

**REGULAR TOWN BOARD MEETING**  
**February 26, 2014**

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 Darlene Marshall, Deputy Town Clerk, showed the following to be

**PRESENT:**

Kathy Miller, Supervisor	Robert Cree, Councilperson
Doug Dake, Councilperson	Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson	

**ABSENT:** None

**ALSO PRESENT:** Sharon Butler Bowman, Deputy Supervisor, Guy Krogh, Town Attorney, Jack French, Highway Superintendent, Mike Sigler, Tompkins County Representative, John O'Neill, Village of Lansing, Dan Veaner, Lansing Star, Ted Laux, Steve Smith, Pat Pryor, Carl Zifchock, Deborah Trumbull, Douglas Milliman, Kristie Oplinger, Dave and Joyce Heck, Glynis Hart, Lansing Ledger, Bill Chaisson, Ithaca Times, Claes Nyberg, Susan Miller, C. Iacobucci, Craig Christopher, Gary Tyrrell, Ed Wagner, Suzanne Hinderliter, and a few other attendees.

**MOTION TO OPEN SECOND PUBLIC HEARING ON PROPOSED LOCAL LAW #1 OF 2014 (SIGN LAW)**

Supervisor Kathy Miller moved to **OPEN THE SECOND PUBLIC HEARING ON PROPOSED LOCAL LAW #1 OF 2014 (SIGN LAW)** at 6:05 pm. Councilperson Robert Cree seconded the motion.

All In Favor - 5                      Opposed - 0

One attendee addressed the Town Board regarding the Proposed Local Law #1 of 2014.

**Paul Simonet, Park Outdoor** – Opposed

Lynn Day Code, Enforcement Officer indicated that he would like to work with the Local Law for a year and then make revisions if needed. He also indicated that a Special Use Permit goes to the Planning Board with recommendations to the Town Board.

Councilperson Edward LaVigne asked if changing the requirement from an Area Variance to a Special Use Permit for Off-Premises Signs would be a minor change that could happen tonight.

Attorney Guy Krogh indicated that it would not be a minor change as the entire internal administrative structure would be changed. It would be changing from a variance and waiver process to a special permit process. There are different conditions for each special permit. He is not sure if the Zoning Ordinance currently has any of the conditions that would guide the process of issuing a special permit. They would probably need to be in this Local Law. The changes may be very simple but it would be an administrative change.

Councilperson Edward LaVigne indicated that he would like to look at this again in September.

Councilperson Robert Cree indicated that Code Enforcement Officer Lynn Day had requested to work with the Local Law for a year and then make changes if needed.

Supervisor Kathy Miller indicated that she would like to see the Comprehensive Plan finished, which will contain citizens' comments, before this is addressed again.

**MOTION TO CLOSE SECOND PUBLIC HEARING ON PROPOSED LOCAL LAW #1 OF 2014 (SIGN LAW)**

All persons desiring to be heard, having been heard, Supervisor Kathy Miller moved to **CLOSE THE SECOND PUBLIC HEARING ON PROPOSED LOCAL LAW #1 OF 2014 (SIGN LAW)** at 6:21 pm. Councilperson Doug Duke seconded the motion.  
All In Favor - 5                      Opposed - 0

**CONSIDER RESOLUTION ADOPTING LOCAL LAW #1 OF 2014 (SIGN LAW)**

**DISCUSSION**

Councilperson Edward LaVigne asked if all existing signs were grandfathered.

Supervisor Kathy Miller indicated all existing signs were grandfathered.

**RESOLUTION 14-52**

**RESOLUTION ADOPTING LOCAL LAW NUMBER 1 OF 2014 –  
THE TOWN OF LANSING SIGN LOCAL LAW**

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

WHEREAS, the Town had directed its Ordinance Committee to develop, with input from the Town Board, the Planning Board, and the public, proposed regulations for certain signs within the Town of Lansing, in part due to the need to replace an ordinance that had been repealed and to update and modernize the regulatory scheme for signage within the Town, taking into due account the purposes of zoning and the Town's Comprehensive Plan; and

WHEREAS, among other things, the said Local Law under consideration proposes to: (i) regulate but permit the identification of businesses and important local facilities and buildings, while preserving and enhancing the visual quality of the Town and the safety of vehicular and pedestrian traffic; (ii) define certain terms, such as types of sign districts, types of signs, planned sign areas, the scope of review for certain signs, and permit and variance processes and procedures for sign emplacement; (iii) to provide for categories of exempt signs that require neither a permit nor review; (iv) to provide general rules of applicability for all signs; (v) to set forth particular maximum signage limits for residential, commercial, and agricultural areas within the Town; (vi) to provide for flexibility through planned sign areas; (vii) to address lawful pre-existing non-conforming signs and allow their continuance and provide for their discontinuance in certain circumstances; (viii) to delineate the processes and procedures for issuance of sign permits, site plan approvals, and the enforcement of such Local Law; (ix) to set forth sign maintenance requirements; (x) to provide a process for the interpretation and application of the Local Law, including rights of appeal and the right to seek variances; (xi) and to specify an immediate effective date for such Local Law; and

WHEREAS, a public hearing was held upon January 15, 2014, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, and as a result of public comments received, the Town Board decided to reconsider some of the terms and procedures of such Local Law; and

WHEREAS, an amended Local Law has been created that has some changes, including changes to certain sign requirements in certain locations, ensuring that certain large billboards as now exist acquire grandfathering rights akin to other non-conforming signs, changing permitted hours of illumination for lighted signs, adding a maximum intensity measurement for illuminated signs, and making minor adjustments in terms to conform language to definitions; and

WHEREAS, the Town Board, as lead agency for environmental review pursuant to SEQRA, has determined that such changes are not material and do not cause any increase in the likelihood of occurrence or the intensity of any potential impacts and, in fact,

reduce overall environmental impacts, such that no supplemental SEQRA review is mandated or required; and

WHEREAS, the changes, in total, are minor and do not create or foster conditions whereby any negative county wide inter-municipal impacts would or could occur, such that no further GML Section 239 review is mandated or required; and

WHEREAS, a further Public Hearing was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, on the 26th day of February, 2014, at 6:05 pm, to consider the adoption of proposed Local Law #1 of 2014, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and

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

RESOLVED, that Local Law Number 1 of 2014, as amended, be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted”; and it is further

RESOLVED, that in accord with §21 of the Municipal Home Rule Law, the final adopted version of this Local Law shall be presented to the Supervisor for approval; and it is further

RESOLVED, that upon such approval by the Supervisor (of other approval occurring pursuant to said §21 of the Municipal Home Rule Law), and within 20 days after the final adoption of this Local Law, the Town Clerk shall file a certified copy of this Local Law, together with the required certifications, if any, as follows: (i) in the Office of the Town Clerk; and (ii) with the New York State Secretary of State as required by Municipal Home Rule Law §27 (said filing may be made by delivery to the State Records and Law Bureau, Department of State, 41 State Street, Albany, New York 12231).

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

Councilperson Robert Cree - Aye	Councilperson Doug Dake - Aye
Councilperson Ruth Hopkins - Aye	Councilperson Edward LaVigne - Aye
Supervisor Kathy Miller - Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 26, 2014.

**TOWN OF LANSING SIGN LOCAL LAW  
TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK  
LOCAL LAW NUMBER 1 of 2014**

The Town Board of the Town of Lansing, Tompkins County, New York, pursuant to a Resolution date February 26, 2014, does hereby adopt and enact Local Law #1 of 2014, and thus **be it enacted by the Town Board of the Town of Lansing as follows:**

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**Article I - Title.**

Local Law #1 of 2014 shall be known as the “Sign Law” of the Town of Lansing (hereinafter the, or this, “Local Law”).

**Article II - Purpose.**

The intent and purpose of this Local Law is to establish specifications, procedures, and rules for Signs in the Town of Lansing, excluding the Village of Lansing. Compliance with these regulations will permit proper identifications of businesses and important local facilities and buildings, preserve and enhance the visual quality of the area, and prevent installations which are particularly distracting and hazardous to vehicular or pedestrian traffic.

**Article III - Definitions.**

**Agricultural Sign District** - The R-3 and RA land use area classifications as established and mapped in and by the Town of Lansing Land Use Ordinance.

**Banner** - A type of flag, not an emblem of a government or institution, with graphics that are purely decorative or that identify, advertise, or convey commercial information.

**Billboard or Off-Premises Sign**- Any outdoor Sign that directs attention to a business, commodity, activity, service, or product not conducted, sold, or offered upon the Premises where such Sign is located.

**Commercial Activity** - An establishment, activity, or use that provides goods, merchandise, services, resources, or entertainment to the general public for gain.

**Commercial Sign District** - The B-1, B-2, and IR land use area classifications as established and mapped in and by the Town of Lansing Land Use Ordinance.

**Dark Sky** - Refers to the “Dark Sky Standards” for lighting and luminaires, generally designed to provide for glare-free, downward directed, and shielded lighting as promotes the “Dark Sky” standards of the International Dark-Sky Association (“IDA”), Tucson, Arizona, including, for example, meeting the goals and standards expressed in the “Outdoor Lighting Ordinance and Community Standards” Information Sheet #172, and the IDA “Outdoor Lighting Code Handbook.”

**Exempt Sign** - A Sign which may be erected or placed without a Sign Permit or a Site Plan Review under the provisions of this Local Law.

**Freestanding Sign** - Any Sign or Sign structure not attached to the exterior of a building.

**Electronic Message Display Sign** - A Sign that utilizes computer generated data or some other electronic means to display messages through the use of light, including through flashing, intermittent, rotating, or moving light, or light that has the appearance of flashing, moving, or Scrolling. Common examples would be LCD and LED signage.

**Enforcement Officer** - The Town Code Enforcement Officer, the Town Building Inspector, and any other person appointed by the Town Board to represent the Town in particular matters pertaining to this Local Law.

**Illuminated Sign** - Any Sign illuminated, spotlighted, or lit by electricity, gas, or other artificial or concentrated light source, including, but not limited to, reflective, luminescent, or phosphorescent light, whether originating from outside the body of the Sign or from within or behind it. Illuminated Signs shall include Electronic Message Display Signs.

**Institution** - An organization established to serve a social, educational, or religious purpose. Common examples would be hospitals, schools, or churches.

**Nonconforming Sign** - A lawfully existing Sign as of the effective date of adoption of this Local Law, or any subsequent amendment hereto, that does not conform to the requirements of this Local Law; but not including Off-Premises Signs.

**Off-Premises Sign** - See definition under "Billboard," above.

**On-Premises Sign** - A Sign related to any activity, business, profession, service, or commodity provided, sold, or offered upon the Premises where such Sign is located.

**Planning Board** - The Planning Board of the Town.

**Political Sign** - A Sign which:

- A. Advertises, supports, or opposes any one or more persons for public elective offices or a political party;
- B. Expresses an opinion upon, or urges a particular vote or action upon, a social, political, or public issue.
- C. Conveys one's views on worship, ethics, philosophy of life, or similar beliefs.

**Planned Sign Area** - A geographical unit in which a coordinated design for visual communication is approved through a Site Plan Review process, consisting mainly of a sign development plan.

**Portable or Mobile Sign** - Any Sign or Sign structure not permanently affixed to the ground or to the exterior of a Building. A common example includes a Temporary Sign mounted upon a trailer.

**Premises** - A lot or parcel identified as a tax map parcel by the Tompkins County Assessment Department that is located in the Town. Where any land

use spans multiple tax parcels, then all such parcels shall here be deemed one "Premises."

**Residential Based Business** (including a Home Business or Occupation) - Any lawful or permitted Business activity customarily conducted entirely within a dwelling or structure accessory to a dwelling.

**Residential Sign District** - The R-1, R-2, and L-1 land use area classifications as established and mapped in and by the Town of Lansing Land Use Ordinance.

**Public Right-of-Way** - Shall mean each, every, and all public streets, public sidewalks, public roads, public alleys, and public highways within the Town that are Town highways by use, highways by dedication, and/or highways by prescription or implication, including the paved or finished surfaces thereof, all governmental signage, all ditches, culverts, drains and drainage ways, all utility and similar structures and appurtenances, and all land, improved or otherwise, within the bounds of the highway rights-of-way.

**Scrolling** - To cause displayed text, graphics, or light to move or appear to move up, down, or across the screen or the face of the Sign.

**Sign** - A device for visual communication publicly displayed to identify, advertise, or convey information. The term "Sign" includes the Sign's frame, border, base, pole, stand, and any other portion of the structure supporting the Sign; however, for purposes of Sign Square Footage Calculations only the Sign and its frame or border shall be counted. "Signs" also include all types of Signs whenever the Sign is placed in view of the general public including, but not limited to, Sign boards, Billboards, Banners, painted wall Signs, hanging Signs, Illuminated Signs, ground and free-standing Signs, and any announcements, declarations, demonstrational materials, displays, illustrations, posters, or insignia used to advertise or promote the interests of any person or Commercial Activity, whether or not related and unrelated to a Commercial Activity or to a commodity or service sold or offered upon the Premises where such Sign is located.

**Site Plan Review** - Refers to site planning standards as contained in the Town Land Use Ordinance, including, where applicable, review and approval by the Planning Board.

**Sign Development Plan** - A collection of drawings and written statements describing all pertinent details of Signs and related features included in a Planned Sign Area.

**Sign Permit** - A permit to erect, install, build, place, emplace, site, or substantially rebuild or repair any Sign.

**Sign Square Footage Calculation** - Refers to a method of calculating the measurements, dimensions, and geometric area of a Sign pursuant to basic mathematical rules reasonably applied, as follows: (i) if a Sign is irregular in shape or consists of independent or detached letters or symbols, the area of said Sign shall be determined by measuring the area within a regular simple polygon completely enclosing the Sign or enclosing such independent or detached letters or symbols as they are intended to be installed; (ii) if a Sign is regular in shape, by measuring the surface area of the Sign, including its frame(s) and border(s); (iii) all square footage limitations and similar dimensional rules and regulations herein are to be measured upon and in relation a single face of the Sign if the Sign has two basic display sides;

and/or (iv) if a Sign has more than 2 display sides or surfaces, then the Enforcement Officer shall determine and calculate the total dimensions of the Sign by calculating the sum of all display sides or faces unless, in the reasonable determination of the Enforcement Officer, one or more display sides or faces are *de minimus* and should not be counted in calculating the Sign Square Footage Calculation (an example would be a standard 2-sided rectangular sign with printing upon the frame of the Sign).

**Temporary Signs** - A Sign limited to a period of use not to exceed 30 days, or such other period of time as allowed by this Local Law (e.g., construction Signs). Common examples include construction Signs, for sale Signs, portable Signs, banners, flags, pennants, ribbons, streamers, and fluttering or revolving devices, usually intended to draw attention to a new Commercial Activity, a sale, a new product or service release, an activity temporary in nature, etc.

**Town** - The Town of Lansing, Tompkins County, New York, and each and all of its officers, employees, and agents.

**Variance** - A departure from the rules, terms, or requirements of this Local Law when duly authorized by the Zoning Board of Appeals, usually arising from practical difficulty or unnecessary and undue hardship peculiar to an individual situation which is not the result of the actions of the applicant. For this purpose, the definitions and standards of both use variances and area variances shall apply as set forth in, and construed under, Town Law §§ 267-a and 267-b.

**Wayfaring Signs** - A free-standing, off-premise Sign, but not an Illuminated Sign, that includes a community welcome message or logo and individual placards displaying directional information for business establishments and public places to assist travelers in finding local businesses, services, and sites.

#### **Article IV - Exempt Signs.**

Except as to Articles V and XII and any enforcement rights or powers as set forth below, certain Signs are exempt from this Local Law and do not require a Sign Permit or any Site Plan Review when: (i) they meet the standards below or are classified by the Enforcement Officer as an Exempt Sign; (ii) such Signs are not Illuminated Signs; and (iii) such Sign(s) comply with the following listed conditions, regulations, and restrictions, if and as applicable:

- A. Tourist-oriented Signs and directional and informational Signs, which may not exceed 6 ft<sup>2</sup>. Common examples include wine trail Signs, historical Signs, and Cayuga Scenic Trail Signs. The Enforcement Officer shall reasonably determine whether a Sign constitutes or qualifies as a tourist-oriented or directional and informational Sign and, for this purpose, any design, logo, name, or trademark of or referencing any Commercial Activity shall be an indication that the Sign is not a tourist-oriented or directional and informational Sign, but such factor alone shall not be determinative of such question.
- B. Construction project Signs, where: (i) such Sign does not exceed 32 ft<sup>2</sup> in Commercial Sign Districts or 12 ft<sup>2</sup> in any other districts; and (ii) such Sign is a Temporary Sign or is removed within 30 days of substantial completion of the project or the issuance of a certificate of occupancy, whichever shall first occur.

- C. Signs advertising the sale, lease, or rental of the Premises, where (i) the Sign is an On-Premises Sign; (ii) such Sign does exceed 32 ft<sup>2</sup> in Commercial Sign Districts or 9 ft<sup>2</sup> in any other districts; (iii) such Sign is a Temporary Sign or is removed within 30 days after the sale, lease, or rental of the Premises.
- D. Temporary Signs, including banners, flags, pennants, streamers, ribbons, and Mobile or Portable Signs are allowed where: (i) such Signs, in total area, do not exceed 16 ft<sup>2</sup>; (ii) such Signs are not emplaced for more than 30 days; and (iii) such Signs shall be and are removed within seven days from the end of the event, and/or are not re-emplaced within 30 days of their removal, whether in the same or any other nearby location.
- E. Political Signs are allowed whenever they do not exceed 32 ft<sup>2</sup> in all Sign districts.
- F. Signs erected and maintained by any governmental agency pursuant to and in discharge of any governmental function or any Sign that is required by any law, ordinance, or governmental regulation;
- G. Any flags, emblems, or symbols of a nation or a governmental body or school;
- H. Memorial tablets or historical markers erected by any governmental agency;
- I. Signs or Temporary Signs erected or emplaced for public safety, when in the discretion of the Enforcement Officer such Signs are allowed or are necessary for public safety or regulating pedestrian or vehicular traffic;
- J. Signs or decorations emplaced in celebration of national holidays, generally recognized days of observance, or significant local, regional, or national events, provided that they do not constitute a public nuisance or hazard and do not contain names, trademarks, or logos relating to any Commercial Activity.
- K. Traditional residential accessory Signs. Common examples of such Signs include Signs promoting a favorite college, university, or team, Temporary Signs portraying household or neighborhood events, or Signs displaying a historical location or family crest.
- L. Wayfaring Signs, where:
  1. Such Wayfaring Signs are owned, installed, and maintained by the Town or a governmental authority granted a Sign Permit by the Town.
  2. The location of Wayfaring Signs shall be determined by the Town Board and should be located at or near appropriate intersections.
  3. The maximum size of Wayfaring Signs shall be determined by the Town Board upon a case-by-case basis.
  4. Each Wayfaring Sign shall incorporate a Town of Lansing logo or welcoming message, as determined by the Town Board, and each

placard placed on the Wayfaring Sign shall be reasonably identical in size, style, color, and design.

5. Wayfaring Signs shall be located so as not to impede vehicular sight distances and shall be designed and constructed to minimize maintenance.
6. Wayfaring Signs will, to the extent practical, be located in a public right-of-way or on public property, subject to any necessary approvals or permits from the applicable government with jurisdiction. If the Wayfaring Sign is to be located upon private property, appropriate permission or a license or easement shall be obtained from the property owner(s).

If any Sign listed or referenced above exceeds any conditions or limitations stated above, then each such Sign shall require a Sign Permit or Site Plan Review as elsewhere required by this Local Law.

#### **Article V - Rules of General Applicability for all Signs.**

- A. All non-exempt Signs shall require a Sign Permit. Where and whenever required by this Local Law or by any determination or opinion of the Enforcement Officer, certain Signs may also be subject to Site Plan Review.
- B. All Sign Square Footage Calculations and all numerical, dimensional, and area references in this Local Law shall apply to each Sign; and all non-Temporary Signs collectively shall not exceed any numerical, dimensional, or area references as stated in this Local Law. However, when Sign Square Footage Calculations are applied to Temporary Signs, existing lawful Signs and their Sign Square Footage Calculations shall be excluded. Thus, and by way of example and not limitation, if Joe's Auto Dealership has a permitted Sign at the maximum Sign Square Footage Calculation for its Premises and wants to place Banners to advertise a weekend car sale, such Dealership would be limited to a maximum amount of Temporary Sign(s) square footage as based upon the maximum allowable signage for the Premises upon which the Dealership is located, without regard to, or any reduction for, the existing and lawful non-Temporary Signs upon such Premises.
- C. The following regulations shall apply to all Illuminated Signs:
  1. Illuminated Signs shall not be lit or illuminated from one hour after sunset until sunrise each day; except that business identification Signs may remain lit or illuminated during normal business hours.
  2. The illumination of any Sign shall employ only light emitting a constant intensity, shall comply to the reasonable extent possible with Dark Sky requirements, and shall not emit a light exceeding 0.3 foot candles measured at night.
  3. No Illuminated Sign shall contain flashing, intermittent, rotating, or moving light, or may otherwise have the appearance of flashing, moving, or Scrolling, however the overall static image may periodically change, but no more frequently than every fifteen seconds.

4. In no event shall an Illuminated Sign be placed, or its light directed, so that the illumination is: (i) directed upward; (ii) directed at or upon any Public Right-of-Way in any manner which may be reasonably expected to cause, create, or contribute to glare or distracting reflected light; (iii) directed at or upon any adjacent occupied building or structure in any manner which may be reasonably expected to cause, create, or contribute to glare or distracting reflected light. The Enforcement Officer shall reasonably determine whether any Illuminated Sign causes, creates, or contributes to glare or any distracting reflected light as such terms are used in this subsection. In making any such determination the Enforcement Officer may employ Dark Sky standards.
  5. All Illuminated Signs shall be subject to Site Plan Review.
- D. Electronic Message Display Signs are allowed only in Commercial Sign Districts and all such Signs shall be subject to Site Plan Review.
  - E. Except for Wayfaring Signs issued pursuant to a Sign Permit, no Billboards or Off-Premises Signs are permitted or allowed in any Sign district or area of the Town without a use Variance.
  - F. Except for Wayfaring Signs, or unless otherwise allowed by this Local Law, or unless a permit therefor has been obtained by any governmental or public authorities having jurisdiction over such Public Right-of-Way, no Signs may be located within any Public Right-of-Way unless approved through a Site Plan Review process or pursuant to a Variance. Any Sign located within such Public Right-of-Way shall require permission or permits from any governmental or public authorities having jurisdiction over such Public Right-of-Way.
  - G. No freestanding Sign for Residential Based Businesses located within a Residential Sign District shall exceed 9' in height. No other freestanding Sign shall exceed 15' in height. Signs located or mounted upon the exterior of any building or structure shall not extend above the fascia or be mounted on the roof.
  - H. No Planned Sign Area may be sited within any Residential Sign District.
  - I. Unless expressly otherwise permitted by this Local Law, a Variance is granted, or unless within a Planned Sign Area: (i) for all Commercial Activity Signs and other commercial and business Signs, no more than 2 Signs shall be allowed per each Premises and the area of each such Sign shall not exceed the maximum allowed area for each such Sign as based upon its use and location and the requirements of this Local Law; and (ii) only one Residential Based Business Sign is allowed per each Premises upon which a residential business (or home occupation) is located.
  - J. The failure to timely comply with any conditions stated in any Site Plan Review approval, any Variance, or upon any Sign Permit shall be deemed a violation of this Local Law.

#### **Article VI - Rules Applicable to Residential Sign Districts.**

- A. Commercial Signs shall not exceed 18 ft<sup>2</sup>.

- B. Residential Based Business Signs shall not exceed 9 ft<sup>2</sup>.
- C. Multi-family dwelling, townhouse, mobile home park, housing development, and like residential Signs shall not exceed 12 ft<sup>2</sup> and only one Sign is allowed per entrance.
- D. Institution Signs shall not exceed 40 ft<sup>2</sup>.

**Article VII - Rules Applicable to Agricultural Sign Districts.**

- A. Commercial Signs shall not exceed 48 ft<sup>2</sup>.
- B. Residential Based Business Signs shall not exceed 24 ft<sup>2</sup>.
- C. Multi-family dwelling, townhouse, mobile home park, housing development, and like residential Signs shall not exceed 12 ft<sup>2</sup> and only one Sign is allowed per entrance.
- D. Institution Signs shall not exceed 40 ft<sup>2</sup>.

**Article VIII - Rules Applicable to Commercial Sign Districts.**

- A. Commercial Signs shall not exceed 48 ft<sup>2</sup>.
- B. Residential Based Business Signs shall not exceed 24 ft<sup>2</sup>.
- C. Multi-family dwelling, townhouse, mobile home park, housing development, and like residential Signs shall not exceed 12 ft<sup>2</sup>.
- D. Shopping center or plaza Signs shall not exceed 48 ft<sup>2</sup>, and individual store or business Signs within such shopping center or plaza shall not exceed 16 ft<sup>2</sup> for each business (and are in addition to the center's or plaza's Signage), unless pursuant to an approved Planned Sign Area.
- E. Institution Signs shall not exceed 48 ft<sup>2</sup>.

**Article IX - Planned Development Areas.**

The Enforcement Officer shall examine the predominant purposes and uses of any Planned Development Area ("PDA") and shall then, for purposes of this Local Law, classify the PDA as subject to Residential Sign District rules, Agricultural Sign District rules, or Commercial Sign District rules.

**Article X - Planned Sign Areas.**

- A. A Planned Sign Area must be classified either as:
  - 1. A Business and Technology Park and Research Park Planned Sign Area - For the purposes of this section, a "Business and Technology Park" or "Research Park" is specifically defined as an integral unit to be used for business, technology, industry, research, or office purposes, or a combination thereof, which: (i) is under the ownership and/or developmental control of a single entity; and (ii) contains a minimum of three detached structures and five acres of land, unless lesser minimums are approved by the Planning Board.

Contiguous businesses may be added to a Business and Technology Park and Research and its Park Planned Sign Area; or

2. Shopping Mall Planned Sign Area - For the purpose of this subsection a "Shopping Mall" is specifically defined as any group of three or more stores which share a common vehicular entrance or entranceways, common off-street parking, and that contain a minimum of three acres. Contiguous businesses may be added to a Shopping Mall and its Planned Sign Area; or
  3. Contiguous Business Planned Sign Area - A "Contiguous Business" is any business, technology, industry, research, or office facility which is contiguous to a Shopping Mall, a Business and Technology Park, a Research Park or to any other business or facility which is included in an existing Planned Sign Area.
- B. Such classification shall be performed by the Enforcement Officer.
- C. The purpose of a Planned Sign Area is to introduce a degree of flexibility in the conventional regulation of signs in such a way as to encourage improved visibility, readability, coordination of height, color, shape, lighting, and other Sign design features.
- D. All Planned Sign Areas shall submit a Sign Development Plan. A Sign Development Plan shall meet the following criteria:
1. The Sign Development Plan must be coordinated to cover the entire area.
  2. The Sign Development Plan must result in a more desirable environment than would be possible through the strict application of other sections of this Local Law, including aspects of public safety, coordinated identification and non-distracting communication to the public concerning the goods and services offered within the planned sign area.
  3. To the extent practical, a Sign Development Plan shall preserve or enhance any significant scenic, historical, geological, or architectural features within the proposed Planned Sign Area.
  4. A written explanation of the character and purpose of the Planned Sign Area and an indication of the expected timetable for development.
  5. Sketches necessary to illustrate typical sign designs, lighting, coloration, and locations.
- E. The Enforcement Officer, upon receipt of a completed application and Sign Development Plan, shall forward such information to the Planning Board for Site Plan Review.
- F. The Planning Board shall approve, reject, or approve with conditions the Sign Development Plan and the proposed Planned Sign Area pursuant to the timetables, rules, and requirements set forth for Site Plan Review.

- G. If a conditional approval is issued, the applicant and owner of the Premises shall comply with such conditions.
- H. If any approval is issued, the Sign Development Plan may not be changed without the review by, and site planning approval from, the Planning Board, but new Signs may be emplaced and existing Signs replaced, repaired, or relocated, when:
  - 1. A Sign Permit is issued there for by the Enforcement Officer;
  - 2. The proposed Sign, or changes to any Sign, are designed, installed, and constructed in accord with the approved Sign Development Plan; and
  - 3. The proposed Sign, or to-be-relocated or changed Sign, is located within the Planned Sign Area.
- I. Withdrawal from or the termination of any Planned Sign Area is permitted as follows:
  - 1. For a Shopping Mall or Plaza, such withdrawal or termination is for the entire Premises and the whole of the Planned Sign Area, all Signs and Sign owners agree to come into compliance with this Local Law before the effective date of such termination or withdrawal, and such compliance is achieved within 1 year of the date of such withdrawal or termination. Individual Commercial Activities and businesses may not individually withdraw or terminate their participation in, or compliance with, the conditions or requirements of such Planned Sign Area.
  - 2. For a Business and Technology Park or Research Park, such withdrawal or termination is for the entire Premises and the whole of the Planned Sign Area, all Signs and Sign owners agree to come into compliance with this Local Law before the effective date of such termination or withdrawal, and such compliance is achieved within 1 year of the date of such withdrawal or termination. Individual Commercial Activities and businesses may not individually withdraw or terminate their participation in, or compliance with, the conditions or requirements of such Planned Sign Area.
  - 3. For a contiguous business or Premises to withdraw or terminate participation in a Planned Sign Area, such withdrawal or termination is only permitted in relationship to a genuine change of ownership of the business or Premises, or a genuine change in the type and nature of any business or operations upon such Premises, and all Signs and Sign owners agree to come into compliance with this Local Law before the effective date of such termination or withdrawal, and such compliance is achieved within 1 year of the date of such withdrawal or termination.
  - 4. Any of the time requirements for compliance may be waived or extended by the Enforcement Officer upon good cause shown, but no compliance deadline may be extended beyond 24 months of the date of any termination or withdrawal.

## **Article XI - Nonconforming Signs.**

- A. Each Sign existing upon the date of adoption of this Local Law that does not comply with this Local Law shall be deemed a lawful pre-existing Nonconforming Sign.
- B. Any such Nonconforming Sign may continue to exist in its current location and configuration, and the owner of the Sign, or the Premises upon which such Sign is situated, may continue to maintain and regularly repair and perform upkeep upon such Sign.
- C. However, and in limitation of the above paragraphs A and B and subject to Article XIII(C), if any Nonconforming Sign shall be voluntarily replaced due to age, a lack of care and maintenance, obsolescence, or due to the choice or election of the Sign owner, and not as a result of an involuntary event, such as, by way of illustration only, accidents, storms, or vandalism, then any replacement Sign shall conform to the requirements of this Local Law.
- D. Notwithstanding any other provision of this Local Law, existing Off-Premises Signs over 120 ft<sup>2</sup> that do not comply with this Local Law shall be deemed a lawful pre-existing Nonconforming Signs and shall be entitled to all benefits of “grandfathering” as provided in and by this Local Law.

**Article XII – Sign Permits.**

- A. Except as otherwise herein provided, no person or entity may erect or emplace any non-exempt Sign without first obtaining a Sign Permit from the Enforcement Officer. Failure to obtain such a Sign Permit will be deemed a violation of this Local Law.
- B. An application for a Sign Permit shall be made to the Enforcement Officer upon such forms as prescribed and provided by the Enforcement Officer.
- C. A non-refundable application fee for a Sign Permit shall be submitted with each Sign Permit application delivered to the Town in an amount as the Town Board may, from time to time, establish by resolution. No application shall be deemed complete unless all information requested is provided and the Sign Permit fee paid. The Town Board may also establish, by resolution, a standardized fee schedule for permits and other required reviews, inspections, and reports created, performed, or filed under, in accord with, or in furtherance of this Local Law, which fee schedule shall (i) be limited to such amounts as are reasonably estimated as the administrative and other costs and expenses incurred by the Town in connection with any matter for which a fee is scheduled, and (ii) be reviewed at least once every year by the Enforcement Officer or the Town Board to assure that the fees remain reasonable in light of the Town’s actual and generally incurred costs and expenses.
- D. Upon the filing of a completed application for a Sign Permit the Enforcement Officer shall examine the plans, specifications, and other data submitted to him, including, if necessary, the building or Premises upon which any Sign is proposed to be emplaced or located. The Enforcement Officer shall then take one of the following actions:

1. If the proposed Sign(s) require Site Plan Approval, refer the matter to the Planning Board. Once the Planning Board issues any Site Plan Approval, with or without conditions, and once the application and the proposed Sign(s) are in compliance with the requirements of this Local Law, then the Enforcement Officer shall issue the Sign Permit with any Planning Board conditions stated thereupon. If the Planning Board denies Site Plan Review approval, then the Enforcement Officer shall deny the application for a Sign Permit.
2. If the proposed Sign(s) require a Variance, refer the matter to the Zoning Board of Appeals ("ZBA"). If the ZBA issues any Variance, with or without conditions, then once the proposed Sign(s) are otherwise in compliance with the requirements of this Local Law, the Enforcement Officer shall issue the Sign Permit with any ZBA conditions stated thereupon. If the ZBA denies the Variance then the Enforcement Officer shall deny the application for a Sign Permit;
3. If the proposed Sign(s) require neither a Site Plan Approval nor a Variance, and the application and proposed Sign(s) are in compliance with this Local Law, then the Enforcement Officer shall issue a permit for the proposed Sign.

#### **Article XIII – Sign Maintenance Requirements & Procedures.**

- A. All Signs, whether exempt, permitted, nonconforming, or otherwise, shall at all times be kept in good repair and neatly finished or painted as necessary to maintain its appearance and to ensure the Sign is free from all hazards, such as, but not limited to, faulty wiring, exposed sharp edges, falling parts or paint, or loose fastenings.
- B. All Signs must at all times be maintained in such condition as to not be detrimental to public health or safety.
- C. If any Sign requires repair or maintenance the Enforcement Officer may issue an order to remedy the defect or effect such repairs as are necessary to comply with this Article, and such order shall state a date by which such maintenance or repairs shall be substantially completed. If the repairs or maintenance are not completed by the date stated in the compliance order, then such noncompliance shall be deemed a violation of this Local Law and, in addition, the Enforcement Officer may order the removal of the Sign. If any Sign is ordered to be removed and such Sign was a Nonconforming Sign that received the benefits of Article XI of this Local Law, all such benefits shall expire and be deemed forfeited and any future or replacement Sign shall be required to be in compliance with this Local Law.

#### **Article XIV – Enforcement Officer Discretion and Consultation.**

- A. Whenever any provision of this Local Law directly or by implication calls for or requires an opinion, decision, determination, or classification (all together and hereafter, an "Opinion") by the Enforcement Officer, such Opinion shall in all cases be reasonably made, placed in writing, promptly delivered to the applicant or other person requesting or receiving such Opinion, and immediately filed in the Town Code Enforcement Office. Any person aggrieved by any

such Opinion may appeal such Opinion to the ZBA per the rules and requirements of Town Law § 267-a.

- B. In reviewing any application, any Sign, any Sign Permit, or in making any Opinion or determination under this Local Law, or when taking any other action under or in furtherance of this Local Law, the Enforcement Officer may seek input and advice from any person or entity, including but not limited to, the Planning Board, the Town Board, the Town Supervisor, the Attorney for the Town, any building inspector, the Town Highway Superintendent, the County Highway Department, NYSDOT, the NYS Codes Division, and any other local or State agencies; but in no event may the Enforcement Officer consult with, communicate with, or obtain advice from the ZBA unless a variance application is pending and the ZBA has requested an Opinion.

#### **Article XV - Violations and Penalties.**

A violation of this Local Law is hereby declared to be a criminal offense, punishable by a fine not exceeding two hundred and fifty dollars (\$250). For any violation of this Local Law committed within 5 years of any prior conviction for any offense under this Local Law, then the fine shall be not less than two hundred and fifty dollars (\$250), nor more than (\$500). Each week's continued violation shall constitute a separate and distinct violation under this Local Law and may be charged as such. In addition to other penalties, the Town may institute any appropriate action or proceeding to compel compliance with this Local Law, or to prevent the unlawful erection, construction, alteration, or use of any Sign in violation of the requirements of this Local Law.

#### **Article XVI - Effective Date.**

This Local Law shall be and become immediately effective upon filing.

#### **TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER**

##### **Mike Sigler Monthly Report From County**

Hi, Thanks again for having me.

I'll start off with the most noticeable change to date. You may have seen the 4x8 billboards that went up this week to save the power plant. I heard from a number of people that Dunkirk was saved because the people there were vocal about saving it. Considering the turn out from that one meeting at our Middle School, I think there's overwhelming support in the town for keeping the power plant open; we should not think this support doesn't extend throughout the county just because of a vocal few. I felt it was time to make that majority heard better, so I started this petition. This is one issue it seems the town can unite behind. Kathy Miller is collecting signatures; I've got people out and some school board members are collecting signatures. We don't have a lot of time, but enough. I'd like to present the state with thousands of signatures. Many people have written and called and those efforts have been noticed. I think it's time to double down though. Call again, write again, sign the petition, collect signatures, and get your friends to write and sign and collect signatures. This is apparently a political decision, so we need as many vocal people as possible on board as that's how political battles are won.

Tying into that, there's an Energy resolution moving through the Planning committee which at its heart is a condemnation of the state's and frankly the nation's move to natural gas. I posted it to my facebook page. I believe, and I think all recent evidence bears this out, it would dramatically increase electricity prices and would also cause our CO2 levels to go up, not down. Dovetailing on that, Tompkins County is acting as the

pass through for \$80,000 from the Park Foundation for the Solar Tompkins Project, a county wide education and volume purchasing initiative, and that moved ahead this month as well. You should hear more about this March 1<sup>st</sup> as that's when the public outreach was slated to begin.

In other news, I've been appointed to a couple of boards I requested. I'm on Agriculture and Farmland protection. They're extremely happy the representative from Lansing is on the board considering we are the big agricultural community in the county. I also asked to be on the Forest Management board which meets a couple times a year in Cortland, but I thought it would be helpful considering the State Forest proposal.

There was a big turnout for the proposed Jail Expansion last week. I was only one of three who voted for a moratorium on a decision. We are putting together a committee and I wanted to see that done before we move ahead. This has been an issue for at least a decade, so I didn't see how waiting to get at least an initial report would hurt, plus I think there might be other options the legislature has not looked at. With that said, the plan to expand the jail will move ahead, but there's a lot to be done before the county takes a final action. I will say, that this debate revealed how far down we've come in political discourse. I watched as several members were called out on this in a dismissive fashion from members of the public. Some of these people have worked for decades on Alternatives to Incarceration and yet they were berated for a vote I know they put a lot of thought into, and at least to themselves and a good part of their constituencies, they could justify.

The board out cost for the county is about a quarter of a million dollars a year. The jail expansion will, I'm told, be in the million dollar range, so you can see, the payback on the investment would be relatively quick and it would put people being held for alleged crimes committed in Tompkins County closer to services they need. Still, it was clear, a good portion of the community is looking for a broader discussion.

Finally, there's been a large drop off in passengers at the Ithaca Airport and it's caused a lot of concern. The county is hiring a consultant to look at why and see what can be done. This was successful in the past and we hope it will be again. We obviously want to retain what we have, but adding airlines and flights would be helpful for the community.

Thank you,

Mike Sigler

Representative Mike Sigler indicated there is an airport expansion planned.

Supervisor Kathy Miller indicated that people will drive an hour to an hour and half to get a cheaper flight. The bottom line is cost.

Councilperson Robert Cree asked if our airport was the only one to see a drop off in passengers.

Representative Mike Sigler indicated other airports have also seen a decrease.

Councilperson Ruth Hopkins indicated that she looks for the length of the trip in addition to the cost.

Councilperson Edward LaVigne asked about the expansion and if there is room for bigger runways. Mike Sigler indicated that runways are not on the agenda at this time.

Councilperson Edward LaVigne indicated that he understands the connection with length of flight and cost. He is wondering if there were longer runways if that would allow bigger planes to come in and give travelers more options. The bottom line is how much people are willing to pay to keep services here. Hopefully the consultant will give a guideline for this.

Representative Mike Sigler indicated the airport can handle jets but to get airlines to commit, they must be able to fill the seats consistently.

Councilperson Edward LaVigne indicated that Dan Veaner will be putting a link in the Lansing Star for the petition supporting the repowering of the Cayuga Operating Plant with natural gas. The petition will be able to be forwarded to others and signed online.

Councilperson Doug Dake asked if this was just a Lansing petition.

Representative Mike Sigler indicated that anyone could sign the petition.

Deputy Supervisor Sharon Bowman stated there are blank copies of the petition in the back to sign or take to get signatures.

**PRIVILEGE OF THE FLOOR – PLEASE SIGN IN TO SPEAK – LIMITED TO 20 MINUTES WITH A MAXIMUM OF 3 MINUTES PER SPEAKER**

Four attendees addressed the Town Board.

One resident read a statement from another resident that was unable to attend the meeting in support of a Town Planner.

A member of the Lansing Town Comprehensive Plan Update Committee read a letter from the committee supporting a full-time Planner.

One resident spoke in support of a Town Planner.

One resident questioned the Town Center and how the Town will make money from it as it is planned to be mostly residential. The resident stated according to the Agriculture and Farm Land Protection Plan, the cost of services for farms is 16¢ for every dollar they pay versus residential which is \$1.56 for every dollar. The resident also questioned how many people really want a Town Center.

Supervisor Kathy Miller indicated there is a meeting scheduled for March 12<sup>th</sup> for the Comprehensive Plan Committee to present information which will include the survey results and questions about the Town Center. The figures for usage per dollar for farms is 29¢, commercial is 35¢ and residential is \$1.16 according to the Planning Federation. Commercial and farm properties use less of the tax money than residential properties. They are talking about trying to encourage commercial use in the Town.

**HIGHWAY DEPARTMENT REPORT**

Supervisor Kathy Miller indicated that Highway Superintendent Jack French did not have a report and asked if anyone had questions for him. Jack French stated is has been a long winter.

No one in attendance had any questions for High Superintendent Jack French.

**CONSIDER RESOLUION AMENDING FEE SCHEDULES TO PROVIDE FOR A SITE PLAN REVIEW FEE FOR SIGNS**

**DISCUSSION**

There was no discussion.

**RESOLUTION 14-53**

**RESOLUTION AMENDING TOWN OF LANSING FEE SCHEDULES  
TO PROVIDE FOR A SITE PLAN REVIEW FEE FOR SIGNS**

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

WHEREAS, the Town has adopted a Sign Law (Local Law Number 1 of 2014) which provides for site plan review for certain signs; and

WHEREAS, the Town Board and the Town Code Enforcement Officer believe that the existing site plan review fees would be too high and not reflective of actual costs for the more limited type of site planning that would be involved in reviewing only those impacts arising from a sign, as opposed to the development of an entire site; and

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

RESOLVED, that the Fee Schedules of the Town of Lansing (as appear in the January 15, 2014, Minutes) be and hereby are amended to provide for a \$50.00 fee for sign site plan reviews arising under Local Law #1 of 2014, and that when signs are part of an overall site plan, the normal site plan review fee would apply.

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

Councilperson Robert Cree - Aye  
Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Doug Dake - Aye  
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 26, 2014.

**CONSIDER RESOLUTION HIRING JENNIFER SANDSTED AS A FULL-TIME COURT CLERK**

**DISCUSSION**

Supervisor Kathy Miller indicated that the Judges and Sharon Bowman had interviewed in a timely fashion and Jennifer Sandsted will start on March 10, 2014.

**RESOLUTION 14-54**

**RESOLUTION HIRING JENNIFER SANDSTED,  
FULL-TIME COURT CLERK**

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

WHEREAS, the Town Justices had previously interviewed for a posted and advertised full-time position duly created; and

WHEREAS, said position, Court Clerk, in the Court Office was sought to be filled after rounds of interviews; and

WHEREAS, an acceptable and qualified candidate was located, and is therefore proposed to be hired to fulfill such job requirements; and

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

RESOLVED, that said Jennifer Sandsted be and hereby is approved to be employed as a Town of Lansing Grade 4 Employee, as a Court Clerk, in the Court Office, with such employment to commence March 10, 2014 at the rate of \$16.36 per hour.

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

Councilperson Robert Cree - Aye  
Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Doug Dake - Aye  
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 26, 2014.

**CONSIDER RESOLUTION RESCINDING APPOINTMENT OF MICHAEL RICHARDSON AS AN ALTERNATE MEMBER TO THE PLANNING BOARD**

**DISCUSSION**

Supervisor Kathy Miller indicated she thought Michael Richardson wasn't aware of the time commitment required for the position.

Councilperson Doug Dake indicated Michael Richardson would have been a good candidate.

**RESOLUTION 14-55**

**RESOLUTION RESCINDING APPOINTMENT  
OF MICHAEL RICHARDSON  
AS AN ALTERNATE MEMBER  
TO THE TOWN OF LANSING PLANNING BOARD**

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

WHEREAS, the Planning Board had recommended that Michael Richardson and Deborah Trumbull be appointed as Alternate Members to the Planning Board, and

WHEREAS, the Town Board of the Town of Lansing appointed Michael Richardson and Deborah Trumbull to the Town of Lansing Planning Board as Alternate Members on January 15, 2014 by Resolution 14-46; and

WHEREAS, Michael Richardson has declined the appointment as an Alternate Member of the Planning Board; and

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

RESOLVED, that the appointment of Michael Richardson as an Alternate Member to the Town of Lansing Planning Board is hereby rescinded.

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

Councilperson Robert Cree - Aye  
Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Doug Dake - Aye  
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on February 26, 2014.

**APPROVE AMENDED BUDGET MODIFICATIONS**

**DISCUSSION**

Councilperson Edward LaVigne inquired about the modifications.

Bookkeeper Sharon Bowman indicated that last month's budget modifications were presented however they needed to be revised. These budget modifications replace the ones from the January 15, 2014 meeting.

Councilperson Edward LaVigne asked if there were oversights, do they get pulled out of the fund balance.

Bookkeeper Sharon Bowman indicated not necessarily, if there are other line items where funds can be modified from, that happens first. However, there are some budget modifications from the fund balance.

Councilperson Ruth Hopkins indicated that municipalities in general are unique in that they modify the budgets to match expenses. There is an initial budget which is the plan and the final budget which is the same as the expenses.

Supervisor Kathy Miller indicated that the budget is the best guess. Some years the fund balance will be drawn from more than other years.

Councilperson Robert Cree indicated that for the year end budget modifications the figures are in order.

Councilperson Ruth Hopkins indicated that the information in the reports show the variances from the initial budget.

Councilperson Robert Cree indicated that this is why it is important to make budget modifications. If the budget modifications aren't made it throws the variances off.

**RESOLUTION 14-56**

Councilperson Robert Cree moved to approve the following amended budget modifications from the January 15, 2014 minutes.

**BUDGET MODIFICATIONS  
GENERAL A FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A1110.120	FROM CONTINGENCY TO COURT CLERK-PERSONAL ADDITIONAL JURY TRIALS	943.52
A1990.400	A1110.130	FROM CONTINGENCY TO SR COURT CLERK-PERS SVCS UNANTICIPATED SERVICES	44.28
A1990.400	A1110.400	FROM CONTINGENCY TO JUSTICE-CONTRACTUAL ADDITIONAL JURY TRIALS	857.44
A1990.400	A1410.120	FROM CONTINGENCY TO TOWN CLERK-RCVR OF TAXES UNANTICIPATED EXPENSES	136.00
A1440.408	A1410.130	FROM BUS & IND PARK TO TOWN CLERK-DEPUTY PER SVC UNANTICIPATED SERVICES	1,789.70
A1990.400	A1410.400	FROM CONTINGENCY TO TOWN CLERK-CONTRACTUAL UNANTICIPATED EXPENSES	187.33
A1910.400	A1420.400	FROM UNALLOCATED INS TO ATTORNEY-CONTRACT	4,167.44
A7140.100	A1420.400	FROM PLAYGRD/REC FIELDS-PER SVC TO ATTORNEY- CONTR UNANTICIPATED EXPENSE	926.97
A1990.400	A1430.100	FROM CONTINGENCY T PERSONNEL-LONGEVITY UNANTICIPATED EXPENSE	90.00
A7620.400	A1440.401	FROM ADULT REC-CONTRACTUAL TO ENGINEER-SEWER	384.52

P&M  
UNANTICIPATED ENGINEERING

A7620.400	A1440.402	FROM ADULT REC-CONTRACTUAL TO STORMWATER P&M UNANTICIPATED EXPENSES	540.00
SEE BELOW	SEE BELOW	FROM SEE BELOW TO MISC SEWER OVERSIGHT 31399.64	
A1010.400	A1440.403	FROM TB-CONTR TO MISC SEWER OVERSIGHT	4,013.53
A1440.400	A1440.403	FROM ENGINEER-CONTRACT TO MISC SEWER OVERSIGHT	5,000.00
A1440.407	A1440.403	FROM ENGINEER-SURV TO MISC SEWER OVERSIGHT	1,000.00
A1670.400	A1440.403	FR CENT PRINT&MAILING-CON TO MISC SEWER OVERSIGHT	4,000.00
A1990.400	A1440.403	FROM CONTINGENCY TO MISC SEWER OVERSIGHT	7,886.11
A5132.406	A1440.403	FROM GARAGE-GAS TO MISC SEWER OVERSIGHT	3,000.00
A7110.405	A1440.403	FROM PARKS-REPARIS TO MISC SEWER OVERSIGHT	4,000.00
A7620.400	1440.403	FR ADULT REC-CONT TO MISC SEWER OVERSIGHT	2,500.00
A1990.400	A1610.400	FROM CONTINGENCY TO TECHNOLOGY UNANTICIPATED EXPENSES	262.50
A1220.130	A1620.100	FROM ADMIN ASSIST-PERS SVCS TO BUILDINGS-PERS SVCS UNANTICIPATED EXPENSES	60.60
A1440.406	A1620.400	FROM ENGINEER-MISC TO BUILDING CONTRACTUAL UNANTICIPATED EXPENSES	1,278.44
A5132.410	A1632.410	FROM GARAGE-SUP & MAIN TO COMM CENTER-CONTRACTUAL UNANTICIPATED EXPENSES	49.57
A5132.410	A1640.403	FROM GARAGE-SUP & MAIN TO TB RD STOR-ELECTRIC UNANTICIPATED EXPENSES	67.40

**BUDGET MODIFICATIONS CONTINUED**  
**GENERAL A FUND**  
**December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A5132.410	A1640.406	FROM GARAGE-SUP & MAIN TO TB RD STOR-GAS UNANTICIPATED EXPENSES	327.99
A3310.400	A3120.110	FR TRAF CONTROL-CON TO POLICE-PERSONAL SVCS COURT ADDITIONAL JURY TRIALS AND UNANTICIPATED BOARD MTG	2,041.25
A5132.410	A5010.120	FROM GARAGE-SUP & MAIN TO SUPER OF HWY-CLERK UNANTICIPATED SERVICES	144.84
A5132.410	A5132.403	FROM GARAGE-SUP & MAIN TO GARAGE-ELECTRIC UNANTICIPATED EXPENSES	1,112.23
A5132.410	A5182.403	FROM GARAGE-SUP & MAIN TO ST LIGHTING-CONTR UNANTICIPATED EXPENSES	308.92
A5132.410	A7020.120	FROM GARAGE-SUP & MAIN TO PARKS& REC ADMIN-PERS	46.51
A5132.410	A7310.400	FROM GARAGE-SUP & MAIN TO YOUTH PRGM-CONTR UNANTICIPATED EXPENSES	76.50
A7110.130	A7320.110	FR PARKS-PERS SVC-HWY LAB TO YTH SVC-PERSONAL SVCS	2,786.06

A7140.400	A7560.400	FR PLYGRD/REC FIELDS-CON TO OTHER PERFORM ARTS- CON UNANTICIPATED EXPENSES	261.08
A7140.400	A7560.401	FR PLYGRD/REC FIELDS-CON TO OTHER PERF ARTS- ESFOTA UNANTICIPATED EXPENSES	358.51
A7140.400	A7620.100	FR PLYGRD/REC FIELDS-CON TO ADULT REC-PERSON SVCS	480.00
A7140.400	A8750.401	FR PLYGRD/REC FIELDS-CON TO AG PROT GRANT-CONTR EXPENSES RELATED TO THE FARMLAND PROTECTION GRANT PENDING REIMBURSEMENT	672.00
A511	A1630.405R	FROM REPAIR RESERV FUND TO BLDG REPAIRS FROM RESER EXPENSES FOR REPAIRS ON BUILDINGS FOR 2013	15,377.97
A7110.130	A7020.404	FR PKS-PERS SVCS-HWY TO PKS & REC ADMIN- TELEPHONE UNANTICIPATED EXPENSES	27.99
A1220.130	A9050.800	ADMIN ASSIST- PERS SVCS TO UNEMPLOYMENT INS UNANTICIPATED EXPENSES	807.21
A9060.800	A9010.800	FROM HOSP & MED INS TO STATE RETIREMENT UNANTICIPATED RETIREMENT CONTRIBUTIONS	19,468.67
A7320.100	A7320.410	FROM YTH PERS SVCS TO YOUTH CONTRACTUAL	411.77
A7410.100	A7320.41	FROM LIBRARY PER SVC TO YOUTH CONTRACTUAL UNANTICIPATED EXPENSES	246.90

**BUDGET MODIFICATIONS  
GENERAL B FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B9060.800	B3620.120	FROM HOSP&MED INS TO ZONING, CODE,FIRE,ENF OFFIC UNANTICIPATED SERVICES	4,678.00
B3620.400	B8010.100	FROM SAFETY INSP-CONTR TO ZONING-PERS SVCS CLERK UNANTICIPATED SERVICES	40.10
B9060.800	B8020.110	FROM HOSP&MED INS TO PLANN BOARD-PERS SVCS CLERK UNANTICIPATED SERVICES	4,899.00
B8020.400	B8010.402	FROM PLAN BD-CONTR TO ZONING - LEGAL SVCS UNANTICIPATED LEGAL SVCS	840.00
B3620.400	B8020.402	FROM SFETY INSP-CONTR TO PLAN BD - LEGAL SVCS UNANTICIPATED LEGAL SVCS	87.50
B3620.400	B8010.400	FROM SAFETY INSP-CONTR TO ZONING-CONTRACTUAL UNANTICIPATED EXPENSES	32.22
B9060.800	B9010.800	FROM HOSP & MED TO NYS RETIREMENT	3,446.31

UNANTICIPATED RETIREMENT CONTRIBUTIONS

**BUDGET MODIFICATIONS  
HIGHWAY DA FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DA599	DA5130.200	FROM FUND BALANCE TO MACHINERY-EQUIP UNANTICIPATED EQUIPMENT PURCHASE	15,237.00
DA5142.100	DA5130.400	FROM SNOW REM-PER SVC TO MACHINERY-CONTR UNANTICIPATED EXPENSES	87.80
DA511	DA5130.200R	FROM APPROPRIATED RESERV TO MACH-EQUIP FR RES FUND APPROVED PURCHASE OF MUNIBODY PACKAGE	62,750.00
DA9060.800	DA9010.800	FROM HOSP & MED INS TO NYS RETIREMENT	8,982.51
DA9040.800	DA9010.800	FROM WORKER COMP INS TO NYS RETIREMENT	2,575.78
DA9050.800	DA9010.800	FROM UNEMPLOY INS TO NYS RETIREMENT	300.13
DA9030.800	DA9010.800	FROM SOCIAL SEC TO NYS RETIREMENT	565.42
DA9089.800	DA9010.800	FROM MEDICARE TO NYS RETIREMENT	138.69
DA5130.100	DA9010.800	FROM MACH-PER SVC TO NYS RETIREMENT	775.73
DA5140.100	DA9010.800	FROM BRUS&WEED-PER SVC TO NYS RETIREMENT	394.44
DA599	DA9010.800	FROM DA FUND BAL TO NYS RETIREMENT	522.57

**BUDGET MODIFICATIONS  
HIGHWAY DB FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DB1990.400	DB5110.400	FROM CONTINGENCY TO ST MAINTENANCE- CONTR UNANTICIPATED EXPENSES	5,851.78
DB1990.400	DB9010.800	FROM CONTINGENCY TO NYS RETIREMENT UNANTICIPATED RETIREMENT CONTRIBUTIONS	11,704.93

**BUDGET MODIFICATIONS  
WARREN RD SEWER SS1- FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS1- 8120.100	SS1- 8130.400	FR SEWER-HWY PER SVCS TO TREAT & DISP-CONTRACT	2,885.40
SS1- 8120.401	SS1- 8130.400	FROM SEWER-ENG TO TREAT & DISP-CONTRACT	265.95
SS1- 9030.800	SS1- 8130.400	FROM SOCIAL SECURITY TO TREAT & DISP-CONTRACT	183.81
SS1- 9050.800	SS1- 8130.400	FROM UNEMPLOY INS TO TREAT & DISP-CONTRACT	10.00
SS1- 9089.800	SS1- 8130.400	FROM MEDICARE TO TREAT & DISP-CONTRACT	42.72
SS1-599	8130.400	FROM FUND BAL TO TREAT & DISP-CONTRACT UNANTICIPATED EXPENSES	382.78
SS1-5730	SS1- 9730.600	FR BAN PROCEEDS TO BAN PRINCIPAL - WARREN RD MOVING OF THE BAN PROCEEDS	374,081.23

**BUDGET MODIFICATIONS  
CHERRY RD SEWER SS3- FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS3- 8120.401	SS3- 8120.400	FROM SANIT SWR - ENG TO SANIT SWR - CONTRACT UNANTICIPATED EXPENSES	1,500.00
SS3- 1990.400	SS3- 8130.400	FROM CONTINGENCY TO TREAT & DISP-CONTRACT UNANTICIPATED EXPENSES	2,286.79
SS3- 1990.400	SS3- 8120.400	FROM CONTEGENCY TO SANIT SWR-CONTRACTUAL	308.21
SS3- 8120.401	SS3- 8120.400	FROM SANIT SWR-ENGINEER TO SANIT SWR- CONTRACTUAL UNANTICIPATED EXPENSES	459.79

**BUDGET MODIFICATIONS  
WATER SW FUND  
December 31, 2013**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW8310.400	SW8340.400	FR WTR ADM-CONTR TO TRANSMISSION & DISTRIBUTION	46.58
SW1380.400	SW8340.400	FROM BOND COUNCIL TO TRANSMISSION & DISTRIBUTION UNANTICIPATED EXPENSES	152.38
SW1990.400	SW8320.400	FR CONTINGENCY TO SOURCE OF SUPPLY-CONTRACT	149,430.30
SW1940.400	SW8320.400	FR PURCH OF LAND TO SOURCE OF SUPPLY-CONTRACT UNANTICIPATED EXPENSES	9,973.74
SW8340.100	SW8310.401	FROM TRANS& DISTR-HWY PER TO WATER ADM - ENGINEER UNANTICIPATED ENGINEERING	9,957.91
SW8340.100	SW8310.402	FROM TRANS & DISTR-HWY PER TO WATER ADMIN-LEGAL UNANTICIPATED LEGAL	332.50
SW9060.800	SW9010.800	FROM HEALTH INS TO STATE RETIREMENT UNANTICIPATED RETIREMENT CONTRIBUTIONS	957.24

Supervisor Kathy Miller seconded the motion and it was carried by the following roll call vote:

Councilperson Robert Cree - Aye  
Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Doug Dake - Aye  
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried and duly adopted on February 26, 2014.

**APPROVE AUDIT and BUDGET MODIFICATIONS**

**RESOLUTION 14-57**

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

**CONSOLIDATED ABSTRACT # 015**

DATED 2/26/14

AUDITED VOUCHER #'s 1397 - 1398

PREPAY VOUCHER #'s 1397 - 1398

AUDITED T & A VOUCHER #'s 000 - 000

PREPAY T & A VOUCHER #'s 000 - 000

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>15,252.94</u>
HIGHWAY FUND (DA&DB)	\$ <u>0.00</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>0.00</u>
LANSING WATER DISTRICTS (SW)	\$ <u>0.00</u>
TRUST & AGENCY (TA)	\$ <u>0.00</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>0.00</u>
DEBT SERVICE (V)	\$ <u>0.00</u>

**CONSOLIDATED ABSTRACT # 002**

DATED 2/26/14

AUDITED VOUCHER #'s	<u>0040 - 0178</u>
PREPAY VOUCHER #'s	<u>0040 - 0066</u>
AUDITED T & A VOUCHER #'s	<u>003 - 020</u>
PREPAY T & A VOUCHER #'s	<u>003 - 010</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>115,025.35</u>
HIGHWAY FUND (DA&DB)	\$ <u>91,932.14</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,426.95</u>
LANSING WATER DISTRICTS (SW)	\$ <u>177,869.75</u>
TRUST & AGENCY (TA)	\$ <u>1,295,904.14</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>6,747.63</u>
DEBT SERVICE (V)	\$ <u>0.00</u>

**BUDGET MODIFICATIONS  
GENERAL A FUND  
February 26, 2014**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A3310.100	A7110.130	FROM TRAFFIC CONTR-PER SVCS TO PARKS-PER SVCS CORRECTION ON ALLOCATION OF EXPENSE	521.92

Supervisor Kathy Miller seconded the motion and it was carried by the following roll call vote:

Councilperson Robert Cree - Aye  
Councilperson Ruth Hopkins - Aye  
Supervisor Kathy Miller - Aye

Councilperson Doug Dake - Aye  
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried and duly adopted on February 26, 2014.

## **BOARD MEMBER REPORTS**

### **Doug Dake**

#### Fire Department

He hasn't been able to attend a meeting yet but will go to the next meeting.

### **Edward LaVigne**

#### Youth Services

He met with Andra Benson and they have hired a new person and are very excited about her. They are trying to incorporate Youth Services into the fireworks program as a way to raise money for them.

#### Library

He has reached out to the Library but has not been able to meet officially with them yet.

#### Lansing Business Association

He is trying to form a Lansing Business Association. He will be talking to Attorney Guy Krogh about this.

### **Ruth Hopkins**

#### Association of Towns Conference

It was worthwhile this year. There was a lot of discussion on Shared Services because of the proposed tax cap program.

#### TCCOG

There was a presentation about the Governor's program on start-ups businesses near universities and colleges. They are looking for empty spaces to be used for the new start-ups. Tompkins County is joining other counties and going back to the State as the tax cap program does not seem workable. The State wants counties to save 3% and find shared services. The counties want the mandates to go back to the state level.

### **Robert Cree**

#### Bolton Point

They are preparing for an annual audit.

#### Town Audit

The Town will start preparing for the internal audit within the next month or so.

#### Town Credit Rating

Moody's, a company that ranks the credit rating for the Town of Lansing and have notified the Town that they have changed the requirements for audits. They are now requiring an outside source to conduct the annual audit. However, there is a survey to fill out that will allow the internal audit to be used for one more year.

### **Kathy Miller**

#### Health Consortium

The administrative costs for the health plan are about 6.3%. The idea is to keep the increase of the premiums down. Eventually they would like to have enough money to fund their own stop loss insurance. The increase of premiums was 8% and may be less next year. The Consortium returned all the initial buy-ins this year which amounted to about 1.5 million dollars. She thought the Town's portion was approximately \$15,000 to \$18,000.

#### Association of Towns Conference

The meetings were excellent. She attended a number of Planning and Human Resources Sessions. It would be nice to rotate who attends the conference in the future.

#### **Monthly Report**

The Supervisor submitted her monthly report for the month of January, 2014 to all Board Members and to the Town Clerk.

#### **TOWN COUNSEL REPORT**

##### Federal Budget Requirement

The 2014 Federal Budget has a new requirement for revolving fund loans, Safe Drinking Water Act, which funds water and sewer districts, now has a buy American requirement tied into it. The execution is problematic.

##### Stormwater Training Session

There is a Stormwater Training Session Monday, March 3<sup>rd</sup> at 7:00 pm at the Planning Board Meeting.

##### Bone Plain Project

He is not sure where the Town is in the process but, the Bone Plain project will need to go to Bond Counsel for the Bond Resolution to have the funding available once the final numbers are out there. He doesn't want this to delay the project as the building season is approaching.

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

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS THE PERFORMANCE OF A PARTICULAR INDIVIDUAL AT 7:20 PM.**

Councilperson Robert Cree seconded the motion.

All In Favor - 5                      Opposed - 0

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

Councilperson Robert Cree moved to **EXIT EXECUTIVE SESSION AT 8:12 PM.**

Councilperson Doug Dake seconded the motion.

All In Favor - 5                      Opposed - 0

The Planner/Planning Department Job Description was briefly discussed.

Meeting adjourned at the call of the Supervisor at 8:17 p.m.

Minutes taken and executed by the Deputy Town Clerk.

Respectfully submitted,

Darlene Marshall