

Agenda

**Village of Lansing
Board of Trustees Meeting
In Person and Online via
Zoom Videoconferencing/Teleconferencing*
2405 N. Triphammer Rd.
Ithaca, NY 14850
February 6, 2022 @ 7:30pm**

7:30 Call to Order, Roll Call

Public Comment Period*

Approve Minutes January 12, 2023

Appoint Drew Riedl as a Trustee to Replace Jeff Dobbin

Set Public Hearing for Proposed Local Law A (2023)-Sewer Rent

Set Public Hearing for Proposed Local Law B (2023)-Amendment of the Village of Lansing Code/Zoning Law to Replace Lighting Commission with Code/Zoning Officer

Consider Escrow Refund to Arrowhead/Triax in the Amount of \$37,586.46

Consider the 2023 Amended Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium

Assign Budget Sections

Mayor's Comments

General Discussion

Adjournment

*If you are interested in attending the videoconference/teleconference meeting contact the Village Clerk to get the meeting link- clerk@vlansing.org. Local Law 6 (2022) allows for videoconferencing. Procedures for Utilizing Village of Lansing Videoconferencing are on the Village of Lansing Website at vlansing.org.

*The Village of Cayuga Heights and Bolton Point have both raised their rates for 2023 which will affect the Village residents on their April 2023 billing. The water rate can be increased via resolution but since the sewer rate is in the Codification it must be done by local law.

Resolution #6918- To Set a Public Hearing for Proposed Local Law A (2023)- Sewer Rents on March 6, 2022, at 7:35pm

PROPOSED LOCAL LAW A (2023)

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 2 of 2022 which related 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 which provided 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 2023 to provide for further amendments intended to increase the current sewer rents payable to the Village of Lansing for the use of the Village of Cayuga Heights sewer system based upon the concurrent and like increase by the Village of Cayuga Heights Local Law 3 (2022) which increased the sewer rate from \$5.20 to \$6.00/1,000 gallons used for treatment of waste water originating from properties located outside of the Village of Cayuga Heights; and an increase in the Bolton Point water rate resulting in an increase in the Village of Lansing charge; 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.

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) A quarterly sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and fifty-one cents (\$1.51) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of seven dollars and fifty-five cents (\$7.55) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below); and**
- (2) A quarterly sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to six dollars (\$6.00) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of thirty dollars (\$30.00) per each individual multiple dwelling unit 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, 2023. 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, 2023. Each such amount shall thereafter continue until otherwise modified from time 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) A quarterly sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and fifty-one cents (\$1.51) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of seven dollars and fifty-five cents (\$7.55) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below); and**
- (2) A quarterly sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to six dollars (\$6.00) for each one thousand (1,000) gallons of water, or**

portion thereof, used by such property owner, with a minimum charge of thirty dollars (\$30.00) for each individual multiple dwelling unit 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, 2023. 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, 2023. 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.

* On December 15, 2022, the Trustees discussed dissolving the Lighting Commission. On 3/21/22 Local Law 1-2022 added Section 145-20.2 on Exterior Lighting. This section gives the Lighting Regulations/Requirements that we did not have before. Since we now have these requirements, and not just guidelines, it is no longer necessary to have a Lighting Commission. The Code/Zoning Officer interprets the laws of the Village. The Code/Zoning Officer can review the proposed lighting plans using the Codification and have it approved or changed.

The Comprehensive Plan under Planning for Character, Quality, and Sustainability (page 12-13) states that one of the planning strategies is to “Update the Village Lighting Plan guidelines and encourage all builders and developers to follow”. Also, it says the Village requires prior approval of landscaping and lighting plans for development, but it does not say by the Lighting Commission or Code Officer so there would be no change needed there.

There was an Informal Special Permit Checklist that the Code/Zoning Officer uses that has been updated to reflect the recent change in the law.

On June 7, 1999 the Trustees adopted a Village of Lansing Lighting Plan which were also guidelines. This document was used in the creation of the new law and is no longer needed.

Resolution #6919- To Set a Public Hearing for Proposed Local Law B (2023)-
Amendment of the Village of Lansing Code/Zoning Law to Replace Lighting
Commission with Code/Zoning Officer on March 6, 2022, at 7:40pm

PROPOSED LOCAL LAW B (2023)

AMENDMENT OF THE VILLAGE OF LANSING CODE/ZONING LAW TO REPLACE LIGHTING COMMISSION WITH CODE/ZONING OFFICER

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

SECTION I. PURPOSE AND INTENT.

It is the purpose and intent of this local law to amend the Village of Lansing Code/Zoning Law and Subdivision Law to remove references to the Lighting Commission in favor of “Code/Zoning Officer”. As discussed at the Board of Trustees meeting held on December 15, 2022, the service of the Lighting Commission is no longer necessary following the enactment of Local Law 1 (2022) which added Section 145-20.2 “Exterior Lighting” and provided requirements and guidelines for exterior lighting within the Village.

SECTION II. AMENDMENTS.

1. Chapter 145 (entitled “Zoning”) of the Village of Lansing Code is hereby amended to replace any reference to “Lighting Commission” with “Code/Zoning Officer” as follows:

145-20.2 Exterior Lighting.

- A. Exterior lighting should be carefully designed, located, installed, and directed in such a manner as to avoid interference with the safe operation of motor vehicles, prevent light trespass onto adjacent properties, and prevent direct upward light emission to maintain compliance with the Dark Sky standard. Consideration should be given to the needs of public safety.**
- B. Any new, upgraded, or change of location to the exterior lighting within the Commercial (CHT, CMT, CLT), Business and Technology (BTD), Human Health Services (HHS), and High-Density Residential (HDR) Districts are subject to a lighting plan review by the **Village of Lansing Code/Zoning Officer.****

- C. The **Code/Zoning Officer** may also apply this section to other districts when the **Code Enforcement Officer** determines that new, upgraded, or relocated exterior lighting is in violation. Any new, upgraded, or change of location to the exterior lighting in all districts is required to be downward facing, full cut-off, or fully shielded to prevent glare and light trespass.
- D. A Lighting Site Plan will be provided to the **Code/Zoning Officer** that contains, but is not limited to:
- (1) All exterior lighting fixture locations (new and existing) identified/keyed
 - (2) Type and number of fixtures
 - (3) Mounting height
 - (4) Distance to the nearest property line for each fixture
 - (5) Lighting schedule
 - (6) Photometrics for all fixtures
- E. Lighting Regulations.
- (1) All lighting should be downward facing, full cut-off, or fully shielded to prevent glare and light trespass and produce no more than 5 surface lumens (or footcandles).
 - (2) All new fixtures shall be of the dimmable nature and not exceed 3000 kelvin in color temperature.
 - (3) Pole lights are measured from the lowest point adjacent to the base to the top of fixture with a maximum height of 25 feet.
 - (4) All non-essential lighting shall be turned off one half hour after close of business, leaving only necessary lighting for security. No more than 50% of total site lighting capacity can remain on overnight unless approved by the **Code/Zoning Officer**. (See Appendix G for examples)
 - (a) Non-essential lighting may be recommended by the applicant then considered and agreed upon by the **Code/Zoning Officer** taking into consideration light trespass, glare, and safety.
 - (b) Commencing on the adoption date of this law, any new lighting or fixture replacement must be of the dimmable nature.
 - (5) Landscape and sign lighting must be unobtrusive, downward facing, shielded to avoid glare, and meet current sign lighting laws (Village Code Section 115).
- F. Specialty Lighting.
- (1) **Recreational Facilities.** Any light source permitted by this chapter may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, or show areas, provided all of the following conditions are met:
 - (a) All fixtures used for event lighting shall be fully shielded as defined in this Section
 - (b) All events shall be scheduled so as to complete all activity before 10:30 p.m.
 - (2) **Lighting under roof overhangs and canopies.**
 - (a) Light fixtures mounted under roof overhangs and canopies shall be recessed so that the lens cover is recessed or flush with the bottom surface (soffit) of the canopy and/or shielded by the fixture or the edge of the canopy so that light is restrained to no more than 85° from vertical.
 - (b) Lights shall not be mounted on the top or sides (facias) of the canopy, and the sides of the canopy shall not be illuminated.

- (c) Existing nonconforming lighting under or on roof overhangs and canopies shall fall under Section “G” of this local law.
- (3) *Temporary exterior lighting*. Temporary exterior lighting is permitted by the Village Code unless:
 - (a) lighting causes disability glare to motorists, pedestrians, or cyclists
 - (b) lighting causes annoyance or light trespass to neighboring properties

G. Existing Nonconforming Lighting. All luminaires lawfully in place on the effective date of this section that do not meet the requirements of this section are exempt from this section, except that:

- (1) Any luminaire that replaces an existing nonconforming luminaire, or any existing nonconforming luminaire that is moved, must meet the requirements of this chapter.
- (2) Any existing nonconforming luminaire that creates unacceptable glare or light trespass shall be either shielded or redirected within 30 days of notification to the owner or occupant by the Village, so that the direct light is contained on the property.
- (3) Existing nonconforming luminaires that direct light toward streets or parking lots and cause disability glare to motorists, pedestrians, or cyclists shall be either shielded or redirected within 30 days of notification to the owner or occupant by the Village, so that the luminaires do not cause a potential hazard to motorists, pedestrians, or cyclists;

2. Chapter 125-21 D (8) (entitled “Street and Pavement Design”) of the Village of Lansing Code is hereby amended to replace the reference to “Lighting Commission” with “Code/Zoning Officer” as follows:

(8) Streetlighting facilities shall be in conformance with the lighting system of the Village. Such lighting standards and fixtures shall be installed after approval by the appropriate power company and the authorized Village Electrical Inspector and recommended by the Village’s Code/Zoning Officer.

SECTION III. SUPERCEDING 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 ten (10) days after publication and posting as required by law, except that it shall be effective from the date of service as against a person served with a copy thereof, certified by the Village Clerk, and showing the date of its passage and entry in the Minutes of the Village Board of Trustees.

***Refund Escrow**

Goetzmann has requested a refund of the escrow for the landscaping that was set up for BJ's in 2010-11. When the gas station went in the escrow got transfers over to the BJ's gas station in 2012. The escrow has been sitting there. Scott has confirmed that he has met what needed to be done and recommends we release that escrow. The Planning Board had an escrow recommendation for landscaping for the residential area that will have an agreement and an escrow deposit of \$38,700. On 10/17/22 the Trustees approved this amount with Resolution #6894.

Resolution #6920- To Authorize The Clerk/Treasurer to Refund the Escrow Deposit Made by Triax Management Group LLC/Arrowhead on 6/27/2013 in the Amount of \$37,586.46 Which was for BJ's Planting on Senior Parcel Under Special Permit #2505

Proposed GTCMHIC 2023 Amendment resolution:

Resolution#6921- To Approve the 2023 Amended Municipal Cooperative Agreement for the Greater Tompkins County Municipal Health Insurance Consortium and Authorize the Mayor to Sign

WHEREAS, the Village of Lansing (municipality) is a Participant in the Greater Tompkins County Municipal Health Insurance Consortium (the "Consortium"), a municipal cooperative organized under Article 47 of the New York Insurance Law, and

WHEREAS, the municipal participants in the Consortium, have approved and executed a certain Municipal Cooperation Agreement (the "Agreement"; effective date of October 1, 2010) and the 2023 Amendment that provides for the operation and governance of the Consortium, and

WHEREAS, the Consortium's Board of Directors has recommended approval of the 2023 amended agreement, and

WHEREAS, the Municipal Cooperative Agreement requires that amendments to the agreement be presented to each participant for review and adopted by each municipal board,

RESOLVED, that the Village of Lansing (municipality) approves and authorizes the Chief Executive Officer to sign the 2023 Amendment to the Municipal Cooperative Agreement of the Greater Tompkins County Municipal Health Insurance Consortium,

RESOLVED, further, that the Clerk of the Village of Lansing (municipality) is hereby authorized to execute this Resolution to indicate its approval, transmit a copy thereof to the Board of Directors of the Greater Tompkins County Municipal Health Insurance Consortium, and take any other such actions as may be required by law.