

REGULAR TOWN BOARD MEETING
November 19, 2014

A Regular Meeting of the Lansing Town Board was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:00 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	Edward LaVigne, Councilperson

ABSENT: Ruth Hopkins, Councilperson

ALSO PRESENT: Deputy Supervisor Sharon Bowman, Deputy Town Clerk Debbie Munson, Highway Superintendent Jack French, Deputy Highway Superintendent, Cricket Purcell, Parks and Recreation Supervisor Steve Colt, Counsel Guy Krogh, Consulting Planner Michael Long, Code Enforcement Officer Lynn Day, Tompkins County Representative Mike Sigler, Village of Lansing John O’Neill, Ted Laux, Connie Wilcox, Dan Adinolfi, Chris Williams, R. Weese, Emma Harner, Michael & Margaret Keller, Maxwell & Amanda Steinhardt, Tom Ellis and a few other attendees.

TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER

Mike Sigler reviewed his report that follows with all present and the Town Board.

Hello and thank you for having me again.

The Tompkins County Legislature adopted the County’s 2015 budget and its capital program for the next five years. It took two months of hearing from every department and in the end the budget was very close to what the County Administrator proposed.

The \$180.8 million budget, with \$83.5 million in local dollar spending increases the County tax levy by 2.5% and decreases the countywide average tax rate by 0.45%. The recommended tax rate of \$6.86 per thousand represents an increase of \$8.67 for the median-valued \$165,000 home. Since the increase is below the adjusted 3.14% State property tax cap, the amount will be returned to the homeowner under the State’s new property tax freeze law. For 2015, the County solid waste fee will also decrease by \$4.00, to \$52.00 per household.

Legislator Chock expressed some unease about the budget—expressing concern about its conservative financial projections, in areas such as sales tax, and concern that the County is not doing enough and could “stretch some more.”

After the adoption vote, County Administrator Joe Mareane noted that the adopted budget meets goals set out at the beginning of the budget process—to maintain current levels of service; reinvest in facilities and infrastructure; stabilize the Airport’s finances; address emerging goals, such as alternatives-to-incarceration and the living wage; to maintain the County’s fiscal health and security; and to try to stay within the tax cap

The Legislature, by unanimous vote approved a resolution declaring freedom from Domestic Violence as a fundamental human right.

Through its action, the Legislature joins leaders in the United States and world in recognizing domestic violence as a human right and expresses its intent to raise public awareness of and contribute to better public understanding of the issue in the community. According to the group that brought this forward, 1 in 3 women and 1 in 4 men are victims of domestic violence.

The Legislature heard a presentation from Commissioner of Planning Ed Marx reviewing proposals received for redevelopment of the Old Library site. At its next meeting the Legislature is scheduled to act on whether to release a formal Request for Proposals (RFP) to those prospective developers that had responded to the County’s initial Request for Expressions of Interest. The proposals and the Draft RFP are posted on the County web site at <http://www.tompkinscountyny.gov/news/expressions-interest-old-library-site>.

Legislator Brian Robison was at his final meeting before resigning to accept the appointment as Tompkins County Undersheriff. There was cake.

In other news, Solar Tompkins is meeting its ambitious goal of doubling the total deployment of residential solar power in a single year. 355 Families in Tompkins County have now signed contracts that will add 2.6 MW of electrical generating capacity from residential Solar PV. I'm happy to say, I'm one of those households.

In some loose ends, the state called me this month and said the sale of the former detention center property has been put off until late spring early summer so I'll keep you in the loop. December could be a big month for the power plant and I've been in steady contact with the powers that be there as I know Kathy Miller and Ed have been. I want to congratulate the Girls and Boys Soccer teams, the Women's Diving and Swimming and the football Team on their amazing seasons and I want to thank their parents for the Facebook posts. It was great to watch the season progress.

Councilperson Edward LaVigne asked how the County decreased the taxes. Mr. Sigler stated that the property value had increased as there are more tax parcels on the tax roll, as well as Department Heads keeping their budget under control. He stated that the TC Consortium Health Care has done well and helped cut costs.

DAN ADINOLFI – WATER AND SEWER ADVISORY BOARD

The Water and Sewer Advisory Board met on October 21st. The agenda included a number of topics.

The first discussion was concerning the possibility of extending the water district along Drake Road. As has been mentioned at previous meetings, extending the Drake Road water line so that it completes the loop around Drake Road from Auburn Road to East Shore Drive would improve the water system as a whole as well as benefiting the residents along Drake Road that are not currently receiving water service. The Board reviewed the estimated costs as well as what funding sources might be available for the work, such as government grants. Since a formal petition from the residents along Drake Road would help the process, and since there appears to already be some interest in this work, we will encourage such a petition and assist with the process where we can.

