

REGULAR TOWN BOARD MEETING
June 15, 2011

A Regular Meeting of the Town Board of Lansing was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:00 p.m. The meeting was called to order by the Supervisor, A. Scott Pinney and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be **PRESENT**:

A. Scott Pinney, Supervisor
Marty Christopher, Councilperson
Robert Cree, Councilperson
Connie Wilcox, Deputy Supervisor

ABSENT:

Kathy Miller, Councilperson

ALSO PRESENT: Guy Krogh, Town Attorney, Jack French, Highway Superintendent, Steve Colt, Park Superintendent and Recreation Director, Dan Veaner, Dave Heck, John O'Neil, Richard Vaughan, Ed LaVigne, Alexandra Evans and Ted Laux.

PRIVILEGE OF THE FLOOR:

Ted Laux – 1853 East Shore Drive

Mr. Laux wanted to know what, if anything, the Lansing Town is doing to look at the potential hazards of fracking.

Supervisor Pinney stated that they are looking at the protection of the roadways. Town Board Representative to TCCOG, Kathy Miller, has attended numerous training meetings on fracking.

Mr. Laux asked if the Town Board is planning or anticipating on doing anything.

Supervisor Pinney stated that the town does not have anything concrete right now.

Richard Vaughan – 128 Benson Road

Mr. Vaughan approached the Town Board requesting that the Boy Scouts be allowed to keep their bottle and can drive equipment in the basement at the Community Center. Mr. Vaughan asked the Board to reconsider their original request to remove it from the basement. Mr. Vaughan stated that it would be a real hardship if they could not use it.

After further discussion and consideration, it was the consensus of the Town Board to allow the Boy Scouts to continue using the basement for their bottle and can drive as long as the rotation procedure was followed. Steve Colt informed Mr. Vaughan that he could provide the Boy Scouts with more plastic barrels if needed. There will be a padlock installed and a key will be provided to Mr. Vaughan.

Pathways Committee Report:

- Completion of training on May 23, 2011 for the Planning Board on legal concerns regarding the development of trails in the town of Lansing . The program was well attended with excellent speakers (Ned Hickey, Village of Lansing; Dave Schaffer Town of Perinton, NY; and attorney Scott Chatfield with moderator Lorraine Schmidt). There was good audience participation during the question and answer section. An important recommendation from the speakers was to obtain a formal plan similar to the ones that the Village of Lansing and the Town of Perinton have developed and to secure follow through with the Town of Lansing and its officers. Pathways is working on such a plan and will provide more on this in the next few months. In addition it was recommended that in a

community like the Town of Lansing with such large undeveloped areas of natural beauty that a conservation board be established. Pathways would like the Town Board to work at establishing the conservation committee/board.

- Recent donations to Pathways designated for the town trail are being put to use with assistance of the Lansing Highway Department. Look for improvements to the entrance and the parking lot. Please get out there and take a walk.
- There has also been a donation of mulch from Cascadilla Tree Service with more to come.
- Pathways was invited to a meeting at Cargill on June 6th to talk about our work on trail development and specifically the Town Trail. Cargill has a strong interest in projects that enhance the environment, health and education of the communities where their businesses are located. We are excited about the possibilities of affiliating with Cargill and the opportunity it provides for the future of the the Town Trail.
- Completion of a spring walk with Ray Sill to reconfirm the boundaries and markings on the Town Trail.
- We are working with Sue Bowman to coordinate the Parkinson's Walkathon on August 20th.
- We will have a table at Harborfest

Respectfully Submitted,

Maureen Cowen
LRPC

SET PUBLIC HEARING FOR THE ANNUAL STORM WATER REPORT:

RESOLUTION 11-98

**RESOLUTION ESTABLISHING PUBLIC HEARING
FOR REVIEW OF 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 is or will be timely filed in the Office of the Town Clerk for public review; and

WHEREAS, upon due deliberation, 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, 2011, at 6:05 o'clock P.M., to consider the Annual Storm Water Report, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a copy of this 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

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

DEFINITION OF UNITS FOR SEWER DISTRICT CHARGES AND EXTENSIONS:

The Town Board reviewed the following proposed schedule:

DEFINITION OF UNITS
FOR PURPOSES OF
SEWER DISTRICT CHARGES AND
SEWER DISTRICT EXTENSIONS

Single Family House.....	1 Unit
Two Family House.....	2 Units
Multiple Dwellings.....	1 Unit for each dwelling unit.
Mobile Home Park.....	1 Unit for each approved and occupied Mobile Home
	0.25 Units per approved vacant space (as approved by Tompkins Co. Health Dept.)
Commercial Property/Professional Offices.....	1 Unit for each store or separate place of business
School – Education, Non-Residential.....	1 Unit for each 10 students, faculty and (Annual update based on enrollment in Sept.) full-time equivalent staff
Group Living Accommodations.....	1 Unit for each 3 beds, based on maximum (e.g. dormitories or other facilities where groups of generally unrelated persons reside) permitted occupancy
Motel, Boarding Houses, Bed-n-Breakfasts.....	1 Unit for the first 3 sleeping rooms. For the fourth and each subsequent room 0.75 units
Industrial.....	1 Unit for each 16,000 cubic feet or part thereof of water consumed annually using a three year rolling average based on water meter readings
In Home/On-Premises Occupation with Employees. ..	1 Unit for each separate business
Cold Storage Warehouse/No Office.....	0.25 Unit
Vacant Land.....	0.25 Unit

Any use or occupancy which is reasonably susceptible of inclusion in more than one category, shall be deemed to be in the category resulting in the largest number of units. The final determination of the applicable category shall rest with the Lansing Town Board.

Any uses not specifically defined may be defined by the Lansing Town Board.

Adopted:

SET PUBLIC HEARING FOR DEFINITIONS OF UNITS FOR PURPOSE OF SEWER DISTRICT CHARGES AND SEWER DISTRICT EXTENSIONS:

RESOLUTION 11-99

RESOLUTION ESTABLISHING PUBLIC HEARING FOR THE DEFINITIONS OF UNITS FOR PURPOSE OF SEWER DISTRICT CHARGES AND SEWER DISTRICT EXTENSIONS

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

WHEREAS, the Town has been working to establish the Definitions of Units for the purpose of Sewer District Charges and Sewer District Extensions.

WHEREAS, as a result of such work and an analysis to district expenses and revenues, the Town needed to have EDU definitions and formulas; and

WHEREAS, said unit changes may result in varying the assessed tax bills, the Town Board desires to call a public hearing to obtain public input and comment; and

WHEREAS, upon due deliberation thereupon, 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 2011, at 6:10 o'clock P.M., to consider said schedule, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a notice of the 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.

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

SEQRA: Type II

DEFINITION OF UNITS FOR CWD CHARGES AND WATER DISTRICT EXTENSIONS:

The Town Board reviewed the following proposed schedule:

DEFINITION OF UNITS FOR PURPOSES OF CONSOLIDATED WATER DISTRICT CHARGES AND WATER DISTRICT EXTENSIONS

Single Family House.....1 Unit

Two Family House.....2 Units

Multiple Dwellings.....	1 Unit for each dwelling unit
Mobile Home Park.....	1 Unit for each approved and occupied Mobile Home
	0.25 Units per approved vacant space (as approved by Tompkins Co. Health Dept.)
Commercial Property/Professional Offices.....	1 Unit for each store or separate place of business
School – Education, Non-Residential.....	1 Unit for each 10 students, faculty and (Annual update based on enrollment in Sept.) full-time equivalent staff
Group Living Accommodations.....	1 Unit for each 3 beds, based on maximum (e.g. dormitories or other facilities where groups of generally unrelated persons reside) permitted occupancy
Motel, Boarding Houses, Bed-n-Breakfasts.....	1 Unit for the first 3 sleeping rooms. For the fourth and each subsequent room 0.75 units
Industrial.....	1 Unit for each 16,000 cubic feet or part thereof of water consumed annually using a three year rolling average based on water meter readings
In Home/On-Premises Occupation with Employees. ...	1 Unit for each separate business
Cold Storage Warehouse/No Office.....	0.25 Unit
Vacant Land.....	0.25 Unit

Any use or occupancy which is reasonably susceptible of inclusion in more than one category, shall be deemed to be in the category resulting in the largest number of units. The final determination of the applicable category shall rest with the Lansing Town Board.

Any uses not specifically defined may be defined by the Lansing Town Board.

Revised 11/05/04
Revised 06/20/07
Revised 12/17/07

SET PUBLIC HEARING FOR THE AMENDMENT TO THE DEFINITIONS OF UNITS FOR CWD CHARGES AND WATER DISTRICT EXTENSIONS:

RESOLUTION 11-100

RESOLUTION ESTABLISHING PUBLIC HEARING FOR THE AMENDMENT TO THE DEFINITIONS OF UNITS FOR PURPOSE OF CONSOLIDATED WATER DISTRICT CHARGES AND WATER DISTRICT EXTENSIONS

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

WHEREAS, the Town has been working to update the current Consolidated Water District Unit Charges that were revised on December 17, 2007 and

WHEREAS, as a result of such work and an analysis to district expenses and revenues, the Town has decided to update and have EDU definitions and formulas adjusted and amended; and

WHEREAS, since such changes may result in varying the assessed tax bills, the Town Board desires to call a public hearing to obtain public input and comment; and

WHEREAS, upon due deliberation thereupon, 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, 2011, at 6:15 o'clock P.M., to consider the amendments to said schedule, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a copy of the notice of Public Hearing 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.

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

SEQRA: Type II

AMEND AND UPDATE THE FORMULA FOR ALL SEWER DISTRICTS:

RESOLUTION 11-101

**RESOLUTION AMENDING AND UPDATING
THE FORMULA FOR ALL SEWER DISTRICTS
IN THE TOWN OF LANSING**

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

WHEREAS, on April 20, 2011 (by Resolution 11-74), the Town Board adopted an updated formula for sewer charges. The same is in need of some clarifications and additions; and

WHEREAS, and upon due deliberation thereupon, the following formulas are adopted and the same shall replace and supersede all prior billing procedures for Town of Lansing Sewer Districts.

WHEREAS, the Town Board of the Town of Lansing hereby agrees that all Sewer Districts will be billed a flat rate; and

WHEREAS, vacant parcels will be charged an Operation and Maintenance annual flat fee of \$62.50 which will be placed on the Town and County Tax Bill starting with the 2012 tax year; and

WHEREAS, dwellings that are not hooked up to sewer with water accounts will be billed \$62.50 Operation and Maintenance annual flat fee. Said fee will be billed by S.C.L.I.W.C. (Bolton Point) on the quarterly water bills, beginning November 2011 in the amount of \$15.63 per quarter; and

WHEREAS, dwellings that are hooked up to sewer but do not have water accounts will be billed an annual flat fee of \$250.00 which will be placed on the Town and County Tax Bill starting with the 2012 tax year, and

WHEREAS, dwellings that are hooked up to sewer that have water accounts will be billed an annual flat fee of \$250.00. Said fee will be billed by S.C.L.I.W.C. (Bolton Point on the quarterly water bills, beginning November 2011 in the amount of \$62.50 per quarter;

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Lansing does hereby approve the above formula for all Sewer Districts in the Town of Lansing.

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

RE-APPOINT HENRY (HURF) SHELDON TO ZBA:

RESOLUTION 11-102

**RESOLUTION RE-APPOINTING HENRY (HURF) SHELDON
TO THE TOWN OF LANSING
ZONING BOARD OF APPEALS**

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

WHEREAS, on December 15, 2010 (by Resolution 10-198) The Town Board re-appointed Henry (Hurf) Sheldon to a 5 year term on the ZBA. According to Town Law §25 the Town Board needs to re-appoint Henry (Hurf) Sheldon:

WHEREAS, the ZBA has requested that Henry (Hurf) Sheldon be re-appointed to a 5 year term on the ZBA; and

WHEREAS, he is duly qualified to be and remain on the ZBA by virtue of having fulfilled mandatory NYS training requirements; and

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

RESOLVED, that Henry (Hurf) Sheldon is hereby re-appointed to a 5 year term on the ZBA, commencing June 15, 2011 and expiring December 31, 2015.

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

PETITION REQUESTING SPEED LIMIT SIGN ON HORIZON DRIVE:

RESOLUTION 11-103

RESOLUTION REQUESTING SPEED LIMIT

SIGN ON HORIZON DRIVE

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

BE IT RESOLVED, that the Petition from the residents of Horizon Drive, Bush Lane, Ayla Way, Rosina Drive, Leslie Lane, Brook Way, Laura Lane, and Alessandro Drive be forwarded to the Commissioner of the Department of Transportation together with the Town Board’s request for a review of the speed limit on Horizon Drive as shown in the Petition filed in the Town Clerk’s Office.

NOW THEREFORE BE IT RESOLVED, that the Town Board supports the requested review of the speed limit to ensure the neighborhood safety as there is an active community center with a pool, tennis court, and barbeque area for members. In addition, the neighborhood has over 50 families, many with children, along with elderly residents.

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

ADOPTING FINAL ORDER EXTENDING CWD CHARGES FOR WOODLAND PARK PDA:

RESOLUTION 11-104

RESOLUTION ADOPTING FINAL ORDER EXTENDING CONSOLIDATED WATER DISTRICT THROUGH WHOLE OF WOODLAND PARK PLANNED DEVELOPMENT AREA

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

WHEREAS, Developer Cardamone Home Builders, Inc., requested that, pursuant to a certain Developer’s Agreement between the Developer and the Town, and pursuant to a condition relating to the Woodland Park Planned Development Area, as approved, the Developer must extend the boundary of the Consolidated Water District (“CWD”) to cover the whole of the parcel(s) within the PDA, being located on Warren Road and Hillcrest Road in the Town of Lansing, Tax Map Parcel 41.-2-5, and the Town proceeded upon such request pursuant to Town Law Article 12-A, including by the issuance of a Public Interest Order (as amended) pursuant to Town Law § 209-d; and

WHEREAS, the Map, Plan and Report (“MPR”) was accepted as final and complete, the said water district extension was declared to be in the public interest, and the Town Board further: (i) determined and described the boundaries of the proposed district, (ii) described the improvements to be made; (iii) described the cost of the public improvements; (iv) described the connection fee for the typical user, including permit and materials costs; (v) described the first-year’s and annual user costs for the extension; (vi) described the financing, if any, applicable to the project; (vii) declared the MPR incorporated into the Public Interest Order and Resolution, noted that such MPR described in detail how the financing, hook-up costs, and other costs and expenses, were estimated and computed, and noted that the MPR was filed at the Town Clerk’s Office as required by law; and (viii) declared and scheduled a public hearing to consider the said Public Interest Order and Resolution; and

WHEREAS, said public hearing was duly held at upon April 20, 2011, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and thereat all persons interested in the

subject hereof were duly heard and all submitted evidence was accepted and reviewed; and

WHEREAS, pursuant to SEQRA and its implementing regulations (“SEQRA”), the Town Board found that there were no significant environmental impacts likely to result from the proposed action, or the approval or financing thereof, and thus issued a negative declaration under and pursuant to SEQRA by Resolution 11-80; and

WHEREAS, after conducting the aforesaid public hearing the Town Board resolved and determined that: (i) the Notice of Public Hearing was published and posted as required by law, and was otherwise sufficient; (ii) all property and property owners within the proposed extension of the CWD are benefited thereby; (iii) all benefited properties and property owners are included within the said extension; and (iv) the establishment of said extension is in the public interest; (v) the boundaries of said CWD boundary extension are wholly outside the boundaries of any incorporated city or village and are duly defined and depicted in the MPR on file at the Town Clerk’s Office, and elsewhere; and (vi) that the proposed construction and improvements identified in the Public Interest Order and Resolution be conditionally approved as subject to permissive referendum; and

WHEREAS, a Notice of Referendum was timely published as required by law and no request or petitions requesting a referendum were submitted and the 30-day period prescribed by law has now passed; and

WHEREAS, the Town Clerk has filed (or will file simultaneously herewith) a Certificate as to such permissive referendum with the County Clerk as required by Town Law § 209-e (4) (a); and

WHEREAS, upon due deliberation upon the foregoing, and in compliance with Article 12-A of the Town Law, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that no additional SEQRA review is necessary or required due to the passage of time, as (i) no significant changes in the property or project have occurred, and (ii) the Town finds that conducting SEQRA review as soon as is possible in relation to any project is consistent with the goals and requirements of SEQRA; and it is further

RESOLVED AND SO ORDERED, that the Town of Lansing Consolidated Water District be expanded by incorporating the lands of Cardamone Home Builders, Inc., as defined above and in the MPR; and it is further

RESOLVED AND SO ORDERED, that the boundaries of the proposed CWD shall now be inclusive of tax parcel number 41.-2-5, and the assessment map and property descriptions there for as are on file with the Tompkins County Clerk’s Office are expressly incorporated herein, all as shown on the CWD Boundary Extension Map on file at the Town Clerk’s Office, to which reference is hereby made and which map is expressly herein incorporated; and it is further

RESOLVED AND SO ORDERED, that the said District Extension hereinabove referred to shall be constructed as set forth in the Order calling a public hearing, at a cost of \$0.00 to the CWD and the Town, as the landowner is paying all costs of improvements and the boundary extension, which owner’s property the Town Board has determined, and hereby again determines, are especially benefited thereby; and it is further

RESOLVED AND ORDERED, that the Town Clerk file a certified copy of this Resolution with the Tompkins County Clerk within 10 days of the adoption of this Resolution and Final Order.

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

Councilperson Martin Christopher Aye

Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

WORK PLACE VIOLENCE PREVENTION PROGRAM:

This was tabled and will be discussed when Jeff Overstrom is present.

PLANNING AND ENGINEERING DEPARTMENT REPORT:

**Code Office Monthly Activity Report
May, 2011**

Planning Board - May 9, 2011

- Presentation(s) on Town Center Incentive Program & Woodchip Burning System
- Review of Final Preliminary Plat Resolution w/conditions, Lansing Commons
- Approval of Minutes for: April 11, 2011

Planning Board May 23, 2011

- Training Workshop - Scott Chatfield, New York Planning Federation

ZBA - May 31, 2011

- Area Variance-Armstrong, 33 Sweazey Road. DENIED

Fire Safety Inspections & Re-Inspections

Total: 3

Construction Inspections

Total: Approximately: 76

Operating Permits Issued

Total: 0

New Addresses Issued for 2011

Total: 9

Notice of Fire

Year to Date Total: 3

Expired Permit Notices

First Notices: 10

Second Notices: 5

Renewed Permits -8 Renewed Permits YTD - 22

PLANNING BOARD MEETING:

Councilperson Cree reported on the Planning Board Meeting that was held on Monday, June 13, 2011. He stated that there was a review of a couple applications. Jeff Overstrom, Planning and Engineering Coordinator, of the Code Enforcement Office, had previously made a ruling on the applications and the Planning Board overruled him and really wanted more.

Supervisor Pinney stated that it needs to be made very clear who makes that determination. He stated that Jeff Overstrom, the Zoning Officer makes that determination.

Counsel Guy Krogh stated that there is overlap. If the question is, what is the interpretation of the ordinance or a determination as to whether or not it is an allowed

use, that determination falls to Jeff Overstrom. Anyone who doesn't like his determination, then would go to the ZBA for an appeal. Where it is a question of an allowed use or an interpretation of the underlying Zoning Ordinance, it is the Code Enforcement Officer's job. He is New York State Certified and trained to do this. When it is a question of the terms and conditions or a review of a special permit, or site plan, this goes to the Planning Board. There can be overlap in that regard. In order to be a special permit or a site plan, there must first be an allowed use. When a use is allowed subject to site plan or special permitting it is still an allowed use. Once it is determined that it is an allowed use, and if a site plan is required, then that jurisdiction goes to the Planning Board to approve or disapprove the terms and conditions set forth pursuant to the site planning guidelines.

Councilperson Wilcox stated that Jeff Overstrom had made the determination about the use and the applicant came to the Planning Board for the site plan. Mr. Overstrom was informed by the Planning Board that he should never have allowed it to get that far because it was not an allowed use. She stated that Mr. Overstrom had made the determination by going through the Zoning Laws and Uses. The Planning Board informed him that he should have not made that determination.

Counsel, Guy Krogh, stated that they are allowed to disagree with him, but it is Mr. Overstrom's determination to make. The determination should be filed in his office in writing.

After further discussion of what happened at the Planning Board meeting it was the consensus of the Town Board to have Councilperson Cree explain to the Planning Board that Mr. Overstrom has the ability to make the allowed determination and the Planning Board needs to allow him to do that.

If a Planning Board member recused themselves because of an apparent conflict or conflict of interest because they are incapable of making a decision, or they are so close to the proximity of the project and they can not be neutral, they do not participate in the conversation. Proper protocol on the Committee on Open Government is to recuse yourself and leave the table. Councilperson Wilcox stated that if the project personally involves you or you are personally against the project, you should not speak at the meeting. Councilperson Christopher stated that if the individual doesn't recuse himself, then it is the responsibility of the Chairman to insist that they recuse themselves.

Supervisor Pinney stated that Councilperson Cree, Representative to the Planning Board needs to clarify the procedures with the Planning Board.

HIGHWAY DEPARTMENT REPORT:

Jack French reported the following:

Energy Grant Work at Highway Department:

They are a week away from having the work completed.

Tompkins County Snow and Ice Payment:

Tompkins County Highway, last year paid the Town \$156,000.00 to maintain their roads in the winter, because the past winter was so harsh, this year the amount paid to the Town is \$202,469.40. This is an increase of \$46,469.40.

Brush Pile – Wood Chips:

The brush pile has been chipped and is available to residents. If a highway employee is available they will assist in the loading.

Drainage Installation:

Eight hundred foot of drainage was installed on Salmon Creek Road along with one hundred forty foot of drainage on Wilson Road.

Hillcrest Road:

They are in the process of cleaning ditches and replacing culverts on Hillcrest Road getting Hillcrest and Cherry Road ready to pave.

Pathways Parking Lot:

Supervisor Pinney will be donating a bulldozer for the Highway Department to use to install a Pathways parking lot. As soon as one becomes available they will be starting the project. The Pathways Committee has funds for the gravel.

Algerine Road Extension Closure

The Algerine Road Extension closure was discussed. On the advice of Counsel Guy Krogh and Supervisory Pinney the Town Board will table the closure.

Sewer Lines:

Supervisor Pinney discussed the history of the installation of water and sewer lines. If there is a public sewer or water line being installed the town hires a contractor and a Highway Department employee does daily inspections. At the completion of the project a pressure test is done to verify there are no leaks, etc.

If a private developer installs a water or sewer line, the town does not perform daily inspections on the project. The town then takes the system over with only an easement and pressure test at the end. Nobody from the town has been onsite to verify the lines have been properly installed. This has not been a problem in the past.

There is currently a project being done where the sewer line was put in so poorly that the entire system has to be taken out. Along with other conditions there is a big question whether other procedures were followed. This line should have been inspected on a daily basis by the engineer hired by the contractor.

Supervisor Pinney stated that the town needs to do something to ensure that the town is protected when they take these systems over. He is not in favor of charging the developer to have a highway employee there full time to inspect the project. The town needs to work with the engineer that is responsible for the inspections and have a highway employee spot check the project.

It was the consensus of the Town Board to have Highway Superintendent, Jack French, and Planning and Engineering Coordinator, Jeff Overstrom, put together a recommendation for the Town Board to review.

PARKS AND RECREATION DEPARTMENT REPORT:

Steve Colt reviewed the following with the Board:

Parks & Recreation Department

6/15/11

Town Board Meeting

RECREATION

- **Our summer program registrations have been coming in steadily. We are filling and several programs have sold out. We are without**

swimming lessons this summer due to the high school being closed. Currently we have taken in just under \$57K in summer recreation program fees.

- **The late summer and fall program offerings** will be printed soon and go into the schools at the end of this week. This is important so that we can get them to the students before school is out for the summer. This booklet contains 8 programs.
- **Staffing** for most of our summer programming is completed as many of the program staff has returned from last year. Our lifeguard team for the Myers Park swim area is very strong this year and has been well organized by our head guards Chelsea Tucker and Kelsy Quigley.
- **The LBP and LSP season was completed** this past Saturday. We do have several summer travel level teams that have started practice or are getting organized now. The travel seasons typically take place from the end of June through the first week in August. This year we will have at least 6 different teams comprised of boys and girls ages 8 – 15 respectively.
- **Much of the baseball and softball equipment** was returned over the weekend. Now is the time that we break all of the equipment bags down to clean, repair and inventory it all for next spring. This needs to be done now because in a few weeks we will be getting soccer and football equipment ready to issue and we don't have the room to work with all of it at the same time.

PARKS

- **The Myers Park beachfront** is scheduled for the annual health department inspection on June 23rd. The area is scheduled to be open for public swimming on Monday June 27th.
- **Thanks to the park staff**, Myers Park and Ludlowville Park are looking great and have come a long way in a month. We should be in good shape for what will be a very busy season starting soon.
- **The first concert of the season** is set for July 7th with the group Finding Tomorrow a really good band comprised of Lansing Students lead by Luke Kutler.
- **Andy Aasen has just completed some much needed maintenance to our famous lighthouse.** He scraped, washed and resurfaced the exterior, sanded and resealed the windows and frames, straightened the lightning rod and interior work to increase air circulation inside to control inside humidity.
- **Resident admission passes** are now up to 839 and now we are also issuing passes at the Park entrance.

- **Our three Park Monitors** (Dana Ruzicka, Scott Bennett and Adam Buck) will be confirming their schedules and starting soon. Additionally, I have contacted Ken Lansing regarding Salt Point control.
- **Camping** is starting to fill up and sales increase noticeably once school is out. The month of July is basically sold out and August will most likely sell out in a few weeks.
- Beautification Grant of \$1,000.00 – The flag pole has been delivered at a cost of \$795.00 and concrete will be purchased to complete the installation.

Councilperson Cree asked Steve Colt if Dick’s Sporting Goods was willing to donate to other sports besides baseball. Mr. Colt stated that he works directly with corporate in Buffalo and not locally. They have been receptive every time he has reached out to them and he will look into donations for other sports.

APPROVE MINUTES:

A copy of the minutes of May 18, 2011 having been furnished to the Board Members beforehand, the Supervisor asked for a motion to make corrections or to accept the same as submitted.

RESOLUTION 11-105

Councilperson Wilcox moved that the minutes of May 18, 2011 are hereby approved as submitted. Councilperson Christopher seconded the motion and it was carried by the following roll call vote:

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

APPROVE AUDIT and BUDGET MODIFICATIONS:

RESOLUTION 11-106

Councilperson Cree moved that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications. Councilperson Wilcox seconded the motion and it was carried by the following roll call vote:

CONSOLIDATED ABSTRACT # 006

DATED	<u>6/15/11</u>
AUDITED VOUCHER #'s	<u>456– 569</u>
PREPAY VOUCHER #'s	<u>456 - 464</u>
AUDITED TA VOUCHER #'s	<u>47 – 54</u>
PREPAY TA VOUCHER #'s	<u>47 – 47</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	<u>\$ 479,158.71</u>
HIGHWAY FUND	<u>\$ 55,083.02</u>

LANSING LIGHTING	\$	<u>1,212.93</u>
LANSING WATER DISTRICTS	\$	<u>23,136.60</u>
TRUST & AGENCY	\$	<u>25,875.37</u>
WARREN RD SEWER	\$	<u>274,359.56</u>
ALGERINE & LANSING STA RD WATER	\$	<u>0.00</u>
DEBT SERVICE	\$	<u>0.00</u>

**BUDGET MODIFICATIONS
GENERAL FUND A
6/15/2011 Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A2189	A1989.400	From Grant Revenue to NYSERDA Energy Grant	27,207.50
A2189	A7320.110	From Grant Revenue to Youth Prgrm Contractual	550.00
A1990.400	A8510.401	From Contingency to Town Center Contractual	2,750.00

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

BOARD MEMBER REPORTS:

Marty Christopher:

Finger Lakes Residential Center:

Councilperson Christopher informed the Board that the Advisory Board that he was on has not been advised of the downsizing proposal. He is unsure of whether the board currently exists.

Robert Cree:

The items were previously covered in the meeting.

Connie Wilcox:

IDA Meeting:

Councilperson Wilcox informed the Board she and Andy Sciarabba attended the IDA meeting held today to discuss the Town Center Incentive Zone. In July they would like to schedule a meeting with Ed Marx from County Planning, and present to the Town Board and Planning Board the incentive zones. In August they would like the Town to hold a Public Information meeting for everyone with the IDA and County Board members present. The meeting is not required but this gives the public the opportunity to understand the draft application project.

Ag Land Protection Plan:

They hope to have a rough final draft by the end of August to present to the Planning Board and then to the Town Board. Public Hearings will be held on the draft with completion to be completed by the end of the year. Councilperson Wilcox was able to get an extension on the grant until the 1st of January 2012.

A. Scott Pinney:

RESOLUTION 11-107

**RESOLUTION APPOINTING A
TEMPORARY PART TIME COURT CLERK**

The following resolution was duly presented for consideration by the Town Board.
WHEREAS, due to the termination of the Court Clerk, there is a need for a temporary part time Clerk in the Court Office;

WHEREAS, upon and in consideration of the foregoing, it is hereby:

RESOLVED, that Rachel Brown be and hereby is hired as a Part Time Temporary Court Clerk, with such position to be paid at the rate of \$15.57 per hour, and with such position not to exceed 15 hours per week.

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

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

Monthly Report:

The Supervisor submitted his monthly report for the month of May to all Board Members and to the Town Clerk.

TOWN COUNSEL REPORT:

There was nothing to report at this time.

ENTER EXECUTIVE SESSION:

RESOLUTION 11-108

Supervisor Pinney moved to **ENTER INTO EXECUTIVE SESSION TO DISCUSS THE ROBINSON ROAD SUMMONS FOR LITIGATION AT 7:05 PM.**
Councilperson Wilcox seconded the motion and it was carried by the following roll call vote:

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

EXIT EXECUTIVE SESSION:

RESOLUTION 11-109

Supervisor Pinney moved to **EXIT EXECUTIVE SESSION AT 7:45 PM.**
Councilperson Wilcox seconded the motion and it was carried by the following roll call vote:

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

ADJOURN MEETING:

RESOLUTION 11-110

Supervisor Pinney moved to **ADJOURN THE JUNE 15th, 2011 TOWN BOARD MEETING AT 7:46 PM.** Councilperson Christopher seconded the motion and it was carried by the following roll call vote:

Councilperson Martin Christopher	Aye
Councilperson Robert Cree	Aye
Councilperson Connie Wilcox	Aye
Supervisor A. Scott Pinney	Aye

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall