

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 7, 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.

Mayor Hartill called the meeting to order at 7:37pm and opened the public comment period. Robert Schleelein stated that he was here as the Community Party observer.

Yasamin Miller stated that she didn't see the RFP request on the agenda and wondered where we are with this. Mayor Hartill stated that the Tompkins County Planning Department is still working on the proposed scope of services and the Village has therefore not received it yet. Don met with them to establish a broad outline. Don thinks that we should have it in about a week, and the Board can then solicit the necessary professional planning services.

Yasamin also asked if Chris Dirr of NRP has requested the Village to provide a letter of support for the proposed Lansing Reserve PDA. Don stated that Chris has not requested a letter. Yasamin asked that the Village not provide a letter of support. Mayor Hartill asked on what basis this she was making that request. Yasamin doesn't feel a letter of support should be provided when there is some opposition from some residents who don't support the project. Don stated that since there has been no request the Board can't take any action. Yasamin asked if the Mayor would let her know is such a request comes in from Chris. Don said that this wasn't the usual procedure but he didn't see why not.

Motion-To Close the Public Comment Period

Trustee O'Neill moved to close the public comment period. 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	

The next item on the agenda was a public hearing on Proposed Local Law H (2011)-Sewer Rents.

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

Trustee O'Rourke moved to open the public hearing. 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	

Don explained that this is due to an increase in water rates proposed by Bolton Point. We have a manufacturing facility outside of the Village to which we provide sewer service, but not water. This resolution reflects the increased sewer rate so that it is the same as Village residents receiving water and sewer service.

No one from the public spoke on this matter.

Motion-To Close the Public Hearing on Proposed Local Law H (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 next item on the agenda was to consider the water rate increase proposed by Bolton Point. To increase the rate all Commission members have to agree on rate increases. Don explained that this is the second year in a row that the water rate has been increased by approximately 10%. Bolton Point is working to contain rate increases. Our water service is among the lower water rates in the region. The problem is that Bolton Point spent down their fund balance and no longer has the reserve to pay for the capital expenditures that need to take place. Currently, a new transmission main is needed along N. Triphammer Rd. and a water tank needs to be replaced. Instead of being able to pay for these with capital funds, we now need to bond them. Julie Baker asked if they could start to build up the fund balance again. The Mayor explained that this won't happen soon because there are many projects that need to be done now. Mayor Hartill introduced the following resolution for the Board's consideration:

RESOLUTION # 5797- To Approve the Amendment to the Southern Cayuga Lake Intermunicipal Water Commission Agreement Increasing the Water rate Charges and to Establish Such Amended Water Rate Charges For the Village of Lansing

**WHEREAS**, the Village of Lansing entered into an agreement of intermunicipal cooperation with several other municipalities creating the Southern Cayuga Lake Intermunicipal Water Commission ("SCLIWC") and authorizing the construction by such Commission of the Bolton Point water treatment plant and related transmission and other facilities, which agreement was restated as of June 5, 1979, and which agreement has been subsequently amended from time to time (such agreement as so amended being hereinafter referred to as the "SCLIWC Agreement"); and

**WHEREAS**, the SCLIWC Agreement included a schedule of the water rates to be charged, which schedule has been amended from time to time; and

**WHEREAS**, the parties to the SCLIWC Agreement wish to amend the Agreement to increase the water rates, and a copy of the proposed amendment has been submitted to this Board for its approval; and

**WHEREAS**, the Village of Lansing Board of Trustees finds it is in the best interests of the Village of Lansing and its citizens to affect the proposed water rate increases;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Village of Lansing Board of Trustees, in accordance with Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”) and 6 NYCRR Section 617.5, hereby determines that adoption of said proposed amendment and the establishment of water rates constitute a Type II action, constituting “routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment,” and thus may be processed without further regard to SEQR; and be it further

**RESOLVED**, that the Village of Lansing Board of Trustees hereby authorizes on Its behalf the execution of the proposed amendment to the SCLIWC Agreement submitted to this meeting, approving thereby the amendment to the rate schedule so as to increase the water rates to be charged under the SCLIWC Agreement generally from \$2.87 per thousand gallons of water to \$3.15 per thousand gallons of water; and be it further

**RESOLVED**, that upon the approval by all required parties of the proposed amendment to the SCLIWC Agreement setting the increased rate of \$3.15 per thousand gallons of water, and concurrently with the effective date of such amended rate as provided for in the approved amendment to the SCLIWC Agreement, the Village of Lansing Board of Trustees hereby establishes the foregoing increased rate as the base rate chargeable to each owner of property that is provided with water service by connecting to the Village of Lansing Water System, all such water service charges being subject to the additional water rate surcharge imposed by the Village from time to time by resolution of the Village Board of Trustees.