We also discussed extending the Consolidated Water District to a new outside user on Lansing Station Road per the user's request. We reviewed the order of operations needed for the creation of an outside user agreement and extension, including the fees and the potential for a formal district extension instead of just a single outside user extension. We moved to spell out the specific tasks that need to be accomplished by the petitioner, what fees are involved, and how the process might change if there are enough adjacent property owners interested in also making use of the water system.

This discussion pointed to the lack of clear, plain-language documentation available to residents to help them understand how to work within the law and within existing municipal processes. The Board will create such documentation, which will attempt to clarify who the responsible agencies are and spell out the responsibilities of residents for each part of the process. Some examples of what would be documented are how to go through processes like extending water or sewer districts or obtaining outside-district access to those services. This documentation will be made freely available and kept up-to-date as law and process evolve. We hope to have this documentation developed early in 2015.

The Board checked in on the expansion of the Warren Rd. Sewer District. That process is progressing on schedule, and we believe the interested parties are aware of where the process stands.

There was a quick note that the work on the Bone Plain Water Tank is still in progress.

The next meeting of the Water and Sewer Advisory Board will be December 2nd, 2014 at 6:30 PM in the Town Recreation Department back room.

Councilperson Edward LaVigne commented that clarity would be a great benefit for residents on how to get water and sewer. Dan Adinolfi stated the board hopes to have that available in a pamphlet.

The Water and Sewer Advisory Board will discuss priorities for the Comprehensive Plan. The board will help with municipal services in general beyond water and sewer.

PRIVILEGE OF THE FLOOR

Prior to the meeting Margaret Keller presented the following petition to the Town Board signed by 35 people who reside on Eastlake Road.

EASTLAKE/LAKEWATCH PETITION

RE: ROAD CONSTRUCTION NORTH OFF EASTLAKE RD. INTO THE PROPOSED NOVALANE DEVELOPMENT AND SOUTH OFF EASTLAKE RD. INTO SUNPATH DEVELOPMENT

The Lansing Town Board Public Hearing 11-19-14, 6:00 29 Auburn Rd (34)
(The Lansing Planning Board)

We, the undersigned, would like to indicate to the Lansing Planning Board our concern regarding the potential construction of a road off Eastlake Rd. connecting Eastlake Rd. directly with the proposed Novalane development to the immediate north and with the Sunpath development to the south, for the following reasons:

(1) A full traffic study has not been performed by the State of New York regarding the impact on safety due to increased traffic in this area of I 34 due to the proposed Novalane and Sunpath developments. We recommend this be done. The planning board approved a traffic study to determine the impact on our neighborhood of opening up Eastlake to vehicular traffic to/from Novalane & Lakewatch.

(2) There is a pre-existing history of multiple traffic accidents at the intersection of Waterwagon and I 34, at current levels of traffic. With increased traffic, they will increase. A red/orange/green stop light needs to be installed on that curve, at Waterwagon or Eastlake Rd., to safely control resulting increased traffic motion.

(3) The left hand turn from I 34 onto Eastlake Rd. is currently a dangerous turn, with head-on traffic coming from a blind corner straight ahead, traffic behind traveling at 50 mph plus, and with no wait lane for the car that plans to turn. As it is, if the cars behind notice you have stopped, they whiz by on the shoulder at 50 mph, something that is risky now and impossible in the winter. A 3-colored stop light would change this.

(4) Traffic returning home from Ithaca to the Novalane development will be turning left down Eastlake Rd., an already dangerous turn at current traffic levels. Increase traffic levels turning left would be safely managed with a traffic light.

When a Lansing Town Board member votes for or against the construction of the above defined road north and south off Eastlake Rd. to the Novalane and Sunpath developments, they need to consider the repercussions that their vote will have on the safety of the families living in Eastlake, Sunpath, Novalane and Lakewatch. Surely a family does not have to suffer a tragic loss before current dangers at I 34/Eastlake Rd. /Waterwagon are corrected. Your votes will decide for our communities.

Three residents addressed the Town Board during privilege of the floor. They reviewed the issues and requests that were outlined in the petition, along with concerns on surface water management.

PARK and RECREATION DEPARTMENT REPORT

Parks & Recreation Department
11/19/14
Town Board Meeting

RECREATION

- Winter programs have started and are up and running. Gymnastics (sold out), Basketball, Karate, Indoor Soccer, Little Voices Music & Motion and Bowling. Our numbers are very good.
- Programs starting soon will be Skating, Travel Basketball, winter Gymnastics and the Ski Program. The Ski Program numbers seem to be down as of now and I believe that price increases have a lot to do with it.
- We are offering a Holiday Cookie Exchange for students in grades 4-8. This program will be instructed by Stacie Kropp and Carolyn Shaw. This will take place at the Community Center on Saturday December 13th.
- We are again using the High School Helpers program via Youth Services to chaperone some of these programs. These high school students do a great job.
- We are partnering with Christopher Grant owner of the Yoga Farm on Conlon Road to run several Yoga classes for us. This works well for us as he has his own studio to conduct the classes.

Abby Sharpless and her mom Kathy have volunteered in the office to shred boxes of papers. This timely task didn't have to be sent out for processing at 20 cents per pound.

PARKS

- The park clean up and winterization has been completed for the season. The park looks really good for this time of the year which will make opening in the spring much easier, providing we don't get a lot of winter damage.
- Last week, the park crew planted 14 new trees to continue our planting program in the park. Additionally, we are continuing to take down old, really large trees that are damaged or are potentially dangerous.

RESOLUTION ESTABLISHING 2015 WATER RATES

Supervisor Kathy Miller reviewed the rates in the proposed resolution along with discussing the current 1.5 times water rate for outside users. She proposed changing that rate to 2 times water rate for outside users. Dan Adinolfi, Chair of the Water and Sewer Advisory Board stated that the board thought 2 times the rate seems reasonable.

RESOLUTION 14-144

RESOLUTION ESTABLISHING 2015 WATER RATES FOR THE TOWN OF LANSING

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

WHEREAS, the Town of Lansing is a signatory to the amended, supplemental, restated and consolidated agreement of municipal cooperation for construction, financing and operation of an Intermunicipal, water supply and transmission system dated as of June 5, 1979, as the same has been amended from time to time, (the "Agreement"); and

WHEREAS, pursuant to the Agreement each municipality agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as the "Commission"), water revenues based upon, in part, a water rate schedule annexed as Exhibit I of Schedule A to the Agreement; and

WHEREAS, the Town must set its water rates for 2015 so as to allow the Commission to begin first quarter billing; and

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

RESOLVED, that the Town Board of the Town of Lansing does hereby establish the following water rates for the Town of Lansing residents within the Town of Lansing Consolidated Water District for the year 2015.

Water Rate (SCLIWC)	\$ 4.35 per thousand gallons
Operation and Maintenance Fee (TOL)	\$ <u>.60 per thousand gallons</u>
TOTAL RATE	\$ 4.95 per thousand gallons

BE IT FURTHER RESOLVED, that #1 and #2 accounts are not included in the current Town of Lansing Consolidated Water District. Therefore, the Town Board of the Town of Lansing does hereby establish the following water rates for the Town of Lansing residents in the #1 accounts being Algerine and Lansing Station Roads and #2 accounts being Drake Road. This will also include future water district extensions for the year 2015.

Water Rate (SCLIWC)	\$ 4.35 per thousand gallons
Operation and Maintenance Fee (TOL)	\$ <u>1.05 per thousand gallons</u>
TOTAL RATE	\$ 5.40 per thousand gallons

BE IT FURTHER RESOLVED, that #9 account residents with a Consolidated Water District Outside User Agreement will pay 2 times the water rate of the users that are not included in the current Town of Lansing Consolidated Water District. Said rate to be paid to the Town of Lansing as an outside user to equalize the taxed O&M fees of the CWD that inside users must pay. This rate will be charged until such time as the applicant's lands are brought within the Consolidated Water District:

Water Rate (SCLIWC)	\$ 4.35 per thousand gallons
Operation and Maintenance Fee (TOL)	\$ <u>6.45 per thousand gallons</u>
TOTAL RATE	\$ 10.80 per thousand gallons

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 Edward LaVigne - Aye	Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 19, 2014.

APPOINT JOHN FLEMING AND DOUG DAKE TO THE EMERGENCY PREPAREDNESS COMMITTEE

RESOLUTION 14-145

RESOLUTION APPOINTING JOHN FLEMING AND DOUG DAKE TO THE EMERGENCY PREPAREDNESS COMMITTEE

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

WHEREAS, the Town Board has determined a need for a farmer on the Emergency Preparedness Committee; and

WHEREAS, Councilperson Doug Dake has agreed to be the liaison from the Town Board; and

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

RESOLVED, that the Town Board of the Town of Lansing appoints John Fleming and Councilperson Doug Dake to the Emergency Preparedness Committee.

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

Councilperson Robert Cree - Aye
Councilperson Edward LaVigne - Aye

Councilperson Doug Dake - Aye
Supervisor Kathy Miller - Aye

Accordingly, the following Resolution was approved, carried, and duly adopted November 19, 2014.

APPOINT STEVE RIDDLE TO THE WATER AND SEWER ADVISORY BOARD

RESOLUTION 14-146

**RESOLUTION APPOINTING STEVE RIDDLE
TO THE WATER AND SEWER ADVISORY BOARD**

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

WHEREAS, the Town Board of the Town of Lansing would like to appoint Steve Riddle to the Water and Sewer Advisory Board; and

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

RESOLVED, that the Town Board of the Town of Lansing appoints Steve Riddle to the Water and Sewer Advisory Board.

