

REGULAR TOWN BOARD MEETING

September 19, 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 Deputy Supervisor, Robert Cree and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be

PRESENT:

Deputy Supervisor Robert Cree
Andra Benson, Councilperson
Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson

ABSENT: Supervisor Kathy Miller

ALSO PRESENT:

Jack French, Highway Superintendent, Steve Colt, Park Superintendent and Recreation Director, Jeff Overstrom, Engineering and Planning Coordinator, Pat Pryor, Tompkins County Representative, Ray Farkas, Marcia Lynch, Dan Veaner, Lansing Star, Dave Miller, Bill Miller, Linda Westlake, Claes Nyberg, Maureen Cowen, Sue Ruoff, Deborah Trumbull, Julie Baker, Ted Laux, Hurf Sheldon, Dave and Joyce Heck, Claire Perez, Gay Nicholson and a few other attendees.

PRIVILEGE OF THE FLOOR:

Claes Nyberg – 420 Ridge Road:

Mr. Nyberg wanted to ask Guy Krogh, Town Attorney the schedule, time frame and vote on the new proposed sewer district.

Deputy Supervisor Robert Cree stated that the Attorney Krogh was not present at tonight's meeting.

Councilperson Andra Benson informed Mr. Nyberg that at last night's sewer meeting one of the packets that were available had the timeline in it.

Councilperson Edward LaVigne stated that he had one in his car and would make it available to Mr. Nyberg.

Dave Heck – 18 Ladoga Park:

Mr. Heck followed Tompkins County Representative, Pat Pryor's presentation.

Mr. Heck addressed the ditching that is being done at the 4 way stop sign on Myers Road along with the south side of Old Myers Road and the Ladoga Park wetland area. His main concern was the wetland area at Ladoga Park is no longer federally protected as it is a 4 acre parcel. The NYS DEC protects 12 acres or more. He would like to have the 4 acres protected to prohibit a development on this land and have the regulatory authority restored.

Mr. Heck requested to meet with Jeff Overstrom on this issue and visit his office soon.

OPEN PUBLIC HEARING – LOCAL LAW #5 OF 2012:
TOWN OF LANSING EXCAVATION AND CONSTRUCTION IN
MUNICIPAL ROADWAYS AND HIGHWAY RIGHTS-OF-WAY:

RESOLUTION 12-170

Councilperson Ruth Hopkins moved to **OPEN THE PUBLIC HEARING ON LOCAL LAW #5 OF 2012 REGARDING THE UPDATED ROADWAY AND HIGHWAY EXCAVATION AND CONSTRUCTION IN MUNICIPAL ROADWAYS AND HIGHWAY RIGHTS-OF-WAY** at 7:06 p.m. Councilperson Andra Benson seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Councilperson Ruth Hopkins gave an outline of the proposed Local Law #5.

Councilperson Edward LaVigne had previously reviewed the proposed Local Law #5 with Highway Superintendent Jack French who recommends the updated Local Law which covers Town roads.

CLOSE PUBLIC HEARING:

RESOLUTION 12-171

All persons desiring to be heard, having been heard, Councilperson Andra Benson moved to **CLOSE THE PUBLIC HEARING ON LOCAL LAW #5 OF 2012 REGARDING THE UPDATED ROADWAY AND HIGHWAY EXCAVATION AND CONSTRUCTION IN MUNICIPAL ROADWAYS AND HIGHWAY RIGHTS-OF-WAY** at 7:10 p.m. Councilperson Ruth Hopkins seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

RESOLUTION ADOPTING LOCAL LAW #5 OF 2012:
TOWN OF LANSING EXCAVATION AND CONSTRUCTION IN
MUNICIPAL ROADWAYS AND HIGHWAY RIGHTS-OF-WAY:

RESOLUTION 12-172

RESOLUTION ADOPTING 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, a Public Hearing was duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, upon 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 all persons interested in the subject thereof, if any, were duly heard and all evidence submitted, if any, was duly received; and

WHEREAS, this action is a Type II Action under SEQRA (6 NYCRR Part 617, § 617.5(c)(20, 27)), such that no environmental review is mandated or required and

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

RESOLVED, that Local Law Number 5 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 Andra Benson, duly seconded by Councilperson Edward LaVigne, and put to a roll call vote with the following results:

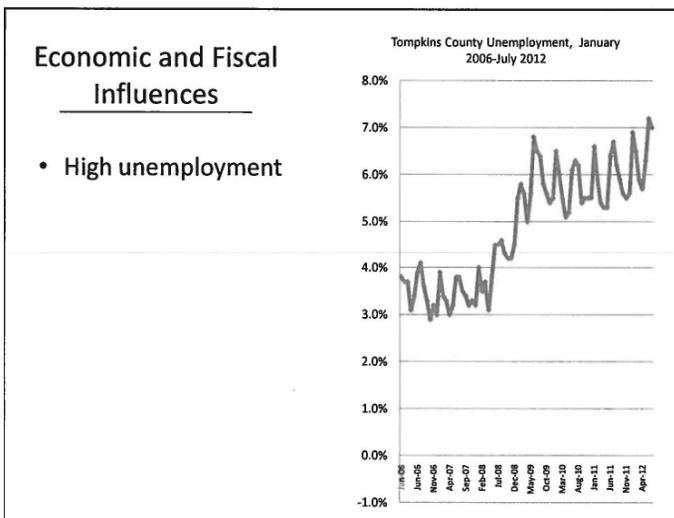
Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012.

TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR:

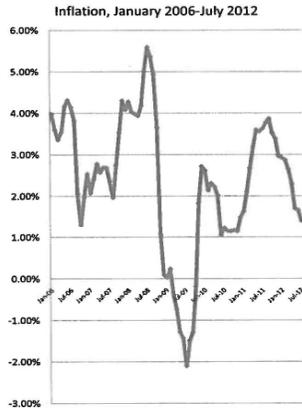
Ms. Pryor gave a 35 minute presentation of the proposed Tompkins County 2013 budget using the following charts:

Throughout the presentation Ms. Pryor received questions. If answers were not provided, Ms. Pryor will bring the answers back to the next Town Board meeting.



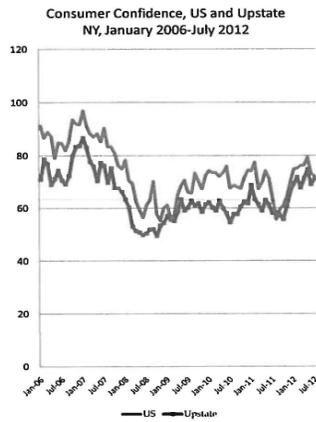
Economic and Fiscal Influences

- High unemployment
- Low, declining inflation



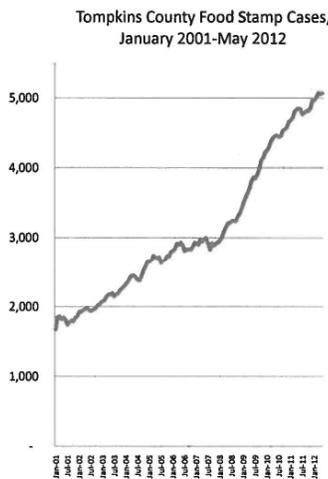
Economic and Fiscal Influences

- High unemployment
- Low, declining inflation
- Erratic, but rising consumer confidence



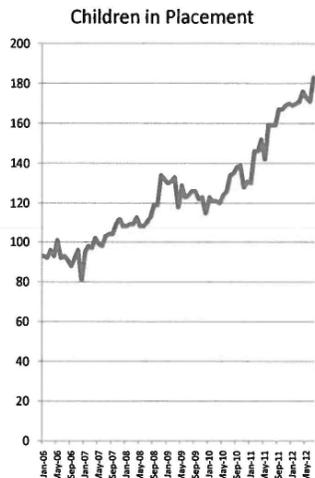
Economic and Fiscal Influences

- High unemployment
- Low, declining inflation
- Erratic, but rising consumer confidence
- High level of need



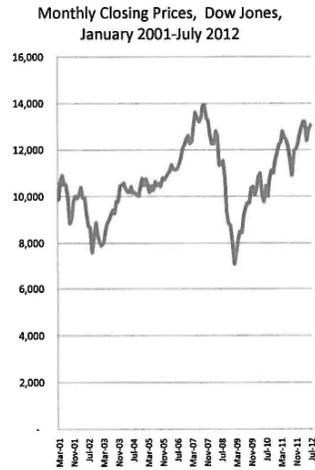
Economic and Fiscal Influences

- High unemployment
- Low, declining inflation
- Erratic, but rising consumer confidence
- High level of need
- Critical social problems



Economic and Fiscal Influences

- High unemployment
- Low, declining inflation
- Erratic, but rising consumer confidence
- High level of need
- Critical social problems
- Signs of improvement



Tompkins County aimed for long-term solutions

Strategy based on balance and shared sacrifice

Looking Back

Didn't

- Spend-down reserves
- Borrow for pensions
- Resort to fiscal gimmicks
- Re-open labor contracts
- Impose unpaid furloughs
- Impose wholesale lay-offs
- Get everything right

Did

- Honestly assess the "new normal"
- Work with unions on contracts that fit the times
- Manage natural attrition
- Eliminate or reduced programs
- Seek other revenues
- Use windfalls to replenish reserves
- Balance spending cuts with tax increases

What it means for 2013 budget

1. Programs and Services can be maintained at present levels.
2. Roster will stabilize. (down 8% over 3 yrs.)
3. Investments can be made in technology and training. (Will increase efficiency and level of service to community)
4. Property tax growth can be held to 3.5% parameter set by County Legislature.

Major Budget Influences

Revenue

Sales Tax

- Up 2% in 2012 and 2013
- \$1.4 million in added revenue

PILOTS

- Down \$202,000
- \$170,000 from AES Adjustment

State and Federal Aid

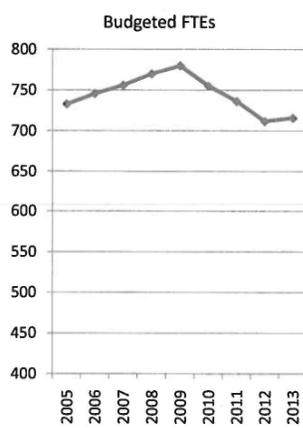
- Down \$615,000
- New caps on State aid and reduced allocations

Expenditures

Payroll Stability

- Payroll flat
- Restrained, long-term wage agreements
- Roster up 4 over 2012- increase efficiency, provide better service

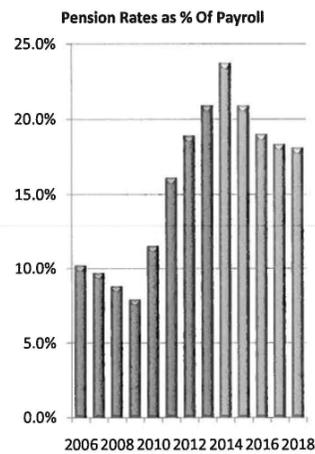
Payroll Stability



Benefits

- Health costs up 9.5%
– \$498,000
- Pension costs *down* 2.5%
– (\$194,000)
– Payroll base down
– Rates increased to 20.9% from 18.9%
 - 0.7% less than NYSDOB projection

Benefits



Mandates

- Up \$1.4 million (6%)
- Rising costs, stagnant or declining aid
- 53rd week of Medicaid
- Medicaid admin cap costs \$137,000
- Child Care (foster care, etc) up \$280,000 (14%)

Structuring the Budget within Fiscal Parameters

Financial Summary

Fiscal Target

- 3.5% tax levy increase
- \$1.48 million in added levy authority

Recommended Levy Growth

3.48%

Recommended Levy Growth

\$1.47 million

Over Target Requests
(In Millions)

	<u>Request</u>	<u>Recom</u>	<u>Change</u>
Total Cost	\$3.34	\$2.48	(\$0.86)
Revenue	(0.18)	(0.16)	0.02
Rollover/Reserves	<u>(1.03)</u>	<u>(1.08)</u>	<u>(0.05)</u>
Local Dollars	\$2.14	\$1.24	(\$0.90)

Total Budget (millions)	2013	\$164.84
	2012	<u>\$164.11</u>
	\$ Change	\$ 0.73
	% Change	0.4%
<hr/>		
Excludes pass-through of sales tax dollars to other municipalities		

Local Budget (millions)	2013	\$79.97
	2012	<u>\$77.55</u>
	\$ Change	\$ 2.43
	% Change	3.1%

Tax Levy (millions)	2013	\$43.69
	2012	<u>\$42.22</u>
	\$ Change	\$ 1.47
	% Change	3.5%

Tax Rate per \$1,000	2013	\$6.78
	2012	<u>\$6.67</u>
	\$ Change	\$0.11
	% Change	1.7%

Average Tax Bill (\$160,000 home)	2013	\$1,085
	2012	<u>\$1,067</u>
	\$ Change	\$ 18
	% Change	1.7%

Workforce (FTEs)	2013	716
	2012	<u>712</u>
	\$ Change	4
	% Change	0.6%

The Bottom Line				
	<u>2012 Modified</u>	<u>2013 Recom</u>	<u>\$ Change</u>	<u>% Change</u>
Total Budget	\$164.1 mil	\$164.8 mil	\$0.7mil	0.4%
Local Budget	\$77.5 mil	\$80.0 mil	\$2.5 mil	3.1%
Tax Levy	\$42.2 mil	\$43.7 mil	\$1.5 mil	3.5%
Tax Rate (per \$1,000)	\$6.67	\$6.78	\$0.11	1.7%
Average Tax Bill (\$160K)	\$1,067	\$1,085	\$18	1.7%
FTEs	712	716	4	0.6%

PLANNING and ENGINEERING DEPARTMENT REPORT:

[Engineering & Planning Coordinator](#)

[Planning Department](#)

[Town Board Meeting 9/19/2012](#)

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

Construction has begun.

[McKinney Point Water Main Replacement](#)

This project is for the replacement of the main along NYS Rte34 only. The water main is now installed and disinfection and pressure testing is being done. Service connections

will begin soon. A change order was requested by the Contractor to extend the Substantial Completion date to October 12 from September 7.

Status of Woodland Park Subdivision Sewer System

Jeff Overstrom, Kathy Miller, Dave Herrick and Steve Cardamone met to discuss the status of completion of the pump station. The Town will not take dedication of the station until a punch list of items are addressed. These items were presented to Mr. Cardamone and he is in the process of completing them.

Town of Lansing Sewer Metering Station

I have been able to download software to allow downloading and recording of flow data from the metering station. I intend to produce reports that I will provide to the Board and the Village of Cayuga Heights and the Village of Lansing on a periodic basis.

Community Center

Lynn Day, Town Board members Town Highway personnel, Contractors, The Boy Scouts and several volunteers have done an outstanding job renovating the Community Center. I encourage everyone to stop by and see for yourself and thank the people who put in a lot of time and effort into this project.

Stormwater Drainage District Maintenance:

Jeff Overstrom has been working with Dave Herrick to recalculate the maintenance costs for the stormwater drainage district maintenance charge. After reviewing the initial Engineering Reports and the estimated annual cost for maintenance versus the actual cost for maintenance will result in a new calculated formula. This will result in a cost savings for the developers.

Monthly Report:

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

HIGHWAY DEPARTMENT REPORT:

Highway Department Board Meeting 9/19/12

- 1. Paving at Lansing School*
- 2. Repair and pave intersection on DeCamp Road and Gulf Road*
- 3. Finished water line on Brickyard Road*
- 4. Finished water line on McKinney Point*
- 5. Auction 10/8 - \$22,500 for the Town truck*
- 6. Crackfill, seal and restrripe Fire Hall parking lots*

PARK and RECREATION DEPARTMENT REPORT:

Parks & Recreation
9/19/12
Town Board Meeting

RECREATION

- **All of our fall programs** are in progress and that includes: JR and SR YFL youth football teams, Flag Football, Youth Soccer, JR and SR Cheerleading, Varsity Cheerleading and Karate. There are 318 registered participants for these programs.
- **Our 2 YFL teams** attended the league weigh-in and scrimmage on September 8th. Their season started on September 16 and ends on October 27th. Their game schedule allows for 7 games.

- **Our 2 cheerleading squads** will cheer at all of the YFL football games and will cheer in the season ending competition with all of the cheerleading teams in the league. Our SR cheerleaders are also planning to cheer at the home Lansing Modified Football games.
- **Flag football** practices 2 times per week and play a 6 game schedule on Saturday mornings. These games take place behind the Town Hall.
- **Youth Soccer** has started and we have just under 160 participants over 4 levels of grades K – 6. 23 different teams play on our fields Monday – Thursday.
- **Volunteers** drive these programs and do a great job. We are very fortunate to have parents that have always been willing to step up for our kids.
- **Our Adult Open Swim** is set to start on October 2nd. This program takes place at the HS pool on Tuesdays and Thursdays from 11:30 – 12:15.
- **Ski program** registration forms have gone into the schools and the early discount period ends on October 13th. **THERE WILL BE A LOT OF SNOW THIS YEAR!!!**

PARKS

- **The Parks** are finally slowing down. Typically, by middle to end of October waterlines will be winterized and grounds will be cleared for winter. The Parks will still have access for walking as long as conditions allow.
- **This summer season** was one of our best ever for our Parks. We were able to eclipse all of our projected revenue figures. This success is very much WEATHER related!
- **The annual Vet Watch Fire** is set for this Friday September 21st and this marks the 21st year for this event.
- **This Saturday will feature over 200 runners in Myers Park** for “Lisa’s Run” a 5K benefit race for Lisa Topoleski. The event will start at 9 AM.
- Sharon Anderson of 12 Salmon Creek Road and several Cornell students harvested the weeds out of the marina. They were glad to report that the marina does not have hydrilla.

PRESENTATION FROM DAVE MILLER – EAGLE SCOUT PROJECT:

With the help of a slide projector, Dave Miller of Boy Scout Troop 4 gave a report and presentation on his Eagle Scout project.

His project consisted of clearing out the former Shortline railroad bed within the Lansing Pathway Center Trail.

Dave attended his first pathway meeting on March 13, 2012 and since then has put in 215+ hours with more to come on the project. Dave was involved with the supervision and working with over 29 people (from Lansing and Ithaca including scouts and non scouts) on clearing a walking path along a half mile of the railroad bed to provide a shaded portion of the trail. The Town Board viewed before and after pictures of the trail showing dense vegetation where weed wrenches needed to be used for clearing.

Along with clearing the path, stones were used to build stairs. A bridge was constructed at Roger Hopkins’ workshop and placed across the stream.

In the future Dave will be placing signage along the trail pointing out historical landmarks that will provide history of the railroad. In addition small signs identifying trees will be added.

After the presentation Dave Miller received a grand and well deserved applaud from the Town Board and the audience. Along with the Town Board and members from the audience Dave was congratulated for the wonderful project he completed.

AUTHORIZE CHANGE ORDER #1 TO EXTEND THE SUBSTANTIAL COMPLETION DATE FOR THE MCKINNEY'S WATER MAIN REPLACEMENT PROJECT:

RESOLUTION 12-173

RESOLUTION AUTHORIZING CHANGE ORDER #1 TO EXTEND THE SUBSTANTIAL COMPLETION DATE FOR THE MCKINNEY'S POINT WATER MAIN REPLACEMENT PROJECT

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

WHEREAS, the Town has entered into a construction contract with Vacri Construction Corporation for the McKinney's Point Water Main Replacement Project.

WHEREAS, pursuant to Article 12.02 a "Change of Contract Time" of the contract documents, a change order to adjust the contract time without a change in contract price is hereby requested by Vernon Ziegler, Project Manager; and

WHEREAS, a Change Order No. 1 is hereby requested to allow the procurement of the specified materials that are to be incorporated into this project; and

WHEREAS, an additional 35 days of contract time is requested and as such, the new proposed substantial completion date would be October 12, 2012; and

WHEREAS, the final completion date of October 30, 2012 will remain unchanged; and

WHEREAS, and accordingly, after considering and upon deliberation upon the same, the Town Board of the Town of Lansing has hereby

RESOLVED, that Change Order #1 be and hereby is approved, and the Deputy Supervisor is hereby authorized to sign said Change Order #1 to allow the new substantial completion date of October 12, 2012 as requested.

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

Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012.

APPROVE RESOLUTION CALLING FOR A SPECIAL TOWN ELECTION ON NOVEMBER 6, 2012 – PROPOSTION 1: TO ALLOW BINGO AND LAWFUL GAMES OF CHANCE WITHIN THE TOWN OF LANSING:

RESOLUTION 12-174

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LANSING, COUNTY OF TOMPKINS, NEW YORK

**CALLING FOR A SPECIAL TOWN ELECTION
TO BE HELD ON NOVEMBER 6, 2012, AT THE GENERAL ELECTION
AND MAKING CERTAIN OTHER DETERMINATIONS
IN CONNECTION THEREWITH**

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

WHEREAS, by Resolution Number 12-156, dated August 15, 2012, the Town Board conditionally approved the adoption of Local Law #3 of 2012, entitled "LOCAL LAW TO AUTHORIZE BINGO AND GAMES OF CHANCE WITHIN THE TOWN OF LANSING." Said 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, by NYS Law the authorization of bingo and games of chance by a municipality are subject to mandatory referendum, and to become effective such laws must be approved by the electorate at a special or general election; and

WHEREAS, upon due deliberation upon the same, it is hereby RESOLVED as follows:

Section 1. A Special Town Election of the Town of Lansing will be held on November 6, 2012, with the general town-wide elections, between the hours of 6:00 AM and 9:00 PM, or as much longer thereafter as may be necessary to enable the voters then present to cast their votes, or at such other times as established by the Tompkins County Board of Elections, at which Town Election the proposition contained in the notice hereinafter set forth shall be submitted to the electors of the Town of Lansing.

Section 2. The polling places for said Special Town Election for Town of Lansing voting districts 1 through 8 are as follows:

- District 1 - Lansing Town Hall - 29 Auburn Road.
- District 2 - North Lansing Fire Hall – 1189 Auburn Road
- District 3 - Lansing Town Hall - 29 Auburn Road.
- District 4 - Lansingville Fire Hall- 1235 Ridge Road
- District 5 - Ithaca Reform Temple - 2550 North Triphammer Road.
- District 6 - Lansing Village Hall - 2405 North Triphammer Road.
- District 7 - Ithaca Reform Temple - 2550 North Triphammer Road.
- District 8 - North Lansing Fire Hall – 1189 Auburn Road

Section 3. The Town Clerk is hereby authorized and directed to publish at least once in the Ithaca Journal, a newspaper published in Ithaca, New York, in the County of Tompkins, hereby designated the official newspaper of the Town for such publication, and to post on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, notice that the Town Board will submit the proposition upon the Local Law authorizing bingo and games of chance for the approval or disapproval of the voters; said publication and posting to be at least ten (10) days before such Special Town Election. Said notice shall be in substantially the following form:

**TOWN OF LANSING, NEW YORK
NOTICE OF SPECIAL TOWN ELECTION
TO BE HELD UPON NOVEMBER 6, 2012**

NOTICE IS HEREBY GIVEN that a Special Town Election will be held on November 6, 2012, and the polls shall remain open from 6:00 AM until 9:00 PM, or for such longer period of time as may be necessary to enable the voters then present to cast their votes at the following polling places:

<u>Election District</u>	<u>Polling Places</u>
District 1	Lansing Town Hall - 29 Auburn Road.

District 2	North Lansing Fire Hall – 1189 Auburn Road.
District 3	Lansing Town Hall - 29 Auburn Road.
District 4	Lansingville Fire Hall- 1235 Ridge Road.
District 5	Ithaca Reform Temple – 2550 North Triphammer Road
District 6	Lansing Village Hall - 2405 North Triphammer Road.
District 7	Ithaca Reform Temple - 2550 North Triphammer Road.
District 8	North Lansing Fire Hall – 1189 Auburn Road.

At said Special Town Election the following proposition is to be voted upon:

PROPOSITION 1:

SHALL Proposition No. 1, to allow Bingo and Lawful Games of Chance within the Town of Lansing, New York, as approved by the Town of Lansing Town Board’s adoption of Local Law Number 3 to “Authorize Bingo and Games of Chance within the Town of Lansing,” BE APPROVED?

Yes

No

An abstract of such resolution concisely stating the purpose and effect thereof, is as follows:

ABSTRACT OF LOCAL LAW

ABSTRACT OF LOCAL LAW ENTITLED: “Local Law Number 3 of 2012” – entitled ”Local Law to Authorize Bingo and Games of Chance Within the Town of Lansing” - as adopted by the Town Board of the Town of Lansing upon August 15, 2012 (the “Local Law”), and submitted as PROPOSITION NO. 1 and voted upon in the Town of Lansing at the general election to be held upon November 6, 2012. The purpose and effect of this Local Law is two-fold: (1) to update, amend, supersede and replace Town of Lansing Ordinances 1 and 1-A (each of 1958) permitting bingo games in the Town of Lansing; and (2) to authorize lawful games of chance to be conducted within the Town of Lansing.

Bingo and authorized games of chance, including for charitable fundraising, are allowed only when conducted in accordance with the requirements of the State of New York, including General Municipal Law Article 9-A (for Games of Chance) and General Municipal Law Article 14-H and Executive Law Article 19-B (both for Bingo) and, when required, pursuant to the licensing and regulatory requirements the New York State Gaming Commission (formerly known as the Racing and Wagering Board).

This Local Law thus purports to make it lawful for any authorized organization, including churches, charities, and schools, upon obtaining the proper license(s), to conduct the game of bingo within the territorial limits of the Town of Lansing. Similarly, under § 188(1) of the General Municipal Law, it shall be lawful for any authorized organization, including churches, charities, and schools, to conduct lawful games of chance within the territorial limits of the Town once any required licenses are obtained. This Local Law also follows mandatory New York State guidelines for licenses, license fees, and reporting requirements, as well as having the enforcement mechanisms as allowed or required by law.

Dated: September 19, 2012

Debbie S. Crandall, Town Clerk

Section 4. Such special election will be held in conjunction with the general election and the Tompkins County Board of Elections shall provide such further notices, voting machines and/or ballots, election inspectors, and ballot clerks as designated for general election purposes pursuant to the Election Law

Section 5. This resolution shall take effect immediately.

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

Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012.

RESOLUTION TO ACCEPT SCLIWC (Bolton Point) AGREEMENT TO CHANGE 2013 WATER RATES:

RESOLUTION 12-175

**RESOLUTION TO ACCEPT
SOUTHERN CAYUGA LAKE INTERMUNICIPAL WATER COMMISSION
BOLTON POINT WATER SYSTEM
AGREEMENT TO CHANGE 2013 WATER RATE SCHEDULE**

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

WHEREAS, the Town of Lansing is a signatory to the amended, supplemental, restated and consolidated agreement of municipal cooperation for construction, financing and operation of an Intermunicipal water supply and transmission system dated as of June 5, 1979, as the same has been amended from time to time, (the "Agreement"); and

WHEREAS, pursuant to the Agreement each municipality agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as "Commission"), water revenues based upon, in part, a water rate schedule annexed as Exhibit I of Schedule A to the Agreement; and

WHEREAS, based on changes in costs, the Commission believes it is advisable to adopt a new water rate schedule; and

WHEREAS, Schedule A of the Agreement provides that the water rate schedule may not be changed by the Commission without the written agreement to such change of all the parties; and

WHEREAS, Exhibit I of Schedule A to the Agreement has been amended from time to time since the initial date of the Agreement; and

WHEREAS, among other changes, the basic water rate is being increased and the flat rate charge per 1,000 gallons shall be non-fluctuating and equal to four dollars (\$4.00).

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

RESOLVED, that the proposed changes be and hereby are approved, by the Town Board; the Supervisor and each Councilperson be and hereby are authorized to execute the SCLIWC Bolton Point Water System Agreement to Change Water Rate Schedule by, for and in the name 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 Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012

APPROVE MPR FOR PROPOSED DRAINAGE DISTRICT #7 FOR WOODLAND PARK PDA AND ISSUING PUBLIC INTEREST ORDER AND NOTICE OF PUBLIC HEARING:

RESOLUTION 12-176

**RESOLUTION APPROVING MAP, PLAN & REPORT
FOR PROPOSED DRAINAGE DISTRICT #7
FOR WOODLAND PARK PDA AND ISSUING PUBLIC INTEREST ORDER
AND NOTICE OF PUBLIC HEARING FOR SAME**

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

WHEREAS, Applicant Cardamone Home Builders, Inc., has received final approval for a PDA known as the “Woodland Park Planned Development Area” respecting an approximate 59.984 acre parcel residential development consisting of 48 townhouse units and 25 single family lots within the R1 Residential District located on Warren Road and Hillcrest Road in the Town of Lansing, now or formally Tax Map Parcel 41.-2-5 (hereinafter, the “PDA”); and

WHEREAS, the Lansing Town Board having previously determined that a drainage district was needed for the PDA, and having previously authorized the preparation of a map, plan and report (“MPR”) therefor, and no objection to such resolution having been received, and no request for a referendum having been filed or received, and the Town Board having reviewed and accepted the MPR as prepared and submitted by the Town Engineer as complete and final; and

WHEREAS, the creation of a Drainage District is deemed to be in the public interest, and in the interest of the affected property owners proposed to be included in such district; and

WHEREAS, the Town desires to proceed towards establishment of Drainage District #7 pursuant to the provisions of Town Law Article 12-A; and finds that all proceedings to date have been in compliance therewith, and upon due deliberation upon the foregoing and the public interests to be served and the properties to be benefited thereby, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that the final Map, Plan and Report complies with the requirements of Town Law §§ 209-c and 209-d, particularly as to the descriptions and expenses set forth therein for the boundaries and first year’s expenses for the proposed district; and it is further

RESOLVED AND DETERMINED that it is in the public interest and to the benefit of all parcels in the proposed district to establish the Town of Lansing Drainage District #7; and it is further

RESOLVED AND DETERMINED that all benefited parcels are included within such district and no benefited properties have been excluded from the district; and it is further

RESOLVED, that the Town Board hereby adopts an Order pursuant to Town Law §209-d as follows:

- (1) The boundaries of the proposed district are inclusive of all that land now or formally known as Tax Map Parcel 41.-2-5, as depicted in the MPR as Map 1,

being located west of Warren Road and north of Hillcrest Road, and being approximately 60 acres in size as currently owned by Cardamone Home Builders. Based on the drawing titled "Overall Record Plat" (the "Plat"), prepared by Hunt Engineers, Architects & Land Surveyors, last revised November 29, 2010, the lands are the same as depicted therein (the "Map"), each as are on file at the Town Clerk's Offices, which Map and Plat are incorporated herein, and which Map and Plat show all of the lots within the said PDA and all lots thus benefited by proposed Drainage District #7.

- (2) The proposed improvements consist of stormwater retention ponds, a series of vegetated swales and ditches to convey stormwater to the pond forebay, rip rap, a culvert, and other related stormwater facilities and drains, all of which are set forth upon the Plat (which Plat is expressly herein incorporated herein, as now exists or as hereafter amended). All costs of installation will be paid for by the Developer pursuant to the Town's Stormwater Local Law, NYSDEC GP-0010-001, and the Developer's SWPPP. The Town's maintenance responsibilities include inspections, sediment and debris removal, vegetation management, animal and nuisance management, erosion control, and structural repairs. The Developer will provide easements and rights-of-way to the Town and the District for normal maintenance and emergency access, and title to the ponds and forebays are proposed to be dedicated to the Town or District, as then applicable;
- (3) The estimated cost to the Town and the District for the proposed improvements is \$0.00, which is the maximum amount proposed to be expended by the Town or the District;
- (4) There is no hook-up cost for or to the drainage district;
- (5) There is no financing needed for this project;
- (6) The Map, Plan and Report are on file for public review and inspection at the Office of the Town Clerk;
- (7) A public hearing upon such proposed district will be held at 7:05 pm upon October 17, 2012, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and
- (8) The Map, Plan and Report describes in detail how the financing, hook-up costs, and other costs and expenses of the proposed drainage district were estimated and computed, including the first year's estimated average maintenance cost of \$121.80 per parcel (excluding the HOA parcel, with a cost of \$300.00 plus the HOA costs of infrastructure maintenance); such costs are proposed to be paid through special benefit assessments for the benefited parcels of the proposed district, to be collected with the annual Town and County tax bill (and for the HOA, though a combination of benefit assessments and obligations expressed within a Stormwater Operations, Management & Reporting Agreement ("SOMRA")).

and it is further

RESOLVED AND DECLARED that the average cost was computed by identifying the frequency that each maintenance activity is required; then establishing the number of hours and cost per hour for such maintenance activity; and then arriving at a total district first year's estimated cost of \$3,345.00. Such amount was then applied to the total acreage of the benefited subdivision, being approximately 60 acres; then a pro-rata formula was applied to each lot for payment in accordance with the total cost per acre, all as shown more particularly on pages 9-10 of said MPR (with accompanying maps). This statement of detail as to how the costs were calculated is and shall be deemed the required computation statement required to be filed with the Town Clerk by Town Law § 209-d(1); 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 and copy of the Order to be published in the Town's official newspaper not less than 10 nor more than 20 days before such public hearing, and posted on the Town's official signboard not less than 10 nor more than 20 days before such public hearing.

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 Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012.

SCHEDULE PUBLIC HEARING FOR SEQRA REVIEW OF DRAINAGE DISTRICT #7 AND SEQRA DETERMINATION AS TO SEQRA CLASSIFICATION AND DESIGNATION OF LEAD AND OTHER AGENCIES:

RESOLUTION 12-177

RESOLUTION SCHEDULING HEARING FOR SEQRA REVIEW OF PROPOSED DRAINAGE DISTRICT #7 AND MAKING CERTAIN SEQRA DETERMINATIONS AS TO SEQRA CLASSIFICATION AND THE DESIGNATION OF LEAD AND OTHER AGENCIES

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

WHEREAS, NYS Law and the Town's Stormwater Local Law require the Town to plan for the future maintenance of drainage, sediment control, and stormwater facilities, and the Developer of the "Woodland Park Planned Development Area," Cardamone Home Builders, Inc., has requested the creation of a Drainage District, and the Town Board has issued a Public Interest Order relative to formation of the said Drainage District #7 and desires to conduct a SEQRA review to examine the environmental impacts of such proposed Drainage District, and to review the proposal in light of the Town's Land Use Ordinance and Comprehensive Plan; accordingly, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that

1. This action is classified as an Unlisted Action pursuant to 6 NYCRR Part 617.2(ak);
2. The Town Board of the Town of Lansing proposes to be the Lead Agency for environmental review, subject to consent or any requests for coordinated or independent review by any Involved or Interested Agency, as applicable;
3. The Involved Agencies are determined to be the NYS Department of Environmental Conservation, the Tompkins County Health Department, and the Town of Lansing Planning Board;
4. There are determined to be no Interested Agencies; and it is further

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 17th day of October, 2012, at 7:10 pm, to consider a SEQRA review of the environmental impacts of proposed Drainage District #7, 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, at least 14 days before the date of such hearing; and it is further

RESOLVED, that the Town Clerk immediately issue and deliver a Notice of Intent relative to Lead Agency status to all Involved and Interested Agencies.

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 Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012.

RESOLUTION TO SUPPORT A GRANT APPLICATION FOR FUNDING TO EXPAND ACCESS TO BROADBAND INTERNET SERVICE TO THE TOWN OF LANSING:

Councilperson Ruth Hopkins gave the background of the grant stating that in August the Broadband Committee learned that Governor Cuomo was issuing \$25 million dollars to increase broadband in New York State. The following questions and answers about the proposed details of the grant match, the service costs, the poles and their placement were provided for Town Board members and reviewed.

How much of the matching costs are likely to be out-of-pocket, and how much will be in-kind services rendered by Town Staff and Officials?

The matching costs include the waiver of permit fees, inspection fees, and other charges that might normally assess for this kind of an application.

The grant will list a Town contribution of \$5,000 each to provide electricity to a pole. It is estimated that the Town can perform \$3,500 of this cost using their own equipment and employee labor, leaving \$1500 out of pocket for each pole.

It is projected that the Town of Lansing will need 4-5 telephone poles if we are able to gain a co-location with WSKG, else the coverage may require 3-4 additional poles.

The remainder of in-kind services will be provided in terms of employee and Town official time that is given to creating community awareness of the project and the availability of service to all residents.

What are the likely rates to be charged for this service?

The service charge is targeted to be at or below market. Ways to provide incentives and ways to help reduce the costs for those who are living on low incomes are being looked into along with ways to help those residents who make space available for a pole.

What are the size and height of the poles?

The poles will look like regular telephone poles, they would extend 52 feet above the ground, which is higher than an average phone pole.

Where will the poles be located?

Most of the poles will fit within the public ROW along the roads in the Town of Lansing. The exact locations are yet to be determined although the spots where an additional pole will enable them to include additional households.

It is anticipated that 2 poles will be in the Northeast section of the Town of Lansing and at least one on the north end of Salmon Creek and possibly in Cayuga County.

The Town of Lansing will be benefited greatly from a County wide grant since some of the households will be reached with towers and poles located in Enfield, Dryden, Ulysses, and Genoa. The Town will also benefit from the relays from other Town and County towers.

Hurf Sheldon who is the Town of Lansing Representative on the Broadband Committee a member for 2 ½ years spoke on behalf of the committee. The countywide grant was not expected and is the only viable way that funds can be accessed to be offered through the state. The grant has to be done with cooperation from the municipalities.

The vendors that currently provide service are not willing to expand service.

This particular grant is for fixed wireless service.

There are 205 unserved homes that can not receive internet service and a similar number of homes that have limited service.

Fixed wireless monthly fees per household basis should be substantially less and closer to \$30.00 a month.

There is a socioeconomic disadvantage in access to medical services, education and being able to have a business in a home. The committee has looked at statistics that say there is a two or three percent economic growth in an area that has full Internet service versus one that does not, due to small businesses that can be run out of homes.

If this countywide grant is successful it would allow 97% of the unserved and a vastly greater of the underserved.

The connection will be faster than that provided by the local provider. The service will be for Internet service and does not include television service.

Mr. Sheldon asked the Town Board to support and endorse the grant.

Claire Perez who lives at 2707 Rt 34B just received service from the West Dryden tower that was just installed. She will also be writing a letter of support.

Gay Nicholson – 1 Maple Avenue asked what the cost share was and if you currently have service could you switch to the new service?

Mr. Sheldon stated that residents could switch to the new service.

Dan Veaner – Lansing Star asked if the whole Town was going to be covered by this, what the amount of grant will be and who is applying for this?

Mr. Sheldon stated even though it will cover many parts of the Town that are currently served by providers the system is focused on serving the unserved areas of Lansing such as the Salmon Creek valley.

The amount of money that is available is \$25 million dollars for NYS and the portion the County would receive is unknown at this time.

The application is through Clarity Connect who has been working on the plan.

Pat Pryor stated that the deadline for the completion to submit the grant is October 5, 2012. Ms. Pryor and Mr. Sheldon both asked for private endorsement letters which will help support the grant. The letters should be submitted to Ms. Pryor and mailed to 150 Scofield Road, Freeville, NY 13068 or sent via email at ppryor@tompkins-co.org.

Ms. Pryor submitted the following pertaining to the grant to the Town Clerk to be inserted in the minutes:

BROADBAND

Connect NY Broadband Grant Program

Broadband Funding (Up to \$25 million for broadband infrastructure)

DESCRIPTION:

Governor Cuomo has committed \$25 million to increase broadband deployment and adoption in New York State. The integration of technology and broadband into regional revitalization and economic development strategies is a critical success factor for the sustainability and enhancement of New York's Digital Economy. With affordable broadband technology as an equalizer, distance is no longer an obstacle to information and economic opportunity across business sectors. Whether it's education, healthcare, public safety, or government, high-speed Internet capabilities are necessary to connect citizens, businesses and communities.

Each region faces unique challenges when it comes to universal broadband access. The Connect NY Broadband Grant Program is administered by the New York State Empire State Development Broadband Program Office (NYS ESD BPO), and includes funding for last-mile solutions to expand broadband connectivity in unserved¹ and underserved² areas of New York State. Broadband deployment grants are critical to spur investment by broadband service providers and expand broadband connectivity and economic development in each region. Applicants will deploy broadband using a combination of new and existing infrastructure.

Many broadband projects have been funded through existing grant and loan programs, including federal American Recovery and Reinvestment Act (ARRA) Broadband Grants and Loans (National Telecommunications and Information Administration and Rural Utilities Services), United States Department of Agriculture (USDA) Broadband Grants and Loans, and NYS Broadband Grant funding. A vast majority of ARRA broadband projects include funding for middle-mile projects. The intent of the Connect NY Broadband Grant Program is to leverage existing broadband networks, where practical, to expand service areas to include unserved regions of the State.

¹An Unserved area is defined as an area where broadband service is not available from a wireline or wireless facilities-based provider offering service at advertised speeds equal or higher than 6 Mbps download and 1.5 Mbps upload.

²An Underserved area is defined as an area where 50% or more of the households have no broadband service from wire line or wireless facilities-based providers offering service at advertised speeds equal or higher than 6 Mbps download and 1.5 Mbps upload.

Connect NY Broadband Grant Program: up to \$25 million

The Connect Broadband Grant Program will fund projects which will acquire and install broadband equipment to expand last-mile services to unserved and underserved areas using existing networks, as well as deploying new infrastructure where applicable. Projects must be ready to begin immediately and be fully funded with a combination of requested and matching funds (20%), and other public funds.

Eligibility:

Eligible types of applicants include, but are not restricted to:

An incorporated organization;

An Indian tribe or tribal organization;

A local unit of government; and

A cooperative, private corporation or limited liability company organized on a for-profit or not-for-profit basis.

PROGRAM SELECTION CRITERIA

Priority Areas and Demonstrated Need:

Applications for broadband funding must propose to serve areas which are identified as being unserved or underserved, according to the NYS Broadband Map: <http://www.broadbandmap.ny.gov/>.

In addition to the data contained on the NYS Broadband Map, applicants may also submit supplemental data (validated by the respective REDC) regarding additional unserved and underserved areas to New York State's designated broadband mapping entity, the Division of Homeland Security and Emergency Services (DHSES), Office of Cyber Security (OCS). Upon validation of the submitted information, OCS will update the broadband availability and mapping data on the State's official mapping website. The validated availability data will then be considered for eligibility for the Connect NY Broadband Grant Program. The

public and incumbent broadband providers will also be able to challenge proposed service areas being considered for public funding before grant awards are made.

Projects will be evaluated in this category according to the degree in which the proposed project:

1. Provides Broadband Access to Unserved Areas – Applications must propose to serve areas currently identified as being unserved by the NYS Broadband Map, or validated to be unserved by the submission of supplemental information authorized by the respective REDC, and updated on the NYS Broadband Map.
2. Provides Broadband Access to Underserved Areas – Applications must propose to serve areas currently identified as being underserved by the NYS Broadband Map, or validated to be underserved by the submission of supplemental information authorized by the respective REDC.
3. Serves Community Anchor Institutions: Offer new or substantially upgraded service to community anchor institutions within the region served. Community anchor institutions include, but are not limited to libraries, public safety facilities, community centers, educational institutions, and healthcare facilities.
4. Facilitates the Use of Telemedicine and Electronic Health Records: Propose to serve rural healthcare clinics and hospitals in an underserved region of the State, in areas which could benefit from the adoption of electronic medical records and the use of telemedicine systems, which meet the current requirements for the delivery of these services.
5. Serve Economically Distressed Areas: Propose to offer broadband service to spur economic growth in areas of the State which are economically distressed. Projects that have a significant regional impact or are likely to increase the community's economic and social viability and vitality will be given additional consideration.

Impact and Adoption:

Public investments in broadband technology must be part of a comprehensive strategy to transform communities and enhance the lives of residents. The significant impact of broadband is only realized when there is a comprehensive plan to increase and sustain the adoption of individuals and business sectors in the communities where broadband networks are being deployed. Broadband deployment efforts are not successful unless individuals and businesses across each economic sector utilize broadband to enhance quality of life, start new businesses or expand existing businesses.

Applicants should demonstrate how the deployment of broadband will be incorporated into specific community programs such as libraries, education, workforce preparation, small business support, economic development, telemedicine and healthcare, and housing.

Projects will be evaluated in this category according to the degree in which the proposed project:

1. Provides Digital Literacy Programs to Increase Adoption: Includes plans to increase adoption by supporting digital literacy programs in the community.
2. Addresses Affordability: Includes programs to allow economically disadvantaged individuals to afford the cost of monthly Internet service and computer equipment to use broadband. (i.e. Provider discounts for eligible applicants offering discounted rates for Internet service and low cost computer equipment.)
3. Offers Training Programs for Business Sectors: Includes training programs and support for specific business sectors to increase the adoption of broadband by each sector. (i.e. In proposed service areas with a high percentage of agriculture businesses, programs to support the implementation of technology based applications, training programs to increase adoption rates, and subsidies to offset the cost of computer equipment and Internet service plans for farmers.)
4. Increases Broadband Awareness: Include programs which serve to increase awareness of broadband and understanding of the benefits broadband brings to individuals and businesses in the community. (i.e. marketing campaign to promote digital literacy programs, business sector training classes, and messages which promote the use of broadband for the benefit of individuals and the community.)

Collaboration and Community Support:

A critical success factor for broadband deployment projects is strong community support for the project and a community vested in the successful outcome of the project. Projects which are supported by a coalition of broadband stakeholders representing individual citizens, each sector of the business

community, and disadvantaged populations have a greater likelihood of realizing the economic and social benefits of broadband access.

Projects will be evaluated in this category based on the following:

1. Aggregation of Demand: Letter of commitment from prospective governmental or other large institutional users acting as “Anchor Tenants,” with the development of a business model to increase the availability of broadband to disadvantaged members of the community.
2. Public-Private Partnerships: Points awarded to projects which include a public-private partnership between government, non-profit entities and broadband providers.
3. Stakeholder Support: Whether the project has demonstrated support from local government and private sector leaders in the locality and the region where the project will be located.
4. Provider Support: Commitment letter from a broadband service provider to implement the proposed technical solution proposed in the application.

Leveraging Existing Infrastructure and Funding Sources:

Network Infrastructure

Many of the broadband access challenges which exist in New York are due to the high cost of last-mile access, particularly in rural and remote areas of the State. Applications which avoid overlapping service areas and propose to extend existing service to unserved homes and business will receive higher scores in this category. Unserved areas which contain existing interconnection points should endeavor to expand service from that point to unserved areas within the same or contiguous service areas.

The cost to build a broadband network during the construction phase of roads and bridge project is significantly less than opening roadways and digging trenches for the sole purpose of laying fiber and installing telecommunications equipment. In addition to leveraging existing telecommunications infrastructure, points will also be awarded for integrating a plan to build a broadband network during the construction phase of public works transportation and highway projects.

Points in this category will be awarded to:

1. Projects that create a direct connection to the customer utilizing at least one or more existing interconnection points, a loop or a fiber ring.
2. Projects that collocate on preexisting public or private infrastructure (through interconnection points).
3. Projects that provide transport services to a last mile provider that is serving the customer (e.g., backhaul, Internet access) or make enhancements to middle-mile infrastructure to support the last mile.
4. Projects which maximize the use of existing network capacity and infrastructure to expand broadband service to unserved and underserved areas.
5. Projects that include the placement of telecommunications conduit, fiber, and equipment during the construction phase of capital improvement projects that require road openings.

Funding Sources:

The Connect NY Broadband Grant Program requires matching funds equal to 20% of the requested grant amount. The program may provide additional funding for a project if a compelling financial need is demonstrated by the applicant.

There are a number of federal, state, and local grant and loan programs which provide funding for broadband projects. Projects which have already been awarded funding from federal or state grant programs, (either completed or in progress), which propose to expand existing service areas to include additional unserved and underserved areas, will be given higher priority for the Connect NY Broadband Grant Program.

In addition, the United States Department of Agriculture (USDA) currently offers several broadband grant and loan programs for various purposes. Broadband projects which qualify for existing USDA Broadband Grant and Loan programs will be given priority for State funding. These include the following USDA programs:

USDA Rural Broadband Loan Program – Loans to improve and build telecommunications service in rural communities.

Community Connect Grant Program – Grants for broadband service providers and

others who offer broadband services in rural and remote areas.

Distance Learning and Telemedicine Program – Loans and Grants for providing Distance Learning and Telemedicine services to rural residents and anchor institutions in rural and remote areas.

Community-Oriented Connectivity Broadband Grant Program – serves rural communities without existing broadband service (private entities, state and local jurisdictions included)

Telecommunications Loan Program - ongoing loan program for building broadband networks in rural communities.

Points in this category will be awarded to applications which:

1. Include additional matching funds in excess of the required 20% from other public or private sources.
2. Received previous funding from public grant sources and are proposing to expand the service area to include additional unserved or underserved areas (includes telemedicine grants and loans seeking to expand access to unserved and underserved communities and anchor institutions, if permitted by the conditions of the grant program.)
3. Qualify for existing federal broadband grant and loan programs, with a pending application already filed with the administering grant or loan authority.

REGIONAL ECONOMIC DEVELOPMENT COUNCIL ENDORSEMENT:

Evaluation criteria will be based on the degree to which the Connect NY project meets and advances the goals and objectives stated in the Regional Council Strategic Plan.

Additional Resources:

David Salway
Director, NYS Broadband Program Office
Empire State Development
866-322-5787
Nysbroadband@esd.ny.gov
www.nysbroadband.ny.gov

Councilperson Ruth Hopkins asked for the Town’s support of the following Resolution:

RESOLUTION 12-178

**RESOLUTION SUPPORTING A GRANT APPLICATION FROM
CLARITY CONNECT, INC.
A LOCAL INTERNET SERVICE PROVIDED TO THE
SOUTHERN TIER REGIONAL ECONOMIC DEVELOPMENT COUNCIL
(REDC) FOR FUNDING TO EXPAND ACCESS TO
BROADBAND INTERNET SERVICE TO 98%+/- OF THE
UNSERVED/UNDERSERVED HOMES AND BUSINESSES
IN THE TOWN OF LANSING**

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

WHEREAS, the Town of Lansing recognizes that in today’s global information economy robust broadband access to the Internet is a requirement, not a luxury, in much the same way as are roads, bridges and other infrastructure; and

WHEREAS, there are approximately 200+/- homes and businesses in the Town of Lansing that lack access to broadband (high speed) Internet connection; and

WHEREAS, the lack of broadband Internet service impacts the ability of rural businesses to compete successfully; and

WHEREAS, families that lack broadband Internet service are negatively impacted educationally, in searching for a job, seeking information, banking, shopping,

participating in e-government opportunities, communicating rapidly with health care and veterinary providers and accessing medical records, among other negative impacts; and

WHEREAS, it is the desire of the Town Board to support the extension of broadband Internet service to all homes and businesses in the Town of Lansing so as to allow all residents to have equal access to its benefits; and

WHEREAS, and accordingly, after considering and upon deliberation upon the same, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Town of Lansing partner with Clarity Connect, Inc. in applying for a grant from the REDC to expand broadband Internet connectivity in Lansing; and

BE IT FURTHER RESOLVED, that the Town of Lansing as its contribution to the project will:

1. Waive all Town of Lansing fees related to the implementation of the project.
2. Bring electric service to each pole location.
3. Inform the public and promote broadband Internet service where and when appropriate; and

BE IT FURTHER RESOLVED, that the Town of Lansing will do everything it can to expedite any zoning, rights-of-way issues or any other needs of the project.

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

Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 19, 2012.

APPROVE AUDIT:

RESOLUTION 12-179

Deputy Supervisor Robert Cree moved that the Bookkeeper is hereby authorized to pay the following bills:

CONSOLIDATED ABSTRACT # 009	
DATED <u>9/19/12</u>	
AUDITED VOUCHER #'s	<u>890 – 1012</u>
PREPAY VOUCHER #'s	<u>890 – 894</u>
AUDITED TA VOUCHER #'s	<u>65 – 73</u>
PREPAY TA VOUCHER #'s	<u>65 – 67</u>
<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>90,180.08</u>

HIGHWAY FUND	\$ <u>35,193.93</u>
LANSING LIGHTING	\$ <u>1,284.19</u>
LANSING WATER DISTRICTS	\$ <u>110,406.17</u>
TRUST & AGENCY	\$ <u>28,650.59</u>
WARREN RD SEWER-CAPITAL PROJ	\$ <u>0.00</u>
LANSING SEWER DISTRICTS	\$ <u>3,180.97</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 Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

BOARD MEMBER REPORTS:

Andra Benson:

The Library and Library Trustees are doing well and are excited about Local Law #4.

The Youth Services will be doing a presentation at the October 3rd Town Board Special/Work Session meeting.

Edward LaVigne:

The Lansing Housing Authority is still working on their elevator project.

Community Center renovations are under budget. Lynn Day was the driving force behind this project along with the many volunteers who made this possible. When you merge volunteerism and government you really get cost effective government. It is glorious and he encouraged everyone to go see it. The Town Board will now be working on new rules and regulations. It is truly appropriate that the Community Center was resurrected by the Community.

Ruth Hopkins:

Nothing more to report other than the broadband.

Robert Cree:

Bolton Point continues to work on amending the usage requirement of 10,000 gallons and decreasing the minimum.

Dave Heck suggested to charge a higher rate for the volume users and lower the minimum rate to 5,000 gallons for the seniors.

Robert Cree stated that this has been discussed at Bolton Point. On recent water bills Bolton Point has attempted to put the average amount of gallons used in your neighborhood, hoping to make people aware of how much water they are actually using.

Kathy Miller:

Monthly Report:

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

ADJOURN MEETING:

RESOLUTION 12-180

Deputy Supervisor Robert Cree moved to **ADJOURN THE SEPTEMBER 19, 2012 TOWN BOARD MEETING AT 8:55 PM.** Councilperson Andra Benson seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Deputy Supervisor Robert Cree	Aye

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall