

Village of Lansing

MINUTES of the Board of Trustees Meeting held on Monday, December 6, 2021, via Zoom Videoconferencing/Teleconferencing.

PRESENT: Mayor Ronny Hardaway; Trustees, Carolyn Greenwald, Simon Moll and Patricia O'Rourke, and Randy Smith; Clerk/Treasurer, Jodi Dake; Attorney, Natalie French; and 1 members of the public arrived late.

Mayor Hardaway called the Board of Trustees meeting to order at 7:31pm. Hardaway opened the public comment period. There were no public comments.

Motion - To Close the Public Comment Period

O'Rourke made a motion to close the public comment period. Greenwald seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Simon Moll-Aye
Trustee Patricia O'Rourke-Aye	Trustee Randy Smith-Aye
Trustee Carolyn Greenwald-Aye	

Motion - To Approve the Minutes of November 11, 2021

Moll made a motion to approve minutes. O'Rourke seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Abstain	Trustee Simon Moll-Aye
Trustee Patricia O'Rourke-Aye	Trustee Carolyn Greenwald-Aye
Trustee Randy Smith-Aye	

Motion - To Approve the Minutes of November 15, 2021

Smith made a motion to approve minutes. Moll seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye	Trustee Simon Moll-Aye
Trustee Patricia O'Rourke-Aye	Trustee Carolyn Greenwald-Aye
Trustee Randy Smith-Aye	

Samantha McBean entered meeting.

**Sewer Rate**

Since Bolton Point and Cayuga Heights have both increased their rates, it is necessary to amend our sewer law. Bolton Point has increased the water rate starting January 2022 from \$5.60 to \$5.77/1,000 gallons of water consumption. Since the Village sewer rate is based on 25% of that rate, the Village portion of the sewer rate will need to be increased from \$1.40 to \$1.44/1,000

gallons of water consumption. Also, Cayuga Heights has increased their rate from \$5.05 to \$5.20/1,000 gallons of water consumption. This makes the total sewer rate \$6.64/1,000 gallons of water consumption. The minimum is still based on 5,000 gallons or \$33.20. This increase will start January 1<sup>st</sup> so village residents will see the increase with their April bill.

Motion - To Open the Public Hearing on Proposed Local Law G (2021)-To Amend the Village of Lansing Code-Sewer Rents

Moll made a motion to open the public hearing for Proposed Local Law G. Greenwald seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye  
Trustee Randy Smith-Aye

Hardaway stated that Samantha McBean had just entered the meeting and he wanted to know if she wanted to speak.

McBean with concerned with the Lansing Global Park because there is so many bushes and no lights between there and the CSP Management property. She is willing to walk the property with someone to show them what she is concerned with. She would like the Village to clean the drain, cut the grass and bushes and get some light in the back for safety.

Hardaway stated that the public comment period is already over, and we were currently in the public hearing for the proposed sewer law. However, Hardaway will contact Courtney about the situation.

Moll asked if these increases are primarily because of improving the facility. Hardaway stated that chemical prices have increased so it is a combination of things. We have input but no control over this. Some of it is capital and some is operating. Our rent is tied to a percentage. When Bolton Point increases their water rate our rate increases because our sewer rate is 25% of the water rate.

Motion - To Close the Public Hearing on Proposed Local Law G (2021)

Smith made a motion to close the public hearing. O'Rourke seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye  
Trustee Randy Smith-Aye

Resolution #6799- To Adopt Proposed Local Law G (2021) as Local Law 4 (2021)-Amendment to Village of Lansing Code-Sewer Rents

Moll made a motion to approve this resolution. Smith seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye  
Trustee Randy Smith-Aye

The Following is Local Law 4:

## **AMENDMENT TO VILLAGE OF LANSING CODE-SEWER RENTS**

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 3 of 2020 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 which provided 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 G of 2021 to provide for further amendments intended to increase the current sewer rents payable to the Village of Lansing for the use of the Village of Cayuga Heights sewer system based upon the concurrent and like increase by the Village of Cayuga Heights Local Law 3 (2021) which increased the sewer rate from \$5.05 to \$5.20/1,000 gallons used for treatment of waste water originating from properties located outside of the Village of Cayuga Heights; and an increase in the Bolton Point water rate resulting in an increase in Village of Lansing charge; 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.

### **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) A quarterly sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one**

**dollar and forty-four cents (\$1.44) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of seven dollars and twenty cents (\$7.20) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below); and**

- (2) A quarterly sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to five dollars and twenty cents (\$5.20) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of twenty-six dollars (\$26.00) per each individual multiple dwelling unit 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, 2022. 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, 2022. 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) A quarterly sewer rent charge for use of the Village of Lansing sewer system, such charge to be equal to one dollar and forty-four cents (\$1.44) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of seven dollars and twenty cents (\$7.20) for each individual multiple dwelling unit for each quarterly billing (as provided in subsection “B” below); and**

- (2) A quarterly sewer rent charge for use of the Village of Cayuga Heights sewer system, such charge to be equal to five dollars and twenty cents (\$5.20) for each one thousand (1,000) gallons of water, or portion thereof, used by such property owner, with a minimum charge of twenty-six dollars (\$26.00) for each individual multiple dwelling unit 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, 2022. 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, 2022. 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.

Solar Code

Hardaway asked Greenwald for a summary of how she got to this point. Greenwald stated that the impetus for this code change was a ground mounted solar project that the Planning Board approved but wasn't happy with because they did not really take into consideration the neighbor's properties. The solar was placed on the neighbors' sight line and it was unsightly. The Village wants to encourage people to install solar for residential use. We wanted to create a code that both encourage solar and give the Planning Board some teeth to make sure it would not impact the

neighbor's property. This was first developed by Marty Moseley, basically Section 3 was created by him. Now, there are more State regulations and anything over 25 megawatts is completely out of Village control. Greenwald, Schleelein and Ingraffea have been working on this solar change. They chose to divide it into three separate categories. If a resident is going to install solar on their roof, we do not want to get in their way, but if it is a ground mounted solar unit then the Village wants to protect the neighbors. Greenwald stated that she has sent this to Courtney, Scott and French, none of which had any comments on the way it has been structured in a three-tier system.

Greenwald stated that a change was made to the document she sent the Trustees because Scott stated that the Code says any accessory building that is more than 400 square feet or over 15 feet high is considered a principal building. So, for this purpose we have added anything 800 square feet or more is considered a principal building for setback purposes. This is so it falls into the accessory setbacks as opposed to the principal building setbacks.

Smith stated that it looks like everything has been covered. He is curious to hear what Scott thinks. Smith stated that the mall wants to put a light on the path from the mall to Shannon Park that is solar. Smith asked if this is covered by this. Greenwald was unsure but will add single installation of a light.

Moll asked where Tier 3 would be allowed. Right now, there is not a district based restriction. Moll is all for Tier 1 and Tier 2 solar but is worried about Tier 3 solar because that is a business.

Hardaway asked if 4,000sq. ft. is a standard size for residential roof-mounted solar. Greenwald stated that it is not. They used Tony's expertise to come up with this number. We want it to be reasonable. This is something that we can change. Hardaway also asked what "name-plate capacity" was. He suggested we add a definition for this. Hardaway thanked everyone for the work they did on this. He thought they did a great job of covering everything.

Dake pointed out that Scott will take this and put it into the Code because what is being presented is not in law form. This should be done before going back to the Planning Board.

Natalie asked if there is any degree of permanency required. She gave the example of Christmas lights that are solar ground lights. This needs to be thought through. We would want to make sure this was excluded.

### **Consortium Resolution**

Back in September of 2018 we appointed Deputy Mayor Hardaway as Director, Mayor Hartill as Alternate Director and Dake as Benefits Administrator on the Greater Tompkins County Municipal Health Insurance Consortium Board. The Trustees needed a new resolution since Hartill is no longer with the Village.

Hardaway stated that this allows us to go to the executive meetings and vote. Hardaway has been attending the Consortium Board meetings but if he misses then O'Rourke could go and vote on behalf of the Village.

Resolution #6800-To Appoint Mayor Ronny Hardaway as Director on the Consortium Board and Deputy Mayor Patricia O'Rourke as the Alternate Director and Clerk/Treasurer, Jodi Dake, as the Benefits Administrator

Trustee Smith moved these appointments. Trustee Greenwald seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye  
Trustee Randy Smith-Aye

Hardaway asked the Board if we still want to have the Holiday Party given the uptick in Covid and the omicron variant. O'Rourke thinks we need to be careful. Moll stated that he and Monica would not be going. The Board decided to not hold a Holiday Party. Carolyn stated that Shannon Park is having a Christmas Light Walk Around on the 19<sup>th</sup> from 5-6:30pm. Hardaway stated that we could still send cards to the staff and say thank you.

Smith stated that tomorrow there is a lighting commission meeting at 10am.

Moll stated that the Recreation Partnerships next meeting will be in February. The town and county just passed their budgets, so they have the funding they need for another year.

The Tree Conservation and Replacement Local Law is being reviewed by the Planning Board. Moll will incorporate ground solar installations also.

Smith asked if there was an update on the property that hasn't been maintained. Hardaway has not heard anything but will let the Trustees know when he finds anything out.

Hardaway stated that our search for a replacement for Hatfield has been extended thru December 7<sup>th</sup>. Dake stated that we have received 15 laborer applications and 6 motor equipment operator applications to date. We are trying to make a small interview process. Hardaway will contact one other Trustee to help with the interviews along with Courtney and Dake.

There were no additional comments from the Board.

Motion- To Adjourn

Smith motioned to adjourn. O'Rourke seconded the motion. A vote was taken:

Mayor Ronny Hardaway-Aye  
Trustee Patricia O'Rourke-Aye  
Trustee Carolyn Greenwald-Aye

Trustee Simon Moll-Aye  
Trustee Randy Smith-Aye

The meeting was adjourned at 8:15pm.

Jodi Dake, Clerk/Treasurer