

**REGULAR TOWN BOARD MEETING**  
**December 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 6:00 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  
Robert Cree, Councilperson  
Ruth Hopkins, Councilperson  
Edward LaVigne, Councilperson

**ABSENT:** Katrina Binkewicz, Councilperson

**ALSO PRESENT:** Guy Krogh, Town Attorney, Steve Colt, Park Superintendent and Recreation Director, Jeff Overstrom, Engineering and Planning Coordinator, Dan Veaner, Lansing Star, Pat Pryor, Tompkins County Representative, John O'Neil, Village of Lansing, Dave and Joyce Heck, Ted Laux, Woo Jin Richardson, Chuck Crandall and a few other attendees.

**TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR:**

To: Lansing Town Board  
From: Pat Pryor, County Legislature, District 6  
Date: December 19, 2012  
Re: December Report

1. December 12: The Legislature heard a presentation from the TC Office for the Aging (COFA) on the results of the 2012 "Needs Assessment of Persons Age 60+". A similar study was done in 2004, allowing results to be compared and trends examined. Factors surveyed included demographics, employment, housing, transportation, isolation, activities and volunteering, technology and information sources, health, food and nutrition, caregiving, awareness of services, and health coverage and prescriptions.

One result of note is that it is clear that the first wave of "baby boomers" has entered this age group, as reflected by the 34% increase in the county's population of over 60 and an 89% increase in "younger seniors" aged 60-64.

Other results of interest: the highest ever percentage of seniors employed (29%); a high rate of home ownership (88.3%) with about a third indicating they need major home repairs (\$500 or more); 88% continue to drive themselves; 88% have a computer and Internet access in the home; and 80% having both a land line and a cell phone.

About 3.5% of seniors appear to be too isolated, but this figure, although troubling, has dropped from 5.9% in 2004. 42% reported volunteering at least an hour or more per week.

A comparison of health conditions shows that rates of incidence either stayed the same or decreased in all categories. One of the highest perceived concerns for seniors is the risk of falling with 23% reporting that they had either recently fallen or were afraid of falling.

Approximately 4.7% of respondents are at risk of hunger on a daily basis and 10.8% do not eat at least two balanced meals every day.

All respondents reported having some sort of health insurance coverage, with 8.3% being covered by Medicaid. 81.9% take prescription medication(s) daily, but 10.4% do not have prescription coverage. 3.7% either do not fill prescriptions at times or stretch out their medications to make them last longer because of cost.

An important need that will require continued attention as the wave of baby boomers continues to enter the senior category is the provision of alternative transportation options as seniors begin to give up driving. Another is the provision of adequate housing options, including options for remaining in their own homes as most seniors would prefer. Every category studied indicates that as a community we will need to continue to actively pursue solutions that will enable our senior population to age with dignity.

2. December 18: The Legislature has been actively pursuing solutions to the structural deficits currently being experienced by several of the County's major agencies, primarily the result of the economic downturn in 2009.

A proposed resolution addressing the TCAD deficit that will include both an increase in the County's room tax along with added support from the County budget will likely be presented to the Legislature early in January. The resolution came out of the work of a special Task Force that included representatives from the tourism industry, the County Legislature and the Chamber of Commerce. If approved by the Legislature the proposal will be submitted to the state for its approval.

Another resolution addressing the TCAT deficit will include a .25% increase in the mortgage recording tax, the increase to be dedicated to mass transportation. The County has the authority to levy the increase, but must seek state approval of its dedication to mass transportation purposes. If approved, the increase will put Tompkins County on a par with 43 other counties in NY State.

Further discussion will need to continue into 2013 as we seek to address the deficit at the County Library.

Another agency that is experiencing financial difficulties is the Soil and Water Conservation District, but it is unclear at this point whether or not an internal review and various adjustments may be able to resolve the funding issue.

Councilperson Edward LaVigne asked Ms. Pryor to clarify senior living and asked her to include in her next report the senior percentage compared to the total population. He thanked her for her reports as they are informative and thorough.

Supervisor Kathy Miller asked Ms. Pryor if she could provide a chart showing the mortgage tax increase.

### **PRIVILEGE OF THE FLOOR:**

No one wished to address the Town Board.

### **PLANNING and ENGINEERING DEPARTMENT REPORT:**

Engineering & Planning Coordinator  
Planning Department  
Town Board Meeting 12/19/2012

#### Training

I attended two days of Code Enforcement training. The topic for the first session was Change of Occupancy in existing buildings. This was an interesting topic because the example was converting a section of a senior housing apartment facility to a full care nursing facility.

The second session was applying the residential code to existing buildings. This was geared toward additions to existing residential structures.

#### Town Marina Reconstruction

I delivered the permit application and materials to Cortland DEC office and mailed information to Buffalo office of the Army Corps of Engineers.

#### Emergency Generator Connection

Received a quote for the installation of the necessary generator connection equipment for the Farrell Road station and also for the connection of the generator to the station equipment. The station in Woodland Park project will be compatible as well. Waiting on contractor to receive the parts and scheduling of work.

#### Sewer Permit Administration

Transferred sewer permit administration to the Highway Department.  
The following projects were reviewed and approved;

1. Davis to Reiger subdivision, Lake Forrest Drive

#### Upcoming Events / Projects

Presentation to the Planning Board by Cargill for the proposed new access shaft.

Continued review of the Lucente / Village Circle project and utility improvements.

#### Monthly Report:

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

### **PARK and RECREATION DEPARTMENT REPORT:**

## **Parks & Recreation Department Town Board Meeting 12/19/12**

#### **RECREATION**

- We are currently working with the school to set up building request documents for our winter programs. Wrestling and Travel Basketball will be starting in early January. We also schedule the practice areas for the Varsity Cheerleaders.
- Transportation dates are being confirmed with the school for our bussing needs for Skating, Gymnastics and the Ski Program.
- Continued planning for this coming spring and summer. As I mentioned in last month's meeting, the school will be very limited this summer due to upgrades and construction projects.

#### **PARKS**

- Our phones will start ringing soon: January 7<sup>th</sup> for Pavilion rentals and January 14 for Camping reservations. We will have our "Take-A-Number" dispenser up for camping reservations on the 14<sup>th</sup>.
- Planning stages for several small to medium projects for the parks that include a small piece of marina wall on the south side of the small marina, paver curbing, Salt Point plantings, Osprey nesting platform to name a few...

Mr. Colt was notified by the DEC that they will be receiving an allotment of free trees and shrubs. He plans on planting them in the dog park area to start a nursery.

### **SEWER PROJECT GRANT:**

Through a text message from Town Engineer, Dave Herrick, Attorney Guy Krogh announced that the Town Sewer Project has received a grant from the state in the amount of \$2.537 million.

**CHANGE IN HEALTHCARE PROVIDER UNDER UNION CONTRACT:**

**RESOLUTION 12-234**

**RESOLUTION TO AUTHORIZE THE EXECUTION OF AMENDMENTS TO  
TEAMSTERS' COLLECTIVE BARGAINING AGREEMENT  
TO REFLECT AGREED-UPON CHANGES IN  
HEALTHCARE BENEFIT PROGRAMS**

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

WHEREAS, the Town has joined the municipal consortium for the provision of health insurance benefits; and

WHEREAS, the Town has one union group, said group being located at the Highway Department and being part of the Teamsters Union (the "Union"), and a change in healthcare benefits, including insurance providers, is a subject of mandatory and/or impact bargaining; and

WHEREAS, the Union has supported and approved the change and the Town and the Union have agreed upon the language reflecting such changes in the collective bargaining agreement; and

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

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

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

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 December 19, 2012.

**RESOLUTION MAKING NEGATIVE DEC OF ENVIRONMENTAL IMPACTS  
ON PROPOSED PURCHASE AGREEMENT FOR TOWN-OWNED LAND BY  
NRP PROPERTIES, LLC:**

Supervisor Kathy Miller reviewed the Short Environmental Assessment Form as follows:

Town of Lansing SEAF NRP Land Sale – Town Center Area:

Proposed New Action project is a sale by the Town of Lansing to a private developer of approximately 15.5 acres pursuant to a written purchase agreement for the development of an affordable and senior housing facility, with approximately 3 acres to be dedicated-back to the Town for open space and parkland-type purposes.

The proposed action will comply with the existing zoning or other existing land use restrictions.

The present land use in the vicinity of the project is residential, commercial, agriculture, park/forest/open space and other. The area is within a business district and is undeveloped land. Current nearby uses include: commercial/governmental uses such as a library, town hall, community center, NYSOFCS residential centers, senior housing,

restaurants, bars, grocery store, gas station/mini-mart; residential uses; and the land has also principally been under use agriculturally pursuant to a written lease. Open space uses include trails and nearby ball fields.

Action does not involve a permit approval, or funding, now or ultimately from any other governmental agency (Federal, State or Local).

No aspect of the action has a currently valid permit or approval. Subdivision of land from larger parcel by the Town Board, as applicant, before the Planning Board, as the subdivision review authority for the Town, will be required prior to final sale.

As a result of the proposed action there will be no existing permit/approval that will require modification.

The action does not exceed any type 1 threshold in 6 NYCRR, Part 617.4.

The action will not receive coordinated review as provided for unlisted action in 6 NYCRR, Part 617.6. A negative declaration may be superseded by another involved agency.

Could Action result in any adverse effects associated with the following:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems:

None, this "action" is for the sale of land only; while impacts may occur upon future development, they would be subject to separate environmental review and a sale does not implicate any action not already permitted in zoning.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character?

None, such housing and mixed-uses are permitted by the existing B1 zone and is consistent with the Comprehensive Plan.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species?

None, while there are some nearby wetlands, the same are not impacted and will be subject to future review if development occurs.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources?

None

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action?

Growth is not likely from the sale alone. The likelihood and scope of any potential future project are unknown, speculative, and contingent. Thus, this review addresses the sale of land only.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5?

None

C7. Other impacts (including changes in use of either quantity or type of energy)?

None

The project will not have an impact on the environmental characteristics that caused the establishment of a critical environmental area.

There will not be or not likely to be controversy related to potential adverse environmental impacts.

Therefore the following resolution was offered:

**RESOLUTION 12-235**

**RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS FROM PROPOSED PURCHASE AGREEMENT FOR TOWN-OWNED LAND BY NRP PROPERTIES, LLC**

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

WHEREAS, the Town has been negotiating with NRP Properties, LLC, (“NRP”) relative to purchase of approximately 15 acres in the Town Center, with the understanding that an affordable and senior housing facility would be thereupon constructed and 3 acres would be dedicated back to the Town for open space or parkland type purposes; and

WHEREAS, the sale of land is subject to SEQRA review and, for this purpose, the Town has reviewed the SEAF concerning this action, and updated the same after discussion to add additional information thereto, and after a reading and discussion of such SEAF, the Town Board classified this action as an Unlisted Action reviewed under uncoordinated review, and determined that the action of the sale of land will not produce any significant environmental impacts; and

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

RESOLVED, that the Town Board of the Town of Lansing be and hereby is again declared to be the Lead Agency for uncoordinated review of this action, which is hereby classified as an Unlisted Action; 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, (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. 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 Ruth Hopkins, and put to a roll call vote with the following results:

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 December 19, 2012.

**AUTHORIZATION TO HAVE SUPERVISOR SIGN THE NRP PROPERTIES LLC PURCHASE AGREEMENT:**

Councilperson Ruth Hopkins and the Town Board thanked Attorney Guy Krogh for his guidance through this process.

Attorney Guy Krogh stated that tonight the Town Board is only sponsoring the sale of the land, and not the subdivision that may have to occur if all of the contingencies are met and the sale is actually closed. Attorney Krogh stated that the Town Board needs to do a Short Environmental Assessment Form as an unlisted action for selling land. If the project were to go forward in one to two years then it is subject to a type one environmental review.

Councilperson Ruth Hopkins stated that the Town and the Planning Board will follow Article VII: 701.4 – Section - Standards for Site Plan Review. Councilperson Ruth Hopkins asked Guy Krogh to explain to the Board how the Town’s current ordinances and processes will allow the Town to guide the overall plan as it follows the Towns processes for site plan or PDA review through the Planning Board and Town Board and the Town’s ability to guide the inclusion of pedestrian walkways or the Railroad trail as deemed desirable by the Town. Mr. Krogh stated that the Planning Board and Town Board, has the ability to look at the overall design and concept of the plan and recommend its modification or subject it to conditions to further the goals and public needs relating to transportation, trails, open spaces and recreation. The requests can be augmented by other master plans, one being the Town Center Plan along with the Comprehensive Plan. These will all be a part of the review process.

Councilperson Robert Cree stated that the agreement should refrain from specificity about site plan features as suggested by legal counsel. Councilperson Ruth Hopkins agreed and added that removing a diagram of sample layouts for the development would further accomplish this objective. Attorney Krogh indicated it would be good to make this change.

Attorney Guy Krogh added that the NRP agreement as written includes several clauses that require the developer to follow the Town’s site plan or PDA processes, including ample review by the Planning and Town Boards.

**RESOLUTION 12-236**

**RESOLUTION TO AUTHORIZE THE EXECUTION OF PURCHASE AGREEMENT FOR TOWN-OWNED LAND BY NRP PROPERTIES, LLC**

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

WHEREAS, the Town has been negotiating with NRP Properties, LLC, (“NRP”) relative to purchase of approximately 15 acres in the Town Center, with the understanding that an affordable and senior housing facility would be thereupon constructed and 3 acres would be dedicated back to the Town for open space or parkland type purposes; and

WHEREAS, funding for affordable housing projects has strict filing deadlines and NRP must submit the proposed project for approval by mid-January 2013; and

WHEREAS, the project was previously determined to be consistent with the Town’s Comprehensive Plan, allowed under existing zoning, and consistent with the general

town center goals and the County’s nodal development plan, all while providing needed affordable housing in Lansing and in the county; and

WHEREAS, the sale of land is subject to SEQRA review and, for this purpose, the Town has classified this action as an Unlisted Action and, after a review thereof, has determined that the action of the sale of land will not produce any significant environmental impacts and has duly issued a negative declaration; and

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

RESOLVED, that the current form of the purchase agreement (as reviewed at this meeting) is hereby approved and that the Supervisor, and/or Deputy Supervisor, be and each is hereby individually and severally authorized to sign such agreement by, for, on behalf of, and in the name of the Town of Lansing; and further, that each such officer be and hereby is further authorized to negotiate any final terms or changes as such officer then deems in the best interests of the Town; and it is further

RESOLVED, that this resolution and such agreement be and hereby are subject to permissive referendum per Town Law § 64.

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

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 December 19, 2012.

**AUTHORIZE AND APPROVE THE TOWN CENTER REQUESTS FOR PROPOSALS:**

**RESOLUTION 12-237**

**RESOLUTION TO AUTHORIZE AND APPROVE THE TOWN CENTER REQUESTS FOR PLANNING PROPOSALS AND THE DELIVERY THEREOF**

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

WHEREAS, The Town Board has been working upon a Request for Proposals for Town Center Planning input and development plans (the “RFP”), and after performing work upon the draft presented, and after obtaining updates and input from a professional planner upon such RFP, the same is ready to be distributed; and

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

RESOLVED, that the RFP be and hereby is approved, and the Supervisor and/or Deputy Supervisor be and each is hereby individually and severally authorized to make final modifications thereto, including as to the return, review and award dates, and to designate the town employee or official that will be the reviewing agent for the Town Board, and to make and do all other things as are or may be necessary or convenient to the finalization, delivery, and review and ranking of proposals received in relation to the RFP.

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

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 December 19, 2012.

**REQUEST AN EXTENSION OF TIME TO REVIEW THE REVISED REGULATIONS FOR HIGH VOLUME HYDRAULIC FRACTURING:**

**RESOLUTION 12-238**

**RESOLUTION REQUESTING AN EXTENSION OF TIME FOR REVIEW OF THE REVISED REGULATION FOR HIGH VOLUME HYDRAULIC FRACTURING**

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

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has filed a Notice of Continuation with the Department of State to extend the rulemaking process by 90 days in order to give New York State Commissioner of Health Dr. Nirav Shah time to complete his review of the draft *Supplemental Generic Environmental Impact Statement (dSGEIS) on the Oil, Gas, and Solution Mining Regulatory Program: Well Permit Issuance for Horizontal Drilling and High-Volume Hydraulic Fracturing to Develop the Marcellus Shale and Other Low-Permeability Gas Reservoirs; and*

WHEREAS, NYSDEC has established a 30 day public comment period on the revised draft regulations from December 12, 2012 through January 11, 2013; and

WHEREAS, the documents released for public review by NYSDEC number 338 pages including the revised regulations 6 NYCRR Parts 52, 190, 550-556, 560, 750.1, and 750.3; a summary and assessment of public comments; and additional analyses and impact statements, and

WHEREAS, the 30 day review period is completely inadequate for a thoughtful and thorough public review of the released documents and encompasses a period of time with major religious and national holidays; and

WHEREAS, due to Open Meetings Law requirements for advance public notice of agendas and supporting materials, the 30 day comment period essentially eliminates or severely hinders the ability for any municipal regulatory or advisory organizations, such as the Tompkins County Board of Health and the Tompkins County Environmental Management Council, to review the released documents and draft, approve, and issue comments; and

WHEREAS, these regulations are intended, in part, to mitigate impacts on local municipalities, and as described above, because of requirements of Open Meetings Law, and the monthly meeting schedule of local governments, a 30 day comment period virtually eliminates the ability of municipalities to draft, hear public comment, revise and vote on a response as to the adequacy of regulations designed to protect them; and

WHEREAS, the NYSDEC has not completed and made public its health impact assessment, and it is therefore impossible to comment on the adequacy of these regulations in mitigating these yet undescribed impacts, and

WHEREAS, the NYSDEC has not made public its revised economic impact assessment, and it is therefore impossible to comment on the adequacy of these regulations in mitigating these yet unseen impacts; and

WHEREAS, upon consideration and deliberation upon the same, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Town Board of the Town of Lansing request that the NYSDEC should extend the public comment period on the revised regulations to a minimum of 90 days; and

BE IT FURTHER RESOLVED, that the NYSDEC should also allow public comment on the results of the independent review of potential public health impacts during the same 90 day period; and

BE IT FURTHER RESOLVED, that no final decision whether to allow fracking in New York State should be made without full consideration of said public comment on the regulations, the health impact review, and the final SGEIS; and

BE IT FURTHER RESOLVED, that the Lansing Town Clerk send a certified copy of this resolution to: Governor Andrew Cuomo, New York State Department of Environmental Conservation Commissioner Joe Martens, New York State Department of Health Commissioner Nirav Shah, New York State Association of Towns, New York State Association of State County Health Officials (NYASCHO), Tompkins County Health Department, Tompkins County Board of Health, and all New York State and Federal Elected Officials.

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

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 December 19, 2012.

**SCHEDULE PUBLIC HEARING FOR THE PROPOSED INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE CWD AND CWD #1 & #2:**

**RESOLUTION 12-239**

**SCHEDULE PUBLIC HEARING IN THE MATTER  
OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES  
OF THE CONSOLIDATED WATER DISTRICT  
INCLUDING EXTENSION #1 and #2**

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

WHEREAS, the Town Board of the Town of Lansing, Tompkins County, New York, in conjunction with the Village of Lansing and the Village of Cayuga Heights, and the Towns of Dryden and Ithaca, has determined and agreed to participate in the provision of a joint water project for construction of a new replacement water tank at Burdick Hill Road and to contract joint indebtedness therefore in accordance with Section 15.00 of the Local Finance Law pursuant to an Agreement of Municipal Cooperation for Construction, Financing and Operation of an Inter-Municipal Water Supply and Transmission System (the "Intermunicipal Agreement"); and

WHEREAS, the Town Board of the Town of Lansing, Tompkins County, New York, has had under consideration for said purpose the increase and improvement of the facilities of the Consolidated Water District (including Consolidated Water District Extensions #1 and #2) in and for said Town, consisting of the construction of a new replacement water tank at Burdick Hill Road; and

WHEREAS, a map, plan and report including an estimate of cost, relating to said increase and improvement of facilities has been duly prepared; and

WHEREAS, the maximum estimated cost to said District of such increase and improvement is initially determined to be \$226,650, it being further determined that the remaining \$1,273,350 of the overall \$1,500,000 cost of this project, shall be initially apportioned and allocated to the Villages of Lansing and Cayuga Heights and water districts in the Town of Dryden and a water improvement area in the Town of Ithaca and that joint indebtedness shall be issued therefore and that the ultimate share of the cost to be allocated to the Town of Lansing pursuant to the afore described Intermunicipal Agreement shall be determined on the basis of benefits received or conferred or to be received or conferred from the aforesaid improvement; and

WHEREAS, the cost shall be annually apportioned and the amounts so apportioned shall be annually assessed upon all the taxable real property in such District at the same time and in the same manner as other Town charges, in an amount sufficient to pay said principal and interest as the same become due and payable, but if not paid from such source, all the taxable real property within said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds; and

WHEREAS, said \$1,500,000 maximum estimated cost shall be authorized to be financed by the joint issuance by the Town of Ithaca, with the Towns of Dryden and Lansing and the Villages of Cayuga Heights and Lansing, of joint serial bonds with a maximum not in excess of the forty year period prescribed by the Local Finance Law; and

WHEREAS, the aforesaid project has been determined to be an Type II Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined in accordance with the criteria in 6 NYCRR Section 617.5(c)(2) will not result in any significant environmental effects and will not be subject to further review; and

WHEREAS, it is now desired to call a public hearing on said proposed increase and improvement and the map, plan and report including estimate of cost pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Lansing, Tompkins County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Lansing, Tompkins County, New York, shall be held at 29 Auburn Road, in Lansing, New York, in said Town, on the 16<sup>th</sup> day of January, 2013, at 6:05 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed increase and improvement of the facilities of the Consolidated Water District (including Consolidated Water District Extensions #1 and #2) in said Town and the map, plan and report including estimate of cost as described in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof.

Section 3. This Order shall take effect immediately.

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

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 December 19, 2012.

**APPROVE AUDIT and BUDGET MODIFICATIONS:**

**RESOLUTION 12-240**

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

**CONSOLIDATED ABSTRACT # 012**

DATED                      12/19/12

AUDITED VOUCHER #'s                      1211 – 1301  
 PREPAY VOUCHER #'s                      1211 – 1213  
 AUDITED TA VOUCHER #'s                      93 – 99  
 PREPAY TA VOUCHER #'s                      \_\_\_\_\_

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>87,333.93</u>
HIGHWAY FUND	\$ <u>162,813.89</u>
LANSING LIGHTING	\$ <u>1,268.65</u>
LANSING WATER DISTRICTS	\$ <u>44,271.24</u>
TRUST & AGENCY	\$ <u>4,199.49</u>
WARREN RD SEWER-CAPITAL PROJ	\$ <u>0.00</u>
LANSING SEWER DISTRICTS	\$ <u>391.49</u>
DEBT SERVICE	\$ <u>0.00</u>

**BUDGET MODIFICATIONS**

**GENERAL FUND A  
 12/19/12 Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A1110.400	From Contingency to Justice - Contractual	\$2,000.00
	Reason	Unanticipated Jury Trial, Training & Mileage	
A3510.401	A3510.400	From Control of Dogs Licensing to Control of Dogs	\$300.00
	Reason	Contractual Euthanizations	
A5132.400	A5132.403	From Garage - Electric to Garage 104 Auburn Rd	\$36.00
	Reason	Reverse 11/28 Budget Mod as per P. Crozier	
A2680	A7140.400	Increase Insurance Recoveries Revenue and Parks Repairs	\$6,642.17
		Insurance Coverage for Vandalism	
A599	A9060.800	From Fund Balance for Health Insurance	\$21,400.00
		Buy in fee for Consortium - \$18,400, plus balance 2012	

**HIGHWAY FUND DA  
 12/19/12 Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DA0511	DA5130.200R	From Appropriated Reserves Revenue to Machinery Equipment	62,764.59
	Reason	Balance on purchase of Dump Truck attachments Approved by Board	
DA599	DA5130.200R	From Fund Balance to Machinery Equipment	15,697.41
	Reason	Balance on purchase of Dump Truck attachments Approved by Board	

**WATER DISTRICT SW  
12/19/12 Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW1990.400	SW8310.401	From Contingency to Engineer	\$6,700.00
	Reason	McKinney Water Main Project & Proposed CWD #3	
SW1990.400	SW8340.400	From Contingency to Transmission & Distribution	\$1,000.00
	Reason	Additional Repairs & Maintenance	
SW1990.400	SW8340.401	From Contingency to CWD Repairs Contractual	\$17,635.00
	Reason	McKinney Water Main Project	

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

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

**BOARD MEMBER REPORTS:**

**Edward LaVigne:**

Mr. LaVigne joined the Lansing Seniors as they enjoyed their Christmas Party at the LakeWatch Inn. The Senior Citizens have raised enough money for their scholarship fund this year.

The Woodsedge Manager, Pam Bush will be leaving and Rural Development will be looking for a replacement.

**Ruth Hopkins:**

Mrs. Hopkins reported that the current Lansing retirees will remain with the same Insurance as contracted last year.

Mrs. Miller stated that Sharon Bowman worked very hard getting this done. Also, Lansing resident Geoff Wright assisted with the process.

**Robert Cree:**

Mr. Cree stated that the first water tower project is almost completed. Mr. Overstrom stated that when the new tank is up on line there will be other improvements at the Burdick Hill pump station, then the existing tank will be replaced.

**Kathy Miller:**

Mrs. Miller reported that she and Highway Superintendent, Jack French met with Bolton Point reps and Manager Jack Rueckheim. The Town Highway Department will now be responsible for and perform the sewer inspections for the Town of Lansing. The Town will in the near future have to address the Trihalomethane. Mr. Overstrom stated that this is a disinfection byproduct that occurs in long stretches of water distribution.

**Monthly Report:**

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

**TOWN COUNSEL REPORT:**

Counsel Guy Krogh reported that the Morris's got the result from the judge on their motion and it was denied.

**ENTER EXECUTIVE SESSION:**

**RESOLUTION 12-241**

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT HISTORY OF A PARTICULAR INDIVIDUAL AT 7:30 PM.** Councilperson Robert Cree seconded the motion and it was carried by the following roll call vote:

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

**EXIT EXECUTIVE SESSION:**

**RESOLUTION 12-242**

Supervisor Kathy Miller moved to **EXIT EXECUTIVE SESSION AT 8:00 PM.** Councilperson Robert Cree seconded the motion and it was carried by the following roll call vote:

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

**ADJOURN MEETING:**

**RESOLUTION 12-243**

Councilperson Robert Cree moved to **ADJOURN THE DECEMBER 19, 2012 TOWN BOARD MEETING AT 8:01 PM.** Supervisor Kathy Miller seconded the motion and it was carried by the following roll call vote:

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

