

REGULAR TOWN BOARD MEETING
August 15, 2012

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 7:00 p.m. The meeting was called to order by the Supervisor, Kathy Miller and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be **PRESENT**:

Kathy Miller, Supervisor
Andra Benson, Councilperson
Robert Cree, Councilperson
Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson

ABSENT: None

ALSO PRESENT: Guy Krogh, Town Attorney, Charlie “Cricket” Purcell, Deputy Highway Superintendent, Jeff Overstrom, Engineering and Planning Coordinator, Pat Pryor, Tompkins County Representative, John O’Neill, Village of Lansing, Donna Scott, David Herrick, Judy Scott, Emily Franco, Steve Lucente, Dan Veaner, Dorothy Krizek, Mary Krizek, Lorraine Moynihan Schmitt, Claes Nyberg, Suzanne Hinderliter, Linda VanApeldoorn, Kenneth and Susan Seaver, Maureen Cowen, Ted & Martha Laus, Susan Miller, Matt Montague, Cal Warren, Tania Lawrence, Emily Tracy, Bert Fortner, Susie Gutenberger, and several other attendees.

**OPEN PUBLIC HEARING TO CONSIDER ENVIRONMENTAL IMPACTS
SEQRA REVIEW OF PROPOSED VILLAGE CIRCLE-VILLAGE SOLARS
PDA:**

RESOLUTION 12-148

Councilperson Edward LaVigne moved to **OPEN THE PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL IMPACTS SEQRA REVIEW OF PROPOSED VILLAGE CIRCLE-VILLAGE SOLARS PDA** at 7:08 p.m.

Councilperson Robert Cree seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

CLOSE PUBLIC HEARING:

RESOLUTION 12-149

All persons desiring to be heard, having been heard, Councilperson Edward LaVigne moved to **CLOSE THE PUBLIC HEARING TO CONSIDER THE ENVIRONMENTAL IMPACTS SEQRA REVIEW OF PROPOSED VILLAGE CIRCLE-VILLAGE SOLARS PDA** at 7:09 p.m. Councilperson Robert Cree seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE FOR VILLAGE SOLARS/VILLAGE CIRCLE PDA:

Councilperson Robert Cree summarized the following for the record:

As to the impacts, the following analyses and factors were duly weighed by the Town Board, as Lead Agency, in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impacts, etc. It is noted that, due to the desire to avoid segmentation, the PDA is considered as a whole and single project, even though it has 2 separate parts owned by separate applicants. Thus, both developers were required to submit LEAF Parts I, and these are reviewed together due to the nature of the project and the relationship between these developers.

The project will have land use impacts, including those effects caused by construction and related development occurring in areas where bedrock and surface water is located within 3 feet of the surface, due to the fact that the project is proposed to be completed in phases and because this is a large project for Lansing and envisions the completion of over one hundred new residential units. Because of changes in the project required by the Planning Board and the changes in stormwater planning, together with future and phase-by-phase stormwater review and planning approvals and permitting for the same, these potential impacts are deemed mitigated and therefore non-significant. Additionally, it is noted that these areas are and have already been developed and disturbed due to prior construction at Village Circle and have basically been mowed grass fields for years, which fields have been well drained and maintained for just this type of development.

The project will have groundwater impacts, including the requirement for discharge permits and potential water usage of up to or over 20,000 gallons per day (when all phases are finally constructed). These impacts are deemed minor as Bolton Point and the Town have sufficient existing capacity to supply such volume of water without impact to the system (other than pressure), and as the water discharge from residential and other uses is part of the Warren Road Sewer District, such that the impacts arising therefrom will be mitigated by permitting and supply and discharge monitoring. To the extent such volume of water will affect the pressures in the nearby CWD distribution areas, the Developer, during site planning, is required to place individual pressure systems within buildings and is contributing to the overall cost of improvements in the CWD to accommodate the cost of improvements for the future build-out of the Development. Again, given such parameters, conditions and requirements from the site planning process, and related permits and monitoring, these potential impacts have been mitigated and are thus deemed non-significant.

The project will alter current field-based drainage in favor of a developmental plan that incorporates an overall stormwater plan for the site. However, to the extent such change will unavoidably occur in every land development, the site planning and stormwater planning and permitting requirements do mitigate this potential impact and make the same non-significant.

The project envisions an increase in residences in the area by constructing, over time, up to 312 units. This, in turn, will have impacts upon traffic and traffic congestion. However, a condition of approval is a formal traffic study intended to identify and mitigate any such impacts and the Developers have agreed to comply with the recommendation of such report and supported by the Town. It is also noted that the main intersection for the project is Warren Farrell Roads, both of which are County Highways designed and built for heavier traffic, and both of which are already high volume roadways. It is believed, based upon preliminary information (and pending the traffic study), that the net effect will be a change in traffic patterns not traffic volume, such as less pass-through traffic (as, for example, residences will be closer to places of work and retail commerce). In all therefore, and given the traffic study and the requirement to adhere to traffic planning and controls to mitigate any potential impacts identified, the potential traffic impacts identified are deemed minor and manageable, and these potential are thus deemed non-significant.

The project will also potentially have noise and odor impacts, particularly in that the construction of the facilities for the project will create noise and fumes from vehicular operations and deliveries which will exceed normal ambient noise and odor levels. However, such impacts are temporary and work and construction permitting will control hours of work and points of delivery such that, overall, by site planning and permitting, these potential impacts, including due to their temporary nature, are deemed mitigated and non-significant.

