

March 18, 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

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| 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 | Absent |
| Debbie Crandall | Deputy Town Clerk | Present |
| Guy Krogh | Town Attorney | Present |

VISITORS: Steve Colt, Charlie Purcell, Jeff Walters, Dan Veaner, Sheila and Charles Nedrow, Donald & Marjorie Sharpsteen, Wanda Brink, Dave Buck, Adam Buck, Charmagne Rungay, Scott Purcell, Mike Moseley, Ron Seacord, Bill Demo, Dave and Joyce Heck, Ruth and Roger Hopkins, Chris Muka, Larry Zuidema, Connie Armstrong, Patrick Tyrrell, William Burin, Sharon Bowman and several other attendees.

The Supervisor led all present in the Pledge of Allegiance.

Privilege of the Floor:

Bill Demo of 117 Waterwagon Road wanted to follow-up on the Board remarking on the size of the crowd that was at the last Board meeting (February 24th) and indicating it would be nice to see it throughout other Board meetings.

Mr. Demo suggested that one of the ways to facilitate this would be to have draft minutes of the previous Board meeting. It would be helpful to have them available unapproved or unofficial posted along with the agenda.

Guy Krogh, Town Council replied that you can as long as they are clearly listed as draft minutes. Normally they are not official minutes until they are reviewed and approved and everyone agrees that they are accurate and accurately summarize what was discussed. Some Towns don't put them on as draft minutes and some Towns do.

Supervisor Pinney stated that was certainly something the Town could consider.

Ruth Hopkins of 163 Asbury Road wanted to remark on the special sewer district that is proposed for the Lansing Commons. It is her understanding that the Town will be making application for the permits for the special sewer district. If not the town, then the developer will be making application which will be a transportation corporation with a Town agreement. She has spoken informally with the former County Environmental Health Director and he indicated the Town would be responsible for long term maintenance and capital replacement and that this charge can't be charged to the developer or the residents in this special district. Her concern was whether public tax dollars will be used for the sewer district. She would like to ask that written agreements and cost estimates including the terms of the proposed bond relating to the special sewer district be made available to the public prior to the public hearing. Possibly they could be posted to the Town's Website.

Supervisor Pinney informed Mrs. Hopkins that the plan is to form a special district for wastewater treatment. Just like any other district in the Town, the people that are in that district actually pay for that district. It would not be a Town wide tax only to the people in that district. The way we anticipate this one working, is the developer will do the studies and it will be completely built and then turned over to the Town. The Town will be collecting per lot and enough money for future replacement needs.

Guy Krogh informed her that with the creation of the district, including the district itself and environmental review of the district itself they are subject to public hearing. The report will be on file in the Town Clerk's Office and there will be a public hearing. The comment from the Health Department is accurate, you can't do it by contract. You must go through a benefit district, follow the rules and the State Comptroller has the ultimate say as to whether it is acceptable or not. There are multiple levels of review before that actually turns into a tax.

**Open Public Hearing on Proposed Local Law #5:
Amendment to Lock Box Local Law #4 of 2006**

RESOLUTION 09-73:

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

RESOLVED, that the Public Hearing on proposed Local Law #5 of 2009 is hereby opened at 6:10 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

Larry Zuidema asked why the original law was passed.

Connie Wilcox stated that it was done at the request of the Fire District. A lot of places have automatic alarms that come into dispatch, they arrive there and they can not get in the facility. We have Chief Purcell and Commissioner Walters in attendance and they can explain why they wanted that to begin with. In multiple dwellings, people and keys move in and out so therefore it makes it much more difficult. For the other residences and businesses there still is a need for lock boxes.

Chief Scott Purcell explained the need for the change for the Lock Boxes. He stated that when the Local Law was adopted in 2006 they thought it was a good idea to have apartment buildings where they could get into multiple places. The few places that we do have with tenants moving in and out, it requires the fire department to go change the key. The original ordinance was more for automatic alarms.

Close Public Hearing:

RESOLUTION 09-74:

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

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing was closed 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

Resolution Adopting Local Law Number 5 of 2009:

RESOLUTION 09-75

**RESOLUTION ADOPTING LOCAL LAW NUMBER 5 OF 2009
(AMENDING LOCK BOX LOCAL LAW, LOCAL LAW NUMBER 4 OF 2006)**

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 18th day of March, 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 Connie Wilcox, and was duly seconded by Francis Shattuck; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck – Aye; Connie Wilcox – Aye; Martin Christopher – Aye; Matthew Besemer - Nay-; and the following Resolution therefore passed 4-1, and was duly adopted:

WHEREAS, the Code Office has examined the impact of requiring that lock boxes be required for certain multiple dwellings pursuant to Section 2(D) of Local Law Number 4 of 2006; and

WHEREAS, after consulting with the Fire Department and determining that there is no risk to public health or safety arising from such change; and

WHEREAS, owners of such buildings can still have lock boxes, the only change being that the law will not require the same; and

WHEREAS, the action was and is hereby declared a Type II Action, and no environmental review is therefore required; and

WHEREAS, upon the Public Hearing as duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of March, 2009, at 6:05 o'clock P.M., and in consideration of the comments and evidence thereat presented, if any, and upon due consideration of the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED, that Local Law Number 5 of 2009 be and hereby is adopted, reading in its entirety as follows:

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 5 OF 2009**

Amendments to Lock Box Local Law, Local Law Number 4 of 2006

SECTION 1: This Local Law shall be known as “Local Law Number 5 of 2009”. Local Law Number 5 of 2009 applies only within those portions of the Town of Lansing, Tompkins County, New York, that are outside of the Village of Lansing. This Local Law does not replace or supplant any requirements of the New York State Building and Fire Code and the New York State Energy Code (herein together, the “Building Codes”), nor any provision of Local Law Number 6 of 2006 (Code Enforcement) of the Town of Lansing.

SECTION 2: Section 2 of Article 2 of Local Law Number 4 of 2006 is hereby amended to delete subsection D and re-enumerate the remaining subsections, as follows:

Section 2. Properties Requiring Rapid Access Lock Boxes.

Each of the following Structures shall require one or more Lock Boxes:

- (A) All new and existing Structures that have an Automatic Alarm.
- (B) All new and existing Structures that have an Elevator.
- (C) All new and existing Structures that have an automatic fire suppression system.
- (D) All new and existing Structures that have one or more Automatic Gates.
- (E) All Properties and Structures protected by secured or locked gates, fences, walls, or barriers of any sort.
- (F) All Structures storing more than 500 gallons of petroleum products.

- (G) All new and existing Properties or Structures that store, for industrial or commercial uses or purposes, including retail or wholesale sale or delivery, any Hazardous Materials.

SECTION 3: This Local Law shall take effect immediately, and the Town Clerk is directed to immediately file a copy of this Local Law with the NYS Secretary of State as required by law.”;

and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted copy of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required Certifications, in the Office of the Town Clerk and with the New York State Secretary of State as required by Municipal Home Rule Law §27. Said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231.

SEQRA: Type II Action.

Resolution Adopting Local Law Number 4 of 2009:

RESOLUTION 09-76

**RESOLUTION ADOPTING LOCAL LAW NUMBER 4 OF 2009
(AMENDING POOL CONSTRUCTION LOCAL LAW,
LOCAL LAW NUMBER 3 OF 2007)**

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 18th day of March, 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. Christopher, and was duly seconded by Mrs. Wilcox; 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 an existing Pool Construction Local Law, Local Law Number 3 of 2007, that specifies at Section 4 that the length of pool construction permits is 3 months for permanent pools; and

WHEREAS, practical experience has dictated that the permit length needs to be longer as many residents have had to pay for additional permits, thus posing an undue burden upon such residents; and

WHEREAS, after being asked to study this issue and make a recommendation to the Town Board, the Planning Department has recommended that the length of permits and permit renewals for permanent pools be extended to 6 months; and

WHEREAS, this proposed Local Law seeks to amend the Pool Construction Local Law only to the extent of extending certain permit and permit renewal durational periods to 6 months; and

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

WHEREAS, upon a Public Hearing duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 24th day of February, 2009, at 6:10 o'clock P.M., and in consideration of the comments and evidence thereat presented, if any, and upon due deliberation upon the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED, that Local Law Number 4 of 2009 be and hereby is adopted, reading in its entirety as follows:

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 4 OF 2009**

Amendments to Pool Construction Local Law, Local Law Number 3 of 2007

SECTION 1: This Local Law shall be known as “Local Law Number 4 of 2009”. Local Law Number 4 of 2009 applies only within those portions of the Town of Lansing, Tompkins County, New York, that are outside of the Village of Lansing. This Local Law does not replace or supplant any requirements of the New York State Building and Fire Code and the New York State Energy Code (herein together, the “Building Codes”), nor any provision of Local Law Number 6 of 2006 (Code Enforcement) of the Town of Lansing.

SECTION 2: Section 4 of Local Law Number 3 of 2007 is hereby amended to read in its entirety as follows:

SECTION 4: SWIMMING POOL PERMITS - All Swimming Pools (and related appurtenances, water supplies, drainage systems, and other features thereof) shall be constructed in conformity with the Building Codes and Town of Lansing Local Law #6 of 2006 (Code Enforcement). Notwithstanding any other requirement of law or of the Building Codes or said Local Law #6 of 2006, the following rules shall apply to the issuance and renewal of building and other permits for the construction of Swimming Pools:

- A. All permits and renewal permits shall be renewable for successive periods of time not to exceed 6 months per permit, except that storable/portable Swimming Pools shall have 3-month permit lengths and shall not need an annual permit for each year they are assembled or set-up so long as the certificate of compliance has been issued and the same Swimming Pool upon which any permit was issued is re-installed in the same location and in the same manner each year or each time such pool is assembled or set-up.
- B. All Swimming Pools shall be completed within 12 months of the date of issuance of the first permit there for. “Completed” means properly built and constructed, in compliance with the Building Codes and Local Law #6 of 2006, duly inspected, and for which a Certificate of Occupancy or Certificate of Compliance has issued, as applicable.
- C. If on the 12 month anniversary of the issuance of the first permit the Swimming Pool has not received a Certificate of Occupancy or Certificate of Compliance, as applicable, then the Swimming Pool shall be filled in with dirt and tightly tamped (or filled with another hard substance as approved by the CEO), or removed in its entirety.
- D. The CEO may set the fees for issuance of permits and renewals thereof.

SECTION 3: This Local Law shall take effect immediately, and the Town Clerk is directed to immediately file a copy of this Local Law with the NYS Secretary of State as required by law.”;

and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted copy of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (or other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required Certifications, in the Office of the Town Clerk and with the New York State Secretary of State as required by Municipal Home Rule Law §27. Said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231.

SEQRA: Type II Action.

Resolution Eliminating Reimbursement of Medicare:

Supervisor Pinney explained to the public that the Town Board has been looking at ways to reduce retiree health benefit costs for now and in the future. The Town Board has been looking at different policies to help reduce the costs. They are also looking into ways to reduce the existing employee health benefits. Mr. Pinney then opened the floor to anyone wishing to address the Board on anything to do with health insurance policies. With no comments, Supervisor Pinney explained that currently the Town reimburses retirees for their Medicare at age 65. Mrs. Bowman explained that the Town applies the \$96.40 to the retiree's health insurance share that they contribute. This reduces their out of pocket share for their health insurance.

Marty Christopher asked Sharon Bowman what the monthly increase in Medicare costs have been in the last 10 years. Mrs. Bowman replied that probably it is less than \$10.00 a month. Within the current pool of retirees the Town reimburses the retiree and their spouses. The value of that is somewhere in the \$11,000.00 range right now.

Bud Shattuck stated that he is not prepared to move on this at all. We are talking about comprehensive changes to health care. He doesn't want to do this, come back next month and the next month or even come back in August and then want to do more. He prefers to get the comprehensive pieces together, make that decision on what we're going to do, and make that decision all at once.

Supervisor Pinney would prefer to separate these into pieces and do one each month.

Bud Shattuck stated that when you look at the four of five different things that affect four or five different levels of both the current employees, future employees and our retirees it is much easier to look at a chart that lays out what those costs are going to be. Both cost savings to the municipality and cost to the individuals. Changes were made several years ago and we need to look at them comprehensively.

Supervisor Pinney stated that there was a Committee a few years ago that lasted almost a year. Currently the Town pays a premium of retirees that receive Medicare of \$1,557.92 per month. He stated he doesn't know any retiree that would pay that kind of money when there is a supplemental Medicare Advantage plan for \$175.92 per month, or a supplemental plan for \$306 per month. If we take the 22%, it's the Town's policy that they pay \$342.00 a month. This would be a big advantage to not only the Town but to the retiree. We are currently spending \$127,000.00 per year and this will go up as more people retire.

Debbie Crandall stated that she was privileged to be on the Personnel Committee and stated that in the resolution that was passed it should have been a supplementary insurance that was provided for our retirees and she believes that is not currently what is happening.

Supervisor Pinney stated that was correct and it is extremely high.

Sharon Bowman stated that she sat on that Committee as well, along with Cricket, Bud and Marty. She doesn't think that we stated it would be a supplemental policy. We referred to the policy that was in place as being their supplemental policy. Which at the time is what the entire Town had. The fact that the insurance that we have for our retirees right now, is the same insurance that all employees had access to. It is an insurance policy that is above and beyond what Medicare age folks actually need. The Committee was aware that there was an issue and that down the road it would have to be addressed as to what was going to be done with the retirees. At that time the Committee determined that the retirees left employment with that benefit in place and at that time they were not going to pursue making a change.

Matt Besemer asked if the current premium policy that we pay, above and beyond, have an overlap between the Medicare and this premium policy that we are paying now. Do we have double coverage and are we double paying. Is it a rider above and beyond Medicare?

Sharon Bowman believes that the policy that is in place right now is a rider above and beyond Medicare. It is the coordinated benefit with Medicare but the fact is that they are in a pool that is community rated the same as active employees. With the Medicare as their primary insurance they do not need insurance as elaborate as this is. What they are now pursuing is another form of true supplemental insurance that would coordinate with their Medicare benefits as well as Medicare Advantage Plans. It could be as much as saving \$70,000.00 a year for just the 65 year old and older members.

Supervisor Pinney stated that by saving that, they are still supplying them with a supplemental policy which will give them almost the same coverage that they have now.

Sharon Bowman stated there would be a little bit of a transition period. Everything that has been gathered lends itself to be a seamless transition. They may pay a few dollars more out of pocket for their prescription cost but the savings to both the Town and the retirees would be ample enough to more than compensate that, if the Board chooses to go in this direction. A month ago the direction was looking like they were just going to totally consider dropping the 65 year and older coverage. She is really hopeful that this is not going to happen and that we will still be able to bring something to the table that would bring a win win situation for all of us.

Matt Besemer asked if the resolution in front of them talked about Medicare Advantage or switching to a plan that is going to save us money.

Supervisor Pinney stated no, that the resolution on the table is only discussing the Medicare that is credited towards their health insurance.

Sharon Bowman stated that essentially what this resolution does is it eliminates in the existing handbook, the Medicare part B reimbursement paragraph.

Marty Christopher stated that anyone here on Social Security knows how this works. You just don't see the Medicare payment coming out of it. I don't think any of us are in disagreement with the fact that we want to see this elimination happen. I'm 100% for it, not because that is just the way it is with mine, but I've talked to many people and most of them have the same thing. They end up paying for the \$96.40 portion themselves. My only concern is I would like to go along and think maybe we can address this and the other parts of this all at the same time. Maybe with one resolution, and this being a portion of that rather than doing a separate item. Personally I would rather be doing it that way instead of piece mealing it and taking it one step at a time. It's a personal preference; I would just rather do it all at once instead of doing it tonight.

Supervisor Pinney stated he understands with wanting to put this in a package and that is how he recommends that on most things, but with this item he feels that if we can get through this part tonight, get through the supplemental part next month, and then look at pre Medicare coverage the final month. You have to remember on the supplemental part of it we are spending over \$5,000.00 a month on insurance that is no benefit to the Town or the retiree. I think we should move forward on this and I don't want to wait another three or four years. We are basically spending another \$70,000.00 per year additional that I don't believe we should be paying. The people that are getting rich off of it are the insurance companies.

Matt Besemer stated, I don't think we are talking about waiting another three or four years though.

Supervisor Pinney stated, I have been pushing this very hard for the last two or three months. I think if we get through this tonight, we can concentrate on the other pieces.

Matt Besemer stated that this is one of the smaller pieces of the puzzle and I don't see why this can't wait until we discuss the Medicare Advantage which is going to be the huge part of it.

Supervisor Pinney stated that is why I put this out first. It won't take effect until July 1st, which if we can resolve the issue with the supplemental coverage it will take effect at the same time.

Matt Besemer stated exactly, and then we don't need to vote on this tonight we can wait and vote on both of them next month and still have it effective July 1st.

Supervisor Pinney stated yes we could, but he has stated very clearly the direction he is going in and why can't this be done tonight and not have to do deal with it next month?

Marty Christopher stated it sounds as if we are at an impasse.

Charlie Purcell stated that as an employee of the Town, if you do each piece at a time, as a whole thing it's great, but if you look at last month the whole resolution was thrown out. Here was this whole package and everyone kind of freaked about it. As an employee, I like the idea of one piece at a time so you have a better understanding as what changes are being made as you go. He stated he was also on that Committee and he only remembers talking about the longevity working here to be eligible for the insurance.

Sharon Bowman stated that what we discussed was simply leaving the current retiree pool as it was.

Charlie Purcell stated that the only thing the Committee had input on was how many years you were going to work here to be eligible for insurance.

Connie Wilcox stated that there were a bunch of retirees or retiree's spouses in attendance and that she would like to here from them.

One stated that the Board should have received the letters they wrote.

Connie Wilcox stated they had gotten the letters and she understood that part of it. She then asked them as retirees, if you were thrown a whole package or you were thrown a piece at a time to look at, what are your feelings on that?

Connie Armstrong stated her preference would be to look at the whole package at a time.

Sharon Bowman stated that she had spoken to all of the current retirees but two. In every single case those eight people stated that they don't have an issue with not being credited their Medicare premium. Their primary issues were that they were concerned about not having any coverage at all. We look at these employees who have dedicated 20, 30 and 35 years of their working lives to this Town and they were totally taken off guard. They fully had expected for a long time that there needed to be modifications and they are willing to treat it a little more to help off set the costs. Their concerns are with their prescriptions and clearly their out of pocket expenses which for some of them could crush them.

Wanda Brink stated she agreed with everything that Sharon just said. She then told the Board that they should study it a little more instead of saying we are just going to get rid or you. You have two thirty year retirees here tonight. Who at her age is going to in their right mind give her insurance? She then told the Board they had better study it a little more.

Connie Wilcox stated that the Board had looked into a lot of different plans for supplemental insurance for the retirees. I don't think you will be left without insurance.

Wanda Brink stated that Sharon Bowman was doing a good job looking into these alternates and you need to listen to her.

Connie Wilcox stated that what you have to understand is that the whole Board is also looking into alternates. We are looking at this as a whole. There are a great many Towns that do not pay any insurance after you retire what so ever.

Wanda Brink stated she doesn't care what the other Towns are doing.

Connie Wilcox stated what she was trying to explain to her was that health care has totally gotten out of hand for everyone. We have a lot of taxpayers in our Town that can't afford health insurance themselves. Our taxpayers are paying the insurance premiums for our retirees, which I don't say is wrong, you dedicated your services to this Town and you should get that benefit.

Wanda Brink stated that you should have the money in this years budget, you must have. Was it budgeted for this year?

Connie Wilcox and Supervisor Pinney stated that the money was budgeted for this year.

Wanda Brink than stated that the Board had a long time to think about it.

Marty Christopher stated that this resolution had nothing to do with the supplemental insurance coverage and that it is not going to go away.

Wanda Brink stated as long as you don't leave us with nothing, please.

Supervisor Pinney stated that just so everyone is aware that next month we will be talking about supplemental and Medicare Advantage Plans. Make sure you attend next month's meeting as this will be on the agenda. There are brochures in the back that show different plans.

RESOLUTION 09-77:

**RESOLUTION AMENDING PERSONNEL POLICIES
AND RETIREE HEALTH INSURANCE BENEFITS**

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 18th day of March, 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 A. Scott Pinney, and was duly seconded by Connie Wilcox; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck - nay; Connie Wilcox - aye; Martin Christopher - aye; Matthew Besemer - aye; and the following Resolution therefore passed 4-1, and was duly adopted:

WHEREAS, health care costs and insurance rates are skyrocketing and represent a fixed expense outside of the control of the Town and benefit and benefit rates for current employees have been reduced in the past, but retiree benefits have not been subject to reduction; and

WHEREAS, with increases in Medicare benefits and coverages, there is need to review coverage as provided to all current and retired Town employees and less need for the Town to carry certain post-employment coverages; and

WHEREAS, upon due deliberation thereupon, the personnel policies of the Town of Lansing be and hereby are amended, and it is accordingly

RESOLVED, that effective July 1, 2009, Section 807 of the Town of Lansing Employee Handbook be and hereby is amended by eliminating Medicare Part B reimbursement language, and re-stating all of Section 807, as follows:

“807 Health Insurance for Retirees

Coverage – The Town will make available health insurance coverage to an eligible full-time employee, a Town Clerk, or a Highway Superintendent who retires from the Town. Coverage is also available for eligible dependents if they were covered under the Town’s health insurance plan at the employee’s date of retirement. In the event the retiree predeceases the dependents, the dependents may continue health insurance coverage provided they pay the full cost of the premium. Coverage of a dependent at the time of divorce or legal separation is in accordance with plan documents and COBRA requirements.

Eligibility – To be eligible for coverage, the employee or Elected Official must be age fifty-five or older, must have at least twenty years of continuous full-time service with the Town, and must have applied for and been granted a bona-fide retirement benefit from the New York State Employees’ Retirement System.

Plan – The Town Board may, at its discretion, change the health insurance plan at any time, including, but not limited to, type of coverage, retiree contributions, and type of carrier. Coverage under a health insurance plan made available through the Town will continue until the retiree or eligible spouse, as the case may be, meets the eligibility criteria for Medicare coverage, at which time primary coverage will be provided by Medicare. At that time, the retiree and eligible spouse may be required to change health insurance plans in order to maintain supplemental coverage.

Premium Payment – The Town will contribute 85% of the monthly premium cost for individual coverage and 78% of the monthly premium cost for family coverage. This is in addition to the post retirement sick leave credit (if any) that the employee has at time of retirement. Further details are available from the Personnel Officer.

Changes in Premium Contributions – The amount of the insurance premium a retiree or retiree’s spouse is required to contribute is subject to change by resolution of the Town Board. The Town Board will provide a two-month written notice of such change.”;

and it is further

RESOLVED, that any Medicare Part B benefit previously provided under former Section 807 shall terminate effective July 1, 2009.

SEQRA: Type II Action.

Mr. Besemer wanted it noted in the minutes that he stated that he did not disagree with this resolution but he still thinks there is time to review it.

Mr. Christopher also noted that he did not disagree with this resolution but wanted it adopted later.

Set Public Hearing for SCLIWC 2009 Burdick Hill Tank Project:

Supervisor Pinney explained to the Public that Bolton Point is moving forward with installing two new water tanks that will be made out of concrete.

Supervisor Pinney recommended instead of moving forward with the Public Hearing, that this project go before the Town of Lansing Planning Board for Site Plan Review.

Guy Krogh addressed the legal part concerning this project.

It was the consensus of the Town Board to move in this direction and forward the project to the Planning Board for Site Plan Review.

Set Public Hearing for the Consideration of the PDA for Lansing Commons:

Attorney, Guy Krogh explained to the public the process of a PDA. He explained that it is a Planned Development Area. In exchange for certain types of density variations and other variations from standard zoning, a developer gives something back. They give back increased site plan control, the ability to proceed under more stringent conditions than any other type of subdivision or development. Under the Town of Lansing Zoning Ordinance the initial review of a PDA is done at the Planning Board level. The Planning Board essentially follows the PDA ordinance, runs through a list of about twenty factors and then ultimately they generate a set of conditions the developer has a notice of intent to comply with. Then a Site Plan Review is done and a formal referral is made to the Town Board. By law the Town Board passes the PDA.

RESOLUTION 09-78:

**RESOLUTION SCHEDULING PUBLIC HEARING
FOR CONSIDERATION OF
LANSING COMMONS PLANNED DEVELOPMENT AREA**

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 18th day of March, 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 Connie Wilcox, and was duly seconded by Martin Christopher; 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, Applicant, J. Ronald Seacord, has requested Town Board Approval of a PDA Application respecting a 13.559 acre three (3) phase residential and commercial mixed use development in the B1 District located at the south of intersection of Cayuga Vista Drive and Woodsedge Drive in the Town of Lansing, P/O Tax Map Parcel 37-1-2-53.222; and

WHEREAS, the Lansing Planning Board has considered and carefully reviewed the Applicant's Statement of Intent to Comply with Conditions and Specifications of the Planning Board, dated January 7, 2009, and the Addendum thereto dated February 3, 2009, respecting the Lansing Commons PDA proposal; and

WHEREAS, the Planning Board held a public hearing on February 23, 2009 to obtain comment upon the proposal, including the PDA Application materials and the Applicant's Statement of Intent and the Addendum thereto, as well as to consider whether the Planning Board should recommend to the Town Board either: (1) disapproval of the proposed PDA development; or (2) conditional approval of the PDA development, subject to such conditions set forth in the Statement of Intent to Comply and Addendum thereto and/or any other conditions otherwise recommended by the Planning Board; and

WHEREAS, the Planning Board performed a site plan review of the proposed PDA development, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the area of the proposed Site Plan, and consideration of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, pursuant to Section 706.5 of the Town Of Lansing Land Use Ordinance, the Planning Board recommended conditional approval of the PDA based upon the Developer/Applicant's Statement of Intent to Comply (with addendum) and the following proposed conditions:

1. The Town Board's SEQR environmental review of the project should carefully scrutinize the Developer's proposed wastewater effluent discharge into Minnegar Brook for any significant negative impacts created from said release of said effluent into Minnegar Brook and/or the Quarry located on the adjacent property owned by Tom Besemer, and ultimate discharge thereof into Cayuga Lake. Any identified significant negative impacts should be mitigated to the maximum extent practicable and the Developer must obtain all requisite effluent discharge approvals, including SPEDES Permits issued by the NYSDEC. The Developer shall provide the documentation and information requested by NYSDEC in its letter to the Developer's Engineer, Wayne Mattison, dated March 4, 2009, including Completion of Package Plant Scoring Sheet; construction and installation materials for manholes, sewer/water crossing, trench and backfill detail, septic tanks and pumping stations detail, if relevant; design data for the elements of the treatment and conveyance system; material and performance specifications; sludge handling and disposal specifications; and case studies for the treatment system. The Developer shall install a package plant fence with locking gate to protect the package plant from potential vandalism and to provide for public safety as recommended by NYDEC in its March 4, 2009 correspondence to the Developer's Engineer, Wayne Mattison. The treatment and collection wastewater system shall be in compliance with the Ten-States Standards, 2004 edition, in accordance with NYSDEC requirements;
2. Cost of Operation of the Sewer and Water Systems shall be initially borne by the Developer with any balance charged to the Benefit District after dedication to the Town of Lansing. Construction of package plant and all infrastructure shall be permitted only subject to a performance and completion bond to be posted by the Developer, with the Town of Lansing as the named beneficiary thereof, in an amount not less than the anticipated completion costs of the Sewage and Water Systems, including package plant and infrastructure, or as recommended by the Town Engineer. The Bond shall recite that it is not contingent upon, or subject to, any indemnity agreement between the Developer, any contractor and/or the Bond Issuing Agency;
3. Creation and Town Board Approval of any and all requisite Sewer & Wastewater Districts.
4. The Proposed Sewage Package Plant must be designed and built for maximum capacity of the proposed PDA project as projected for all three phases of the PDA project;
5. Maximum Density for the entire project must be identified by the Applicant and approved by the Town Board in any PDA Approval by the Town Board;
6. The Town Board and the Developer shall conduct Public Information Sessions, concurrent with the Town Board Public Hearing(s), respecting costs and operation of the proposed Sewer and Wastewater Systems and construction details thereof;
7. PDA Approval with Condition by the Town Board should encompass any and all deed restrictions, if any, currently encumbering the development property to be developed;
8. Notification of the Project and the proposed effluent discharge into Minnegar Brook shall be sent to all property owners owning lands adjacent to Minnegar Brook, downstream from the proposed Lansing Commons PDA project site; and

WHEREAS, the Public Comment Period and other preliminary steps relative to the requirements of the Land Use Ordinance have been complied with and the Planning Board, by Resolution dated March 9, 2009, formally referred the Planned Development Area ("PDA") application to the Town Board for hearing and possible approval; and

WHEREAS, that, pursuant to the Land Use Ordinance, the Town Board must schedule a Public hearing to consider the PDA and the recited and recommended conditions within 45 days of the date of Planning Board preliminary approval, and the Town Board must thereafter disapprove, approve, or approve with conditions such PDA application within 30 days after such public hearing; and

WHEREAS, the Town Board notes that the conditions recommended by the Planning Board are not binding upon the Town Board; but neither are they exhaustive of any other or more stringent conditions that the Town Board may opt to apply; and

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

RESOLVED, that a public hearing to consider the PDA application of J. Ronald Seacord, for approval of a PDA Application respecting a 13.559 acre three (3) phase residential and commercial mixed use development in the B1 District located at the south of intersection of Cayuga Vista Drive and Woodsedge Drive in the Town of Lansing, P/O Tax Map Parcel 37-1-2-53.222, be and is hereby scheduled for the 15th day of April, 2009, at 6:30 P.M. at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat 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; and it is further

RESOLVED, that the Town Clerk, in conjunction with the Planning Office, deliver a copy of the proposed PDA and Site Plan to the Tompkins County Department of Planning pursuant to General Municipal Law Sections 239-l and 239-m.

SEQRA: Type I.

Set Public Hearing for the Consideration of SEQR review for Lansing Commons:

RESOLUTION 09-79:

**RESOLUTION SCHEDULING PUBLIC HEARING
FOR CONSIDERATION OF
LANSING COMMONS PLANNED DEVELOPMENT AREA
SEQRA REVIEW**

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 18th day of March, 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 A. Scott Pinney, and was duly seconded by Connie Wilcox; 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, Applicant, J. Ronald Seacord, has requested Town Board Approval of a PDA Application respecting a 13.559 acre three (3) phase residential and commercial mixed use development in the B1 District located at the south of intersection of Cayuga Vista Drive and Woodsedge Drive in the Town of Lansing, P/O Tax Map Parcel 37-1-2-53.222; and

WHEREAS, the Lansing Planning Board has considered and carefully reviewed the Applicant's Statement of Intent to Comply with Conditions and Specifications of the Planning Board, dated January 7, 2009, and the Addendum thereto dated February 3, 2009, respecting the Lansing Commons PDA Proposal; and

WHEREAS, the Public Comment Period and other preliminary steps relative to the requirements of the Land Use Ordinance have been complied with and the Planning Board, by Resolution dated March 9, 2009, formally referred the Planned Development Area (“PDA”) application to the Town Board for hearing and possible approval; and

WHEREAS, that, pursuant to the Land Use Ordinance, the Town Board must schedule a Public hearing to consider the PDA and the recited and recommended conditions within 45 days of the date of Planning Board preliminary approval, and the Town Board must thereafter disapprove, approve, or approve with conditions such PDA application; and

WHEREAS, the Town Board classified this action as a Type I Action under SEQRA and hereby declares its intent to be Lead Agency; and

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

RESOLVED AND DETERMINED, that

1. This action is classified as a Type I Action pursuant to 6 NYCRR Part 617.4;
2. The Town Board of the Town of Lansing proposes to be the Lead Agency for environmental review, subject to consent or any requests of coordinated or independent review by any Involved or Interested Agency, as applicable;
3. The Involved Agencies are determined to be the Lansing Planning Board, the County Department of Planning, the County Department of Health, the NYS Department of Health, the NYS Department of Environmental Conservation; and
4. There Interested Agencies are the Lansing Zoning Board of Appeals, the Lansing Housing Authority, the Southern Cayuga Lake Intermunicipal Water Commission, the NYS Department of Transportation, and the Village of Lansing; and it is further;

RESOLVED, that the Town Clerk issue a Notice of Intent to each and all of the following Involved Agencies and Interested Agencies, including therewith a copy of the proposed Site Plan, the Statement of Intent to Comply with Addendum, the Planning Board Resolution of Referral, and the LEAF; and it is further

RESOLVED, that a public hearing to consider the environmental impacts of the proposed PDA application of J. Ronald Seacord, for approval of a PDA Application respecting a 13.559 acre three (3) phase residential and commercial mixed use development in the B1 District located at the south of intersection of Cayuga Vista Drive and Woodsedge Drive in the Town of Lansing, P/O Tax Map Parcel 37-1-2-53.222, be and is hereby scheduled for the 15th day of April, 2009, at 6:15 P.M. at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat 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 I.

Highway Superintendent’s Report:

Deputy Highway Superintendent, Charlie “Cricket” Purcell reported that they were in between seasons. They were completing several projects with Parks and Recreation along with brush and tree work.

He informed the Board that liquid asphalt is about half of what it was last fall.

Parks and Recreation Department Report:

Director of Parks and Recreation, Steve Colt reported on the following:

Parks & Recreation Department 3/18/09 Town Board Meeting

RECREATION

- **LBP Baseball and LSP Softball registration** period is scheduled to conclude on Friday. We are currently slightly ahead of where we were last year at this time, however, we still have a lot of potential forms yet to be turned in. I will be making calls to families next week as a reminder and set deadlines so that we can establish league player pools.
- **Equipment for the baseball and softball** programs will need to be packed within the next two weeks as teams will be selected on April 7th and 8th and we usually issue all of our equipment on these dates.
- **Dick's Sporting Goods Community Youth Sports Program** has already donated 3 complete team packages to us that include (equipment bags, baseballs, softballs, coaching clip boards, water bottles and catcher helmets). This is a really nice donation that they have made to us for several years. In return we issue discount coupons for their store to all of our coaches and players.
- **The Summer Program Booklet** information is starting to come together. We hope to have it ready for distribution by the first week of May. A couple of new possibilities are the addition of a French Camp and partnering with the Skate Park. There are a few other new items that are still being discussed.
- **Lansing Schools has notified me** that their buildings will NOT be accessible after July 24th due to construction / repair projects.
- **The Boaters Safety Class is filling** quickly now. The class is set to take place on April 25th.

PARKS

- **Our operating permit** has been filed with the Health Department for operation of our Day Camp in Myers Park.
- **Clean up work in the parks** and getting equipment ready to go will start taking place by the end of the month and early April pending continued good weather.
- Robin Schuttenberg and I met this morning to discuss doing a **C.A.P. grant for the arts** that would bring a proposed art show to the Town Hall and the other buildings on our campus in 2010. Robin felt that we should be able to reasonably request \$2500 - \$3000.
This would be a large professional show with many local artists.
- I have been asked several times about the idea mentioned regarding the "**Farmers Market**" and there are people volunteering to help push this idea forward.
- **We have 8 large trees that need to come down** and we have gone through the bidding process to determine a low bidder. One of the trees has already dropped limbs that have damaged the roof on the "D" pavilion. There was a \$1300 difference from the high and low price.

Connie Wilcox asked Steve to send her his list of volunteer people for the Farmers

Market as she only has heard from a couple of people. Steve suggested that the location for the market be along Woodsedge Drive along the ball fields. Connie informed him she was told that would not be a good spot because of congestion with the ball fields. The Cargill owned property across from Central Fire Station would be a better location. Cargill would let the Town use it but not an individual use it. Connie will meet with Cargill in regards to the Farmers Market.

Matt Besemer stated he was approached by a resident asking why the boy's rules and girl's rules are different at the same age level. Steve stated he didn't think they were that much different. Steve stated he was also approached about the girl's rules, specifically to pitching at the 3rd and 4th grade level. Steve explained the difference in pitching at the softball and baseball levels. He will provide Matt with the set of rules.

Marty Christopher:

Marty Christopher thanked Larry Zuidema for his announcement in the Ithaca Journal about tonight's meeting, (opinion page). However he asked that he get his information correct before doing so. Marty indicated that two items were not correct. No. 2 Kingdom Farms – The Board has not heard from them in over two years and No. 3 Town Center – The Town did not employ a firm for a new Town Center.

Supervisor Pinney stated he had received numerous calls in regards to the article. He informed Mr. Zuidema that he is more than welcome to contact his office in regards to agenda items.

Approve Minutes :

RESOLUTION 09-80:

A copy of the minutes of February 24, 2009 and March 12, 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. Besemer:

RESOLVED, that the minutes of February 24, 2009 and March 12, 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

Code Enforcement Report:

With Jeff Overstrom's absence the Board questioned why someone was not representing the Code Office at tonight's meeting.

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

Planning Board – February 23, 2009

- Public Hearing- Lansing Commons
- Public Hearing -SEQR Cayuga Farms
- Final Approval 4 Lot Minor Subdivision, Teeter Road, Cardamone

Zoning Board of Appeals – February Meeting Cancelled- Lack of Agenda Items

Training/Other

Jeff- Code Enforcement Officer-Montour Falls, NY

Building Code Complaints/Tenant/Landlord -1

Fire Safety Inspections & Reinspections

Total: 16

Notice of Fire(s) – 2

Construction Inspections

Total: Approximately: 47

Operating Permits Issued

February: 1 Year to Date: Total: 1

New Addresses Issued

Total: 0

Expired Permit Notices

First notices: 5

Second notices: 3

Renewed Permits – 2 Renewed Permits YTD - 6

Electrical Certificates Issued

Total: 5

Electrical Inspections

Total: Approximately 27

Connie Wilcox stated that by looking at the report at this point, you can basically tell that the economy is at a down turn. There is a decrease in everything in the Code Enforcement Office.

Mr. Pinney stated that there is a huge decrease but the same overhead costs.

Approve Audit:

RESOLUTION 09-81:

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

RESOLVED, that the bookkeeper is hereby authorized to pay the following:

| | |
|-------------------------|------------------|
| CONSOLIDATED ABSTRACT # | <u>003</u> |
| DATED | <u>3/18/09</u> |
| AUDITED VOUCHER #'s | <u>132 – 223</u> |
| PREPAY VOUCHER #'s | <u>132 - 134</u> |
| AUDITED TA VOUCHER #'s | <u>14 – 21</u> |
| PREPAY TA VOUCHER #'s | <u>14 – 15</u> |

| <u>FUND</u> | <u>TOTAL APPROPRIATIONS</u> |
|--------------------|------------------------------------|
| GENERAL FUND | \$ <u>40,569.32</u> |
| HIGHWAY FUND | \$ <u>30,828.69</u> |
| LANSING LIGHTING | \$ <u>1,319.27</u> |

| | |
|-------------------------|--------------|
| LANSING WATER DISTRICTS | \$ 2,305.70 |
| CHERRY ROAD SEWER | \$ 0.00 |
| TRUST & AGENCY | \$ 50,617.95 |
| CWD EXTENSION #1 | \$ 0.00 |
| CWD EXTENSION #2 | \$ 0.00 |

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:

TCCOG – Health Insurance:

The next TCCOG meeting on health insurance is March 26th, Thursday afternoon.

Matt Besemer:

Zoning Ordinance Committee:

Matt stated that since there is a joint meeting with the Village of Lansing on March 26th the Zoning Ordinance Committee meeting will be rescheduled for next Thursday, April 2nd.

The Zoning Ordinance Committee is ready to review the final draft and should possibly be ready to present it to the Board in April. Matt also wanted to add that there are some spots that were outlined and highlighted where there was not a consensus. The document will show both sides of the argument and will be highlighted so you can see that there was not a consensus on everything that was discussed. Guy Krogh informed the Board that there were only 5 or 6 items out of the 86 items that this pertains to.

Ethics Board:

The Ethics Board was created with no current members. Matt Besemer would like to recommend Scott Pronti for that Board. Matt also has another member but has not currently confirmed it with them yet.

Marty Christopher:

Ethics Board:

Marty Christopher also stated that he has two members that he needs to confirm with before recommending them to the Board.

Connie Wilcox:

Nothing more to report at this time.

Scott Pinney:

Department of Assessment Review Board:

Supervisor Pinney asked for the Board members to consider who might want to be on the Tompkins County Assessment Review Board in May.

Town Counsel Report:

Foreclosure Summons and Complaint:

Guy Krogh informed the Board that the Town was served with a foreclosure notice in regards to a lien the Town has through its Better Housing Grant Program. After further discussion the following resolution was adopted:

RESOLUTION 09-82:

**RESOLUTION AUTHORIZING COUNSEL
TO APPEAR IN FORECLOSURE ACTION**

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 18th day of March, 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 Connie Wilcox, and was duly seconded by A. Scott Pinney; 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 was served with a Foreclosure Summons and Complaint in relation to a Diminishing Lien Agreement filed in connection with the Community Block Grant Program; and

WHEREAS, in the event of excess sale proceeds, the Town could recoup funds with which to further the administration and purposes of the grant; and

WHEREAS, upon the advice of counsel and upon due deliberation thereupon, it is accordingly

RESOLVED, that Town Counsel be and hereby is authorized to represent the Town in connection with such foreclosure action.

SEQRA: Type II Action.

Executive Session:

RESOLUTION 09-83

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

RESOLVED, the Regular Meeting is adjourned to go into Executive Session at 7:15 p.m. to discuss the Village Road Work Contract.

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

Adjourn Executive Session:

RESOLUTION 09-84:

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

RESOLVED, that the Executive Session is hereby terminated and the Regular Meeting reconvened at 7:54 p.m.

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

Adjourn Meeting:

RESOLUTION 09-85:

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

RESOLVED, that the Regular meeting is hereby adjourned at the call of the Supervisor at 7:55 p.m.

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

Minutes taken and executed by the Deputy Town Clerk.