

REGULAR TOWN BOARD MEETING
MARCH 20, 2013

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
Katrina Binkewicz, Councilperson
Robert Cree, Councilperson
Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson

ABSENT: None

ALSO PRESENT: Sharon Butler Bowman, Deputy Supervisor, Guy Krogh, Town Attorney, Jack French, Highway Superintendent, Pat Pryor, Tompkins County Representative, Marty Christopher, Susan Tabrizi, Sid Cleveland, James Spencer, Sam Phillips, Dan Ferguson, Andrew Aasen, Charles Crandall, Jeanne Bishop, Dan Veaner, Lansing Star, John O’Neill, Village of Lansing, James Stoyell, Mike Olsen, Claes Nyberg, Jase Baese, Karen Bishop, Craig Christopher, Sarah Thomson, Thomas & Kelly Kheel, Tom Butler, Ted Laux, Maureen Cowen, Jeremy Dietrich, Peg Stoyell, Dan Konowalow, Marcy Rosenkrantz, Tom Skroback, Kat Clement, Finger Lakes Newspapers, Dave Stoyell, Steve Lucente, Larry Frabroni, Scott Gibson Ryan Weese, Mario Hernandez, along with several other attendees.

TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR:

Statement on the NY State SAFE Act

In the aftermath of the Newtown, Connecticut and other recent, horrifying tragedies involving the use of guns, New York State passed legislation, known as the SAFE Act, that, among other things, further restricts assault weapons to define them by a single feature, such as a pistol grip, and limits the ammunition magazine to seven bullets. Passage of stricter gun control legislation, although long advocated by individuals and groups in New York State and the United States, has engendered a strong reaction and vocal controversy, especially in upstate counties, most of which have subsequently passed or are considering resolutions demanding that the state repeal the SAFE Act.

We have been asked by constituents to join other upstate counties that have demanded a repeal of these enhanced gun restrictions in N.Y. State. We have also heard from constituents who support the SAFE Act and do not want us to vote for repeal. As an individual Legislator, speaking only for myself and not for any of my colleagues, there are a number of considerations that have gone into my response to the request for a resolution demanding repeal:

1. First, I recognize the Constitutional right of citizens under the Second Amendment to keep and bear arms.
2. Second, under another important principal enshrined in the U.S. Constitution, I recognize the “separation of powers” that grants to each branch of government certain rights. Congress, or the states, may pass laws, but the Courts have the right to determine if those laws meet Constitutional muster.
3. Third, in 2008, in a case known as the “*District of Columbia v. Heller*”, the U.S. Supreme Court upheld both the Second Amendment right of gun ownership and the right of the state, within reason, to limit or qualify that right. The Supreme Court was very clear that while citizens have the right, under the Constitution, to keep and bear arms, that right is not absolute. Just as the Constitutional right to “free speech” has long been recognized to not include the right to yell “fire” in a

crowded theatre, so, too, can the right to keep and bear arms be reasonably restricted.

4. Fourth, in the case of the SAFE Act, I believe that the principle of “separation of powers” grants to the Courts the right to examine the law to determine if it meets the Constitutional test of balancing the rights of gun ownership with the interest of the state in trying to improve public safety.

Action is already underway to challenge the SAFE Act in court with more cases undoubtedly to follow. I’m sure that both proponents and opponents will mount vigorous arguments in support of their positions. The State has acted and now the Courts will step in to determine if the State’s action meets Constitutional requirements. As a strong supporter of the rule of law who believes in the system of checks and balances built into our system of government, I believe we should allow that system to do its work. Repeal, at this point in time, would deprive our system of checks and balances of its Constitutional function of judicial review. It would prevent the Courts from further clarifying the degree to which the State may limit or qualify Second Amendment rights.

Therefore, I will not support an attempt to place my judgment of the SAFE Act ahead of that of the Courts by voting prematurely to repeal.

However, having said all of the above, I do think that there are provisions of the SAFE Act that should be reviewed and possibly amended, if appropriate:

1. The NY State Association of Counties has noted that administration of the SAFE Act will pose additional costs, i.e., another unfunded mandate, for localities. Administration of the act should be paid for by NY State, not by individual localities.
2. Provisions regarding exemption for police and other law enforcement officers, including retired officers, should be clarified.
3. Professionals and patients in the mental health community have questioned the SAFE Act’s requirements that they feel compromise patient confidentiality.

Opponents of the law decry its hurried passage and the use of a “message of necessity” to ram it through the State Legislature late at night. However, a historical look at the use of a “message of necessity” shows that it has routinely been used by every administration to “seize the moment” and pass controversial legislation when the opportunity is greatest of passage. Other legislation passed the same way includes recent pension reforms, annual teacher evaluations, and in some years, the entire state budget. The Cuomo administration has actually reduced its use of the strategy each year of the governor’s term to a historic low of 5 times in 2012.

Other opponents of the law have argued that it places an undue burden on law abiding gun owners. My thinking is that the burden of a background check or recertification for pistol permit holders is real, but that it is balanced by the need to do all we can do to prevent the kind of violence that took the lives of 20 children and the adults who were caring for them in Newtown, Connecticut, as well as other recent horrifying incidents. If this new law helps to reduce gun violence, I’m all for it. I compare the requirements under the SAFE Act and their burden on law abiding citizens to the impact of laws governing our right to a license to drive a vehicle or to use that vehicle on public roads. We have to be of a certain age, prove we know the laws by passing a test, pay for the license and renew it on a regular basis, register the vehicle and have it inspected regularly, at our own expense and pay for insurance on the vehicle. Failure to adhere to any of these requirements can cause us to lose our license or have our vehicle impounded, especially if it is involved in an accident. Yet, I don’t hear an outcry that driver and vehicle owner requirements present an undue burden.

Let’s look at the claim by opponents of the SAFE Act that it will not do anything to make us safer. It’s true that there are events every year that demonstrate that someone who

had a gun was able to defend her/himself or his/her loved ones, but research and the facts show that for every case of successful use of a gun for self defense there are more cases of the gun owner or her/his family being harmed by the presence of a gun in the house. An article published in 2011 by the “American Journal of Lifestyle Medicine”, in an article by David Hemenway of the Harvard School of Public Health, summarized the scientific literature on benefits and detriments of keeping a gun at home. He writes, “...scientific studies indicate that the health risk of a gun in the home is greater than the benefit. The evidence is overwhelming for the fact that a gun in the home is a risk factor for completed suicide and that gun accidents are most likely to occur in homes with guns.” Further, “...there is no credible evidence of a deterrent effect of firearms or that a gun in the home reduces the likelihood or severity of injury during an altercation or break-in. Thus, such groups as the American Academy of Pediatrics urge parents not to have guns in the home.” A 2004 study from the “American Journal of Epidemiology said: “...persons with guns in the home were at greater risk than those without guns in the home of dying from a homicide in the home.”

Personally, I believe that, as a nation, we will not be able to adequately confront the issue of gun violence until there is action on the federal level that will reduce the transfer of guns across state lines. I do not, however, think that lack of federal action should prevent us from doing all we can here in NY State to support the work of law enforcement and bring about a change of culture that will make us all safer in our homes, schools and neighborhoods.

My own experience in growing up in rural upstate New York, in a family that farmed, fished, hunted, and gardened to provide food for the table has provided the underpinnings of a strong respect for the role that the legitimate use of guns has played in rural upstate culture. I have vivid memories of family holiday gatherings where, after dinner, the main topic of conversation was a retelling of the various hunting and fishing escapades that various family members had experienced. I often tramped along with my father on his training outings with his rabbit hounds, eagerly awaiting the day that I would be old enough to carry a gun and help bring home the winter’s catch of meat for the freezer. And, I respect those who continue to keep these rural traditions. I understand the worry that because of the threat of increased gun violence our government will illegally infringe on the fundamental and Constitutional right to keep and bear arms.

The questions surrounding the legality of the SAFE Act are, I believe, best answered through judicial review. I would support a resolution that recognizes that there are parts of the SAFE Act that can and should be questioned, but that also recognizes that there are positive aspects of the law. I would want to see a resolution that encourages opponents of the law to bring suit against it to allow the courts to exercise their proper constitutional role in our system of checks and balances. Then, assuming that court challenges are successful in identifying some aspects of the law that require change, I would support its amendment to bring it into compliance with the court’s review.

I do not, however, support the notion that a hurried repeal of the SAFE Act will serve to clarify the balance that I think must be found between Second Amendment rights and the right of the State to protect public safety. To precipitously vote to repeal the SAFE Act would, I think, make us guilty of the same hurried action for which opponents of the SAFE Act are criticizing supporters of passage.

Further, I think that in order for our deliberation to be both comprehensive and inclusive requires more time than has currently been allotted to the subject. We have two member filed resolutions before us, neither of which has gone through our standard committee process. My recommendation tonight will be to send both of these resolutions, and any other resolutions on the same topic, to the Public Safety committee so that a proper review can take place before coming before the Legislature for a vote.

Pat Pryor

*Pat Pryor, Legislator, District 6
Tompkins County Legislature
p Pryor@tompkins-co.org
607-319-0507*

**DISCUSSION OF THE COMPREHENSIVE PLAN RESIDENTS SURVEY –
SUSAN TABRIZI AND JONATHAN KANTER:**

Jonathan Kanter, Town Planning Consultant and Susan Tabrizi, member of the Comprehensive Plan Update Committee gave an overview of the need for a professional survey and a brief overview of the importance of the survey. Ms. Tabrizi, a professional Political Scientist, explained the ways to solicit ideas, along with holding town meetings. In addition to this she explained the need for a professional residents' survey and stated that the Survey Research Institute of Cornell University (SRI) has provided the lowest estimate for conducting the survey.

Discussion followed on how the survey would be conducted which included, number and residents to be surveyed, number and type of questions to be asked, expense for the survey. Other alternatives to obtain the information were discussed.

PRIVILEGE OF THE FLOOR:

Andy Aasen – 11 Brooks Hill Road - NY SAFE Act of 2013

Mr. Aasen provided the following to the Town Clerk and the Board:

A historical number of Tompkins County Residents showed up yesterday evening, to voice concern over the (New York Secure Ammunition and Firearms Act of 2013). The Legislative Chambers were full and the overflow of people were in the 2nd Floor Courtroom, watching the speakers on screen. People were sitting on the floor and out in the hallway.

We heard arguments from both sides of the issue, there were some very emotional stories and lots of information was brought forth to dispel is information about firearms. The vast majority of people that showed up were in favor of repealing the (NY SAFE ACT). This law was written and passed under the cover of darkness, without any input from the law abiding citizens of New York. The Process as well as the content of this bill, now the law, warrants that it be repealed.

A resolution was submitted for the Repeal of the (NY SAFE ACT)

The Tompkins County Board of Legislatures had much discussion on the proposed resolution and decided to send it back to the Public Safety Committee for more study. A date was set to bring it back to the Board so it wouldn't die in Committee.

During the first hour of Speakers I was hearing both sides of the issue, those who were for the SAFE ACT left after they had spoken. The next two and a half hours were very enlightening as to why this law needs to be repealed and worth staying to hear. I finally left at ten thirty.

Tompkins Liberation Coalition

A meeting of (T.L.C.) Tompkins Liberation Coalition was held in Dryden, NY on March 17, 2013.

Ian Bishop called the meeting to order at 4:10 PM.

First Item;

Jamie Draider of Newfield, has drafted a resolution to present to the County Board of Legislatures on Tuesday March 19, 2013. This resolution will say that Tompkins County

is against the N.Y.S.A.F.E. ACT, (New York Secure Ammunition and Firearms Act of 2013).

Second Item;

The County Public Safety meeting takes place on the first Monday of every month in the old jail building on Court Street. It was decided to make copies of all the petition signatures, both on line and those collected on carried petitions and present to the County Board of Legislatures meeting on March 19th 2013 we had a total signature count of over 1,600 in favor of repealing this unconstitutional law. Tompkins County is the only county in upstate NY that has not passed or even proposed a resolution in opposition to this law.

Third Item;

We had discussion about what to call our group, and decided on the name TLC (Tompkins Liberty Coalition). Our email is tompkinslibertycoalition.org, we talked about a mission statement and how to measure our impact and success. It was also noted that there are many new groups starting up all over NY and whether it would be beneficial to bring these groups together. It was decided that we need to first know what these various groups believe.

Fourth;

It was decided that we show up in force to show support for this resolution to repeal the SAFE ACT. Ed LaVigne suggested that I attend and inform the Lansing Town Board of our new group and an update of the County Boards meeting.

Next meeting for the TLC is next Sunday.

Meeting adjourned,

I am here to ask the Lansing Town Board to draft a resolution in support of repealing this unconstitutional law and forward to the County Legislature.

Another handout was submitted: Please view at

<http://www.ipetitions.com/petition/tompkins-citizens-effort-to-repeal-ny-safe-act/>

Codes within the document did not allow scanning the contents in the minutes.

Marty Christopher – 600 Buck Road:

Mr. Christopher provided the following letter to the Town Clerk:

March 17th 2013

Hidden in the woods from sight on Asbury Road is my sign shop, “Cayuga Signs”, which presently is identified only by a sign, approximately 20 feet from the road. The sign is lighted only during normal business hours. It is the only identifying feature that a business exists. It is barely noticeable unless it is turned on, and for those driving Asbury Road, one hardly sees it until you are adjacent to its location.

My family and I were born and raised in Lansing and we’ve been living in this location for over 30 years. Our sign shop has been here for 17 years. We did not intend to disrupt our neighborhood. I don’t believe the present sign causes any such disruption. Disruption was the furthest thing on my mind when I requested and received a permit from the town of Lansing to place the sign near the road. In recent months a few residents (I will not use names as they did) in my neighborhood have taken issue with my sign. Without the sign, potential customers would not be able to identify my place of business and its location.

