

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, July 17, 2017, in the Village Office.

PRESENT: Mayor Donald Hartill; Trustees, Ronny Hardaway, John O’Neil and Gerry Monaghan; Clerk/Treasurer Jodi Dake; Attorney David Dubow; Planning Board Member, Mario Tomei and Mike Baker. There were 5 additional people in attendance at the meeting.

Mayor Hartill called the Board of Trustees meeting to order at 7:30pm and opened the public comment period. There were no comments.

Motion - To Close the Public Comment Period

Trustee Monaghan made a motion to close the public comment period. Trustee RH seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway- Aye
Trustee John O’Neill-Aye	Trustee Gerry Monaghan-Aye

Motion- To Open the Public Hearing on Proposed Local Law 3 (2017) Amendment to Village of Lansing Code-Zoning Law-Household Definition

Trustee O’Neill made a motion to open the public hearing. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway- Aye
Trustee John O’Neill-Aye	Trustee Gerry Monaghan-Aye

John Novarr is concerned with zoning for family and multi-use. His concern is that single family and 2 family neighborhoods remain the way they are. More unrelated people can’t live in single family homes. Having the issue come before the BZA would seem to work but he wouldn’t do it that way. He doesn’t think it is a social issue, he feels it is a rental issue. People that rent out their houses are there to make a profit. The more people you can get to live in a house, the more income that is made. When people rent out their home it is to earn or supplement their income. Novarr stated that he rents to students in other municipalities and has about 1500 tenants. He doesn’t have a single building where more people are living in it than what the code allows. He currently resides at 850 Cayuga Heights Road and his daughter lives on Twin Glens Road. There is a property on Twin Glens Road that Candice Hardy owns that has 11-12 cars parked there during the Cornell school year. These cars have plates from all over the United States. His primary concern is to end that. He sees this as a landlord issue not a tenant issue. The City of Ithaca has a

problem in that you can't afford to live there. Students room together to share cost of rent. He doesn't see this as a problem if it is done under Village guidelines. Novar suggested that the Board read what the City of Ithaca has done. Students have been excluded from family with no blood relation. The issue is then enforcement. He suggested that no action can happen until it receives a variance. Homeowners should be required to get a variance before they rent out their house. If the Village does allow this, the penalty needs to be more than what an owner would be making in rent. He also suggested that any change in occupancy must come back to the BZA. He feels that if this is the direction the Village wants to go, it can be done. He feels the Village is opening the door to this not closing it. He thinks our current law is stronger than the new law.

Don Edwards stated that he is also a landlord and he feels the same way as far as the zoning law goes. We formed the Village of Lansing to protect the residents from commercial development. We need a zoning law in place that restricts the number of nonrelated residents in a residential neighborhood. As a Village this needs to be enforced.

Hartill stated that that is what we are trying to accomplish. We don't want it to be easier. This public hearing will not be closed tonight because it is more of an information gathering than a public hearing.

Don Edwards added that there is a house near the corner of Bush & Brook Way that has seven vehicles and a bus in their driveway. He has been told it is a church. He doesn't feel it should be allowed in a residential area. The vehicles are there continuously. Hartill has heard of this situation and reported that it is being looked into. Edwards heard it was a church. Hardaway stated that he had a complaint regarding a property on Bush and they have been cited for having unregistered vehicles. Hardaway was unsure if this was the same property he was talking about.

Hartill stated that this is an information gathering session to help us change our zoning to be what we want. Hartill stated that he would like to leave this public hearing open. He feels it is too important to move on. In next couple of weeks Hartill hopes to have a new version to propose.

The next item on the agenda was to approve the minutes from June 15<sup>th</sup> & 19<sup>th</sup>. The Budget Transfer amount for the Water Fund for F8340.4 in the June 19<sup>th</sup> minutes has been updated to include the voucher on Abstract 15 being approved tonight. This is an increase from \$11,387 to \$11,489.

Motion- To Approve the Minutes of June 15, 2017 and June 19, 2017

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

Mayor Donald Hartill-Abstain  
Trustee Gerry Monaghan-Aye

Trustee Ronny Hardaway-Aye  
Trustee John O'Neill-Aye

Mayor Hardaway entertained a motion to approve the vouchers.

Resolution #6409- Abstract of Audited Vouchers

Be it RESOLVED, that Abstract of Audited Vouchers No. 15 for the General Fund, in the amount of \$499.88, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 2 for the General Fund, in the amount of \$89,060.87, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 2 for the Special Assessment Sewer, in the amount of \$1,272.50, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 2 for the Sewer Fund, in the amount of \$1,726.79, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 15 for the Water Fund, in the amount of \$102.00, is hereby approved for payment, and

Be it RESOLVED, that Abstract of Audited Vouchers No. 2 for the Water Fund, in the amount of \$185,283.30, is hereby approved for payment.

Trustee Hardaway moved that the foregoing Abstract of Audited Vouchers resolutions be adopted and Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Gerry Monaghan-Aye

Trustee Ronny Hardaway-Aye  
Trustee John O'Neill-Aye

Hartill explained that the next item on the agenda has two parts. The first is to increase our surcharge and the second part is to approve the Southern Cayuga Lake Intermunicipal Water Commission Agreement to Change Water Rate Schedule.

At budget time we decided to raise the surcharge from 25% to 40% to cover the Village's costs in the 2017-18 Water Budget. To be clear, the Mayor requested that the Board pass an official resolution stating that the surcharge is increased from 25% to 40%

Resolution #6410- To Authorize the Increase in the Water Rate Surcharge  
From 25% to 40%

**WHEREAS**, the Village of Lansing Board of Trustees during the 2017-18 budget process budgeted to increase the water surcharge from 25% to 40%

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Lansing Board of Trustees hereby authorizes an increase in the water surcharge from 25% to 40% starting with the July 1, 2017 water billing.

Trustee Hardaway moved to increase the water surcharge. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Ronny Hardaway-Aye
Trustee Gerry Monaghan-Aye	Trustee John O'Neill-Aye

At the SCLIWC meeting on July 6<sup>th</sup> the Commission approved an amendment to the Agreement of Municipal Cooperation for Water Rate Increase. This increase in water rates from \$4.44 to \$4.53 per 1,000 gallons needs to be approved by all member municipalities and will go into effective 1/1/2018. The first Village of Lansing bill to be affected by this change will be the April 1, 2018 billing. Hartill was hoping that they would have lowered the minimum water usage from 10,000 gallons to 5,000 gallons but that hasn't happened. Hartill is disappointed to say the least. It still may happen but Bolton Point needed to get the rate approved to continue with their budgeting process.

Resolution#6411-To Authorize the Mayor to Sign the Southern Cayuga Lake Intermunicipal Water Commission Bolton Point Water System Agreement to Change Water Rate Schedule and Amend the Agreement of Municipal Cooperation for Water Rate Increase Effective 1/1/2018

**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 accomplish the proposed water rate revisions;

**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 modify the water rates to be charged under the SCLIWC Agreement generally from \$4.44 per thousand gallons of water to \$4.53 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 \$4.53 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 modified 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 (currently 40%) imposed by the Village from time to time by resolution of the Village Board of Trustees.

Trustee Monaghan moved this resolution. Trustee Hardaway seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Gerry Monaghan-Aye

Trustee Ronny Hardaway-Aye  
Trustee John O’Neill-Aye

The next item on the agenda was to consider the Memorandum of Understanding Regarding Future Intermunicipal Wastewater Transportation and Treatment Agreement By and Between the Town of Lansing and the Villages of Lansing and Cayuga Heights for Creation of a New Sewer District #1. Hartill stated that during this last rain event the Village of Cayuga Heights sewer plant exceeded 9 million gallons.. The NYSDEC gets nervous if they exceed 5 million more than twice a month. The Ithaca Sewer Plant is a 9

million gallon a day plant. Their peak was a little over 30 million gallons a day. The problem is the systems are all aging. There is infiltration through the ground which is an issue. Drain Brain has found a few spots in our system that need remediation. He believes that people are also hooking their down spouts into the sewer. However, it is hard to prove this. There is a smoke test but that is invasive enough that he is reluctant to do this. With a well manage system you can expect a 2% infiltration and ours is 2.5-3%. VCH is nervous about the NYSDEC coming down on them. Tonight we are talking about an agreement between the Town of Lansing and the Village of Lansing to use our pipes to transport waste to the Village of Cayuga Heights. There is already such a thing for Cherry and Warren Roads. There is discussion taking place regarding an additional pipe coming down the west side of N. Triphammer Road. Hardaway asked about a typo in the document regarding 33,050 a day or 33,500 a day. Hartill stated we would be working it out later.

Resolution#6412-To Agree to the Memorandum of Understanding Regarding Future Intermunicipal Wastewater Transportation and Treatment Agreement By and Between the Town of Lansing and the Villages of Lansing and Cayuga Heights for Creation of a New Sewer District #1 and to Authorize the Mayor to Sign

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

Mayor Donald Hartill-Aye

Trustee Gerry Monaghan-Aye

Trustee Ronny Hardaway-Aye

Trustee John O'Neill-Aye

It was asked if this would be considered a shared service. Hartill stated that this doesn't count as far as the governor is concerned. LED streetlighting is the main discussion for shared services in Tompkins County.

Hartill stated that he was in Vermont when the last big rain storm hit so he missed it. He had a conversation with our Department of Public Works this afternoon. During the intense rain, water was coming out of the stormwater drainage system and The Shops at Ithaca Mall was flooded. The Mayor stated that his stream came out on his back lawn, which happens about once every 5 years. There was a lot of rain in a short time. There are some drainage structures that will need to be fixed. Everything else in the Village is going relatively well.

The Mayor will be meeting with Adam Robbs, Mario Tomei and Eric Goetzmann tomorrow to discuss a project Eric wants to do. The Village would like to get to the point where Eric doesn't change his plan every day. He needs to move forward with his project.

We have started a new fiscal year. We are getting a new roadside mower. The Ford we currently have isn't worth fixing. The Town of Lansing has offered to help us with

roadside mowing. Courtney has two candidates for the part time summer laborer position. He hopes to interview them this week or early next week.

Monaghan feels that the lagoon along the west end of mall was because of the path there. Hartill stated that we had 3 inches of rain in an hour which was the problem No drainage system can deal with that much water. Water was coming up through the cracks in pavement at the mall and BJ's also.

Hardaway reminded the Board about the Caring Adults Program that Youth Services is doing. In October, this program will be recognizing 40 adults that have had a positive impact on youth. If anyone knows an individual that has had an impact on youths, there is an online form to nominate someone. Hartill stated that Phil Dankert comes to mind. Hardaway will submit a nomination after speaking more with those that have known him for an extended period of time.

O'Neill handed out the proposed budget for Youth Services. It includes an increase of 2%. On Thursday O'Neill will be going to the Youth Services meeting where they will be working on the 5 year plan. He will bring this to the Board at their next meeting.

O'Neill also handed out a remodeling plan for the old office building. George Breuhaus has done plans for the remodel. He thinks the bathroom is alright. We will be removing the folding door and replacing it with a permanent wall. Everything will have a 2 hour fire wall. In 2-3 weeks O'Neill hopes to get three bids for this remodel. O'Neill thinks the project will cost the Village about \$6-7,000. Dake reminded them that the carpet will also need to be replaced since a large section was cut out when the DPW dug into the floor when they fixed the drain.

#### Motion to Adjourn

Trustee O'Neill moved to adjourn. Trustee Monaghan seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Gerry Monaghan-Aye

Trustee Ronny Hardaway-Aye  
Trustee John O'Neill-Aye

The meeting was adjourned at 8:16 pm.

Jodi Dake  
Clerk/Treasurer