

REGULAR TOWN BOARD MEETING
October 16, 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, Steve Colt, Park Superintendent and Recreation Director, Pat Pryor, Tompkins County Representative, John O'Neill, Village of Lansing, Dan Veaner, Lansing Star, Connie Wilcox, Dewey Ray, Irene Tyrrell, Flint Brann, Carli Teitelbaum, Kaela Teitelbaum, Deb & Doug Myers, Ted Laux, Gay Nicholson, Sue Ruoff, and a few other attendees.

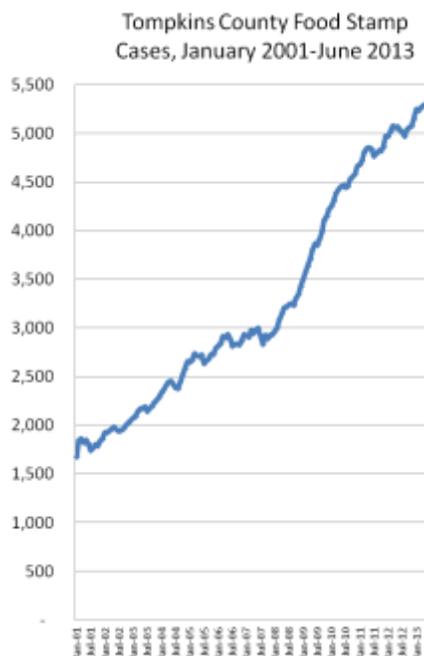
TOMPKINS COUNTY REPRESENTATIVE – PAT PRYOR POWER POINT PRESENTATION OF THE 2014 TOMPKINS COUNTY BUDGET:

The 2014 Tentative Budget

Tompkins County, New York

Economic and Fiscal Influences

- High but declining unemployment
- Low inflation
- **High level of need**
- Critical social problems
- Continued stock market gains



Major Budget Influences

Factors that had to be incorporated
in the development of the budget

Influence: Modest Wage Growth

- All settled contracts at 2%
- Payroll up \$1.1 million
- FTEs up 1.7 net new permanent positions
- Workforce remains 7.5% below 2009

Influence: Fringe Benefits

- Pension rate fell from 20.9% to 20.1%
- Health premiums up 8%
- Total fringe costs up \$532,000

Influence:
2% drop in
local cost of
mandates

- \$542,000 total reduction
 - Medicaid down by \$351,000 (to \$11.8 million)
 - Based on State projection of Medicaid savings from ACA

Influence:
Capital
Reinvestment

- Capital and debt costs up \$316,656
 - Mainly debt service for projects already authorized
- Aligns with new capital plan
- Adds 0.75% to levy

Influence:
Anemic
revenues

- Sales tax growth projected at 1.2% in 2013 and 1.5% in 2014
- PILOTs down \$128,000
 - \$83,000 due to CPP

Influence:
Sponsored and
Partner
Agencies

Significant needs:

- TC3
- Tompkins County Public Library
- TCAD
- TCAT
- TC Action (federal cuts)

Outcomes

Goal:
Maintain
Services

No reduction--or
expansion--of service

Goal:
Capital
Investment

Full implementation of
new 20-year capital plan
Adds 0.75% to levy

Goal:
Stabilize
Sponsored
Agencies

- \$81,000 (3%) increase for TC3
- \$315,000 (12%) increase for TCPL
 - \$175,000 in “target” funds
 - \$140,000 in County reserves

Goal:
Stabilize
Sponsored
Agencies

- New revenue model for TCAD
 - \$150,000 in Room Tax
 - \$ 68,000 in County “target” funds
- New revenue for TCAT
 - \$680,000 in Mortgage Tax directly to TCAT

Goal:
Fiscal
Stability

Reduced reliance on
reserves

– From \$1.3 mil to \$0.7 mil

Increased contingency
fund

– From \$0.8 mil to \$0.9 mil

Goal:
Address
critical
staffing
needs

911 Center

Highway

Airport

Personnel

Major Risks

- Federal cuts
- Failure of ACA to produce projected Medicaid savings

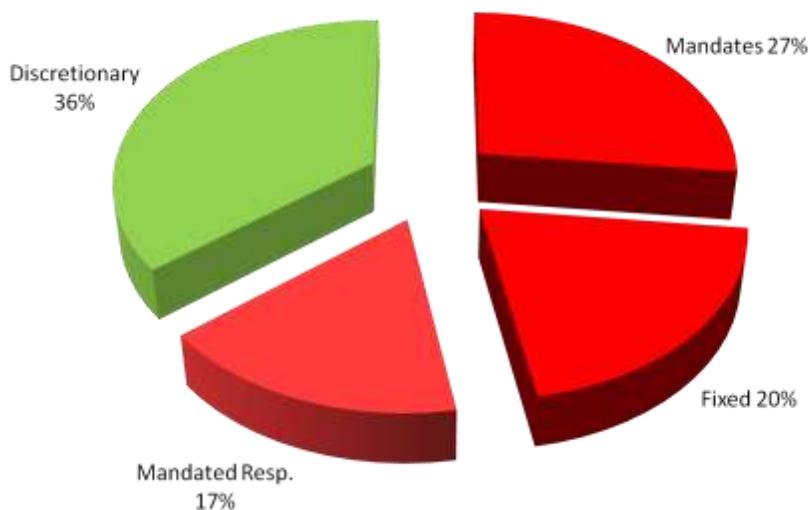
Structuring the Budget within Fiscal Parameters

