

## REGULAR TOWN BOARD MEETING

August 21, 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, Charlie "Cricket" Purcell, Deputy Highway Superintendent, Steve Colt, Park Superintendent and Recreation Director, Pat Pryor, Tompkins County Representative, Charlie & Sheila Nedrow, Dan Veaner, Lansing Star, Connie Wilcox, Roger and Marilyn Hagin, John O'Neill, Village of Lansing, Irene Tyrrell, Lois Hulbert, Claes Nyberg, Sabine and Ian Coates, Mary and James Sullivan, Ted Laux, Gay Nicholson, Gary Tyrrell, Edward Wagner and a few other attendees.

### TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR

To: Lansing Town Board

From: Pat Pryor, Rep. TC Legislature, District 6

Re: Report

Date: August 20, 2013

1. Subsequent to a two year process that included input from all county staff through their respective departments, opportunities for input from the public at various committee and legislature meetings, review by the TC Ethics Advisory Board, further review by the TC Government Operations Committee, and two public hearings, the County adopted revisions to its Code of Ethics. The revisions addressed primarily the clarification of language around conflict of interest, especially as it pertains to employee ties to outside businesses and/or positions on boards of local non-profit agencies.
2. By unanimous vote, the Legislature adopted the 2013-2014 operating budget of \$38.3 million for Tompkins Cortland Community College (TC3). Tompkins County's share of the budget is just under \$2.8 million, or 63%, based on a funding formula related to the proportion of students enrolled from each county. The budget figure, representing a 3% increase of about \$81,000, has already been approved by the Cortland County Legislature.
3. The NY State Association of Local Government Record Officers honored the County with the Robert Arnold Award for Distinguished Service for its development of an electronic document management system which has now been extended to other towns in the county. Special recognition was given to the county work team that led the initiative.
4. A work team from the County Personnel Department was also given its state organization's highest award for its development of the County's online job application system. The Legislature expressed its appreciation to members of the work team.

Date August 21, 2013

From our meeting of 8/20/2013:

1. The Legislature approved a modest expansion of the County's Human Services Building (HSB) to accommodate the Community Justice Center's Day Reporting program which, until last week's flood, had been housed in the Old Library on Cayuga St. The flooding magnified currently existing serious building problems in the Old Jail, such as mold and mildew in some areas due to a leaking roof. The Day Reporting program is being temporarily housed in the Bev Livesay conference room of the HSB until it can be determined whether or not the Old Library will be able to be reoccupied. Temporary housing is being sought for the HSB program until the necessary building expansion which will allow the program to be permanently housed in the HSB is completed.

The Day Reporting program permits judges to sentence certain low-level, first time offenders who have been convicted and sentenced to complete their sentences in the Day Reporting program rather than in jail.

2. Also due to last week's flooding, which caused significant damage across Tompkins County to roads, culverts, stream banks, bridges and some structures, the Legislature unanimously supported local requests for New York State disaster funding to help with clean-up and restoration. It is estimated that the County alone sustained over \$500,000 worth of damages. Every town in the county experienced damage, with the Town of Enfield being particularly hard hit. Although there is not enough damage to seek a federal declaration, it is hoped that a state declaration will enable considerable local damages to be reimbursed.
3. An initial report was heard from architects who have examined the Public Safety Building (PSB) in terms of increasing the number of beds available to house inmates and to bring the jail into compliance with NY State Division of Corrections requirements for a covered space for inmate recreation. As most people are aware, the PSB has been operating for years on variances granted by NY State that allow it to house more inmates than were anticipated in the original design. The state could, at any time, end those variances. In addition to the unpredictable future of the variances, the facility can frequently not house the number of inmates requiring incarceration and those added individuals must be transported to other facilities in the state and housed elsewhere at significant cost to county taxpayers. The architects are being asked to address whatever cost effective design they can develop that will move the PSB closer to compliance with state requirements.
4. The County Assessor and a representative from the state Assessment office presented information about the need for all property owners who receive the Basic STAR tax exemption to renew their application for the exemption. Property owners should receive a mailed notice this week and more information is available online at [ORPTS.STAR@tax.ny.gov](mailto:ORPTS.STAR@tax.ny.gov); or by phone at 1-518-457-2036. With a code provided in the letter to homeowners, they may reregister at [www.tax.ny.gov](http://www.tax.ny.gov).

