

June 17, 2009

The Lansing Town Board met in Regular Session at 6:00 p.m. at the Lansing Town Hall Boardroom with Supervisor Pinney presiding.

The Supervisor called the meeting to order and had the clerk take the Roll Call.

ROLL CALL

A. Scott Pinney	Supervisor	Present
Matt Besemer	Councilperson	Present
Marty Christopher	Councilperson	Present
Bud Shattuck	Councilperson	Present
Connie Wilcox	Councilperson	Present
Bonny Boles	Town Clerk	Present
Guy Krogh	Town Attorney	Present

Visitors: Jeff Overstrom, Steve Colt, Jack French, Pat Pryor, Dan Veaner, Donald and Marjorie Sharpsteen, Claes Nyberg, Debbie Crandall, Connie Armstrong, Helene Croft, Dave and Joyce Heck, John Bailey, Pete and Jackie Larson, Bill Burin, Jim Eyster, Don Hartill, Sharon Butler Bowman, Dave Buck, Lorraine Abraham, Julie Baker, Robert Cree and a couple other residents.

The Supervisor led all present in the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR:

John Bailey – Town’s Insurance:

Mr. Bailey handed out and went over a summary of the insurance coverage provided by Selective Insurance Company for the Town of Lansing.

Dave Heck:

He thanked the Highway Department for the mowing they did in Myers. He also asked them to mow again before the Harbor Festival.

Public Hearing – Annual Storm Water Report:

Open Public Hearing on Review of Annual Storm Water Report:

RESOLUTION 09-116

RESOLUTION, offered by Mrs. Wilcox and seconded by Mr. Christopher:

RESOLVED, that the Public Hearing on the Annual Storm Water Report is hereby opened at 6:15 p.m.

- Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
- Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
- Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson

Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson

Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Close Public Hearing:

RESOLUTION 09-117

RESOLUTION, offered by Mrs. Wilcox and seconded by Mr. Shattuck:

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing is hereby closed at 6:19 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson

Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson

Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson

Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Approve Annual Storm Water Report:

RESOLUTION 09 -118

RESOLUTION APPROVING 2009 ANNUAL STORM WATER REPORT

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on 17th day of June, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Besemer and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town’s Annual Storm Water Report is prepared and due for the required annual review pursuant to Local and State Laws and related regulations; and

WHEREAS, a copy thereof is or will be timely filed in the Office of the Town Clerk for public review; and

WHEREAS, a Public Hearing was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 17th day of June, 2009, at 6:05 o'clock P.M., to consider the Annual Storm Water Report, and all persons interested in the subject thereof were duly heard, and a summary and review thereof was duly had; and

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

RESOLVED, that the 2009 Annual Storm Water Report be and hereby is approved, and once placed into its final form for submission to NYSDEC by the Town’s Planning Department, said report may be signed and certified by the Town Supervisor or Deputy Town Supervisor, by, for, on behalf of and in the name of the Town of Lansing, and the same shall be duly filed with the NYSDEC.

SEQRA: Type II

Amend Salt Point Unit Management Plan:

Mr. Colt explained a request that he had from the DEC to amend the wording in the management plan document.

Mr. Jim Eyster asked why all the cars (15 – 20 on weekends) were allowed there as he understood it was to be a nature walking area.

Mr. Colt explained that it is now safer, more controlled and more secure than it was before.

Claes Nyberg felt the Town did a terrific job with the Salt Point area and he felt that people now respect it and will keep it nicer than before.

This amendment is regarding the language change in the management plan document with respect to the perimeter roadway as apposed to the current language stating “foot trail” located on pages 6 & 7 under “Management Goals, Objectives and Opportunities for The Future”.

RESOLUTION 09 - 119

RESOLUTION offered by Mrs. Wilcox and seconded by Mr. Christopher:

RESOLVED, that the following amended language be made to the Salt Point Unit Management Plan:

A low impact gravel one lane, one way road loops around the perimeter of the point allowing better access to Salt Point for both ambulatory and non-ambulatory patrons to enjoy the area. The road loop also promotes much improved public safety via better patrolling efficiency as well as allowing better access for maintenance vehicles and staff to address any litter situations.

- Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
- Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
- Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
- Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
- Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Health Insurance:

Mr. Pinney stated now that the Board has heard from the retirees, the current employees and the public, the past resolution needed to be discussed and agreed upon in order to pass it.

Mr. Christopher stated for the record that he is against any resolution coming to the Board tonight other than just discussion. He is opposed to having any resolution brought up that they would be voting on tonight.

Mr. Pinney felt that was a mistake because they have heard from everyone.

Mr. Christopher did not think the Board was ready, nor was there enough information.

Mr. Pinney then discussed the items as follows:

1. Mr. Pinney stated that the resolution would have the employees that were pre-Medicare age (55 – 65) start to pay 50% of their health insurance fees compared to the Town paying 85% for a single plan and 78% for family as it is currently. Mr. Pinney stated that he was opposed to changing this and would like to see it left the way it stands in the Town’s Handbook where the Town will continue to pay 85% and 78%.

The Board agreed with Mr. Pinney in keeping it the way it is currently for retirees age 55 to 65. He will take out the part of the resolution that states an employee will start to pay 50%.

2. The last resolution states that upon the age of 65, an eligible person will receive an option to participate in a Medicare supplemental plan or policy at their own expense. He stated that this means that at Medicare age (65), the retiree would pay 100% of a supplemental policy. Mr. Pinney agrees with this part of the resolution.

Mr. Shattuck stated that what the supplemental policy will be is not yet in place to be offered to the retirees.

Mr. Pinney stated that he and Mrs. Bowman agreed that policy (C) is the best policy offered.

Mr. Christopher asked Mrs. Bowman if policy C would continue as it is and that there would not be changes the first of the year. Mrs. Bowman stated that other than the rate increase, it would not change.

She stated that it will not be the same coverage as the deductible is higher and the co-pay would have to be paid at the time of service. Medicare would still be their primary insurance.

The monthly premium for plan C is \$ 160.66 per person. Mrs. Wilcox asked if this was comparable to what they are paying now. Mrs. Bowman stated that it was not. If they were to be changed from a shared cost (were the Town contributes) in some cases people would be going from having to pay nothing to paying \$160.66 a month. For a married couple in some cases they paid \$120.00 a month and could now pay \$ 321.32. (\$160.66 per person). The Town share for current retirees is \$ 636.24 (single) and \$1,557.27 a month for a family.

Mr. Shattuck stated that if the Town went to plan C, the Town would then save \$1,557.27 a month as the retiree would pay 100%. Mrs. Bowman stated that this was correct.

Mr. Purcell asked what the current retirees were paying now. Mrs. Bowman stated that for a family policy, they are currently paying anywhere from \$ 116.00 to \$303.00 per month. The difference is due to employees who have sick leave credit and Medicare reimbursement.

Mr. Pinney stated that it has already been voted on and approved to eliminate the Medicare reimbursement, which will become effective July 1, 2009 per the resolution. (\$ 96.40 per person per month)

Mr. Overstrom stated that the discussion seems to be two sided. One side is that the Town, rightfully so is looking at a financial responsibility but the employees are looking at it as a benefit being taken away or what is the change of benefit for me?

He stated that after 24 years of military service, and as a Chief Petty Officer the number one thing that he has learned is to take care of your people because they are the ones that take care of you. He urged the Board to consider the employees before making a decision based on a dollar amount or a fiscal responsibility.

Mr. Shattuck stated that a family policy cost to the Town of Lansing is \$ 18,600.00 roughly per family per year. He stated that with the policy C, on the lowest end would be a wash to families. He felt the coverage would be somewhat the same. He felt that \$ 18,600.00 per year times the number of current retirees was a really large figure. As the insurance costs escalate, it makes sense for the Town to look at this as a piece to save money. He had no problem agreeing on something tonight but felt there were still other possibilities to look into. He would like to look at everything at the same time.

Mr. Christopher wants to see something that is clear on a resolution without agreeing to different portions of it here and put together afterwards. He stated that he understood portions but that he was not clear enough on the entire thing to make a responsible vote on it tonight.

He stated that he agreed with one thing which was the reimbursement of the Medicare. Mr. Pinney stated that had already been voted on. Mr. Christopher did not feel this would happen as nothing is in place to have it happen yet.

Mr. Pinney stated that it will start July 1st.

Mrs. Bowman explained that Mr. Pinney and she had a conversation with the idea in mind in March when the resolution was passed, that there would be a complete package by July 1st.

Mr. Christopher asked if the complete package is not in place by July 1st, would that mean that the resolution discontinuing the Medicare reimbursement would not go into effect? Mr. Pinney stated that it was not true as the resolution was passed and it will happen July 1st.

Mr. Pinney felt the biggest problem was the unknown and that the Board needed to talk about it and get through it.

Mr. Shattuck summarized what they have discussed so far. One is leaving in place; the Town's share for people who retire early (55 – 65) will be 85% individual and 78% for family. People who are 65, moving them from the Town's Insurance Policy and offering them, through the Town, Excellus Medicare advantage option at \$ 160.66 per person including retirees, and spouses and dependents of retirees (plan C).

The Board felt Plan C was the best of the options they had.

Mr. Shattuck felt it was right that the Town should have something in place to administer for retirees so that when they go off the Town's policy, they will have something that is close.

Mr. Besemer asked if Medicare would cover any of the out of pocket expense of \$ 1,250.00 deductible per year maximum. Mrs. Bowman stated that this would be after Medicare and the supplemental insurance paid everything they were going to pay. Mr. Pinney said the Insurance Agency agreed to meet with the retirees to explain the entire program. This could be done right away.

Mr. Besemer suggested that the Town continue to pay the same percentages on the new plan that they are now paying towards a retiree's premium. He felt this would help off set the maximum out of pocket expense per year.

Mr. Pinney was not in favor of this but felt it was a possibility.

Mr. Shattuck did not feel it was legal for the Town to contribute towards a supplemental policy for an individual. Mrs. Bowman disagreed with this statement. There could be a way to contribute to a reimbursement.

Mr. Pinney read the first part:

Upon attaining the age of 65, any eligible person will receive an option to participate in a Medicare supplemental plan or policy at their own expense. Mr. Pinney stated that he is in favor of this and believes that at this point in time, the majority of the retirees will actually save money based on the policy that they currently pay the percentage of.

Mr. Shattuck felt the out of pocket amount could be much more than what the current policy is but he was not sure if he was in favor of giving a dollar figure across the board to everyone because not everyone will use it. He would rather help on a reimbursement basis.

Mr. Christopher felt there would have to be further discussion to come up with a figure. He wants to make sure if something like this is done, that it is done fairly.

Mr. Besemer stated that this is not what he was talking about. He stated that if the Town goes from a single plan currently of \$ 636.00 a month down to \$ 160.00 and still continues to pay the same percentage, (78% family and 85% single) the Town and the Employee will both save. He did not feel it should be looked at as a case by case basis. He stated that if the Town contributed 78% toward the new Plan C, there would be a savings to the Town of \$14,700.00 per year per family.

Mrs. Wilcox stated that she is looking to save some money and thought that looking at plan C was a really good plan and would actually save the retirees money in the long run but obviously the rest of the Board Members feel that the Town should pay a percentage which is fine but either way, the Town and the Retiree both will save money.

Mr. Pinney stated that the resolution reads: All sick leave accrual benefit cease at age 65. Mr. Shattuck did not feel this was comparing apples to apples if we are taking it away. He feels that people who have retired with sick leave benefits should be able to keep them and people who currently are accruing sick leave benefits would be compensated with another formula if the Town were to come up with a plan. He felt the Town will need to be able to compensate the people who have accrued sick days, hours and dollars in health care benefits so there will be value to the employee not utilizing the benefits that are given to them. He felt the current retirees should be left as they are as there is not enough of a cost savings to make a difference. Mr. Besemer agreed.

Mr. Christopher stated that he was against accruing sick leave credits. He felt that since it has been done in the past, the people that have accrued these should be able to keep them but he would like to see it stopped now.

Mrs. Wilcox stated that she felt it was important to have this discussion in front of the public, former employees and current employees so everyone knows what the Board is talking about.

Mr. Larson asked if the employee reaches 65 and the spouse is not yet 65, are they still covered? Mr. Shattuck stated that at this point all the early retiree's benefits are staying the same as they have been. Mr. Larson thanked the Board for putting this out in public and talking about it. He felt the discussion was a great one and that the Board did a good job and that hopefully, something will come out of it that we all can live with. He stated that we all want to save the Town money but on the other hand, the retirees expect something.

SMSI GRANT:

The grant is a Countywide evaluation of water and sewer infrastructure. The Board members felt this was discussed at an earlier date and Mrs. Wilcox stated that she is still against it as she felt it was a huge waste of money. Mr. Shattuck stated that it is not our money and felt that TCAD and the Chamber both have completely backed the Town of Lansing, especially the southern end of town. He felt it was a grant that was put in three years ago and the State held it up for a couple of years. He thought we were the only municipality that had not agreed to pass it. The State has finally decided to release the money but it is contingent on having the vote of all the municipalities within the County. Mrs. Wilcox stated that it was another \$ 82,245.24 in a grant that's going to take three times that amount of money to do this grant. Mr. Shattuck felt it would be ingenerous of the Board not to pass this simple resolution. After some discussion, Mr. Shattuck made a motion to accept the grant.

There was no second made to the motion, therefore, the resolution did not go forward.

Planning and Engineering Department Report:

Mr. Overstrom went over the following agenda with all present:

Code Office Monthly Activity Report **May, 2009**

Planning Board - May 11, 2009

- Site Plan & SEQ Review, Liberty Liquor & Wine, 15 Ridge Road
- Site Plan & SEQ Review, Crossroads, 3120 North Triphammer Road
- Site Plan Review, Hygear Motorsports, 8 Cayuga Vista Drive
- Approval of Minutes

Training

Jeff- Code Enforcement Officer-Montour Falls, NY May 5-7, 2009

Fire Safety Inspections & Reinspections

Total: 6

Construction Inspections

Total: Approximately: 70

Operating Permits Issued

May: 0 Year to Date Total: 2

New Addresses Issued

Total: 1

Notice of Fire

April: 0 Year to Date: Total 7

Expired Permit Notices

First Notices: 15

Second Notices: 5

Renewed Permits 3 Renewed Permits YTD - 21

Electrical Certificates Issued

Total: 10

Electrical Inspections

Total: 39

Electrical Re-Inspections to same Address

Total: 3

Storm Water Tool Box:

Mr. Overstrom showed the Board a Storm Water tool box that the Coalition put together to help each Town with quick reference for their residence, contractors, and developers to go through instead of going through the whole design manual.

Shared Data Base:

The collation is looking into a shared effort to build a data base of all storm water practices, etc. They will try to build maintenance schedules and an inventory of all of our facilities. Mr. Overstrom would also like to work on a public education and awareness program through the school, etc. The rain garden could be used for this.

Deck Permits:

At this time the Town does not require a permit to build a deck but the Building Department has received a lot of phone calls regarding this issue. He stated that a deck is a structure and should be under Code Enforcement for public safety reasons. If a deck is covered, a permit is required as it is a structural issue. Many decks are failing and were not built right to begin with which makes a lot of safety issues. He proposed that the Town look into requiring a building permit for the construction of decks. Any deck off the ground by 30 inches requires a handrail. Mr. Overstrom stated that in the code, there is a certain square footage that is required for egress on a door going on to a platform.

Mr. Shattuck stated that Mr. Overstrom might want to look at 3 or 4 things at one time before bringing them before the Board for discussion.

Mrs. Wilcox stated that it is getting to the point where you have to have a permit for everything.

Mr. Pinney stated that he does not want to hire someone part time to do all of the extra work and inspections. He stated that adding extra work and that making new rules would put more of a burden on his whole department. Mr. Overstrom stated that he was just going by the New York State Building Code. Mr. Shattuck stated that liability becomes a much bigger problem than whether you have time to do things all the time. He did not feel the Town was getting a lot of complaints that things were being inspected in a non timely manner. Mr. Overstrom stated that the Town has not been getting complaints and it hasn't been an issue, however there is the public safety concern and that people are constructing things incorrect.

Mr. Pinney stated that it will be looked into.

Pit Stop Gas Tanks:

Mr. Besemer asked Mr. Overstrom what was going on with the gas tanks at the Pit Stop. Mr. Overstrom stated that he was told that the tanks have gone beyond their life expectancy and that the DEC is requiring that they be removed. This will be done at the owner's expense. The soils will be tested as the tanks are removed.

Email from Roger VanDePoel:

Mrs. Wilcox received an email from Roger VanDePoel from Sunset Drive asking for the Town to look into having the IMR building go to the same lighting that is on the new Verizon Building. Mr. Overstrom has contacted the owners of the IMR building and they did change the lighting but there may be one exit light that is not shielded. Mr. Overstrom will check into this.

Highway Department Report:

10 MPR Speed Limit Sign:

He informed Mrs. Wilcox that Verizon has a 10 MPH sign because it is a private road but Woodsedge Drive is not.

Dock Repairs:

Verizon has donated 25 – 30 posts that the Highway Department and the Parks and Recreation Department have used to repair docks in Myers Park.

Paving:

Highway Department has been doing a lot of paving in the past 3 to 4 weeks.

Park and Recreation Department Report:

Mr. Colt went over the following with all present:

Parks & Recreation

6/17/09

Town Board Meeting

- Summer Program registrations have been steady and heavy. We have sold out and closed several programs including all 3 sessions of the Myers Day Camp.
- All spring LBP and LSP programs have concluded and getting 40 teams of equipment back has been a challenge. Most of it is actually back and we can start to break it down and recondition it.
- We have several summer teams playing softball and baseball in travel seasons that will run through the end of July. We have 1 Legion, 1 Babe Ruth, 1 Prep, 2 12U and 2 10U baseball teams. We have a 14U and a 12U softball team. Most of these teams have started practicing with games to follow. Over 90 players are involved with these teams.
- The “Late Summer and Fall Program” booklet is being prepared and is scheduled to go into the schools next week. This packet will be a more scaled back version to save time and money when compared to our actual booklet.
- Summer program staffing is coming together and several programs are slated to start on June 29th.

PARKS

- Camping reservations continue to come in and almost the entire month of July and most of August are sold.
- The swim area at Myers Park is scheduled to open at the end of next week or by July 1 at the latest pending health department inspection and permit. We hope to have the lifeguard put the new swim area ropes into the water next week.
- I have included new amended language for the Salt Point Unit Management Plan. This is a desired change that the DEC is looking for. (see attached)
- I was very disappointed to see that our grant proposal to the New York State Office of Parks, Recreation and Historic Preservation for the repair and development of trails was denied. \$3.4 million was available for over \$12.4 million of requests. I will be calling for a post-grant explanation and to find out who was awarded and how much they got.
- Two docks were rebuilt at the marina by the highway department using donated materials. The guys did a great job and also proved that an “in-house” rebuild is possible.
- The first concert of the season is next Thursday evening starting at 6:30. BACKTALK.

Approve Minutes:

RESOLUTION 09 – 120

A copy of the minutes of May 20, 2009, having been furnished to the Board Members beforehand, the Supervisor asked for a motion to make corrections or to accept the same as submitted.

RESOLUTION, offered by Mrs. Wilcox and seconded by Mr. Shattuck:

RESOLVED, that the minutes of May 20, 2009 are hereby approved as submitted.

- Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
- Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
- Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
- Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
- Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Approve Audit:

RESOLUTION 09 – 121

RESOLUTION, offered by Mrs. Wilcox and seconded by Mr. Christopher:

RESOLVED, that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications:

CONSOLIDATED ABSTRACT # 006
DATED 6/17/09

AUDITED VOUCHER #'s	<u>426 - 533</u>
PREPAY VOUCHER #'s	<u>426 - 430</u>
AUDITED TA VOUCHER #'s	<u>43 - 49</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>103,294.13</u>
HIGHWAY FUND	\$ <u>32,107.20</u>
LANSING LIGHTING	\$ <u>1,243.65</u>
LANSING WATER DISTRICTS	\$ <u>23,758.57</u>
CHERRY ROAD SEWER	\$ <u>0.00</u>
TRUST & AGENCY	\$ <u>47,535.73</u>
CWD EXTENSION #1	\$ <u>435.38</u>

BUDGET MODIFICATIONS
GENERAL FUND A

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A7140.100	A7110.410	From Rec Fields Personal Svcs to Parks - Marina Repair	2,150.00
A1990.400	A8750.400	From Contingency to Ag Dev (FPIG)	500.00

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

BOARD MEMBER REPORTS:

Bud Shattuck:

Nothing to report at this time.

Matt Besemer:

Joint Meeting:

A joint meeting with the Town Board, Planning Board and ZBA Board will be held next Monday night at the Town Hall Board Room

Marty Christopher:

Nothing to report at this time.

Connie Wilcox:

Farmers Market:

Everything is going well and she hopes to have 5 to 10 venders. It will begin on July 11, 2009 from 9:00 a.m. until 12 p.m.

Ag Land Farm Protection Grant:

The second meeting was held and they are about half way through the grant. All is going well. The next meeting will be held on August 24th. The Public Hearing will be held in November and it will be forwarded to the Farm Land Protection Board and to the State by December.

An Ag Committee will also be formed after all of this. They will meet three or four times a year to discuss the farming and agriculture problems within the Town.

A. Scott Pinney:

Sale of Myers Road Property:

RESOLUTION 09- 122

**RESOLUTION AUTHORIZING SUBDIVISION AND PRIVATE SALE OF
MYERS ROAD GORE OF LAND AS EXCESS LAND**

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on 17th day of June, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew

Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mr. Shattuck; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck – Aye; Connie Wilcox – Aye; Martin Christopher – Aye; Matthew Besemer - Aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town has for years been trying to address the various pieces and gores of land that, for various reasons have come into the possession of the Town, even though the Town has no need or use for such lands; and

WHEREAS, a small gore of land on the north side of Myers Road has been identified as excess property; said gore being a part of Town of Lansing Tax Parcel Number 33.-3-15.12; and

WHEREAS, such action is a Type II Action under SEQRA such that no environmental review is needed or required; and

WHEREAS, the Town has previously examined the nature and use of such land, has examined the value thereof, including, but not limited to, consultation with Lansing Realtor(s), and the Town Board has determined that: (i) these lands constitute excess lands for which there is no current governmental or public, and no future or foreseeable uses planned; (ii) that there is no public use available for such land; (iii) the shape and location of such lands establishes that there is no viable public market for such lands; (iv) pursuant to Town Law §64, the Town is authorized to sell such lands as hereinafter authorized; and

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

RESOLVED AND DETERMINED, that there is no current, planned, or potential future governmental or public use for such excess lands, and that there is no viable private market for such land as it is a small strip of land and does not provide enough area so as to support a dwelling or other private structure (except, perhaps, as to or by adjacent owners); and it is further

RESOLVED AND DETERMINED, that the affected parcels of land to be sold include the northerly portion of Town of Lansing Tax Parcel Number 33.-3.15.12 (north of Myers Road); and it is further

RESOLVED, that the Supervisor be and hereby is authorized, after the running of the statutory permissive referendum period, to sell such lands at private sale in whatever manner shall produce the maximum price and fair consideration, but that any notice of such sale shall reserve to the Town: (i) the right to reject any and all bids; (ii) a permanent easement and right-of way for the Town to access, repair and improve present and/or future water and/or sewer lines; (iii) and a requirement, should the successful bidder be an adjoining property owner, that the gore in question be consolidated with the neighboring parcel; and it is further

RESOLVED, that such sale be subject to the approval of a subdivision of such gore from the Town parcel on the south side of Myers Road; and it is further

RESOLVED, that this Resolution be and hereby is made subject to a permissive referendum, and the Town Clerk is hereby directed to publish a Notice of Permissive referendum as soon as is practicable.

SEQRA: Type II Action.

BAN:

RESOLUTION 09 - 123

**RESOLUTION AUTHORIZING THE ISSUANCE OF A \$141,500.00 BOND
ANTICIPATION NOTE, NUMBER 02-09 (2009)**

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on the 17th day of June, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mrs. Wilcox; and the vote was as follows: A. Scott Pinney – Aye, Connie Wilcox – Aye; Francis Shattuck – Aye, Martin Christopher –Aye; and Matthew Besemer – Aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town duly authorized expenditures to cover the cost of acquiring, constructing and equipping the improvements to be included in Extension No. 2 to the Town of Lansing Consolidated Water District (the “District”), consisting principally of the construction of a water distribution system covering a portion of Drake Road in the Town and the installation of water lines and meters, including valves, curb stops, original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements to provide municipal water services to the affected areas within said District, engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof (the “Project”), all of which Project expenses were authorized by a Final Order forming the District and funded by a Bond Resolution dated May 21, 2008, and which obligation(s) were satisfied, in accord therewith, by Bond Anticipation Note 01-09 (in the amount of \$145,000.00), which Bond Anticipation Note is hereby being renewed; and

WHEREAS, Bond Anticipation Note 02-08 is approaching its maturity date and such financing must be renewed or the debt thereof paid, and

WHEREAS, in compliance with the Local Finance Law, the Town Board has decided to partially pay-down the debt pursuant to Local Finance Law §23.00 by making a principal and interest payment thereupon and issuing a renewal BAN for the balance thereof; and

WHEREAS, the Town has contacted several lending institutions to find the lowest rates, and has determined that the Chemung Canal Trust Company has the best rates and terms for the proposed Bond Anticipation Note 02-09, to be issued in the amount of \$141,500.00, for one year at a 2.5% interest rate (non-callable); and

WHEREAS, this action is classified as a Type II Action under SEQRA, and as such, no environmental review is necessary or required; and

WHEREAS, after a review of the foregoing and due deliberation and consideration thereof, and in compliance with Local Finance Law Section 38.10, and other requirements of law, the Town Board of the Town of Lansing has hereby

RESOLVED, that

Section 1. The Bond Anticipation Note hereby authorized is for the payment of indebtedness relating to the purchase and acquisition of goods to construct the Project for the District.

Section 2. The Bond Anticipation Note hereby authorized was authorized pursuant to a Bond Resolution dated May 21, 2008, which Bond Resolution was duly issued under the Local Finance Law and subject to permissive referendum as therein required.

Section 3. It is hereby determined that the cost of indebtedness relating to the objects and purposes of this Resolution is \$141,500.00; said amount is hereby appropriated there for, and the plan for the financing thereof shall consist of the

issuance of up to \$141,500.00 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law.

Section 4. The Town of Lansing hereby authorizes the expenditure of up to \$141,500.00 for the payment of the obligations relating to the Vehicles, which amount shall be paid by the issuance of Bond Anticipation Note 02-09.

Section 5. No other Bond Anticipation Notes are issued or outstanding for the payment of the indebtedness relating to the Vehicles.

Section 6. The Bond Anticipation Note authorized by this Resolution is a renewal of Bond Anticipation Note 08-01, issued June 22, 2008.

Section 7. The Bond Anticipation Note authorized by this Resolution shall mature and be and become due and payable upon June 18, 2010.

Section 8. The Bond Anticipation Note hereby authorized is for an assessable improvement of or within the Town, namely, the Town of Lansing Consolidated Water District Extension 2.

Section 9. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created is hereby authorized pursuant to Section 165.10 of the Local Finance Law for the purposes described in this Resolution. The Town shall reimburse such expenditures with the proceeds of the Bond Anticipation Note authorized by this Resolution. This Resolution shall constitute a declaration of official intent as required by United States Treasury Regulation Section 1.150-2. Other than as specified in this Resolution, no money is, or is reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. The full faith and credit of said Town of Lansing, Tompkins County, New York, is hereby irrevocably pledged to the payment of the principal of and interest on said Bonds and the Bond Anticipation Note hereby authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest due and payable in such year. Such appropriation shall be made from the several lots and parcels of land in the Town of Lansing in the manner provided by law for general taxation thereupon. In the event the collection of such assessments shall be less than the amount required to pay the principal and interest of such obligations as they shall become due, the Town Board shall direct that surplus moneys not otherwise appropriated be applied, or the Town shall take such other action as is permitted or required by law to assure the timely payment of such obligations.

Section 11. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of Bond Anticipation Notes and renewals thereof (in anticipation of the issuance and sale of the serial bonds) is hereby delegated to the Town Supervisor, as Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law and the Bond Resolution aforesaid.

SEQRA: Type II Action.

Soccer Fields:

Mr. John Young has approached Mr. Pinney regarding putting in soccer fields by the rink. The zoning does not allow this. Mr. Pinney likes this area over the other option

near the Kingdom Farms. Mr. Shattuck felt the zoning could be changed for recreational area and it could be expanded. All felt it should be discussed at the meeting on Monday night with the Planning Board.

Town Center Committee:

Mr. Pinney has formed a Town Center Committee and they will meet at 8 a.m. Saturday at the Town Hall.

Trailways Committee:

A group of individuals have come together and are called the Trailway Committee. It was not formed by the Town. They will work to try to establish trailways in the community.

Town Counsel Report:

Town Land on Auburn Road:

Mr. Krogh has been contacted by Mike Nozzolio's and Barbara Lifton's Offices and their staff's which are trying to lift the restrictions on the Town Land. Hopefully, it could be completed by the end of the year.

Adjourn Meeting:

RESOLUTION 09 – 124

RESOLUTION, offered by Mr. Shattuck and seconded by Mr. Christopher:

RESOLVED, that the meeting is hereby adjourned at the call of the Supervisor at 8:03 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Minutes taken and executed by the Town Clerk.