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

Mayor Donald Hartill-Aye  
Trustee Julie Baker-Aye  
Trustee Patricia O’Rourke-Aye

Trustee John O’Neill-Aye  
Trustee Lynn Leopold-Aye

**EXHIBIT I**  
**SCLIWC - BOLTON POINT WATER SYSTEM**  
**2012 WATER RATE SCHEDULE**  
**EFFECTIVE JANUARY 1, 2012**  
**RATE STRUCTURE:**

The flat rate charge per 1,000 gallons shall be non-fluctuating and equal to three dollars and fifteen cents (\$3.15). This rate is equal to two dollars and thirty six cents (\$2.36) per 100 cubic feet. The foregoing rate will be the rate charged for all regular quarterly bills sent after January 1, 2012. Actual or base consumption may occur prior to January 1, 2012.

**MINIMUM BASE CHARGES:**

Notwithstanding the foregoing rate structure, the following minimum base charges shall be applicable to the meter size indicated below, for regular quarterly bills sent after January 1, 2012. The table below shows the amount of water consumption that is permitted before the minimum base charge would be exceeded:

<u>METER SIZE</u> <u>(INCHES)</u>	<u>BASE</u> <u>CONSUMPTION</u> <u>(GALLONS)</u>	<u>MINIMUM BASE</u> <u>CHARGE</u> <u>(DOLLARS)</u>
3/4	10,000	31.50
1	30,000	94.50
1-1/2	45,000	141.75
2	90,000	283.50
3	140,000	441.00
4	200,000	630.00
6	350,000	1,102.50

Multiple Housing and mobile home parks of over two dwelling units, using a master meter, will be computed as follows: The quarterly master meter reading will be divided by the number of dwelling units and the water charge will be figured on this number as if the unit was individually metered. The water charge will then be multiplied by the number of units on the master meter and this will be the billing rendered. If the calculation of the water consumed per dwelling unit is less than the allowable consumption for a three-quarter inch meter, then the billing will be calculated by multiplying the number of units on the master meter times the minimum base charge for a three-quarter inch meter (e.g., if there were 20 dwelling units on the master meter, and total water consumption shown by the master meter was 100,000 gallons, the Commission billing would be \$630.00 (20 units times \$31.50) rather than \$315.00 (100,000 gallons at \$3.15/1000 gallons))

An annual charge for each fire protection main serving a fire suppression system will be billed along with the first quarterly water bill of the calendar year. The annual charge for this service shall be \$20.00 per diameter inch of the pipe supplying the fire suppression system. The pipe supplying the fire suppression system is the pipe needed to supply the

fire suppression system, installed downstream of the system control valve. The water application fee shall be \$190.00 for each new service for which application is made after January 1, 2012, plus the cost of a meter, tap, accessory materials and installation costs in a location approved by the Southern Cayuga Lake Intermunicipal Water Commission.

Now that the water rate increase has been approved, the Mayor entertained a motion to adopt Proposed Local Law H.

Resolution#5798-To Adopt Proposed Local Law H (2011)-Amendment to  
Village of Lansing Sewer As Local Law 8 (2011)

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law H (2011), to be designated Local Law 8 (2011) upon its adoption, to amend 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 so as to increase the annual sewer rent charged to each owner of property who is not connected to the Village of Lansing water system to match the increase (resulting from the water rate increase) in the annual sewer rent charged to each owner of property who is connected to the Village of Lansing water system; and
- B. On October 17, 2010, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law H (2011), and thereupon scheduled a public hearing thereon for November 7, 2011; and
- C. On November 7, 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 H (2011), (ii) all other information and materials rightfully before the Board, and (iii) all issues raised during the public hearing and/or otherwise raised in the course of the Board’s deliberations; and
- D. On November 7, 2011, the Village of Lansing Board of Trustees determined that the approval of the proposed action is a Type II action, and thus may be processed without further regard to Article 8 of the New York State Environmental Conservation Law - the State Environmental Quality Review Act (“SEQR”); and
- E. On November 7, 2011, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law H (2011), (ii) all other information and materials rightfully before the Board, and (iii) 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:**

1. The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law H (2011), to be designated Local Law 8 (2011).

Trustee Leopold moved to adopt Local Law 8. 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 following is a copy of Local Law 8.

**Local Law 8-Amendment to Village of Lansing-Sewer**

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

**SECTION I. PURPOSE & INTENT.**

Based upon an increase in the water rates to be charged to owners of property that are provided with water service by connecting to the Village of Lansing Water System, and to maintain equity between such property owners and the owners of property that are not connected with and do not receive water from the Village of Lansing Water System, it is the purpose and intent of this local law to amend 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 so as to increase the annual sewer rent charged to each owner of property who is not connected to the Village of Lansing water system to match the increase (resulting from the water rate increase) in the annual sewer rent charged to each owner of property who is connected to the Village of Lansing water system.

**SECTION II. AMENDMENT TO THE VILLAGE OF LANSING CODE.**

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 property owner who is not connected with and does not receive water from the Village of Lansing Water System shall be charged, and shall be obligated to pay, an annual sewer rent charge equal to ninety-five cents (\$0.95) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, [with a minimum charge of \$9.50 for each quarterly billing (as provided in subsection "C" below)].**

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 its filing in the office of the Secretary of State.

Next on the agenda was to approve the minutes from September 27<sup>th</sup>, October 13<sup>th</sup> & 17<sup>th</sup>.

Motion - To Approve the Minutes from September 27 & October 17, 2011

Trustee Leopold moved that the draft meeting notes, as reviewed and revised by the Clerk/Treasurer and the Board, are hereby adopted as the official minutes. Trustee O'Rourke 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 Approve the Minutes from October 13, 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 Leopold seconded the motion. A vote was taken:

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

It was explained that every year the Village taxes that are unpaid get turned over to the County for collection and are releveied on the Town & County Tax bill, and the County reimburses the Village. The Board approved the returned Village taxes that will be sent to Tompkins County and signed the Certificate of Trustees.

Resolution #5799-To Forward the Delinquent Village Taxes in the Amount of \$2,351.09 to Tompkins County

Trustee Leopold moved this resolution. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Julie Baker-Aye  
Trustee Patricia O'Rourke-Aye

Trustee John O'Neill -Aye  
Trustee Lynn Leopold-Aye

During the Mayor's Comments he explained that fire protection as a separate tax and the rate is about the same as the Village tax rate. This charge appears on the Town & County bill that one receives in January. The Fire Department hired a consultant to assess the condition of the Oakcrest Fire Station and found that it needed to be demolished and a new building built. The Fire Department has agreed to design the new station so that it better blends in with the new BJ's building behind it and the neighboring residential area. The Fire Commission has done a good job of controlling costs with the new Central Station and Don hopes they will do the same with the new Oakcrest Station.

Currently we are lacking a fire inspector. Marty has been doing what he can, but with all his other duties he is behind. A person who works for the City of Ithaca Fire Department has been identified as a possible candidate. We are waiting on paperwork, but hopefully we will have a fire inspector in the next couple of weeks. He will work one day a week for the Village. Lynn asked if he could initially work more to get caught up with our inspections. Don stated that he has another job and it depends on his schedule.

Don stated that he attended the Better Housing for Ithaca breakfast. The theme this year was based on the kind of affordable assistance that is needed. Don found it interesting that the occupancy rates for rental housing are high. The market is largely driven by Cornell students. There were three speakers who told their individual stories about how they have been helped by Better Housing of Ithaca. The first was a senior. The next was a woman from Dryden who received a loan to stay in her house after years of tragedies almost caused her to lose her home. And lastly, a family who's line to their septic system failed and they didn't have the \$170 to buy the pipe to fix it; Better Housing provided it for them.

Don, Lynn and Julie will not be available for the Thursday noon meeting on November 17<sup>th</sup> so there will not be a quorum.

Resolution #5800- To Cancel The November 17, 2011 Meeting Due To Lack of a Quorum

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

Mayor Donald Hartill-Aye  
Trustee Lynn Leopold-Aye  
Trustee Julie Baker-Aye

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



Don stated that we have received a revised office plan from the architect which incorporated the changes from the last Board meeting. Don's question to the Board was whether we should proceed. The footprint of the building is a little bigger than originally proposed to incorporate a meeting room. We are trying to maintain an open feeling in the office. Don stated that the building will not be LEED certified since there is significant cost associated with that certification. We will make the building as energy efficient as possible with insulation, energy efficient windows, and a quality heating & cooling system. We originally thought we would go with radiant floor heat with zones but due to the small scale of the building it is more economical to have a forced hot air system. Lynn added that there is very little follow up on a LEED certification. Another concern was sound in the conference room. This will be discussed with the engineer as we proceed. Don thinks that a soft material will be used on the walls to cut down on the echo in the room.

Lynn asked what would be done with the current meeting room. Don stated that this building will be used for record retention storage. It may be possible to replace the movable door at the Code & Zoning office with a permanent wall so that half of the building could be secured for storage and the present meeting room may be used as meeting space for community meetings. Julie asked if the new building will have a sprinkler system. Don did not think it was necessary but that would be a question for our Code Officer.

A member of the public asked if we would get a new sign which could actually be seen. Don acknowledged that fact that the light on the sign was not very bright. The public also asked where this building was going to be located. Don stated that the building will go out in front of this building. We are trying to follow our own Low Traffic Commercial Zoning Law setback requirements and have the building close to the road to give it more of a Village feel. Don stated that he, Marty and Jodi have spent a fair amount of time on helping with the design of this building and thinks this is the final proposal for the Board to approve. Lynn feels that the people that work here are the ones who need to be happy with the layout because they work here every day. Jodi will contact the architect and let him know that the Board is happy with the plan and that he can move forward.

John O'Neil wondered if we should have double doors at the main entrance. Once the new building is complete we will look at the traffic flow and decide where the driveway to the garage should go. Lynn asked what material the patio would be. She and John O'Neill like the idea of pavers. It was also stated that the Village mailbox looks pretty bad. Don will talk to John Courtney about getting a new mailbox.

David Gludish has submitted a letter requesting that his water penalty of \$99.34 be removed. David states that he has paid his bill every quarter, however, Jodi has looked at his account and he hasn't paid his bill since 7-12-10. Usually, if a resident has paid their bill on time the Board would waive their penalty, but since he hasn't paid his bill in over a year the Board decided not to waive his penalty. The Board asked Jodi to send him a letter explaining this.

Don reminded everyone that the elections are tomorrow. Lynn stated that Suzanne will not be working the election tomorrow because she has Lyme Disease.

Lynn presented the Board with the following Letter from Bernd Blossey regarding hunting Cornell lands behind Arleo Eye Institute:

Here is a brief synopsis of why we think the Cornell lands bordering Warren Road and Route 13 are ideally suited to expand our deer management program for VOL

1. The area is quite large although there are public playgrounds/ballfield at the southwestern end that are lit and with quite some traffic at times. We propose to hunt closer to Warren Road intercepting the deer that would cross the road and go to feed on the lawns of Cayuga Medical Center. Both Jay and I went into the area to scout and in fact removed an older (2-3 years) old hang-on tree stand with recently cut shooting lanes from a white pine. So obviously there has been illegal hunting going on without anybody noticing it in the past few years.

2. The area we propose to hunt from (we found 2 good locations) is outside any 500 foot boundary designation and we will not need any landowner permission to begin our hunting if the trustees approve. Furthermore, the side to Route 13 is entirely fenced preventing any deer from jumping onto the road after being shot (they would not do that anyway and rather stay in cover) and towards to residential area a power line traverses the property followed by nearly impenetrable honeysuckle thickets. No shot deer will cross this thicket (in fact it is not too dissimilar from Larry Bieri's property, maybe just a bit older, taller and denser). We will have enough trouble following deer in the thickets but I have gained quite a bit of experience hunting at Larry's. I consider the chances of shot deer getting into the residential areas away from 13 close to zero as they will remain in the dense cover.

3. We (at present we propose to allow only Jay and myself to hunt his parcel to assess what is going on) will access the property from Warren Road. There are several gravel pull-offs close to Route 13/Warren Road intersection. We will try to make sure that deer transportation and loading can be done as quickly as possible. Dragging deer to the road out of visibility will not be a problem as the site is very dense. Loading will obviously be a bit more tricky but should happen quickly as well. In fact I propose to use a cover tarp to hide a deer carcass as an additional option.

I am happy to help answer any additional questions you or the trustees may have. But this is probably one of the "easiest" locations to hide activity and is like the Butler property in being out of sight.

Best, Bernd Blossey

Lynn stated that this was the same parcel which was proposed last year. Lynn would like the Board to review the letter and it can be discussed further at the Monday November 21<sup>st</sup> meeting. Lynn would like a low profile in this area and to keep non-participants out.

The DMAP Program is about deer management not about getting a trophy buck. If the Board decides to allow this, Jay will handle the paper work with NYSDEC. Lynn stated that approximately 20 deer have been taken so far as part of the DMAP Program. Don stated that the Village usually removes 30-40 deer each year from the roadway but so far this year we've only taken 13 or 14.

John O'Neill gave the Board a copy of the Lansing Town Board's last meeting agenda and pointed out the five items of interest to the Village. The Town has decided to add Sun Path Drive to their Consolidated Water District. They also approved the SCLIWC water rate increase. Town Supervisor Scott Pinney was the only one that voted against it.

Mayor Hartill informed the Board that the water line on Burdick Hill is complete. The water line on Cayuga Heights Road was supposed to be completed by mid October. The temporary water line is in but not flushed. A letter has been sent to the LRS, our contractor, regarding the timeline. Lynn commented that we chose the low bidder for the water project, but is the low bid worth the stress level.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye  
Trustee Lynn Leopold-Aye  
Trustee Julie Baker-Aye

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

The meeting adjourned at 8:22 pm.

Jodi Dake  
Clerk/Treasurer