Financial Summary

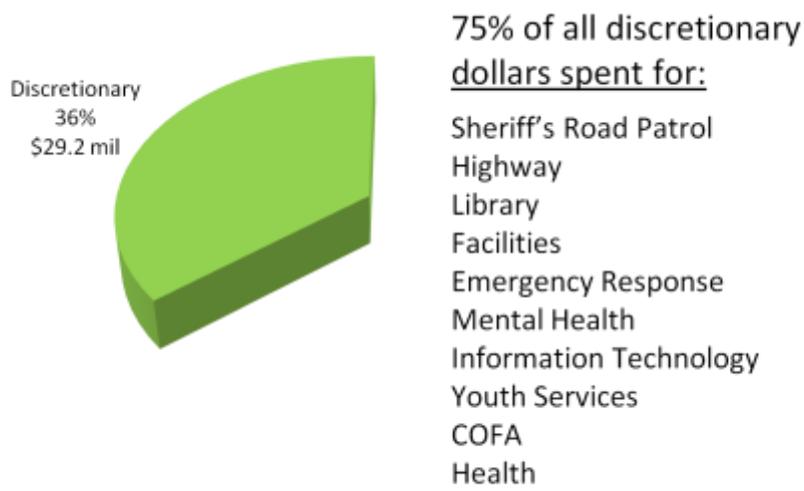
Only 36% of the Budget is
“Discretionary”

Balance is mandated, fixed, or a
mandated responsibility

Local Dollar Spending by Type



Local Dollar Spending by Type



Financial Summary

Fiscal Target
(April)

4.0% tax levy increase

Recommended 3.5% tax levy increase

Total Budget (millions)	2014	\$170.23
	2013	<u>\$165.50</u>
	\$ Change	\$ 4.72
	% Change	2.9%

Tax Levy (millions)	2014	\$45.33
	2013	<u>\$43.78</u>
	\$ Change	\$ 1.55
	% Change	3.5%

Tax Rate per \$1,000	2014	\$6.93
	2013	<u>\$6.80</u>
	\$ Change	\$0.13
	% Change	1.9%

Average Tax Bill (\$163,000 home)	2014	\$1,129
	2013	<u>\$1,108</u>
	\$ Change	\$ 21
	% Change	1.9%

Where are we on the “Tax and Spend” scale?

A brief question and answer period followed. Ms. Pryor left to attend a County Legislator meeting that was in session. She invited the public to attend the County Forum and Public Hearing next week.

PRIVILEGE OF THE FLOOR

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

Flint Brann addressed the Town Board on behalf of some Lansing residents and hunters across the state in regards to the article in the Lansing Star that was published on October 4, 2013 entitled "Salt Point Hunting Worries Town Board".

Mr. Brann informed everyone that the parcel of land now known as Salt Point was purchased by the State in 1960 from the International Salt Company to provide hunting and fishing access to the lake. This was the sole purpose of the purchase. In 2006 the Town of Lansing leased it from the State. The purpose was to manage the land and clean it up, which has been done. Along with this the Town of Lansing was required to allow hunting and fishing access as well as a perimeter road for vehicular traffic and a boat launch for motorized boat launching during the hunting season as you are not allowed to bring firearms into Myers Park.

Mr. Brann stated that according to the article there are some Board Members that would like to get rid of the hunting. Since the article Lansing residents have started a petition that is also for any NYS hunter to sign along with a letter from the State Chairman for NY Ducks Unlimited on behalf of 14,000 members. He has personally hunted there for over 20 years and has never witnessed or been involved in any confrontation with anyone during hunting season.

Mr. Brann, asked the Town Board on behalf of Lansing residents, NYS Members of Ducks Unlimited, NYS and out of State Hunters, not to go any further in trying to revoke the hunting rights at Salt Point.

Mr. Brann presented page one of the article, a petition and letter to the Town Clerk as follows:

[Salt Point Hunting Worries Town Board](#)

[News Page 1 of 2](#)

www.LansingStar.com

[Salt Point Hunting Worries Town Board](#)

[Friday, October 04, 2013 12:00 AM }Written by Dan Veaner](#)

[Lansing Town Board members expressed concern about hunting on Salt Point when Councilwoman Katrina Binkewicz reported Wednesday on improvements to the property including future plans. The Town of Lansing manages the park for the DEC \(New York State Department of Environmental Conservation\), which owns the property. Part of that agreement provides for the Town to accommodate hunting and fishing. Town officials say they want the DEC to rethink that requirement.](#)

[I want to get to the point where it's not allowed, Binkewicz said. "The property is not suitable for that. Hunting is allowed on the point. Especially if you are walking during hunting season you should know that. I expressed concern about it to the DEC. They have to decide that it's unreasonable and unsafe. I will chase it down this week and get back to you with that information."](#)

[The Town of Lansing signed a 25 year lease to manage the park in 2006. A management plan was approved by state officials, and compliance with the plan has slowly evolved, with a spurt of activity this year under Binkewicz's guidance. In many ways improvements to the park make it a victim of its own success. New hiking trails, an osprey nest, tree and flower plantings, and plans for a picnic area and bird boxes along the trails, and plans to solicit grants for educational kiosks, and a handicap accessible bathroom facility and fishing pier are attracting more people to enjoy the point. As more people come hunting and safety become more worrying to town officials.](#)

["I don't want this to become a battle between people who want to go out there and people who want to hunt," worried Councilman Ed LaVigne. "I hope there's a balance here."](#)

[Councilman Robert Cree said hunting on the point puts hikers at risk of being hit by an errant shot in a relatively enclosed space. He expressed concern both for visitors to Salt Point who might be exposed to gunfire and for liability issues the Town might be exposed to.](#)

"I agree with you," Binkewicz said. "I have brought it up. I'm a hunter. It's not that I'm against hunting. But I don't think that property is suitable for shotgun hunting at all. I think we need to argue from a town perspective that if there's shooting there, sure there are no buildings too close to the shooting, but Myers Park has tons of people. You could have overshooting over Salmon Creek this is not a safe place for gun hunting."

It works both ways non hunters pursue other activities there that make it difficult, if not impossible, to hunt effectively. Binkewicz said there has already been an incident of duck hunters who were annoyed by noise from swimmers that kept ducks away.

"It was a hot day," she said. "There were still people going to the beach area. The hunters didn't stay because it wasn't very fruitful. It's not sensible to have that sort of activity there."

<http://www.lansingstar.com/news-page/1-0026-salt-point-hunting-worries-town-board?tm...> 10/15/2013

PETITION HEADING STATES:

We the undersigned people disagree with the potential policy change of NO hunting at Salt Point in Lansing. The 25 year lease agreement clearly states that the property could be used for hunting, and we would like to continue to see that available for all Lansing taxpayers and hunters.

Petition was signed by 30 people.

*Joey Nicosla
State Chairman*

215 Edgett Street * Newark, NY 14513 * (315) 331-7438 * JNicosia@verizon.net

October 14, 2013

Town Board Town of Lansing
29 Auburn Rd.,
Lansing, NY 14882

Dear Lansing Town Board:

I am the State Chairman for NY Ducks Unlimited, and am writing on behalf of our 14,000 members in the state of New York, including members in your community. We have become aware of the discussions around whether to continue allowing hunting at Salt Point Park, and would like to offer the following opinion and suggestions:

- i) First, duck hunting is a viable, safe and legitimate use of public areas in New York, especially those owned by the NY Department of Environmental Conservation.
- ii) DU supports regulated hunting and encourages public agencies to provide access and opportunities for waterfowl hunters whenever and wherever possible.
- iii) Waterfowl hunting provides recreation that is safe, family-friendly and serves as a boost to local economies, and Salt Point has a history of waterfowl hunting with no adverse impacts.

However, we understand and support that public safety be a major consideration when evaluating multiple uses of public land. In many cases, multiple uses can be managed so that all interests are accommodated in a safe and equitable manner. In areas similar to Salt Point, managers have used special regulations to ensure hunters have access and can enjoy their sport in addition to other users. These special regulations include fixed hunting locations, special dates and times, safety zones, and special drawings to manage hunter numbers.

Our recommendation to you is to work with your local waterfowl hunters to continue to provide access among the many other users of the park, providing a win:win for all of your constituents.

October 16, 2013

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Thank you for the opportunity to provide input, and feel free to contact me if you have any questions.

Sincerely,

Joe Nicosia
State Chairman

Cc: NY DU
Larry Sharpsteen

Supervisor Kathy Miller stated that lately there have been articles in newsprint and online that are not accurate. She encouraged everyone that reads these articles to give the town a call or come to the Town Hall to see if what you read is accurate. She indicated that there have been two recent articles that have been highly inaccurate. Councilperson Katrina Binkewicz will address the one on hunting at Salt Point. She stated that people attend a meeting, jot notes down and then when they are translated into an article pieces get turned around and mixed up and things are said that are not really true.

Mr. Brann stated that happens every single day. He pointed out that there is an approved Maintenance Plan for Salt Point that is being followed somewhat, but there are areas that are not being followed at all. The ones that are not being followed need to be addressed.

Councilperson Katrina Binkewicz addressed the hunting on the Salt Point issue and passed out the following to all present. She stated she understands the concern in fact that she had heard from someone that hunters were very upset that we were going to think about abolishing hunting. After reading the article in the Lansing Star she stated she would be the first one to sign the petition. The article completely missed out on the contents and a lot of the discussion. She apologized that people were having anxiety over the article. She read the first two paragraphs and stated the rest is background. She stated she understands the concern.

Just the Facts: Hunting at Salt Point

I understand there has been concern that hunting is an endangered activity at Salt Point. This is not so. I read the Lansing Star article about the Town Board's working meeting and can understand that people would take issue with the reported meeting conversation. I would like to clarify that the discussion about the potential conflict of hunting and passive recreation emerged when it was noted that- due to the warm fall weather- goose hunters were present on the point at the same time as picnickers and waders. My first thought was, "How frustrating for the goose hunters." My second thought was, "We need accurate signage to inform people that there is hunting in season and other recreational activities should be adjusted to ensure everyone's safety".

When the Town of Lansing signed the lease with the DEC in 2006 to manage 'Salt Point', there was a stipulation in the management plan that preserved hunting and fishing access on the property. That stipulation still stands and is not being challenged by the Town of Lansing. In addition, the management plan established goals of: improving the habitat on the point for wildlife, creating trails for visitors and birders, and reducing vehicle access to the majority of the point (because of the damage to habitat that free range vehicles had caused to the property). Hunters have always been listed as a group who would benefit from the habitat improvement activities.

Several months ago I asked the DEC to send representatives from various departments (fisheries, hunting, handicapped accessibility) to Salt Point to assess our improvements and to help guide us with plans going forward. Because so many people with different interests use the point, it is very important that the Town understand the specific hunting activities that take place at Salt Point and have guidance in installing signs that inform and guide recreational use. Walkers, picnickers, birders, and boaters need a clear understanding of where and when it is safe to recreate at Salt Point.

In the last 12 months, the current board has supported the goals of the original plan and various parties have helped with completing parts of the plan: Lansing Parks and Rec. Dept.,

Lansing Highway Dept., The Cayuga Bird Club, Lansing Trails Committee, Cornell Lab of Ornithology (Steve Kress), NYSEG Forester Paul Paradine, and other interested individuals. I was liaison to the Friends of Salt Point in 2004 when the goals for the management plan were drawn up. I have stayed involved with Salt Point projects because: I am interested in wildlife, I am knowledgeable about habitat, I am an avid bird-watcher and hunter, and as Town board member I am concerned with safety of our townspeople- first and foremost.

