

April 15, 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	Absent
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, Jeff Walters, Connie Armstrong, Helene Croft, Donald & Marg Sharpsteen, Tom & Joan Ellis, Bill Demo, Dave & Joyce Heck, Tom Besemer, Claus Nyberg, Michael Moseley, Jim Eyster, Charmagne Rungay, Chris Vann, Mary Helen Cathles, Wayne Matteson, Ron Seacord, Maureen Cowen, James McGarry, Bill & Judy Hinderliter and a couple of other residents.

The Supervisor led all present in the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR:

Jim Eyster – Fiddlers Green:

He requested that the Town Board post draft minutes on the Town’s website within 14 days of a meeting. He read the following letter:

April 15, 2009

My name is Jim Eyster, and I live at 1 Fiddlers Green, Lansing. I am requesting that the Town Board post on the Town website within 14 days following each Town Board meeting the meeting’s minutes in draft form stating clearly that the posted minutes are in draft form subject to approval. Town residents will then be informed as to what transpired at the meeting and can, if they desire, attend the subsequent meeting where they can listen to and/or participate in follow-up discussions with the Town Board.

At present, most Town residents are unaware of what transpires at a Town Board meeting for four to six weeks after the meeting occurs which is also after the subsequent meeting when the minutes are approved. This situation precludes residents from being informed and from participating in discussions in the subsequent meeting--input that could be beneficial to the Board as well as to the Town as a whole. This situation also can result in residents being informed after-the-fact in matters that may significantly affect them and our community as a whole.

At the February 24, 2009, Town Board meeting, Marty Christopher, speaking on behalf of the Board, stated that the Town Board wants to encourage more residents to be more engaged about Town business and to attend Town Board meetings to provide input as was done at the February 24th meeting. Posting draft minutes within fifteen days

following a Town Board meeting would accomplish what Marty proposed and would benefit us all.

I strongly urge the Town Board to adopt this request.

Respectfully submitted,

Jim Eyster

Tom Ellis:

Mr. Ellis stated that Town Board Minutes legally do not have to be approved, but he also stated that he does agree with Mr. Eyster.

Claus Nyberg:

He agrees with Mr. Eyster and Mr. Ellis. He felt more people would get involved in Town issues if the draft minutes were posted.

Dave Heck:

Agreed with all of the above in regard to the minutes. He also stated that two out of three of the items Chief Purcell asked the Ladoga Park residents to handle so that the big ladder truck can get through, have been taken care of. The third item which is the rock on Mrs. Baur's land has not been moved. After some discussion, it was decided that Mr. Heck will have Mrs. Baur sign a release form so the Town can move it to a Town Park.

Draft Minutes:

Mr. Pinney stated that Town Board minutes do not legally have to be approved by a Town Board. Mr. Krogh felt it was good practice to have them approved and felt the Town Board should keep up this practice.

Mrs. Wilcox stated that the Town of Lansing does a good job with the minutes for the Town and she felt they were prepared better than a lot of other Towns. She felt it was good practice to have the Board approve the minutes.

After some discussion it was decided that *draft* minutes will be available on line within two weeks after a meeting is held.

Authorize Supervisor to sign USDA Legal Service Agreement-Warren Rd.:

RESOLUTION 09 – 86

**APPROVAL OF USDA LEGAL SERVICES AGREEMENT FOR
WARREN ROAD SEWER DISTRICT APPLICATION**

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 15th day of April, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and the following members being absent: Matthew Besemer, Councilperson and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck – Aye; Connie Wilcox – Aye; Martin Christopher – Aye; and the following Resolution therefore passed 4-0, and was duly adopted:

WHEREAS, the USDA has required a specialized form of agreement for professional services for the Warren Road Sewer District Extension, including attorney's services; and

WHEREAS, the USDA form does not require any change of rate or fees and the Town's Counsel has agreed to supply services at the same rate as applied to other Town services; and

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

RESOLVED, that such agreement be and hereby is approved, and the Supervisor be and hereby is authorized to execute such Legal Services Agreement by, for, on behalf of, and in the name of the Town of Lansing.

Health Insurance:

Mr. Pinney gave the Board copies of several Health Insurance plans. He stated that there are different options the Town is looking into for retirees that are 65 years of age and older.

