

January 21, 2009

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

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

ROLL CALL

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

Visitors: Jeff Overstrom, Steve Colt, Jack French, Dan Veaner, Charlie and Sheila Nedrow, Matt Cooper, Dave Heck, John O’Neill, Brent Zifchock, David Taube, Miles Cigolle, Maureen Cowen, Larry Zuidema, Peter Trowbridge and Andy Sciarabba.

The Supervisor led all present in the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR: No one approached the Board at this time.

Increase Senior Disability Exemption:

A discussion was held regarding the increase of the Senior and Disabled Local Law. Mr. Pinney stated that the total approximate cost would be \$ 837.02. He stated that he was not in favor of the increase. It is a small amount of money but every penny counts. Mr. Shattuck stated that the Board passed an exemption to a group of people with no disabilities and no restrictions on their ability to make money. Mr. Shattuck was the only Board Member that questioned that resolution but felt this one really makes sense.

**RESOLUTION 09-39
RESOLUTION ADOPTING LOCAL LAW #2 OF 2009
(AMENDING LOCAL LAW #5 OF 2007)**

REGARDING SENIOR AND DISABLED CITIZENS TAX EXEMPTIONS

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 21st day of January, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Connie Wilcox, and was duly seconded by Martin Christopher; and the vote was as follows: A. Scott Pinney - no; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew

Besemer - aye; and the following Resolution therefore passed 4-1, and was duly adopted:

WHEREAS, NYS changed the allowable senior citizen and disabled persons tax exemptions through amendments of Real Property Law § 467 and § 459-C and the same have been approved by Tompkins County; and

WHEREAS, Current Lansing Local Law Number 5 of 2007 provides for partial real property tax exemptions for certain persons of limited income who are 65 years of age or older or disabled, as specified and permitted by said Real Property Law §467 and §459-C, as amended; and

WHEREAS, said proposed Local Law #2 of 2009 proposes to amend the exemption tables to match the exclusions and limitations of amended § 467 and § 459-C of the Real Property Law of the State of New York; and

WHEREAS, a Public Hearing was duly noticed, called, and held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 17th day of December, 2008, at 6:10 o'clock P.M., whereat, the adoption of Local Law Number 4 of 2008 (as re-numbered as Local Law Number 2 of 2009), was considered, and all persons interested in the subject thereof were duly heard; and

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

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, does hereby pass, adopt, and approve Local Law Number 2 of 2009, as set forth in its entirety below:

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 2 OF 2009**

**Senior and Disabled Citizens Real Property Partial Tax Exemption Amendment to
Local Law Number 5 of 2007**

SECTION 1: Section 3 of Local Law Number 5 of 2007 is amended to read as follows:

Exemption Tables and Qualifications: Such partial exemption shall be to the extent set forth in the schedule following:

ANNUAL INCOME OF OWNER OR COMBINED ANNUAL INCOME OF OWNERS FROM TAXATION	PERCENTAGE ASSESSED VALUATION EXEMPT
Up to \$28,000.00	50%
\$28,001.00 to \$28,999.00	45%
\$29,000.00 to \$29,999.00	40%
\$30,000.00 to \$30,999.00	35%
\$31,000.00 to \$31,899.00	30%
\$31,900.00 to \$32,799.00	25%
\$32,800.00 to \$33,699.00	20%
\$33,700.00 to \$34,599.00	15%

\$34,600.00 to \$35,499.00	10%
\$35,500.00 to \$36,399.00	5%;

The partial exemption provided by this Local Law shall, however, be limited to such property and persons as meet the conditions, qualifications, exclusions, and limitations set forth in Section 467 and 459-C of the Real Property Tax Law of the State of New York. This Local Law shall be administered in accordance with said Sections of the Real Property Tax Law, as now adopted, and as may be amended from time to time, and the provisions of said Section 467 and 459-C shall be applicable to the effectuation of the exemption provided for in this Local Law.

SECTION 2: This Local Law shall apply to the applicable taxes for the year 2009, and for future tax years until this Local Law is amended or rescinded.

SECTION 3: This Local Law, and the amendments to Local Law #5 of 2007, shall take effect immediately, and the Town Clerk is directed to immediately file a copy of this Local Law with the NYS Attorney General as required by law.

Public Hearing – Ethics Law:

RESOLUTION 09 – 40

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

RESOLVED, that the Public Hearing on the proposed Ethics Law is hereby opened at 6: 05 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 – 09 –41

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

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

Adopt Local Law # 1 of 2009 – Ethics Law:

RESOLUTION 09 - 42

RESOLUTION ADOPTING LOCAL LAW #1 OF 2009

(Ethics Rules and Regulations of the Town of Lansing)

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 21st day of January, 2009, the following

members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. 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, the Town Board has for many years considered enactment of a new and/or updated law regarding ethics for the Town of Lansing; and

WHEREAS, several model and sample local laws were reviewed and discussed and due consideration was had in light of the needs of the Town and the requirements of General Municipal Law Article 18; and

WHEREAS, said proposed Local Law proposes to (i) define conflicts of interest, (ii) define standards of conduct, (iii) provide for penalties for ethical violations; (iv) create a Board of Ethics, (v) imbue such Board with advisory and review powers, (vi) establish rules of procedure for such Board, and (vii) provide for budgetary and administrative powers for such Board; and

WHEREAS, a Public Hearing was duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 21st day of January, 2009, at 6:05 o'clock P.M., to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof; and

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

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, does hereby pass, adopt, and approve Local Law Number 1 of 2009, as set forth in its entirety below:

LOCAL LAW NUMBER 1 OF 2009

ETHICS RULES AND REGULATIONS OF THE TOWN OF LANSING

History – This Local Law hereby supersedes any prior resolution, rule, procedure, ordinance or Local Law of, or in effect in, the Town of Lansing pertaining to the subject matter hereof.

The Town Board of The Town of Lansing, New York, pursuant to a Resolution dated January 21, 2009 does hereby adopt and pass a Local Law as follows:

ARTICLE 1. AUTHORITY & PURPOSE: This Local Law is adopted pursuant to the authority granted the Town of Lansing by Section 10 of the Municipal Home Rule Law and General Municipal Law Article 18. The Town of Lansing recognizes that there are state statutory provisions mandating Towns to establish rules and standards of ethical conduct for public officers and employees which, if observed, can enhance public confidence in local government. In the light of a tendency today on the part of some people to downgrade our local governments and to discredit our public servants and our free institutions generally, it appears necessary that every effort be made to assure the highest caliber of public administration of this Town as part of our State's important system of local government. It is the purpose of this Local Law to implement these objectives through the establishment of standards of conduct, to provide for punishment

of violations of such standards, and to create a Board of Ethics to render advisory opinions to the Town's officers and employees, as provided for herein.

ARTICLE 2. TITLE: This Local Law shall be known as the "Town of Lansing Ethics Local Law."

ARTICLE 3. APPLICABILITY OF OTHER STANDARDS AND LAWS: The standards, prohibited acts and procedures established herein are in addition to: (i) any rules about prohibited acts and applicable conflicts of interest provisions or procedures prescribed by statute of the State of New York, and (ii) common law rules and judicial decisions relating to the conduct of Town Officers to the extent that the same are more severe in their application than this Local Law

ARTICLE 4. CODE OF ETHICS:

SECTION 1: DEFINITIONS: The following terms and phrases shall have the following meaning(s) under this Local Law:

A. TOWN: means the Town of Lansing and any Board, Commission, district, council, committee, or other agency, department, or unit of the government of the Town of Lansing.

B. TOWN EMPLOYEE: means any Officer or employee of the Town, whether paid or unpaid, and whether serving in a part-time, full-time, or advisory capacity.

SECTION 2: CONFLICTS OF INTEREST: No Town Employee shall have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature which is in substantial conflict with the proper discharge of the duties of the Town Employee in the public interest.

SECTION 3: STANDARDS OF CONDUCT: The following standards of conduct apply to all Town Employees:

A. No Town Employee shall accept other employment, present or future, which will impair such Town Employee's independence of judgment in the exercise of official duties.

B. No Town Employee shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority; nor shall any Town Employee in any way disclose confidential information or use such information to further a personal interest.

C. No Town Employee shall use or attempt to use an official position or employment by the Town to secure any unwarranted privileges or exemptions for such Town Employee's own interest or for others.

D. No Town Employee shall engage in any transaction as representative or agent of the Town with any business entity in which such Town Employee has any direct or indirect financial interest that might reasonably tend to conflict with the proper discharge of official duties.

E. A Town Employee shall not by any conduct give a reasonable basis for the impression that any person can improperly influence a Town

Employee or unduly enjoy a Town Employee's favor in the performance of official duties or that such Town Employee is affected by the kinship, rank, position or influence of any party or person.

F. Each Town Employee shall avoid making personal investments in enterprises which such Town Employee has reason to believe may be directly involved in decisions to be made by such Employee or which will create substantial conflict between the Town Employee's duty in the public interest and such Town Employee's private interest(s).

G. In the event that a Town Employee finds that any investment or employment would influence, or would appear to influence, such Town Employee in the conduct of official duties, the Town Employee shall immediately file a written disclosure of such interest with the Town Clerk and shall refrain from participation in the discussion, deliberation, and making of a decision in such matter.

H. Each Town Employee shall endeavor to pursue a course of conduct which will not raise suspicion among the public that such Town Employee is likely to be engaged in acts that are in violation of the public trust.

I. No Town Employee employed on a full-time basis, nor any firm or association of which such Town Employee is a member, nor any corporation for which a substantial portion of the stock is owned or controlled directly or indirectly by such Town Employee, shall (i) sell goods or services to the Town except in accord with law, and (ii) shall sell goods or services to any person, firm, corporation or association which is licensed by, or whose rates are fixed by, the Town in which such Town Employee serves or is employed.

J. No Town Employee shall solicit, accept, or receive any gift having a value of \$75.00 or more.

ARTICLE 5: BOARD OF ETHICS: There is hereby established a Board of Ethics consisting of 5 members, to be appointed by the Town Board, all of whom shall reside in the Town, and all of whom shall serve without compensation and at the pleasure of the Town Board. A majority of such members shall be persons other than Town Employees. At least one member of such Board of Ethics shall be an elected official of the Town. The Attorney for the Town shall be an *ex officio* member of said Board without voting privileges. The Board of Ethics shall have the following powers and procedures:

SECTION 1: The Board of Ethics established hereunder shall render advisory opinions to Town Employees upon written request and shall, upon request of the Town Board, make recommendations to such Town Board relating to any amendments of this Local Law. The opinions of the Board of Ethics shall be advisory and confidential, and in no event shall the identity of the Town Employee be disclosed except to authorized persons and agencies. Such opinions shall be on the advice of the Attorney for the Town, or if he or she is recused or has a conflict, then from counsel so employed by the Board of Ethics.

SECTION 2: The Board of Ethics shall interpret and enforce this Local Law and General Municipal Law Article 18, as well as such other laws, rules, provisions, procedures, and decisions as the Board of Ethics deems relevant, applicable, or controlling by virtue of Article 3 of this Local Law.

SECTION 3: Any Town Employee who requests an opinion or is the subject matter of an opinion before the Board of Ethics shall be granted the right to be heard by said Board prior to the making of an opinion.

SECTION 4: Such Board of Ethics, upon its formation, shall promulgate its own rules and regulations as to its form and procedures and shall maintain appropriate records of its opinions and proceedings.

ARTICLE 6: ADMINISTRATION:

SECTION 1: PENALTIES FOR OFFENSES: In addition to any penalty contained in any other provision of law, any such Town Employee who shall knowingly and intentionally violate any of the provisions of this Local Law may be fined, suspended, or removed from office or employment in the manner provided by law.

SECTION 2: DISTRIBUTION AND POSTING: Upon the adoption of this Local Law the Town Supervisor shall cause a copy thereof to be distributed to every Town Employee. The failure to distribute any such copy or failure of any Town Employee to receive such copy shall have no effect on the duty of compliance with this Local Law nor the enforcement of provisions hereof. The Town Supervisor shall further cause a copy of this Local Law to be kept posted conspicuously in each public building under the jurisdiction of the Town. Failure to so post this Local Law shall have no effect on the duty of compliance herewith, nor upon the enforcement hereof.

SECTION 3: FILING WITH NEW YORK STATE: Within 10 days of the adoption of this Local Law, the Town Clerk shall file a copy thereof in the office of the State Comptroller and the Office of the Secretary of State.

SECTION 4: APPROPRIATION OF FUNDS: The Town Board may appropriate moneys from general Town funds for the costs and expenses of, the maintenance of, and for personnel services incurred by or provided to, the Board of Ethics. However, such Board of Ethics may not commit the expenditure of Town money except within the limit of appropriations provided by the Town Board.

ARTICLE 7: SAVING CLAUSE: If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such judgment or determination shall not affect, impair or invalidate the remainder of this Local Law, and shall be confined in its operation and interpretation only to the clause, sentence, paragraph, section or part hereof directly involved in the controversy in which such judgment or determination shall have been rendered.

ARTICLE 8: LIMITATION OF LIABILITY AND INDEMNITY: The Town shall not be liable or responsible for any injury to persons or damage to property due to the Town's actions, or failures to act, under or pursuant to this Local Law, unless it is proven to a reasonable degree of certainty that such injury or damage was solely caused by a willful or intentional act of the Town.

ARTICLE 9: EFFECTIVE DATE: This Local Law shall take effect immediately.

Presentation for a Town Center:

David Taube, Miles Cigolle and Peter Trowbridge gave a lengthy presentation on the Planning Guidelines for a Town Center. At this time, Mr. Pinney is trying to get the deed restrictions lifted on the property owned by the Town on Auburn Road. It was decided that the next step is to set up a Committee which will be done very soon.

Change Date of February Meeting:

Mr. Pinney stated that he would like to change the Regular February Board Meeting to Tuesday, February 24, 2009 at 6:00 p.m. Mrs. Wilcox stated that it had already been changed to the 25th.

RESOLUTION 09 - 43

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

RESOLVED, that the Regular Meeting in February will be held on February 24, 2009 at 6:00 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 . . . (Nay) Connie Wilcox, Councilperson
- Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Set Public Hearing on Length of Planning Board Terms:

After some discussion and a question and answer period, the following resolution was offered:

RESOLUTION 09 - 44

(Planning Board Terms and Appointment of Alternate Members to Planning Board and Zoning Board of Appeals and Related Rules and Procedures)

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 21st day of January, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Besemer; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town Board has for many years considered enactment of a local law to amend the term of Planning Board Members as, pursuant to NYS law, the current term of 7 years; and

WHEREAS, it is believed that more citizen participation will be achieved by requiring shorter terms as many potentially interested and qualified residents have expressed interest in serving for a shorter period of time; and

WHEREAS, the Town Board hereby makes clear that this proposed law is not a reflection upon any Member of the Planning Board and that this proposed local law will not impact the current constitution of the Planning Board, whose Members have

provided a valuable service to the Town and all of whom will continue to serve upon the Planning Board; and

WHEREAS, said proposed Local Law envisions superseding NYS law and having 3 Planning Board Members (the seven existing Members and 2 Alternate Members) appointed each year, with the existing terms duly modified such that the next renewals or appointments shall be the first to be appointed as of January 2010, with 3 appointments following each year thereafter. Further, this law seeks to clarify and set requirements as to the creation of rules and regulations governing Planning Board procedures, to set forth a procedure for appointing Chairpersons and Vice Chairpersons for the Planning Board, and to enact procedures and rules pertaining to the appointment of Alternate members of the Planning Board and Zoning Board of Appeals; and

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

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

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 24th day of February, 2009, at 6:05 o'clock P.M., to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

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

Approve Procurement Policy:

After some discussion and some changes, the following resolution was offered.

RESOLUTION 09-45

RESOLUTION ADOPTING 2009 PROCUREMENT POLICY

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 21st day of January, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of 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, in 2003 NYS changed the applicable levels affecting procurement of public works and acquisitions thus affecting procurement rules as promulgated by the State, mainly through General Municipal Law Sections 101 and; WHEREAS, the Town Board has undertaken a lengthy review of existing procurement policies and compared the same to policies of similar municipalities and the requirements of law; and

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

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, does hereby pass, adopt, and approve the 2009 Procurement Policy for the Town of Lansing as set forth hereafter in full:

**TOWN OF LANSING
PROCUREMENT POLICY**

Policy Statement

The purpose of the Town of Lansing's Procurement Policy is to ensure the prudent and economical use of public moneys and to facilitate the acquisition of facilities and commodities of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

The Town of Lansing's Procurement policy is intended to fully comply with all federal and state purchasing requirements. Whenever possible, the Town of Lansing will seek to engage in a Procurement Policy which supports local business and industry while supporting jobs within the State.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

A good-faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals.

Procurement Procedures

Documentation Required For Purchase Orders and Contract Awards

- A. Verbal quotations. A telephone log or other record should provide, at a minimum, the date, the item or service desired, the price quoted and the name of the vendor's representative.
- B. Written quotations. Vendors should provide, at a minimum, the date, a description of the item or details of the service to be provided, the price quoted, name of contract and signature. Quotes transmitted by fax are acceptable.
- C. All purchases of supplies or equipment which will exceed \$10,000 in the fiscal year or public works contracts over \$20,000 shall be formally bid pursuant to General Municipal Law § 103.

	Verbal Quotes 1 or More	Verbal Quotes 3 Or More	Written Quotes 3 Or More	Public Bid
Dollar Limits				
Purchase Contracts Below \$10,000				

Under \$999	X			
\$999 - \$2,499		X		
\$2,500 - \$9,999			X	
Purchase Contracts Above \$10,000				X
Contract for Public Work Below \$20,000				
Under \$1,000	X			
\$1,000 - \$4,999		X		
\$5,000 - \$19,999			X	
Contract for Public Work Above \$20,000				X

(Building Repair and Maintenance)

All building repairs and maintenance projects exceeding \$1,000.00 require specific Town Board approval.

Except when directed by the Town Board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (1) Acquisition of professional services.
- (2) Emergencies.
- (3) Sole-source situations.
- (4) Goods purchased from agencies for the blind or severely handicapped.
- (5) Goods purchased from correctional facilities.
- (6) Goods purchased from another governmental agency.
- (7) Goods purchased at auctions.
- (8) Computer software.
- (9) Purchases pursuant to state or county bid.

Prohibition

No board member, officer or employee of the Town of Lansing shall have an interest in any contract with the municipalities of which he is an officer or employee, when such officer has the power or duty to (a) negotiate, prepare, authorize or approve the contract or authorize or approve payment there under, (b) audit bills or claims under the contract or (c) appoint any officer or employee who has any of the above-noted powers. In addition, no fiscal officer, treasurer or his employees shall have an interest in a bank or trust company designated as a depository, paying agent, registration agent or for investment of funds of the municipality in which he is an officer or employee.

The above noted procurement policies and procedures shall be reviewed by the Town on an annual basis.

Mrs. Wilcox stated that the training sessions need to be set up soon.

Planning and Engineering Department Report:

Mr. Overstrom went over the following with all present:

Code Office Monthly Activity Report

December, 2008

Planning Board – December 8, 2008

- Site Plan Review- Set Backs – Waldron, Robert, Drake Road

Zoning Board of Appeals – December Meeting Cancelled

Training/Other

Mr. Overstrom attended a three day code enforcement training seminar in Montour Falls at the beginning of the January.

Building Code Complaints -0

Construction with no permit -0

Fire Safety Inspections & Reinspections

Total: 3

Notice of Fire – 2

Construction Inspections

Total: Approximately: 61

Operating Permits Issued

December: 2 Year to Date: Total: 9

New Addresses

Total: 1

Expired Permit Notices

First notices: 6

Second notices: 6

Renewed Permits – 4 Renewed Permits YTD - 68

Electrical Certificates Issued

Total: 10

Electrical Inspections

Total: Approximately 41

Miscellaneous

Swimming Pool Local Law

Mr. Overstrom would like to set up a Public Hearing soon to change the current time of a permit from three (3) months to six (6) months. The stoweable soft-sided pools would stay at three months.

Building Permit Renewal Fees

Right now fee for a building permit is based on square footage and the renewal is 50% of that fee. This can get very expensive. They would like to change this to a flat rate of \$150.00 for a permit renewal. Mr. Shattuck felt this should go up the second time a renewal is requested. Mrs. Wilcox stated that she agrees with Mr. Shattuck.

Lock Box Local Law

Mr. Overstrom and the Fire Chief are looking over the Lock Box Local Law and may modify them in the future.

Town Highway Specifications

Mr. Overstrom has been working with Jack French reviewing the Town Highway specifications. Mr. French will report on this.

Larry Zuidema:

Mr. Zuidema asked the Board to explain why the tax levy went up 15.7 % this year. He stated that last year it went up 4.1%.

Mr. Pinney explained that assessments went from 85% to 100%. He stated that after the whole Budget process was over, there was only a \$ 17,000.00 increase in expenditures this year over the previous year. Therefore, the Board felt the best thing to do was to lower the tax rate by 2% (which actually increased the tax levy by 15%). This left approximately \$ 268,000.00 that went into fund balance as some of the reserve funds were extremely low do to monies spent on the sewer project. He felt that by doing this, in the years to come it may be possible to keep the tax levy at almost 0% or under.

Highway Department Report:

New Road Specifications:

Mr. French stated that himself, Mr. Purcell and Mr. Overstrom have been looking over the present road specifications. They are suggesting that they be rewritten to state that a new road would have to be black topped at a minimum. A road should then last 7 to 8 years before any repairs would need to be done. The way it is now some roads need repair in two years.

Chips Money:

If Governor Patterson gets his way, the Town could loose almost \$ 65,000.00. (This is equal to about a mile of road) All understood that cuts will be made and need to be cut in the State Budget.

Park and Recreation Department Report:

Mr. Colt went over his report as follows:

Parks & Recreation Department

1/21/09

Town Board Meeting

RECREATION

- **Strength & Stretch Program** – This is a NEW program under the direction of Debbie Bosanko and is off to a great start with 14 participants. The program takes place here Monday mornings from 9:30-10:30 AM.
- **Ski Program** has also started and the numbers ended up growing to over 170 participants. This is a larger number for us than the past several years.
- **Karate** currently has 61 participants and Gymnastics has 30 – so – our winter program participation has been very good.
- **The Skating Program** has started with over 60 participants. We are lucky to have really great kids in this group and that makes the sessions very enjoyable. We also are using 2 Youth Service students to help run the program. They have done an excellent job and are paid by the Youth Service Program, so it is a win/win for all involved.
- **2nd & 3rd Grade Basketball** registration forms are going into the schools for player registration. This year the program will start at the end of February and the month of March.
- **The Baseball & Softball** program timeline is completed and soon we will be producing the registration forms for these upcoming programs that will go into the schools on March 2.
- **Adult Open Swim** started the winter session yesterday with 14 dates of swimming on Tuesdays and Thursdays from noon – 12:45 PM.
- **Cardio Step Class** started here on January 5th and will end the winter session on February 26th.

PARKS

- **Salt Point Planting Program** looks like it will take place this spring in late April. I was notified by Russ Davall (DEC) that he has placed an order for over 100 trees and 90 bush plantings. The trees include Green Ash, Red Oak, Sugar Maple and White Pine. It has been arranged so that these trees and plantings will be at no charge to us.
- **Boaters Safety Course** is being planned and will be offered here on Saturday April 25th. Participants will have to pre-register with us prior to the class. Attendees ages 10 and older, who pass the class, will obtain the certificate now required to operate watercraft.
- **Camping Reservations** are off to a good start for '09. As of today, we have reserved 1,442 nights of camping. Last year at this time we had 957 nights reserved. More than half of our maximum potential nights are already reserved.
- **Pavilion rentals** so far are on track for this time of the year. Fees for pavilions were increased by \$5 this year, so we are \$45 (5) and \$65 (2). These fees are fair and reasonable.

- **Grant Update** – The County Beautification grant that I reported on at the last meeting has had a successful outcome. I applied for the \$2000 limit and we were awarded \$5000. Apparently, there were some extra dollars available. With regards to the larger \$30,000+ NYS grant for the trailway, I have moved forward with a required Phase I condensed archaeological site report. We are working with Binghamton University to do the archaeology and the report. I have notified the grant administrator of our plan. The actual work and report will NOT be done until we are notified that we have been successful with the grant award.
- **Summer Concerts** – As of now, I have our last concert date (August 6th) booked with Aaron Kelly, our top draw from last year. All of the other dates are open. I have been contacted by several groups and have just not confirmed other dates yet. Concerts will start on June 25th.
- **Boat Slip** renewal notification forms have been mailed to last year's slip holders with a return date deadline of February 6th. On February 13th open slips will be filled from our waiting list. This coming season is year 2 of the 3 year term.

Mileage Policy:

Mr. Pinney felt the Town pick-up truck needs to be used more. He stated that all departments that use their own vehicle for Town business will now have to use the truck instead of their personal vehicles when it is available. If an employee prefers to use their own vehicle, they will not be allowed mileage. There will be a sign out sheet in the Code Office. A policy will be set, department heads will be notified and a date will be set.

Mr. Pinney also stated that mileage sheets must be turned in at the same time an employees time sheet is turned in.

Set Public Hearing on the Swimming Pool Local Law:

RESOLUTION 09 - 46

RESOLUTION SCHEDULING PUBLIC HEARING FOR PROPOSED

LOCAL LAW #5 OF 2009

(Amending Pool Construction Local Law)

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on 21st day of January, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Connie Wilcox, and was duly seconded by Matthew Besemer; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, The Town 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; 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 be extended to 6 months; and

WHEREAS, this proposed Local Law seeks to amend the Pool Contraction Local Law only to the extent of extending 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 due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 24th day of February, 2009, at 6:10 o'clock P.M., to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

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

SEQRA: Type II Action.

Approve Minutes:

RESOLUTION 09 – 47

A copy of the minutes of January 7, 2009, having been furnished to the Board Members before, the Supervisor asked for a motion to make corrections or to accept the same as submitted.

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

RESOLVED, that the minutes of January 7, 2009 are hereby approved as submitted.

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

Approve Audit:

RESOLUTION 09 – 48

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

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

CONSOLIDATED ABSTRACT # 014

DATED 12/31/08

AUDITED VOUCHER #'s 1365 – 1370

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>12,185.76</u>
HIGHWAY FUND	\$ <u>426.78</u>
LANSING WATER DISTRICTS	\$ <u>798.36</u>

CONSOLIDATED ABSTRACT # 001

DATED 1/21/09

AUDITED VOUCHER #'s 1 – 43

AUDITED TA VOUCHER #'s 1 - 3

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>87,544.35</u>
HIGHWAY FUND	\$ <u>130,529.35</u>
LANSING LIGHTING	\$ <u>1,144.76</u>
LANSING WATER DISTRICTS	\$ <u>4,539.78</u>
CHERRY ROAD SEWER	\$ <u>0.00</u>
TRUST & AGENCY	\$ <u>46,659.38</u>
CWD EXTENSION #1	\$ <u>2,576.02</u>

Town of Lansing
2008 Encumbrances

A Fund

A3310.100	Traffic Control Prsnl Svcs	\$1,137.36
A7110.400	Parks Contractual	\$2,290.00
A7320.110	Youth Services Prsnl Svcs	\$4,125.25
A9030.800	Social Security	\$70.52
A9089.800	Medicare	\$16.49

DA Fund

DA5130.100	Machinery Prsnl Svcs	\$2,429.71
DA5140.100	Brush & Weeds Prsnl Svcs	\$897.72
DA5142.100	Snow Removal Prsnl Svcs	\$31,007.41

DA5148.100	Snow Rmvl Other- Prsnl Srvc	\$8,062.33
	Snow Rmvl Other- Prsnl Srvc -	
DA5148.110	Village	\$2,247.92
DA9030.800	Social Security	\$2,768.00
DA9089.800	Medicare	\$647.35

**BUDGET MODIFICATIONS
GENERAL FUND A
2008 FINAL YEAR END**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1110.400	A1110.120	From Justice Cont to Justice Prsnl Srvc	160.00
A1110.400	A1110.130	From Justice Cont to Justice Prsnl Srvc	1,145.00
A1990.400	A1380.400	From Contingency to Fiscal Agent Fees	3,445.00
A1990.400	A1410.110	From Contingency to Town Clerk Prsnl Srvc	671.00
A1990.400	A1410.400	From Contingency to Town Clerk Contractual	355.00
A1620.100	A1630.100	From Building Prsnl Srvc to Community Ctr Prsnl Srvc	440.00
A5132.110	A3310.100	From Garage Hwy Labor to Traffic Control Prsnl Srvc	1,137.00
A3310.400	A5010.120	From Traffic Control Cont to Sup of Hwys Prsnl Srvc	850.00
A1990.400	A5182.403	From Contingency to Street Lighting Cont	180.00
A7020.400	A7020.110	From Parks & Rec Cont to Parks & Rec Prsnl Srvc	188.00
A7020.400	A7020.120	From Parks & Rec Cont to Parks & Rec Prsnl Srvc	405.00
A7140.100	A7110.403	From Playground Prsnl Srvc to Parks Electric	105.00
A7320.100	A7320.400	From Youth Services Prsnl Srvc to Youth Srvc Cont	21.00
A1990.400	A7320.410	From Contingency to Youth Services Contractual	469.00
A9010.800	A9060.800	From Retirement to Health Insurance	2,000.00
A9030.800	A9060.800	From Social Security to Health Insurance	1,800.00
A9040.800	A9060.800	From Workers Comp to Health Insurance	8,100.00
A9050.800	A9060.800	From Unemployment to Health Insurance	1,300.00
Increase Revenues & Increase Appropriations			
A2353	A7320.110	From Youth Srvc Contrbtns to Youth Srvc Prsnl Srvc	3,000.00
DA9010.800	DA5130.400	From Retirement to Machinery Contractual	265.00
DA5130.100	DA5140.100	From Machinery Prsnl Srvc to Brush & Weeds Prsnl Srvc	898.00
DA5130.100	DA5142.100	From Machinery Prsnl Srvc to Snow Removal Prsnl Srvc	14,355.00
DA5130.100	DA5148.100	From Machinery Prsnl Srvc to Snow Rmvl Other Prsnl Srvc	2,702.71
DA5148.110	DA5148.100	From Snow Rmvl Other Vil Prsnl Srvc to Snow Rmvl Prsnl Srvc	5,358.00
DA9050.800	DA9030.800	From Unemployment Ins to Social Security	1,650.00
DA9010.800	DA9089.800	From Retirement to Medicare	545.00
SW1990.400	SW9060.800	From Contingency to Health Insurance	65.00
Fund Balance			
SL1-599	SL1-5182.400	From Appropriated Fund Bal to Cont	30.00
SL2-599	SL2-5182.400	From Appropriated Fund Bal to Cont	31.00
SL3-599	SL3-5182.400	From Appropriated Fund Bal to Cont	127.51
V5031	V9730.600A	From Interfund Transfers to 03 Hwy BAN	51,612.00

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:

Reporting to the NYS Retirement System:

Mr. Shattuck stated that Mr. Pinney was to talk to the bookkeeper regarding full time employees who work less than a 40 hour week (he thought some worked 35 or 36.5) being credited for a full years credit in the New York State Retirement System. It was agreed that Mr. Pinney will advise the bookkeeper to make this change in how she reports to the NYS Retirement System.

Shared Health Costs:

The Counsel of Governments will meet tomorrow and discuss the shared health care program and the changes in the Highway contract and how they are related to the Towns. Shared safety training will also be discussed.

Consolidated Water District:

Water extensions within the consolidated water district for properties that do not have access to the water right now was discussed. Mr. Krough wants to look into this matter further and it will be discussed at the next meeting.

Sunpath Residents:

Mr. Shattuck asked if anything had come about since the December correspondence. The answer was no, there has been nothing since then.

Matt Besemer:

Ordinance Committee:

The committee will meet tomorrow and proceed with the 100 item list. He stated that the Tompkins County Farm Bureau has stated that they agree with lifting the deed restrictions on the Town owned land on Auburn Road.

Joint Meeting with the Village of Lansing:

This meeting was postponed and has not been rescheduled.

Marty Christopher:

Planning Board Meeting:

He attended his first Planning Board Meeting as a Town Liaison Officer. He felt that it went well and he will be in the learning stages for awhile. A work session will be held on February 23rd.

Connie Wilcox:

Better Housing Authority:

Mrs. Wilcox is talking with the Better Housing Authority to see if the Town of Lansing is eligible to receive another grant as there are still homes in the Town that could be helped by this.

Fire District:

They went on 1,098 calls in 2008.

Scott Pinney:

Health Insurance:

Steve Losey who is a Health Insurance consultant has asked to give the Town a presentation. Mr. Pinney will have him come to the February meeting.

Smoke Detectors at the Community Center:

Mrs. Bowman has received three quotes for hard wiring smoke detectors. The lowest quote was for \$ 877.00. She also received three quotes to have them tied into the Fire Department and the Sheriffs Department with the lowest quote being \$ 4,766.00. After a discussion, it was decided that the smoke detectors will be checked more often to make sure they are working and the batteries are in them.

Cost of Health Insurance:

Mr. Pinney stated that the cost for the Town of Lansing retirees is over \$100,000.00 already this year. He felt we need to look into different ways to be cost effective.

Guy Krogh:

Dog Control Local Law:

Mr. Krogh stated that the Board needs to set a Public Hearing to amend the Dog Control Local Law to remove the S.P.C.A. as an enforcement and dog control officer for the Town of Lansing. The following resolution was adopted.

Set Public Hearing to Amend Local Law No. 4 of the Year 2005:

RESOLUTION 09-49

RESOLUTION SCHEDULING PUBLIC HEARING FOR PROPOSED

LOCAL LAW #4 OF 2009

(Amending Dog Control Local Law)

At a Regular Meeting of the Town Board of the Town of Lansing held in and for the Town of Lansing at the Lansing Town Hall on 21st day of January, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Francis Shattuck, and was duly seconded by Matthew Besemer; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, The Town has an existing Dog Control Local Law, Local Law Number 4 of 2005 that specifies, at Article 7, that the Tompkins County SPCA is a dog control and enforcement officer of the Town of Lansing; and

WHEREAS, the Tompkins County SPCA no longer provides dog control services for the Town; and

WHEREAS, this proposed Local Law seeks to amend the Dog Control Local Law only to the extent of removing the reference to the Tompkins County SPCA; and

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

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

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 24th day of February, 2009, at 8:00 o'clock P.M., to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

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

SEQRA: Type II Action.

Executive Session:

RESOLUTION 09 – 50

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

RESOLVED, that the Regular Meeting is adjourned to go into Executive Session at 8:35 p.m. to discuss a contract with the Village of Lansing and a Union matter.

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 - 51

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

RESOLVED, that the Executive Session I hereby terminate and the Regular Meeting reconvened at 9:23 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

Adjourn Meeting:

RESOLUTION 09 - 52

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

RESOLVED, that the meeting is hereby adjourned at the call of the Supervisor at 9:24 p.m.

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

Minutes taken and executed by the Town Clerk.