreadsheets that Hartill provided, the Commission is hiring a consultant to look at this. This method seems much fairer. The Commission is doing much better at setting aside monies for capital projects. The system is running smoothly.

Leopold stated that the Board needs to consider updating the Firearms and hunting law so that we do not have to update each property owner's signature for permission to go on their property for hunting each year. Hartill stated that a good thing about annual review is so everyone is aware of what is going on. Leopold stated that Bernd and Jay feel there are too many properties to renew each year and if they have to do it then the hunters may not hunt in the Village. It was thought that each property owner was supposed to do it but Bernd and Jay have generally done all the leg work for those property owners. O'Neill likes annual renewal even though it is a pain because it increases our awareness. The safety of pedestrians was questioned. Hunters must post their property and can't shot over a road so our roadways are safe.

Dubow stated that the Village needs to decide if we do want to continue to renew on an annual basis. We don't need to do anything immediately, but will need to do so before the next hunting season. We have a set of 10 conditions that we established and we may want to look at those to make sure they are still appropriate for the current Village intentions. There is a potential issue if annual approvals are not granted. It was asked if this was something that could be done by email. Dubow advised the Board to really think about this before getting rid of the current annual renewal procedure.

Leopold stated that Bernd was on the radio today talking about a Tompkins County Deer Management Forum that will take place at Ithaca High School on October 24th from 6:30-8:30pm. Mayor Hartill will be a panel member. There is also a Planning forum for municipalities earlier that day.

O'Neill stated that Ivar Jonson is installing the road connecting Nor Way and Janivar Drive. O'Neill handed out a map showing where he would like to see some stop signs and pedestrian crossings installed. Dubow stated that the Planning Board and Engineer Brent Cross looked at this at the last Planning Board meeting and suggested that it be referred to the Trustees to make sure any changes and/or additions comply with State standards. If it is in compliance and the Board wants to add signs, then a new local law would have to be passed providing for revisions to Chapter 135 of the Village Code. This discussion is on the Planning Board Agenda for October 14th. We can then discuss

this further at our Thursday meeting. The Clerk suggested that we get in touch with the Supt. DPW because he knows the traffic manual and what is recommended.

O'Neill would like to see an amendment to our sewer unit charge. He proposed that the fee for a one owner/one roof addition for another room (mother-in-law room/apartment) be cut in half to \$1,175. Jodi stated that she has spoken with Marty regarding this and there are a lot of places in the Code that would need to be updated. Hartill stated that this opens a whole can of worms. It has to do with how we deal with many different types of housing. O'Neill thinks that the connection fee of \$2,350 is a lot of money for a little "y" connection. Leopold stated that if we do change the law there can be no retroactivity. O'Neill stated that Karen Hayes understands that and doesn't expect a refund. Hartill stated that there are certain expenses that the Village incurs to operate the sewer system and to add new customers. If we don't get the income from connections, we then have to find it somewhere else. The only other income to the sewer fund is user fees. This will be discussed further at the Thursday meeting so that we can receive input from the Village Staff.

Jodi stated that the October Newsletter is complete but she will not send it out until our new webpage is launched. The Network Solution server is currently down which results in us not having email. Gert from Danica will be switching us over to our new website tomorrow morning. It will take a day or two to propagate through the internet. Once it is switched over the email will go through the server where the new website is located. The website isn't completed but the pertinent information is there. Ronny Hardaway's tests are complete. We will populate it once it is launched.

Hartill would like to have a joint meeting with the Planning Board in February. Scheduling to follow.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye
Trustee John O'Neill -Aye

Trustee Patricia O'Rourke -Aye
Trustee Lynn Leopold-Aye

The meeting adjourned at 9:11pm.

Jodi Dake
Clerk/Treasurer