

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, October 6, 2008, in the Village Office.

Present: Mayor Donald Hartill; Trustees Larry Fresinski, Lynn Leopold and John O'Neill; Attorney David Dubow.

Mayor Hartill called the meeting to order at 7:35 P.M. and opened the public comment period. Joan Lovejoy was present as part of the observers program. Mario Tomei was the Planning Board representative for the meeting.

Motion-To Close the Public Comment Period

Trustee Fresinski moved to close the public comment period. Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski-Aye

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

The next item on the agenda was the approval of minutes. Jodi stated that the August 14<sup>th</sup> minutes would have to wait until Julie was present.

Motion - To Approve the Minutes from July 17, 2008.

Trustee Fresinski 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-Aye  
Trustee Lynn Leopold -Aye

Trustee Larry Fresinski-Aye  
Trustee John O'Neill-Abstain

Motion - To Approve the Minutes from September 11, 2008.

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 Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Lynn Leopold -Aye

Trustee Larry Fresinski-Aye  
Trustee John O'Neill-Aye

Motion - To Approve the Minutes from September 15, 2008.

Trustee Fresinski 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 Lynn Leopold –Aye

Trustee Larry Fresinski-Aye  
Trustee John O’Neill-Aye

The next item on the agenda was to consider the SCLIWC proposal to increase the 2009 water rates. Currently the rate is \$2.32 per 1,000 gallons of water. The proposed rate is \$2.58 per 1,000 gallons of water. Don stated that in the last couple of years the Commission has had a large fund balance. They have worked at getting this balance down and now it is where it should be. Therefore, this increase more accurately represents the actual costs.

Don reported that the City of Ithaca has completed their Draft Environmental Impact Statement on their Water Supply Project. The EIS was completed by O’Brien & Gere for approximately \$250,000.

Dubow stated that he has prepared a resolution that (i) confirms the Board’s approval of the proposed rate increase (to be effective as of January 1, 2009), (ii) authorizes the execution of the proposed amendment to the SCLIWC Agreement that has been submitted for Board review and consideration, and (iii) formally establishes the Village water rate for those parties connected to the Village water system (also effective as of January 1, 2009) at the new Commission rate contingent upon the amendment to the SCLIWC being executed by all member municipalities.

Dubow pointed out that the last “Resolved” paragraph also makes reference to the current water surcharge rate of 30%. If that and/or the sewer surcharge are to be adjusted, that will require further action by the Board. Likewise, the change in the water rate will precipitate the need for a local law to be adopted by the Board to amend the sewer rent charge for property owners who are connected to the Village sewer system but not connected to the Village water system. This amendment will create consistency between the sewer rent charges paid by both Village and outside-Village sewer customers. The Village adopted Local Law 8 (2007) in December of last year for this same purpose following the last water rate increase that occurred in October of last year.

Resolution #5484 -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 effect 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 \$2.32 per thousand gallons of water to \$2.58 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 \$2.58 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 (currently 30%) imposed by the Village from time to time by resolution of the Village Board of Trustees

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

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski-Aye

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

Don proposed that we also set a public hearing for Proposed Local Law E (2008) that David has prepared to change the sewer rate for property owners connected to the Village sewer system but not connected to the Village water system from \$0.70 per 1,000 gallons

to \$0.77 per 1,000 gallons with a minimum charge of \$7.70, up from the current \$7.00. Currently, Borg Warner is our only affected sewer system user.

Resolution #5485- To Set a Public Hearing for Proposed Local Law E (2008) for Monday, November 17, 2008 at 7:35pm

Trustee Fresinski moved to set the public hearing. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski-Aye

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

The next item on the agenda was to review the Adopt-A-Highway Program. Jodi explained that this was going to be addressed in the next newsletter and she wants to be sure that the Board has reviewed the program before going forward. The program was revised back in 1995. There are specific procedures on how the program works and what safety precautions have to be followed. Each participant must sign a waiver. David Dubow indicated that he spoke with John Bailey today to discuss and confirm insurance coverage issues and to confirm that John is aware of this program being revitalized. David also confirmed with John that the Village would be requiring written waivers from all participating volunteers and that the agreement to be signed will include indemnification protection in favor of the Village. He reported that John confirmed that the waiver will provide protection to the Village. It was explained that the Village's general liability policy will cover any negligence attributable to the volunteers participating in this program for the Village, but that the participants will not have insurance for their injuries, and that that is the reason for the waivers and indemnification protection. Everything must go through the Highway Superintendent. John O'Neill suggested that the list of possible roads to adopt be published in the newsletter article.

Lynn stated that she wishes that the ramps off of Route 13 could be cleaned. There are a ton of cigarette butts on the side of the road. It was acknowledged that this area belongs to the State and therefore the Village is restricted as to working in these areas. Lynn asked if John Courtney could call the NYSDOT and have them install a sign in that area that shows a cigarette butt with a line through it.

During the Mayor's comments Don stated that he is still trying to get in touch with NYSDOT to finalize the North Triphammer Road Project. They have not returned his calls so he will go there. Suit Kote must continue to carry liability insurance until this project is closed out. Lynn asked that when the Mayor speaks with them he once again mention the speed limit issue on East Shore Dr.

Don stated that the N. Triphammer Rd. bridge over Route 13 is scheduled be fixed in June 2009. It appears that NYSDOT will need to remove approximately 100 feet of sidewalk and conduit to the lights and cut the bridge deck to get the beam out and replace it. It is anticipated that we will be down to two or three lanes for a month or so.

Don reported that he has met with Scott Pinney and Jack French of the Town of Lansing on our snow removal. The costs are increasing and salt is up 30% or more. The Town claims that it cost them approximately \$55,000 to plow snow in the Village this past winter. Currently the Village pays the Town of Lansing a base contract amount of \$25,000 to plow our roads. This amount is adjusted annually by the percentage increase or decrease that the Town gets from Tompkins County. It was questioned whether we should have to pay anything at all since we pay the same tax rate as those property owners who own property in the Town. Jodi and Don will review the numbers. It was questioned how other villages within towns deal with snowplowing. Don stated that the Town uses the sales tax they receive for maintenance outside the Village since we get a percentage of the sales tax generated in the county for our maintenance.

Mayor Hartill sits on the Scientific Committee for Council with 15 scientists from different parts of the world. At Lynn's request, Don gave a brief explanation of the mishap that happened in Geneva, Switzerland on Sept. 12<sup>th</sup>.

The Village of Lansing has received 10 DMAP permits from the NYS DEC for deer hunting. Lynn stated that she will once again be working with Bernd Blossey to coordinate a controlled hunt on her property. They have a tentative plan for the bow hunting season which starts October 15<sup>th</sup>. Late bow season ends December 16<sup>th</sup>. She still needs to contact her neighbors and once everything is complete she will submit her plan to the Board for approval.

Lynn has also been working with Sharon Anderson on getting everything finalized on the rain garden at the Village Office. We still need a nice fence around the garden to protect it from deer. She explained that 50% of the cost of the fence can be reimbursed through the grant. There will also be a small sign installed to tell about the garden.

It was acknowledged that the north side of the sand carved Village Office sign needs to be painted. The light on the north side of the sign is also out. Jodi will inform John Courtney. Larry added that there are many streetlights that are also out.

John O'Neill asked if the land owned by the fire department on Oakcrest Rd. had been sold yet. It was reported that it has been sold to Murray Estates/Ken Horowitz, the owner of the former Sundown's Farm property.

Don reported that the engineer's design for the proposed new water tank on Burdick Hill Road in the Town of Lansing has been completed. The capital fund is set up to do the project. The project should be done next year. After construction is complete they will take the big tank out of service and paint it. In two years we will then be in a position to decommission the tank behind the Village Office.

Don advised the Board that the Bolton Estate Subdivision bid package for the road to be constructed by the SCLIWC went out yesterday. Bids should be due back the end of this month.

Motion- To Adjourn

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

Mayor Donald Hartill-Aye  
Trustee Larry Fresinski-Aye

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

The meeting adjourned at 8:48 PM.