Recently the Town Board did ask the DEC for clarity about whether shotgun hunting of deer is an allowable use on that property. The point is narrow and there are many areas where you cannot see Salmon Creek or Myers Park. I am a shotgun hunter myself and I wondered if the proximity of Myers Park and non-motorized activity in Salmon Creek constituted a risk similar to the proximity of buildings. There was never any question about the use of Salt Point for duck and goose hunting. The DEC hunting representative is still considering this specific question. Bow hunting is of benefit to Salt Point because the deer population in Lansing is high, browsing of shrubs and trees in the winter can be quite damaging, and Lyme disease is becoming quite prevalent in our area and is spread by deer ticks. If a deer is to die, I prefer that it is not killed dangerously on the road but that it ends up productively in the freezer.

As we move forward with forming a new advisory committee for Salt Point, it is important to include hunters and fishermen. Their input is critical to guiding future habitat restoration plans. Future activities at Salt Point will be driven by management plan adherence, community involvement, and subsidized by donations and grants. The Town Board has not allocated tax money in 2014 for Salt Point.

If you have any questions about this information, or would like to be a part of Salt Point planning, do not hesitate to call me at 280-0231 or talk to the Lansing Parks and Recreation Department (533-7388). And please try to remember that news 'sound bites' give only part of the story and can misinterpret information. If you are concerned about an issue, go to the source of the information for verification.

Sincerely,
Katrina Binkewicz - Town Board Member! Salt Point Advisor

Councilperson Katrina Binkewicz reiterated what Supervisor Kathy Miller said. She received no call about this article and she wished that people would go to the source and talk about it instead of having the anxiety to do a petition. Going forward there needs to be a larger Friends of Salt Point Advisory Group and she encouraged all hunters and fishermen to become a part of that group. She asked Mr. Brann if he was interested in becoming part of the advisory group to please contact her.

Sewer

Dewey Ray asked the Town Board if officially the Sewer Committee has been abandoned and if the sewer project is dead?

Supervisor Kathy Miller stated that the Sewer Committee has been abandoned and that Sewer Project is dead.

Mr. Ray asked if there were any rumors about bringing back the sewer? Supervisor Kathy Miller stated not by the Town, but a developer could come in and put in a package plant.

Mr. Ray asked if the sewer signs could be taken down because they do not have to worry about the Town Board voting on sewer? Supervisor Kathy Miller stated that sewer signs could be taken down as the Town will not be voting on sewer.

Lansing Ledger Article on Hunting

Councilperson Katrina Binkewicz stated that there was a hunting article in the Lansing Ledger that was 98% accurate. She pointed out it stated that the Town would be creating blinds for hunters and for bird watchers. She indicated that the Town will not be creating blinds for anyone.

Lansing Star Article on Hunting:

Supervisor Kathy Miller stated that after the article in the Lansing Star on Hunting, Larry Sharpsteen came in her office to discuss the article. She indicated he was very satisfied after the discussion as she had not read the article prior to the visit. The biggest concern at Salt Point during hunting season is to have proper signage installed for walkers.

Connie Wilcox stated what she understands is that the Dan Veener of the Lansing Star is not reporting accurately?

Supervisor Kathy Miller stated that particular article was not accurate. Councilperson Katrina Binkewicz stated that the quotes are accurate as they are taped verbatim, but the article missed the whole context. She had asked the DEC to send various representatives and the article did mention that, but it was about handicapped accessibility, fishing, and biologists to all assess what was going on at Salt Point before the Town went forward with the same management plan concept. She did ask the representative if there was shot gun hunting there and how it should be posted. They have not heard from the DEC but she expects to.

Mr. Brann stated that all hunters are required to take a Hunter Safety Course. The DEC Officials (Conservation Officers) patrol the area during hunting season. Being able to access the land and drive around the perimeter is going to be an issue that the Town Board will have to address. According to the maintenance plan the perimeter road is to be maintained and driven on all year. Councilperson Katrina Binkewicz indicated that they did have a discussion with the DEC on the perimeter road and there will be more discussions going forward.

Gay Nicholson stated that she was the Co-Founder of Friends of Salt Point and they were the first to start the clean up on the property along with the conversation with DEC for a Citizens Group. She is very pleased that Katrina has taken this on.

PARK and RECREATION DEPARTMENT REPORT

Steve Colt informed the Town Board after the article on the Salt Point Hunting appeared, he contacted the DEC and Larry Sharpsteen in regards to hunting at Salt Point. He assured them that it was never an issue or had it been discussed at the Park and Recreation Department level.

Parks & Recreation 10/16/13 Town Board Meeting

RECREATION

- **Our Youth Soccer Program completed** the season last Thursday. It was one of the best seasons ever. We had great volunteer coaches, student players, and parent support. ALSO, the weather was perfect for the entire season. It was and excellent experience this year.
- **Indoor COED Soccer** - With the outdoor season now finished many of our soccer players and others from around the area are now registering for our Indoor Soccer Program that takes place on Friday evenings starting November 1st at "The Field".
- **Football programs ending soon** – Our Flag Football and Small Fry Football teams will be wrapping up their seasons over the next two weeks. We have very healthy numbers in these programs and they are doing well with excellent coaching. Even though our numbers are good, youth football numbers are starting to struggle around the region.

- **Cheerleading fundraising** – Our youth cheerleaders are doing very well and have been able to successfully take advantage of several opportunities to generate funds for their program. Most recently our cheerleaders under the direction of Barb Caulkins did the concessions for the Columbus Day Soccer Tournament that took place here with over 20 teams competing.
- **Equipment is returning now** – As programs end, coaches return their team equipment and we clean it and recondition it where needed and store it. This is also the time of the year when we purchase replacement equipment taking advantage of the end of season pricing.
- **Late Fall and Winter programs** – We are currently accepting registration forms for Basketball, Gymnastics, Bowling, Karate, and Skiing. The Gymnastics program is already sold out and does not start until November 1st.

PARKS

- **The clean up process has started in the parks.** Columbus Day weekend marked the conclusion of this year’s camping season. Additionally, the boat marina and dry dock areas close on November 1st and all boats must be removed by then.
- **Waterlines will be winterized** by mid-November and all picnic tables will soon be stacked under the pavilions.
- **A new stone barrier** has been installed at the entrance area of Myers Park replacing the old rail fence that had become weathered and rotten at ground level. The stone looks good and a more permanent solution.
- **More new trees** are scheduled to be planted later this fall. This is part of the continuing process to replace large old diseased trees with new and different types of trees. Best pricing is now!

SCHEDULE PUBLIC HEARING FOR PROPOSED SPECIAL DISTRICTS BUDGET FOR 2014

RESOLUTION 13-127

RESOLUTION SCHEDULING PUBLIC HEARING FOR THE SPECIAL DISTRICTS PROPOSED BUDGET FOR 2014

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

RESOLVED, that the Town Board of the Town of Lansing has prepared the Assessment Rolls of parcels of land included in the Lansing Consolidated Water Districts, CWD Ext. 1, and CWD Ext. 2 and Lansing Light Districts No. 1, No. 2 and No. 3 and the Lansing Drainage Districts, Pheasant Meadow, Whispering Pines, Lake Forest, Farm Pond Circle and Lansing Sewer Districts, Warren Road and Cherry Road and has apportioned and assessed upon such parcels of land in proportion in the amount of benefits the improvements shall confer upon the same the cost chargeable to said Districts in connection with the construction of Public Water, Lighting, Drainage and Sewer Districts, therein which are payable in the year 2014 and therefore, pursuant to Section 239 of the Town Law, the Town Board shall hold a Public Hearing at the Lansing Town Hall, 29 Auburn Road, Lansing, New York at 6:05 p.m., on the 6th day of November, 2013 to hear and consider any objections which may be made to said roll.

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 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 October 16, 2013.

SCHEDULE PUBLIC HEARING FOR PROPOSED BUDGET FOR 2014

RESOLUTION 13-128

**RESOLUTION SCHEDULING PUBLIC HEARING
FOR THE PRELIMINARY BUDGET FOR 2014**

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

NOTICE IS HEREBY GIVEN, that the preliminary budget of the Town of Lansing, Tompkins County, New York for the fiscal year beginning January 1, 2014 has been completed and filed in the office of the Town Clerk of said Town, where it is available for inspection by any interested persons at all reasonable hours and

FURTHER NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Lansing will meet and review said preliminary budget and hold a Public Hearing thereon at the Lansing Town Hall, 29 Auburn Road, Lansing, New York at 6:10 p.m. on the 6th day of November, 2013 and that at such hearing any person may be heard in favor of or against the preliminary budget as compiled or for or against any items therein contained and

FURTHER NOTICE IS HEREBY GIVEN, pursuant to Section 108 of the Town Law, that the following are proposed yearly salaries of elected Town Officials of this Town:

Supervisor	\$ 30,306.00
Councilperson (4)	
Total	\$ 38,964.00
Each	\$ 9,741.00
Deputy Town Supervisor	\$ 3,313.00
Town Clerk	\$ 41,254.00
Highway Superintendent	\$ 69,360.00
Town Justice (2)	
Total	\$ 34,630.00
Each	\$ 17,315.00

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

Councilperson 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 October 16, 2013.

**CONSIDER RESOLUTION APPROVING THE NYS DEC LICENSE ISSUING
AGREEMENT AND APPOINT AN ASSISTANT LICENSE ISSUING AGENT**

DISCUSSION

Town Clerk and current NYS DEC License Issuing Agent, Debbie Crandall informed the Town Board that she is scheduled for training the first week of December. The new licensing system will not offer multiple packages such as Super Sportsmen or Sportsmen but will all be sold separately. The only change in revenue will be an increase in non-

resident licenses of 5.5%. She stated there is not a lot of commission that is generated. It is a great service to offer our residents and surrounding areas of Genoa, King Ferry, and Ithaca as the clerks there do not sell conservation licenses.

Last years gross sales were \$15,679.00 and the commission was \$782.35. Mrs. Crandall stated that she looks at it as a state mandated process that her office provides. Currently this year the sales are \$15,272.00 with a commission of \$712.75 with six weeks left before the shotgun season. She also indicated that around a quarter of the people that purchase licenses have no charges for their licenses. Anyone that purchased a lifetime license before 2009 receives their tags from the DEC, but they come to the Town Clerk's Office for their booklets and doe permits at no additional charge.

The major change would be that the Town will have to provide their own computer equipment that was previously provided by DEC. The transition to the new system will occur in December 2013.

RESOLUTION 13-129

RESOLUTION APPROVING THE NEW YORK STATE DEC LICENSE ISSUING AGREEMENT AND APPOINT AN ASSISTANT LICENSE ISSUING AGENT

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

WHEREAS, the New York State DEC is authorized by § 11-0713 of the Environmental Conservation Law and applicable rules and regulations to appoint agents to issue licenses for the privilege of hunting and fishing in New York State; and

WHEREAS, the License Issuing Agent has applied to the Department for appointment as such a License Issuing Agent; and

WHEREAS, the Department has determined that the License Issuing Agent is qualified to be appointed as a License Issuing Agent; and

NOW THEREFORE the parties hereto agree as follows:

1. DEFINITIONS

As used in this Agreement, the following terms shall have the meaning provided herein:

License Issuing Agent – shall mean both the *License Issuing Agent* and the *License Issuing Officer* as provided in 6 NYCRR § 177.1 (f) and (g) of the Department regulations and shall also mean the duly appointed owner, municipal clerk, or manager set forth above.

Assistant License Issuing Agent – shall mean the individual appointed by the Licensing Issuing Agent to receive Department sponsored training for the purpose of issuing sportsman licenses and to be the point of contact of any Department inquires.

Approved Location – shall mean the business' or municipality's address as set forth in the beginning of this Agreement.

2. APPOINTMENT

A. The Department hereby appoints the License Issuing Agent and their duly appointed Assistant License Issuing Agent to be an agent issuing hunting, trapping, and fishing licenses at the approved location.

B. The License Issuing Agent for the Town of Lansing shall be Debbie S. Crandall, Town Clerk and she hereby appoints Darlene Marshall, Deputy Town Clerk as the Assistant License Issuing Agent.

3. **DEPARTMENT REPRESENTATIONS**

The Department hereby agrees that it will:

- A. Provide the License Issuing Agent with a license printer (and necessary supplies) at the approved location for the sale and reporting of hunting and fishing licenses and provide necessary support for the printer.
- B. Pay a commission to the License Issuing Agent for each license sold as prescribed in Department laws, rules and regulations.
- C. Provide appropriate training and training materials to the Assistant License Issuing Agent, including a toll free telephone “help desk” service to answer questions and assist with problems.
- D. Provide informational materials for use at the approved location for the License Issuing Agent and their authorized employees to distribute to hunters, anglers, etc., regarding regulatory requirements for all authorized licenses issued.

4. **AGENT REPRESENTATIONS**

The Agent hereby agrees that it will:

- A. Provide authorization attached hereto as Attachment “A” for the Department to access a bank account for electronic fund transfers to pay for all licenses sold. Fund transfers shall be scheduled on a regular basis as determined by the Department.
- B. Provide reasonable and necessary security to protect equipment and supplies from damage and unauthorized use.
- C. Ensure that all Department license issuing equipment is maintained in good working condition and returned to the Department when license sales are no longer provided at the approved location.
- D. Pay all amounts due to the Department. Failure to maintain an adequate balance in the License Issuing Agent’s account may result in immediate termination of this Agreement.
- E. The License Issuing Agent must provide a compatible computer system including a plain paper printer and access to the internet at no charge to the Department.
- F. The License Issuing Agent agrees that it will indemnify and save harmless the Department and the State of New York from and against all losses from claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against it in a court of competent jurisdiction, to the extent such loss is attributable to a negligent omission or tortuous act of the License Issuing Agent, its agents or employees in the performance of this Agreement.
- G. The License Issuing Agent is solely responsible for the supervision and direction of the performance of this Agreement by the Assistant License Issuing Agent and other authorized license issuing employees other than as specifically provided herein.

5. **AGENT RESPONSIBILITY**

- A. General Responsibility: The License Issuing Agent shall at all times during the Agreement term remain responsible. The License Issuing Agent agrees, if requested by the Commissioner or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

B. Suspension of Work (for Non-Responsibility): The Commissioner or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Agreement, at any time, when he or she discovers information that calls into question the responsibility of the License Issuing Agent. In the event of such suspension, the License Issuing Agent will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the License Issuing Agent must comply with the terms of the suspension order. Agreement activity may resume at such time as the Commissioner or his or her designee issues a written notice authorizing a resumption of performance under the Agreement.

6. **LICENSE ISSUING CONDITIONS**

A. All licenses authorized to be sold pursuant to this Agreement may only be sold by the Assistant License Issuing Agent or authorized employees of the License Issuing Agent at the approved location set forth in this Agreement.

B. All employees authorized to issue licenses by the License Issuing Agent pursuant to paragraph "A" of this section, shall be appropriately trained in the use of the license issuing system by the Assistant License Issuing Agent prior to using the issuance system.

C. The Assistant License Issuing Agent must receive recurring training sponsored by the Department at least once every three years or sooner as circumstances warrant as determined by the Department.

D. The License Issuing Agent and its employees who are authorized to issue licenses pursuant to this Agreement must abide by the New York State Regulations 6 NYRRP Part 177 (www.dec.ny.gov/regs/3936.mtml) and 6 NYCRR Part 183 (www.dec.ny.gov/regs/3931.html).

E. All personal data provided by customers shall be kept confidential to the extent required by Law.

F. All documents considered returnable documents as well as all voided licenses for which credit is requested must be returned to the Department within one month of the transaction.

G. All funds received from the sale of licenses, less the commission fee established by the Department, will be held in trust for the Department. Monies collected from the sale of licenses are Department funds and any other use of such funds is prohibited. The License Issuing Agent accepts the responsibility and duties of trustee for all funds collected for the benefit of the Department under this Agreement.

H. No license may be sold for a fee in excess of or less than the amount established by the Department.

I. The complete catalog of sportsman licenses must be available for sale at the License Issuing Agent's approved location as designated in this Agreement.

7. **USE OF EQUIPMENT AND SUPPLIES**

A. Supplies and equipment assigned to the License Issuing Agent for the printing of licenses are to be used for that purpose only, unless prior approval for such use is provided by the Department. Equipment is not transferable to other license issuing agent locations.

B. In the event that defective equipment is replaced, the License Issuing Agent shall return the defective equipment immediately to the specified repair center. The License Issuing Agent shall pay for any such equipment not returned, or equipment that shows obvious abuse. Failure to remit payment for abused or unreturned equipment may result in the immediate termination of this Agreement.

8. **CHANGE IN OWNERSHIP**

In the event of a change in ownership of the License Issuing Agent's business, the Department must be notified 30 days in advance of any such change, and this Agreement becomes immediately terminated at the time of such change in ownership. At the time of termination, all Department-provided licensing equipment must be returned to the Department or the Department's representative. The License Issuing Agent's appointment is not transferable and shall apply only to the License Issuing Agent's appointment to sell hunting and fishing licenses.

9. **CHANGE IN MUNICIPAL CLERK**

In the event of a change in municipal clerk from that who entered into this Agreement, the Department must be notified within 30 days of such change and this Agreement will become void at the time of such change. To avoid a disruption in service, a new Agreement should be submitted in advance of such change signed by the new municipal clerk. If the municipality intends to submit a new Agreement, Department-provided equipment does not need to be returned.

10. **COMPLIANCE INSPECTIONS**

The Department reserves the right to inspect the approved location for the purpose of determining compliance with this Agreement.

11. **TERMINATION**

In addition to any termination event appearing elsewhere in this Agreement, or provided in the applicable Department regulations, the following shall apply:

A. This Agreement may be terminated for cause if the Department determines that any false statements or omissions were made on the License Issuing Agent's application.

B. This Agreement may be terminated for cause for failure to comply with the terms of the Agreement at any or all approved locations at any time by the Department.

C. Either party may terminate this Agreement for convenience by 15 days written notice to the other party.

D. In the event of termination of this Agreement, the License Issuing Agent shall pay for all licenses sold and not previously paid for and return all equipment and supplies to the Department within 30 days of such termination.

E. Termination for Non-Responsibility: Upon written notice to the License Issuing Agent, and a reasonable opportunity to be heard with appropriate Department officials or staff, the Agreement may be terminated by the Commissioner or his or her designee at the License Issuing Agent's expense where the License Issuing Agent is determined by the Commissioner or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

F. In the event of a change in the appointment of the Assistant License Issuing Agent, the License Issuing Agent shall notify the Department of such change within 15 business days by submitting to the Department a completed revised License Issuing Agent Application Form attached hereto as Attachment "B" which shall provide, among other things, the name and title of the newly appointed Assistant Licensing Issuing Agent. In the Department's sole discretion, this agreement may be suspended or terminated in the event the Department is not notified of any change in appointment of the Assistant License Issuing Agent as provided herein.

12. **TERM**

This Agreement shall remain in effect from the date execution until such termination.

13. **APPLICABLE LAWS**

A. This Agreement shall be governed by the laws of the State of New York.

B. All licenses shall be issued in accordance with the provisions of the New York Codes, Rules and Regulations of the State of New York (<http://www.dec.ny.gov/regs/2494.html>) and New York State Law and the policies and procedures of the Department.

14. **TOTAL AGREEMENT**

This Agreement together with any laws, documents and instruments herein referenced, shall constitute the entire agreement and any previous communication pertaining to this Agreement is hereby superseded.

15. **CONTRACT AMENDMENT**

Any agreement revisions, including payment adjustments or time extensions, shall be made by a written amendment to the agreement, signed by both parties.

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

RESOLVED, that Debbie S. Crandall, Town Clerk as the License Issuing Agent for the Town of Lansing, Tompkins County, New York is hereby authorized to execute the New York State Department of Environmental Conservation (DEC) License Issuing Agent Agreement and file it with the Game Management, NYS DEC, 625 Broadway, Albany, NY 12214-0334; and it is further

RESOLVED, that the License Issuing Agent attend the required training that is needed for the privilege to sell licenses on December 2, 2013 at the Hilton Garden Inn, 130 E Seneca Street, Ithaca, New York from 8:30 a.m. to 3:30 p.m.; and it is further

RESOLVED, that the License Issuing Agent hereby appoints Darlene Marshall, Deputy Town Clerk as the Assistant License Issuing Agent.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Ruth Hopkins, 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 October 16, 2013.

CONSIDER RESOLUTION IN SUPPORTING COMPLETION AND CONTINUING THE 2014-2015 MANAGEMENT PLAN GOALS FOR SALT POINT LAND

DISCUSSION

Councilperson Katrina Binkewicz requested the following resolution supporting completion and continuing work at Salt Point. She discussed the 2014-2015 Management Plan Goals. She indicated that she did not want to write any grants unless she has the support of the Town Board as it takes a lot of time and effort along with being granted money and not having it used.

The resolution was made by Councilperson Katrina Binkewicz and seconded by Supervisor Kathy Miller.

Discussion followed in regards to the requested resolution and the land at Salt Point along with the Eagle Scout projects. Councilperson Edward LaVigne questioned the need for a resolution to complete the process. Parks and Recreation Director Steve Colt indicated that Eagle Scout projects are usually handled through his office. After discussions continued it was the consensus of the Town Board to postpone the resolution request until after the meeting with the DEC. The resolution could be updated and considered at the next regular meeting.

RESOLUTION 13-TABLED

RESOLUTION SUPPORTING COMPLETION AND CONTINUING THE 2014 – 2015 MANAGEMENT PLAN GOALS ON SALT POINT LAND

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

WHEREAS, Councilperson, Katrina Binkewicz, is requesting a Resolution of the Town of Lansing Town Board in support of the completion and continuing the 2014 – 2015 Management Plan Goals on Salt Point Land; and

WHEREAS, the Town of Lansing is adhering to the specifics of the DEC Lease Agreement and Management Plan by maintaining a vehicle free area and improving the wildlife habitat; and

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Lansing hereby agrees to support the following:

SALT POINT MANAGEMENT PLAN GOALS 2014-2015:

1. Maintaining the Vehicle Free Area
2. The New Interior Trails that will have Nesting Boxes
3. Blue Bird Boxes in the meadow
4. Small Picnic Area at North overlook – Eagle Scout Project 2014
5. Proposed Trail with Boardwalk – Eagle Scout Project 2014 or 2015
6. Proposed Hill Trail with Benches – Eagle Scout Project 2015
7. Education Kiosk – 2 Panel (One for Natural History – Developed by Cayuga Bird Club, the other for Industrial History – Developed by Louise Bement)
8. Grant Writing Projects:
 - Kiosk – 2014
 - Handicapped Bathroom Facility (Deadline for Tourism Grants is February) 2014
 - Handicapped Accessible Fishing Pier and Boardwalk to Beach from North Picnic Area – 2015
 - Aesthetic Vehicle Barriers – 2015/16?

Note: The grant projects for bathroom and pier would only occur with DEC support. A meeting with the DEC (Syracuse & Cortland reps) is scheduled at the end of October 2013.

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

Councilperson Katrina Binkewicz
 Councilperson Ruth Hopkins
 Supervisor Kathy Miller

Councilperson Robert Cree
 Councilperson Edward LaVigne

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on October 16, 2013.

APPROVE AUDIT and BUDGET MODIFICATIONS

RESOLUTION 13-130

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

CONSOLIDATED ABSTRACT # 010
 DATED 10/16/13

AUDITED VOUCHER #'s	<u>1048 - 1136</u>
PREPAY VOUCHER #'s	<u>1048 - 1048</u>
AUDITED T & A VOUCHER #'s	<u>78 - 89</u>
PREPAY T & A VOUCHER #'s	<u>78 - 78</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>65,488.36</u>
HIGHWAY FUND (DA&DB)	\$ <u>62,951.33</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,423.55</u>
LANSING WATER DISTRICTS (SW)	\$ <u>8,357.63</u>
TRUST & AGENCY (TA)	\$ <u>32,827.02</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>157.18</u>
DEBT SERVICE (V)	\$ <u>0.00</u>

BUDGET MODIFICATIONS
GENERAL FUND A
10/16/2013 Board Meeting

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A1420.400	FROM CONTINGENCY TO ATTORNEY - CONTRACTUAL UNANTICIPATED LEGAL SERVICES	3,019.18
A1440.406	A1440.402	FROM ENGINEERING MISC WATER EXT TO STORM WATER P&M UNANTICIPATED ENGINEERING EXPENSES	1,483.85
A1620.405	A1620.403	FROM BUILDING REPAIRS TO TOWN HALL ELECTRIC UNDER ESTIMATED ELECTRIC EXPENSE	852.72
A1990.400	A1620.404	FROM CONTINGENCY TO BUILDING- TELEPHONE UNDER ESTIMATED TELEPHONE EXPENSE	222.94

A1990.400	A1630.403	FROM CONTINGENCY TO COMMUNITY CENTER - ELECTRIC UNDER ESTIMATED ELECTRIC EXPENSE	164.99
A1990.400	A1640.403	FROM CONTINGENCY TO TOWN BARN STORAGE - ELECTRIC UNDER ESTIMATED ELECTRIC EXPENSE	61.09
A1990.400	A5182.403	FROM CONTINGENCY TO STREET LIGHTING - CONTRACTUAL UNDER ESTIMATED ELECTRIC EXPENSE	41.00
A1990.400	A7110.403	FROM CONTINGENCY TO PARKS - ELECTRIC UNDER ESTIMATED ELECTRIC EXPENSE	1329.20

**BUDGET MODIFICATIONS
GENERAL FUND B
10/16/2013 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B599	B8020.430	FROM FUND BALANCE TO COMP PLAN UPDATE PER MARCH 2013 TB AUTHORIZATION	12,000.00
B599	B8010.400	FROM FUND BALANCE TO ZONING - CONTRACTUAL UNDER ESTIMATED EXPENSES	283.36
B599	B8010.402	FROM FUND BALANCE TO ZONING - LEGAL SERVICES UNDER ESTIMATED LEGAL SERVICES	2,313.75

**BUDGET MODIFICATIONS
HIGHWAY DA
10/16/2013 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DA511	DA5130.200R	FROM APPR RES TO MAC EQU RES PURCHASE	24,820.00
DA511	DA5130.200R	FROM APPR RES TO MAC EQU RES PURCHASE	24,897.00
DA511	DA5130.200R	FROM APPR RES TO MAC EQU RES PURCHASE	119,654.00

**BUDGET MODIFICATIONS
LANSING WATER DISTRICTS
10/16/2013 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW1990.400	SW8310.401	FROM CONTINGENCY TO WATER ADMIN - ENGINEER UNDER ESTIMATED ENGINEERING SERVICES	7,335.10

Councilperson Katrina Binkewicz 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 October 16, 2013.

BOARD MEMBER REPORTS

Katrina Binkewicz - No Report

Edward LaVigne – No Report

Ruth Hopkins – Suggested holding an Open Forum on the proposed 2014 Budget. Consensus of the Town Board was to hold the Public Informational Budget Forum on October 30th, 2013, Wednesday at 6:30 p.m. at the Lansing Town Hall Board Room, 29 Auburn Rd.

Robert Cree – Attended the Woodsedge Ribbon Cutting Celebration & Dedication of the New Elevator on September 28th. He thanked the LHA Board for all of their continued dedication and work.

Kathy Miller – Bolton Point has finished their budget and set the 2014 water rate.

Monthly Report

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

TOWN COUNSEL REPORT – The Robinson Road matter will be heard by the fourth department next Thursday.

Meeting adjourned at the call of the Supervisor at 7:25 p.m.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall