

**REGULAR TOWN BOARD MEETING**  
**February 18, 2015**

A Regular Meeting of the Lansing Town Board was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:01 p.m. The meeting was called to order by the Supervisor, Kathy Miller and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be

**PRESENT:**

Kathy Miller, Supervisor  
Edward LaVigne, Councilperson

Ruth Hopkins, Councilperson

**ABSENT:** Robert Cree, Councilperson, Doug Dake, Councilperson

**ALSO PRESENT:** Sharon Bowman, Deputy Supervisor, Guy Krogh, Town Attorney, Jack French, Highway Superintendent, Steve Colt, Parks Superintendent and Recreation Director, John O'Neill, Village of Lansing, Dan Adinolfi, Ronald Ostman, Connie Wilcox, Claes Nyberg, Chris Williams, Pat Jordan, and a few other attendees.

**WATER AND SEWER ADVISORY BOARD – DAN ADINOLFI**

Reported the following to the Town Board:

The Water and Sewer Advisory Board (AB) met on February 10, 2015.

The meeting started with a visit from the Rushlows, who were inquiring about the feasibility of obtaining water service for a planned residence on Drake Rd. The AB discussed the options available to the Rushlows, including taking up the petition for extending the water district to the entire road that was considered by other residents last year.

To assist with this process, the AB reviewed a draft of a petition document that could be used to gather the best information for a water district extension petition while helping inform the residents of the affected area about the potential costs that go along with the benefits of an extension. This draft was further reviewed over email in the days following the meeting, and the AB now has a template that can be shared upon request.

The work related to the Bone Plain water tank is waiting on the completion of the easement process with a number of residents. Members of the AB will attempt to contact those who have yet to complete the easement process and try to have all the easements completed by the end of February. The AB had received word that the Town of Dryden was moving forward with authorizing the assessment on the tank, which will help move the process along as well.

The AB discussed other ongoing work as well. The Town's work on the Jetty outside user agreement is done, and the process is now waiting on Mr. Jetty getting the necessary easements from his affected neighbors and for the Highway Department to be engaged. There was no new developments on the water district extension for Buck, Wilson, and Conlon Roads, though the completion of the new petition template will help move that process along.

The next meeting of the Water Sewer Advisory Board will be on March 10, 2015 at 6:30 PM at the Town Hall.

**LANSING COMMUNITY LIBRARY REPORT – RON OSTMAN**

Reported the following to the Town Board:

**Lansing Community Library Board of Trustees Report to Town Board Meeting**  
**February 18, 2015**

The date for the *Summer Reading Program kickoff and the Annual Friends of LCL Book Sale* will be June 20, 2015. This combined event was a big draw last year, so LCL is combining them again this year.

The last Friends of the Library book sale made a record \$1,400. There are two sales per year.

This summer's reading theme will be "Every Hero has a Story." We have applied for a \$10,700 grant from the Community Foundation Rosen Fund to finance an expanded program. We received support from Rosen grants for the past two highly successful summer programs.

LCL is kicking off a project to document *the history of the LCL* (from a reading room of the Tompkins County Public Library in 2001 to today's permanently NYS chartered school district public library with membership in the 32-library Finger Lakes Library System integrated library database). The history will be researched through interviews and by sifting through archival files. We want to create an ongoing timeline and individual displays within the library to capture highlights. We will be working closely with Louise Bement, Lansing Town Historian, and with Lansing middle and high school students on this project.

Also, the LCL is expanding cooperation with the *Lansing Historical Association* to archive local history records, documents, photographs, and other memorabilia. We will explore state and national grant opportunities as this project moves forward.

The *Friends of Lansing Community Library Program Committee* plans a full schedule of free events each year. Coming soon are several major events. Saturday, March 14 is *Science Saturday* at the library and there will be a number of neat science projects demonstrated by Cornell University scientists for attendees to explore. This program will be of particular interest to middle and high school students. And on Saturday, April 11, *Dr. Bill Thomas*, an internationally recognized gerontologist, will speak about aging with dignity. This program will be held in the Town Hall from 11 a.m. to 1 p.m. in partnership with LifeLong and will be limited to the first 100 attendees. The Friends of LCL will cater lunch. After Dr. Thomas speaks, he will answer questions and sign copies of his books, *Second Wind* and *Tribes of Eden*.

An *art exhibit* featuring R. C. Buckley's fourth graders' group work is on display in the LCL meeting room through February. It consists of nonrepresentational student artwork that the students then assembled and manipulated digitally via ipads.

LCL patrons recently were tabulated as the 6<sup>th</sup> most frequent requesters of *e-books* from the Finger Lakes Library System. There is a continual demand for *electronic services*, including the LCL's stationary and mobile computers. The LCL also offers technical advice and demonstrations for patrons who use LCL devices or who have purchased personal electronic devices and need assistance in operating them and accessing library and archival databases.

Mr. Ostman also reported that in the month of January there were 4,900 check outs, with 690 special holds from the Finger Lakes Library. The LCL currently has 2,200 patrons.

Respectfully submitted,  
Ronald E. Ostman  
LCL Board Member

### **PRIVILEGE OF THE FLOOR**

A resident asked the status of the Town owned land across from the Town ballfields. Supervisor Kathy Miller stated that the proposed development from NRP no longer exists and there currently is no other development plans.

**PARK and RECREATION DEPARTMENT REPORT**

Steve Colt reported the following to the Town Board:

*Parks & Recreation Department  
Town Board Meeting  
2/18/15*

**RECREATION**

- Program updates: We have several programs currently taking place. Some over this holiday week and some that will take us into the start of spring. This includes: several Adult Exercise Classes, Oil Painting Winter Session with Trish Coonrod, Yoga & Wellness Program, Rock Climbing Camp at Cornell, President's Break Archery Class, President's Week Basketball Camp, Saturday Morning Swim Classes, Session 3 at Jump Around Inflatables, Karate Camp over February Break, Session 3 Gymnastics Program, Hot Stove Baseball and Hot Stove Softball camps.
- Our spring LBP baseball and LSP softball program registration forms will be ready on Friday March 6<sup>th</sup>. These forms will be due on March 26<sup>th</sup> for these spring programs that are very close to being 30 years old+...
- I have entered into an agreement with Dick's Sporting Goods for this upcoming spring season. We will get discount coupons for our kids and coaches and free equipment for our leagues.
- We have started to work/plan the summer program booklet. I am really excited about several new programs, with one being a Robotics Camp! There will be a meeting with Chris Pettagrasso to determine the availability of the use of the schools.

**PARKS**

- We have already been getting calls about our concert series. I have it booked for the most part, and just need to confirm with a couple of local groups for dates. Should be GREAT!!!! Steve Colt, along with Town Attorney Guy Krogh are working on a partnership with King Ferry Winery during the concert series.
- Our returning boat slip renters have made payments in full or the split payment. We will have very few non-returning boaters and still do have a waiting list to fill any openings.
- On February 10<sup>th</sup> Louise Bement gave a presentation about "Salt Point" at the Library. FOSP were also on hand. It was a very positive experience for all. This was attended by 75 people and 40 new members were added.
- Paul Paradine and the NYSEG crew have installed several new bat boxes on the poles near the entrance of Salt Point. They also cleaned out and replaced some of the old boxes.

- Parks & Recreation is off to a good 2015 as we have already collected \$94,534.00 as of February 17<sup>th</sup>. (Boat Slips, Camping and Programs)

They are currently working on a season Non-Resident Park Admission Pass.

A Boater Safety Class will be held at the Town Hall on April 4, 2015.

### **INDEPENDENT AUDIT REPORT OF 2013 – PATRICK JORDAN, CPA**

Mr. Jordan stated that they have completed the draft audit of the Town of Lansing for the year 2013 and asked if there were any questions on the report or the process.

Councilperson Ruth Hopkins referred to the Health and Accrued Sick Leave under Town Board policies. She stated the Town is currently not doing this and asked if there were any current issues along with recommendations for best practice.

Mr. Jordan stated the audit is performed on a regulatory basis and reviewed through reports to the NYS Comptroller, policies, controls, payroll, cash disbursements, cash receipts, and ending balances. The subsequent year is also checked to see if everything is recorded and reported properly. Mr. Jordan explained that the GASB 34 & GASB 45 are basically higher level audits, more confusing and not required. Mr. Jordan reviewed and referred to the notes in the draft audit on GASB 45, post retirement and health care.

Councilperson Ruth Hopkins asked about a fund balance policy. Mr. Jordan stated the Town Board could adopt a resolution and he would supply a standard template for their review.

Councilperson Edward LaVigne asked if there were any concerns and Mr. Jordan stated there were no concerns. He stated that his work was exceptional as he has also seen the work prepared for the LHA.

### **HIGHWAY SUPERINTENDENT JACK FRENCH**

**1. 2015 Highway Budget** – The Highway Budget was reduced to 150 hours of overtime. Five employees currently have 125 hours of overtime with the rest of this winter remaining along with October, November, and December of 2015. Jack informed the Town Board that there will have to be adjustments made.

**2. Three Trucks Down** – Two trucks are down due to accidents and one of the units is torn out. The 30 year old grader needed to be brought back into service along with the 1 ton, 4 wheel drive truck at a repair cost of \$10-\$15,000. These are needed to plow parking lots and smaller roads.

### **RESOLUTION ACCEPTING DRAFT INDEPENDENT OUTSIDE FINANCIAL REPORT AND AUDIT OF TOWN OPERATIONS, PROCEDURES, FUNDS, CASH HANDLING, PROCEDURES AND ACCOUNTS**

#### **RESOLUTION 15-39**

#### **RESOLUTION ACCEPTING THE DRAFT INDEPENDENT OUTSIDE FINANCIAL REPORT AND AUDIT OF TOWN OPERATIONS, PROCEDURES, FUNDS, CASH HANDLING PROCEDURES AND ACCOUNTS**

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

WHEREAS, the Town has received and reviewed the draft independent outside audit of Town functions, cash management policies, accounts and protocols, including additional agreed upon procedures for each department of the Town that has any cash handling or management functions; and

WHEREAS, Patrick Jordan, CPA, of the firm of Ciaschi-Dietershagen –Little-Mickelson & company, reviewed the financial report and audit with the Town Board at a public Town Board meeting upon February 18, 2015, and said Patrick Jordan reviewed the Executive Summary and the official comments, reports and findings, made general observations and comments regarding the audit, and answered questions from the Town Board; and

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

RESOLVED, that such draft audit be and hereby is approved, and the auditors are requested to provide a final audit report at their earliest convenience.

SEQRA: Type II Action.

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

Councilperson Ruth Hopkins - Aye                      Councilperson Edward LaVigne - Aye  
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**RESOLUTION ISSUING PRELIMINARY APPROVALS FOR WATER  
METERING GUIDELINES FOR CAYUGA FARMS PROJECT AND VILLAGE  
CIRCLE-VILLAGE SOLARS PDA PROJECTS**

**RESOLUTION 15-40**

**RESOLUTION ISSUING PRELIMINARY APPROVALS FOR WATER  
METERING GUIDELINES FOR CAYUGA FARMS PROJECT AND VILLAGE  
CIRCLE-VILLAGE SOLARS PDA PROJECTS**

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

WHEREAS, upon a review of water metering issues and infrastructure siting pertaining to the above projects, and after consultation with Bolton Point, the Water and Sewer Advisory Board (“WSAB”), and delineating the needs and distinctions for various projects; and

WHEREAS, some general guidelines for metering were thus developed with input from the Town Engineer and WSAB, including factors such as: (i) whether the Town owns the roadways; (ii) whether the Town owns the water lines and related infrastructure; (iii) whether the Town owns the underlying lands upon which the same are situate or merely has rights of access or an easement; (iv) whether the project is new or is an infill project; (v) whether the project is to be built in phases; (vi) the needs of the development and the residents, businesses, and users thereof, including for fire suppression and firefighting purposes; and (vii) any other relevant factors; and

WHEREAS, and after due deliberation upon these matters and in respect of the upcoming construction of water facilities for the above mentioned projects, the Town Board of the Town of Lansing has hereby

RESOLVED as follows:

1. The Cayuga Farms project shall have two master meters located off Triphammer Road, to be paid for and owned by the Developer or otherwise approved and managed or owned as required by Bolton Point, with each building or user(s) to be sub-metered in such manner as the Developer shall desire.

2. The VCVS PDA sites for the Village Circle infill buildings shall have separate metering for each building, and the Town Board reserves the right to review metering issues for the Village Solars projects as the same become phased into construction. The Developer shall ensure reasonable ground floor access to meter sites and will, if and as required, install remote metering and other related infrastructure for each meter as required by the PDA approval and the Rules of the Town and of Bolton Point.

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

Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF  
LOCAL LAW #2 OF 2015 – AUTHORIZING THE BEST VALUE  
METHODOLOGY OF PROCUREMENT UNDER GENERAL MUNICIPAL LAW  
§103 AND STATE FINANCE LAW §163**

**RESOLUTION 15-41**

**RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF  
LOCAL LAW #2 OF 2015, AUTHORIZING THE BEST VALUE METHODOLOGY  
OF PROCUREMENT UNDER GENERAL MUNICIPAL LAW § 103  
AND STATE FINANCE LAW § 163**

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

WHEREAS, in 2011 and 2012 New York authorized the State and then its municipalities to utilize the best value methodology for awarding certain procurement contracts for goods and services in lieu of the older lowest responsible bidder rules; and

WHEREAS, the Town has observed that this best value process does in fact produce substantial public benefits, by permitting the election to award contracts based upon overall cost and efficiency, taking into account the total value over the life of the procurement, the cost of maintenance, the proximity to the Town, the durability of a product, the availability of replacement parts or maintenance contractors, the product life, product performance criteria, quality of craftsmanship, and other factors that sometimes may not be considered under lowest price procurement rules; and

WHEREAS, this Local Law is a Type II Action under SEQRA (6 NYCRR §§ 617.5(20), (27)) such that no environmental review is required; and

WHEREAS, upon due consideration, the Town Board 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 18th day of March, 2015, at 6:05 pm, to consider the adoption of proposed Local Law #2 of 2015 - the Town of Lansing Best Value Bidding Authorization Local Law, to hear all persons interested in the subject thereof, 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.

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

Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #3 OF 2015, IMPLEMENTING THE TRUSS LABELLING RULES OF EXECUTIVE LAW §382-B AND RELATED REGULATIONS OF THE NYS CODES DIVISION BY LOCAL LAW THROUGH THE AMENDMENT OF THE EXISTING TOWN CODE ENFORCEMENT LOCAL LAW**

Supervisor Kathy Miller stated that Lynn Day is working with other Code Enforcement Officers to reduce the size.

**RESOLUTION 15-42**

**RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #3 OF 2015, IMPLEMENTING THE TRUSS LABELLING RULES OF EXECUTIVE LAW § 382-b AND RELATED REGULATIONS OF THE NYS CODES DIVISION BY LOCAL LAW THROUGH THE AMENDMENT OF THE EXISTING TOWN CODE ENFORCEMENT LOCAL LAW**

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

WHEREAS, in 2014 and 2015 New York mandated certain changes to building and code procedures by amending the Executive Law and adding a new § 382-b and implementing new code regulations, including those temporarily adopted at 19 NYCRR Part 1285; and

WHEREAS, this Local Law proposes to amend Local Law No. 6 of 2006 (as amended for electrical inspections by Local Law No. 8 of 2009) by: (i) adding a definition for a Truss Label; (ii) adding new rules to § 404 requiring certain forms and information in building permit applications; (iii) adding new rules to § 404 by requiring certain truss notifications to fire and other emergency providers; (iv) amending § 701 to prohibit issuance of a residential Certificate of Occupancy or Certificate of Compliance unless a Truss Label is properly obtained and posted; (v) amending § 703(6) to require the delivery of certain truss information; (vi) adding § 707 to require Truss Label maintenance and repair and to specify violations of law; and (vi) amending Article 9 to declare a building unsafe when not properly labelled; and

WHEREAS, this Local Law is a Type II Action under SEQRA (6 NYCRR §§ 617.5(20), (27)) such that no environmental review is required; and

WHEREAS, upon due consideration, the Town Board 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 18th day of March, 2015, at 6:07 pm, to consider the adoption of proposed Local Law #3 of 2015 - the Town of Lansing Local Law providing for Amendments to the Town of Lansing Code Enforcement Local Law to Incorporate Amendments Regarding Wood Trusses and Timber Construction as Mandated by Executive Law § 382-b, to hear all persons interested in the subject thereof, 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.

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

Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**RESOLUTION REQUESTING TRAFFIC AND SPEED LIMIT STUDIES ALONG HILLCREST ROAD**

**RESOLUTION 15-43**

**RESOLUTION REQUESTING TRAFFIC AND SPEED  
LIMIT STUDIES ALONG HILLCREST ROAD**

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

WHEREAS, the Town Board of the Town of Lansing has received a petition requesting a study to lower the speed limit along Hillcrest Road and consider traffic controls at intersections along and near to such road; and

WHEREAS, vehicles travel at excessive speeds given the number of residences and hidden driveways and roadways along Hillcrest Road, not to mention the curves and hills along such roadway which have the effect of limiting drivers' lines of sight relative to traffic, pedestrians, and wildlife; and

WHEREAS, school busses service the many children that live along such area in relatively dense residential developments, which density is on the increase with one major subdivision project directly upon Hillcrest Road and another high density area located nearby; and even further, Hillcrest Road is commonly used by residents for dog walking, bicycling, and jogging and the limited visibility and speeds of travelling vehicles, especially in rain, snow, and in the dark, present real risks to persons as reaction times are diminished due to line of sight and rate of travel impacts; and

WHEREAS, it is well known that the intersections of Hillcrest Road with Grandview Drive, Triphammer Terrace, and Triphammer Road are dangerous intersections where serious accidents and many, many near misses occur regularly; and

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

RESOLVED, that the Town Board of the Town of Lansing supports the requested reduction in speed limits and traffic control studies along Hillcrest Road and hereby directs that the Town of Lansing request that the New York State Department of Transportation conduct a traffic study along this travel corridor known as Hillcrest Road.

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

Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015

**RESOLUTION RECOGNIZING LANSING HIGHWAY ASSOCIATION AND APPROVING 2015-2017 AGREEMENT**

**RESOLUTION 15-44**

**RESOLUTION RECOGNIZING LANSING HIGHWAY ASSOCIATION  
AND APPROVING 2015-2017 AGREEMENT**

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

WHEREAS, on December 31, 2014, the Town's Highway Department employees were disassociated from the Teamsters Union and free to organize or seek new certification with any union or collective bargaining representative they desired; and

WHEREAS, the employees wanted to organize and sought recognition as the Lansing Highway Association (the "Association"), and the Town and such Association thereafter assigned representatives to bargain for and negotiate the terms of an agreement for the 2015-2017 calendar years, with such agreement to be and become effective as of the date of execution thereof or as otherwise stated within such agreement; and

WHEREAS, on February 4, 2015, the Town's negotiating team reached tentative agreement on a contract with the Association's negotiating team; and

WHEREAS, the employees in the Association have approved the tentative contract and the Town Board has reviewed and now seeks to formally recognize the Association and approve the contract, and upon due deliberation thereupon the Town Board of the Town of Lansing has hereby

RESOLVED, that the Lansing Highway Association be and hereby is recognized for the purposes of collective bargaining per Civil Service Law § 204; and it is further

RESOLVED, that the Town Board of the Town of Lansing does hereby approve the tentative contract between the Association and the Town, and hereby further severally authorizes the Town Supervisor and Deputy Supervisor to authorize and execute such agreement by, for, on behalf of, and in the name of the Town of Lansing.

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

Councilperson Ruth Hopkins - Aye                      Councilperson Edward LaVigne - Aye  
Supervisor Kathy Miller - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**RESOLUTION AUTHORIZING REMOVAL OF LANSING BOW HUNTERS  
FROM TOWN LAND**

**RESOLUTION 15-45**

**RESOLUTION AUTHORIZING REMOVAL  
OF LANSING BOW HUNTERS FROM TOWN LAND**

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

WHEREAS, the Town became aware that the Lansing Bow Hunters ("LBH"), a private organization, had been using Town land for private meeting and event purposes, such land specifically being the old Town gravel pit and area along Salmon Creek; and

WHEREAS, it is not permissible for the Town to permit that type of private use of public land without meeting several rules and requirements and the New York State Constitution requires that the Town remove LBH from such lands; and

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

RESOLVED, that the Attorney for the Town be and hereby is authorized to take such steps as are reasonable to ensure the cessation of unauthorized and improper use of such Town-owned lands, with preference given to the peaceable, jointly coordinated, and voluntary removal of LBH and its private property from such Town land.

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

Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**RESOLUTION DELEGATING LIMITED AUTHORITY TO THE TOWN SUPERVISOR TO ACT ON BEHALF OF THE TOWN BOARD, AS A SEQRA AGENCY, TO CLASSIFY CERTAIN TYPE II ACTIONS AND CLASSIFY AND REVIEW CERTAIN UNLISTED ACTIONS FOR AGENCY DETERMINATIONS**

**RESOLUTION 15-46**

**RESOLUTION DELEGATING LIMITED AUTHORITY TO THE TOWN SUPERVISOR TO ACT ON BEHALF OF THE TOWN BOARD, AS A SEQRA AGENCY, TO CLASSIFY CERTAIN TYPE II ACTIONS AND CLASSIFY AND REVIEW CERTAIN UNLISTED ACTIONS FOR AGENCY DETERMINATIONS**

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

WHEREAS, this Resolution is a Type II Action under SEQRA (6 NYCRR §§ 617.5(20), (27)), such that no environmental review is required; and

WHEREAS, SEQRA defines an approval as a discretionary decision by an agency to issue a permit, certificate, license, lease, or other entitlement, or to otherwise authorize a proposed project or activity; and

WHEREAS, Environmental Conservation Law § 8-0107 mandates that all agencies shall review their administrative regulations and policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of SEQRA, and such agencies are further empowered to effect such measures as are deemed necessary to carry out the mandates of SEQRA with minimum procedural and administrative delay, to avoid unnecessary duplication of reporting and review requirements, and expedite all SEQRA proceedings to favor prompt environmental reviews, which requirements and authorities are again stated in SEQRA implementing regulations at 6 NYCRR 617.3(h); and

WHEREAS, per 6 NYCRR § 617.2(y) a negative declaration is a written determination by a lead agency, but nowhere does this regulation mandate that only a full legislative review underlie any such declaration as the mandate is only that the lead agency issue a written determination; and

WHEREAS, SEQRA regulations at 6 NYCRR 617.14 expressly permit a Town to, “by local law, code, ordinance, executive order, resolution or regulation” vary the time periods established for the preparation and review of SEQRA documents or public hearings in order to “coordinate the SEQRA environmental review process with other procedures relating to the review and approval of actions,” but only so long as such procedural changes so not cause delay and are “no less protective of environmental values, public participation, and agency and judicial review than the procedures contained” in SEQRA regulations; and

WHEREAS, SEQRA and its regulations require that all agencies adopt and publish any additional procedures that may be necessary for them to fully or efficiently implement SEQRA, and upon adoption the agency must promptly notify the commissioner of the adoption of additional procedures or the rescission of agency SEQRA procedures (and the Commissioner is thereafter is mandated to publish such procedures or information); and

WHEREAS, ECL § 8-0113 requires a public hearing for any action to amend or adopt allowed amendments to SEQRA procedures, but such statute relative to public hearings is expressly superseded by ECL § 8-0117, which states that after 1978 all modified, amended, or updated local SEQRA procedures shall be adopted per the Commissioners regulations at Title 6 of the NYCRR, but then Title 6 ambiguously again refers to public hearing requirements; and

WHEREAS, the Town of Lansing has an exempt subdivision procedure that mainly relegates certain ministerial or near-ministerial reviews of simple land divisions, but in some cases the location, size, or number of lots either does or should, in the exercise of good judgment, trigger some level of SEQRA review (as not all exempt subdivisions are purely ministerial approvals), and the process of prompt approval and prompt environmental review are hindered by the fact that the Town Board or the Planning Board, as likely lead agencies, may not be able to effect a review or determine a SEQRA classification for as long as a month, and sometimes longer thereby causing unnecessary delay and non-adherence to the timelines of SEQRA; and

WHEREAS, to meet and continue to meet all of the goals and requirements of SEQRA, and to integrate its purposes and processes in a manner as works with existing town policies and procedures, the Town Board is developing a process and new procedures whereby the Town Board alters existing local SEQRA practice to delegate to the Town Supervisor limited authority to classify exempt subdivisions as either Type II Actions or Unlisted Actions, and to effect a SEQRA review on behalf of the Town for any Unlisted Action for limited exempt subdivisions when it is duly found and recorded that: (i) the action is not a Type I Action or likely to trigger any moderate or significant environmental impacts; (ii) the subdivision meets all dimensional and bulk requirements for exempt lot review, including acreage, frontage, a lack of required infrastructure, and no significant ground disturbance, including any disturbance levels as would trigger stormwater review mandates (among other requirements); and

WHEREAS, upon consideration of the goals and purposes hereby to be served, the Town board of the Town of Lansing has hereby

RESOLVED that the following SEQRA policy be immediately implemented within the Town as a process and procedure designed to meet and better fulfill the requirements of SEQRA:

1. The Town Supervisor, or in his or her absence the Deputy Supervisor (herein and both together and severally, the “Supervisor”), be and hereby is empowered and delegated the authority to classify actions and conduct certain environmental reviews under SEQRA for certain exempt subdivisions.
2. Such review shall only be permitted where the exempt subdivision meets all the following requirements:
  - (i) It is an exempt subdivision under controlling subdivision laws and rules; and
  - (ii) The proposed subdivision meets all dimensional and bulk requirements for exempt lots and subdivision review, including acreage, frontage, a lack of required infrastructure, and no significant ground disturbance, including any disturbance levels as would trigger stormwater review mandates.

Any exempt subdivision that triggers stormwater review or SWPPP requirements, whether as a result of the land division itself or the subsequent land development activity

anticipated or envisioned as part of the subdivision review process, shall not be eligible for SEQRA approval by the Supervisor and shall be referred, as appropriate, to the Town Board or the Planning Board.

3. The Supervisor shall have authority to consult with any person or entity to obtain counsel or advice upon environmental impacts and the proper classification of the action. At all times the mandates, requirements, and purposes of ECL Article 8 and its implementing regulations shall be honored and all determinations as to the action meeting the requirements for review outlined in these procedures and the basis for any SEQRA declaration shall be recorded in a written form and filed and archived in accord with the requirements of SEQRA and the public records retention policies of the Town.

4. The Supervisor shall cease review and refer the matter and its environmental review to the Town Board, Planning Board, or other appropriate agency per SEQRA requirements under the following conditions:

- (i) If it is determined that coordinated review is necessary or desirable;
- (ii) If the action is classified as Unlisted, but the location, nature of the project, size of the project, or any other aspect or feature of the project has the potential to create any moderate or significant environmental impacts; or
- (iii) If a positive declaration is determined as likely based upon the review of the potential environmental impacts and the EAF.

5. If the matter qualifies for review and does not trigger referral to another appropriate agency under these procedures then, after due inquiry and after taking a hard look at potential environmental impacts, the Supervisor may determine whether any moderate or significant potential adverse environmental impacts are likely to arise from or in relation to the action and, accordingly thereafter the Supervisor shall either:

- (i) Make a negative declaration; or
- (ii) Refer the matter per the above requirements if it is believed that a positive declaration is likely.

The Supervisor shall have no authority to issue a Conditioned Negative Declaration (“CND”) and any matter requiring a CND shall be referred to the Town Board, the Planning Board, or to another appropriate agency as required by SEQRA.

6. Despite these procedures and guidelines, the Supervisor maintains the authority to refer any review to the Town Board, Planning Board, or other reviewing agency (or lead agency) when such Supervisor, in his or her sole discretion and without recourse, believes it is in the best interests of the Town to do so.

And it is further

RESOLVED, that a copy of this policy shall be delivered to the Commissioner of the DEC together with an ENB publication form, if required, as mandated by 6 NYCRR § 617.14; and it is further

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 18th day of March, 2015, at 6:10 pm, to consider the adoption of the above-proposed SEQRA procedures within the Town of Lansing; 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.

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

Councilperson Ruth Hopkins - Aye  
 Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 18, 2015.

**APPROVE AUDIT and BUDGET MODIFICATIONS**

**RESOLUTION 15-47**

Supervisor Kathy Miller moved that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

**CONSOLIDATED ABSTRACT # 002**

DATED 02/18/2015

AUDITED VOUCHER #'s	<u>54 – 141</u>
PREPAY VOUCHER #'s	<u>54 – 61</u>
AUDITED T & A VOUCHER #'s	<u>5 – 14</u>
PREPAY T & A VOUCHER #'s	<u>5 – 9</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>110,326.82</u>
HIGHWAY FUND (DA&DB)	\$ <u>96,734.35</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,427.23</u>
LANSING WATER DISTRICTS (SW)	\$ <u>178,419.42</u>
TRUST & AGENCY (TA)	\$ <u>1,236,610.44</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>5,736.22</u>
DEBT SERVICE (V)	\$ <u>0.00</u>

**BUDGET MODIFICATIONS**

**GENERAL FUND A**

**January 21, 2015**

POST DECEMBER CLOSING 2014

<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A7320.110	FROM YOUTH SRVC CONT TO YTH SVC PERSONAL SVC CCETC BUDGET AMENDMENT FROM SALARY LINE	\$ 2,600.00
A1110.400	FROM JUSTICES-EQUIP TO JUSTICES-CONTRACTUAL	\$ 1,500.00
A1110.400	FROM COURT CLK-PER SVC TO JUSTICES- CONTRACTUAL UNANTICIPATED EXPENDITURES	\$ 31.09
A1010.100	FROM TB CONTRACT TO TB PERSONAL SERVICES UNANTICIPATED EXPENSES	\$ 2.20

A1110.120	FROM COURT CLK PER TO COURT CLERK PERS DUE TO CHANGE IN PERSONNEL	\$ 2,690.33
A1220.100	FROM SUPERVISOR-CONTR TO SUPERVISOR-PERS UNANTICIPATED EXPENSES	\$ 0.12
A1380.400	FROM CONTINGENCY TO FISCAL AGENT FEE UNANTICIPATED EXPENSE	\$ 90.00
A1410.130	FROM DEPUTY-PERS TO TOWN CLK -DEPUTY PERS	\$ 2,224.78
A1410.130	FROM TOWN CLK -CONTRACTUAL TO DEPUTY-PERS	\$ 707.00
A1610.400	FROM CONTINGENCY TO TECHNOLOGY UNDER ESTIMATED	\$ 243.75
A1620.400	FROM BLDGS - PERS TO BLDGS CONTRACTUAL UNANTICIPATED EXPENSES	\$ 1,206.88
A1620.403	FROM BLDS REPAIRS TO BLDGS ELECTRIC	\$ 1,071.32
A1620.403	FROM BLDGS-TEL TO BLDGS ELECTRIC UNDER ESTIMATED ELECTRIC EXPENSE	\$ 63.00
A1630.406	FROM COMM CTR-ELEC TO COMM CTR-GAS UNDER ESTIMATED GAS EXPENSE	\$ 487.41
A1630.400	FROM COMM CTR-ELEC TO COMM CTR-CONTRACTUAL UNANTICIPATED EXPENSE	\$ 25.00
A1640.406	FR TB STORAGE ELEC TO TB ROAD STORAGE GAS	\$ 196.28
A1640.406	FR PLYGRD/REC PER TO TB ROAD STORAGE GAS UNDER ESTIMATED GAS EXPENSE	\$ 86.00
A3510.402	FROM CTL OF DOGS- ENUMER TO CTL DOGS CONTRAC UNDER ESTIMATED DOG EUTH EXPENSES	\$ 240.00
A1950.400	FROM CONTINGENCY TO TAXES&ASSES MUNI PROP UNANTICIPATED TAXES	\$ 992.27
A5010.120	FROM SUP/HWY-CONTR TO SUP/HWY-SECRETARY UNDER ESTIMATED HWY-SECRETARY	\$ 66.83
A5132.200	FROM GARAGE-SUPPLIES TO GARAGE - EQUIPMENT UNANTICIPATED EXPENSES	\$ 2,746.00
A5182.403	FROM CONTINENCY TO STREET LGHTING CONTRACT UNANTICIPATED EXPENSES	\$ 99.54
A7020.120	FR PKS&REC ADM-PER SVS TO PKS&REC ADM- PERS	\$ 329.36
A7020.120	FR PKS PERS SVC TO PKS&REC ADM-PER UNDER ESTIMATED PKS& REC ADM-PERS	\$ 251.00
A7020.400	FR PKS PERS SVC TO PKS&REC ADM-CONTRACTUAL UNANTICIPATED EXPENSES	20.11
A7110.400	FROM PARKS-EQUIP TO PARKS CONTRACTUAL UNANTICIPATED EXPENSES	530.32
A7110.403	FROM PARKS-EQUIP TO PARKS ELECTRICAL UNDER ESTIMATED ELECTRIC	335.47
A7140.400	FROM PLYGRND-PERS SVC TO PLGRND-CONTRACT UNANTICIPATED EXPENSES	90.30

A7310.400	FROM CONTINGENCY TO YTH PROG - CONTRACTUAL UNANTICIPATED EXPENSES	219.03
A7510.100	FROM HIST-CONTRAC TO HISTORIAN PERS SVCS UNDER ESTIMATED HISTORIAN PERS SVCS	0.40
A7560.400	FR CONTINGENCY TO OTH PER ARTS-CONTRACTUAL UNANTICIPATED EXPENSES	628.75
A7560.401	FR CONTINGENCY TO OTH PER ARTS-ESFOTA UNDER ESTIMATED PER ARTS EXPENSES	609.69
A7620.100	FROM ADLT REC-CONT TO ADLT REC-PERS SVCS UNDER ESTIMATED ADLT REC SVCS	500.00
A9040.800	FR HOSP & MED TO WORKERS COM INSURANCE UNDER ESTIMATED WORKERS COMP INS	1,942.51
A9050.800	FR HOSP & MED TO UNEMPLOYMENT INSURANCE UNDER ESTIMATED UNEMPLOY INS	1,715.04
A1630.400	FR COMM CTR REPAIRS TO COMM CTR CONTRACTUAL UNANTICIPATED EXPENSES	40.51
A7320.410	FR CONTING TO YTH SERVICES-CONTRACTUAL UNANTICIPATED EXPENSES	172.09
A9010.800	FR CONTING TO STATE RETIREMENT UNDER ESTIMATED BUDGET	8,708.68

**BUDGET MODIFICATIONS**

**GENERAL B FUND**

**January 21, 2015**

POST DECEMBER CLOSING 2014

<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B3620.120	FR ZBA STIPEND TO ZONING/CODE/FIRE OFFICER UNDER ESTIMATED ZON/COD/FIRE OFFICER	\$ 2,230.46
B8010.402	FR ZBA STIPEND TO ZONING LEGAL SVCS	\$ 494.50
B8010.402	FR COMP PLAN CONTRACT TO ZONING LEGAL SVCS UNDER ESTIMATED LEGAL SERVICES	\$ 3,023.00
B8020.402	FROM COMP PLAN CONTRACT TO PLNG BD- LEGAL UNDER ESTIMATED LEGAL SERVICES	\$ 892.50
B8020.420	FROM COMP PLAN CONTRACT TO PLNG BD-PLAN CONSU UNDER ESTIMATED PLAN CONSULT	\$ 2,201.76
B8020.440	FROM PLNG BD-CONTRAC TO PLNG BD-ASST PLNG CON UNDER ESTIMATED ASST PLNG CONSULT	\$ 853.38
B9040.800	FROM HOSP & MED TO WORKERS COMP INS UNDER ESTIMATED WORKERS COMP INS	\$ 371.97

**BUDGET MODIFICATIONS**

**HIGHWAY DA FUND**

**January 21, 2015**

POST DECEMBER CLOSING 2014

<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
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DA5130.400	FROM MACH-PERS SVC TO MACHINERY - CONTRACTU UNANTICIPATED EXPENSES	\$ 1,782.29
DA9040.800	FROM HOSP & MED TO WORKERS COMP INSURANCE UNDER ESTIMATED WORKERS COMP INS	\$ 909.26
DA9010.800	FR SNOW REM-PERS TO NYS RETIREMENT UNDER ESTIMATED NYS RETIREMENT	\$ 9,380.97

**BUDGET MODIFICATIONS**

**HIGHWAY DB FUND**

January 21, 2015

POST DECEMBER CLOSING 2014

<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DB9040.800	FROM ST MAINTENANCE TO WORKERS COMP INS UNDER ESTIMATED WORKERS COMP INS	\$ 537.29
DB9060.800	FROM ST MAINTENANCE TO HOSP & MED INS UNDER ESTIMATED HOSP & MED INS	\$ 521.49
DB9010.800	FR ST MAINT TO NYS RETIREMENT UNDER ESTIMATED NYS RETIREMENT	\$ 7,552.91

**BUDGET MODIFICATIONS**

**WARREN SEWER SS1- FUND**

January 21, 2015

POST DECEMBER CLOSING 2014

<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS1-8120.400	FROM CONTINGENCY TO SEWER CONTRACTUAL UNANTICIPATED EXPENSES	\$ 566.88
SS1-9050.800	FROM CONTINGENCY TO UNEMPLOYMENT INS UNDER ESTIMATED UN EMPLOYMENT INS	30.33

**BUDGET MODIFICATIONS**

**WATER SW FUND**

January 21, 2015

POST DECEMBER CLOSING 2014

<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW8310.402	FROM WTR ADM-PER TO WTR ADM-LEGAL	2,329.00
SW8310.402	FROM WTR ADM-FISCAL TO WTR ADM-LEGAL UNDER ESTIMATED LEGAL SERVICE	401.00
SW8310.401	FR SOURCE-CONTRA TO WTR ADM - ENGINEER UNDER ESTIMATED ENGINEER SERVICE	9,261.53
SW8320.401	FR SOURCE-CONTRA TO SOURCE-LANSING ST/ALG RD UNDER ESTIMATED SOURCE AND SUPPLY	861.99
SW8340.400	FR SOURCE-CONT TO TRANS & DISTR CONTRACTUAL UNANTICIPATED EXPENSES	4,040.73
SW9040.800	FR HEALTH INS TO WORKERS COMP INS UNDER ESTIMATED WORKERS COMP INS	371.97
SW8310.400	FR STR ADM-FISC TO WTR ADM-CONTRACTUAL UNANTICIPATED EXPENSES	83.88
SW9010.800	FR HEALTH INS TO STATE RETIREMENT	1,160.51
SW9010.800	FR SOCIAL SECURITY TO STATE RETIREMENT UNDER ESTIMATED STATE RETIREMENT	236.00

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

Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried and duly adopted on February 18, 2015.

### **BOARD MEMBER REPORTS**

#### **Edward LaVigne**

Nothing to report other than it was an excellent report from the library. Jack French added that the steps to the library will be completed when the weather breaks.

#### **Ruth Hopkins**

Personnel Policy Committee – They are dealing with some complicated issues along with Health Insurance and Retirement. The committee is making progress and Patrick Tyrrell and Robert Cree are a great addition to the committee.

#### **Kathy Miller**

On February 26<sup>th</sup> there will be negotiations with AES as their final agreement ends this year. She will report on this at the next meeting. Also, on February 26<sup>th</sup> there be a meeting with NYSEG, Robert Pass and the Town of Dryden in regards to changes in the easements for the proposed gas lines.

#### **Monthly Report**

The Supervisor submitted her monthly report for the month of January, 2015 to all Board Members and to the Town Clerk.

#### **Sharon Bowman**

The Annual Update Document is ready to file. She will review this with the Town Board at the Work Session meeting on March 4<sup>th</sup>.

Working on the completion of the Easements for the Bone Plain Road Water Project.

### **TOWN COUNSEL REPORT**

#### **Guy Krogh**

At the March 4<sup>th</sup> work session meeting he will have a draft Telecommunications Tower Local Law for the Town Board to review.

The last time the Investment and Collateralization Policy was reviewed for the NYS Comptroller and banking requirements was 2008. He stated they should be reviewed to make sure they meet the NYS Comptrollers rules. Supervisor Kathy Miller stated they were assured by TTC that things were okay. The Town Board and Guy Krogh will review the agreement and have it formalized in writing.

Councilperson Ruth Hopkins asked about Clarity Connect and Broadband. Guy Krogh stated that last week the FCC announced they are going to regulate high speed internet services as a utility. This will be discussed further at the work session meeting on March 4<sup>th</sup> in reference to above draft local law.

### **ADJORN MEETING**

Meeting adjourned at the call of the Supervisor at 6:58 p.m.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall, RMC