Finally, impacts to the character of the community or neighborhood potentially exist in that there will be some change in the density of local land use, and in that additional community services will arise due to such residences needing fire and police protection and generating populations for the local schools. Information gathered from local fire and police personnel, and information obtained from the Lansing Central School District schools, show that no significant impact will arise due to the location of the site and that the fact that the estimated potential increase in school population (up to 38 students) is well within the capacity of the existing school infrastructure (which is 200+ students below potential peak capacity). As to the density of land use, the increase is not beyond what normal continued development in that area would produce given existing apartment buildings and nearby business parks. Such uses as are proposed in such development, both by the numbers and types of uses, are not inconsistent with long-term expectations or zoning and planning in such area, and thus, in total, these potential impacts are deemed mitigated by the imposed site planning requirements and existing capacities of public services and therefore are deemed non-significant.

Supervisor Kathy Miller stated that the preliminary approval of the PDA contains contingencies concerning water, sewer and traffic which may result in a reevaluation to see if addition impacts are identified.

After further discussion and clarification of procedures by Counsel Guy Krogh, the following resolution was offered:

RESOLUTION 12-150

**RESOLUTION MAKING NEGATIVE DECLARATION
OF ENVIRONMENTAL SIGNIFICANCE FOR
VILLAGE SOLARS/VILLAGE CIRCLE
PLANNED DEVELOPMENT AREA PRELIMINARY APPROVAL
AND REFERRAL-BACK TO PLANNING BOARD
FOR DEVELOPMENT OF FINAL PLAN AND CONDITIONS**

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

WHEREAS, Applicant, Rocco Lucente, filed an Application for formation of a PDA to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place (Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2), as located within the R-2 Zoning District; and such Developer has requested Town Board Approval and Planning Board preliminary review and referral of said Application; and Applicant Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, has filed a joint Application for inclusion in the PDA of an additional project to construct 174 new additional "Village Solars" apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place (Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12) as located within the R-2 Zoning District; and such Developer has requested Town Board Approval and Planning Board preliminary review and referral of said Application; and

WHEREAS, the proposed name of the PDA encompassing both projects is the Village Circle-Village Solars PDA, and the combined acreage of the above referenced parcels within the PDA is approximately 33.25 acres within the R2 zoning district; and

WHEREAS, the Lansing Planning Board considered and carefully reviewed the Application and the Applicant's Statement of Intent to Comply with Conditions and Specifications of the Planning Board, and the Public Comment Period and other preliminary steps relative to the requirements of the Land Use Ordinance have been complied with, and the Planning Board, by Resolution dated July 9, 2012, formally referred said PDA application(s) to the Town Board for hearing and possible preliminary approval; and

WHEREAS, the Planning Board also required and preliminarily reviewed the SEQRA LEAF and received input and commentary thereupon from the Town Engineer, and has advised the Town Board that, in the opinion of the Planning Board, the LEAF Part I is accurate and complete; and

WHEREAS, the potential environmental impacts identified were: (i) those effects caused by construction and related development occurring in areas where bedrock and surface water is located within 3 feet of the surface; (ii) groundwater impacts, including the requirement for discharge permits and potential water usage of up to or over 20,000 gallons per day (when all phases are finally constructed); (iii) an alteration of current drainage in favor of a developmental plan that incorporates an overall stormwater plan for the site; (iv) an increase in residences in the area that may have impacts upon traffic and traffic congestion; (v) potential noise and odor impacts, particularly in that the construction of the facilities for the project will create noise and fumes from vehicular operations and deliveries which will exceed normal ambient noise and odor levels; and (vi) impacts to the character of the community or neighborhood potentially exist in that there will be some change in the density of local land use, and in that additional community services will arise due to such residences needing fire and police protection and generating populations for the local schools; and

WHEREAS, and after weighing: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town's master plan and/or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts, the Town Board found that these factors did not cause any potential impact to be or be likely to become significant; and

WHEREAS, after due deliberation upon this matter and a review and analysis of each and all potential environmental impacts, and the input from each and all Involved and Interested Agencies, if any, and the Lead Agency having made a negative declaration of environmental impact; accordingly, it is hereby

RESOLVED, that the Town Board of the Town of Lansing be and hereby is again declared to be the Lead Agency; and it is further

RESOLVED AND DETERMINED, that this declaration is made in accord with Article 8 of the Environmental Conservation Law of the State of New York and the New York SEQRA Act, and the Regulations promulgated there under, and accordingly, the Town Board of the Town of Lansing, based upon (i) its thorough review of the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, and the hearing held hereupon, and all testimony and evidence presented thereat, if any, and the comments of Involved and Interested Agencies, if any, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR §617.7(c), and (iii) its completion of the EAF, including the findings noted thereon (which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance ("Negative Declaration") in accordance with SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement is therefore not required; and it is further

RESOLVED, that a Responsible Officer of the Town Board of the Town of Lansing is hereby authorized and directed to complete and sign, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution; and it is further

RESOLVED that the Town Clerk deliver and/or file a copy of this Resolution with the following persons and agencies:

1. The Town Clerk of the Town of Lansing.
2. The Town Supervisor of the Town of Lansing.
3. All Involved and Interested Agencies.
4. Any person requesting a copy.

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 Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

OPEN PUBLIC HEARING ON VILLAGE CIRCLE-VILLAGE SOLARS PDA:

RESOLUTION 12-151

Councilperson Robert Cree moved to **OPEN THE PUBLIC HEARING ON THE VILLAGE CIRCLE-VILLAGE SOLARS PDA** at 7:21 p.m. Supervisor Kathy Miller seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Councilperson Ruth Hopkins stated that the Town Board received a letter from a resident on Asbury Road who strongly objects to the size and density of the development.

CLOSE PUBLIC HEARING ON VILLAGE CIRCLE-VILLAGE SOLARS PDA:

RESOLUTION 12-152

All persons desiring to be heard, having been heard, Councilperson Ruth Hopkins moved to **CLOSE THE PUBLIC HEARING ON THE VILLAGE CIRCLE-VILLAGE SOLARS PDA** at 7:25 p.m. Councilperson Andra Benson seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

**RESOLUTION FOR PRELIMINARY APPROVAL OF VILLAGE CIRCLE
/VILLAGE SOLARS PROPOSED PRELIMINARY DEVELOPMENT PLAN:**

RESOLUTION 12-153

**RESOLUTION ISSUING PRELIMINARY APPROVAL OF
VILLAGE CIRCLE-VILLAGE SOLARS PROPOSED
PRELIMINARY DEVELOPMENT AREA PLAN
PER SECTION 706.6 OF THE TOWN OF LANSING
LAND USE ORDINANCE**

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

WHEREAS, Applicant, Rocco Lucente, filed an Application for formation of a PDA to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place (Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2), as located within the R-2 Zoning District; and such Developer has requested Town Board Approval and Planning Board preliminary review and referral of said Application; and Applicant Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, has filed a joint Application for inclusion in the PDA of an additional project to construct 174 new additional “Village Solars” apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place (Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12) as located within the R-2 Zoning District; and such Developer has requested Town Board Approval and Planning Board preliminary review and referral of said Application; and

WHEREAS, the proposed name of the PDA encompassing both projects is the Village Circle-Village Solars PDA, and the combined acreage of the above referenced parcels within the PDA is approximately 33.25 acres within the R2 zoning district, and the Lansing Planning Board considered and carefully reviewed the Application and the Applicant’s Statement of Intent to Comply with Conditions and Specifications of the Planning Board, and the Public Comment Period and other preliminary steps relative to the requirements of the Land Use Ordinance have been complied with, and the Planning Board, by Resolution dated July 9, 2012, formally referred said PDA application(s) to the Town Board for hearing and possible preliminary approval; and

WHEREAS, pursuant to Section 706.5 of the Town of Lansing Land Use Ordinance, the Planning Board recommended conditional approval of the PDA based upon the Developer/Applicant’s Statement of Intent to Comply (with addendum) and a list of proposed conditions; and

WHEREAS, on July 9, 2012, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed Village Circle-Village Solars PDA development, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the area of the proposed Site Plan, and the Planning Board did also then consider issues of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board also considered the Town’s Comprehensive Plan and compliance therewith; and

WHEREAS, after a duly scheduled and noticed public hearing thereupon, the Town Board duly issued a negative determination of environmental significance under and pursuant to SEQRA; and

WHEREAS, the Town duly delivered a the GML § 239-1, -m, and -n referral to the Tompkins County Department of Planning, together with related documents, and County

Planning declined to comment upon this preliminary approval and instead will provide official comments and recommendations, if any, at the time of review of the Final Development Plan; and

WHEREAS, the Town did duly consider all other input received, including comments made and evidence received, if any, at a duly noticed and schedule public hearing upon the project and this preliminary approval by the Town Board, and upon due consideration and deliberation by the Town of Lansing Town Board, now therefore be it

RESOLVED, that Conditional Approval of the proposed Planned Development Area pursuant to and under Section 706.6 of the Town of Lansing Land Use Ordinance be and hereby is granted, subject to the conditions and findings set forth below, and this matter is referred back to the Planning Board for the applicable steps and verifications necessary for the Final Development Plan; and it is further

RESOLVED and DECLARED, that such approval is hereby made upon the following conditions and findings, each and all of which must be satisfied or adequately addressed in the Final Development Plan before any approval of the Final Development Plan:

1. Water:

A. Approval contingent upon the Town's creation of a new pressure zone in the Warren Road/Bean Hill areas, with such new infrastructure to include: (i) a new water tank, new pump station, and new transmission station; (ii) improvements to the Burdick Hill Pump Station, if any, to be identified by the Town Engineer, David A. Herrick, who will conduct a study of pumps and controls at the Burdick Station; (iii) the placement of interim hydro-pneumatic systems to be constructed by the Town near the Village Circle tanks in compliance with Town Engineer, David A. Herrick's specifications; (iv) payment by Developers of \$70,000.00 total to cover the above costs of study and hydro-pneumatic system infrastructure, if such Booster System is in place to serve the PDA by 12/31/2012.

B. Approval of Phase One PDA build out shall be contingent on an interim hydro-pneumatic system being in place and in operation in compliance with Town Engineer, David A. Herrick's specifications.

2. Sewer:

A. Approval is contingent upon and subject to a total build-out limit – the total number of Village Solars-Village Circle Warren Road Sewer District (WRSD) units following PDA build-out on both applications is capped at 470 WRSD units.

B. Approval is contingent upon Town Engineer, David A. Herrick's, providing updated 20-year WRSD design flow calculations, which calculations will now be required to take into effect the above-reference 470 WRSD/PDA units and other potential future development.

C. Approval is contingent upon an amendment to the IMA between the Town of Lansing (o/b/o and including the Warren Road Sewer District Extension) and the Villages of Lansing and Cayuga Heights to acknowledge the updated 20-year design flow and to verify sewer transportation and treatment capacity for this project and its surrounding areas and future growth in such area.

3. Stormwater:

A. Approval is contingent upon Town Engineer, David A. Herrick's approval of the Applicants/Developers' stormwater control erosion plan (SWPPP) and such SWPPP's final design. In connection therewith the Applicants/Developers shall: (i) provide Runoff reduction volume (RRv) sizing criteria in compliance with NYSDEC GP-0-010-01 regulations, as addressed by the Town Engineer; (ii) shall adhere to NYSDEC Design Manual specifications for green infrastructure; and (iii) provide full

descriptions of PDA large-water feature sources and their impacts upon bedrock conditions regarding both initial construction and long term sustainability.

4. Bus Shelter:

A. Approval shall be contingent upon a bus shelter to be constructed and located on Warren Road near the proposed PDA east/west walkway, but only if TCAT approves such placement and such proposed bus shelter.

5. Community Areas:

A. Approval of future PDA phases and the issuance of building permits and Certificates of Compliance and Occupancy are conditioned upon the Developer/Applicants completing the public, quasi-public, and community improvements and buildings within the proposed PDA within 2 years of the date of commencement of initial PDA construction.

6. Trails/Pathways:

A. Approval shall be contingent upon Applicants/Developers agreement to construct and maintain all trails and pathways located within the PDA. If requested by the Town, Applicants/Developers shall dedicate land in fee or by easement to the Town of Lansing for the PDA trails and pathways within 6 months of final approval of the projects and PDA.

B. Applicants/Developers shall cooperate and coordinate with the Lansing Pathways Committee and the Town of Lansing Department of Parks and Recreation to produce, in a timely manner, a Master Plan delineating how the PDA trails and pathways shall interconnect with other existing and planned pathways and trails in the area.

C. Final approval shall be contingent upon a delineation of the width, construction methodologies and materials, and maintenance plans for any pathways and trails.

7. Roads:

A. Approval is conditioned upon Applicants/Developers dedicating a 60-foot right of way and easement for a potential future road and/or pathway within the PDA linking Dutch Mill and Village South roads.

B. Approval is conditioned upon Applicants/Developers dedicating a 60-foot right of way and easement for a potential future road and/or pathway within the PDA linking Village Circle North and Springbrook Circle roads.

C. Approval is conditioned upon the Developer dedicating in fee the road section on Village Place within the PDA, pursuant to a prior agreement between such Developer and the Town.

D. Approval is conditioned upon the acceptance or adoption of suitable maintenance agreements for the new PDA road, as depicted in the PDA site plans as a private road and as the primary entrance into the project, between the Town and the Developers, which agreements may be by direct contract or through the implementation of HOA requirements and/or declarations.

E. Approval of the PDA is contingent upon the Town of Lansing Highway Superintendent's review and approval of the final road infrastructure layout within the proposed PDA.

F. Approval is conditioned upon an updated and/or completed traffic study to be conducted by Stephen Ferranti, SRF Associates, as traffic consultants, who shall be retained on behalf of the Town at the expense of the Developers/Applicants to determine the scope and extent of a traffic impact study intended to address Town and County concerns, all as recommended by Town Engineer, David A. Herrick. Said

traffic consultant shall also review, report, and comment upon the final traffic study to be conducted by Applicants/Developers' Engineer.

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 Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

OPEN PUBLIC HEARING ON LOCAL LAW #3 OF 2012 – BINGO AND GAMES OF CHANCE:

RESOLUTION 12-154

Councilperson Robert Cree moved to **OPEN THE PUBLIC HEARING ON LOCAL LAW #3 OF 2012 REGARDING THE RE-AUTHORIZATION AND UPDATING OF AUTHORIZATIONS FOR GAMES OF BINGO AND AUTHORIZING GAMES OF CHANCE WITHIN THE TOWN OF LANSING** at 7:26 p.m.

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Councilperson Andra Benson stated that this is a State Law that the Town has to follow. Bingo is pretty much set but it will track the raffles and fifty-fifties that are all over Town.

Councilperson Edward LaVigne stated that groups that are non-for-profit have to prove they are non-for-profit and file for a 5013c. Unfortunately you have to apply and track the entities that have good will and good intentions.

Councilperson Ruth Hopkins stated that this will be put on the ballot in November for the public to vote on.

Counsel Guy Krogh stated that this law updates a 1958 Town Law and was amended in 1959 by Ordinance 1A and is no longer in compliance with New York State Law.

CLOSE PUBLIC HEARING:

RESOLUTION 12-155

All persons desiring to be heard, having been heard, Councilperson Ruth Hopkins moved to **CLOSE THE PUBLIC HEARING ON LOCAL LAW #3 OF 2012 REGARDING THE RE-AUTHORIZATION AND UPDATING OF AUTHORIZATIONS FOR GAMES OF BINGO AND AUTHORIZING GAMES OF CHANCE WITHIN THE TOWN OF LANSING** at 7:28 p.m. Councilperson Robert Cree seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye

Councilperson Edward LaVigne
Supervisor Kathy Miller

Aye
Aye

APPROVE ADOPTION OF LOCAL LAW #3 OF 2012:

Counsel Guy Krogh stated after adopting the Local Law it will not take effect until such time it is approved by the electrics. It will be voted on in November at the election.

There are two types of games in NYS: One is games of chance, which are legal if they are regulated by Wagering and Gaming Board. The other is contests of chance, which are illegal gambling under the penal law. Some of the permits remain good for a year.

The enforcement of the law started after the 9/11 attack on New York City, because of the fear that proceeds from games might be diverted to terrorists.

RESOLUTION 12-156

**RESOLUTION APPROVING AND ADOPTING
LOCAL LAW NUMBER 3 OF 2012
A LOCAL LAW UPDATING AND PERMITTING
BINGO AND GAMES OF CHANCE
WITHIN THE TOWN OF LANSING**

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

WHEREAS, the Town of Lansing had previously authorized Bingo within the Town by and under Ordinances # 1 and # 1A, and the same need to be duly updated to comply with changes in NYS Law, and further, the Town wishes to formally authorize the conducting of games of chance within the Town pursuant to NYS Law; and

WHEREAS, said proposed Local Law proposes: (1) to define certain terms, mainly by adopting NYS definitions as set forth in the General Municipal and Executive Laws; (2) authorize lawful games of chance and bingo within the Town to be conducted in accord with NYS Law; (3) to issue permits, conduct enforcement operations, and collect and make reports upon gaming activity as required by NYS Law, all together with related terms and conditions as set forth in such Local Law; and

WHEREAS, a Public Hearing was duly noticed and held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 15th day of August, 2012, at 7:15 P.M., to consider public input and comments upon such proposed Local Law, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and

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

RESOLVED, that Local Law Number 3 of 2012 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 Edward LaVigne, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

OPEN PUBLIC HEARING ON LOCAL LAW #4 OF 2012 GRANTING CERTAIN LANDS AND IMPROVEMENTS TO THE LANSING COMMUNITY LIBRARY:

RESOLUTION 12-157

Councilperson Robert Cree moved to **OPEN THE PUBLIC HEARING ON LOCAL LAW #4 OF 2012 GRANTING CERTAIN LANDS AND IMPROVEMENTS TO THE LANSING COMMUNITY LIBRARY** at 7:32 p.m. Councilperson Andra Benson seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Emily Franco – 304 Peruville Road:

Read the following to the Town Board:

Good evening, my name is Emily Franco and I live at 304 Peruville Road. I am also the President of the Lansing Community Library Board of Trustees. On behalf of the Board of Trustees, as well as the Friends, Volunteers and Staff, many of whom were able to be here tonight and for those that weren't, I would like to thank the Town Board for their support of the Lansing Community Library and for moving forward with this very important transfer of the library building and lands to the Lansing Community Library. While the entire Lansing community has given us tremendous support (just think of the money raised by the Friends for the original improvements to the building), I want to emphasize that this transfer will make the library eligible for grants and funding that we were not previously able to consider, especially with regards to building maintenance and repairs, a significant benefit in a building the age of our library. In addition, as we move towards finalizing our permanent charter next year, owning the building will be a tremendous advantage for us as it demonstrates the level and commitment of our community to the Lansing Community Library. Thank you again for your work to make ownership of the library building and grounds a reality.

Donna Scott – 535 Lansing Station Road:

As former President of the Friends of the Lansing Community Library, the library has had incredible community support from the beginning. She stated that at least 210 people have volunteered over the 12 ½ years and 27 have continued volunteering since the beginning. Many community organizations and people have contributed and donated money. In addition to this they have received help from the Boys Soccer and Football Teams, Boy Scouts Troop #48, Ithaca Cayuga Rotary Club, Lansing Community Council as well as all of the support from the patrons that use the library.

Linda VanApeldoorn – 138 Brickyard Road:

As current President of the Friends of the Lansing Community Library, she stated that she wholly supports the transition of the library ownership and thanked the Town Board for this opportunity.

Judy Scott – 64 Sweazey Road:

As Treasurer of the Friends of the Lansing Library, desk volunteer and in charge of running the book sale she stated that she is 100% in support of the Town turning the library over to the library. There is no revenue attached as they are both tax exempt.

Susan Miller – 194 Buck Road:

As the original Chair of the Library Fund Raising Committee 12 ½ years ago, she stated she was wholly in support of moving onto the next phase of giving the library back to the library. She thanked the Town Board for their support and stated it is a tremendous thing for the opportunity to volunteer and she was proud of it.

Councilperson Edward LaVigne:

Thanked everyone for their energy and efforts which shows when the community comes together what can be accomplished. He asked what the next project or goal would be for the library now that they can apply for grants.

Susie Gutenberger – 320 Hook Place:

As Librarian she stated that long term capital plans include updating the tutoring room and turning it into a teen space, new flooring upstairs, new shelving, updating the plumbing, improving the stairway on the back of the building along with other projects over the next 10 years. Many of these projects can be partially funded through a construction grant but because they currently don't have a long term lease or ownership of the building they can not currently apply for these grants. About \$250,000 in grants per year come to the community from the State and the Finger Lakes Library System, with ownership or long term lease of the building it would allow them to apply for the grants.

Currently they have 2371 active library patrons that live in Lansing that have used their library cards in the past year. The library has a summer reading program that involves 230 children. Through grant funding they were able to hire some teens to work in the library. Through community outreach there are many community groups that the library collaborates with to utilize the space at the library.

CLOSE PUBLIC HEARING:

RESOLUTION 12-158

All persons desiring to be heard, having been heard, Councilperson Robert Cree moved to **CLOSE THE PUBLIC HEARING ON LOCAL LAW #4 OF 2012 GRANTING CERTAIN LANDS AND IMPROVEMENTS TO THE LANSING COMMUNITY LIBRARY** at 7:43 p.m. Councilperson Andra Benson seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

The Town Board was not able to adopt Local Law #4 as they are waiting completion of a final survey.

TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR:

Ms. Pryor stated that as a former teacher and patron of the Lansing Library she thanked the Town Board for transferring the library. With residents who do not have or can't afford local broadband in their homes, the local library affords them this opportunity.

To: Lansing Town Board

From: Pat Pryor, Legislator, District 6, Tompkins County Legislature

Date: August 15, 2012

1. County Departments have submitted their budget requests to County Administrator Joe Mareane. He will prepare a proposed budget for submission to the Legislature, probably in late August or early September. The Legislature will hold a series of special Budget Committee-of-the-Whole meetings to review and recommend changes to the Administrator's proposal from September through early November with budget passage expected in mid-November.

I plan to hold a Town Hall meeting for constituents, including the Town Board, at a point at which I think there is enough information available to make it worthwhile. My goal is to provide information and to seek input prior to decision-making by the Legislature so that I can have the benefit of your thinking in our deliberations. Ms. Pryor encouraged the Board and everyone to attend. She asked for help in scheduling a non conflicting night that was best for all.

2. In keeping with discussions on planning and economic development, I thought the Board might be interested in information from a study that was presented in May of 2006 on housing needs in the county. It projects housing needs categorized by levels of income and by age categories through 2014. Here are some quick snapshots from the study:

-2005-2014: housing unit demand in total will increase by approx. 300 units per year;

-largest increase (158 units per yr.) expected in the renter category;

-largest increase in owner unit demand is expected in category aged 45 years and up;

-largest increase in demand expected at both ends of the age spectrum, reflecting renter market in the urban core and at the other end, aging baby boomers;

-59% of owner unit demand will be for households at or below the county median income (\$48,655 this year) over the period of 2005-2014, with about 4/5 of that 59% needed for households at 80% or less of the county median household income;

-73% of rental unit demand will be for households at or below the county median household income (\$48,655 this year), with about 2/3 of that 73% needed for households at 80% or less of the county median household income.

Added to the above projections should be:

-324 owner units and 547 rental units representing pent-up demand prior to the start of the study.

"Combining the current (2005) gap with the county's prospective needs through 2014 results in the need for just under 3,900 units overall through calendar year 2014..." (from Appendix IV: Regional Long-Term Housing Demand Forecast, 2005-2014, May 30, 2006 by Economic & Policy Resources, Inc.)

In closing, the study reminds the reader that housing needs cannot be viewed in a vacuum and that regional economic development dynamics must be part of the equation as individual communities consider their housing challenges.

<http://www.tompkins-co.org/planning/HNA/countywidehousingneedsassessment.htm>

PRIVILEGE OF THE FLOOR:

Claes Nyberg – 420 Ridge Road:

Mr. Nyberg attended and thanked the Sewer Committee for having the informational meeting on the sewer project.

Mr. Nyberg stated that there are 5 members on the Town Board and he has only heard from members Kathy Miller and Ed LaVigne on their position of the sewer project and asked if they spoke for the rest of the Board members.

Ed LaVigne stated that he doesn't speak for the other Town Board members. With the utmost respect for them he is only 20% of the Board speaking. He will give you his opinion and accurate information. The other four public servants have their own view points which he respects.

Andra Benson stated that Kathy and Ed serve on the Sewer Committee and the other Board members do not. They have attended all the meetings and this is why they respond and answer questions. The other members receive and review the reports. She is in support of developing a Town Center and realizes nothing can be developed without sewer. She was hoping that more of the people that were going to be impacted by this project either didn't attend the informational meeting or didn't speak.

Ruth Hopkins stated there are a lot of issues to be considered, the cost, timetable and all the different pieces that have to come together. Questions are being investigated and addressed. Housing needs are being considered.

Mr. Nyberg stated that it is important for all Town Board members let the people know what they think about the project.

Kathy Miller informed Mr. Nyberg that the Town Board holds Work Session Meetings the first Wednesday of the month at 7:00 p.m. This is an opportunity to come and listen with no interaction with the public. Questions, answers and opinions are expressed at this meeting and questions are answered by engineers or the lawyer. She invited him to attend the meetings to hear what the members are thinking and the questions that are being asked.

Robert Cree stated he supports the sewer project for the development of the land across the road. From that aspect he is in favor of the sewer to make sure what develops across the road is appropriate. The Lansing School District plan also ties into the project.

PLANNING and ENGINEERING DEPARTMENT REPORT:

[Engineering & Planning Coordinator](#)
[Planning Department](#)
[Town Board Meeting 8/15/2012](#)

[Bolton Point Water Tank at Burdick Hill](#)

The contract for the construction of a new concrete water storage tank has been awarded and construction will begin soon.

[McKinney Point Water Main Replacement](#)

The contract for the McKinney Point Water Main Replacement has been awarded and the Notice to proceed has been issued. This project is for the replacement of the main along NYS Rte34 only. The replacement of the main along the lake will be done at a later date under separate contract.

[Status of Woodland Park Subdivision Sewer System](#)

The pump station was started and tested by an ITT Flygt service representative and operating parameters set. A few weeks later the station was in alarm due to an entrance conductor being cut so that one leg of the three phase power was interrupted. An electrician was called in and the conductor replaced.

Mr. Cardamone asked me to provide him a list of all work that needs to be completed to close out his contract with his contractor and to be able to dedicate the system to the Town. I provided him a list of what I observed compared to the construction documents. Mr. Cardamone has requested a meeting to discuss the list and what can be done to satisfy the Town.

[Bear's Bait Shop](#)

The bait shop in Myers Park is open and has live bait and tackle available.

Advanced Design Consulting Inc:

Alex Deyhim of Advanced Design Consulting located at 126 Ridge Road has just received approval for an expansion.

Monthly Report:

Mr. Overstrom submitted his monthly activity report for the month of July to all Board Members and the Town Clerk.

HIGHWAY SUPERINTENDENT’S REPORT:

“Cricket” Purcell, Deputy Highway Superintendent reported that they have improved a mile and a half of gravel roads. They have also been helping the School and Fire Districts.

Petition Requesting Water on Wilson, Conlon, Bower and Buck Roads:

Mr. Purcell presented a petition on behalf of the residents (58 households) on Wilson, Conlon, Bower and Buck Roads requesting the Town of Lansing conduct a feasibility study to create a new water district to service their area.

After further discussion the following resolution was hereby offered:

RESOLUTION 12-159

RESOLUTION AUTHORIZING PRELIMINARY FEASIBILITY STUDY RE EXPANSION OF WATER DISTRICT TO CONLON, BUCK, AND WILSON ROAD AREAS

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

WHEREAS, the Town Board received a petition signed by approximately 80% of the potential users of a water district extension or expansion in the above-named areas; and

WHEREAS, many people in such areas are served by low quality water wells, many of which have literally run dry during this Summer’s drought such that there is a public health need to examine the feasibility of providing water in such areas; and

WHEREAS, upon consideration of the same, the Town Board has

RESOLVED, that T.G. Miller, the Town’s Engineer, be and hereby is authorized and directed to commence and prepare a preliminary feasibility study of the cost and viability of extending municipal water services in such area, all at a cost not to exceed \$3,000.00.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson 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
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

PATHWAYS UPDATE:

Pathways Update:

The Installation of a footbridge is scheduled for Thursday noon (8/16/2012) on the section of the old rail bed. It is the second phase of the Eagle Scout project headed by Dave Miller of Troop 4. Dave hope’s to complete his work before the school semester starts. The project will be completed once the signage and trail blazing is done.

Submitted by,
Maureen Cowen

**SCHEDULE PUBLIC HEARING FOR LOCAL LAW #5 OF 2012 – UPDATED
ROADWAY AND HIGHWAY EXCAVATION AND CONSTRUCTION
REGULATIONS AND PROCEDURES:**

RESOLUTION 12-160

**RESOLUTION SCHEDULING PUBLIC HEARING
FOR PROPOSED LOCAL LAW #5 OF 2012
UPDATED ROADWAY AND HIGHWAY EXCAVATION
AND CONSTRUCTION REGULATIONS AND PROCEDURES**

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

WHEREAS, the Town of Lansing had previously adopted regulations and permit requirements for owners, contractors, and others who desired to dig or construct anything in Town of Lansing road rights-of-way, culminating in the adoption of Local Law #2 of 2004; and due to changes in law and the potential for substantial roadway and highway construction and impacts arising from major projects and industrial processes, including but not limited to oil and gas exploration and production, the Town Board has determined that certain updates and amendments to the existing Local Law were required and warranted; and

WHEREAS, the enhanced protection of roadways, road surfaces and appurtenances, water lines, sewer lines, and other utility and roadway appurtenances, will mitigate significant risks to the life, welfare, and safety of residents, motorists, and pedestrians, and protect valuable utilities and infrastructure; and

WHEREAS, said proposed updated Local Law proposes: (1) to define the terms highway, permit, contractor, excavation, construction, appurtenant structure, fee, security, and default; (2) to prohibit construction or excavation without a permit; (3) to set fees for permits and inspections; (4) to establish a permit process; (5) to require the posting of bonds or other security and the maintenance of insurance; (6) to establish performance guidelines for construction, excavation, and restoration, including stormwater reviews; (7) to require the contractor to assume liabilities associated with excavation and construction in highways, and indemnify the Town of Lansing for losses or liabilities arising from such operations; (8) to require utility marking; (9) to empower the Town of Lansing to impose special conditions for permits when deemed necessary, and to collect highway rents when public lands are utilized; (10) to provide for a definitions of a default in the permit process or when proceeding without a permit, to provide for waivers of certain requirements, and to provide for appeals of administrative decisions arising under such Local Law; (11) to provide for civil and criminal penalties for the violation of the proposed local law; (12) with a proposed immediate effective date; and (13) each and all together with related terms and conditions as set forth in such Local Law; and

WHEREAS, and upon 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 19th day of September, 2012, at 7:05 o'clock P.M., to consider public input and comments upon such proposed Local Law, 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 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; and it is further

RESOLVED AND DETERMINED that this action is classified as a Type II Action under SEQRA (6 NYCRR Part 617, § 617.5(c)(20, 27)), such that no environmental review is mandated or required.

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 Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

APPROVE FUNDS FOR THE LANSING COMMUNITY CENTER RENOVATION:

RESOLUTION 12-161

**RESOLUTION APPROVING UPGRADES AND REMODELING
OF LANSING COMMUNITY CENTER
INCLUDING PROJECT FUNDING AND SOURCES**

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

WHEREAS, the Town of Lansing Town Board has long been involved in an examination of the viability of future public uses of the existing Community Building (f/k/a the Grange Building), and has put together a project plan and now needs to provide funding for the same; and

WHEREAS, upon consideration of such plan, the Town Board has

RESOLVED, that the project plan be and hereby is approved and not more than \$45,000.00, and such amount be and hereby is appropriated to complete such remodeling and upgrades from building reserve fund, a type fund created to pay for ongoing improvements and maintenance of public buildings in the Town; and it further

RESOLVED, that this Resolution be and hereby is made subject to permissive referendum.

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

APPOINT AMANDA VERBA AS THE TOWN OF LANSING REPRESENTATIVE FOR THE YOUTH SERVICE BOARD:

RESOLUTION 12-162

**APPOINT AMANDA VERBA
AS THE TOWN OF LANSING REPRESENTATIVE
TO THE TOMPKINS COUNTY YOUTH SERVICES BOARD**

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

WHEREAS, the Town Board of the Town of Lansing needs to appointment a representative to serve on the Tompkins County Youth Services Board.

WHEREAS, Amanda Verba, a Town of Lansing Resident, who is currently the Youth Development Coordinator at TST BOCES is interested in being the Town of Lansing Representative. Ms. Verba has previously been serving on the Youth Services Board for several years as an at-large member representing the Lansing School System; and

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

RESOLVED, that Amanda Verba is hereby appointed as the Town of Lansing Representative to the Tompkins County Youth Service Board.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, 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
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

APPROVE AGREEMENT TO PROVIDE TECHNICAL SUPPORT TO LANSING SCHOOL DISTRICT THROUGH LANSING YOUTH SERVICES EMPLOYMENT PROGRAM:

RESOLUTION 12-163

RESOLUTION APPROVING GML INTERMUNICIPAL AGREEMENT BETWEEN LANSING CENTRAL SCHOOL DISTRICT AND TOWN OF LANSING REGARDING LANSING YOUTH SERVICES PROGRAM

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

WHEREAS, the LCSD has proposed a standard-form intermunicipal agreement regarding youth programs conducted at the schools and the Town is in agreement with the terms of the same; and

WHEREAS, upon consideration of such agreement, the Town Board has

RESOLVED, that the same be and hereby is approved and the Town Supervisor and/or Deputy Supervisor be and each is hereby authorized to sign such agreement, by, for, in the name of, and on behalf of the Town of Lansing.

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

APPROVE CONTRACT BETWEEN TOWN OF LANSING AND LANSING COMMUNITY LIBRARY FOR REIMBURSEMENT OF CERTAIN CUSTODIAL AND MAINTENANCE EXPENSES:

RESOLUTION 12-164

**RESOLUTION APPROVING AGREEMENT
BETWEEN TOWN AND LANSING COMMUNITY LIBRARY
REGARDING SHARED CUSTODIAL SERVICES**

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

WHEREAS, the Lansing Community Library and the Town have discussed the terms of shared custodial services for their respective buildings in the Town Center and a draft agreement regarding the same has been generated to document the same and reimburse the Town for providing such services; and

WHEREAS, the authority granted to the Town and the Library under the General Municipal Law, the Town Law, the Education Law, and upon consideration of such agreement, the Town Board has

RESOLVED, that the same be and hereby is approved and the Town Supervisor and/or Deputy Supervisor be and each is hereby authorized to sign such agreement, by, for, in the name of, and on behalf of the Town of Lansing.

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 15, 2012.

APPROVE AUDIT:

RESOLUTION 12-165

Councilperson Robert Cree moved that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

CONSOLIDATED ABSTRACT # 008	
DATED	<u>8/15/12</u>
AUDITED VOUCHER #'s	<u>717 – 889</u>
PREPAY VOUCHER #'s	<u>717 – 720</u>
AUDITED TA VOUCHER #'s	<u>58 – 64</u>
PREPAY TA VOUCHER #'s	<u>58</u>

FUND

TOTAL APPROPRIATIONS

GENERAL FUND	\$ <u>87,841.67</u>
HIGHWAY FUND	\$ <u>76,068.57</u>
LANSING LIGHTING	\$ <u>1,259.07</u>
LANSING WATER DISTRICTS	\$ <u>137,700.00</u>
TRUST & AGENCY	\$ <u>27,489.00</u>
WARREN RD SEWER-CAPITAL PROJ	\$ <u>0.00</u>
LANSING SEWER DISTRICTS	\$ <u>51.93</u>
DEBT SERVICE	\$ <u>0.00</u>

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

BOARD MEMBER REPORTS:

Andra Benson:

Andra Benson wished to thank Lansing Community Council, Lynn Day, the Farmers Market and everyone that was involved in the very successful Lansing Youth Services chicken barbeque and 50/50 raffle.

Robert Cree:

Bolton Point is finalizing their budget and setting up a long range plan for their capital projects. The annual fiscal year end audit was completed.

Ruth Hopkins:

Ruth Hopkins has been attending the Tompkins County Council of Governments Committee on cable. The towns are all in the process of renegotiating their contracts with Time Warner. She noted that the contracts do not deal with the content or core price the cable charges, but they do deal with customer service. The towns are looking to help each other by reviewing best practices along with negotiations with Time Warner.

Ruth Hopkins and Robert Cree have been looking at accounting software programs that would make it easier to access the budget and to simplify it for the public.

Edward LaVigne:

Through the Lansing Youth Services Ed was able to meet and work with Cody Little who volunteered at the Lansing Harbor Fest. When you reach out to the youth they respond very well. He wants to keep emphasizing volunteering, volunteering, volunteering, it is life blood of any community. The kids love to be wanted and be a part of something. He will be looking again for more youth to help. He hopes the Youth Services has the barbeque next year along with the spaghetti supper and breakfast at Applebees. With Tompkins County cutting back on Youth Services Pprograms, it is important that the Town does as much as they can. He would rather see the youth volunteering then seeing Judge Banfield or Judge Howell.

The concern of the LOAP Van replacement still remains.

The LHA elevator project is making progress.

He would like to see a grand opening when the Community Center renovation is complete.

Kathy Miller:

Monthly Report:

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

ESTABLISH AND APPOINT THE COMPREHENSIVE PLAN COMMITTEE:

RESOLUTION 12-166

**RESOLUTION APPOINTING THE MEMBERS OF
THE TOWN OF LANSING
COMPREHENSIVE PLAN COMMITTEE**

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 2006 Comprehensive Plan and

WHEREAS, the Town Board hereby establishes a Comprehensive Plan Committee to perform such task and

WHEREAS, the Town Board of the Town of Lansing would like to appoint the members of the Town of Lansing Comprehensive Plan Committee 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 Comprehensive Plan Committee Members to perform the assignment of updating the 2006 Comprehensive Plan: Planner Jonathan Kanter, Supervisor Kathy Miller, Councilperson Ruth Hopkins, Planning Board Members Richard Prybyl, and Lin Davidson, Community Members: Thomas Butler, Amanda Steinhardt, Gerald Friedman, Philip Snyder, Sarah Thomson, Jeremy Dietrich, J. David Ferris, Jase Baese, Susan Tabrizi, Maureen Cowen, Larry Beck and Susan Miller.

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the following Resolution was approved, carried, and duly adopted on August 15, 2012.

The meetings will start in September with an Organizational Meeting. All meeting dates and times will be posted on the Town’s Website. The projected completion date is a year or less.

TOWN COUNSEL REPORT:

Guy Krogh reminded the Town Board that they need to appoint the 5 member CWD Water Advisory Committee under the new CWD Local Law #2 of 2012. The chair will be a Town Board member along with two other members that reside within the CWD or one of its extensions (#1 and #2) and two other members.

ENTER EXECUTIVE SESSION:

RESOLUTION 12-167

Councilperson Edward LaVigne moved to **ENTER EXECUTIVE SESSION TO DISCUSS CONTRACTS AND PERSONNEL AT 8:47 PM.** Councilperson Ruth Hopkins seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

EXIT EXECUTIVE SESSION:

RESOLUTION 12-168

Councilperson Robert Cree moved to **EXIT EXECUTIVE SESSION AT 10:20 PM.** Councilperson Edward LaVigne seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

ADJOURN MEETING:

RESOLUTION 12-169

Councilperson Robert Cree moved to **ADJOURN THE AUGUST 15, 2012 TOWN BOARD MEETING AT 10:21 PM.** Councilperson Edward LaVigne seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall