

SPECIAL TOWN BOARD MEETING
November 04, 2015

A Special 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 Deputy Supervisor, Sharon Bowman and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be

PRESENT:

Robert Cree, Councilperson	Doug Dake, Councilperson
Ruth Hopkins, Councilperson	Edward LaVigne, Councilperson

ABSENT: Kathy Miller, Supervisor

ALSO PRESENT: Guy Krogh, Town Counsel, Charlie “Cricket” Purcell, Deputy Highway Superintendent, Connie Wilcox, Charles Crandall, Dan Veaner, Lansing Star, Nina Drake, Jared Strait, Mike Koplinka-Loehr, Ted Laux, John O’Neill, Village of Lansing, Anastasia Miesner, Nathaniel Fleishman and a few other attendees.

MIKE KOPLINKA-LOEHR – SOLAR UPDATE

Mr. Koplinka-Loehr informed the Town Board that Mike Roach from RER Energy had reviewed the town’s electric bills in regards to his solar presentation that was given at the September 16, 2015 Regular Town Board meeting. His findings determined that the 220K solar PV system would fully meet the needs.

Mr. Koplinka-Loehr noted that unfortunately third party investors, (who would get the tax credits and accelerate the depreciation which the town wouldn’t benefit from), are generally not getting involved in systems less than 500K. He noted if the town wanted to consider community solar (citizens could buy into a centralized solar array and get a credit on their home electric bill) than a partnership array could very well work. He emphasized that starting a community solar array would take a lot of work and would likely take a while to organize.

Mr. Koplinka-Loehr informed the Town Board that TST BOCES, on behalf of the Lansing Central School District is still looking for a site for their 1.5MW solar PV array. He noted that this would benefit all town taxpayers by keeping electricity rates low to the Lansing School District for 25 years. He asked the Town Board to consider the possibility of the town leasing the needed 7 acres of land at \$500.00 an acre per year for 25 years.

The Town Board thanked him for the update.

MOTION TO OPEN PUBLIC HEARING ON THE PROPOSED SPECIAL DISTRICTS BUDGET FOR 2016

Councilperson Ruth Hopkins moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED SPECIAL DISTRICTS BUDGET FOR 2016** at 6:04 pm. Councilperson Robert Cree seconded the motion.

All in Favor - 4 Opposed - 0

No one addressed the board.

MOTION TO CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Robert Cree moved to **CLOSE THE PUBLIC HEARING ON THE PROPOSED SPECIAL DISTRICTS BUDGET FOR 2016** at 6:05 pm. Councilperson Edward LaVigne seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO OPEN PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2016

Councilperson Robert Cree moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2016** at 6:06 pm. Councilperson Ruth Hopkins seconded the motion.

All in Favor - 4 Opposed - 0

No one addressed the board.

MOTION TO CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Robert Cree moved to **CLOSE THE PUBLIC HEARING ON THE PROPOSED BUDGET FOR 2016** at 6:07 pm. Councilperson Edward LaVigne seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO OPEN PUBLIC HEARING ON LOCAL LAW #9 OF 2015

Councilperson Robert Cree moved to **OPEN THE PUBLIC HEARING ON LOCAL LAW #9 OF 2015 TO REPEAL LOCAL LAW #5 OF 2015 AND REINSTATE THE TAX CAP LIMITS ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C** at 6:08 pm. Councilperson Edward LaVigne seconded the motion.

All in Favor - 4 Opposed - 0

No one addressed the board.

MOTION TO CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Ruth Hopkins moved to **CLOSE THE PUBLIC HEARING ON LOCAL LAW #9 OF 2015 TO REPEAL LOCAL LAW #5 OF 2015 AND REINSTATE THE TAX CAP LIMITS ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C** at 6:09 pm. Councilperson Edward LaVigne seconded the motion.