Respectfully submitted,  
Pat Pryor

Councilperson Katrina Binkewicz asked County Representative Pat Pryor if the vacant NYS Division of Youth Building (Girls School) at 270 Auburn Road in the Town of Lansing could be used to house low risk offenders. Ms. Pryor stated that she would take this suggestion back to the Legislature.

Supervisor Kathy Miller asked if the County receives any State Aid to increase the number of beds in the jail. Ms. Pryor stated that it does not and it falls completely on the County.

Councilperson Ruth Hopkins inquired about the potential for State money for the storm damage and if the County would be reaching out to the Town Highway Departments. Deputy Highway Superintendent Charlie Purcell stated that it was the first he had heard about this. Ms. Pryor will be contacting and updating the Highway Department on the progress of the funding.

## **PRIVILEGE OF THE FLOOR**

### **LIMITED to 20 MINUTES with a MAXIMUM of 3 MINUTES PER SPEAKER**

Connie Wilcox read the following statement:

I come before you tonight to encourage you to cut your ties with The Tompkins County Council of Governments, and any monetary support you have given in the past. I am appalled at the negative response from our neighboring towns against the Repowering of Cayuga. In all my years with the town I have never seen Lansing publicly come out against anything happening in another town. The fact that the Towns of Ithaca, Ulysses, Dryden and Caroline denounced the repowering of Cayuga publicly was a real stab in the back and the fact that the Tompkins County Legislature also did not try to pass a resolution in favor of repowering shows it's all for one and one for all, but not for Lansing. I would also ask you to pass a resolution taking back the pledge of \$6,000 for the Broadband project considering the negative public comments made by the Town of Caroline Supervisor Don Barber, our County Rep practically bullied the board into passing the resolution at the July meeting, those are taxpayers dollars and given the fact if Cayuga is not repowered and everyone's taxes go up \$600 the town can use the money, and lastly I sincerely hope that the Town of Lansing voters never support Barbara Lifton again given her negative comments. In case you haven't noticed there is a growing trend for the people to take back their governments and not follow along like a herd of sheep.

Roger Hagin read the following quote from Dewey Ray who was unable to attend the meeting, as follows: Town Board, why do you make people think that the sewer project is over when it isn't? Drop it completely along with the sewer committee and their self-interests. Drop it, or the November 5<sup>th</sup> elections will anyway.

Roger Hagin told the Board that he thinks there should be more time spent on supporting the existing businesses in the Town of Lansing rather than expanding the tax base.

Mary Sullivan, a 45 year resident and landowner in Lansing, agreed that the Town needs to support the businesses that we currently have. She stated they have already paid for their sewer along with paying for their right to have their business established here. She told the Board that we need to look after the businesses that are here along with the taxpayers that live here. She stated that it has been 4 to 5 times in the last 45 years that the Town has revisited sewer and spent taxpayer's dollars that went nowhere. Public sewer is more of an environmental threat than self contained septic systems. She urged the Town Board to make it clear to the voters that sewer is going to be dropped or have a vote in the Town. Sewer needs to be off the table in order to concentrate on more important things like fracking, water quality, senior housing and our schools.

Mary Sullivan personally thanked Roger and Ruth Hopkins for educating them on the Emily Jonas Natural Trail which impacted part of their property. She wished them and the Pathways Committee all the best.

Claes Nyberg urged the Town Board to wait for the completion of the new Comprehensive Plan and Sign Ordinance along with the results of the survey before they re-think sewer.

James Sullivan resubmitted his 17 comments and questions as follows:

#### **Comments and Questions on Engineer's Report**

1. Why did the Town Board elect to use Article 12-C (whole town) instead of 12-A (solely for benefit area)?
2. Section 2.2 of the Engineer's report specifically targets development as key reason for the sewer with an emphasis on high density development.
3. Section 2.3 also targets development.
4. Given that 2 of the 4 points for justifying the sewer system target development who really benefits?

5. Section 2.4 overstates the potential threat of septic system failure which is only relevant in a specific area.
6. Section 3 overstates the benefit for all properties and does not address the cost of a forced hookup and abandonment of well-functioning septic system.
7. Section 4.4 points out the fact that bedrock depths in the improvement area are relatively shallow, which is also true for other areas in Lansing making installation of sewer lines problematic.
8. Section 4.5 Items D and E, identification of Shurger Glen as a protected stream and UNA?
9. Section 5.1 – water consumption estimate does not accurately reflect sewage flow rate, it does not take into account watering of gardens and lawns.
10. Section 5.2 Estimates of future flow cannot be reliably made. A significant under estimate (very possible) will force expensive upgrades.
11. Section 5.4 placing the treatment facility near a mining operation is inviting disaster. Potential sinkhole problems.
12. **Section 6.1 property owners will be forced to connect “unless a waiver is granted” within 8 years.** The conditions for granting a waiver must be well defined and the waiver must be granted before the sewer system is voted on so the cost of the waivers can be factored into actual EDU and Ad-Valorem rates.
13. Section 6.2 where is the sludge being discarded?
14. **Section 9.1 Tier 2 will be charged 40% of the cost but gets no benefit.**
15. Section 9.2 it was understood that when the Warren Road and Cherry Road area was setup that it was to be a standalone project and now it is becoming a town debt. What else will get changed in the future?
16. **Section 10.4 Cost of low pressure force main connection is a significant under estimate. Cost for 1868 East Shore Drive would be in the \$20,000 range and given bed rock conditions could be significantly higher.**
17. Grinder pumps and check valves are problematic; failure will result in basement becoming a cesspool. Who will bear the cost of the cleanup particularly in the case where it is a forced hookup?

Mr. Sullivan requested that these items be addressed by the Town and the Sewer Committee as they have ignored his concerns. Mr. Sullivan has a degree in engineering with over 45 years of experience in federal, state and local governments and commercial accounts dealing with technical support work.

County Representative Pat Pryor stated that after the PSC hearing she met with Town of Caroline Councilperson Irene Weiser. She expressed that she would not make a move to change Lansing’s commitment that was made for the pledge of \$6,000.00 for the broadband project. However she would not be surprised if, given the tenor of the comments at the hearing, the Lansing Town Board decided to withdraw their support for the Town of Caroline on the broadband project. She told the Town Board that she would not object if the Town Board decided to withdraw the pledge.

County Representative Pat Pryor stated the reason the County Legislature did not act on Mike Sigler’s request for passage of his Resolution that he presented to support repowering the Cayuga Power Plant is because it had already been discussed at the standing committee level. Ms. Pryor informed the Town Board that she had proposed a Resolution supporting repowering the Cayuga Power Plant at the committee level to be presented for consideration to the County Legislature. She was the only member supporting this Resolution while the other 4 members wanted a proposal opposing the plant. She stated she convinced the other Committee Members to stay neutral and not put forth a Resolution that could be damaging to the Town she represents. She stated that she has been very distressed by the comments from other Municipalities and other Municipal Leaders across the County. It was very shocking to her that other places in the County would target one Town the way they have on the repowering project as we are all part of the same community.

Supervisor Kathy Miller stated that she didn’t anticipate a lot of support at the PSC hearing, but she did not expect the negativity. It is one thing to state that you are not in

favor of the repowering but it's another to be accusatory as neighboring Towns were. She stated it was like not only sticking the knife in but twisting it.

Supervisor Kathy Miller confirmed that the town-wide sewer issue is over and that the 12-A and 12-C are no longer on the table for consideration. She stated that if a developer approaches the Town and wants to fund and build a sewer at their cost then the Town Board would have to consider that.

Councilperson Robert Cree asked if it made sense to disband the Sewer Committee since their work is complete. Presently no further future research is required, therefore no more meetings are required.

Councilperson Ruth Hopkins agreed that the Sewer Committee should be disbanded but asked that the Committee provide the Town Board with a closure report. A record documenting their deliberations to include lessons learned, recommendations, options that were not considered, etc., to use and prevent having to duplicate everything in the future.

Councilperson Robert Cree stated that Mr. Nyberg's statement was previously the consensus of the Town Board at their Work Session Meeting as they agreed to wait for the Comprehensive Plan and results from the survey before they consider anything. They are not opposed to a developer funding a future sewer proposal.

Resident Mary Sullivan asked the Town Board to disband the Sewer Committee. She stated she does not oppose a developer paying for sewer.

Councilperson Edward LaVigne requested that the Town Board consider a Resolution to withdraw the \$6,000.00 pledge along with a Resolution to disband the Sewer Committee later in the agenda.

Councilperson Katrina Binkewicz stated that she agreed it was time to disband the Sewer Committee, but she stated the Town should reiterate the Town Center Committee.

### **HIGHWAY DEPARTMENT REPORT**

- 1. Storm Water Repair continues on Waterwagon Road along with culvert projects.**
- 2. Three miles of Road Improvement is complete with 1 mile to go.**
- 3. Maintenance Department worked hard on the Water Damage from the flooding addressing all the Issues.**

Councilperson Edward LaVigne thanked the Highway Department for the work they did during the flooding from the storm. He stated we have the best Highway Department around. They do a lot with very little and without complaints. He appreciates their efforts along with Penny Crozier.

Supervisor Kathy Miller pointed out that some of the ditches, etc. are the State and County ditches so the Town is not responsible for everything. Deputy Highway Superintendent Charlie "Cricket" Purcell stated that was correct but their ditches dump into the Town's ditches as a second measure.

Councilperson Katrina Binkewicz asked if the Town came upon any County ditches that were insufficient? Mr. Purcell stated that overall things are in pretty good shape.

Counsel Guy Krogh thanked the Highway Department for their service. On Benson and Asbury Road there was two feet of water and the Highway Department was onsite coning it off. He stated there was a lot of flooding in the County and that the roadside ditches are designed to protect the roads.

Supervisor Kathy Miller reiterated that the Highway Department did a great job.

## PARK & RECREATION DEPARTMENT REPORT & PATHWAYS REPORT

### **Parks & Recreation Department 8/21/13 Town Board Meeting**

#### RECREATION

- Summer programs are winding down now. The fall programs are still taking registrations with most programs set to start in early September.
- YFL (small fry football) registration numbers have come up and most of the players have been in and have been issued equipment. Our JR and SR teams both have rosters in the low to mid 20's. This seems to be a normal size for the league. These teams have started their practices this week with games starting September 14<sup>th</sup>. A pre-season weigh-in is set for September 7<sup>th</sup>.
- The Youth Soccer Program will have a coaches meeting and team selection next Wednesday August 28<sup>th</sup>. They will start play in the first week of September. This program is grouped by grade and is COED. (K, 1<sup>st</sup> & 2<sup>nd</sup>, 3<sup>rd</sup> & 4<sup>th</sup>, 5<sup>th</sup> & 6<sup>th</sup>). The K and 1-2 levels are always the largest.
- "Summers Last Hurrah Camp" starts on Monday in Myers Park and has been sold out since May. This camp is a one week camp and we have a really good staff lined up to run the camp. The early sell out usually has a lot to do with end of summer child care issues.
- We are currently working on a new Fall Foods Cooking Camp for 3<sup>rd</sup> and 4<sup>th</sup> graders. This will be an afterschool camp and take place at the Community Center. The forms for this camp are being developed and will go into the school in two weeks.

#### PARKS

- We have done very well with this year's concerts even with the rainy weather. Of course, tomorrow is our last concert for the season, and yes, possible thunder showers are in the forecast..... again.
- The swim area closed for the season at the end of the day on Sunday. Over 4,000 swimmers visited the area this summer. The new location was an improvement.
- The Horse Shoe Pit area has all been renovated as another Eagle Scout project. An additional pair of pits has been added. Seeding and fencing still needs to be done and then that project will be complete.
- The roof on the Ludlowville Park bandstand has finally been replaced. It had been in really bad shape and we went with traditional shingles this time and it looks great.
- New Little Free Library (LFL) in Myers Park is OPEN. The Pathways Committee had heard about this movement started by Todd Bol of Hudson and Rich Brooks of Madison, WI in 2010. They are now located in most states in the US and dozens of countries. Sue Ruoff has taken the lead with this project. Our Art in the Park program directed by Robin Schuttenberg and Lee Iannone have decorated the structure. It is currently in use. [www.littlefreelibrary.org](http://www.littlefreelibrary.org)

**Pathways** – The Emily Jonas Falls Trail has been completed along with a small Kiosk. It is the 3<sup>rd</sup> highest falls in the County at 70 feet high. The Kiosk is now complete at the pathways on Auburn Road.

Councilperson Robert Cree asked if the Fall Program is in line with last years. Steve Colt stated that the current 6<sup>th</sup> grade class only has 65 students. The other classes average between 80 and 90 students. He anticipates that registration will be coming up within the next few weeks. He stated that the safest football program for youth is small fry football. There are plays that can't occur at this level and they are equipped with pads, certified helmets, etc. There are two solid teams along with a flag football program. They are teaching Heads Up Football a current program used by the Recreation Department and the coaches. A free clinic was held at Ithaca College for the volunteer coaches on teaching the right technique.

**CONSIDER RESOLUTION AUTHORIZING PREPARATION TO MAP, PLAN & REPORT FOR CONSOLIDATED WATER DISTRICT BACK-LOT EXTENSIONS**

**DISCUSSION**

Supervisor Kathy Miller stated that instead of doing individual back-lot extensions throughout the year they are being consolidated annually to be more cost effective.

**RESOLUTION 13-115**

**RESOLUTION AUTHORIZING PREPARATION  
TO MAP, PLAN & REPORT FOR  
CONSOLIDATED WATER DISTRICT BACK-LOT EXTENSIONS**

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

WHEREAS, pursuant to Local Law number 2 of 2012 respecting the Consolidated Water District (“CWD”) and back-lot extensions and their incorporation into the CWD, the following lots have been provided service from the CWD as outside users and are now proposed to become incorporated within the CWD:

- Parcel # 42.-1-2.3 - 25 Sun Path;
- Parcel # 42.-1-2.5 - 35 Sun Path;
- Parcel # 44.-1-42 - 187 Bush Lane;
- Parcel # 25.-1-9.2 - 5 Marion Lane;
- Parcel # 25.-1-9.1 - 82 Sperry Lane; and

WHEREAS, the Town had determined that such an extension is feasible, in the public interest, and will require an Article 12-A proceeding to amend the boundaries of the CWD; and

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

RESOLVED, that up to \$2,000.00 is authorized for such Map, Plan & Report, subject to permissive referendum as provided in Town Law § 209-b and Town Law Article 7. Accordingly, this Resolution shall not take effect until 30 days after adoption or, if a qualifying petition requesting a referendum is timely filed, until after a proposition is approved by such voters at a special or general election upon the subject matter of this Resolution.

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

Councilperson Katrina Binkewicz - Aye  
 Councilperson Ruth Hopkins - Aye  
 Supervisor Kathy Miller - Aye

Councilperson Robert Cree - Aye  
 Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 21, 2013.

**APPROVE AUDIT and BUDGET MODIFICATIONS**

**RESOLUTION 13-116**

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

**CONSOLIDATED ABSTRACT # 008**

DATED 08/21/13

AUDITED VOUCHER #'s 796 - 956

PREPAY VOUCHER #'s 796 - 807

AUDITED T & A VOUCHER #'s 56 - 67

PREPAY T & A VOUCHER #'s 56 - 60

| <u>FUND</u>                        | <u>TOTAL APPROPRIATIONS</u> |
|------------------------------------|-----------------------------|
| GENERAL FUND (A&B)                 | \$ <u>68,374.49</u>         |
| HIGHWAY FUND (DA&DB)               | \$ <u>237,264.46</u>        |
| LANSING LIGHTING (SL1, 2 &3)       | \$ <u>1,391.54</u>          |
| LANSING WATER DISTRICTS (SW)       | \$ <u>201,147.13</u>        |
| TRUST & AGENCY (TA)                | \$ <u>67,101.89</u>         |
| LANSING SEWER DISTRICTS (SS1, SS3) | \$ <u>688,068.92</u>        |
| DEBT SERVICE (V)                   | \$ <u>0.00</u>              |

**BUDGET MODIFICATIONS**

**GENERAL FUND A**

**8/21/2013 Board Meeting**

| <u>FROM</u> | <u>TO</u> | <u>FOR</u>  | <u>AMOUNT</u> |
|-------------|-----------|---|---------------|
| A1990.400   | A1420.400 | FROM CONTINGENCY TO ATTORNEY-CONTRACTUAL<br>UNANTICIPATED LEGAL EXPENSES          | 5,000.00      |
| A233        | A1610.200 | FROM TECHNOLOGY RESERVE TO TECHNOLOGY EQUIP<br>UNANTICIPATED TECHNOLOGY EQUIPMENT | 4,000.00      |
| A1630.405   | A1630.403 | FROM COM CTR REPAIRS TO COM CTR ELECTRIC<br>ADDT'L EXP FROM AIR CONDITIONER       | \$500.00      |
| A1990.400   | A1910.400 | FROM CONTINGENCY TO UNALLOCATED INSURANCE<br>INCR DUE TO ADDITIONAL EQUIPMENT     | 800.00        |
| A7110.400   | A7020.400 | FROM PARKS CONTRACTUAL TO REC ADMIN CONTRACTUAL<br>INCR IN OFFICE SUPPLY NEEDS    | 600.00        |

|           |           |  |        |
|-----------|-----------|--|--------|
| A7110.400 | A7110.405 | FROM PARKS CONTRACTUAL TO PARKS REPAIRS<br>UNANTICIPATED REPAIRS | 800.00 |
|-----------|-----------|--|--------|

**BUDGET MODIFICATIONS  
GENERAL FUND B  
8/21/2013 Board Meeting**

| <u>FROM</u> | <u>TO</u> | <u>FOR</u>  | <u>AMOUNT</u> |
|-------------|-----------|---|---------------|
| B909        | B8010.402 | FROM FUND BAL TO ZONING LEGAL SVCS<br>UNANTICIPATED LEGAL SVCS  | 2,500.00      |
| B909        | B8020.402 | FROM FUND BAL TO PLNG BD LEGAL SVCS<br>UNANTICIPATED LEGAL SVCS | 10,000.00     |
| B909        | B8020.401 | FROM FUND BAL TO PLNG BD ENGINEER<br>UNANTICIPATED ENGINEERING  | 3,000.00      |

**BUDGET MODIFICATIONS  
WATER DISTRICT SW  
August 19, 2009  
Board Meeting**

| <u>FROM</u> | <u>TO</u>  | <u>FOR</u>   | <u>AMOUNT</u> |
|-------------|------------|--|---------------|
| SW1990.400  | SW8310.401 | FROM CONTINGENCY TO WATER ADMIN ENGINEER<br>UNANTICIPATED ENGINEERING EXPENSES | 10,000.00     |

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         |                                    |

Accordingly, the foregoing Resolution was approved, carried and duly adopted on August 21, 2013.

**CONSIDER RESOLUTION TO RESCIND RESOLUTION #13-109 - PLEDGE OF FUNDS TO THE TOWN OF CAROLINE REGARDING THE BROADBAND PROJECT**

**DISCUSSION**

The following discussions are in addition to the comments that were made under the Privilege of the Floor:

Supervisor Kathy Miller stated that she attended the TCCOG meeting before the PSC Public Hearing, as she had heard that the TCCOG representatives wanted to pass a Resolution against repowering. At the meeting she spoke on how damaging the plant closing would be to the Town of Lansing. She stated she was encouraged when members did not propose a Resolution as they seemed to understand the impact it would have on Lansing.

On Monday at the PSC Public Hearing, speakers were allowed to speak for over ten minutes and were very negative and accusatory and not thinking about the Town of Lansing at all. Speakers made statements attacking the Town and School District for relying on the plant for revenue and were opposed to repowering the plant. Other speakers supported repowering the plant with renewable energy. Supervisor Kathy Miller reported that since then individual Towns are passing resolutions in favor of NYSEG's proposal instead of repowering Cayuga.

Councilperson Robert Cree stated from the information heard at tonight's meeting and with the information Supervisor Miller just shared he is in favor of revoking the previous Resolution that was passed at the July 17<sup>th</sup> meeting. He stated that he knows one doesn't have anything to do with the other, but thought the spirit that the Town Board was trying to achieve certainly was not reciprocated.

Councilperson Ruth Hopkins stated that the contribution to the Town of Caroline was not the way she would have structured it. She stated that because it was a Tompkins County funded project she wished they had reconfigured the grant so all Town's would have received the money to fund the broadband project in every Town.

Councilperson Edward LaVigne stated for the record he was the only no vote when the Resolution was adopted at the last meeting and Robert was absent, but respects the views of fellow Board members. He stated that it was premature and possibly other sources for funded could be looked into before pledging taxpayer money to allow the donors to come forward. He stated he supports broadband but doesn't know if two poles are enough for the Town of Lansing as there are no guarantees on who is going to receive service and who is not. He respects the views of other Towns, but disagrees with them. He doesn't see this as vengeance but as a moment of clarity and a teachable moment to learn from.

Councilperson Katrina Binkewicz stated she was in support of a cooperative inter-municipal solution as the Town of Lansing was gaining bandwidth from other Counties and Towns and we were not paying for it. She stated this was a just way for the Town to extend that to another un-served community. She stated she was shocked by the lack of empathy and spirit of cooperation, and therefore is in support of rescinding the \$6,000.00.

Resident Claes Nyberg stated the happiness that you would get out of revoking the money will be less than the happiness you would get from giving the money. He told the Town Board that he thinks they are making a mistake. He urged the Town Board to send the \$6,000.00 check to Don Barber in the Town of Caroline. He stated taking back the money would appear as vengeance.

Councilperson Edward LaVigne stated that this is not a moment of vengeance it is a moment of clarity. He stated the funds could be raised in another fashion first. There was money that was given by individuals and there is an opportunity for donations. He stated the Town of Lansing could possibly need a third pole and we are still at a level of unknowns.

Supervisor Kathy Miller stated the bottom line is charity begins at home. We can't keep giving and giving and giving.

Councilperson Ruth Hopkins reiterated that the Town of Lansing is still at a level of unknowns. There is no guarantee of who is going to get service and who is not.

## **RESOLUTION 13-117**

### **RESOLUTION RESCINDING RESOLUTION NUMBER 13-109 (JULY 17, 2013) RESPECTING A PLEDGE OF FUNDS TO THE TOWN OF CAROLINE REGARDING THE BROADBAND PROJECT**

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

WHEREAS, on July 17, 2013, after much debate, the Town Board had approved a pledge of \$6,000 to the Town of Caroline regarding a short-fall in first round funding due to changes in the coverage areas and the need for more towers in Caroline regarding the broadband grant(s) and project; and

WHEREAS, goodwill and intermunicipal cooperation and support seem to dissolve in Tompkins County when reciprocation is appropriate; and

WHEREAS, but more importantly, the Town Board reconsidered the matter and believes that there are other ways to obtain such funds other than through the use of taxpayer money of the Town of Lansing; and

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

RESOLVED, that Resolution 13-109 of July 17, 2013, be and hereby is rescinded *ab initio* and of is of no force or effect.

The question of the adoption of such proposed Resolution was duly motioned by Supervisor Kathy Miller, 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 – Aye |
| Supervisor Kathy Miller - Aye         |                                    |

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 21, 2013.

### **CONSIDER RESOLUTION DISSOLVING THE SEWER COMMITTEE AND REQUESTING A FINAL REPORT**

#### **DISCUSSION**

Discussion continued on the previous comments that were made under the Privilege of the Floor. It was the consensus of the Town Board to disband the Sewer Committee effective September 15, 2013. The Board agreed with Councilperson Ruth Hopkins suggestion for a closure report. They also agreed that the list of 17 comments and questions submitted by James Sullivan be made part of the summary. Therefore, the following Resolution was presented for consideration:

#### **RESOLUTION 13-118**

##### **RESOLUTION DISSOLVING THE SEWER COMMITTEE AND REQUESTING FINAL REPORT**

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

WHEREAS, the Town has terminated consideration of any current or near-future part-town or town-wide sewer systems, whether arising under Article 12-A or 12-C, and thus believes the role of, and need for, a Sewer Committee has passed; and

WHEREAS, the Sewer Committee has amassed significant information and data about sewers, public processes, and other information about sewers and town committee functions that are of value; and

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

RESOLVED, that the Town Board hereby requests a final report from the Sewer Committee concerning its operations, information, and lessons learned about gathering and disseminating support for large-scale municipal operations on or before September 15, 2013; and it is further

RESOLVED, that the Town Board requests information about and the incorporation of the memorandum, comments, and list of questions as submitted by James Sullivan; and it is further

RESOLVED, that effective said September 15, 2013, the Sewer Committee be and hereby is dissolved; and it is further

RESOLVED, that the Town Board, for itself and on behalf of the Town of Lansing, wishes to sincerely and deeply thank the Sewer Committee for its hours and years of work upon this project.

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

|                                       |                                    |
|---------------------------------------|------------------------------------|
| Councilperson 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 August 21, 2013.

## **BOARD MEMBER REPORTS**

### **Katrina Binkewicz**

#### **Budget Process**

Katrina acknowledged what a huge job working on a five year plan is. It is incredibly valuable as there are many unknowns with the tax base.

#### **Library**

The Summer Reading Program is vibrant in the community.

#### **Salt Point**

The nesting box trail was mowed by Patrick Tyrrell. The Cayuga Bird Club will be erecting bird boxes all along the trail for bluebirds, swallows, owls, etc. There are plans for picnic tables on the overlook to be used by all and be available for people with mobility issues. She will be meeting with the DEC about Handicapped Accessibility along with pursuing a grant for a fishing pier.

In the future there will be another Eagle Scout project to build benches around Salt Point.

There will also be clearing on part of Salt Point to allow a view from Myers Park of the tip of the point and the Osprey pole.

### **Ruth Hopkins**

#### **Budget Process**

This year the trail forms for the multi year planning process are being introduced. This ongoing process will assist with allocating the reserves.

#### **Fish Market & Farmers Market**

The Fish Market & Farmers Market is held on Fridays at the Triphammer Mall. It was good to see that 5 or 6 of the vendors from the past Lansing Farmers Market are selling here.

### **Robert Cree**

#### **Town Board Internal Audit**

Robert informed the Town Board that he has completed his fiscal report on the Town's Audit of Internal Controls for the Town of Lansing. The report is filed in the Supervisor's Office with all Town Board members receiving a copy. The Town Board

met several times to review the requested records from department staff. This procedure allows the Town Board to understand the whole process of each department and how they operate. Mr. Cree extended his appreciation to all who provided information for the 2012 audit. Kathy thanked Robert for providing his services along with the rest of the Town Board.

### **Edward LaVigne**

#### **Audit**

He thanked Robert for the audit process. It protects the employees along with making sure everything is credible.

#### **Lansing Farmers Market**

He perceives this coming back to the Town of Lansing.

#### **LHA & Woodsedge**

His understanding is that the residents at Woodsedge are getting high, now that the new elevator is complete. Connie Wilcox reported that it is almost complete. Ed gave credit to George Gesslein and Connie Wilcox and the whole LHA Board for this project.

Connie Wilcox informed everyone that an Open House at Woodsedge is planned for either September or October and everyone is invited. Everyone will be informed of a confirmed date.

### **Kathy Miller**

#### **Monthly Report**

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

#### **Town Parks**

Kathy stated how fortunate the Town of Lansing is to have two beautiful parks. Each one has a different character to it.

#### **Supervisor's Office**

There is a new employee in the Town, Sue Munson who is doing a wonderful job. She also stated that Sharon Bowman is working really hard bringing Sue up to date with all of the things that go on in the Supervisor's Office. Sharon has done a great job training Sue and Sue is very pleasant and willing to learn even though it is still a working progress.

### **TOWN COUNSEL REPORT**

Guy has provided an update on items that are being addressed and tackled during Working Session meetings.

### **MOTION TO ENTER EXECUTIVE SESSION**

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS A PARTICULAR INDIVIDUAL AT 7:30 PM.** Councilperson Robert Cree seconded the motion

All In Favor – Aye 5                      Opposed - 0

### **MOTION TO EXIT EXECUTIVE SESSION**

Councilperson Robert Cree moved to **EXIT EXECUTIVE SESSION AT 7:53 PM.**

Councilperson Ruth Hopkins seconded the motion.  
All In Favor – Aye 5                      Opposed - 0

**MOTION TO ADJOURN MEETING**

Supervisor Kathy Miller moved to **ADJOURN THE AUGUST 21, 2013 REGULAR TOWN BOARD MEETING AT 7:54 PM.** Councilperson Ruth Hopkins seconded the motion.

All In Favor – Aye 5                      Opposed - 0

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall