

Village of Lansing

MINUTES of the Board of Trustees of the Village of Lansing held on Monday, October 21, 2013, in the Village Office.

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

Mayor Hartill called the meeting to order at 7:30pm 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 Baker seconded the motion. A vote was taken:

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

The next item was a public hearing.

Motion- To Open the Public Hearing for Proposed Local Law A (2013)

Trustee Leopold moved to open the Public Hearing. Trustee O'Neill seconded the motion. A vote was taken:

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

Hartill stated that this proposed change is a result of the sewer charge being a percentage of the water rate. Bolton Point has increased their water rate which results in an increase of \$.02 per 1,000 gal. Another change was when the Village of Cayuga Heights (VCH) went from a unit based sewer rate to a rate based on consumption. Dubow indicated that the previous attempt to adjust sewer rates by resolution as opposed to the original local law procedure was more complicated than anticipated and the local law approach will now continue to be utilized.

Dubow added that we amended the sewer rent law a couple of years ago when we started collecting sewer for the VCH based on consumption. There are two separate sewer rates listed in our Code. The VCH rate will stay the same at this point. They are on a village budget cycle so if their rates changes in June we will have to adjust our rate again. Therefore, Proposed Local Law A also addresses this issue. Bolton Point is now trying to increase their water rate on an annual basis with CPI to stay on track with inflation so it is

likely we will see an increase on a yearly basis. The water rates charged by Bolton Point drive the sewer rates. When water rates go up sewer rates will also increase since our rate is currently based on 25% of the water rate.

Motion- To Close the Public Hearing for Proposed Local Law A (2013)

Trustee Baker 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 Julie Baker-Aye

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

Two minor corrections were done to Proposed Local Law A. The first correction was writing out the words "thirty-two dollars and twenty cents" in addition to having the numerical \$32.20 amount in two places. This is for consistency. Also there was a typo where it said "to time" and it should be "time to time". These sort of minor changes don't require another public hearing.

Resolution#6011- To Adopt Proposed Local Law A (2013) as Local Law 1 (2013)-Amendment to Village of Lansing Code-Sewer Rent

WHEREAS:

A. This matter involves consideration of the following proposed action: Adoption of Proposed Local Law A (2013), to be designated Local Law 1 (2013) upon its adoption. As a follow-up to the prior adoption by the Board of Trustees of Local Law 4 of 2012 and Local Law 6 of 2012, both of which relating 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 both of which providing 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 2013 to provide for further amendments intended to:

- (1) increase the current sewer rents payable to the Village of Lansing for the use of the Village of Lansing sewer system based upon the concurrent and like increase in the Southern Cayuga Lake Intermunicipal Water Commission ("SCLIWC") water rates and the Village of Lansing water rates; 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; and

(2) alter and clarify the manner in which such sewer rents may, from time to time, be modified by further local law adopted by the Village of Lansing Board of Trustees.

B. On October 7, 2013, the Village of Lansing Board of Trustees preliminarily discussed the purposes and intent of Proposed Local Law A (2013), and thereupon scheduled a public hearing thereon for October 21, 2013; and

C. On October 21, 2013, the Village of Lansing Board of Trustees held a public hearing regarding this proposed action, and thereafter discussed and reviewed (i) Proposed Local Law A (2013), (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 October 21, 2013, 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 October 21, 2013, the Village of Lansing Board of Trustees completed its review of (i) Proposed Local Law A (2013), (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:

The Village of Lansing Board of Trustees hereby adopts the attached Proposed Local Law A (2013), to be designated Local Law 1 (2013).

Trustee Baker moved to approve Local Law 1. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O’Neill-Aye
Trustee Julie Baker-Aye

Trustee Patricia O’Rourke-Aye
Trustee Lynn Leopold-Aye

The following is a copy of the approved law:

**Local Law 1-2013
Amendment to Village of Lansing Code-Sewer Rent**

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 4 of 2012 and Local Law 6 of 2012, both of which relating 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 both of which providing 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 2013 to provide for further amendments intended to:

- (3) increase the current sewer rents payable to the Village of Lansing for the use of the Village of Lansing sewer system based upon the concurrent and like increase in the Southern Cayuga Lake Intermunicipal Water Commission (“SCLIWC”) water rates and the Village of Lansing water rates; 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; and
- (4) alter and clarify the manner in which such sewer rents may, from time to time, be modified by further local law adopted by the Village of Lansing Board of Trustees.

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) an annual sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and two cents (\$1.02) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of ten dollars and twenty cents (\$10.20) for each quarterly billing (as provided in subsection “B” below); and**

- (2) **an annual sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to three dollars and twenty-two cents (\$3.22) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of thirty-two dollars and twenty cents (\$32.20) 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, 2014. 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, 2014. 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) **an annual sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and two cents (\$1.02) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of ten dollars and twenty cents (\$10.20) for each quarterly billing (as provided in subsection “B” below); and**
- (2) **an annual sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to three dollars and twenty-**

two cents (\$3.22) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of thirty-two dollars and twenty cents (\$32.20) 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, 2014. 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, 2014. 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.

The next item on the agenda was to discuss ways to get business input to supplement the SRI Survey information aimed at residential participants. Baker thinks that we should send them a written survey. Baker suggested that it be based on the survey that SRI did on residents with questions added regarding commercial and business matters. Lynn feels that our sign law is a concern. Way-finding was an issue in the past. Jodi asked the Board if they thought that this is still a major concern with the technology of having GPS on phones and them being more common in cars now to help people find businesses. She also asked if this survey was going to be sent to each commercial business or just the

building owner. It was suggested that instead of mailing the surveys, the Trustees should walk to each business and hand deliver to a manager. Baker will design a survey for the Trustees to review at the next meeting which will include questions on traffic, signage and carts. The survey should also include a section where they can write their additional comments and be specific with what they would like.

During the Mayor's comments, Hartill stated that he met with the New Administration Building construction group this morning. He did a walk through with Moseley and Courtney. One of the problems was that QPK designed a truss structure which does not allow for the duct work to cross over to the west side of the building. The resolution will be to reduce the size of the duct. The Mayor is disappointed in QPK. The Administrative Building Project is basically on schedule. There have been some additional problems with ADA compliance of the entrance, flashing issues and some lighting issues. Mayor has done many projects before so he isn't surprised with having issues.

Mayor Hartill stated that he will not be here for the November noon meeting and the November 18th meeting. He also will be out of town for the December 12th and 16th meetings. Lastly, the Mayor stated that we are making progress on the Dart property acquisition.

O'Neill got an email from NYS with a resolution for municipalities to consider to continue the moratorium on high-volume hydraulic fracturing and to advance a renewable energy economy in New York State. O'Neill will email it to Trustees.

Leopold stated that she attended the Water Resources meeting this afternoon. At the meeting they gave a hydrilla treatments update. It is below detection now. Treatment was applied in Fall Creek and a corner of Cayuga Lake with divers also treating the inlet. Everything will be quiet for the winter. They are asking people to look for the plant and report if found. They are also asking boaters to make sure their boats are clear of plants as they move from one water source to another. Funding is there for next year. Money is coming from a variety of places. The last hydrilla treatment was in September. Hartill asked if there has been any discussion on dredging. Leopold stated that dredging was put on hold when hydrilla was found in the lake. One must be careful not to spread hydrilla to other areas. The last time dredging of the inlet was done was 1979. It really should be done every ten years.

Motion- To Adjourn

Trustee Baker moved for adjournment. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill -Aye
Trustee Julie Baker-Aye

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

The meeting adjourned at 8:00pm.

Jodi Dake, Clerk/Treasurer