All in Favor - 4 Opposed - 0

RESOLUTION ADOPTING LOCAL LAW #9 OF 2015

RESOLUTION 15-122

RESOLUTION ADOPTING LOCAL LAW #9 OF 2015 – A LOCAL LAW TO REPEAL LOCAL LAW #5 OF 2015 AND REINSTATING THE TAX CAP LIMITS OF GENERAL MUNICIPAL LAW § 3-C

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

WHEREAS, on June 17, 2015, the Town adopted a local law to override tax cap limits set forth in GML § 3-C (Local Law #5 of 2015), and due to other NYS legislation allowing certain limited tax refunds under stated conditions, one of which is that no tax cap override may be in place at the time of adoption of a final budget for 2016, the Town Board has decided to repeal Local Law #5 of 2015, the tax cap override local law; 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 November 04, 2015, to consider the adoption of proposed Local Law #9 of 2015, and all persons interested therein were duly heard and all evidences were taken; and

WHEREAS, since this action is a Type II SEQRA action for which no environmental review is required, and upon due consideration thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that Local Law #9 of 2015 be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted”; and it is further

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

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

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

Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Councilperson Ruth Hopkins -Aye	Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 04, 2015.

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 9 OF 2015
A LOCAL LAW TO REPEAL LOCAL LAW NUMBER 5 OF 2015
AND REINSTATE THE TAX CAP LIMITS
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

Be it enacted by the Town of Lansing as follows:

SECTION 1: LEGISLATIVE INTENT: This Local Law shall be known as “Local Law Number 9 of 2015”. It is the intent of the Local Law to repeal Local Law Number 5 of 2015, and to thus reinstate the limits on the amount of real property taxes that may be levied by the Town of Lansing pursuant to General Municipal Law §3-C,

SECTION 2: EFFECT: This Local Law hereby thus repeals in its entirety said Local Law Number 5 of 2015, and declares the same of no force or effect, and thus the Town of Lansing repeals the prior tax cap override local law of the Town of Lansing and reinstates the tax levy limits imposed by General Municipal Law §3-C.

SECTION 3: SEVERABILITY: If any portion this Local Law, or the application thereof to any person, entity, or circumstance, shall be determined by any court or tribunal of competent jurisdiction to be invalid or unenforceable, such determination shall be confined in its operation to the invalid part hereof, or in its application to such person, entity, or circumstance as is directly involved in the controversy in which such determination shall have been rendered, and the remainder of this Local Law shall not be impaired thereby and such determination shall not be deemed or construed to apply to other persons, entities, or circumstances.

SECTION 4: EFFECTIVE DATE: This Local Law shall take effect immediately.

RESOLUTION APPROVING THE SPECIAL DISTRICTS BUDGET AND TOWN BUDGET FOR THE FISCAL YEAR 2016

Deputy Supervisor, Sharon Bowman reviewed the following SPECIAL DISTRICTS and FISCAL BUDGET for 2016:

- SDD1 – Drainage District #1 Pheasant Meadow – 0.00
- SDD2 – Drainage District #2 Whispering Pines – 0.00
- SDD4 – Drainage District #4 Lake Forest – 0.00
- SDD5 – Drainage District #5 Farm Pond Circle – 0.00

	<u>Appropriations</u>	<u>Est Revenue</u>	<u>Amt Raised by Tax</u>
SL1 – Ludlowville Lighting District	2,500.00		2,500.00
SL2 – Warren Road Lighting District	5,800.00		5,800.00
SL3 – Lakewatch Lighting District	9,250.00		9,250.00
SS1 – Warren Rd Sewer District	68,795.25	45,614.00	23,181.25
SS3 – Cherry Rd Sewer District	25,268.75	24,950.00	318.75
SW – Lansing Water District	<u>1,220,959.32</u>	<u>739,100.00</u>	<u>481,859.32</u>
TOTAL SPECIAL DISTRICTS	1,332,573.32	809,664.00	522,909.32

	<u>Appropriations</u>	<u>Est Revenue</u>	<u>Unexpended Fund Balance</u>	<u>Amt Rased by Tax</u>
General Fund Townwide	1,891,585.13	831,229.54	34,000.00	1,026,355.59
General Fund Outside Village	295,050.00	295,050.00	0.00	0.00
Highway Fund Townwide	1,418,128.00	361,324.91	250,000.00	806,803.09
Highway Fund Outside Village	1,312,535.52	1,312,535.52	0.00	0.00
Debt Service Fund	0.00	0.00	0.00	0.00
TOTAL TOWN	4,917,298.65	2,800,139.97	284,000.00	1,833,158.68

Councilperson Ruth Hopkins noted that the Special Districts is lower as the town has retired three major bonds.

RESOLUTION 15-123

**RESOLUTION APPROVING THE
SPECIAL DISTRICTS BUDGET AND
TOWN BUDGET FOR THE FISCAL YEAR 2016**

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

WHEREAS, the Town Board duly held Public Hearings on November 04, 2015 at the Lansing Town Hall, 29 Auburn Road, Lansing, New York and all persons thereat were duly heard; and

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

RESOLVED, that the proposed Special Districts Budget and the proposed Town Budget are hereby adopted as the Town of Lansing Final Budget for the Fiscal Year 2016.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Robert Cree, duly seconded by Councilperson Doug Dake and put to a roll call vote with the following results:

- | | |
|----------------------------------|------------------------------------|
| Councilperson Robert Cree - Aye | Councilperson Doug Dake - Aye |
| Councilperson Ruth Hopkins - Aye | Councilperson Edward LaVigne - Nay |

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 04, 2015.

RESOLUTION HIRING BRONWYN LOSEY, AS A PART-TIME RECREATION ASSISTANT IN A SUBSTITUTE CAPACITY FOR THE LANSING DROP IN PROGRAM

RESOLUTION 15-124

**RESOLUTION HIRING BRONWYN LOSEY,
AS PART-TIME RECREATION ASSISTANT TO ACT
IN A SUBSTITUTE CAPACITY
FOR THE LANSING DROP IN PROGRAM**

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

WHEREAS, there is a need for a Part-Time Recreation Assistant to act in a substitution capacity when the need arises as the Lansing Drop In Program operates with three employees at all times; and,

WHEREAS, said position, Part-Time Recreation Assistant, for the Lansing Drop In Program were sought to be filled; and

WHEREAS, the Town Board had previously interviewed for the posted and advertised part-time position, and

WHEREAS, an acceptable and qualified individual was located, and are therefore proposed to be hired to fulfill such job requirement; and

WHEREAS, after review and discussion of such proposal, the Town Board of the Town of Lansing has hereby

RESOLVED, that Bronwyn Losey be and hereby is approved to be employed as a Town of Lansing Grade 2 Employee, as Part-Time Recreation Assistant, to act in a substitute capacity for the Lansing Drop In Program, with such employment to commence 11/04/2015 at the rate of \$11.52 per hour.

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

Councilperson Robert Cree - Aye Councilperson Doug Dake - Aye
Councilperson Ruth Hopkins - Aye Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on November 04, 2015.

CHART FROM THE TOMPKINS COUNTY ASSESSMENT DEPARTMENT

Councilperson Ruth Hopkins provided the following chart from the Tompkins County Assessment Department that showed tax rate ranking:

Muni	School	Combined Rate	Median Value	Taxes	Tax Rank	Tax Rate Rank	# of Parcel	Average	Town	School
Cayuga Heights	Ithaca	33.360373	330,000	11,008.92	1	8	866	367,193	15.199273	18.1611
TOV Lansing	Ithaca	27.365649	365,000	9,988.46	2	25	131	365,878	9.04549	18.1611
V Lansing	Ithaca	28.345345	265,000	7,511.52	3	22	571	286,184	10.184245	18.1611
Ithaca	Ithaca	37.91485	190,000	7,203.82	4	3	3635	205,623	19.75375	18.1611
Ulysses	Ithaca	27.589178	245,000	6,759.35	5	24	432	335,898	9.428078	18.1611
TOV Ithaca	Ithaca	31.582502	210,000	6,632.33	6	12	3385	231,085	13.421402	18.1611
Trumansburg	Trumansburg	38.866778	180,000	6,096.02	7	5	539	185,274	14.848778	19.018
V Dryden	Dryden	39.938727	145,000	5,791.12	8	2	584	153,235	17.15182	22.7869
Dryden	Ithaca	28.26841	200,000	5,653.68	9	23	1058	218,898	10.10731	18.1611
TOV Lansing	Lansing	30.881849	175,000	5,404.32	11	13	2479	234,478	9.20454	21.6773
Danby	Ithaca	29.978511	180,000	5,396.13	10	14	1018	203,311	11.817411	18.1611
Dryden	Dryden	32.89421	150,000	4,934.13	12	9	2184	158,038	10.10731	22.7869
Ulysses	Trumansburg	28.446078	170,000	4,835.83	13	20	870	190,666	9.428078	19.018
Danby	Spencer VE	29.910681	150,000	4,486.60	14	15	125	162,552	11.817411	18.09327
V Groton	Groton	40.55477	110,000	4,461.02	15	1	644	110,066	19.065624	21.489146
V Freeville	Dryden	35.94049	120,000	4,312.86	16	4	164	123,421	13.15359	22.7869
Caroline	Candor	33.540993	125,000	4,192.62	17	7	135	127,275	11.58849	21.9525
Caroline	Ithaca	29.749593	135,000	4,016.20	19	17	970	148,207	11.588493	18.1611
Dryden	Groton	31.596177	125,500	3,965.32	18	11	108	142,120	10.10731	21.488867
Groton	Groton	32.565663	120,000	3,907.88	20	10	923	127,294	11.076796	21.488867
Enfield	Trumansburg	29.297649	130,000	3,808.69	22	18	274	150,564	10.279249	19.0184
Groton	Dryden	33.863696	110,000	3,725.01	23	6	315	118,682	11.076796	22.7869
Newfield	Newfield	28.967309	125,000	3,620.91	24	19	1521	136,044	10.89154	18.075769
Enfield	Ithaca	28.440349	115,000	3,270.64	25	21	806	124,791	10.279249	18.1611

ADJOURN SPECIAL MEETING TO BUDGET WORK SESSION

The Special Meeting adjourned to a Work Session at the call of the Deputy Supervisor at 6:16 p.m.

Topics of Discussion: Lynn Day

1. Split Property Town/Village

- (a) .76 acres in the Village of Lansing with a home.
1.21 acres in the Town of Lansing with a request to build on the 1.21 acres.
Access to the property is through the Village
- (b) Assessment Department will not consolidate the property without the Town Relinquishing the property
- (c) Question Remains: Do the owners get a Variance through the Village and another one from the Town of Lansing
- (d) Counsel Guy Krogh noted that the owner could apply for a 280A 5 Variance He recommended that the Town and the Village review all the properties that have these problems.
- (e) Counsel Guy Krogh noted that the Town and Village could jointly agree and have one Planning Board handle it and the other one would send a designated representative. The 280A 5 variance would involve the town property as that would be declared the development area. The property owner would need a 15 foot right-of-way driveway along the property edge. The Town Board would declare the development area, not the planning board.
- (f) Lynn Day will meet with the Village.

2. Lynn Day – Clarification on Employee, Vacation and Comp-Time

Work Session adjourned at the call of the Deputy Supervisor at 6:30 p.m.

RECONVENE SPECIAL TOWN BOARD MEETING

Special meeting was reconvened at the call of the Deputy Supervisor at 6:31 p.m.

MOTION TO ENTER EXECUTIVE SESSION

Councilperson Robert Cree moved to **ENTER EXECUTIVE SESSION TO DISCUSS A PARTICULAR EMPLOYEES LEAVE BENEFITS AT 6:33 PM.** Councilperson Edward LaVigne seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO EXIT EXECUTIVE SESSION

Councilperson Edward LaVigne moved to **EXIT EXECUTIVE SESSION AT 6:51 PM.** Councilperson Robert Cree seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO ADJOURN MEETING

Councilperson Doug Dake moved to adjourn the Special Town Board meeting at 6:51 p.m., seconded by Robert Cree.

All in Favor – 4 Opposed - 0

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall, RMC