

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 3, 2016, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, John O'Neill, Patricia O'Rourke and Gerry Monaghan; Clerk/Treasurer, Jodi Dake; Attorney David Dubow; Planning Board Member, Deborah Dawson.

Mayor Hartill called the Board of Trustees meeting to order at 7:33pm and opened the public comment period. Ed LaVigne, Lansing Town Supervisor, stated that he is the liaison between the Town and Village. He introduced the Town Clerk, Debbie Munson. He went on to explain that the previous Town Clerk that won the last election has retired. Debbie Munson was the part-time clerk at the time and moved in to take Debbie Crandall's place as Town Clerk. Munson is now up for election. LaVigne is happy with Munson's performance and wanted to introduce her to the Board.

Motion - To Close the Public Comment Period

Trustee O'Neill made a motion to close the public comment period.
Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Patricia O'Rourke-Aye	Trustee Gerry Monaghan-Aye
Trustee John O'Neill-Aye	

Water Rate Structure Change

Jack Rueckheim and Joan Foot from the SCLIWC were present to give a presentation on the proposed change to the water rate structure. Linda Woodard, Village of Cayuga Heights Mayor, had previously sent a spreadsheet with a breakdown of who pays what and the five largest consumers in the Village of Lansing; and two power point files, one specific to the Village of Lansing and the other for the five municipalities combined.

Hartill stated that this proposal was introduced a number of years ago. Every year when Bolton Point sets the water rate we look to see what is needed to pay expenses. People who use less than 10,000 are subsidizing the big users. Four years ago Hartill started a push to get this lowered.

Rueckheim stated that the public affairs committee of SCLIWC, which Mayor Hartill was chair of, started to look at this change. The four goals they were looking at were:

1. Fairness-consumption aligned with the revenue-50% of customers use less than minimum
2. Ability to generate the required revenue-3/4 of Bolton Point costs are fixed
3. Ability to encourage and reward water conservation

4. Minimum payment paid by low consumers to help support fixed costs.

The committee looked at a flat rate, administrative fees, 7,500 and 5,000 gallon minimum consumption, a step rate and a seasonal rate where water cost more during peak periods. The commission then decided on a minimum consumption of 5,000 gallons.

Joan Foote explained the graphs that were previously prepared by Woodard. There were graphs on just the Village of Lansing and others on all municipalities combined. With using a 5,000 gallon minimum, consumption is more closely align with revenue. Meaning, how much you use with how much you pay. Currently, low end users are subsidizing the high end users.

It was explained that the rate structure is the Bolton Point portion and not what the Village adds on. Bolton's proposed rate would raise 9-10%. Currently, the Village of Lansing adds a charge equal to 25% of the Bolton Point rate to maintain the Village infrastructure. The Commission has decided, if all member municipalities approve, to go ahead and start this new rate structure in 2018. Right now Bolton Point has two large projects going on. One is the new water meter project. The Commission is visiting each member municipality to just letting them know what they are thinking. Each municipality will have to give approval for this rate structure to change. The break-even point for each account is 9,000 gallons per quarter. Hartill stated that there is also a spreadsheet on this in the packet with the charts.

Monaghan feels this will help retired people on fixed incomes. He sees this as very positive. Hartill stated that we will be looking at a change in rate during the 2017 budget season.

Water Resource Council Report

Lynn Leopold was present to update the Board on the Water Resource Council activities. This is an advisory council. Leopold's term is up this winter and she is happy to serve again, but if anyone would like they may apply. The council works on water quality strategy that comes out every year and the complete yearly report. They look at all the water resources in Tompkins County. A lot of studies are done through USGS.

Hydrilla was found by the Floating Classroom up the lake in Aurora. This is in Cayuga County. PRISM has divers looking at the underwater colonies. This area can't be treated with herbicide because Aurora gets water out of lake right there. Here in Ithaca we don't have that issue. We've been able to keep hydrilla under control. Very little has been found this year. Treatment efforts are very successful. The plant didn't show up this year until September.

Cayuga Lake Watershed is doing a lot of outreach. There was a nice presentation on the extent of the drought. Water isn't getting into the ground. This will have an impact on the trees. All reports show we are still in a bad drought situation. Cornell is enforcing major water conservation efforts. Lynn explained the different things they are doing to conserve

water. Cornell depends on Fall Creek for their water. They have no storage. The City of Ithaca gets their water from Six Mile Creek and does have storage.

Hartill added that Bolton Point is currently supplying the City of Ithaca with ½ million gallons a day while they are building their new water plant. Bolton Point could make more water if they could do something with the back wash water. There is an engineering study going on. One of the things he is looking into is increasing the capacity of the plant.

Deer Hunting Report

Blossey stated that the deer program didn't do well last year. However, 65 deer were taken. There are fewer deer but they are still hammering the oaks. Blossey also provided suggestions on how to proceed in 2016-17. Bernd asked the Board to approve a plan for the next deer management season that is essentially identical to last year in that we continue the nuisance only approach and the same locations as in past years. He would like to amend the proposal to the DEC with the request that shooting be allowed 24 hours a day. The DEC approved that for Trumansburg and Cornell to allow the option that participants may come in an hour or so before sun rise if deer travel and use patterns indicate this is the best time to shoot. This will allow us to find the best possible time for a couple hours people are in stand each week.

Blossey requested that a budget of \$5,000 be approved to purchase bait (corn) and potentially a few more feeders. Dake stated that the 2016-17 Budget has only allocated \$2,000 for animal control. Dake didn't feel we needed any more feeders since there are still four feeders here at the Village. Last year the Village bought 261-50# bags of corn totaling approximately \$1,300. The price of corn has increased this year from \$4.62 to \$6.36 per 50# bag. If the same amount of corn is purchased this year it would be about \$1,700. Blossey has contacted Dedrick farms and we can utilize the same set up as last year with corn stored at the farm in bags.

Blossey also asked the Board to grant approval to allow Cornell University Deer Management (DDP approach) to proceed on lands of the Laboratory of Ornithology located within the Village of Lansing. Cornell has its DDP permit in hand.

Lastly, Blossey asked the Board to consider authorize them to go behind the highway garage because there are sites there that are suited for this activity. O'Neill had spoken with a representative from the Montessori School last year and they were in favor of it on weekends. Blossey stated that if there are concerns with traffic he can sort out parking with Courtney. He would like to see the Village utilize this location again. Hartill suggested that we first check again with Montessori School officials and neighbors.

It was asked why they were proposing to change to a 24 hour hunt. Blossey stated that this will enable us to shoot deer based on travel patterns. It gives us the ability to time it better. Bow mounted red lights are used for night hunting. Last year, through the use of trail cameras, they saw that deer travel at night. It may be different this year since there are no apples or acorns. This doesn't mean that people will be out all night. It was asked

if they were still considering a fly over. A fly over is not in the budget. The Board would need to look into that. Dubow confirmed with Blossey that the Code of Conduct will be the same as last year except for the changes proposed.

Hartill stated that one concern that was expressed to him is having some kind of quantitative measure of how we are doing. Bernd stated that that would be the oak study that is being worked up. Leopold stated that people are saying that they have things growing in their garden they haven't seen in years because in the past they were eaten by the deer.

Blossey stated that there are fewer deer. We see deer trails are disappearing, less deer are being hit by cars and we have plants now. We are making a difference but can't really do in a quantitative study. It is more by observation.

O'Rourke stated that there was a class on deer management at the NYCOM Conference last month. Sue Booth-Binczik gave a brief overview of aspects of deer biology that are particularly relevant for communities suffering negative impacts from deer overabundance. She discussed the impact of deer and the process of developing a community plan. She used Tompkins County as an example. Blossey stated that Sue was hired by NYSDEC to help municipalities with deer management.

Hardaway asked how one would know if we've overkilled. Blossey stated that we measure by damage done to oak seedlings by deer, and browse intensity. If the seedlings are not eaten they would go to another species that the deer like more. He has done this at his house but the Village is not even remotely close to this.

Resolution#6314-To Authorize the Mayor to Sign the Deer Damage Permit Application in Favor of Having a Nuisance Hunt Program with an Amendment to Petition NYSDEC to Allow Discharge Over a 24 Hour Period and to Contribute an Amount Not to Exceed \$2000 for Supplies. To Authorizes Cornell University deer management (DDP approach) to Continue on Lands of the Laboratory of Ornithology Located Within the Village of Lansing

Trustee Monaghan moved this resolution. Trustee O'Rourke seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Ronny Hardaway- Aye
Trustee Gerry Monaghan-Aye

Trustee John O'Neill- Aye
Trustee Patricia O'Rourke-Aye

After reviewing our Codification Chapter 67 on Firearms and Bows, Dubow confirmed that our local law does not need to be amended. The DDP Application was signed by the Mayor. Jodi will scan the form and send it on Tuesday via pdf to Courtney LaMere (courtney.lamere@dec.ny.gov) Approval should follow quickly. The following

justification for use of Deer Depredation Permits will be submitted to the NYSDEC along with the DDP Application:

Village of Lansing Deer Management Program
Justification for use of Deer Depredation Permits

For the past 9 years the Village of Lansing (VOL) Board of Trustees has annually approved a coordinated bow hunting program to reduce the size of the deer herd in the Village. Concerns by residents about Lyme disease, deer vehicle collisions, ecological damage (no forest regeneration) and damage to ornamental plantings prompted the initiation of this program in 2007. The number of properties we hunt has steadily increased and now well over 30 landowners participate in the program. Deer take has increased initially but has now tapered off (Table 1) despite the ability to target deer in more and more locations. Trail cam surveillance at locations and general observations in the Village suggest a significantly reduced deer population, but not sufficiently so to help address ornamental damage, damage to forest regeneration, or Lyme disease concerns. Oak sentinel plantings continue to suffer catastrophic mortality unless protected.

The establishment of the DMFA, special regulations, and an additional hunting season in late January have greatly aided to enable individuals who are proficient and skilled to take additional deer. However, the early success of the DMFA season was reduced to nothing by 2015 (Table 1) and trail cams show that deer have turned nearly entirely nocturnal, an observation also made in the Cornell program. This leads some to conclude that there are few deer left, when instead their activity pattern has shifted.

Table 1: Deer take in VOL since 2007 in the regular hunting season, during the DMFA seasons (2014 was both regular and then DDP in 2015), and in the 2015-16 DDP period.

Deer take	2007	2008	2009	2010	2011	2012	2013	2014	2015
Regular season	11	2	33	43	65	47	47	40	
DMFA January season	-	-	-	-	-	18	2	0	
Total	11	2	33	43	65	65	49	68	65

Nocturnal deer are impossible to take in the regular hunting season. Number of available tags or hunter efforts are not limiting (12 trips were made in the 2015 DMFA season but no deer was taken). Instead it is, in part, access to deer on locations we are not currently allowed to hunt, but mostly the changed activity patterns. This includes the nocturnal behavior but also travel patterns and avoidance of stand locations.

We therefore requested (and were approved for) use of Deer Depredation Permits using an identical approach to those in use by Cornell University and the Village of Trumansburg for a period of February to mid April 2015. Despite deep snow conditions in early 2015, we baited 6 locations (using corn) and took deer at 5 (at one site at the airport bait was not visited by deer during our activity period). The vast majority of deer were taken at two sites with 13 and 12 deer taken, respectively due to concerted efforts by two individuals.

At its 21 September 2015 meeting, the Board of Trustees approved a strategy to enable use of DDP's throughout a period from October 1st to end of March 2016 (or as approved by the DEC). The Trustees, in approving this proposal, recognized the success (and reduced effort) achieved by the programs at Cornell and in the Village of Trumansburg. While the hunting program had made important contributions, it was recognized that hunting in the village alone was not likely to succeed in reducing the deer damage to acceptable levels. The Village had tried this approach for nearly a decade. An assessment of the 2015-16 DDP season showed that despite difficult winter conditions (this time too warm) and lack of deer movement, participants took 65 deer in VOL (Table 1).

This approach appeared to have worked well and we therefore request approval of the renewal of the attached DDP application for the 2016-17 season. As in previous seasons, we request the ability to take

antlered deer, with the antlers delivered to the DEC every 10 days. We also request the ability to discharge bows during a 24 hour period to enable participants to be active in the early morning before daybreak as trail camera surveys have consistently shown that this would be a prime activity pattern at our bait sites.

A Village appointed committee (chaired by Lynn Leopold, with participation by landowners and participants) will help to implement an overall strategy. The backbone of the operations are strategically placed nuisance baiting locations throughout the Village (Fig. 1; no change from previous season). We will be able to reduce the overall number of stand locations since bait is expected to draw deer to approved locations. We will monitor deer travel and feeding patterns using trail cams and will use archery equipment only (no crossbows are allowed in VOL according to our preferences).

We will continue to assess (through Bernd Blossey) oak seedling survival using several locations in VOL. We anticipated obtaining a more precise deer abundance estimation in the winter 2016, but this was not done due to cost constraints.

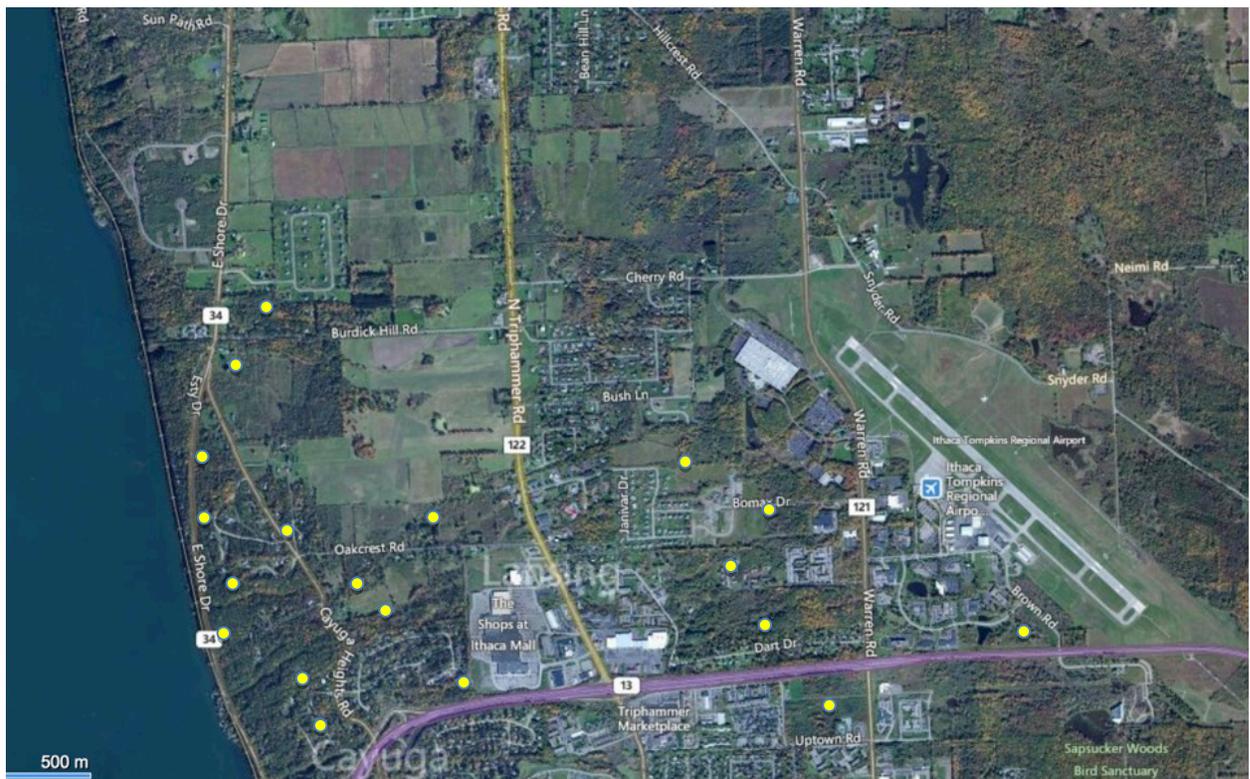


Fig. 1. Possible nuisance location (yellow circles) in VOL

The sections below outline the operational procedures that would again be applied and enforced that would govern conduct by participants while conducting the DEC approved nuisance deer management within the municipal boundaries of the Village of Lansing (VOL).

Proposed activities during nuisance deer management program in VOL

1. Activities (if approved by NY DEC) are anticipated to occur from October 4, 2016 (or as soon as an application is submitted and approved thereafter) to March 31, 2017. DDP's are usually issued for periods outside regular hunting seasons,

but discussions with the DEC, Region 7, indicated that they consider VOL hunting not an open hunting program but highly regulated due to the procedures the board implemented over the past seasons. They indicated that they would give permission to use DDP's throughout the proposed period. Both antlerless and antlered deer can be taken if similar procedures are used as in the Village of Trumansburg, but participants will need to surrender antlers to the DEC within 10 days after taking a buck.

2. Activities will only occur at locations where landowners have given their approval to this approach. The attached map shows potential locations, many of which are currently participating in the hunting program. The board should consider each location and approve it. The locations are strategically placed throughout the village to capture deer activity and sub herds. We will not consider using all locations at the same time but activities will be determined by participant availability, use of areas by deer and strategic considerations (resting periods at locations within close proximity)
3. Participants will be recruited from the current group of approx. 20 active hunters within the village program. A meeting of active hunters in late August 2015 (attended by Lynn Leopold) found unanimous support for nuisance activities and willingness to participate. Many of these individuals have participated in the Cornell nuisance deer management program; others will receive supplemental training to assure safe procedures (see below). We will likely limit access at stand locations to a single individual or small group of users. Equipment is limited to compound bows (no long bows, recurve bows, crossbows or guns). All shooting will occur from elevated positions (tree stands).
4. Each individual participant or participant group will be responsible for stand placement (as approved by landowners), baiting and scheduling of other activities (see below). Baiting will need to be continued on a daily basis to condition deer to food availability, even if no shooting is planned. We will use corn (and potentially apples, if they become available at no cost) at each location. Bait will be placed about 20 yards away from tree stands to attract deer to these locations. At most locations we will also install trail monitoring cameras to capture deer use. If needed, locations may need to be shifted slightly or will be abandoned for extended periods if no deer use occurs. Each landowner will be informed about any activities on their properties, as indicated by landowner preferences and local laws (See Appendix). After we have determined deer use at properties, shooting may begin (it usually takes deer 3-10 days to locate and persistently come to bait).
5. Activities, as permitted by DEC for DDP activities, can occur 24 hours a day. Experience in the Cornell and Trumansburg nuisance programs shows that the most successful periods are evenings and early night hours. Use of supplemental red/green lights after dark is highly effective as deer will not see the red light, remain entirely relaxed at close range and are generally less "spooky" after dark.

This allows safe, highly accurate shots at close range. All participants will either have experience using this approach or will be trained before being allowed to venture afield at night. Deer reporting will continue through our secure website with additional features (we will keep track of every arrow shot).

6. All participants are required to follow all village and state laws, as well as expressed landowner preferences. It is the right of each landowner to restrict the number of individuals on their property, the times or dates participants are allowed on properties, stand location, parking locations or access routes. The agreement to use properties can be terminated at any time by notifying the village clerk.
7. We cannot predict which days and stands will be used in advance, as this will depend on individual time schedules, wind direction, weather and previous use of stand locations. To prevent overuse, we will restrict stand use to max. twice per week and we will establish resting periods of sometimes 2-3 weeks (with baiting continuing) allowing deer to fall back into their usual patterns without disturbance. This has worked extremely well in other programs. We expect 80% or more of activities to occur in the evening hours.
8. Participants will be in trees using camouflage. After taking a shot, a lethally hit deer will usually travel very short distances (often <60 yards; mean distance in the Village of Trumansburg was 50yards, range 0-150 yards for 90 shot deer). Participants will remain in tree stands after the shot. They either wait for another opportunity (multiple shots are often possible at baited locations), or wait a minimum of 30 minutes before retrieving a deer. Participants will use flashlights to locate the deer or to walk out of the woods; therefore landowners may notice a slow moving flashlight. If deer can't be readily retrieved due to poor blood trails, we have approved tracking dogs available that will help in locating wounded deer. In very rare circumstances we will follow up in the morning with better light. Landowners will be alerted to any of these possibilities and will have access to cell phone numbers of participants.
9. As in regular hunting situations, occasionally a mortally wounded deer may run beyond property boundaries. All participants will have information about property boundaries when afield. This information will include phone numbers of landowners and neighbors who need to be notified if a search extends beyond the approved properties. If necessary, hunters will call and ask permission to retrieve a deer unless we have pre-authorization to retrieve deer from a property. All immediate neighbors should also be informed of the activities, regardless of whether a deer ever leaves an approved property.
10. Hunters will need to keep track and report of all arrows shot. Arrows usually pass through deer and fall close to the spot where a deer was hit, but occasionally will

remain in the deer. We will make every effort to retrieve arrows (they are expensive), where needed with the help of a metal detector.

11. All shot deer will be removed discretely and not be field dressed on properties. We will submit samples for various research projects conducted at Cornell University.
12. All harvested deer will be consumed by participants or donated. We have an approved processor (Country Harvest, Peruville Road, Groton), who will be able to process deer and deliver the venison to the Food Bank of the Southern Tier at no cost to The Village or our participants. All participants will make decisions about use of their deer but we hope to provide a significant number of animals to the Food Bank.
13. In most instances, landowners and neighbors will not even notice activities or the killing of a deer because it happens quietly and fast. However, despite all precautions and skills, deer may be wounded, may not expire immediately, collapse on neighboring properties or may not be found. We will make every attempt possible (including the use of a trained dog) to recover all animals or assure that they will be fine (superficial arrow wounds heal quickly). Over the past 8 years, we had very few problems and none in the past years. Wounding rates in the Cornell and Trumansburg nuisance programs are 5 and 15%, respectively.

Minor Change to Lansing Meadows PDA Map

The next item on the agenda was to consider a minor modification to the Lansing Meadows PDA as it relates to enlarging the Residential area (Area B) by offsetting and reducing protected Wetland/bird habitat (Area C) that will coincide with the recent approval he received from the Army Corps of Engineers to Modify the Lansing Meadows Senior Housing project.

At the September 27th Planning Board meeting the Board recommended that the proposed amendment continue to be classified as a minor change to the existing Lansing Meadows PDA and that the Board of Trustees adopt and replace the new map which identifies a smaller area for wetland/bird habitat (Area C) and an enlarged area for the residential area (Area B)

Dubow stated that in the past any changes to a PDA were done as a local law. Moseley doesn't think we need to since we are only changing the map so not absolutely required. The Board feels a resolution is all that is needed.

Resolution#6315 - To Agree That Changing the Map Is a Minor Change.

Trustee Hardaway moved this resolution. Trustee Monaghan seconded the motion. A vote was taken:

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

Trustee Ronny Hardaway-Aye
Gerry Monaghan-Aye

Hartill requested a motion to amend the map.

Resolution#6316-To Amend the Lansing Meadows PDA as it Relates to Enlarging the Residential Area (Area B) by Offsetting and Reducing Protected Wetland/Bird Habitat (Area C)

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

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

Trustee Ronny Hardaway-Aye
Gerry Monaghan-Aye

Hartill stated that there is an additional agenda item to consider a playground structure to replace the one across from Dankert Park. The old wooden structure will be replaced with a modern plastic structure. It is a significant cost. We could install it or we could hire someone else to install and then we would have to pay prevailing wage. Hartill prefers to have someone else install the new play structure. He would like to free up our Highway Department to make progress on Northwood Road.

Hardaway has presented a proposal to the Board. This is the only quote he has solicited so far. Once the Board has decided on a design he will continue the process being sure to follow the procurement policy. The Greenway Committee has done research and thinks the proposed design is close to what we previously had. This new drawing fits the exact play area recommended for the area. The Village would do the demolition of the existing playground.

O'Neill asked if the proposed structure had the same quality and material as what is across at Dankert Park. Monaghan asked what the life expectancy is of the structure. Hardaway was unsure but suspects it is about 20 years. There would be a warrantee if someone else does the installation and would remove our liability. The primary concern is the safety of the playground. Monaghan stated that he appreciates the work the Greenway Committee has done. The Board liked the design and agreed to get two more bids. Hartill instructed Hardaway to make sure he looked at state contracts.

Approve Minutes

Motion- To Approve Minutes from the Special Meeting Held September 7, 2016

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

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

Trustee Patricia O'Rourke-Abstain
Trustee Gerry Monaghan-Abstain

Mayor's Comments

Hartill thinks our next meeting will be interesting. He's had a fair amount of email traffic from all sides. The Board needs to consider if it makes sense to change zoning for the Village. It doesn't have anything to do with the project. We must look at the needs for the Village. In my mind it is not straight forward. We need more jobs and that kind of zoning could change that. As he looks at undeveloped areas, this represents 15% of the vacant Business and Technology District. Hartill will meet with Moseley tomorrow. There is a lot of interest in housing in Tompkins County. He has received emails from County Legislators on this rezoning proposal. The Board should expect a mass turnout at the October 19th meeting. The Mayor warned the Board to be careful in saying if you support or don't support. As Trustees we must listen to all input and make a decision based on what is best for the whole Village.

There is a water situation in Tompkins County with Cornell being very close to being out of water and the City of Ithaca gets 400,000 gallons a day from Bolton Point. Hartill plans to meet with John Courtney and TG Miller Engineers regarding Northwood Road. O'Neill asked if Bush Lane was finished. Hartill stated that there are still some concerns with driveway finishing. Hartill will chat with Courtney tomorrow. The project took a long time.

Paul Gater of 138 Brook Way stated that something went wrong with the Bush Lane project. The control of traffic was not the best. The residents still have not received an apology from the construction company that worked on the project. The road is not done, there are open ditches, there is stone on the road and no striping. This has been an inconvenience for the whole neighborhood. Paul feels strong supervision would have been good. Hartill stated that there was. Paul pointed out that this is a lesson learned to not take on too many projects at once. The Mayor stated that unfortunately, Bush Lane is not a thoroughfare through the Village and N. Triphammer had priority. The recommendations that the Village received for this contractor were good, however, Hartill feels they must have had other projects going on simultaneously so we didn't get the "A Team". Hartill stated that we are withholding money so that they finish the project properly. Hartill asked Gater to send him a letter. Gater feels the Village needs to preplan for emergencies.

There were no further comments and the Mayor entertained a motion to adjourn.

Motion to Adjourn

Trustee Monaghan moved to adjourn. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee Ronny Hardaway- Aye
Trustee Gerry Monaghan-Aye

Trustee John O'Neill- Aye
Trustee Patricia O'Rourke-Aye

The meeting was adjourned at 9:01pm.

Jodi Dake
Clerk/Treasurer