

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 17, 2011, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees Patricia O'Rourke, Julie Baker, Lynn Leopold and John O'Neill; Clerk/Treasurer Jodi Dake; Attorney David Dubow; Lisa Schleelein, Planning Board Member.

Mayor Hartill called the meeting to order at 7:35pm and opened the public comment period. There were no comments.

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:

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

The next item on the agenda was a public hearing to consider Proposed Local Law F (2011) Amendment to Village of Lansing Code-Zoning Law- Temporary Commercial Activities and Temporary Non-Commercial Activities.

Motion-To Open the Public Hearing on Proposed Local Law F (2011)

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

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

David Dubow gave a short explanation of the proposed law. Dubow stated that this law is a product of the Planning Board trying to address Non-commercial and commercial activities. The main item of this proposed law is a chart explaining where these activities can take place. The proposed law has been sent to the Tompkins County Department of Planning for a 239 Review and they have determined that it has no negative inter-community or county-wide impacts. Mayor Hartill stated that this law is just defining what we should have done earlier. It doesn't change the way we've dealt with people in the past, it is just getting our books straight and clearer.

Motion-To Close the Public Hearing on Proposed Local Law F (2011)

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

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

The SEQR Short Environmental Assessment Form was completed and the following resolution was proposed:

Resolution #5794 -SEQR Review of Proposed Local Law F (2011)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law F (2011), to be designated Local Law 7 (2011) upon its adoption, to (i) amend, clarify and expand certain current and newly added "Temporary Commercial Activities" as permitted uses (with additional conditions) in specifically designated Zoning Districts in the Village of Lansing; (ii) add certain new "Temporary Non-Commercial Activities" as permitted uses in specifically designated Zoning Districts in the Village of Lansing; (iii) further provide for the requirements and restrictions related thereto; and (iv) amend accordingly the provisions of Chapter 145 [entitled "Zoning"] of the Village of Lansing Code. Such purpose and intent is based upon a determination, after thorough consideration and evaluation by the Village Planning Board and Board of Trustees (given current and projected land use development and considerations), that (i) the current Zoning Law provisions related to "Temporary Commercial Activities" need not be as limited and restrictive as previously established; and (ii) certain "Temporary Non-Commercial Activities" are appropriate in certain Zoning Districts; and
- B. This proposed action is an Unlisted Action for which the Village of Lansing Board of Trustees is an involved agency for the purposes of environmental review; and
- C. On October 17, 2011, the Village of Lansing Board of Trustees, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act ("SEQR"), (i) thoroughly reviewed the Short Environmental Assessment Form (the "Short EAF"), Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment,

including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) completed the Short EAF, Part II;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lansing Board of Trustees, based upon (i) its thorough review of the Short EAF, Part I, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), and (iii) its completion of the Short EAF, Part II, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“**NEGATIVE DECLARATION**”) in accordance with SEQRA for the above referenced proposed action, and determines that neither a Full Environmental Assessment Form, nor an Environmental Impact Statement will be required; and:
2. The Responsible Officer of the Village of Lansing Board of Trustees is hereby authorized and directed to complete and sign as required the Short EAF, Part III, confirming the foregoing **NEGATIVE DECLARATION**, which fully completed and signed Short EAF shall be attached to and made a part of this Resolution.

Trustee Baker moved this resolution. Trustee O’Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee John O’Neill-Aye
Trustee Lynn Leopold-Aye	Trustee Julie Baker-Aye
Trustee Patricia O’Rourke-Aye	

Mayor Hartill entertained a motion to approve Proposed Local Law F.