“Cayuga Signs” is my livelihood, and has been in the family for over 50 years. We have been serving the sign needs of Lansing, Ithaca, and Tompkins County, as well as surrounding counties for all of these five decades. We bring in sales tax to the town, and I pay taxes as do my neighbors. I also respectfully submit that everything I did before erecting the sign was in compliance with Lansing rules and regulations. I applied for and received a permit from the Town of Lansing. I have followed every regulation they have placed on sign construction.

In deference to my neighbors, I have cut to a minimum the time the sign is turned on, i.e. only from 8:00am to 5:00pm, Monday through Friday, and from 8:00 am to noon, on Saturdays. I have reduced

the brightness to only 70% of its maximum. The sign is NOT on at night. I have chosen to have it on a 3 minute message timer. I have chosen NOT to have it rotate, scroll or flash. For the 3 seconds that you actually see the sign, it stays the same when driving.

The character of Asbury Road is changing with heavier traffic and more truck traffic the past dozen years or so, and has a speed limit of 45 mph. Traffic flow has increased, and there is no reason I can not advertise in this very limited matter. I have a permit to have this sign.

The complaints have originated from two neighbors. Until these individuals decided they were opposed to the sign, I've never had any issues of any kind with our neighbors, especially those who have lived here as long as we have. Statements that my sign will cause a devaluation in house re-sale values is pure speculation. Having these two neighbors complaining is more likely to decrease our property values.

My extended family, the Christophers, were all born and raised here in Lansing, and we are proud of our community. We would never do anything contrary to the law, nor in any way harm the Lansing image.

This petition is frivolous and should be dismissed. Allow me to return to my job. It seems to me that the Town Center Project as well as the commitment to seeing the Sewer Project through fruition should be the primary concern at this time. Furthermore, it would also seem more critical for the board to be spending it's time, energy, and money on more pressing issues.

Thank you,
Craig Christopher
Owner, "Cayuga Signs"

Dan Ferguson – 3 Breed Road

Mr. Ferguson read the following letter to the Town Board:

Kudos to County Representative Pat Pryor and this Board for pushing forth a rural broadband initiative and supporting the recent NYS grant. My neighbors and I look forward to joining 21st century communications; we hear that the Internet has some cool stuff and we are sick of hearing the beeps and doodlebops of dial up.

However, my neighbors are going to have a problem if rural broadband is not offered to North Lansing sooner rather than later. Many of my neighbors have 2 year contracts with Hughesnet or other satellite Internet service providers. These contracts will expire this spring or summer. If Clarity's solution does not come on line before then, many of them will be forced to renew their contracts and have to pay an exorbitant amount for subpar service and be locked in for an additional two years. They would then not be able to sign on to the much more affordable and superior service Clarity has to offer.

Additionally, I offer nothing but contempt for Time Warner's unwillingness to work with residents in the North Lansing area that are only a short distance from their service drop points.

I was fortunate enough to get out of my contract by contacting some government offices that oversee rural broadband but it took several months to do so. However, my neighbors, many with children or limited incomes, could not. Many are stuck with this service and pay a crazy amount for internet that connects often below 300K down and never goes higher than 700K. At its worst Time Warner is at least 1-5mb down and does not have a daily download limit.

I would like to ask the Town Board to encourage Clarity to expedite service to North Lansing as paying customers await!

Respectfully submitted,
Daniel Ferguson

Sid Cleveland – 18 Lakeview Drive:

Mr. Cleveland provided the following to the Town Clerk:

Subject: Proposal for DEC acquisition of NYSEG property

Dear Ms. Miller

Lansing Town Supervisor

My name is Sid Cleveland and I live at 18 Lakeview Drive {39 years] and I am strongly opposed to the NYSEG property being removed from the Lansing tax rolls. As a senior citizen faced with the reality of having to sell our home due to the “Perfect Storm of tax increases” that will occur in the next several years in the Town of Lansing due to: Assessment reductions at AES Cayuga power plant, Proposed sewer district taxes, Tompkins county tax increases, Town of Lansing Tax increases, Reduced Federal and state aid to schools and local governments, increased Lansing school taxes projected to increase by 30 percent plus in the next 4-5 years. The magnitude of the stark and harsh realities of what we are facing as property owners and senior citizens on fixed incomes needs to be clearly understood.

If the NYSEG PARCEL is made a state forest it will be a burden to Lansing tax payers as the state is cutting funding at all levels and it will be another unfunded mandate to local government. The decision should be made by Lansing taxpayers in a referendum vote and not by the town board. As a former chairman of the Lansing Town Planning board[1980] I have been in favor of forward looking decision making based on sound facts and common sense. In a perfect world a STATE FOREST would be great, but in today’s reality it does not make sense. I appreciate the hard work of the town board and it can be a very thankless position, but I have faith you will gather full community input on such a key decision. I have talked to other residents who have not yet expressed to you their opposition and they will be urged to do so!

Sincerely,
Sidney C. Cleveland

KEY QUESTIONS REGARDING NYSEG TRANSFER TO DEC
Prepared by Sid Cleveland
March 20, 2013

1. What is current assessed value of the property?
2. What will the assessed value be if transferred to DEC or will NYS decide to reduce value?
3. Will it remain at full value and be increased with each re-valuation?
4. If the property goes to DEC what will the “LAG TIME” be before taxes paid??
5. If property sold for private development what would be assessed value potential?
6. If property developed with say 50-10 acre parcels not including houses what would this add to towns assessed valuation?
7. What about agricultural land in the parcel?
8. If it goes to DEC could state decide to say we own it and don’t have to pay any “in lieu of taxes?
9. With Long Point state park nearby and thousands of acres of state forest in Tompkins Co. why take this off the tax rolls?
10. If the Town of Lansing is promoting increased development and tax base growth why take such a valuable parcel off the tax rolls?
11. If the town is undertaking a comprehensive planning process then what’s the rush to make this decision now?

12. Finally this decision should be made by the stakeholders [Lansing taxpayers] and not by people who live elsewhere and think it's a wonderful idea, BUT WON'T HAVE ANY MONEY INVESTED!!

Jeremy Dietrich – 50 Ludlowville Road:

Mr. Dietrich expressed his current opposition to the NY SAFE Act along with explaining and supporting the process of a professional survey.

Karen Bishop – 708 Lansing Station Road:

Provided the following to the Town Board and Town Clerk:

Dear Town of Lansing Board Members,

I am writing in opposition to the sale of the old NYSEG property at Milliken Station Road to the state of New York for several reasons.

#1. I am deeply concerned about tax revenue. There are no guarantees about tax revenue from the state of New York should the sale go through. In fact, we may actualize a decrease in tax revenue for this parcel.

#2. Private development of the land would substantially increase our tax base. As evidenced by the sale of the i. Karl Dates estate in 1992 of 182 acres of lake front property north of Algerine Road. Of the 182 acres, 121.95 acres with 1200 feet lake front was sold for \$170,000. This 121.95 acre lot was subsequently subdivided into building lots now known as Cedar Cove with a current assessed value of \$2,204,900. This represents a nearly thirteen fold increase in assessed value in twenty years.

#3. The old NYSEG property at Milliken Station Road has 3500 feet lake front without railroad tracks which would be very appealing to private land owners thereby increasing our tax base.

#4. The eastern half of the old NYSEG property on Milliken Station Road could be left as tillable farm land appealing to local farmers. I support local farmers as they are the foundation of Town of Lansing businesses.

#5. The cut in assessment on the AES power plant has a great impact on the Town of Lansing taxes including school taxes. This needs to be considered in the decision on the sale of the old NYSEG property. How will this loss in tax revenue be generated? It certainly will not be generated by selling to the state of New York.

#6. What about security of the property? Who is responsible for providing security? Will it be adequate and reliable? Who pays for it? Will it prevent tragedies from happening the likes of which that have occurred at Salt Point?

#7. Our area is rich in natural beauty with ample opportunities for walking and enjoying nature in the Town of Lansing (Myers Park and Lansing Center Trail), Ithaca (Cornell Plantations, Sapsucker Woods, plus 4 New York State Parks — Allen H. Treman, Robert H. Treman, Buttermilk Falls, Taughannock) and within one hour travel (seven New York State Parks — Fillmore Glen, Watkins Glen, Sampson, Seneca Lake, Cayuga Lake, Long Point, Lodi Point; and Montezuma National Wildlife Refuge). I do not believe we are in need of additional walking trails, state designated forests or state wildlife management areas.

I believe we can not afford to support the sale of the old NYSEG property to the state of New York. I urge you to exercise fiscal responsibility by voting no.

Sincerely,
Karen Bishop

Lansing resident for 32 years

Scott Bishop – 708 Lansing Station Road:

Karen Bishop submitted the following letter and information on behalf of Scott Bishop to the Town Board and Town Clerk:

Dear Town of Lansing Board Members,

I am writing you today regarding the possible sale of the old NYSEG property at Milliken Station. First off I think it would be helpful to make you aware of the history of a very similar parcel sold at auction 20 years ago.

On June 6, 1992 an auction was held for the estate of J. Karl Dates to sell 182 acres of lake front property north of Algerine Road. The property was sold in three parcels. Please refer to the attached copy of the auction leaflet. Parcel #3 was 121.95 acres and had 1200 feet lake front, with, at the time, a Conrail railroad track that ran the full length of this whole estate to Milliken Station. Parcel #3 sold for \$170,000. After the auction, the buyer subdivided parcel #3 into three building lots where three homes were built now known as Cedar Cove. Today this same 121.95 acres is now 4 parcels worth a total of \$2,204,900 in property assessment. This represents an increase of 12.97 times the assessed value in 20 years since the auction.

The old NYSEG property at Milliken Station has the potential for substantial tax base increase if left to private enterprise. This property has 3500 feet lake front without railroad tracks to limit its value. The options for developing this into beautiful lake front building lots would be a huge plus to our Town of Lansing tax base. The remaining upper half of the property could be left as tillable farm land appealing to local farmers thereby supporting local agricultural businesses, the foundation of the Town of Lansing.

I feel with the cut in assessment on the AES power plant, it would be fiscally irresponsible for the Town Board to vote in favor of the sale of this property to the state of New York. Should that sale happen, the Town of Lansing, Tompkins County, and Lansing School District would never recover this loss of opportunity to regain assessment value. As tax payers we will see major increases in school taxes.

Another example of this same kind of development has happened at Old Orchard Road, just north of the Dates property and south of Milliken Station Road. Old Orchard Road has eight properties that include 56.12 acres with an assessed value of \$2,620,300. Twenty years ago this area had negligible development. Today these two areas (Cedar Cove and Old Orchard Road) have a total of \$4,825,200 worth of assessed value.

I respectfully request you consider these facts and vote against the sale of this property to the state of New York.

I do not believe the Town of Lansing needs any more walking trails. The Town of Lansing has Myers Park with plenty of walking areas, playground and lake front and the South Lansing walking trail. Within 30 -60 minutes we have access to eleven New York State parks (Allen H. Treman, Robert H. Treman, Buttermilk Falls, Taughannock, Fillmore Glen, Watkins Glen, Sampson, Seneca Lake, Cayuga Lake, Long Point, Lodi Point) as well as Cornell Plantations, Sapsucker Woods, and Montezuma National Wildlife Refuge.

We need to keep our Town of Lansing taxes under control to keep Lansing an affordable place to live.

Sincerely,
Scott Bishop

Lifetime Lansing resident

Mr. Bishop also submitted the June 6, 1992 brochure of the J. Karl Dates Estates, Prime Lake Property, Real Estate Auction. This will be included in the minute book or can be viewed at the Town Clerk's Office. Scanning was not permitted.

James Stoyell – 366 Conlon Road:

James Stoyell is a Boy Scout with Troop #48 and for his Eagle Scout project he is requesting the Town Board's permission to renovate the Strong Family Cemetery which is located on Lansingville Road. The land is overgrown and the head and footstones need repair. The cemetery is located on property owned by the Kennedy family who has expressed their interest and support of the project. The cemetery itself is owned by the Town of Lansing and in order to continue with his project he needs permission from the Town Board.

It was the consensus of the Town Board to grant him permission to renovate the cemetery and thanked him for this fantastic project. It was suggested by Councilperson Edward LaVigne that as part of his project he include a committee of volunteers to maintain this cemetery. Supervisor Kathy Miller asked that when the project is being completed that a sign be placed on the property indicating it was an Eagle Scout project along with a historic designation. It was suggested that the Town Historian could assist him with the history in regards to his project.

Marcy Rosenkrantz – 199 Algerine Road:

Ms. Rosenkrantz expressed her position on the NYS SAFE Act and encouraged the Town Board to vote against the #1 resolution for consideration and urged them to consider adoption of the #2 resolution .

Ms. Rosenkrantz stated she supports a professional survey.

Ms. Rosenkrantz stated she supports putting the sewer on hold until after a Comprehensive Plan is completed.

Ms. Rosenkrantz stated she is in favor of the state acquiring the NYSEG land.

Ted Laux- 1853 E Shore Drive:

Mr. Laux stated he supports the NYS SAFE Act.

Mr. Laux encouraged everyone to attend the Lansing Central School Budget meeting tomorrow in the High School Cafeteria at 6:00 pm.

Kelly Kheel – 161 Ludlowville Road:

Ms. Kheel stated that she opposes the NYS SAFE Act and supports the Constitution 100%.

Ms. Kheel stated she is worried about the proposed sewer system which will bring out more densification.

Supervisor Kathy Miller stated that there will be a five minute recess.

Dan Konowalow – 199 Algerine Road:

Mr. Konowalow corrected some data that was reported earlier in the meeting that compared raw land with land that has been developed.

Mr. Konowalow supports the state acquiring the NYSEG property. As a member of the Lansing Ag Committee he supports the continuation of the 200 acres being leased to the farmer with a 5 year lease.

Mr. Konowalow recommends that the #1 resolution for consideration on the NY SAFE Act be discarded and supports the #2 resolution for consideration.

Mario Hernandez: 163 Ridge Road, Apt #2:

Mr. Hernandez stated he is in favor of the NY SAFE Act.

Donna Scott – 535 Lansing Station Road:

The following letter was submitted by Donna Scott as she was unable to attend the meeting:

Donna L. Scott
535 Lansing Station Road
Lansing, NY 14882

Ms. Kathy Miller, Supervisor
Lansing Town Board
Lansing, NY 14882

Dear Kathy,

I cannot attend tonight's Town Board meeting since I am taking a class at the same time.

I am writing to say that I **OPPOSE** repeal of the NYS SAFE Act.

I realize the Act may have some parts that need adjustment, but I strongly feel that fixing some of the issues of concern about the act should be done with the State legislature by amendments, etc., and not by repealing the SAFE Act.

I believe that our Tompkins County Legislator, Pat Pryor, will be addressing the Town Board tonight and she will be presenting her thoughtful format statement about this issue.

I have read her statement and fully support and agree with what she says in it. I can provide a copy to you, if needed, in case she does not submit the statement tonight.

I am horrified by the escalation of mass shootings against innocent people in the past few years.

We have got to start somewhere to diminish this domestic terrorism.

The SAFE Act may not be perfect, but it is a good start.

Thank you for your consideration on this matter.
Sincerely,
Donna L. Scott

**CONSIDER SCHEDULING PUBLIC HEARING FOR APPROVAL OF VCVS
PDA FINAL DEVELOPMENT PLAN AND LOCAL LAW AMENDING LAND
USE ORDINANCE TO ADD ARTICLE XVI AND TO MAP AND CREATE
PLANNED DEVELOPMENT ZONE #1:**

DISCUSSION:

Larry Fraboni and Scott Gibson approached the Town Board in request to schedule a public hearing for approval of Village Circle/Village Solars PDA Final Development Plan. Mr. Fraboni gave a brief overview including the history and future development of the Lucente's projects.

The Town Board has received all the documents in regards to the two developments. Complete copies were available to the public for their review.

Mr. Fraboni reviewed the documents which included the master plan, traffic study, sewer, stormwater, new water tank, community center, community trail pathways, landscaping, bus stop, solar-oriented units and the proposed phasing of the two projects.

After consideration of the final PDA of the projects, Supervisor Kathy Miller offered the following resolution:

RESOLUTION 13-72

**RESOLUTION OF THE LANSING TOWN BOARD
SCHEDULING PUBLIC HEARING FOR CONSIDERATION OF APPROVAL
OF THE VILLAGE CIRCLE APARTMENTS/VILLAGE SOLARS (“VCVS”)
PLANNED DEVELOPMENT AREA (PDA) FINAL DEVELOPMENT PLAN AND
LOCAL LAW AMENDING THE TOWN OF LANSING LAND USE
ORDINANCE TO ADD ARTICLE XVI AND TO MAP AND
CREATE PLANNED DEVELOPMENT ZONE #1**

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

WHEREAS, Applicant, Rocco Lucente, has filed an Application for formation of a PDA to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, within the R-2 Zoning District; and has requested Town Board Approval, and Planning Board preliminary review and referral of said Application; and

WHEREAS, Applicant, Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, has filed a joint Application for inclusion in the PDA of an additional project to construct 174 new additional “Village Solars” apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12 within the R-2 Zoning District; and has requested Town Board Approval, and Planning Board preliminary review and referral of said Application; and

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

WHEREAS, the Town of Lansing Planning Board has considered and carefully reviewed the Applications for the Village Circle Apartments/ Village Solars projects and PDA; and

WHEREAS, at the public hearing held on July 9, 2012, the residents of the Town of Lansing were given a full opportunity to be heard respecting the proposed Village Circle Apartments/Village Solars PDA development, and the Planning Board reviewed said comments and concerns of the residents, including concerns respecting the following potential impacts of the project: increased traffic, drainage and stormwater concerns, density issues, infrastructure capacity; and

WHEREAS, on July 9, 2012, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed Village Circle Apartments/Village Solars PDA development, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the area of the proposed Site Plan, and consideration of storm water drainage, erosion

control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, the Lansing Town Board, as the determining agency of final approval of the action, is the responsible agency for the formal SEQR review, and declared its intent to act as SEQR Lead Agency and will, as Lead Agency, be reviewing and, with the assistance of the Town Engineer, David A. Herrick, completed Part II of the LEAFs thereby fully identifying all significant negative environmental impacts and mitigations thereof in accordance with its duty under the State Environmental Quality Review Act (SEQRA); and

WHEREAS, on July 9, 2012, upon due consideration and deliberation, the Town of Lansing Planning Board issued a resolution resolving that pursuant to Section 706.5 of the Town of Lansing Land Use Ordinance, the Lansing Planning Board recommended to the Town Board that the Town Board conditionally approve the Village Circle Apartments/ Village Solars PDA Applications, subject to such conditions as set forth in the June 25, 2012 Resolution of the Planning Board and Developer/Applicants' Statements of Intent to Comply; and

WHEREAS, on July 9, 2012 the Planning Board further issued a resolution further resolving that, pursuant to Section 706 *et seq.* of the Land Use Ordinance, the Planning Board recommended that the Town Board declare its Notice of Intent to act as SEQR Lead Agency and set public hearing(s) for Town Board consideration of the PDA and SEQR review, said hearing(s) to be held by the Town Board within 45 days of this resolution, pursuant to Section 706.6.1 of the Town of Lansing Land Use Ordinance. Pursuant to Section 706.6.1 of the Town of Lansing Land Use Ordinance, Town Board conditional approval or disapproval of the PDA is to be issued by the Town Board within 30 days of said Town Board public hearing(s); and

WHEREAS, on August 15, 2012, after a duly scheduled and noticed public hearing thereupon, the Town Board duly issued a negative determination of environmental significance under and pursuant to SEQRA; and

WHEREAS, the Town did duly consider all other input received, including comments made and evidence received, if any, at a duly noticed and scheduled public hearing upon the project and on August 15, 2012 the Town Board issued a resolution resolving that a Conditional Approval of the proposed Planned Development Area, pursuant to and under Section 706.6 of the Town of Lansing Land Use Ordinance, be granted, subject to the conditions and findings set forth in that resolution; and

WHEREAS, on or about December 3, 2012, the Applicant/Developers submitted their final development plan to the Planning Department; and

WHEREAS, on January 14, 2013, the Planning Board was presented with further materials from the Applicants/Developers respecting potential satisfaction of Town Board conditions, including the January 9, 2013 SRF Traffic Impact Study Review Report and the January 14, 2013 report and comments of the Town Engineer, David Herrick, T.G. Miller P.C., respecting water, sewer and stormwater SWPPP conditions, and, upon review of the Applicant/Developers' Final Development Plan and updated submissions and the above comments and reports thereon, the Planning Board has made its findings in respect to completion of those Town Board conditions and the status of progress toward completing any outstanding conditions; and

WHEREAS, pursuant to Section 706.7 *et seq.* of the Town of Lansing Land Use Ordinance, the Lansing Planning Board adopted a resolution on January 14, 2013 recommending to the Town Board that the Town Board conditionally approve the Village Circle Apartments/ Village Solars PDA Final Development Plan, subject to the continuing conditions of approval as set forth in the above Planning Board Findings in that resolution and also subject to such additional conditions as set forth below:

1. The final filed development plan plat should be revised to delineate individual tax map parcel numbers for the disparate parcels; and

2. The final filed development plan plat should be revised to delineate all future road dedications in fee or easement referenced in conditions #7 (A), (B) and (C) with a notation upon the final development plan/plat in regard to same; and

WHEREAS, the final development plan was revised as required in the January 14, 2013 resolution of the Planning Board and provided to the Planning Department, and the Planning Department provided the revised development plan to the Town Board for review; and

WHEREAS, pursuant to Land Use Ordinance Section 706.7, a copy of the Planning Board recommendation was duly filed by the Planning Department with the Town Board and with the Code Enforcement Officer; and

WHEREAS, Town Board Action on the Final Development Plan is governed by Land Use Ordinance Section 706.8 which requires that a duly notice of public hearing be scheduled by the Town Board for review of the final development plan, said hearing to be conducted within 45 days of the Town Board's receipt of the final development plan; and

WHEREAS, a draft local law entitled, "Town of Lansing Local Law Amending the Town of Lansing Land Use Ordinance to Add Article XVI and to Map and Create Planned Development Zone #1 – the Village Circle-Village Solars Planned Development Area," has been presented to the Town Board; and

WHEREAS, the Planning Department has delivered a copy of the proposed PDA final Development Plan, Local Law, and other relevant materials to the Tompkins County Department of Planning pursuant to General Municipal Law Sections 239-1 and 239-m; and

WHEREAS, the Town Board has determined that the adoption of "Town of Lansing Local Law Amending the Town of Lansing Land Use Ordinance to Add Article XVI and to Map and Create Planned Development Zone #1" is a Type I action pursuant to SEQR, and the Town Board intends to conduct an uncoordinated review of the adoption of said Local Law, as the Town Board is the only agency involved with the adoption of the Local Law; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Town Board, now therefore be it

RESOLVED, that a Public Hearing to consider the adoption of a Local Law entitled, "Town of Lansing Local Law Amending the Town of Lansing Land Use Ordinance to Add Article XVI and to Map and Create Planned Development Zone #1 – the Village Circle-Village Solars Planned Development Area," along with the joint PDA applications of Applicant, Rocco Lucente to include a 138 apartment unit expansion of the Village Circle Apartments complex located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, and Applicant, Stephen Lucente, on behalf of Lucente Holdings, Inc. and Village Solars, LLC, for inclusion in the PDA of an additional project to construct 174 new additional "Village Solars" apartments located at Warren Road and Village Circle North, Village Circle South, and Village Place in the Town of Lansing, New York, Tax Parcel Nos. 39.-1-34; 39.-1-38.4; 39.-1-38.3; 39.-1-38.6; 39.-1-38.5; 39.-1-35; 39.-1-38.1; 39.-1-38.11; 39.-1-38.13; 39.-1-38.8; 39.-1-38.16; 39.-1-38.14; 39.-1-38.15; and 39.-1-38.12, with the proposed name of the PDA encompassing both projects being Village Circle Apartments/Village Solars PDA, and the combined acreage of the above referenced parcels within the proposed PDA is +/- 33.25 acres within the R2 zoning district, be and is hereby scheduled for the 17th day of April, 2013, at 6:10 p.m., at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

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

published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with law.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted upon March 20, 2013.

HIGHWAY DEPARTMENT REPORT:

- 1. Plowing and Salting Roads – Normal Winter**
 - 2. Working on Marina wall and docks – Start driving posts on Monday, received a two week extension from the DEC**
 - 3. Dredge Salmon Creek – All permits have been received through 2016**
 - 4. C.H.I.P's money may be decreased – If not eliminated**
- The Town of Lansing -\$156,000 Tompkins County -\$350,000**

PARK and RECREATION DEPARTMENT REPORT:

Steve Colt is attending the YFL (Youth Football League) meeting at the Community Center tonight and has presented the following report to the Town Board.

Parks & Recreation Department Town Board Meeting 3/20/13

RECREATION

- **LBP and LSP baseball and softball** registration forms are coming in with the deadline due date being this Friday March 22nd. The following week we will be calling to make sure that we haven't left anyone out.
- **Player totals** will determine everything from teams to schedule to equipment bags that need to be packed.
- **All of our volunteer coaches** will meet to discuss the season and pick teams. LSP softball selection meeting will occur on Tuesday April 9th and the LBP meeting will be on Wednesday April 10th.
- **Spring Training Players Clinics** are scheduled to occur over the week long spring break. These morning clinics are conducted by the respective baseball and softball varsity teams and coaches. The fees for these clinics are donated back to the varsity teams.
- **Our current programming is going very well.** Saturday AM Swimming Class is going very smoothly with 50+ swimmers. The Friday Gymnastics has started and was sold out. The new girl's lacrosse program has over 20 participants and the girls are having fun with a new sport. We have already been asked if this will continue outside this spring....

PARKS

- **The marina wall** material has been produced, delivered and installed. Once the docks get installed we will be done with the exception of some small landscaping. Due to the wall production issues and the weather, I asked for, and was granted a 2 week extension from the DEC. So, now we have until March 29th to complete the project.
- **I applied for the Community Celebrations Grant** and plan to use it for 3 movie events following 3 of our concerts this summer. Unfortunately, we probably will not know about the grant outcome until June.
- **The Salt Point reclamation** and original plans are moving forward. Some of the concrete blocks have been delivered and soon will be placed. The Osprey nesting platform project has been completed. It is perfect, and we are ready for tenants!!
- **The Myers Concert Series** is set and all 7 weeks have been booked. The concerts start this year on July 11th and run through August 22nd. Two of the three concerts for **Ludlowville Park** are booked and these dates are July 12, 19, 26. Both lineups are very strong and if we get good weather, we should have another big summer!
- **Park Numbers:** Our numbers so far are good! Since January 7th through today we have collected: Camping(29,450.00), Pavilions(3415.50), Dry Dock(5125.00), Boat Slips(45672.00) = **\$83,662.50** This is the earliest date that we have sold out of Dry Dock spaces, ever!

CONSIDER AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A CONTRACT WITH SRI:

DISCUSSION:

Further discussion continued on the cost of the survey, in addition to who would be surveyed, the topic and how many questions it will contain and cost per question. SRI also provided a professional survey for the Broadband Committee for the County. SRI has discounted the cost for the municipality.

RESOLUTION 13-73

RESOLUTION AUTHORIZING THE SUPERVISOR TO ENTER INTO A CONTRACT WITH THE SURVEY RESEARCH INSTITUTE TO CONDUCT A COMPREHENSIVE PLAN RESIDENTS SURVEY AND AUTHORIZING A BUDGET MODIFICATION ESTABLISHING A NEW LINE FOR THE COMPREHENSIVE PLAN UPDATE

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

WHEREAS, the Town Board has determined that an update of the 2006 Town of Lansing Comprehensive Plan is necessary and has appointed the Comprehensive Plan Update Committee (the Committee) to coordinate the work on the Comprehensive Plan Update (the Update) and to make recommendations to the Town Board regarding the Update; and

WHEREAS, the Committee has been meeting since September 2012 and has determined that a Residents Survey would be a valuable tool to offer an opportunity for Town residents to provide ideas and input into the Update process at this early stage; and

WHEREAS, the Committee has sought and obtained estimates from several organizations to assist with conducting a Residents Survey, and

WHEREAS, the Committee recommends that the Survey Research Institute of Cornell University (SRI) provided the lowest estimate for conducting the desired Residents Survey and appears to be the most appropriate organization to assist with conducting the Survey; and

WHEREAS, the Committee recommends that in addition to the Residents Survey, there could be other expenses related to the Update during 2013, such as, but not necessarily limited to, holding and advertising for public information meetings and other public forums, obtaining updated mapping of natural resources, land use, and other possible map layers, printing of draft Update documents, and possibly contracting for additional expertise in matters relating to the Update; and

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

RESOLVED, that the Town Board authorizes a Budget modification establishing a new line in General Fund B Outside Village (B8020.430) for Comprehensive Plan Update; and it is further

RESOLVED, that \$20,000 be transferred from Fund Balance into the newly established Budget line B8020.430; and it is further

RESOLVED, that the Town Board authorizes an amount not to exceed \$12,000 of the \$20,000 Budget Modification to contract with SRI to conduct a Residents Survey in conjunction with the Comprehensive Plan Update; and it is further

RESOLVED, that the Supervisor of the Town of Lansing is authorized to enter into a contract with SRI to assist with conducting the Residents Survey.

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

Councilperson Katrina Binkewicz	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Nay
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 20, 2013.

CONSIDER TWO RESOLUTIONS OPPOSING THE NY SAFE ACT OF 2013:

DISCUSSION:

The following two resolutions were County resolutions given to the Town Clerk to format for the Town of Lansing.

After hearing from the public tonight and to allow more public comments it was the consensus of the Town Board to table consideration of the following two draft resolutions. The Town Board will consider crafting a new Town of Lansing resolution at the Work Session meeting on April 3, 2013 at 6:00 pm.

#1 RESOLUTION FOR CONSIDERATION

RESOLUTION 13-

**RESOLUTION OPPOSING THE
NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT
(SAFE) ACT OF 2013**

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

WHEREAS, the Lansing Town Board endorses and upholds the Second Amendment to the Constitution of the United States; and

WHEREAS, the New York Secure Ammunition and Firearms Enforcement (SAFE) Act of 2013 (A2388/S.2230) was rushed to passage in the State Legislature through a flawed process that excluded legislative deliberation and citizens input; and

WHEREAS, provisions in the SAFE Act are already requiring, and will continue to require greater expenditures of our County resources, in effect creating unfunded mandates, and

WHEREAS, the SAFE Act, as currently enacted, places additional responsibilities upon County Sheriffs, County Clerks and County Commissioners/Directors such as Health and Human Services, Department of Social Services, Mental Health Services, as each will be required to oversee functions such as pistol permit investigations, recertification of permits, waivers of permit disclosure and mental health evaluation and reporting to New York State Division of Criminal Justice Services, and

WHEREAS, implementation of the SAFE Act will also require investment of State resources that could otherwise be used to promote other criminal justice initiatives that keep our residents safe, and

WHEREAS, the SAFE Act will criminalize law-abiding citizens, including police officers, who are the responsible owners of certain firearms and magazines that are included in the law; and

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

RESOLVED, that the Lansing Town Board hereby is opposing the New York Secure Ammunition and Firearms Enforcement Act of 2013 and the flawed process by which it was enacted, including Governor Cuomo's message of necessity, which limited debate and input from our elected representatives and concerned citizens, and it is further

RESOLVED, that the Lansing Town Board requests that the SAFE Act be Repealed and replaced with more sensible legislation that does not infringe upon Second Amendment rights, does not create unfunded mandates on County Governments, addresses issues, including mental illness and deterring violent crime, and included full input from the public, and it is further

RESOLVED, that the Town Clerk of the Lansing Town Board forward a certified copy of this Resolution to Governor Andrew M. Cuomo, temporary Presidents of the Senate, Jeffrey D. Klein and Dean G. Skelos, Speaker Sheldon Silver and the County and Town's Representatives in the New York State Senate and Assembly.

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

Councilperson Katrina Binkewicz
Councilperson Robert Cree
Councilperson Ruth Hopkins
Councilperson Edward LaVigne
Supervisor Kathy Miller

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 20, 2013.

#2 RESOLUTION FOR CONSIDERATION

RESOLUTION 13-

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE AND
GOVERNOR ANDREW CUOMO TO
RE-EXAMINE THE NEW YORK SAFE ACT
USING A CAREFUL AND DELIBERATE PUBLIC PROCESS

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

WHEREAS, the New York SAFE Act was passed with bipartisan support in the New York State Legislature and signed by Governor Andrew Cuomo; and

WHEREAS, the legislation was initiated after public outcry over the horrendous shooting of school children in Newtown, Connecticut, and sent to the State Legislature by Governor Cuomo with a message of necessity; and

WHEREAS, the Lansing Town Board supports the policy goal of creating a safer environment for all our residents; and

WHEREAS, the Lansing Town Board recognizes that reasonable and thoughtfully designed legislation can improve public safety without unduly infringing on our residents' Second Amendment rights; and

WHEREAS, the SAFE Act was passed hurriedly without fact finding, public hearings, comment period, or public debate; and

WHEREAS, the legislation includes unfunded state mandates requiring additional registration procedures that must be administered by the Sheriff's Department and County Clerk, as well as increased responsibilities for County Mental Health Departments; and

WHEREAS, Tompkins County residents have voiced their opinions both for and against the new law, and various portions of it; and

WHEREAS, the Lansing Town Board believes that the New York State Legislature and Executive should always act in a careful, open, and public process; and

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

RESOLVED, that the Lansing Town Board urges the New York State Legislature and Governor Andrew Cuomo to re-examine the issues addressed by the New York SAFE Act in an open and public process, affording residents of the State the opportunity to be heard on the legislation, and then to confirm, modify, and/or correct the statute in a careful and deliberate manner; and be it further

RESOLVED, that the Town Clerk of the Lansing Town Board forward a certified copy of this Resolution to Governor Andrew Cuomo, State Senators James Seward, Thomas O'Mara, and Michael Nozzolio, and to Assemblywoman Barbara Lifton.

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

Councilperson Katrina Binkewicz
Councilperson Robert Cree
Councilperson Ruth Hopkins
Councilperson Edward LaVigne
Supervisor Kathy Miller

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 20, 2013.

CONSIDER RESOLUTION APPROVING SUBDIVISION FEE SCHEDULES FOR 2013:

DISCUSSION:

The question of why this is not being requested at budget time and being approved at the annual Organization Meeting was discussed. It was agreed upon that a simplified format schedule will be provided.

RESOLUTION 13-74

**RESOLUTION APPROVING
2013 CODE OFFICE AND SUBDIVISION FEE SCHEDULES**

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

WHEREAS, the Codes Office has concluded its review and made its fee and application recommendations for 2013 and such proposed fees and application fees are based upon the historical costs of performing such reviews, inspections, and services; and

WHEREAS, pursuant to Local Law #6 of 2006 (Code Enforcement), and Article 16 therein, and as authorized by the Town Law of the State of New York and other local laws of the Town of Lansing, the Town Board may, from time-to-time, approve changes to applicable fee schedules by Resolution; and

WHEREAS, this action is a Type II Action under SEQRA such that no environmental review is required; and

WHEREAS, upon due deliberation thereupon, it is hereby

RESOLVED, that the attached fee schedules are approved for 2013 and all subsequent years until a further Resolution (or other legislative action) of this Board be made.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 20, 2013.

Building Permit Fees

Effective March 20, 2013

Residential:

\$0.30 cents Per Square Foot – One & Two Family Residence, Modular Homes, Mobile Homes on Private Lots, Multiple Housing & Additions, Finished Basements.

Fees for Mobile Homes on Rental Lots will have a charge of \$150.00

**** Note - basements are not included in total square footage if the basement is unfinished.**

\$0.15 per Square Foot for Garages, Storage Building, Workshops & Pole Barns

**** Note - any New Residence with an attached Garage will pay \$0.30 Square Foot \$0.10 Square Foot.**

Remodeling:

\$3.00 Per Thousand of Estimated Construction Cost - when the Square Foot Rule does not apply, there will be a minimum charge of \$75.00

Commercial:

\$5.00 Per Thousand - according to Estimated Cost of Construction.

Pools:

\$50.00 - For storable / portable pools

\$50.00 - For all above Ground Pools.

\$75.00 - For all In-Ground Pools.

In & Above Ground Pool Permits will only be 180 day Permits, storable /portable pools will only be 90 day permits.

All swimming pools shall be completed within 12 months, complete means a Certificate of Compliance has been issued.

Prefab Sheds:

\$40.00- For any Pre Assembled Shed.

101 Square Foot - 199 Square Foot & less than 12' in height.

\$0.15 Per Square Foot for any Pre-Assembled Shed 200 Square Foot & over with a minimum fee of \$75.00

Minor Alteration:

\$40.00 - For any Alteration under \$1000.00.

Sign Permits : \$40.00

Solid Fuel Burning Appliances-Wood ,Pellet ,Coal Stoves.- \$25.00

****Note: Except for the Projects noted here, there will be a minimum Building Permit Fee of \$75.00**

****Note: Except for Pool Permits, any Building Permit that is not complete within one year will require a Renewal Fee of 50% of the original cost of the Building Permit per year until the Project is complete or a \$75.00 Minimum:**

****Exception- Any permit over \$300.00 will be charged a flat fee of \$150.00 for the first renewal, subsequent permit renewals to remain at 50% of the original fee paid.**

APPROVE AUDIT:

RESOLUTION 13-75

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

CONSOLIDATED ABSTRACT # 003

DATED 3/20/13

AUDITED VOUCHER #'s 171 – 278

PREPAY VOUCHER #'s 171 – 174

AUDITED T & A VOUCHER #'s 15 – 17

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>69,593.57</u>
HIGHWAY FUND	\$ <u>41,159.16</u>
LANSING LIGHTING	\$ <u>290.45</u>
LANSING WATER DISTRICTS	\$ <u>1,075.78</u>
TRUST & AGENCY	\$ <u>37,111.99</u>
WARREN RD SEWER-CAPITAL PROJ	\$ <u>0.00</u>
LANSING SEWER DISTRICTS	\$ <u>3,947.29</u>
DEBT SERVICE	\$ <u>0.00</u>

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

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

BOARD MEMBER REPORTS:

Edward LaVigne:

1. LOAP Van – Barbara Bills is asking for volunteer drivers.
2. Farmer’s Market - Matt Dedrick has asked him to help with the chicken barbeque to benefit the Farmer’s Market.

Katrina Binkewicz:

1. Library: (a) Summer Reading Program is in place
(b) July 13th, 2013 Play in the Park
(c) Spring Book Sale May 18th, 2013
2. Farmers Market: Will continue this year
3. Open Microphone Night : April 27th, 2013 at the Lansing Community Center with Paul Kempkes

Ruth Hopkins:

1. Ag Committee Meeting: Tuesday, March 26th, 2013 at 7:00 pm

Robert Cree:

1. Bolton Point: (a) Attended the Finance and Commissioner’s Meeting
(b) The 2nd Water Tower on North Triphammer Rd is being installed
2. Internal Town Audit: Will begin in April

Kathy Miller:

1. Request for Lower Speed Limit on Route 34/34B: Request DENIED by NYSDOT
2. SEQRA Cookbook: for Sewer
3. Farm Tax Information: Thursday, March 28th, 2013 at 10:00 a.m. at the North Lansing Fire Hall, 1189 Auburn Road
4. Sewer Committee: The MPR and FEAF will be ready next week
5. Warren Road Sewer: Meeting with Dave Herrick, Town Engineer, Village of Cayuga Heights, Brent Cross, Code Enforcement and Mayor Kate Supron
6. Bone Plain Road Water Tank: Will be Meeting with Mary Ann Sumner
7. ZBA Appointment: Donna Scott
8. Codes Revision Committee: Initial Meeting March 27th, 2013 at Noon at the Community Center
9. Sewer Committee Presentation: Tuesday, April 23rd, 2013 from 7:00 p.m.- 8:30 p.m. in the Lansing Middle School Auditorium

Monthly Report:

The Supervisor submitted her monthly report for the month of February 2013 to all Board Members and to the Town Clerk.

TOWN COUNSEL REPORT:

No report at this time.

MOTION TO ADJOURN MEETING:

Supervisor Kathy Miller moved to **ADJOURN THE MARCH 20, 2013 TOWN BOARD MEETING AT 9:35 PM.** Councilperson Robert Cree seconded the motion. All AYE.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall