

**SPECIAL TOWN BOARD MEETING**  
**November 05, 2014**

A Special Meeting of the Lansing Town Board was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:03 p.m. The meeting was called to order by the Supervisor, Kathy Miller and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be

**PRESENT:**

Kathy Miller, Supervisor	Robert Cree, Councilperson
Doug Dake, Councilperson	Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson	

**ABSENT:** None

**ALSO PRESENT:** Sharon Bowman, Deputy Supervisor, Steve Colt, Parks and Recreation Director, Cricket Purcell, Deputy Highway Superintendent, Connie Wilcox, Ted Laux, John O'Neill, Village of Lansing, Pat Pryor, Katrina Binkewicz, and several other attendees.

**BUDGET DISCUSSION**

Supervisor Kathy Miller stated that this agenda item was being moved to the Work Session meeting for further discussion.

**MOTION TO OPEN PUBLIC HEARING ON THE PROPOSED SPECIAL DISTRICTS BUDGET FOR 2015**

Supervisor Kathy Miller moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED SPECIAL DISTRICTS BUDGET FOR 2015** at 6:05 pm. Councilperson Ruth Hopkins seconded the motion.

All in Favor - 5                      Opposed - 0

No one addressed the Town Board

**MOTION TO CLOSE PUBLIC HEARING**

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE PUBLIC HEARING ON THE PROPOSED SPECIAL DISTRICTS BUDGET FOR 2015** at 6:06 pm. Councilperson Robert Cree seconded the motion.

All in Favor - 5                      Opposed - 0

Supervisor Kathy Miller stated that in all likelihood the passing of the budget will be postponed, but a resolution could be passed to adopt the special districts budget. She stated that the budget could not be adopted tonight, because in order to do that, forms would have to of been filed yesterday in regards to the tax cap.

Councilperson Ruth Hopkins stated that the tax freeze regulations are over and above the tax cap calculations as they occur separately. After further discussion Supervisor Kathy Miller read the law from the OSC (Office of the State Comptroller). She stated the law requires each local government prior to adopting a budget to submit the information necessary for calculating the tax levy limit, not the actual tax levy for the coming fiscal year. She stated all the rules and regulations are extremely confusing. She stated that if you look at agenda item #9, Resolution scheduling a Public Hearing upon proposed Local Law #5 of 2014 – a Local Law Repealing Local Law #2 of 2014 and Reinstating the Tax Cap Limits of General Municipal Law § 3-C this can be done.

**MOTION TO OPEN PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2015**

Supervisor Kathy Miller moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2015** at 6:12 pm. Councilperson Robert Cree seconded the motion.

All in Favor - 5

Opposed - 0

A resident read the following statement to the Town Board:

I have several concerns about the budget proposal.

First, I am wondering how many of you have taken advantage of the budget training that is offered through the state organization of towns. Municipal budgeting is not a matter of "common sense" and is different from any other type of budgeting or accounting. The legal requirements and constraints are complex and every elected official who helps to craft a town budget should take advantage of the training that is available.

Example: I called today to inquire about the town's fund balance policy and was told that Lansing does not have such a policy. In municipal budget training you would learn that a fund balance policy "provides a framework to help guide budgetary decisions and multi-year plans, helps ensure that an adequate fund balance is available ...and can be used to develop and amend multi-year capital and operational plans." I see no recognition in this budget of the importance of a fund balance policy.

Second, I attended a meeting here a few weeks ago when someone from outside the town, with considerable experience in town budgets, presented the results of his review of the 2015 proposed budget. He shared a number of concerns and I am unable to find anything in the budget that indicates that his concerns, which covered very basic principles of municipal budgeting, particularly in the area of long term planning, have been addressed.

Third, let me say that I am just as concerned about raising taxes as anyone else. However, to see that the budget recommends only a 1% raise and at the same time institutes a major restructuring of the payment of health insurance premiums such that my guess is that many, if not all, employees will actually experience a drop in "take-home" pay seems particularly callous and unnecessary. My sense is that the budget could be adjusted so as to more fairly compensate employees, could phase in the increased health insurance premiums and still stay under the tax cap.

I urge you to go back to the table and apply municipal budgeting best practices to the 2015 town budget and include a fair compensation package for employees.

Another resident stated he had a question and also asked if the Town Board was going to answer the prior resident's question about the training.

Supervisor Kathy Miller stated that generally they don't answer questions, it is just not policy. She stated that after the meeting he was welcome to ask the Town Board questions.

#### **MOTION TO CLOSE PUBLIC HEARING**

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2015** at 6:16 pm. Councilperson Robert Cree seconded the motion.

All in Favor - 5

Opposed - 0

#### **CONSIDER RESOLUTION APPROVING THE SPECIAL DISTRICTS BUDGET AND TOWN BUDGET FOR THE FISCAL YEAR 2015**

The following Resolution was not considered as presented below. Later in the meeting the Town Board did reschedule the Public Hearing for the Special Districts Budget and proposed Budget for 2015 for Monday, November 17, 2014 at 6:02 p.m. and 6:04 p.m.

**RESOLUTION 14- NOT ADOPTED**

**RESOLUTION APPROVING THE  
SPECIAL DISTRICTS BUDGET AND  
TOWN BUDGET FOR THE FISCAL YEAR 2015**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, the Town Board duly held Public Hearings on November 05, 2014 at the Lansing Town Hall, 29 Auburn Road, Lansing, New York and all persons thereat were duly heard; and

WHEREAS, upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that the proposed Special Districts Budget and the proposed Town Budget are hereby adopted as the Town of Lansing Final Budget for the Fiscal Year 2015.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson \_\_\_\_\_, duly seconded by Councilperson \_\_\_\_\_ and put to a roll call vote with the following results:

Councilperson Robert Cree	Councilperson Doug Dake
Councilperson Ruth Hopkins	Councilperson Edward LaVigne
Supervisor Kathy Miller	

**RESOLUTION APPOINTING DEPUTY TOWN CLERK AND RECEIVER OF TAXES**

**RESOLUTION 14-138**

**RESOLUTION APPOINTING DEPUTY CLERK, AND RECEIVER OF TAXES  
PER TOMPKINS COUNTY CIVIL SERVICE RULES AND UNDER TOWN  
LAW, AND FURTHER AUTHORIZING FILING OF FORM 428s**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, the Town of Lansing needs to appoint a Deputy Town Clerk/Receiver of Taxes ; and

WHEREAS, upon consideration and deliberation upon the same, the Town Board of the Town of Lansing has hereby

RESOLVED, as follows:

1. Deborah K. Munson be and hereby is appointed as Deputy Town Clerk/Receiver of Taxes effective November 10, 2014 at the previously agreed upon and authorized rate of pay and grade, subject also to all Town perquisites and benefits as are available to such position;
2. The Town Personnel Officer be and hereby is authorized to make such changes to the Towns' employment and civil service rosters and file required Civil Service forms to effect such changes and this Resolution, including by the filing of form 428s;

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Robert Cree and put to a roll call vote with the following results:

Councilperson Robert Cree - Aye                      Councilperson Doug Dake - Aye  
Councilperson Ruth Hopkins - Aye                  Councilperson Edward LaVigne - Aye  
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried and duly adopted on November 5, 2014.

**SCHEDULE PUBLIC HEARING FOR PROPOSED SPECIAL DISTRICTS  
BUDGET FOR 2015**

**RESOLUTION 14 -139**

**RESOLUTION SCHEDULING PUBLIC HEARING  
FOR THE SPECIAL DISTRICTS PROPOSED  
BUDGET FOR 2015**

The following Resolution was duly presented for consideration by the Town Board:

RESOLVED, that the Town Board of the Town of Lansing has prepared the Assessment Rolls of parcels of land included in the Lansing Consolidated Water Districts, CWD Ext. 1, and CWD Ext. 2 and Lansing Light Districts No. 1, No. 2 and No. 3 and the Lansing Drainage Districts, Pheasant Meadow, Whispering Pines, Lake Forest, Farm Pond Circle and Lansing Sewer Districts, Warren Road and Cherry Road and has apportioned and assessed upon such parcels of land in proportion in the amount of benefits the improvements shall confer upon the same the cost chargeable to said Districts in connection with the construction of Public Water, Lighting, Drainage and Sewer Districts, therein which are payable in the year 2015 and therefore, pursuant to Section 239 of the Town Law, the Town Board shall hold a Public Hearing at the Lansing Town Hall, 29 Auburn Road, Lansing, New York at 6:02 p.m., on the 17th day of November, 2014 to hear and consider any objections which may be made to said roll.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Robert Cree - Aye                      Councilperson Doug Dake - Aye  
Councilperson Ruth Hopkins - Aye                  Councilperson Edward LaVigne - Aye  
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 5, 2014.

**SCHEDULE PUBLIC HEARING FOR PROPOSED BUDGET FOR 2015**

**RESOLUTION 14-140**

**RESOLUTION SCHEDULING PUBLIC HEARING  
FOR THE PRELIMINARY BUDGET FOR 2015**

The following Resolution was duly presented for consideration by the Town Board:

**NOTICE IS HEREBY GIVEN**, that the preliminary budget of the Town of Lansing, Tompkins County, New York for the fiscal year beginning January 1, 2015 has been completed and filed in the office of the Town Clerk of said Town, where it is available for inspection by any interested persons at all reasonable hours and

**FURTHER NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Lansing will meet and review said preliminary budget and hold a Public Hearing thereon at the Lansing Town Hall, 29 Auburn Road, Lansing, New York at 6:04 p.m. on the 17<sup>th</sup> day of November, 2014 and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled or for or against any items therein contained and

**FURTHER NOTICE IS HEREBY GIVEN**, pursuant to Section 108 of the Town Law, that the following are proposed yearly salaries of elected Town Officials of this Town:

Supervisor	\$ 30,306.00
Councilperson (4)	
Total	\$ 38,964.00
Each	\$ 9,741.00
Deputy Town Supervisor	\$ 3,346.00
Town Clerk	\$ 41,667.00
Highway Superintendent	\$ 70,054.00
Town Justice (2)	
Total	\$ 34,976.00
Each	\$ 17,488.00

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Councilperson Ruth Hopkins - Aye	Councilperson Edward LaVigne - Aye
Supervisor Kathy Miller - Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 5, 2014.

**RESOLUTION SCHEDULING PUBLIC HEARING ON LOCAL LAW #5 OF 2014 TO REPEAL LOCAL LAW #2 OF 2014**

After further discussion, Counsel Guy Krogh stated that this resolution has to be adopted tonight. **Rescinding a local law requires a local law, it can't be adopted by resolution.** You have to schedule a public hearing, the resolution below schedules the public hearing so the local law can be adopted, if the board chooses to do so.

Counsel Guy Krogh stated he has seen the requirements both ways. It appears in writing from the Comptroller's Office that you must adopt the local law rescinding the tax cap override before you adopt the budget. It also appears in writing from the Comptroller's Office saying that you only need to do it before the calendar year. His advice to the Town Board was to do it before the final budget is adopted.

**RESOLUTION 14-141**

**RESOLUTION SCHEDULING PUBLIC HEARING UPON PROPOSED LOCAL LAW #5 OF 2014 – A LOCAL LAW REPEALING LOCAL LAW #2 OF 2014 AND REINSTATING THE TAX CAP LIMITS OF GENERAL MUNICIPAL LAW § 3-C**

The following Resolution was duly presented for consideration by the Town Board:

WHEREAS, on June 18, 2014, the Town adopted a local law to override tax cap limits set forth in GML § 3-C (Local Law #2 of 2014), and due to other NYS legislation allowing certain limited tax refunds under stated conditions, one of which is that no tax cap override may be in place at the time of adoption of a final budget for 2015, the Town Board has decided to repeal Local Law #2 of 2014, the tax cap override local law; and

WHEREAS, said action is a Type II SEQRA action for which no environmental review is required, and upon due consideration thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on November 17, 2014, at 6:06 pm, to consider the adoption of proposed Local Law #5 of 2014, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with law and at least 5 days before such public hearing.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Councilperson Ruth Hopkins - Aye	Councilperson Edward LaVigne - Aye
Supervisor Kathy Miller - Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 5, 2014.

Special Meeting adjourned at the call of the Supervisor at 6:29 p.m. to the;

**WORK SESSION MEETING**

1. Land Use Ordinance – Local Law #6,
2. 2015 Budget
3. Request from Tom Ellis and Michael Long on Interconnecting Roadways between and among certain Subdivisions

**MOTION TO ENTER EXECUTIVE SESSION**

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS THE BUDGET AS PERTAINS TO THE QUALIFICATIONS, PERFORMANCE AND PAY TO A PARTICULAR PERSON AT 8:11 PM.** Councilperson Robert Cree seconded the motion.

All in Favor - 5                      Opposed - 0

**MOTION TO EXIT EXECUTIVE SESSION**

Councilperson Doug Dake moved to **EXIT EXECUTIVE SESSION AT 8:59 PM.** Councilperson Robert Cree seconded the motion.

All in Favor - 5                      Opposed - 0

Minutes taken and executed by the Town Clerk and Deputy Town Clerk.

Respectfully submitted,

Debbie S. Crandall