Mr. Shattuck stated that at this time, they are first looking at the people who are 65 and older. The retirees that are post 55, going to 65 are also being looked at. He felt when anyone reached the age of 65, they would receive Medicare and get a supplemental Part B. He also stated that if the employee reaches 65 before the spouse, the spouse could stay on the plan at an individual rate but when they get to be 65 (if they were not a Town employee) they would find their own insurance and not be on the Town's.

Mr. Christopher stated that current Town Retirees will have adjustments to their plans.

Mr. Pinney stated Town Retirees now pay 22% of the plan. A supplemental plan would amount to about the same cost and would still be beneficial.

Mr. Pinney stated that the Employee Handbook does not state that an employee must be on the Town's Insurance for the last 5 years of his or hers employment to be eligible for the insurance once they retire. The last resolution that the Town passed (2005) **does** state that an employee must have the Town's insurance for at least 5 consecutive years to receive it when they retire. Mr. Pinney stated that the Board needs to look into this matter and he also stated that he agrees with the Employee Handbook.

Mr. Shattuck stated that the Board needs to look at what percentage of the premium an employee would pay if they retire before 65. He stated that the Highway Department takes up most of the Town's budget and that the health care for them continues to escalate. The Supervisor stated that the Town now pays 100%. The Board agreed that the unionized employees and the non-union employees will be offered the same package. Mr. Shattuck felt in the near future the percentages will need to be at 25/75 at a minimum which will put us equal to or on the high end of most other municipalities.

Mr. Pinney stated that the Town will continue to look at other options.

Set Public Hearing to Amend Local Law No. 1 of 2005 – Storm Water & Erosion:

RESOLUTION 09-87

RESOLUTION ESTABLISHING PUBLIC HEARING FOR PROPOSED LOCAL LAW NUMBER 6 OF 2009, AMENDING LOCAL LAW NUMBER 1 OF 2005 TO ENHANCE AND UPDATE STORMWATER LOCAL LAW

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 15th day of April, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and the following members being absent: Matthew Besemer, Councilperson; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck – Aye; Connie Wilcox – Aye; Martin Christopher – Aye; and the following Resolution therefore passed 4-0, and was duly adopted:

WHEREAS, the Town Planning Department has had 3-4 years of practical experience working with the Town’s Storm Water Law and has made several recommendations as to how to enhance, improve and streamline such law, and the NYSDEC has amended its requirements and model proposals several times since the adoption of the Town’s Local Law, including in 2006, and the Town desires to update its Local Law accordingly; and

WHEREAS, proposed Local Law Number 6 of 2009 proposes to amend and replace Local Law Number 1 of 2005 by, among other things, amending, simplifying and clarifying definitions, including defining a Storm Water Management Officer, Storm water Management Practices, enhancing the definitions of erosion and impaired waters, clarifying phasing, hotspots, and the review procedures there for, expanding the purposes of such laws to include channels and ditches, per NYSDEC recommendations, and further clarifying the purposes as to protect Salmon Creek and Cayuga Lake generally, to clarify and augment applicability to Site Plan Review and Subdivision processes, to clarify inspection and permanent management practices, including the scheduling of mandatory inspections after certain rain and storm events, all per NYSDEC requirements and/or models, to create storm water liens for unpaid storm water inspection and repair expenses and to authorize the Town Board to set standardized storm water fee and inspection schedules, again per NYSDEC recommendations; and

WHEREAS, this action is a TYPE II SEQRA Action pursuant to 6 NYCRR Parts 617.5(c)(20) and 617.5(c)(27) and therefore no environmental review is required; and

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 20th day of May, 2009, at 6:05 o’clock P.M., to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

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

SEQRA: Type II Action.

Set Public Hearing to Rescind Local Law No. 2 of 2005 – Health Insurance:

RESOLUTION 09-88

**RESOLUTION ESTABLISHING PUBLIC HEARING FOR PROPOSED LOCAL LAW
NUMBER 7 OF 2009, REPEALING LOCAL LAW NUMBER 2 OF 2005**

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 15th day of April, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and the following members being absent: Matthew Besemer, Councilperson; and the following motion for a Resolution was duly made by motion of Mr. Christopher, 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; and the following Resolution therefore passed 4-0, and was duly adopted:

WHEREAS, the Town had adopted a Local Law relating to employee and retired employee health insurance benefits in 2005 due to a potential need to fund the same from reserves and/or to comply with then proposed GASB accrual and accounting rules, even though such contingency never arose and final GASB rules no longer potentially required a Local Law to create the legal basis for payments from reserve funds; and

WHEREAS, since said date the health insurance carriers, terms, and benefits for employees and retired employees has been modified many times without regard or reference to said Local Law; and

WHEREAS, and accordingly, this proposed Local Law is intended to repeal an unused Local Law to provide certainty to the system of administration of personnel policies and benefits; and

WHEREAS, this action is a Type II SEQRA Action pursuant to 6 NYCRR Parts 617.5(c)(20) and 617.5(c)(27), and therefore no environmental review is required; and

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 20th day of May, 2009, at 6:10 o'clock P.M., to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

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

SEQRA: Type II Action.

Open Public Hearing SEQRA – Seacord – Lansing Commons:

RESOLUTION 09 – 89

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

RESOLVED, that the Public Hearing to consider Lansing Commons Planned Development Area SEQRA Review is open at 6: 45 p.m.

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

Mr. Krogh explained what a PDA is and the SEQR process.

Mr. Pinney opened the floor to comments and/or concerns:

Tom Besemer - Drake Road:

Mr. Besemer read the following letter:

April 15, 2009

Lansing Town Board

Re: Lansing Commons PDA

Member of the Board,

I, Thomas Besemer, am the owner of Cayuga Crushed Stone, Inc. (CCS). CCS owns a parcel on Drake Rd that has as its northern boundary, the center of Minnegar Brook, and also the quarry at Portland Point Road.

I am addressing my concerns with the proposed wastewater discharge into Minnegar Brook from the proposed wastewater treatment facility at Lansing Commons.

Minnegar Brook is a seasonal stream which drains onto our property and from Minnegar Brook does not drain to Cayuga Lake. For long periods of time the water remains standing in pond at our facility.

The "lagoon" that is fed by Minnegar floods the quarry (Cayuga Crushed Stone, Inc.) about once every three years, causing some damage and considerable interruption of our daily operations.

The proposed discharge of 15,000 gallon per day will undoubtedly raise the level of the lagoon to a permanent flood stage for the quarry. That, by itself, would be an intolerable result which could expose the facility owner to legal liability.

If the treatment facility fails and discharges contaminated waters into Minnegar and ultimately the lagoon on our property, discharge of contaminants could continue indefinitely.

With no apparent drainage from the lagoon, other than slow seepage and evaporation, the lagoon will not have the ability to clean itself.

Necessarily, these contaminated water will affect the wildlife that feed and nest near the waters.

When the quarry floods the areas where we work, there will undoubtedly be health risks to my employees and my customers.

Some time ago we proposed to use the lagoon for storm water runoff collection, but the Town did not approve it. Certainly if the lagoon was an inappropriate storage site for storm water runoff from our property, it should not be considered for wastewater discharge from other property owners.

Thank you

Thomas Besemer
Cayuga Crushed Stone, Inc.

Bill Hinderliter – Drake Road:

Mr. Hinderliter was upset that he was never notified. He was concerned about what would happen to the creek and nearby land. He felt it would have an affect on his property. Mr. Pinney stated that letters were sent to property owners within 600 feet of the project. He felt it was short sided on the Town's part and the project needs to come to a stop and needs to backup to get full public input on it before it goes any further.

Tom Ellis – 63 Ludlowville Road:

He is also worried about the effect of the septic system in the future. The people paying the price for this proposed system are the people down hill in Minnegar Brook. He stated that he is also a member of the Planning Board and wanted all to know that when this was voted on to get passed to the Town Board, it was not unanimous and it was also requested that everyone that bordered Minnegar Brook, receive a notice in the mail. He did not think he ever got a notice and he is within 600 feet of the proposed development. DEC has to approve this system but he stated that he is not impressed with DEC records over the past years.

At the Planning Board level, himself and others have requested information on the proposed system. He did not feel the Town should take a chance to buy into a sewer system for private developers and private development that could come back and bite us all. He felt the risks far out weighed the benefits to the Town. He does not feel the project is needed at this time.

Joan Ellis – 63 Ludlowville Road:

She is a partial owner of a house across the road from the proposed project. She is very concerned and cannot find any information regarding the proposed system. She is concerned about the cost to the Town in the future and also concerned as children play in the creek and did not feel drain water in the creek was acceptable.

Bud Shattuck was unsure if the Type I assessment form presented was adequate. He has 10 items circled that he had questions on which he would like to address. He stated that he is in favor of the project and felt it was the landowners right. He met with the DEC, the County Health Dept., and the Engineer when the plant was all discussed and he is in favor of it. He did feel however, that for a project this big and for something the Board has never done before, they need to make sure that the full environmental impact is being looked at. He felt it was premature for the Board to move forward with the approval of it without more discussion.

Adjourn Public Hearing SEQRA – Secord – Lansing Commons:

RESOLUTION 09 – 90

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

RESOLVED, that, the Public Hearing to consider Lansing Commons Planned Development Area SEQRA Review is adjourned until May 20, 2009 at 6:15 p.m.

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

Mr. Krogh stated that the DEC would also have to approve this if the Board does move forward. He also stated that this level of SERQ does not require a Public Hearing. He stated that the Town has done well and above what's required and more than most other Town's do to get the notice out there.

Mr. Ellis asked that property owners along Minnegar Creek be notified before the next meeting. Mr. Pinney will look into this.

Mrs. Wilcox stated that even if the Board approved this tonight, it would not be the final approval. It would only be approving the *concept* of the plan. There are many other steps to go through which would all have to be approved. It was also stated that the DEC would have to give all the permits and would have to approve the proposed system; the Town does **not** have the ability to do this. '

Mrs. Wilcox stated that if a district was formed, it would be a benefit district (not a Town wide charge). Only the people that would benefit from the district would pay for it, just like a lighting and/or water district.

Mr. Seacord's Engineer asked the Town Board where this leaves the developer if the Town does not approve the concept as they cannot continue if they cut off the ability to pursue the PDA. He stated that they went this way on advice from the Town. He stated that the project is stalled until the concept of the PDA is approved. Mr. Shattuck informed him that he could still proceed with septic systems or whatever the County Health Department would advise. He again stated that he is not against the project and will do everything he can to make it happen.

Mr. Overstrom stated that there are many SEQR's that will need to be approved. He asked the Board if this is brought back next month, will the SEQR include the impact of the waste water district or will we just be looking at the *concept* of the PDA?

Mr. Krogh explained that the DEC has not issued a permit and until they do, we don't even know if the plant will exist and if it does exist we do not know where the out fall pipe will be. This may not be the state where you would look at everything in Minnegar Brook as the DEC may not pick this area. Until the DEC issues a permit, many of these questions may not be able to be answered.

Adjourn Public Hearing PDA – Seacord – Lansing Commons:

RESOLUTION 09 – 91

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

RESOLVED, that the Public Hearing to consider Lansing Commons Planned Development Area is adjourned to May 20, 2009 at 6:20 p.m.

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

Planning and Engineering Department Report:

Mr. Overstrom handed out his department's report showing they are down in permits by 7 and project costs by \$ 301,191.00. He also reported on the following:

Code Office Monthly Activity Report
March, 2009

Planning Board – March 9, 2009

- SEQR Review- Exempt Subdivision (Bishop)
- Public Hearing –Preliminary Site Plan Cayuga Farms
- Site Plan- Expansion of Lansing Fire Department
- Further Discussion – Lansing Commons
- Approval of February 23, 2009
-

Planning Board – March 23, 2009

- SEQR Review – 3 Lot Minor Subdivision (Jensen)
- Approval of March 9, 2009 Minutes

Zoning Board of Appeals – March 17, 2009

- Public Hearing – Area Variance – Request DENIED (Burruss)

Training/Other

Jeff- Code Enforcement Officer-Montour Falls, NY

Fire Safety Inspections & Reinspections

Total: 12

Construction Inspections

Total: Approximately: 42

Operating Permits Issued

March: 1 Year to Date: Total: 2

New Addresses Issued

Total: 1

Notice of Fire

Total: 2 Year to Date: Total 7

Expired Permit Notices

First notices: 7

Second notices: 3

Renewed Permits 3 – Renewed Permits YTD - 9

Electrical Certificates Issued

Total: 9

Electrical Inspections

Total: 33

Electrical Re-Inspections to same Address

Total: 3

(1) 172 Benson Road

(2) 6 Town Barn Road

Mr. Overstrom stated that he will be attending his last two training sessions, one will be the first week in May and the last will be the first week in June.

X-Tra Mart and Transonic's has also approached his office in regard to expansions.

Highway Department Report:

Robinson Road:

Robinson Road is partially in the Town of Lansing and partially in the Town of Locke. A homeowner on this road cannot get a building permit in the Town of Locke as it is basically landlocked as far as Locke is concerned.

After some discussion, it was decided that this problem is between the homeowner and the Town of Locke.

Mr. Pinney stated that the Town is not responsible.

Children at Play Signs:

Many of the old Children at Play signs are getting faded and Mr. French was looking into replacing them. He stated that since the Federal Law went into effect, (almost two (2) years ago) there are no longer Children at Play signs; therefore Mr. French is telling his men to take down the old signs but not to replace them. The Board agreed with Mr. French regarding this issue.

Water Main Break:

There was one water main break on Salmon Creek Road.

Road from Peruville Road to Highway Department:

Mr. French informed everyone that he has temporally blocked off the road from Peruville to the Town Barn Road. This will be permanently closed soon to prevent vandalism and unauthorized dumping.

Verizon Lane:

A road will be built to the new Verizon building. Mr. Duthie will pay for the road but the Highway Department will do the work. The road will be called Verizon Lane. This will *not* be a dedicated roadway.

Park and Recreation Department Report:

Mr. Colt reported on the following:

Parks & Recreation Department

4/15/09

Town Board Meeting

RECREATION

- **Most of our Spring teams are set** – Last week we held our team selection meetings and all levels of baseball and softball with the exception of the T-Ball level have been established. T-Ball levels will be organized on April 29th.
- **Our participation numbers are strong** – We have projected 39 teams between the LBP and LSP programs with over 360 players involved. We had another great turn out of parent coaches. Practices are scheduled to start on Saturday for most, with games starting on Saturday May 2nd.
- **Spring Training Clinics successful** – Nearly 80 players participated in our two clinics (LBP & LSP). The clinics were also good fundraisers for the varsity teams.
- **Pitch Hit & Run event** – We are hosting a Pitch Hit and Run competition here at the ballfields on our opening day May 2nd. This event is sponsored by Major League Baseball and Aquafina and is open to any girls and boys ages 7 – 14. Group winners advance with the final stage taking place at the Major League All-Star Game.
- **Boaters Safety Class** – This class is coming up on Saturday April 25th from 9 to 5 here in the Town Hall. Class limit is 50 and we will be there by class time. We currently have 35 pre-registered. This class meets the NYS requirements for personal watercraft certification and power boat certification. PWC ages 10-adult and Power Boat certification ages 10-17.
- **Summer Program Booklet** – The booklets should be ready for actual registration in early May.

PARKS

- **Continued clean up and prep** – The Parks are being readied for the season and the crew will not be at full strength until next week. Pat is prepping the ballfields now and they will eventually be in great shape as usual. The fields are noticed and we get requests to use them i.e. *see* attached copy #1.

- **Camping season opens soon** – The camping season at Myers Park is scheduled to open on May 15th. We have taken many reservations and Carl and Lorraine Parker are returning again this season to manage. We also plan to open the boat launch on May 16th for the season and to cover a fishing tournament scheduled.
- **The Liberty Tree grant has been awarded** – Since my last report about this partial grant has been upgraded to a full grant at no charge to us at all. The delivery and planting date is being discussed with the Lansing Rotary Club. *See* attached press release.
- **Community Beautification Grant** – Cayuga Sign has completed the sign upgrade/replacement grant project. This is a reimbursement grant so when we pay for the sign work we will then be repaid via the Beautification Grant. The sign looks great and is much easier to read and to work with!!

Letter from Mr. Eyster:

After the February 24th minutes were completed, Mr. Eyster asked that the following letter be entered as the Town Clerk did not receive it in time, therefore the following letter is in regard to the February 24, 2009 minutes:

February 24, 2009

Letter to Lansing Town Board:

My name is Jim Eyster. I live at 1 Fiddlers Green, Lansing. On May 12, 2008, the Lansing Planning Board placed an announcement in the Ithaca Journal outlining a draft proposal by the Town Board to drastically change the Town’s established zoning ordinance. The proposed changes were severe in nature, eliminated major residentially-zoned protection, and violated basic principles and best practices of responsible zoning practices. Needless to say, the Town Board was extremely angry at this action as well as to attempts by residents at subsequent Town Board meetings to reasonably discuss the draft proposal.

The Town Board’s response now is to eliminate the Planning Board’s New York State-mandated provisions of independence by writing its own law in which it can exert its political influence over the state-mandated independence of a Town Planning Board.

Last night at the Town Planning Board meeting, I attempted to ask Planning Board members in the “general public comments and concerns” section of the meeting their opinion on the Town Board’s proposal and was immediately shouted down by a Town Board member, stating that these questions were inappropriate and not to be responded to by Planning Board members. This response is indicative of the reaction of the Town Board when asked to explain its actions.

The Town Board’s proposed law significantly undermines if not virtually eliminates the independence of the Town Planning Board leaving the Town Board unobstructed to ignore zoning best practices and to move ahead with whatever zoning-ordinance proposals and enforcement it wishes to undertake.

Approve Minutes:

RESOLUTION 09 – 92

A copy of the minutes of March 18, 2009, having been furnished to the Board Members before, the Supervisor asked for a motion to make corrections or to accept the same as submitted.

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

RESOLVED, that the minutes of March 18, 2009 are hereby approved as submitted.

- 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

SCLIWC Bill:

Mr. Pinney questioned the bill from SCLIWC. Bolton Point called Mr. French and asked permission to come out and look for a water leak on the Algerine Road waterline. They felt there was a leak as 10,000 more gallons per week were going through the meters than they thought should be. The bill is in the amount of \$ 263.50. The Board felt this matter needed to be looked into before moving forward.

Approve Audit:

RESOLUTION 09 -93

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

RESOLVED, that the Bookkeeper is hereby authorized to pay the following bills with the exception of voucher number 293 to SCLIWC as the Board will to look into this.

CONSOLIDATED ABSTRACT # 004

DATED 4/15/09

AUDITED VOUCHER #'s 224 - 315

PREPAY VOUCHER #'s 224 - 228

AUDITED TA VOUCHER #'s 22 - 23

PREPAY TA VOUCHER #'s 22 - 29

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>32,131.09</u>
HIGHWAY FUND	\$ <u>20,088.37</u>
LANSING LIGHTING	\$ <u>165.44</u>
LANSING WATER DISTRICTS	\$ <u>2,556.95</u>
CHERRY ROAD SEWER	\$ <u>0.00</u>
TRUST & AGENCY	\$ <u>49,393.93</u>
CWD EXTENSION #1	\$ <u>4,600.99</u>
CWD EXTENSION #2	\$ <u>0.00</u>

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:

Log Cabin Meeting:

Next Tuesday at 5:00 p.m. Mr. Shattuck will hold a meeting on the Log Cabin. This meeting will be held in the Town Hall Board Room. All are invited.

TCAD:

Heather Filiberto e-mailed Mr. Shattuck to inform him that the Governor's Economic Recovery list is out and that all of the projects that the County turned in are on the list. It is not clear how the funds will be distributed at this time.

Marty Christopher:

Letter from Lansing Historical Association:

Mr. Christopher stated that in 2003, the Historical Association submitted an application for an Absolute Charter along with a check for the application fee. The check was cashed but to date there has been no response. If nothing happens within the next 2 – 3 weeks, Mr. Christopher will contact Senator Nozzolio's Office.

The letter read as follows:

Dear Legislators:

As Secretary of the Lansing Historical Association, I write this to secure your help by direct inquiry.

In April, of 2003, the Lansing Historical Association submitted an application for a Charter pursuant to NYS Education Law, Section 216, subject to the authority of the Regents. The application was prepared in the multiple copies required, bound in three ring notebooks, boxed and sent by U.S.P.S. to the Education Department with a check for the application fee. The Postal Service secured a receipt for delivery and the check, written 1 April '03 was cashed and cleared on 8 June '03. No letter of acknowledgement has ever been received. Despite a variety of subsequent verbal contacts, no action has been taken on the application.

The Association believes that the application merits the granting of an "Absolute Charter". We hope that your inquiries on our behalf will result in that remedy.

But, if the Chartering Program of the Education Department is as unresponsive to you as it has been to the members and other friends of Lansing Historical Association, please notify us, because even that will be helpful. I am advised that we would then have exhausted our administrative remedies. In that event, we can retain counsel to bring an Article 78 action against individuals named in the Education Department for Failure to Act on the application. I regret, as you must, that such an action would be required, but after a waiting period exceeding five years we have run out of reasonable alternatives.

For reference, our application was sent to: Chartering Program, New York State Museum, New York State Education Department, 3090 Cultural Education Center, Albany, New York 12230. 1-518-473-3131. Our request for your assistance is not for funding and carries little budgetary impact.

I will respond to any questions, which you and your staff may have.

Respectfully submitted,
Bradley L. Griffin, Secretary, Lansing Historical Association

Connie Wilcox:

Mail Box:

Connie thanked the Clerk's Office for offering to get the mail out of the mail box from now on.

Technology Committee:

Mrs. Boles asked for caller I.D. for her phone. Mrs. Wilcox stated that Charmagne Rungay looked into it and it is \$ 9.50 for each additional line. Charmagne contacted Time Warner and they informed her that the Town could get the business line with caller ID and free long distance calling (which the Town does not have at this time) for about the same cost that we are now paying for Verizon.

Pat Tyrrell brought up the cost of the electric bills also. This will also be looked into soon and a possible audit on the buildings may take place.

Ag and Land Protection Grant:

Mrs. Wilcox will be having a breakfast meeting with the farmers involved the second week in May. This is finally rolling again.

Farmers Market:

Mrs. Wilcox has about five (5) very interested persons at this point but is still looking for a place to hold the market. After some discussion, it was decided that it could be held in front of the Highway Department.

A. Scott Pinney:

Wage and Salary Structure:

He stated that he has been looking at the wage and salary structure. There is one position that falls outside of the rate and salary structure. He felt everything should fit inside of it. The one position is actually paid more money than the highest point on the wage and salary structure therefore he proposed to move that position to the next one so it falls within the structure. He stated that the position is Deputy Clerk. He believes that position started outside of the wage and salary structure when it actually started but he was not sure why it wasn't put in the structure in the beginning. Mr. Shattuck asked if she was put in the next one at the same level she is at now at, she would be able to get the incremental increases to the top of the next level. Mr. Pinney stated that was correct but that at the current wage level it is a total of less than \$2.00. He stated it was a higher cost to the Town but he feels people should fit within the structure that is in place.

Mr. Shattuck feels the position is rightly placed and even though she was grandfathered in at the wages she was at, she deserves that, but when we get ready to replace that person, he felt it was a rightly placed spot in the wage and salary structure for that position. He does not want to change it.

Mr. Pinney felt the whole structure needs to be looked at and Mr. Shattuck agreed but does not want to move that position up to the next one because then, unless

you are assuming more duties are going to happen in the future, the person is getting paid right now for what they do and they would then start getting increments into that without any more duties being added so he is against changing it. He does not have a problem looking at the whole wage and structure document.

Lockheed Martin:

Lockheed Martin will be removing the barge that is on Cayuga Lake. This barge has been there for many years. This will happen in the fall.

Town Counsel Report:

Highway Equipment BAN:

Mr. Krogh reminded the Board that the Highway Equipment BAN will be coming up for renewal in May.

Time Warner Cable Service:

The Time Warner Franchise agreement will come up for renewal in a year. A number of residents are having problems with Time Warner and thought maybe TCCOG could look at it to try to get uniformity and use it's collective strength to try to get a little more service in terms of placing more cable miles then they currently do.

Adjourn Meeting:

RESOLUTION 09 – 94

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

RESOLVED, that the meeting is hereby adjourned at the call of the Supervisor at 8:20 p.m.

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.