

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, November 19, 2012, in the Village Office.

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

Mayor Hartill called the meeting to order at 7:32 pm. and opened the public comment period. There were no comments from the public.

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 Patricia O'Rourke-Aye  
Trustee Julie Baker-Aye

The next item on the agenda was a public hearing on Proposed Local Law E. Mayor Hartill entertained a motion to open the public hearing.

Motion-To Open the Public Hearing on Proposed Local Law E (2012)

Trustee Leopold moved to open 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 Patricia O'Rourke-Aye  
Trustee Julie Baker-Aye

Dubow stated that Proposed Local Law E would amend Chapter 145 (entitled "Zoning") of the Village of Lansing Code so as to establish procedures for the renewal of previously approved special permits for Temporary Commercial Activities by either administrative action of the Village Code and Zoning Officer or by action of the Village Planning Board; and to amend accordingly the provisions in Section 145-59 [entitled "Special Permits"] of said Chapter 145 of the Village of Lansing Code so as to add a new subsection "G" of said Section 145-59. The proposed new provisions are intended to simplify the process of approving repeat Temporary Commercial Activities and allow for this action to be done administratively if it is very similar to what was originally approved by the Planning Board. Throughout this last year the Planning Board has recognized a need to make this process for the returning applicant slightly easier so as to allow the Planning Board to focus on other items. This change will have a minimal impact on the Village and will streamline the process.

There were no comments from the public.

Motion-To Close the Public Hearing

Trustee O'Neill moved to close 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 Patricia O'Rourke-Aye  
Trustee Julie Baker-Aye

Dubow added that because this is a procedural matter with no potential environmental effects, it doesn't require a SEQR review.

Resolution#5920- To Adopt Local Law 5 (2012)

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law E (2012), to be designated Local Law 5 (2012) upon its adoption, to amend Chapter 145 (entitled "Zoning") of the Village of Lansing Code so as to establish procedures for the renewal of previously approved special permits for Temporary Commercial Activities by either administrative action of the Village Code and Zoning Officer or by action of the Village Planning Board; and to amend accordingly the provisions in Section 145-59 [entitled "Special Permits"] of said Chapter 145 of the Village of Lansing Code so as to add a new subsection "G" of said Section 145-59; and
- B. On November 5, 2012, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law E (2012), and thereupon scheduled a public hearing thereon for November 19, 2012; and
- C. On November 19, 2012, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law E (2012), (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 19, 2012, 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 19, 2012, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law E (2012), (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 E (2012), to be designated Local Law 5 (2012).

Trustee Leopold moved to adopt Local Law 5. 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 next item on the agenda was a public hearing on Proposed Local Law F. Mayor Hartill entertained a motion to open the public hearing.

Motion-To Open the Public Hearing on Proposed Local Law F (2012)

Trustee Baker moved to open the public hearing. Trustee O'Neill 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

Mayor Hartill explained that this proposed law will keep our sewer cost about the same. It will lower the Village's surcharge from 30% to 25% starting with the April 2013 billing. Reducing the surcharge to 25% would compensate for the increased water rate. Currently, the rate is \$0.95/1,000 gallons and with the water rate increase it would be \$1.20/1,000 gallons if we kept the current 30% surcharge. Lowering the surcharge to 25% would make it \$1.00/1,000 gallons. The net result is a smaller % surcharge on a higher water cost resulting in not much of a change from the current surcharge. Julie Baker stated that she received an email prematurely thanking us for this decrease.

There were no comments from the public.

Motion-To Close the Public Hearing

Trustee O'Neill moved to close 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 Patricia O'Rourke-Aye  
Trustee Julie Baker-Aye

Resolution # 5921- To Adopt Local Law 6 (2012)

**WHEREAS:**

- A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law F (2012), to be designated Local Law 6 (2012) upon its adoption, (i) to amend both subsection A of Section 111-21[entitled “Rents for property owners connected with Village of Lansing water system”], and 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 reduce the current Village sewer rate surcharge amount currently based upon thirty percent (30%) of the Village water rate to a surcharge amount equal to twenty-five percent (25%) of the Village water rate; and (ii) to thereby lessen the effects of the increase (resulting from the SCLWIC water rate increase) in the annual sewer rents to be charged to each owner of property, whether connected or not connected to the Village water system, and thereby further ensure that the sewer rent amount for the annual sewer rent to be charged to each owner of property, whether connected to or not connected to the Village of Lansing water system, shall be the same; and
- B. On November 5, 2012, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law F (2012), and thereupon scheduled a public hearing thereon for November 19, 2012; and
- C. On November 19, 2012, 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 (2012), (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 19, 2012, 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 19, 2012, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law F (2012), (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 F (2012), to be designated Local Law 6 (2012).

Trustee Baker moved this resolution. 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 next item on the agenda was to approve the minutes from November 5, 2012.

Motion- To Approve the Minutes from November 5, 2012

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

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

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

Mayor Hartill stated that the installation of the new SCLIWC replacement transmission line is now complete. Originally there was some question as to if they would need to get out into N. Triphammer Rd. but that wasn't necessary. They did have to dig up Butler Road in front of the YMCA. That area is already sinking so the contractor will be responsible and this additional work will be on the punch list. The Mayor has not heard from John Courtney yet on where we are with getting traffic counts at the intersection of N. Triphammer Road and Craft Road. We do have some recent traffic counts. Jodi had been in contact with Courtney today and asked him to get an estimate from Fisher for tonight's meeting. Jodi gave a copy of an estimate quote from Fisher which Courtney emailed her. Triad Foundation can do a grant to a municipality and would like to contribute \$10,000 this year to the Village of Lansing for this traffic study. Hartill will contact Fisher to talk more about the study. Hartill stated that there was a study done when he first became Mayor. The Board was not happy with the proposed estimated cost of a study. Hartill stated that unfortunately it is the cost of doing business; however, if someone gets killed at that intersection it's more costly.

The Mayor reported that the current SCLIWC New Burdick Hill Water Tank Project is coming together. It will have a light tan finish. The Commission hopes to have it online by the first of year. At that point the old tank will be reevaluated. It has lead paint on outside. SCLIWC has an estimate to replace that with a similar 150,000 gallon tank. The Village agreed to share in the cost of the tank projects so we are paying Bolton Point \$100,000.

There have been 30 plus deer taken in the Village of Lansing. The bow hunting goes until December 20<sup>th</sup> and then opens again in January for an additional season. The Mayor will ask Bernd what the likely usage would be if we considered allowing crossbows. Leopold stated that Bernd has gotten a lot on Cornell's property on Bomax Drive.

The Mayor spoke to Kate Supron, Mayor of the Village of Cayuga Heights. We have to revise our sewer agreements. Mayor Supron indicated that the Village of Cayuga Heights will be undertaking their deer sterilization program.

Julie has been communicating with James Orcutt about the deer. Some folks don't think we are doing enough to get rid of the deer. He suggested a dart gun with lethal darts. Julie told him we are very concerned with safety. Mayor Hartill stated that we can't contaminate meat if it is going to food banks, and the dart system will therefore not be viable. We must also watch for wasting disease. We have increased the number of sites for hunting this year. Leopold thinks it will be good that once the initial season is over on December 20<sup>th</sup> there will be an additional two week season in January. A lot depends on what kind of winter we have. O'Neill asked if we would consider year-round hunting. The Board was concerned with all the public activity that takes place outside during the warmer weather.

Mayor Hartill stated that he tried to contact Vince at QPK Architects but didn't get him. The Mayor will try again tomorrow. He wants to talk to him about how best to proceed regarding the higher than expected bids that were received and not accepted.

Leopold reported that she attended the Water Resource Council meeting. The SPDES Permit will be reissued for Lake Source Cooling. There is a lot of misinformation out there. There is huge monitoring that is needed. They are finding that phosphorous levels are going up in other lakes, but at Cayuga Lake it is not being caused by Lake Source Cooling. The lake mixes every couple of days. There will be a large study of the lake. Some groups are not happy that Cornell is doing their own study. They do have a consultant. Comments are being accepted until Dec. 15th. The Mayor stated that the numbers are good. Leopold stated that the big issue for the Cayuga Lake is that the south end of the lake is listed as a water body of concern. They are accusing CU for putting in more phosphorous, but it simply is not true. Hartill stated that the biggest concern is the silt at the end of the lake. When plants decay they produce phosphorous.

Mayor Hartill asked to go into executive session for financial matters related to possible acquisition of real property for which publicity may affect value.

Motion- To Go Into Executive Session for Financial Matters

Trustee Leopold moved to go to executive session Trustee Baker 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 Board went into executive session at 8:04pm.

Motion- To Come Out of Executive Session

Trustee O'Neill moved to come out of executive session. Trustee Baker seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye

Trustee Patricia O'Rourke-Aye

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

Trustee Julie Baker-Aye

The Board came out of executive session at 9:01 pm.

Motion- To Adjourn

Trustee Leopold 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 9:02 pm.

Jodi Dake  
Clerk/Treasurer