

REGULAR TOWN BOARD MEETING
June 15, 2016

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 6:33 p.m. The meeting was called to order by the Supervisor, Edward LaVigne and opened with the Pledge of Allegiance to the flag. Roll call by Deborah K. Munson, Town Clerk, showed the following to be

PRESENT:

Edward LaVigne, Supervisor	Andra Benson, Councilperson
Katrina Binkewicz, Councilperson	Robert Cree, Councilperson
Doug Dake, Councilperson	

ABSENT: None

ALSO PRESENT: Guy Krogh, Town Counsel, Charlie “Cricket” Purcell, Highway Superintendent, Mike Moseley, Deputy Highway Superintendent, Dan Veaner, Lansing Star, John O’Neill, Village of Lansing, Mike Sigler, Tompkins County Legislator, Ted Laux, Connie Wilcox, Cassandra Negley, Barbara Jordan, Chris William, Matthew Lukosavich, and a few other attendees.

LANSING COMMUNITY LIBRARY REPORT – EMILY FRANCO

The following report was available as a handout.

TOWN BOARD UPDATES
FROM THE LANSING COMMUNITY LIBRARY
June 15, 2016

1. This is the first year LCL has participated in the Ithaca “Giving is Gorges” campaign and we were pleased to raise over half the cost of our new kids’ computer.
2. The front entry project is complete and the old doorway has now been replaced by fully functioning windows and some lovely landscaping by the Garden Committee. And the LCL front “open” flag is back!
3. The Garden Committee has been working hard on the gardens and recently had a large mulching event. Thanks to Paul Paradine and his crew for their assistance.
4. Summer Reading/Book Sale:
 - a. The Summer Reading Kick off is scheduled for Saturday, June 18th at the Community Center and the Spring Book Sale will be held both Friday and Saturday, June 17 & 18 at the library in conjunction with the kick-off. Beauty and the Beast Storytellers will perform at 11 AM followed by the Physics Bus and Balloon Creations with Cayuga Twister.
 - b. On Saturday, July 16th, the Merry-Go-Round Youth Theater will perform “The Tortoise and the Hare” at Myers Park at 11:00 AM.
 - c. The End of Summer Reading Party will be held Saturday, August 20 starting at 11:00 AM, featuring music from Laura Doherty.
5. Upcoming programs:
 - a. The Friends of the Library are sponsoring a fundraiser with Doug’s Fish Fry TO GO on Wednesday, June 29 from 11 AM to 6 PM at Cayuga Mall, True Value/Agway.
 - b. Tuesdays beginning July 5th, LCL will offer Come and Go Crafts from 4:00-5:45 PM and at 6:00 PM a Family Exercise class.
 - c. There will be **no** Tai Chi classes Tuesday, June 7 and Tuesday, June 14.
 - d. There will be no Story Time from Thursday June 16 to July 5. Story Time will resume on Thursdays only, starting July 7th at 10:30 AM and continue throughout the summer.
6. The newest art exhibit was coordinated by the East Shore Festival of the Arts. The display features the work of over 20 regional artists. LCL participated in the grand opening celebration on May 6th and the art exhibit runs until June 24.

Supervisor Edward LaVigne and Councilperson Andra Benson stated that the front window in the Library looks excellent. They also noted that people have been working on the landscaping and volunteers are always welcome to help.

TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER

Reviewed the following with the Town Board and the report was available as a handout.

Tompkins County Legislator
Michael Sigler
June 15, 2016

Hello and thanks for having me again. A lot going on at the county.

The special committee of the Tompkins County Legislature in its final stages of its once-a-decade review of the County Charter. The future of the position of Tompkins County Sheriff, whether it should remain an elected position or changed into an appointed position, similar to other top-level County department heads is under review. At the moment I'd side with it to remain an elected position, but I'm waiting on the debate. Any change from an elected to appointed position would have to be approved by the voters by referendum.

In money news, Moody's has released its rating report for Tompkins County. The rating is Aa1 with a stable outlook, which is the same rating we had going into the process. We were hoping for a triple A rating. The rating will be used to sell our new money bonds on June 23, 2016.

Good news at Ithaca Tompkins Regional Airport. It has been awarded a more than \$600,000 New York State Airport Infrastructure grant.

The \$619,935 grant, awarded through the competitive grant program, will fund construction of a Flight Academy Building at the Airport, which will significantly expand the breadth and depth of training services offered at the airport. I train at East Hill Airport and this should be good addition to the airport and an improvement to the flight school. I wrote as much in a letter supporting this grant that went to the state.

A new 2,500 square foot single-story office-type building to house a dedicated flight training center will be built which includes flight simulation rooms, a lecture hall, classroom and meeting rooms, conference areas, and offices for instructors and support staff. The flight training center will be operated by a new not-for-profit entity, the East Hill Aviation Academy, contractually utilizing resources from the existing East Hill Flying Club.

This Sunday is Airport Day. The event will include the well-known Father's Day Breakfast, the second annual *Runway 5K*, plane rides, lots of displays and demonstrations, and fun for everyone. Airport Day is a collaborative effort of the Airport, Taughannock Aviation, and East Hill Flying Club.

Here's the busy schedule of events:

7:00 a.m. to end of day – See displays from organizations throughout Tompkins County.
7:00 a.m. - 1:00 p.m. – ***Father's Day Pancake Breakfast*** at East Hill Flying Club
9:00 - 10:00 a.m. -- ***5K on the Runway*** – runners complete the fast one-hour course, looping the runway and taxiway.
10:00 - Noon -- Crossroads the Clown
10:30 -- K-9 Demonstration (by the Ithaca Police Department)
11:00 — Vehicle Extrication Demonstration (by the Airport Fire Department)

At our legislature meeting earlier this month, we authorized funding to implement a Reentry Plan for inmates of the Tompkins County Jail, as advanced by the County's Criminal Justice/Alternatives to Incarceration Board (CJATI), following more than a year of intensive study.

The Department of Probation and Community Justice will be given \$100,000 in contingent funding, set aside during the 2016 budget process to support reentry programs, and authorizes development of a Request for Proposals to support implementation of the

Reentry Plan put forward by CJATI . The program will focus on helping released inmates access to the county’s many services and ease their transition back into the community, aimed at reducing rates of recidivism.

Under the Plan, the County will contract for approximately \$65,000 to be committed to case management services, approximately \$25,000 for enhanced basic education services and life skills training offered through the County’s Day Reporting Program, and approximately \$10,000 for grant writing services aimed at augmenting local funding for reentry services.

The full Reentry Plan is posted at the CJATI page of the County website at <http://www.tompkinscountyny.gov/ctyadmin/CJATI>.

On the energy front, we came out firmly against a proposed retroactive policy change by the New York State Energy and Resource Development Authority (NYSERDA) which would claim NYSERDA ownership of Renewable Energy Certificates (RECs) from NYSERDA-supported customer-sited projects, with transfer of those RECs to investor-owned utilities, at no cost, enabling the utilities to claim the environmental attributes of those customer-sited projects as their own. I believe this is a “taking” by the state without the people owning these RECs being paid for them.

Prior to the Legislature meeting, at a special session of the Health and Human Services Committee, Legislators received a 90-minute briefing by Ithaca City Mayor Svante Myrick, along with District Attorney Gwen Wilkinson and Lillian Fan, of the Southern Tier Aids Program, on “The Ithaca Plan: A Public Health and Safety Approach to Drugs and Drug Policy. The county legislature came out with its belief that much of this plan if it’s to go forward, would have to be done at the county level through the department of health.

Thank you again to Marcia Lynch for providing much of the information and wording in this report and thank you for having me.

Mike also stated the airport needs more gates in other places (maybe Charlotte, Chicago and Detroit). He commented that Cornell University needs to get more involved. Mike noted the airport will be closed for about two weeks in July, for re-paving.

Mike stated there is flooding in Ludlowville which they will be working on. He noted Highway Superintendent, Cricket Purcell is already involved with the project.

MOTION TO OPEN THE PUBLIC HEARING – ANNUAL STORM WATER REPORT

Councilperson Robert Cree moved to **OPEN THE PUBLIC HEARING ON THE ANNUAL STORM WATER REPORT** at 6:43 pm. Supervisor Edward LaVigne seconded the motion.

All in Favor - 5

Opposed – 0

MOTION TO CLOSE THE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Robert Cree moved to **CLOSE THE PUBLIC HEARING** at 6:44 pm. Councilperson Doug Dake seconded the motion.

All in Favor - 5

Opposed - 0

MOTION TO OPEN THE PUBLIC HEARING – LOCAL LAW #8 OF 2016 TO OVERRIDE THE TAX LEVY LIMIT

Councilperson Andra Benson moved to **OPEN THE PUBLIC HEARING ON LOCAL LAW #8 OF 2016 TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**, at 6:44 pm. Councilperson Robert Cree seconded the motion.

All in Favor - 5

Opposed – 0

MOTION TO CLOSE THE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Robert Cree moved to **CLOSE THE PUBLIC HEARING** at 6:45 pm. Supervisor Edward LaVigne seconded the motion.

All in Favor - 5

Opposed - 0

PARKS AND RECREATION REPORT – STEVE COLT

The following was available as a handout.

**Parks & Recreation Department
6/15/16
Town Board Meeting**

RECREATION

- Our LBP Baseball and LSP Softball program ended this past Saturday June 11. We had Jump Around Inflatables set up again this year to make the final day special for all of our players and families. We got very lucky with the weather and the games were played and most all of the equipment was returned.
- The Summer Travel season will be starting soon. We will have teams of 10U – 19U baseball and a 12U softball team. In all we will have 8 summer travel teams playing until the second week in August.
- Summer Program registrations are still coming in and currently we have collected over **\$72K** in registration fees! Several of our programs have sold out. This is a great fee level for us considering that we are not able to offer Swimming Lessons or Band Camp this year due to school construction projects.
- Late Summer – Fall Programs... Today we are printing the booklet that will go into school later today or tomorrow. This is a 9 page packet of programs that include more summer offerings plus our usual fall line-up.

PARKS

- The park paving and lining project is complete and the job looks GREAT!!!! We have heard a lot of excellent feedback. The paving was very well done and will last a very long time in the Park.
- Our beachfront and swim area is set to be inspected by the Health Department next Wednesday and pending a positive outcome, we will open for the season on the following Monday June 27th. Our last day of swimming will be August 21st.
- The Lansing Community Council’s Fireworks is set for Friday July 1st. The rain date is Sunday July 3rd. “Bad Alibi” is the band for this year’s event. Our own Scott Hollister is in this band and they are excellent.
- The Lion’s Club is scheduled for their annual 4th of July BBQ
- Concerts will start on July 7th, leading off with the “Immortal Jellyfish” a very popular local band. If we are lucky enough to get good weather on Thursday nights, we could have a huge concert season!!!

HIGHWAY SUPERINTENDENT REPORT – CHARLIE “CRICKET” PURCELL

Cricket reported the following:

Myers Park – The paving is completed.

Paving-Doing prep work.

Triphammer Terrace – Working on the water project.

EastLake – Taking care of a drainage easement.

Supervisor Edward LaVigne stated he's had compliments on the Myers Park paving.

PLANNING CONSULTANT REPORT – MICHAEL LONG

Nothing to report this month.

ENGINEER'S REPORT – DAVE HERRICK

The following report was available as a handout.

ENGINEER'S REPORT

1. Water System Planning and Maintenance

a. Town CWD, Bone Plain Pressure Zone

- The Bone Plain Tank and Village Circle Pump Station are now operational. Pressure transition created several leaks with older buried gate valves that had corroded bolts. Bolton Point responded to quite a few plumbing inquiries prior to the transition. A change order for roughly \$25k has been recommended by the Engineer to complete an additional connection at Warren Road between the new high pressure main and the existing 8" main serving the Woodland Park Subdivision.
- Engineer will prepare a change order request for contractor to install roughly 540 feet of 8" main along Hillcrest Road to complete an important loop in the new Bone Plain pressure grid.
- Pavement and lawn restoration is nearing completion. A 'punch list' inspection is being scheduled for the next several days. Engineer and Highway Superintendent will prepare the list of incomplete or corrective work to be finished before closing out the construction contract.
- Project budget remains within the original authorization.

b. Town CWD, Triphammer Terrace Extension

- A letter from the Town Supervisor to obtain permanent and temporary easements for the new water main has been mailed to landowners on the east side of Triphammer Terrace between Aspen Way and Tahoe Trail.
- Town Highway Superintendent and Town Engineer will be available to meet at landowner request.

c. Town CWD, Extension 1: Lansing Station Road Main Extension

- Town Supervisor will help to contact and schedule a site visit with the Norfolk Southern personnel.

d. Town CWD Out-of-District User Consolidation

- There are now a fair number of out-of-district user agreements for lands that will ultimately be incorporated into the CWD boundary through a single Engineer's Map, Plan and Report (MPR) and public hearing proceeding. Town Supervisor has asked that the WSAB provide a recommendation on when this process should be triggered (e.g. number of agreements, actual number of connected customers, annually etc).
- Whatever the recommendation, the MPR can be completed during the summer to facilitate having the tax parcels included in the following year's tax roll.

e. Portland Point Road Extension

- Mr. Sean Whittaker approached the WASB to discuss the possibility of extending the Town water main down to #298 and #300 Portland Point Road. Mr. Whittaker will be scheduling a site meeting with the other neighbor and Town Staff to look at the route and stream/railroad crossings. A brief feasibility study may be needed to inform the Town Board and WASB on the scope and cost of the main extension.

2. Stormwater Planning and Maintenance

a. Drainage Districts #1, #2, #4 and #5

- Performing the Town's inspection of permanent stormwater practices in the existing Drainage Districts is recommended during the summer of 2016. This is an annual reporting requirement of the Town's MS4 (Municipal Separate Storm Sewer System) permit.
- The districts listed above currently have a fund balance to reimburse for these inspections as well as physical repairs that may be needed based on the inspections.
- District #3 is the Cottonwood Subdivision which has not yet been constructed. District #6 is the Lansing Commons Subdivision and there is no indication that benefited properties in this district have been assessed an annual fee per the Engineer's MPR. District #7 covers the Asbury Hill Subdivision (Whispering Pines Phase VI) which has also not been completed. District #8 applies to the Cayuga Way Subdivision which does have a permanent stormwater pond although no homes have been built. The benefit charge listed in the Engineer's MPR should be considered in the 2017 budget for this district.

3. Code Enforcement and Planning

a. Recently Completed Development Reviews and Planning Department Assistance

- Pinney Properties Duplex Project SWPPP
- Lake Forest Circle Subdivision SWPPP
- Town Comprehensive Plan maps for water, sewer and roads.
- Tompkins County B&T Park Masterplan

AGRICULTURE COMMITTEE REPORT – CONNIE WILCOX

Reviewed the following with the Town Board.

**Town of Lansing
Agricultural Committee
June 15, 2016**

The last meeting of the committee was on May 2, and it was decided by the committee not to meet again until July 11th (Linda's Diner, 9:00 am) due to the farmers work load in the month of June.

I, however, have continued to gather information and work on a couple of projects. At the May meeting there was a concern regarding the Solar companies going around to the landowners and wanting to lease a fair amount of acreage for solar farms. The body was concerned that if landowners lease to the solar companies that they will lose vital acreage that they are now leasing.

I attended a meeting regarding solar leases on May 18th at the Ramada. Presenters were Greg Reynolds from the Farm Bureau, Chris Denton an Environmentalist, and Jim Leonard an Attorney. A lot of their concerns were that landowners are signing leases without knowing what the full impact will be. Renovou is a very reputable firm and they have no problem with them, it is the fly by night firms that are pressuring landowners into signing leases. They call it Wall Street Solar, the transactions are masquerading as a lottery ticket. There is a possibility they may not use the land but warehouse it for future use, and not pay the original amount of the lease. I won't go on and on, but as a town we need to explore the effect this will have on the town taxes. If these companies are making money, they should be paying tax. Need to look at possibly changing zoning ordinance or put site plan review in place.

I have been working with the Highway Superintendent to get some Right to Farm signs in place at our Town of Lansing border signs. I have gotten some samples from other towns to show the sign people.

COMPREHENSIVE PLAN COMMITTEE REPORT – CONNIE WILCOX

Reviewed the following with the Town Board.

**Town of Lansing
Comprehensive Plan
Committee Report
June 15, 2016**

The Comprehensive Plan is coming along very well. The majority of the plan is complete in rough draft form and Mike Long and Joe Sheppard are working diligently to tweak, and format this document.

We have procured Diane Duthie to do some professional photos for the plan, she already has some that she has taken of events and landscapes in Lansing. If any of you think of anything you would like to see in the plan, please let Mike or myself know and we will tell Diane.

A public hearing is going to be held on August 10, 2016 at 7 PM, here at the Town Hall, we will be taking written and verbal comments. Mike and I will be chairing and with any public hearing we will be listening and not responding. There will be no question and answer period as we don't want it to turn into a debate and want to have enough time to allow all to speak that wish. We will be video filming the hearing so the committee may review all the comments.

I had hoped to have this to the Town Board for their hearing by August, but it now looks like October. This plan will be done by the end of 2016 and then we can start looking at grants that we may be able to apply for to help the Town move forward with infrastructure, transportation, recreation, pathways and tourism opportunities.

Also, there are four members from the Planning Board on the committee, so they're all up to date.

Councilperson Katrina Binkewicz, thanked Connie for her leadership and stated that everyone seems to be working well together.

PRIVILEGE OF THE FLOOR

A resident spoke about setting up a community Advisory Board for the Finger Lakes Residential Center. She communicated there will be an open house in July for anyone that is interested in supporting the services that are provided to their youth. The contact information is: Dollbaby Cooper 607-533-5000 or Dollbaby-Dee.Cooper@ocfs.ny.gov

She stated the programs contribute to the youth's success in re-entering their communities. She noted that some of the programs they work on are:
Building birdhouses, Adirondack chairs, and obstacles for 5K obstacle runs
Planting Apple Orchards and Honey Harvesting
Automotive and Culinary Shops

Supervisor Edward LaVigne stated he used to be on the Advisory Board and volunteered to be on the Board again.

Councilperson Andra Benson stated she volunteered there in the past with religious services with the Catholic Church. The resident noted there is interest in this and would like to have this as a program.

The resident stated the Community Advisory Board is a NYS requirement.

RESOLUTION APPROVING THE 2016 ANNUAL STORM WATER REPORT

RESOLUTION 16-96

**RESOLUTION APPROVING 2016
ANNUAL STORM WATER REPORT**

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

WHEREAS, the Town’s Annual Storm Water Report is prepared and due for the required annual review pursuant to Local and State Laws and related regulations; and

WHEREAS, a copy thereof was timely filed in the Office of the Town Clerk for public review; and

WHEREAS, a Public Hearing was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 15th day of June, 2016, at 6:43 P.M., to consider the Annual Storm Water Report, and all persons interested in the subject thereof were duly heard, and a summary and review thereof was duly had; and

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

RESOLVED, that the 2016 Annual Storm Water Report be and hereby is approved, and once placed into its final form for submission to NYSDEC by the Town’s Stormwater Management Officer, said report may be signed and certified by the Town’s Stormwater Management Officer, by, for, on behalf of and in the name of the Town of Lansing, and the same shall be thereafter duly filed with the NYSDEC.

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

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Councilperson Doug Duke - Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

RESOLUTION ADOPTING LOCAL LAW #8 OF 2016 TO OVERRIDE THE TAX LEVY LIMIT

RESOLUTION 16-97

**RESOLUTION ADOPTING LOCAL LAW #8 OF 2016
TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW §3-C**

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

WHEREAS, the Town Board of the Town of Lansing is hereby authorized to adopt a budget for the fiscal year 2017; and

WHEREAS, the proposed Local Law #8 of 2016 proposes to authorize the Town Board override the limit on the amount of real property taxes that may be levied by the Town of Lansing, County of Tompkins, for the fiscal year beginning January 1, 2017 and ending December 31, 2017, so as to allow, if necessary or desired, a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-C; and

WHEREAS a public hearing was duly held upon June 15, 2016 at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, whereas the public was invited to comment upon the proposed Local Law, and whereat all persons interested in the subject were duly heard and all evidence submitted, if any, was duly received; and

WHEREAS, upon due deliberation thereupon, and in consideration of all discussions and matters arising from or in relation to the aforesaid public hearing, the Town Board of the Town of Lansing has hereby resolved, and thus be it so enacted, as follows:

RESOLVED, that Local Law Number 8 of 2016 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 NYS Department of State, Division of Corporations, State Records and Uniform Commercial Code, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231).

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

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye
Supervisor Edward LaVigne – Aye

Councilperson Katrina Binkewicz - Aye
Councilperson Doug Dake - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 8 OF 2016**

**TO OVERRIDE THE TAX LEVY LIMIT 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 8 of 2016”. It is the intent of Local Law Number 8, of 2016 to override the limit on the amount of real property taxes that may be levied by the Town of Lansing, County of Tompkins pursuant to General Municipal Law §3-C, and to allow the Town of Lansing, County of Tompkins to adopt a Town budget for (a) Town purposes, and (b) any other special or improvement district, and Town improvements provided pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2017 and ending December 31, 2017 that requires a real property tax levy in excess of the “Tax Levy Limit” as defined by General Municipal Law §3-C.

SECTION 2: AUTHORITY: This Local Law is adopted pursuant to subdivision 5 of General Municipal Law §3-C, which expressly authorizes the Town Board to override the Tax Levy Limit by the adoption of a Local Law approved by vote of at least sixty (60%) of the Town Board.

SECTION 3: TAX LEVY LIMIT OVERRIDE: The Town Board of the Town of Lansing, County of Tompkins is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-C.

SECTION 4: SEVERABILITY: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the

person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 5: EFFECTIVE DATE: This Local Law shall take effect immediately upon filing with the Secretary of State.

Adopted June 15, 2016

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #9 OF 2016, UPDATING AND REPLACING THE EXISTING FLOOD PLAIN LOCAL LAW

RESOLUTION 16-98

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #9 OF 2016, UPDATING AND REPLACING THE EXISTING FLOOD PLAIN LOCAL LAW

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

WHEREAS, the Town has long recognized a need to update and simplify its flood plain local law, and since early 2015 amendments have been underway in respect of the same, and this draft local law has been reviewed by the Code Enforcement Officer and Town Engineers, and all input had and duly considered, and the Town Board has conducted its review of this local law as well; and

WHEREAS, such local law proposes to update definitions, standards, and procedures of review of disturbances and construction activities in varying types of flood plains and areas with water inundation, and to add procedures to comply with various state and federal regulations in respect of stormwater and flood plains; 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 20th day of July, 2016, at 6:35 pm, to consider the adoption of proposed Local Law #9 of 2016 - the Town of Lansing Flood Plain Local Law, and the environmental impacts thereof, and to thereat 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; and it further

RESOLVED AND DETERMINED, that this action is classified as an Unlisted Action, including as it is an amendment to an existing resource policy and does not implement new resource policies, but only amends and updates them to achieve compliance with state and federal mandates, including FEMA, SEMA, EPA, ACE, DEC (including ECL Article 36 and 6 NYCRR Part 500), FWS and others (see, e.g., 6 NYCRR 617.4(b)(1); EIRNY § 4:14), and thus, pursuant to SEQRA, and in furtherance thereof:

- i. The Town Board of the Town of Lansing proposes to be the Lead Agency for coordinated environmental review, subject to consent or any requests regarding such coordinated review by any involved agency.
- ii. The Town of Lansing is the sole Involved Agency, being the sole agency with authority to undertake, fund, or approve this action.
- iii. The Interested Agencies are determined to be: the Town of Lansing Planning Board; The Town of Lansing Zoning Board of Appeals; the Village of Lansing; the Town of Groton; the Town of Ulysses, the Town of Locke; the Town of Genoa; the

Town of Dryden; the County of Tompkins; the County of Cayuga; the NYS Regional Director of Parks in the Finger Lakes Region; NYSDEC; NYS Office of Parks, Recreation and Historic Preservation; the NYS Department of Agriculture; the Tompkins County Planning Department; and the Clerk of the Tompkins County Legislature; and it is further

RESOLVED, that the Town Clerk issue a Notice of Intent to each and all of the Involved Agencies and Interested Agencies, including therewith a copy of the proposed local law and SEAF Part 1 and its supporting EAF Map(s); and it is further

RESOLVED, that this local law and the SEQRA materials be sent to County Planning with a request for a General Municipal Law §§ 239-1 and -m review.

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

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

RESOLUTION HIRING KEVIN MAY AS A LABORER IN AND FOR THE HIGHWAY DEPARTMENT AND SELECTING PROBATIONARY PERIOD THEREFOR

RESOLUTION 16-99

RESOLUTION HIRING KEVIN MAY AS A LABORER IN AND FOR THE HIGHWAY DEPARTMENT AND SELECTING PROBATIONARY PERIOD THEREFOR

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

WHEREAS, there is a need for a laborer at the Town of Lansing Highway Department, and

WHEREAS, said position has been classified and deemed as a Civil Service Laborer position by the Tompkins County Department of Personnel; and

WHEREAS, Kevin May has been identified as a qualified candidate; and

WHEREAS, the Highway Superintendent has recommended that Kevin May be hired as a laborer at the Town of Lansing Highway Department; and

WHEREAS, upon a review and discussion of the matter, the Town Board of the Town of Lansing has hereby:

RESOLVED, that Kevin May be and hereby is approved to be employed as a laborer, Grade A, Step 1, in the Town of Lansing Highway Department, effective June 16, 2016, at a rate of \$16.26 per hour, 40 hours per week, and all Town perquisites and benefits as are available to such position; and it is further

RESOLVED, that the probationary be and hereby is scheduled for 26 weeks; and it is further

RESOLVED, that the appropriate Town officer be and hereby is authorized to make such changes to the Towns’ employment and civil service rosters, to file the required Civil Service forms to effect such changes per this Resolution, and to file Form 428s, if required.

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

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

RESOLUTION AMENDING RESOLUTION #16-68 REGARDING FUNDING STREAM FOR MYERS PARK PAVING

RESOLUTION 16-100

RESOLUTION AMENDING RESOLUTION #16-68 REGARDING FUNDING STREAM FOR MYERS PARK PAVING

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

WHEREAS, Resolution 16-68 directed and authorized the Highway Department to do paving at Myers Park, and the resolution incorrectly noted a transfer of funds from General Fund A to Highway Fund DB; and

WHEREAS, to correct the record, and upon due consideration thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that Resolution 16-68 be and hereby is amended to eliminate any fund transfers as General Fund A is authorized to pay for such project as a matter of law, based upon applicable Comptroller Opinions; and it is further

RESOLVED, that any funds transferred to Highway Fund DB be and hereby are directed to be returned to General Fund A, and same may be accomplished by a standard audit and budget modification resolution.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Katrina Binkewicz, duly seconded by Councilperson Andra Benson, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

RESOLUTION UPDATING THE MEMBERS OF THE TOWN OF LANSING WATER AND SEWER ADVISORY BOARD

RESOLUTION 16-101

RESOLUTION UPDATING THE MEMBERS OF THE TOWN OF LANSING WATER AND SEWER ADVISORY BOARD

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

WHEREAS, the Town Board of the Town of Lansing has determined a need to update the members on the Water and Sewer Advisory Board; and

WHEREAS, the Town Board of the Town of Lansing would like to appoint and update the members of the Town of Lansing Water and Sewer Advisory Board; and

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

RESOLVED, that the Town Board of the Town of Lansing appoints the following Water and Sewer Advisory Board Members: Councilperson Doug Dake, Deputy Highway Superintendent Charlie “Cricket” Purcell, Town Attorney Guy Krogh, Town Engineer David Herrick, Code Enforcement Officer Lynn Day, Bolton Point Representative Steve Riddle, and Community Member: John Gutenberger, and it is further

RESOLVED that, at a later date, an additional Community Member who does not reside within a water or sewer district may be appointed by the Town Supervisor.

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

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

APPROVE AUDIT and BUDGET MODIFICATIONS AND SUPERVISOR’S REPORT

RESOLUTION 16-102

The Supervisor submitted his monthly report for the month of May, 2016 to all Board Members and to the Town Clerk. The Supervisor’s Report was reviewed by Councilperson Robert Cree. The bills were reviewed by Councilperson Doug Dake and Supervisor Edward LaVigne.

Councilperson Doug Dake moved that the Supervisor’s Report be approved as submitted and the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

CONSOLIDATED ABSTRACT # 06

DATED	<u>6/15/2016</u>
AUDITED VOUCHER #'s	<u>498 - 610</u>
PREPAY VOUCHER #'s	<u>498 - 502</u>
AUDITED T & A VOUCHER #'s	<u>49- 60</u>
PREPAY T & A VOUCHER #'s	<u>49 - 52</u>
<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>184,105.59</u>
HIGHWAY FUND (DA&DB)	\$ <u>111,992.74</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,307.95</u>

LANSING WATER DISTRICTS (SW)	\$ <u>34,476.59</u>
TRUST & AGENCY (TA)	\$ <u>42,656.09</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>60.31</u>
BONE PLAIN WATER TANK PROJECT (HB)	\$ <u>7,699.34</u>

**BUDGET MODIFICATIONS
GENERAL A FUND
June 15, 2016**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A1440.402	FROM CONTINGENCY TO STORMWATER P&M UNANTICIPATED ENGINEERING	3,015.10
A1990.400	A1410.130	FROM CONTINGENCY TO TOWN CLERK-DEPUTY PERS ADDITIONAL ASSISTANCE NEEDED	50.00
A599	A7110.405	FROM FUND BALANCE TO PARKS - REPAIRS BOARD & HIGHWAY APPROVED PAVING AT PARK	75,000.00
A2705	A7560.400	FROM GIFTS&DONATION TO OTHER PERFORMING ARTS OVER EXPENDED ON THE CONCERTS	80.00

Supervisor Edward LaVigne seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Councilperson Doug Duke - Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried and duly adopted on June 15, 2016.

BOARD MEMBER REPORTS

Andra Benson

Library Committee:

Andra noted the Library was previously discussed with the Library Report from Emily Franco.

Lansing Youth Services:

Andra stated the school program is finishing and the summer program is starting soon. She noted the summer program is different than the Town program and can be free if there is a need.

Labor and Religion Coalition of the Finger Lakes:

Andra reported she attended a new meeting regarding living wage in Tompkins County and getting away from bottled water. She stated she found the new committee worthwhile and joined it.

Robert Cree

Nothing to report.

Edward LaVigne

Nothing to report.

Ed stated he is always accessible to the community.

Doug Dake

Water and Sewer Advisory Board:

Doug reported the Bone Plain Water Tank is up and running. He noted the residents in the Warren Road area now have water pressure.

Doug stated routine water maintenance is being done. He noted information on the water extensions are in Dave Herrick's report.

Katrina Binkewicz

Intermunicipal Watershed Organization:

Katrina reported the Floating Classroom (ponton boat) needs replacing. She stated the cost for a used floating classroom will be about \$80,000. They're looking at grants and donations.

Emergency Planning Committee:

Katrina reported the committee didn't meet. She stated the web site buttons should be active this summer along with staff training.

TOWN COUNSEL REPORT

Guy Krogh

Guy reported he has been in touch with the appraiser and the work should be completed in July or August.

ADJOURN MEETING TO WORK SESSION MEETING

Meeting adjourned at the call of the Supervisor at 7:16 p.m. to enter the Work Session Meeting.

WORK SESSION MEETING ITEMS OF DISCUSSION

Ordinance #4 of 1966:

The Board discussed Ordinance #4 of 1966 and the need for the same to be updated. Counsel provided an overview of solicitation and peddling laws, their historical connection to law enforcement, and the modern problems encountered in so regulating commerce, speech, and associations. It was generally decided that some modern samples of good quality and well written laws should be provided, in addition to the samples of local variants of such laws already collected by the Town Clerk. Counsel agreed to distribute these before or at the next meeting so the Board could decide whether and to what extent to regulate these activities.

Bolton Point Revised Water Billing Proposal:

Ed updated the Board on the Bolton Point revised water billing proposal, which will reduce the minimum billed amount for water to 5,000 gallons, but which will offset loss of revenues with a 9% rate increase. While the math needs to be done, initial indications as reported by Bolton Point are that no increase in costs will occur until a user passes the 9,000± gallon threshold. This change will not take effect, if adopted, for a few months as it is intended to take effect when the new meters are installed.

MOTION TO ENTER EXECUTIVE SESSION

Supervisor Edward LaVigne, moved to **ENTER EXECUTIVE SESSION TO DISCUSS THE JOB PERFORMANCE OF A PARTICULAR EMPLOYEE AT 7:34 PM.**

Councilperson Robert Cree seconded the motion.

All in Favor - 5

Opposed - 0

MOTION TO EXIT EXECUTIVE SESSION

Supervisor Edward LaVigne moved to **EXIT EXECUTIVE SESSION AT 7:54 PM.**

Councilperson Doug Dake seconded the motion.

All in Favor - 5

Opposed – 0

RESOLUTION HIRING JONATHAN HOWE AS A LABORER IN AND FOR THE TOWN OF LANSING AND SELECTING PROBATIONARY PERIOD THEREFOR

RESOLUTION 16-103

RESOLUTION HIRING JONATHAN HOWE AS A LABORER IN AND FOR THE TOWN OF LANSING AND SELECTING PROBATIONARY PERIOD THEREFOR

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

WHEREAS, there is a need for a laborer at the Town of Lansing, and

WHEREAS, said position has been classified and deemed as a Civil Service Laborer position by the Tompkins County Department of Personnel; and

WHEREAS, Jonathan Howe has been identified as a qualified candidate; and

WHEREAS, the Town of Lansing Supervisor has recommended that Jonathan Howe be hired as a laborer at the Town of Lansing; and

WHEREAS, upon a review and discussion of the matter, the Town Board of the Town of Lansing has hereby:

RESOLVED, that Jonathan Howe be and hereby is approved to be employed as a laborer, Grade 3, Step 2, in the Town of Lansing, effective July 5, 2016, at a rate of \$14.17 per hour, 36.5 hours per week, and all Town perquisites and benefits as are available to such position; and it is further

RESOLVED, that the probationary be and hereby is scheduled for 26 weeks; and it is further

RESOLVED, that the appropriate Town officer be and hereby is authorized to make such changes to the Towns' employment and civil service rosters, to file the required Civil Service forms to effect such changes per this Resolution, and to file Form 428s, if required.

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

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye
Supervisor Edward LaVigne – Aye

Councilperson Katrina Binkewicz - Aye
Councilperson Doug Dake - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 15, 2016.

ADJOURN MEETING

Meeting adjourned at the call of the Supervisor at 7:57 p.m.

Minutes taken and executed by the Town Clerk. Work Session minutes were taken by Town Counsel, Guy Krogh and executed by the Town Clerk.

Respectfully submitted,

Deborah K. Munson
Town Clerk