Resolution #5795-Adopt Proposed Local Law F (2011) as Local Law 7 (2011)

WHEREAS:

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law F (2011), to be designated Local Law 7 (2011) upon its adoption, to (i) amend, clarify and expand certain current and newly added “Temporary Commercial Activities” as permitted uses (with additional conditions) in specifically designated Zoning Districts in the Village of Lansing; (ii) add certain new “Temporary Non-Commercial Activities” as permitted uses in specifically designated Zoning Districts in the Village of Lansing; (iii) further provide for the requirements and

restrictions related thereto; and (iv) amend accordingly the provisions of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code. Such purpose and intent is based upon a determination, after thorough consideration and evaluation by the Village Planning Board and Board of Trustees (given current and projected land use development and considerations), that (i) the current Zoning Law provisions related to “Temporary Commercial Activities” need not be as limited and restrictive as previously established; and (ii) certain “Temporary Non-Commercial Activities” are appropriate in certain Zoning Districts; and

- B. The Village of Lansing Planning Board has (i) performed a review of the proposed action and (ii) referred such proposed action to the Village of Lansing Board of Trustees with a recommendation for its approval; and
- C. On September 19, 2011, and after discussion at meetings prior thereto, the Village of Lansing Board of Trustees further discussed the purposes and intent of Proposed Local Law F (2011), and thereupon scheduled a public hearing thereon for October 17, 2011; and
- D. On October 17, 2011, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law F (2011), (ii) the Village of Lansing Planning Board’s recommendation of the proposed action, (iii) all other information and materials rightfully before the Board, and (iv) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations; and
- E. On October 17, 2011, the Village of Lansing Board of Trustees determined that the proposed action is an Unlisted Action for which the Board is an involved agency, and thereupon, in performing the lead agency function for its independent and uncoordinated environmental review in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”), the Board (i) thoroughly reviewed the Short Environmental Assessment Form (the “Short EAF”), Part 1, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) thoroughly analyzed the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including the criteria identified in 6 NYCRR Section 617.7(c), (iii) completed the Short EAF, Part 2; and (iv) made a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQR for the above referenced proposed action and determined that an Environmental Impact Statement would not be required; and

- F. On October 17, 2011, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law F (2011), (ii) the Village of Lansing Planning Board's recommendation of the proposed action, (iii) all other information and materials rightfully before the Board, and (iv) all issues raised during the public hearing and/or otherwise raised in the course of the Board's deliberations;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law F (2011), to be designated Local Law 7 (2011).

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

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

Trustee John O'Neill-Aye
Trustee Julie Baker-Aye

The following is a copy of Local Law 7:

**AMENDMENT TO VILLAGE OF LANSING CODE – ZONING
LAW – TEMPORARY COMMERCIAL ACTIVITIES AND
TEMOPORARY NON-COMMERCIAL ACTIVITIES**

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

SECTION I. PURPOSE & INTENT.

It is the purpose and intent of this local law, to (i) amend, clarify and expand certain current and newly added "Temporary Commercial Activities" as permitted uses (with additional conditions) in specifically designated Zoning Districts in the Village of Lansing; (ii) add certain new "Temporary Non-Commercial Activities" as permitted uses in specifically designated Zoning Districts in the Village of Lansing; (iii) further provide for the requirements and restrictions related thereto; and (iv) amend accordingly the provisions of Chapter 145 [entitled "Zoning"] of the Village of Lansing Code. Such purpose and intent is based upon a determination, after thorough consideration and evaluation by the Village Planning Board and Board of Trustees (given current and projected land use development and considerations), that (i) the current Zoning Law provisions related to "Temporary Commercial Activities" need not be as limited and restrictive as previously established; and (ii) certain "Temporary Non-Commercial Activities" are appropriate in certain Zoning Districts.

SECTION II.

AMENDMENTS TO THE VILLAGE OF LANSING CODE.

A. Subsection “C” [entitled “Temporary commercial activities”] of Section 145-58 [entitled “Additional conditions for building/land use permits”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to read in its entirety as follows:

C. Temporary commercial activities. Permitted with written permission of owner of property; driveways and parking areas must be adequate for proposed use; all other district regulations must be complied with; written approval for temporary sign design and placement must be obtained from the Zoning Officer, although no sign permit is required. Please reference Temporary Commercial Activities matrix below for applicable uses and time limitations in the designated districts.

Temporary Commercial Activities	Zoning Districts	Time Duration
Special Events ⁽¹⁾⁽²⁾⁽⁴⁾⁽⁵⁾ defined as an activity or event, the primary purpose of which is not the sale of goods or services.	CLT, CHT, BT, D, HHSD, RSH, PDA ⁽⁶⁾	Maximum of 5 consecutive days and no more than 21 days per year.
Carnivals and Circus ⁽¹⁾⁽⁴⁾⁽⁵⁾	CLT, CHT, PDA ⁽⁶⁾	Maximum of 10 consecutive days and no more than 21 days per year.
Seasonal Use ⁽¹⁾⁽³⁾⁽⁴⁾⁽⁵⁾ defined as Farmers Market and like uses	CLT, CHT, PDA ⁽⁶⁾	Between May 1 st and September 30 th . Maximum of 2 consecutive days and no more than 1 event per week.
Holiday Sales ⁽¹⁾⁽⁴⁾⁽⁵⁾ such as Christmas tree sales, Halloween pumpkin sales, and other like uses	CLT, CHT, PDA ⁽⁶⁾	Maximum of 42 days per year per this general use category.
Temporary outdoor sale ⁽¹⁾⁽³⁾⁽⁴⁾⁽⁵⁾ defined as any temporary outdoor use that is not classified as a special event, seasonal use, holiday sales, or food vender	CLT, CHT, PDA ⁽⁶⁾	Maximum of 120 days per year per tax parcel. This excludes accessory outdoor sales of 120 square feet or smaller, which is applicable to the current stores in the Village of Lansing
Stationary Food Vendor ⁽¹⁾⁽²⁾⁽⁴⁾⁽⁵⁾ defined as food vendors with temporary structures that are stationary at one location	CLT, CHT, PDA ⁽⁶⁾	Maximum of 5 consecutive days and no more than forty two days per year.

- 1 Tents and membrane structures having an area in excess of 200 square feet and canopies in excess of 400 square feet shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the code enforcement official.
- 2 If used less than eight hours per week no permit is required.
- 3 Requires Special Permit Approval
- 4 Approved by Zoning and Code Officer
- 5 No more than one in any single category per tax parcel at any one point in time
- 6 This is only applicable to the Lansing Meadows Planned Development Area, Area A

BT, D-Business and Technology District
 CLT- Commercial Low Traffic District
 CHT-Commercial High Traffic District
 HHSD- Human Health Services District
 RSH- Research District
 PDA-Planned Development Area

- B. Subsection “B” [entitled “Permitted uses”] of Section 145-42 [entitled “Commercial Low Traffic District (CLT)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(7)” adding “Temporary Non-Commercial Activities” as a permitted use in the Commercial Low Traffic District, such new subclause “(7)” to read in its entirety as follows:

(2) Temporary Non-Commercial Activities. [Added 10-17-2011 by L.L. No. 7-2011]

- C. Subclause “(2)” of Subsection “C” [entitled “Permitted uses with additional conditions”] of Section 145-42 [entitled “Commercial Low Traffic District (CLT)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended to include a cross-reference to subsection “C” of Section 145-58 of the Village of Lansing Code, such amended subclause “(2)” to read in its entirety as follows:

(2) Temporary Commercial Activities. (see subsection C under § 145-58) [Amended 10-17-2011 by L.L. No. 7-2011]

- D. Subsection “B” of Section 145-42.1 [entitled “Lansing Meadows PDA”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add “Temporary Non-Commercial Activities” as a permitted use in the Lansing Meadows PDA, such addition to be made immediately below the Subsection “B” heading of Section 145-42.1, and to read in its entirety as follows:

Area A

(1) Temporary Non-Commercial Activities. [Added 10-17-2011 by L.L. No. 7-2011]

- E. Subsection “B” [entitled “Permitted uses”] of Section 145-43 [entitled “Commercial High Traffic District (CHT)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(4)” adding “Temporary Non-Commercial Activities” as a permitted use in the Commercial High Traffic District, such new subclause “(4)” to read in its entirety as follows:

(4) Temporary Non-Commercial Activities. [Added 10-17-2011 by L.L. No. 7-2011]

- F. Subclause “(1)” of Subsection “C” [entitled “Permitted uses with additional conditions”] of Section 145-43 [entitled “Commercial High Traffic District (CHT)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended to include a cross-reference to subsection “C” of Section 145-58 of the Village of Lansing Code, such amended subclause “(1)” to read in its entirety as follows:

**(1) Temporary Commercial Activities. (see subsection C under § 145-58)
[Amended 10-17- 2011 by L.L. No. 7-2011]**

G. Subsection “B” [entitled “Permitted uses”] of Section 145-44 [entitled “Business and Technology District (BTD)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(4)” adding “Temporary Non-Commercial Activities” as a permitted use in the Business and Technology District, such new subclause “(4)” to read in its entirety as follows:

(4) Temporary Non-Commercial Activities. [Added 10-17-2011 by L.L. No. 7-2011]

H. Subsection “C” [entitled “Permitted uses with additional conditions”] of Section 145-44 [entitled “Business and Technology District (BTD)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(2)” adding “Temporary Commercial Activities” as a permitted use with additional conditions in the Business and Technology District, such new subclause “(2)” to read in its entirety as follows:

**(2) Temporary Commercial Activities. (see subsection C under § 145-58)
[Amended 10-17-2011 by L.L. No. 7-2011]**

I. Subsection “B” [entitled “Permitted uses”] of Section 145-45 [entitled “Research District (RSH)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(4)” adding “Temporary Non-Commercial Activities” as a permitted use in the Research District, such new subclause “(4)” to read in its entirety as follows:

(4) Temporary Non-Commercial Activities. [Added 10-17-2011 by L.L. No. 7-2011]

J. Subclause “(1)” of Subsection “C” [entitled “Permitted uses with additional conditions”] of Section 145-45 [entitled “Research District (RSH)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to insert “Temporary Commercial Activities” as a permitted use with additional conditions in the Research District, such new amended subclause “(1)” to read in its entirety as follows:

**(1) Temporary Commercial Activities. (see subsection C under § 145-58)
[Amended 10-17- 2011 by L.L. No. 7-2011]**

K. Subsection “B” [entitled “Permitted uses”] of Section 145-46 [entitled “Human Health Services District (HHSD)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(4)” adding “Temporary Non-Commercial Activities” as a permitted use in the Human Health Services District, such new subclause “(4)” to read in its entirety as follows:

(4) Temporary Non-Commercial Activities. [Added 10-17-2011 by L.L. No. 7-2011]

L. Subsection “C” [entitled “Permitted uses with additional conditions”] of Section 145-46 [entitled “Human Health Services District (HHSD)”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code is hereby amended so as to add a new subclause “(1)” adding “Temporary Commercial Activities” as a permitted use with additional conditions in the Human Health Services District, such amended subsection “C” and subclause “(1)” to read in their entirety as follows:

C. Permitted uses with additional conditions. [Amended 10-17-2011 by L.L. No. 7-2011]

(1) Temporary Commercial Activities. (see subsection C under § 145-58) [Added 10-17-2011 by L.L. No. 7-2011]

M. Subclauses “(6)”, “(10)” and “(32)” of subsection “A” of Section 145-82 [entitled “Typical uses; category of use”] of Chapter 145 [entitled “Zoning”] of the Village of Lansing Code are hereby amended for clarification, accuracy, consistency and elaboration purposes, and to provide for the new “Temporary Non-Commercial Activities” use, such amended subclauses to read in their entirety as follows:

(6) One-unit residential building. Includes accessory facilities and residential activities, including gardening or farming and keeping of pets. More than three (3) dogs, over six (6) months old, is considered a kennel. [Amended 10-17-2011 by L.L. No. 7-2011]

(10) Multiunit residential building. Includes accessory facilities and residential activities, including gardening and keeping of pets. More than three (3) dogs, over six (6) months old, is considered a kennel. [Amended 10-17-2011 by L.L. No. 7-2011]

(32) Temporary Commercial Activities and Temporary Non-Commercial Activities. [Amended 10-17-2011 by L.L. No. 7-2011]

A. Temporary Commercial Activities. (see subsection C under § 145 - 58)

B. Temporary Non-Commercial Activities. Private activities or gatherings related to the principal uses permitted in a particular district where no required entry or participation fee is charged, the primary purpose of which is not the sale of goods or services; including events conducted by and for the employees and invitees associated with the uses permitted in that particular district. Temporary Commercial Activities.

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 superceded 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 (i) its filing in the office of the Secretary of State and (ii) ten (10) days after publication and posting as required by law; provided, however 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.

The next item on the agenda was to approve three sets of minutes.

Motion - To Approve the Minutes from September 15, 2011

Trustee O'Rourke 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:

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

Motion - To Approve the Minutes from September 19, 2011

Trustee Baker 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 Julie Baker-Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye
Trustee Patricia O'Rourke-Aye	

Motion - To Approve the Minutes from October 3, 2011

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

Trustee Julie Baker-Aye
Trustee Lynn Leopold-Aye

The next item on the agenda was to discuss the new office building. Lynn stated that she really doesn’t like the second story because it seems to be a lot of wasted space. Don stated that we could definitely lower that area since we don’t need large windows to get the benefit of natural light into the space. The Board also decided that the staff members who will be using the office on a daily bases should be the ones to decide on the layout. Julie stated that everyone seems happy with the right side of the building but the left side needs to be reconsidered. John O’Neill likes #3 of the board room layouts. Everyone agreed with him.

Lisa Schleelein asked about the lighting plan for outside the building. Don stated that it will be very minimal like we have now. Downward lighting is preferred.

It was suggested that we have Vince (the Village’s architect) come to talk to us at our next Thursday noon meeting. It was also suggested that we have him bring a larger version of the layout so that we can actually play with furniture arrangements.

Mayor Hartill stated that Bolton Point has proposed a water rate increase. A copy of the proposal was given to each Board member. To increase the rate, all Commission members have to agree on the proposed rate increase. A resolution has been prepared for the Board’s consideration at the next meeting. The proposed amendment to the SCLIWC Agreement would increase the water rate from \$2.87 per thousand gallons of water to \$3.15 per thousand gallons of water. The last proposed local law providing for a sewer rent increase for property owners not connected to the Village water system and related to the last water rate increase was Proposed Local Law A (2011) adopted as Local Law 1(2011) on February 7, 2011. This local law amended Section 111-22 of the Village Code. If the current 30% surcharge will remain in place, the new water rate, based on the new 1,000 gallon sewer rent amount, will increase from \$0.86 per 1,000 gallons to \$0.95 per thousand (rounded up from \$0.945) and the new minimum quarterly amount will increase from \$8.60 to \$9.50.

Dubow stated that the new sewer rent proposed local law will be subject to a public hearing before it can be acted upon. David’s suggestion, given the potential sensitivity as to the imposition of another water rate increase in less than a year from that last increase, and assuming that there is no immediate urgency at this point, is to (i) discuss the proposed water rate and sewer rent increases at this meeting meeting, (ii) introduce what will be new Proposed Local Law H providing for a sewer rent increase for property owners not connected to the Village water system, (iii) set a public hearing for the proposed local law for the November 7th Board meeting, and (iv) put both the proposed SCLIWC and Village water rate increase resolution and Proposed Local Law H public hearing on the agenda for that November 7th meeting so that the Board, if it chooses to proceed, can approve the necessary water rate increase by resolution and likewise approve and adopt Proposed Local Law H by resolution after the public hearing.

Don stated that this is an increase in the water rate of approximately 11%. It was asked why there was an increase in less than a year. Don stated that it has to do with the way Bolton Point has budgeted in the past. At one point they lowered rates and used the fund balance. They have also deferred capital costs and now it is necessary to finance two major projects which they have been putting off. The first is a new water tank and the second is to replace a transmission line along N. Triphammer Road from Oakcrest Road to Squeaky Clean Carwash. Both projects would have to be bonded. However, with the current low rates it may be economical to move forward now. Don indicated that Bolton Point has a different outlook than we have here in the Village. In the Village, we save and then build.

Don also indicated that the current water rate is not sustainable. We need to expand our base. Our fixed costs are increasing and our production is going down because people are conserving water. This is resulting in a higher price for water.

If the City of Ithaca would join SCLIWC we could decrease our fixed costs by a factor of two. This past week Bolton Point has been providing the City of Ithaca with water because they had a sink hole in their reservoir. The City is doing emergency dredging so we've been pumping water to them. Don doesn't think the City realizes how expensive a new water plant would be for them. The cost three years ago was \$12 million, but now would be two or three times that amount due to the type of plant they would need. The City's must treat for halomethanes because water source comes through a lot of vegetation.

Don has received a revised schedule for the 2011 Water Project from LRS. They are working on the Cayuga Heights Road water main, but both this and the Burdick Hill Road water main have been delayed. The contractor has a lot of other projects also going on. We hope to be able to pave Oakcrest Rd. before the asphalt plants close in November.

The development of the scope for the intended study of the northeast area of the Village is underway by the Tompkins County Planning Department. Don, Marty and Mario will be meeting with Planning Department Tompkins County on Monday.

Don stated that the Dart Drive storm sewer is almost complete. The State has been working on the Cayuga Heights bridge structural issues.

Lynn reported that there has been illegal hunting going on in the Village. Lynn suggested that we talk to the property owner and see if we can include him in our DMAP program. Don will contact the appropriate individual.

Lynn stated that we have a number of new landowners who have expressed an interest in allowing hunting on their lands within the Village of Lansing. Bernd Blossey checked with the NYSDEC and it is possible to amend the list of properties that we identified in the original DMAP application. Steve Joule, NYSDEC Conservation Officer, has asked that we forward him a copy of the current permit and a list of the new locations, along

with the landowner contact information. He will then make the changes, notify law enforcement and send the Village a copy of the amended permit. Steve also stated that we don't have to wait for a response to start using the permit on the new locations.

Lynn reported that Jay Boulanger informed her that he and Jim Milewski, NYSDEC Conservation Officer, took care of the feeding at a house on Oakcrest Road. Jim let the resident off with a warning and told him he is being watched. Jim really thinks that Matt will stop feeding the deer since he received an official warning. Jim also explained to Jay that it is perfectly legal for anyone to hunt in the Village of Lansing even outside our DMAP program. However, it is against Village of Lansing rules to "discharge" a weapon within the village. Therefore, DEC will not do anything about other hunters unless hunters are actually caught in the act of shooting a deer or taking one out to their truck. If we see hunters in tree stands and they are not in the act of shooting, there is not much we can do. Enforcement falls within local law enforcement, not NYSDEC.

Lynn reported on the Water Resources Council meeting that she attended today. The inlet has been treated for Hydrilla but it will be two or three weeks before they will see if the treatment worked. The inlet is reopened north of the Rt. 89 Bridge. At that meeting they also discussed gas drilling.

Jodi asked the Board if they would like to set a public hearing for the proposed sewer law. Don entertained the following motion:

Resolution #5796-Set Public Hearing to Consider Proposed Local Law H
(2011) Amendment to Village of Lansing Code-Sewer
Rents for November 7, 2011 at 7:35pm

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

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

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

The meeting adjourned at 8:22 pm.

Jodi Dake, Clerk/Treasurer