

Lastly, the County Comprehensive Plan is moving forward. The public hearing on the plan will be February 5, 2015. If you'd like to read over it, you can find it on the County website.

I again want to thank Marcia Lynch for contributing a large portion of this report through her summaries that come out after every meeting.

PUBLIC HEARING – PROPOSED LOCAL LAW #6 OF 2014 AMENDING AND RESTATING THE EXISTING LAND USE ORDINANCE

Supervisor Kathy Miller, moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED LOCAL LAW #6 OF 2014 AMENDING AND RESTATING THE EXISTING LAND USE ORDINANCE** at 6:05 pm. Councilperson Edward LaVigne, seconded the motion.

All in Favor - 4 Opposed - 0

Four residents addressed the Town Board during the Public Hearing.

One resident provided handouts to the public and the Town Board from the letter submitted at the October 15, 2014 meeting along with the following letter that was read:

Scheduling tonight's meeting, with only two days' notice, and a week before Christmas, is a singularly inappropriate way to hold a public meeting on an issue of such importance.

The statement on the Town's website tries to promote the idea that this has been a long, well thought-out process with revisions based on a dialogue with the community – this is not true. The letter I sent to the members of the Lansing Town Board in October, expressing my concerns, concerns which were unanimously echoed by local and County Planning professionals, was not even acknowledged, let alone responded to and addressed in the latest proposed zoning revisions. And I am aware of no attempts to contact or hold discussions with any of my rural neighbors concerning the impact of these proposed changes.

In the Town's zoning description of intent for Lansing's Rural/Agricultural District, there is not one mention of the commercial and industrial development uses these revisions so blatantly cater to.

These zoning revisions and their process of enactment directly contradict the zoning document's own stated purposed in Article II: they do not "promote the health, safety and general welfare" of the Rural/Agricultural community, and they will definitely not "conserve the value of property" in the R/A district. [Having a 24 hr convenience store, a container storage depot, or a motorcycle racetrack for a neighbor would be inconceivable in the cozy cul-de-sacs of South Lansing – why have they decided we are so much less than they?]

My greatest concern is not that this is some misguided attempt which will negatively impact the future of rural Lansing – but that it is a blueprint supplied by big investment and development interests who are just waiting for the go-ahead signal that these zoning revisions so clearly represent.

These revisions undermine the "principles and objectives of the Town's Comprehensive Plan" by attempting to concentrate the power to shape Lansing's future into the hands of a few.

It's time to change Lansing from a Profit-taking Plutocracy back into the democratic and neighborly community it needs to be to survive.

Vote no to these zoning revisions.

Another resident thanked the Town Board for looking at a lot of issues that were raised since the last public hearing. There have been many positive changes made and they stated that the town is very close to a new law. They stated that the redline version that was on the website was very poor quality and difficult to read along with the scheduled usage chart. The new proposed Local Law #6 did not appear on the website.

They stated that there is still concern for the decrease in the side yard setbacks in the R1 zone. There is currently a 25' yard setback and is proposed to decrease to 15' which is a 40% decrease in the required setback. They were concerned that residents with small lots might not be able to meet setback requirements. They stated that there was only one or two ZBA variance requests in the R1 district for a side yard setback. They requested that the town reinstate the setback back to 25'.

They also stated that they noticed that before special permits were required and now only site plan is required. They stated that there is more protection when a special permit is required as the Town Board has to make permanent findings as in Section 803. The resident asked the Town Board to look at the uses where the special permits have been deleted and replaced with site plan review, and they requested that it would be more appropriate to keep the special permits.

Another resident addressed the Town Board with concerns that some of the issues of this plan will negatively impact the quality of life of residents in the Lansing Rural Agricultural and R1 community. The resident was also concerned with the decrease in the setbacks as being detrimental to everyone and requested that it be changed to 30'.

Another resident addressed the Town Board and requested that chickens be allowed in the R1 and R2 districts. They also stated that the number of chickens allowed not be limited to 5 but to allow 10 to 12. The resident stated that they create less noise than a neighbors' dog and they also eat flies in your yard as well as the neighbors' flies.

Another neighbor stated businesses were not allowed in R2 or R3 districts unless you live there. They referenced to a business that obtained a variance to have their business near their residence and it has worked well along with employing others. They stated that people should be able to do what they want unless it has a negative effect on others. They asked the Town Board to reconsider this change in rules and have the ability to apply for a variance.

MOTION TO CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE PUBLIC HEARING** at 6:18 pm. Councilperson Doug Dake seconded the motion.

All in Favor - 4 Opposed - 0

PUBLIC HEARING - ENVIRONMENTAL REVIEW OF PROPOSED LOCAL LAW #6 OF 2014 AMENDING AND RESTATING THE EXISTING LAND USE ORDINANCE

Supervisor Kathy Miller, moved to **OPEN THE PUBLIC HEARING UPON THE ENVIRONMENTAL REVIEW OF PROPOSED LOCAL LAW #6 OF 2014** at 6:19 pm. Councilperson Edward LaVigne, seconded the motion.

All in Favor - 4 Opposed - 0

A resident stated that the Environmental review materials did not appear on the website, and the law requires that these materials be placed there. The EAF did not appear and

therefore they could not comment on the Environmental Assessment Form. They stated the standard for determining an Environmental Impact Statement and there is potential for a significant negative Environmental Impact, there must be and Environmental Impact Statement.

MOTION TO CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE PUBLIC HEARING** at 6:21 pm. Councilperson Doug Dake seconded the motion.

All in Favor - 4 Opposed - 0

ADOPTING LOCAL LAW #6 OF 2014

Supervisor Kathy Miller stated that agenda item #10 – Resolution Making Negative Declaration of Environmental Impacts for Proposed Local Law #6 of 2014 and Approving and Adopting such Local Law so Amending the Land Use Ordinance be tabled until sometime in January. All comments from tonight’s meeting will be taken into consideration. If there are significant changes, Public Hearings will be rescheduled. She also stated that she will make sure that all the current information is online.

Attorney Guy Krogh stated that the Local Law can be adopted any time after the Public Hearing. If time intervenes you may have some issues in terms of reasonable nexus to the Public Hearing, but waiting until the full Town Board is present is not an issue.

PRIVILEGE OF THE FLOOR

No one addressed the Town Board

WATER AND SEWER ADVISORY BOARD – DAN ADINOLFI

The Water and Sewer Advisory Board met on November 2nd. The agenda included a number of topics.

First we welcomed Steve Riddle to the Advisory Board, representing the Southern Cayuga Lake Inter-municipal Water Commission (AKA, SCLIWC or “Bolton Point”). The Advisory board will benefit greatly from his experience and knowledge.

There are a number of changes to the water and sewer districts that are ongoing, as we have reported over the last few months. Each is progressing well, we are working to keep the processes moving along to assist residents with their requests.

The Advisory Board also discussed the creation of an Outside User Agreement (OUA) for a resident on Bone Plain Road. The Town of Dryden, which is where the property included in the OUA resides, has given permission to move forward with offering water service to that resident, whose property the Town of Lansing needs to cross to extend a water connection to the Bone Plain water tank. Documentation is being developed for this OUA including an easement and the terms of allowing the outside resident to connect to the Lansing water system.

Mr. Riddle led a discussion about the SCLIWC, including a review of their policies, procedures, and current challenges. This conversation led to the discussion of a request by the developers of Cayuga Farms development to have multiple water meters for their structures instead of a single meter for the entire tax parcel, which is the legal standard. The Advisory Board moved to recommend that the Planning Board and Town Board

uphold the current rules of one meter per tax parcel. Our formal recommendation is listed below.

The Comprehensive Plan Review Committee is looking for goals to incorporate into the revised Comprehensive Plan. The Advisory Board discussed what goals should be set for the Municipal Services and Infrastructure section of the plan, which includes water and sewer. The list of suggested goals will be submitted to the Comprehensive Plan Review Committee at their next meeting.

The next meeting of the Water and Sewer Advisory Board will be January 15, 2015, at 6:30 PM in the Town Recreation Department back room.

Recommendation to the Town Board Regarding Development of Cayuga Farms

At the December 2, 2014 meeting of the Town's Water and Sewer Advisory Board the issue of water service for the proposed Cayuga Farms Townhomes Project was discussed. The Advisory Board understands that the developer is proposing multiple apartment unit buildings on a single tax map parcel and that access to these buildings from North Triphammer Road is provided principally by private driveways. Further, there is no proposal to subdivide the developed parcel. The developer's engineer is requesting the water mains to be extended throughout the development be dedicated to the Town which will lead to individual water laterals and meters for each of the multiple buildings. The Advisory Board was also informed by Member Steve Riddle that the SCLIWC General Conditions and Restrictions address the meter/tax map parcel issue, specifically Section 9, Prohibitions which states the following:

d. Sub-metering

(1) SCLIWC shall allow and shall provide only one service point to each premise operated as a related, common and logical entity. SCLIWC shall allow and supply only one meter to a single tax parcel. Additionally, SCLIWC shall allow and supply only one meter to a building or group of buildings that has been developed and/or redeveloped and/or sold in accordance with a condominium plan, or to any building or buildings that are owned by one or more cooperative corporations, or to any other adjacent or contiguous buildings under any form of common ownership and operated under any form of common management agreement. Additionally, SCLIWC reserves the right to allow and supply only one meter whenever contiguous developed properties have common ownership. The meter must be placed to cover all the fixtures connected with the water service line, and must be in a position where it can be conveniently read. The meter location is subject to the approval of SCLIWC.

After due consideration, it is the recommendation of the Water and Sewer Advisory Board to adhere to the SCLIWC provision and require the development to install a single water meter in close proximity to the point of connection to the Town main. Further, since there are a number of requirements and limitations based on current law regarding such special district formation and extensions as proposed by the developer, including costs, voting, and internal timing issues for the same, it is recommended that the Planning Board seek input for the design of any district changes from the Town Engineer and from an attorney knowledgeable in water district regulations and operation so all requirements will be included as written conditions for any plan approval.

- Councilperson Edward LaVigne stated that he has a new revised request for a water district extension. Dan Adinolfi informed him to attend a monthly Water and Sewer Advisory Board meeting

Supervisor Kathy Miller stated that this was a much needed board and what a great job they are doing along with Councilperson Doug Dake reiterating the same.

PARK and RECREATION DEPARTMENT REPORT

Parks and Recreation Department Superintendent Steve Colt provided the following report to the Town Board and the public:

**Parks & Recreation Department
Town Board Meeting
12/17/14**

RECREATION

- Most of our winter programming will be starting right after the New Year’s holiday. This includes: Ski Program, Ice Skating Program, Jump Around, 2nd & 3rd Grade Basketball, Gymnastics session II, Travel Basketball grades 4-5-6, Adult Open Swim, Cardio Step, AM Strength & Stretch, Youth Yoga, Adult Yoga.
- The Holiday Cookie Exchange was a success. 16 student bakers filled the kitchen area at the Community Center.

PARKS

- A few more trees have been taken down in the camp site area. The highway crew has been very helpful in taking these trees away after they were cut up.
- 2015 PAVILION reservations will start on Monday January 5th.
- 2015 CAMPING reservation will start on Monday January 12th. Our “take-a-number” machine will be ready for use. I’m sure there will be people in our parking lot long before we open!
- Park fees have been restructured for 2015 and have been forwarded to Debbie Crandall for use in the restructuring meeting. I also recommend adjusting the Community Center user fee.

RESOLUTION REAPPOINTING GEORGE GESSLEIN TO THE LANSING HOUSING AUTHORITY BOARD

RESOLUTION 14-152

**RESOLUTION REAPPOINTING GEORGE GESSLEIN
TO LANSING HOUSING AUTHORITY BOARD**

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

WHEREAS, the five year term on the Board of the Lansing Housing Authority is expiring on December 31, 2014, and

WHEREAS, George Gesslein is seeking the reappointment and the Town has identified a vacancy; and

WHEREAS, the Lansing Housing Authority Board has recommended the reappointment of George Gesslein for the five year term; and

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

RESOLVED, that George Gesslein be and hereby is reappointed to another 5-year term on the Lansing Housing Authority Board, effective January 1, 2015 through December 31, 2019.

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

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 December 17, 2014.

RESOLUTION REAPPOINTING GERALD CAWARD JR. TO THE PLANNING BOARD

RESOLUTION 14-153

**RESOLUTION REAPPOINTING GERALD CAWARD JR.
TO THE TOWN OF LANSING
PLANNING BOARD**

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

WHEREAS, the Planning Board has requested that Gerald Caward Jr. be reappointed to a 7 year term on the Town of Lansing Planning Board; and

WHEREAS, Gerald Caward Jr. is duly qualified to be and remain on the Planning Board by virtue of having mandatory NYS training requirements; and

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

RESOLVED, that Gerald Caward Jr. is hereby reappointed to a 7-year term on the Town of Lansing Planning Board, commencing January 1, 2015 and expiring December 31, 2021.

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

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 December 17, 2014.

RESOLUTION REAPPOINTING DEBORAH TRUMBULL AS AN ALTERNATE TO THE PLANNING BOARD

RESOLUTION 14-154

**RESOLUTION REAPPOINTING
DEBORAH TRUMBULL
TO THE TOWN OF LANSING PLANNING BOARD**

AS AN ALTERNATE MEMBER

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

WHEREAS, the Planning Board has recommended that Deborah Trumbull be reappointed as an Alternate Member to the Town of Lansing Planning Board, and

WHEREAS, Deborah Trumbull is duly qualified to be and remain on the Planning Board by virtue of having mandatory NYS training requirements; and

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

RESOLVED, that Deborah Trumbull is hereby appointed as an Alternate Member of the Town of Lansing Planning Board for a term of one year. Said term to become effective January 1, 2015 and expiring December 31, 2015 to serve at the pleasure of this Board.

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

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 December 17, 2014.

RESOLUTION REAPPOINTING LINDA HIRVONEN TO THE ZONING BOARD OF APPEALS

RESOLUTION 14-155

**RESOLUTION REAPPOINTING LINDA HIRVONEN
TO THE TOWN OF LANSING
ZONING BOARD OF APPEALS**

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

WHEREAS, the Town of Lansing Zoning Board of Appeals, has requested that Linda Hirvonen be reappointed to a 5 year term on the Zoning Board of Appeals; and

WHEREAS, Linda Hirvonen is duly qualified to be and remain on the Zoning Board of Appeals by virtue of having mandatory NYS training requirements; and

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

RESOLVED, that Linda Hirvonen is hereby reappointed to a 5-year term on the Town of Lansing Zoning Board of Appeals commencing January 1, 2015 and expiring December 31, 2019.

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 Doug Dake - Aye
Councilperson Edward LaVigne - Aye

Councilperson Ruth Hopkins - Aye
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 17, 2014.

RESOLUTION REAPPOINTING DONNA SCOTT AS AN ALTERNATE MEMBER TO THE ZONING BOARD OF APPEALS

RESOLUTION 14-156

RESOLUTION REAPPOINTING DONNA SCOTT TO THE TOWN OF LANSING ZONING BOARD OF APPEALS AS AN ALTERNATE MEMBER

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

WHEREAS, the Zoning Board of Appeals, has requested that Donna Scott be reappointed as an Alternate Member to the Town of Lansing Zoning Board of Appeals, and

WHEREAS, Donna Scott is qualified to be and remain on the Zoning Board of Appeals by virtue of having mandatory NYS training requirements; and

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

RESOLVED, that Donna Scott is hereby reappointed as an Alternate Member to the Town of Lansing Zoning Board of Appeals effective January 1, 2015, with such appointment to expire December 31, 2015 to serve at the pleasure of this Board.

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

Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye

Councilperson Ruth Hopkins - Aye
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 17, 2014.

RESOLUTION APPOINTING MELODY LOMBARDO AS SENIOR COURT CLERK

RESOLUTION 14-157

RESOLUTION APPOINTING MELODY LOMBARDO AS SENIOR COURT CLERK

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

WHEREAS, on October 26, 2011 the Town of Lansing created the position of Senior Court Clerk; and

WHEREAS, said position has been established and approved by the Tompkins County Department of Personnel and classified as an exempt class of Civil Service; and

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

RESOLVED, that Melody Lombardo be and hereby is appointed to the Senior Court Clerk position, pay grade 5, step 5, at \$20.67 per hour, effective January 1, 2015.

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 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 December 17, 2014.

RESOLUTION DECLARING FREEDOM FROM DOMESTIC VIOLENCE AS A HUMAN RIGHT

RESOLUTION 14-158

RESOLUTION DECLARING FREEDOM FROM DOMESTIC VIOLENCE AS A HUMAN RIGHT

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

WHEREAS, the Town Board of the Town of Lansing seeks to enhance the public welfare by declaring that freedom from domestic violence is a fundamental human right; and

WHEREAS, domestic violence can take many forms, including physical, sexual, psychological, or economic abuse, intimidation, isolation, and coercive control by intimate partners or family members; and

WHEREAS, domestic violence is a human rights concern that affects individuals of every gender, sexual orientation, race, age nationality, religion, and economic status; and

WHEREAS, survivors of domestic violence must deal with the effects of physical injuries, long term psychological damage, financial and career instability, and trouble finding safe housing; and

WHEREAS, domestic violence has a deeply negative impact on children who are exposed to it; and

WHEREAS, in 2013, the Advocacy Center of Tompkins County answered 2,055 calls on its domestic violence and sexual assault hotline and served 212 new adult domestic violence clients, including providing shelter for 37 adults and their 25 children and helping 72 individuals obtain final orders of protection from the courts; and

WHEREAS, the Advocacy Center of Tompkins County, with the Cornell Law School Avon Global Center for Women and Justice and Global Gender Justice Clinic, released a report in October 2014, "Recognizing Freedom from Domestic Violence as a Fundamental Human Right," which compiled international, national, and local statistics supporting the need for greater government involvement to address domestic violence; and

WHEREAS, the report cites 2008 United Nations data that the cost of intimate partner violence in the United States exceeds \$5.8 billion per year, including medical care services and productivity losses; and

WHEREAS, according to the report, 87 women and men in New York State died as a result of intimate partner homicide in 2013; and

WHEREAS, according to the report, in 2013, law enforcement agencies in New York State outside of New York City responded to 189,152 domestic violence incidents and reported 31,106 assaults committed by intimate partners, 80% of which were committed against women; and

WHEREAS, the report notes that New York State courts issued 300,236 orders of protection in 2013, nearly 210,000 of which were required to be recorded in the Unified Court System's Domestic Violence Registry; and

WHEREAS, the report further notes that in Tompkins County, law enforcement agencies reported an average of 147 victims of domestic violence offenses per year between 2010 and 2013; and

WHEREAS, the United Nations and other international organizations have recognized that freedom from domestic violence is a human right and that governments have a responsibility to prevent and respond to such violence; and

WHEREAS, law enforcement, courts, cities, counties, towns, villages, social service agencies, and other local government entities constitute the first line of defense against domestic violence; and

WHEREAS, over the past 25 years, Tompkins County has been a leader in domestic violence response by introducing a number of initiatives, including the establishment of an Integrated Domestic Violence Court; and

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

RESOLVED:

1. That the Town Board of the Town of Lansing recognizes domestic violence as a human rights concern and declares that the freedom from domestic violence is a fundamental human right;
2. That state and local governments should continue to secure this human right on behalf of their citizens;
3. That the Town of Lansing will ensure that its personnel policies and practices are informed by awareness of domestic violence survivors' needs;
4. That the Town of Lansing will support the counties and human services agencies' efforts to prevent domestic violence, strengthen the response to domestic violence, and improve the provision of services to survivors.

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

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 December 17, 2014.

Supervisor Kathy Miller encouraged people to donate money, books, and toys to contribute to the Domestic Violence cause.

RESOLUTION APPROVING JETTY CWD OUTSIDE USER AGREEMENT

Discussion:

Before the Roll Call vote was taken, Code Enforcement Officer, Lynn Day stated that the proposed resolution states that it is a one private residential dwelling. He stated they are adding a garage with an apartment below to the same tax parcel making it two dwellings.

Attorney Guy Krogh stated that he would change the wording to one private residential dwelling with up to one accessory apartment or a two family dwelling. Mr. Day stated that would work and Attorney Krogh will adjust the agreement and the following resolution accordingly.

RESOLUTION 14-159

RESOLUTION APPROVING JETTY CWD OUTSIDE USER AGREEMENT

The following Resolutions were duly presented for consideration by the Town Board:

WHEREAS, the Town Board previously, and in accord with existing local laws pertaining to water and sewer districts and services within the Town, appointed a water and sewer advisory board (“WSAB”); and

WHEREAS, the WSAB has considered an outside user request for the Consolidated Water District (“CWD”), and more specifically CWD Extension #1, and a recommendation has been made to approve such outside user request, and an agreed-upon outside user agreement has been drafted that ensures that the applicant is required to support future extensions as well as pay a rate that will equalize payment to Extension #1 for capital charges to those within such district extension; and

WHEREAS, the Town’s CWD Local Law only allows outside users to receive water from the CWD or any of its extensions when approved by the Town Board and an adequate contract for services is executed that complies with law in several material respects; 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 the outside user agreement for Robert H. Jetty, III and Lauren Jetty, whose address is 457 Lansing Station Road, Lansing, New York 14882 (TPN 14.-2-4), be and hereby is approved, and that permission is given to tap the CWD Extension 1 water main for no more than 1 private residential dwelling with one accessory apartment or 1 two-family dwelling, and this resolution and approval are and remain subject to all requirements in such outside user agreement, including that the installation be at the expense of the Applicants, and that the Applicants are required to obtain all easements, approvals, and permits necessary therefor; and it is further

RESOLVED, that the Town Supervisor or Deputy Town Supervisor be and each is severally authorized to execute such outside user agreement by, for, on behalf of, and in the name of the Town of Lansing.

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

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 December 17, 2014.

RESOLUTION PROVIDING CHARGE TO WATER AND SEWER ADVISORY BOARD

Discussion:

Supervisor Kathy Miller stated that this Water and Sewer Advisory Board is a great Board and this Resolution clarifies the charge of the Board.

Chair, Dan Adinolfi stated that this clarifies what their charge is as they continue to meet.

RESOLUTION 14-160

RESOLUTION PROVIDING CHARGE TO WATER AND SEWER ADVISORY BOARD

The following Resolutions were duly presented for consideration by the Town Board:

WHEREAS, the Town Board previously, and in accord with existing local laws pertaining to water and sewer districts and services within the Town, appointed a water and sewer advisory board (“WSAB”); and

WHEREAS, the Town Board now desires to provide formal guidance to such committee so that the WSAB knows what issues and forms of support it can provide to the Town Board and the citizens of the Town; 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 the charges to and responsibilities of the WSAB are as follows:

1. That the Committee meet pursuant to such regular schedule as it may establish from time-to-time, and to thereat regularly consider water and sewer issues that come before it, and that it be and hereby is empowered from among its members to appoint a Chairperson, if elected, and adopt such operating rules or by-laws as it shall determine as necessary, if any, to function as a committee.
2. To function as the Town Water Advisory Committee pursuant to Local Law #2 of 2012.
3. To evaluate proposals relating to the extension of water and sewer mains, collectors, lines, pipes, systems, improvements, and projects, both as now are providing services, and

as to new users and areas of the Town, including an evaluation of future extensions and districts, including outside users and so-called back-lot extensions.

4. To consider improvements and service area extensions and make recommendations to the Town Board in respect of each of the same, taking into account: (i) engineering feasibility and impacts, including a consideration of the limits of existing systems and designs, resources necessary for such actions, water capacity issues, water quality issues, water pressure issues, and potential benefits to the existing systems and structures; (ii) a planning and future growth impact analysis, taking into consideration the impacts to agricultural lands and resources, consistency with the Town's zoning requirements, stormwater requirements, and the Town's Comprehensive Plan, whether the proposal or improvement might induce or inhibit growth, impact health or safety concerns, or affect or impair future extensions or expansions of services to other or adjacent areas; and (iii) financial and fiscal analyses, including impacts upon existing districts and improvements, overall costs, financing impacts, comparative benefit analyses, projections as to likely EDU costs and overall first-year costs per NYSOSC formulae, and any other potential or fiscal financial impacts on the Town arising from the proposal, including emergency services and firefighting capabilities, impacts on schools, transportation, stormwater, roads, and other infrastructure from growth, and analyses of like concerns; and (iv) consistent with Agriculture and Markets Law Article 25-AA and the regulations and policies of the Commissioner of Agriculture and the NYS Department of Agriculture and Markets ("NYS DAM"), the WSAB should pay close attention to conditions and restrictions upon any proposed service extension request when located within or near any officially designated county-adopted and NYS certified Agricultural District.

5. To recommend the manner by which services are provided or service area extensions are made, and to make periodic recommendations as to the O&M charges, user fees, and other costs applicable to water and sewer services in the Town, including recommendations as to the appropriate type, levels, and usages of any fund balances, O&M funds, or capital reserve funds now existing or hereafter identified or created by the Town.

6. To consider use limitations and waste and discharge rules for Town water and sewer infrastructure and systems, and to advise upon existing rules and regulations for Town water and sewer systems and make recommendations as to updates and improvements thereupon.

7. To advise the Town upon any existing laws, rules, or restrictions pertaining to the provision of water and sewer services, including input and analysis upon any existing, amended, or hereafter created contracts, IMAs, or like documents affecting special or benefit districts or improvement areas, including the need to amend or update any of the same.

8. To reply and advise concerning any matter pertaining to water and sewer and related issues as may be expressly referred to the WSAB by the Town Board, the Planning Board, the Town Supervisor, or the Chairperson of the Planning Board.

9. And based upon the above issues and analyses, and any other factors the WSAB deems relevant, the WSAB shall issue recommendations to the Town Board for consideration, such as, but not limited to, whether the proposal should be accepted with or without changes or conditions, whether an extension to any water or sewer district or system is required or desirable, whether service should be provided upon a contract basis for outside users of any water or sewer services, or whether a rule or cost model should be updated or amended.

10. The WSAB is an advisory committee only. The Town Board may review, accept, reject, or accept in part any recommendations, analyses, information, or conclusions so communicated to or made by the WSAB. The Town Board may also, after a review of any such report or recommendation: (i) refer the matter back to the WSAB for further consideration, information, or analysis; (ii) conduct its own research or analysis; (iii) vote

upon the proposal as presented, with or without amendments or conditions; or (iv) proceed otherwise in accord with law.

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 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 December 17, 2014.

RESOLUTION APPROVING CANCELLATION OF TOWN CENTRE LAND PURCHASE AGREEMENT AND AUTHORIZING RETURN ON DEPOSIT

RESOLUTION 14-161

RESOLUTION APPROVING CANCELLATION OF TOWN CENTRE LAND PURCHASE AGREEMENT AND AUTHORIZING RETURN OF DEPOSIT

The following Resolutions were duly presented for consideration by the Town Board:

WHEREAS, on or about December 20, 2012, and pursuant to due authorization received, the Town of Lansing did sign and execute an agreement to sell certain lands within the proposed Town Centre to NRP Properties LLC (“NRP”), and such agreement was subject to a number of conditions precedent, including the extension of sewer lines and due diligence conditions concerning measurements, inspections, test borings, boundary and topographical surveying, the obtaining of suitable results from geotechnical, soil, environmental, groundwater, wetland, and the suitability of utility services, land title, and other matters, studies, and reports to be received by NRP; and

WHEREAS, NRP has given notice of termination of the purchase agreement pursuant to Article 3A thereof, and the Town concurs and agrees that the agreement be thus cancelled and the deposit returned; 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 the December, 2012 purchase agreement with NRP Properties LLC, an Ohio limited liability company having an address of 5309 Transportation Boulevard, Cleveland, Ohio 44125, be and hereby is terminated and cancelled by mutual consent, that the said agreement be of no further force and effect, and the escrow agent be and hereby is directed to return the sum of \$7,500.00, being the earnest money deposited into escrow pursuant to the terms of such agreement, and that upon the return of such funds in the manner as directed by said NRP, said escrow agent shall be duly discharged and released.

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

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 December 17, 2014.

APPROVE AUDIT and BUDGET MODIFICATIONS

RESOLUTION 14-162

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

CONSOLIDATED ABSTRACT # 012

DATED	<u>12/17/14</u>
AUDITED VOUCHER #'s	<u>1206 – 1315</u>
PREPAY VOUCHER #'s	<u>1206 – 1210</u>
AUDITED T & A VOUCHER #'s	<u>124 – 131</u>
PREPAY T & A VOUCHER #'s	<u>124 – 126</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>64,306.89</u>
HIGHWAY FUND (DA&DB)	\$ <u>89,015.65</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,440.27</u>
LANSING WATER DISTRICTS (SW)	\$ <u>161,145.17</u>
TRUST & AGENCY (TA)	\$ <u>41,825.95</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>359.87</u>
DEBT SERVICE (V)	\$ <u>0.00</u>

BUDGET MODIFICATIONS

GENERAL FUND A

12/17/2014 Board Meeting

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1620.40 0	A1610.400	FROM BLDGS CONTRACT TO TECHNOLOGY UNANTICIPATED REPLACEMENT OF TWO COMPUTERS	\$ 309.25
A1620.40 0	A1620.403	FROM BUILDINGS CONTRACTUAL TO BUILDINGS- ELECTRIC RATE GREATER THAN PROJECTION	\$ 9.12
A1620.40 0	A1630.400	FR BLDS CONTRACTUAL TO COM CTR CONTRACTUAL UNANTICIPATED EXPENSES	\$ 157.24

A5132.40 5	A1640.406	FROM GARAGE BLDG REPAIR TO TOWN BARN GAS	\$ 164.83
UNANTICIPATED EXPENSES			
A5132.40 5	A5132.400	FROM GARAGE BLDG REPAIR TO GARAGE(OLD HWY)	\$ 61.83
UNANTICIPATED EXPENSES			
A7110.200	A7110.403	FROM PARKS EQUIP TO PARKS - ELECTRIC RATE GREATER THAN PROJECTION	\$ 331.78
A7110.400	A7110.404	FROM PKS CONTRACTUAL TO PARKS - TELEPHONE	\$ 107.08
COST GREATER THAN PROJECTION			
A7140.10 0	A7140.400	PLYGRND PER SVC TO PLYGRND -CONTRACTS	\$ 57.57
UNANTICIPATED EXPENSES			
A7310.10 0	A7310.400	FROM YTH PRGM PER TO YTH PRGM CONTRACTUAL	\$ 3,089.87
A7310.110	A7310.400	FROM YTH PRGM PER TO YTH PRGM CONTRACTUAL	\$ 1,167.52
UNANTICIPATED EXPENSES			
A7320.10 0	A7320.400	FROM YTH SVCS PER TO YTH SVCS CONTRACTUAL	\$ 93.40
UNANTICIPATED EXPENSES			

BUDGET MODIFICATIONS

GENERAL B FUND

12/17/2014 Board Meeting

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B8020.10 0	B8010.402	FROM PLANNER PERS TO ZONING -LEGAL SVCS LEGAL SVCS COVERING PLANNER FUNCTIONS	\$ 420.00
B8020.10 0	B8020.420	FROM PLANNER PERS TO PLANNING CONSULTANT	\$ 1,866.32
TO COVER CONSULTANT FEES/COVERING PLANNER POSI			
B8020.10 0	B8020.402	FROM PLANNER PERS TO PLANNING B - LEGAL SVC	\$ 1,295.00
LEGAL SVCS TO COVER PLANNER FUNCTIONS			

**BUDGET MODIFICATIONS
WATER FUND SW
12/17/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW599	SW8310.40 0	FROM FUND BALANCE TO WATER ADMINISTRATION UNANTICIPATED EXPENSES	\$ 6,171.23
SW599	SW8310.40 1	FROM FUND BALANCE TO ADMIN - ENGINEERING ADDED EXPENSES FROM PROJECTS	\$21,078.58
SW599	SW8310.40 2	FROM FUND BALANCE TO WTR ADMIN - LEGAL ADDED EXPENSES FROM PROJECTS	\$ 2,336.25
SW599	SW8340.40 0	FROM FUND BALANCE TO TRANSMISSION & DISTRIBUTION UNANTICIPATED EXPENSES	\$13,799.11
SW599	SW8340.40 1	FROM FUND BALANCE TO CONTR-CWD REPAIRS UNANTICIPATED EXPENSES	\$ 2,150.00
SW599	SW9710.61 7	FROM FUND BALANCE TO SERIAL BONDS - PRINCIPAL UNDER ESTIMATED BUDGET	\$32,415.00
SW599	SW9710.71 7	FROM FUND BALANCE TO SERIAL BONDS - INTEREST	\$ 6,486.96

**BUDGET MODIFICATIONS
WARREN SEWER SS1- FUND
11/19/2014 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS1-8120.4 01	SS1-8120.40 0	FROM SEWER-ENGINEER TO SEWER- CONTRACTUAL UNANTICIPATED EXPENSES	\$ 359.87

Councilperson Ruth Hopkins seconded the motion and it was carried by the following roll call vote:

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 17, 2014.

BOARD MEMBER REPORTS

Doug Dake – He stated he enjoys being a part of the Water and Sewer Advisory Board with a contractors' view. He also stated that he is looking forward to serving on the Emergency Preparedness Committee after the first of the year.

Edward LaVigne- He stated that Jack French at the Highway Department now has a portable generator. The library is waiting for the cold weather to end before the front steps are installed. He also attended the Seniors Christmas party at Lake Watch Inn.

Ruth Hopkins- The student group from Cornell Design Connect presented their two and a half month study to the Comprehensive Plan Update Committee on Tuesday. She stated they did an excellent job and put together a solid study that they will present to the Planning Board next Monday. She stated the team is interested in doing a sequel follow up project next semester. She stated the study will also help provide supporting material when applying for grants for road improvements, an addition of bicycle paths, walking paths or sidewalks.

The Personnel Committee will have a full committee by the first of next year and she looks forward to working on it.

She continues working on the Health Consortium and will be looking into the Platinum Plan for the future of 2016.

Kathy Miller – She has had a request from the Lansing Highway Department Employees to reopen contract negotiations. They will meet with herself and Robert Cree after the first of the year to work on the contract agreement.

Michael Long and she have forwarded the Design Connect Report to Tompkins County for inclusion in their updated Transportation Plan. They are requesting that consideration be given to including it in a specific Traffic Engineering Study and be included in the NYS Transportation Improvement Plan.

On December 5th, Sharon Bowman, Sue Munson and she attended a seminar in Syracuse sponsored by the NYS Government Finance Association. The first part of the seminar was on the NYS Economic update. The second part covered Developing an Effective Fund Balance Policy. It is her intentions to start early morning meetings to form a Town of Lansing Reserve Policy. All Town Board members are welcome. The meetings will be publicized and open to the public.

The Emergency Preparedness Committee is still looking for a doctor to serve on the committee.

Monthly Report

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

Sharon Bowman- She stated that she will be looking into polling other towns to see if they would be interested in having the presenter of the seminar they attended come to the Town of Lansing for a presentation.

She stated that she completed the recertification for Health Consortium members.

TOWN COUNSEL REPORT

Guy Krogh

Fracking Ban

Last month the Town Board asked him to work with the Oil and Gas Drilling Committee on creating a ban. The committee has spent a lot of time on what to ban and his understanding is that they have pulled back to a straight HVHF long line High Volume Hydro Fracking Ban. They also included the use of brine and return waters and the deposition of drilling muds into fields along with things that already exist elsewhere in the state. The bigger news was that the Health Report came out from the NYS Commissioner of Health and today Governor Cuomo announced that he would support this Commissioners' recommendation to ban fracking statewide due to health risks.

Attorney Krogh stated it depends on whether or not you have faith that Albany is solid and consistent in their decision making and doesn't change their mind. He stated that some will decide not to do anything at this time and let the State take care of it, but he will leave that decision up to the Town Board. He also suggested that the Town Board consider the timing issue and the Cayuga Power Plant. He stated there is a connection there that is probably not obvious, but it exists, and it is something that should be considered. He stated there is not going to be a risk of Hydro Fracking in the near future. A draft Resolution banning fracking in Lansing may be ready for the Town Board to consider in January, or at least an outline of what it will propose in terms of brine spreading, storage yards and gas storage. In the meantime NYS has taken a fair amount of heat off the issue

Supervisor Kathy Miller stated that regardless of the fact that there is now a ban from the state, should this be addressed in the Comprehensive Plan and the Land Use Ordinance.

Attorney Krogh stated that if the Communities vision is to allow certain types of business, industry and not others, given the unique situation of Lansing being on a lakeshore and having steep slopes, he advises that a Comprehensive Plan has to take into account regional employment needs and a lot of issues other than what is in your backyard. He stated that it has to balance the community and the region's need for industry, business, commerce, agriculture and residential needs. If it is determined that certain types of gas mining would be inconsistent in the future vision for public safety or the health of Lansing, then yes it should be addressed in both documents.

MOTION TO ENTER EXECUTIVE SESSION

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS A CONTRACT AND LEGAL ISSUE AT 6:50 PM.** Councilperson Ruth Hopkins seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO EXIT EXECUTIVE SESSION

Councilperson Edward LaVigne moved to **EXIT EXECUTIVE SESSION AT 7:43 PM.** Councilperson Doug Dake seconded the motion.

All in Favor - 4 Opposed - 0

RESOLUTION APPROVING SETTLEMENT OF HOPKINS' LAND DAMAGES AND EDPL CLAIMS RELATIVE TO CULVERT PROJECT

Note: Councilperson Ruth Hopkins excused herself from all discussion, left Executive Session, and did not participate in the vote.

RESOLUTION 14-163

RESOLUTION APPROVING SETTLEMENT OF HOPKINS' LAND DAMAGES AND EDPL CLAIMS RELATIVE TO CULVERT PROJECT

The following Resolutions were duly presented for consideration by the Town Board:

WHEREAS, the Town commenced a culvert replacement project on Triphammer Terrace Road and exceeded the bounds of the highway causing impacts upon and damages to the land and rights of certain landowners, which landowners filed a formal Notice of Claim alleging trespass damages, EDPL procedural losses and damages, and other damages and liabilities; and

WHEREAS, the Town is in the process of completing the project and has largely completed site restoration and, as a consequence thereof, the claimants' and the Town have fully resolved all issues and disputes that have arisen, known and unknown, and the terms of settlement are the subject of a written agreement whereby the Town pays a fixed sum of \$5,000 for past land use, damages, and the rights to a future permanent easement for the new culvert, the form of which easement is agreed upon and will be filed in the County Clerk's Office to forever assure the Town the right to work upon such culvert; 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 the terms of such settlement agreement be and hereby are approved by the Town Board and the Supervisor and Deputy Supervisor be and each is hereby severally authorized to execute such settlement agreement by, for, on behalf of, and in the name of the Town of Lansing, and such public officers be and further are hereby authorized to take such additional steps as are necessary to conclude this project and such claim and give force and effect to these Resolutions, including but not limited to executing the proposed form of permanent easement.

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on December 17, 2014.

Meeting adjourned at the call of the Supervisor at 7:45 p.m.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall