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

Councilperson Robert Cree - Aye
Councilperson Edward LaVigne - Aye

Councilperson Doug Dake - Aye
Supervisor Kathy Miller - Aye

Accordingly, the following Resolution was approved, carried, and duly adopted November 19, 2014.

**APPROVAL OF THE VILLAGE OF LANSING-SOUTHERN CAYUGA LAKE
INTERMUNICIPAL WATER COMMISSION JOINT INTERMUNICIPAL
WATER MAIN AGREEMENT REGARDING THE NYS ROUTE 13 WATER
MAIN CROSSING CONTRACT AND AGREEMENT**

Counsel Guy Krogh stated that the public interest order was previously done and this was the water main agreement regarding the NYS Rt 13 water main crossing contract.

Supervisor Kathy Miller thanked Jack Rueckheim for attending tonight's meeting in case there were any questions that needed answering.

RESOLUTION 14-147

**APPROVAL OF THE VILLAGE OF LANSING-SOUTHERN CAYUGA LAKE
INTERMUNICIPAL WATER COMMISSION JOINT INTERMUNICIPAL
WATER MAIN AGREEMENT REGARDING THE NYS ROUTE 13 WATER
MAIN CROSSING CONTRACT AND AGREEMENT**

WHEREAS, on August 20, 2014, the Town Board of the Town of Lansing passed Resolution No. 14-97, a resolution making and issuing a public interest order and determination under Town Law § 202-b approving and authorizing the SCLIWC State Route 13 water main improvement project; and

WHEREAS, the Public Interest Order stated that: (i) the Water Improvement would be constructed and owned by the Village of Lansing and used by the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC) on a temporary emergency basis whenever SCLIWC could not use its existing water main under NYS Route 13; and (ii) that the Water Improvement would be subject to a use agreement between the SCLIWC members and the Village of Lansing, which agreement would apportion the expenses of construction of the project between the SCLIWC members and the Village of Lansing, and

WHEREAS, a proposed Village of Lansing-Southern Cayuga Lake Water Commission & its Member Municipalities-Joint Intermunicipal Water Main Agreement regarding the NYS Route 13 water main crossing has been provided to the Town of Lansing and other parties; now therefore be it

RESOLVED, that the Town Board of the Town of Lansing does hereby adopt and approve such agreement, and the Town Board further authorizes the Town Supervisor and Deputy Town Supervisor to severally negotiate the final form of and execute the proposed Village of Lansing-Southern Cayuga Lake Water Commission & its Member Municipalities-Joint Intermunicipal Water Main Agreement by, for, on behalf of, and in the name of the Town of Lansing, subject only to the final review and approval of the final form thereof by the Attorney for the Town.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 19, 2014.

**RESOLUTION AND FINAL ORDER APPROVING TOWN OF LANSING CWD
EXTENSION BY BOUNDARY CHANGE (INCORPORATING 2013-2014
OUTSIDE USERS)**

RESOLUTION 14-148

**RESOLUTION AND FINAL ORDER APPROVING TOWN OF LANSING
CONSOLIDATED WATER DISTRICT EXTENSION BY BOUNDARY CHANGE
(INCORPORATING 2013-2014 OUTSIDE USERS)**

The following Resolution and Final Order was duly presented for consideration by the Town Board.

WHEREAS, the five parcels proposed to be included in the Consolidated Water District (“CWD”) by boundary change are shown in Maps 2-4 in the Town Engineer’s Map, Plan and Report (“MPR”), and include tax parcel numbers: (i) 42.-1-2.3 (25 Sun Path Road, Banfield); (ii) 42.-1-2.5 (35 Sun Path Road, Yuen & Hui); (iii) 44.-1-42 (187 Bush Lane, Ledet); (iv) 25.-1-9.1 (82 Sperry Lane, Straub Living Trust); and (v) 25.-1-9.2 (5 Marion Lane, Sweazey) (hereinafter together and severally “Lot-Owners”); and the Town Board had determined that incorporating such outside users is feasible and to the benefit of the CWD and the MPR was thus accepted and deemed final, complete, and in compliance

with Town Law §§ 209-c and 209-d, and the creation of said district extension by boundary amendment was declared and deemed to be in the public interest and a public hearing to consider the matter and the environmental impacts of the proposed CWD boundary change was duly held upon the 15th day of October, 2014, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, where at all persons interested in the subject thereof were duly heard, and a Conditional Order was duly issued on said October 15, 2014, approving such boundary amendment and the incorporation of the above-referenced lots, and such resolution was duly subject to a timely filed and published notice of permissive referendum, and more than 30 days has passed since the adoption of such conditional order and approval and no request for a referendum or other challenge to the resolution approving the same has been delivered or received; and

WHEREAS, a negative declaration of environmental and potential environmental impacts was duly issued; and

WHEREAS, the Town desires to proceed towards establishment of the said CWD boundary extension, and finds that all proceedings to date have been in compliance with said Town Law Article 12-A and that this extension is in the public interest; and

WHEREAS, upon due deliberation upon the foregoing, and in compliance with Article 12-A of the Town Law, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that no additional SEQRA review is necessary or required due to the passage of time, as (i) no significant changes in the property or project have occurred, and (ii) the Town finds that conducting SEQRA review as soon as is possible in relation to any project is consistent with the goals and requirements of SEQRA; and it is further

RESOLVED AND SO ORDERED, that the Town of Lansing CWD extension by boundary change, by incorporating (i) 42.-1-2.3 (25 Sun Path Road), (ii) 42.-1-2.5 (35 Sun Path Road), (iii) 44.-1-42 (187 Bush Lane), (iv) 25.-1-9.1 (82 Sperry Lane), and (v) 25.-1-9.2 (5 Marion Lane) be and hereby is approved, and the boundaries of the CWD shall now also be inclusive of the foregoing tax parcel numbers, and the assessment maps and property descriptions there for as are on file with the Tompkins County Clerk's Office are expressly incorporated herein, all as shown and described in the CWD Boundary Extension Maps on file at the Town Clerk's Office; and it is further

RESOLVED AND SO ORDERED, that the said District Extension hereinabove referred to shall be constructed as set forth in the Order calling a public hearing, at a cost of \$0.00 to the CWD and the Town, as the Lot-Owners are paying all costs of improvements and service connections, which Lot-Owner's properties the Town Board has determined, and hereby again determines, are especially benefited thereby; and it is further

RESOLVED AND SO ORDERED, that the Town shall assess, levy, and collect tax and special improvement and benefit assessments upon the several lots and parcels of land now within the said CWD by boundary extension, which the Town Board has determined, and hereby again determines, are especially benefited thereby; so much and from each as shall be in just proportion to the benefit thereof, each and all to pay the operation and maintenance costs of such district and any existing or future indebtedness lawfully incurred for such district; and it is further

RESOLVED AND ORDERED, that within 10 days of the adoption of this Final Order the Town Clerk file with the Tompkins County Clerk: (i) a certificate certifying that no referendum was requested; and (ii) a certified copy of this Resolution.

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

Councilperson Robert Cree - Aye
Councilperson Edward LaVigne - Aye

Councilperson Doug Dake - Aye
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 19, 2014.

**RESOLUTION AND FINAL ORDER APPROVING TOWN OF LANSING
WARREN ROAD SEWER DISTRICT EXTENSION BY BOUNDARY CHANGE
(INCORPORATING 2013-2014 OUTSIDE USERS)**

RESOLUTION 14-149

**RESOLUTION AND FINAL ORDER APPROVING TOWN OF LANSING
WARREN ROAD SEWER DISTRICT EXTENSION BY BOUNDARY CHANGE
(INCORPORATING 2013-2014 OUTSIDE USERS)**

The following Resolution and Final Order was duly presented for consideration by the Town Board.

WHEREAS, the four parcels proposed to be included in the Warren Road Sewer District Extension (“WRSDE”) are (i) 44.-1-5.321 (1036 Warren Road, Patel), (ii) 44.-1-5.322 (1028 Warren Road, Chase), (iii) 44.-1-5.323 (1022 Warren Road, Mia), and (iv) 44.-1-5.324 (1018 Warren Road, Franziska Racker Centers Inc.) (the “Lot-Owners”), and the Town Board had determined that incorporating such outside users is feasible and to the benefit of the WRSDE, and thus the Map, Plan and Report (“MPR”) concerning this matter was previously accepted and deemed final, complete, and in compliance with Town Law §§ 209-c and 209-d, and the creation of said sewer district extension by WRSDE boundary amendment was declared and deemed to be in the public interest, and a public hearing to consider the matter and the environmental impacts of the proposed WRSDE Boundary change was duly held upon the 15th day of October, 2014, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, where at all persons interested in the subject thereof were duly heard, and a Conditional Order was duly issued on said October 15, 2014, approving such boundary amendment and the incorporation of the above-referenced lots, and such resolution was duly subject to a timely filed and published notice of permissive referendum, and more than 30 days has passed since the adoption of such conditional order and approval and no request for a referendum or other challenge to the resolution approving the same has been delivered or received; and

WHEREAS, a negative declaration of environmental and potential environmental impacts was duly issued; and

WHEREAS, the Town desires to proceed towards establishment of the WRSDE boundary extension, and finds that all proceedings to date have been in compliance with said Town Law Article 12-A and that this extension is in the public interest; and

WHEREAS, upon due deliberation upon the foregoing, and in compliance with Article 12-A of the Town Law, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that no additional SEQRA review is necessary or required due to the passage of time, as (i) no significant changes in the property or project have occurred, and (ii) the Town finds that conducting SEQRA review as soon as is possible in relation to any project is consistent with the goals and requirements of SEQRA; and it is further

RESOLVED AND SO ORDERED, that the Town of Lansing WRSDE extension by boundary change incorporating (i) 44.-1-5.321 (1036 Warren Road), (ii) 44.-1-5.322 (1028 Warren Road); (iii) 44.-1-5.323 (1022 Warren Road), and (iv) 44.-1-5.324 (1018 Warren Road), be and hereby is approved, and the boundaries of the WRSDE shall now also be inclusive of the foregoing tax parcel numbers, and the assessment maps and property descriptions there for as are on file with the Tompkins County Clerk’s Office are expressly incorporated herein, all as shown and described in the MPR on file at the Town Clerk’s Office, to which reference is hereby made; and it is further

RESOLVED AND SO ORDERED, that the said District Extension hereinabove referred to shall be constructed as set forth in the Order calling a public hearing, at a cost of \$0.00

to the WRSDE and the Town, as the Lot-Owners paying all costs of improvements and service connections, which Lot-Owner's property the Town Board has determined, and hereby again determines, are especially benefited thereby; and it is further

RESOLVED AND SO ORDERED, that the Town shall assess, levy, and collect special improvement and benefit assessments upon these several lots and parcels of land within the said WRSDE, which the Town Board has determined, and hereby again determines, are especially benefited thereby; so much and from each as shall be in just proportion to the benefit thereof, each and all to pay the operation and maintenance costs of such district and any existing or future indebtedness lawfully incurred for such district; and it is further

RESOLVED AND ORDERED, that within 10 days of the adoption of this Final Order the Town Clerk file with the Tompkins County Clerk: (i) a certificate certifying that no referendum was requested; and (ii) a certified copy of this Resolution.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 19, 2014.

APPROVE AUDIT and BUDGET MODIFICATIONS

RESOLUTION 14-150

Councilperson Edward LaVigne moved that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

CONSOLIDATED ABSTRACT # 011

DATED 11/19/14

AUDITED VOUCHER #'s	<u>1090 – 1205</u>
PREPAY VOUCHER #'s	<u>1090 – 1102</u>
AUDITED T & A VOUCHER #'s	<u>109 – 123</u>
PREPAY T & A VOUCHER #'s	<u>109 – 113</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>74,620.73</u>
HIGHWAY FUND (DA&DB)	\$ <u>464,839.55</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,427.81</u>
LANSING WATER DISTRICTS (SW)	\$ <u>181,114.45</u>
TRUST & AGENCY (TA)	\$ <u>39,358.87</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>6,943.17</u>
DEBT SERVICE (V)	\$ <u>0.00</u>

**BUDGET MODIFICATIONS
GENERAL FUND A
11/19/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A2772	A7320.110	DONATION COM COU-YTH TO YTH PERSONAL SVCS YTH COMMISSION VOTED TO MOVE FUNDS TO YTH SAL	\$ 2,000.00
A3821	A7320.110	STATE AID-YTH DROP IN TO YTH PERSONAL SVCS UPDATE IN STATE AID	\$ 107.00
A1620.400	A1610.200	FROM BLDGS CONTRACT TO TECHNOLOGY- EQUIPMENT UNANTICIPATED REPLACEMENT OF TWO COMPUTERS	505.67
A1620.400	A1610.400	FROM BLDGS CONTRACT TO TECHNOLOGY UNANTICIPATED REPLACEMENT OF TWO COMPUTERS	913.75
A1620.400	A1620.403	FROM BUILDINGS CONTRACTUAL TO BUILDINGS- ELECTRIC RATE GREATER THAN PROJECTION	\$ 1,101.38
A1630.405	A1630.400	FR COM CTR REPAIRS TO COM CTR CONTRACTUAL UNANTICIPATED EXPENSES	\$ 383.90
A1640.403	A1640.400	FROM TB ELECTRIC TO TOWN BARN STORAGE UNANTICIPATED EXPENSES	\$ 30.65
A1640.403	A1640.406	FROM TB ELECTRIC TO TOWN BARN GAS UNANTICIPATED EXPENSES	\$ 15.48
A5132.405	A5132.400	FROM GARAGE BLDG REPAIR TO GARAGE(OLD HWY) UNANTICIPATED EXPENSES	\$ 143.94
A7110.110	A7110.403	FROM PERS SVC TO PARKS - ELECTRIC RATE GREATER THAN PROJECTION	\$ 760.97
A7110.110	A7110.404	FROM PERS SVC TO PARKS - TELEPHONE COST GREATER THAN PROJECTION	\$ 107.08
A7140.100	A7140.400	PLYGRND PER SVC TO PLYGRND -CONTRACTS UNANTICIPATED EXPENSES	\$ 341.57

**BUDGET MODIFICATIONS
GENERAL B FUND
11/19/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	
B8020.100	B8010.402	FROM PLANNER PERS TO ZONING -LEGAL SVCS LEGAL SVCS COVERING PLANNER FUNCTIONS	\$ 4,095.00
B8020.100	B8020.420	FROM PLANNER PERS TO PLANNING CONSULTANT TO COVER CONSULTANT FEES/COVERING PLANNER POSI	\$ 3,941.60
B9060.800	B8020.402	FROM HOSP&MED INS TO PLANNING B - LEGAL SVC LEGAL SVCS TO COVER PLANNER FUNCTIONS	\$ 5,302.50

B8020.100	B8020.420	FROM PLANNER PERS TO PLAN BD-ASST PLANNING TO COVER CONSULTANT FEES/COVERING PLANNER POSI	\$ 853.38
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**BUDGET MODIFICATIONS
WARREN SEWER SS1- FUND
11/19/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	
SS1- 8120.401	SS1- 8120.400	FROM SEWER-ENGINEER TO SEWER-CONTRACTUAL UNANTICIPATED EXPENSES	\$ 258.49

**BUDGET MODIFICATIONS
CHERRY SEWER SS3- FUND
11/19/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	
SS3- 8120.100	SS3- 8130.400	FROM SAN SEWER PER TO TREATMENT & DISPOSAL UNANTICIPATED EXPENSES	\$ 8.84

**BUDGET MODIFICATIONS
CHERRY SEWER SS3- FUND
11/19/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	
SW1380.400	SW8310.400	FR BOND COUNSEL TO WTR ADMINISTRATION UNDER ESTIMATED ON BUDGET	\$ 427.65
SW1380.400	SW8310.401	FR BOND COUNSEL TO WTR ADMIN - ENGINEER	\$ 1,972.35
SW599	SW8310.401	FROM FUND BALANCE TO WTR ADMIN - ENGINEER UNDER ESTIMATED ON BUDGET	\$ 4,788.55
SW1380.400	SW8310.402	FR BOND COUNSEL TO WTR ADMIN - LEGAL UNDER ESTIMATED ON BUDGET	\$ 2,600.00
SW599	SW8340.400	FROM FUND BALANCE TO TRANSMISSION & DISTRIBUTION UNANTICIPATED EXPENSES	\$12,717.41

Councilperson Robert Cree seconded the motion and it was carried by the following roll call vote:

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

Accordingly, the foregoing Resolution was approved, carried and duly adopted on November 19, 2014.

BOARD MEMBER REPORTS

Doug Dake

Girls Soccer Team

Unfortunately the team lost in the State Finals 1-0. It was a great year and he wished the future team at Lansing all the luck in the world as his daughter Kristen is a senior and will graduate this fall.

Edward LaVigne

Girls Soccer Team

Ed noted that the Outstanding Player of the Tournament was Kristen Dake for Lansing.

Lansing Library

He has met with Emily Franco and they are now working on the front steps of the library.

Seniors

The seniors are doing well and looking forward and working hard on their Christmas Event.

Robert Cree – Nothing to report at this time.

Kathy Miller

Bolton Point

They are currently working on union negotiations.

Bone Plain Road

There are a few more easements to get and after these are done the project can move forward.

NYSEG

They are still working on easements for the gasoline.

Monthly Report

The Supervisor submitted her monthly report for the month of October, 2014 to all Board Members and to the Town Clerk.

TOWN COUNSEL REPORT

Guy Krogh

Outside User Requests for Water on Lansing Station Rd

He has met with the individuals on the four requests. One is a no and the other three he is waiting for information from Counsel. He will then make a recommendation to the Town Board as they would like start connections in December.

Foil Request from Jamie Hospers of Ward, Greenberg, Heller & Reidy LLP

He discussed the foil request and answering them will be problematic as it is still in the administrative process. Town Clerk Debbie Crandall stated that the Town Clerks have been working together and as a group have contacted Robert Freeman. Pamela Goodard, Town Clerk of Danby has replied to them and they indicated to her they will be sending a new request. Supervisor Kathy Miller stated that Robert Freeman has suggested to hire an individual then charge the fee to the requestor. Debbie stated that she will work with Guy and address a letter on behalf of the Town of Lansing by the end of this week.

Pathway Bridge

Guy discussed the bridge near Scoops along with public domain issues. There are concerns where the path is located. This will be discussed further at a work session meeting.

ADVISORY DECLARATION CONCERNING PLANNING BOARD'S REQUEST FOR AN OPINION FROM THE TOWN BOARD AS TO INTERCONNECTING ROADWAYS BETWEEN AND AMONG CERTAIN SUBDIVISIONS ALONG SR 34

The Town Board at length discussed the requested resolution from the Planning Board. Planning Consultant Michael Long and Planning Department Chair Tom Ellis were present to give a historical review and address questions from the Town Board.

Mr. Long stated that two subdivisions have come before the Planning Board. Westview Partners also known as Sun Path and Jack Young and John Anderson who are proposing the Novalane Development. The Planning Board looks at how these proposed subdivisions will interconnect with adjacent developments in the same vicinity. On October 6, 2014 the Town Board and the Planning Board had a joint meeting along with Town Engineer Dave Herrick and Counsel Lorraine Moynihan Schmitt who provided them with a timeline of what had happened and when. At which time all maps and filings were reviewed.

Subsequently the Planning Board had a meeting on October 27th to discuss the need to connect the roads throughout the subdivisions.

In 2006 there was a revision of the Comprehensive Plan where the Town Board and the Planning Board thought these roads should be connected. Originally there was an agreement with Eastlake to provide an access point that would connect the future Novalane as well as Sun Path. Mr. Long provided a copy of the original right of way agreement that was filed on 12/17/1999. Mr. Long stated that in 1998 a request was made to release the funds as there was no further development going on. He referred to the Town Board meeting on April 1, 1998 resolution that authorized the release of the letter of credit for \$30,000.00 but this does not release the obligation.

The Planning Board is unanimously behind the need to connect these neighborhoods. Chair Tom Ellis stated that the connecting roads will allow public safety, addresses fire issues and will complete community interconnection along with allowing another access for emergency and maintenance purposes. He stated this is not a new concept, it is a needed completion to the proposed subdivisions.

After further discussions on the negative impacts versus the benefits, existing right of ways along with everything that is now in hand, the Planning Board is asking the Town Board to weigh in and are requesting the following resolution for consideration.

RESOLUTION 14-151

ADVISORY DECLARATION CONCERNING PLANNING BOARD'S REQUEST FOR AN OPINION FROM THE TOWN BOARD AS TO INTERCONNECTING ROADWAYS BETWEEN AND AMONG CERTAIN SUBDIVISIONS ALONG SR 34

WHEREAS, recent proposed developments along SR 34, and extensive research conducted by the Planning Board in relation thereto, including the proposed Sun Path and Nova Lane Subdivisions, have prompted an examination of public safety and other concerns regarding roadways into and out of certain areas of the Town; and

WHEREAS, the Planning Board has referred mapping and historical documents to the Town Board and asked for an opinion or guidance concerning such roadways as, while such matters are ultimately within the jurisdiction of the planning board as part and parcel of site planning and subdivision reviews, public highways require dedication and acceptance by the Town Board and represent millions of dollars in infrastructure costs and future maintenance obligations, such that the Town Board and Planning Board concur that coordinated review on issues such as these are wise; and

WHEREAS, this matter is a Type II Action under SEQRA such that no environmental review is thus required, and upon consultation with the Highway Superintendent and staff, and upon due consideration of this matter, the Town Board has resolved and thus declares as follows:

1. Having multiple means of ingress to and egress from subdivisions (and all land developments, residential or otherwise) is an important aspect of public safety, and the Town Board thus encourages the Planning Board in all cases where it is feasible to have more than one means of ingress and egress into residential and other developed areas;
2. The Town Board hereby reaffirms that the drawn future connecting roadways shown in the Town's Comprehensive Plan is still in force and effect and represents a long term and continuing goal of the interconnecting public highway systems of the Town of Lansing; and
3. Subject to the review of the particular designs and needs of proposed new subdivisions and existing subdivisions, and roadway and other features of each of the same, the Town Board continues to encourage the Planning Board to utilize its legal authority under law to ensure that proposed land development activities are reasonably safe and promote wise and orderly growth in the Town of Lansing, including by and through the regular and routine process of requiring interconnecting roadways and intersections as

properly provide sufficient regular and emergency access, alternative means of access in the event of emergencies, proper and safe traffic and pedestrian circulation, and properly designed and considered intersections.

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

Councilperson Robert Cree - Aye
Councilperson Edward LaVigne - Aye

Councilperson Doug Dake - Aye
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 19, 2014.

MOTION TO ENTER EXECUTIVE SESSION

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS A POSSIBLE LITIGATION MATTER AT 7:38 PM.** Councilperson Edward LaVigne seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO EXIT EXECUTIVE SESSION

Supervisor Kathy Miller moved to **EXIT EXECUTIVE SESSION AT 8:05 PM.** Councilperson Doug Dake seconded the motion.

All in Favor - 4 Opposed - 0

Meeting adjourned at the call of the Supervisor at 8:06 p.m.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall