

July 21, 2010

The Lansing Town Board met in Regular Session at 6:00 p.m. at the Lansing Town Hall Boardroom with Supervisor Pinney presiding.

The Deputy Supervisor called the meeting to order and had the Clerk take the Roll Call.

ROLL CALL

A. Scott Pinney	Supervisor	Present (6:30 p.m.)
Marty Christopher	Councilperson	Present
Robert Cree	Councilperson	Present
Kathy Miller	Councilperson	Present
Connie Wilcox	Councilperson	Present
Bonny Boles	Town Clerk	Absent
Debbie Crandall	Deputy Town Clerk	Present
Guy Krogh	Town Attorney	Present

VISITORS: Jack French, Jeff Overstrom, Steve Colt, Dan Veaner, Vivian Smith, Pat Pryor, Mike Moseley, Claes Nyberg, Kelly Kheel, Dave and Joyce Heck, Scott Purcell, Charles and Sheila Nedrow, Jack Jensen, James Cosgrove, John O'Neill, and Ted and Martha Laux.

The Deputy Supervisor led all present in the Pledge of Allegiance.

Privilege of the Floor:

Pat Pryor, Town of Lansing, Tompkins County Representative:

Hours for County Legislators:

Ms. Pryor wanted to clarify the article in the Ithaca Journal on July, 19th on hours reported for County Legislators. In the article it stated that there were four legislators who did not keep logs and she wanted the Board to know why as it was not mentioned in the article. When you retire from a previous career and you no longer belong to the retirement system you are not required to log your hours. If they would have logged their hours they would have had as many as the other legislators who did.

Award Contracts for Public Safety Dispatch/Data System:

The Legislature awarded contracts to implement a new integrated public safety voice and data system. Computer dispatching will be faster than it ever was before. The mobile data system will provide officer's on the road the ability to access information from their vehicles. Ms. Pryor left a brochure from Spillman Technologies, Inc., the awarded contractor for the public to view at the Town Clerk's Office.

Grant to Support Planning Assistance Related to Gas Drilling:

The County accepted a \$50,000 grant from Park Foundation to partially support a one-year planner position to provide technical assistance to municipalities aimed at reducing impacts of natural gas drilling. The position will provide direct assistance to local governments in implementing practices to address the impacts to our roads and water supply.

The planner will provide the information to the municipalities and they can choose to enact it into their own Local Law. The idea was to provide this information so each municipality doesn't have to repeat all the work and it can be done in a cost effective way. It won't cost the municipalities anything, but they will have the benefit from the information.

Mrs. Miller asked if there was another amount of money that was associated with this.

Ms. Pryor stated that the grant from the Park Foundation was for \$50,000.00 for the salary. There was a restriction on the grant that did not allow it to be spent on fringe benefits. The County will have to pay for the fringe benefits. They will be paid from roll over funds out of the 2010 budget.

Dave Heck, 16 Ladoga Park:

Mr. Heck commented on the gravel that the Highway Department put on the shoulders of Myers Rd hill. He stated that in the old days he used to patch the holes in the road with gravel and add oil to it and it would end up almost like blacktop or asphalt. His thoughts were to do this and it might prevent it from washing away after a storm as it did after this afternoon's storm.

Mr. French stated that they have previously used stone and oil and it still washes out.

Mr. Heck reported that after the first storm he toured Myers Road, Salmon Creek and Salt Point and it looked good.

Mr. Heck commented on how the kids at Myers Day Camp were bused up to the High School when a storm hits.

Mr. Colt stated that is a prearranged safety plan that is filed with the Health Department.

Mr. Heck also commented on how nice the log cabin is looking.

Open Public Hearing on the Annual Storm Water Report:

RESOLUTION 10-99

RESOLUTION, offered by Mr. Christopher and seconded by Mr. Cree:

RESOLVED, that the Public Hearing on the Annual Storm Water Report is hereby opened at 6:18 p.m.

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Robert Cree, Councilperson
Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Deputy Supervisor

Jeff Overstrom stated that he had completed this years annual Storm Water Report. He informed the Board that he is working on the Storm Water Management Plan that the Town needs to put in place. Later in the meeting he will be asking the Town to schedule a Public Hearing. He is working with the coalition which includes almost every Town in the County. He has also been working with Highway Superintendent, Jack French on operation and maintenance of the three existing drainage districts in the Town,

There is a Stormwater Training Tool Box supplied by Tompkins County Soil and Water District that is available in the Code Enforcement Office. This assists contractors, private individuals and land developers.

In May the Town of Lansing was audited by NYSDEC for its townwide program. There were questions and concerns he addressed which included the Highway Department and their operations. Overall he received a positive response from the NYSDEC but there are some things that need to be worked on.

Dave Heck stated that he has spoken to Mr. Overstrom about the drainage that comes down Myers Road. The sluice pipe under the road on the north side after the

storm today overflowed and there is gravel in the road across from Cobanes. The grate needs cleaning out.

Mr. French and Mr. Purcell stated that this was reconfigured by the County about 10 to 12 years ago and used to be a gravel bank. The Town has taken it over since then.

Mr. Heck's concern is that all the water that comes down the hill ends up in the swamp at Ladoga Park.

Mr. Overstrom stated that it is a natural drainage area.

Mr. French stated that it probably is where the County intended it to end up. Mr. French stated that they will look at it.

Close Public Hearing on the Annual Stormwater Report:

RESOLUTION 10-100

RESOLUTION, offered by Mrs. Wilcox and seconded by Mr. Christopher

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing on the Annual Storm Water Report is hereby closed at 6:25 p.m.

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Robert Cree, Councilperson
Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Deputy Supervisor

Resolution Accepting the Annual Stormwater Report:

RESOLUTION 10-101

RESOLUTION APPROVING 2010 ANNUAL STORMWATER REPORT

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July, 2010, the following members were present and voting throughout:

Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and
Connie Wilcox, Deputy Supervisor

The following Town Board members were absent: A. Scott Pinney, Supervisor

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

WHEREAS, the Town's Annual Stormwater Report is prepared and due for the required annual review pursuant to Local and State Laws and related regulations; and

WHEREAS, a copy thereof is or will be timely filed in the Office of the Town Clerk for public review; and

WHEREAS, a Public Hearing was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 21st day of July, 2010, at 6:05 o'clock P.M., to consider the Annual Stormwater Report, and all persons interested in the subject thereof were duly heard, and a summary and review thereof was duly had; and

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

RESOLVED, that the 2010 Annual Stormwater Report be and hereby is approved, and once placed into its final form for submission to NYSDEC by the Town's Planning Department, said report may be signed and certified by the Town Supervisor or Deputy Town Supervisor, by, for, on behalf of and in the name of the Town of Lansing, and the same shall be thereafter duly filed with the NYSDEC.

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

Vote of Town Board ... (Aye) Martin Christopher, Councilperson
Vote of Town Board ... (Aye) Robert Cree, Councilperson
Vote of Town Board ... (Aye) Kathy Miller, Councilperson
Vote of Town Board ... (Aye) Connie Wilcox, Deputy Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Early Retirement Incentive:

RESOLUTION 10-102

**RESOLUTION SCHEDULING
PUBLIC HEARING FOR PROPOSED
LOCAL LAW NUMBER 1 OF 2010: ELECTING RETIREMENT
INCENTIVE PROGRAM PART A, AS AUTHORIZED BY CHAPTER 105, LAWS
OF 2010, FOR THE ELIGIBLE EMPLOYEES OF THE TOWN OF LANSING**

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July, 2010, the following members were present and voting throughout:

Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and
Connie Wilcox, Deputy Supervisor

The following Town Board members were absent: A. Scott Pinney

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

WHEREAS, the Town Board desires to offer and provide all of its eligible employees with a retirement incentive program authorized by Chapter 105 of the New York State Laws of 2010; and

WHEREAS, the Commencement Date of the Retirement Incentive Program shall be from October 4, 2010, and the open period for the making of an eligibility election by an employee in an eligible position as designated in and by such Local Law shall be 90 days, thus expiring upon December 31, 2010; and

WHEREAS, the actuarial present value of the additional retirement benefits payable pursuant to the provisions of said Chapter 105 of the Laws of 2010 shall be paid as one lump sum, or in five annual installments, at the election of the Town Board. The amount of the annual payment shall be determined by the Actuary of the New York State for the Local Employee's Retirement System, and it shall be paid by the Town of Lansing for each employee who receives the retirement benefits payable under the proposed Local Law; and

WHEREAS, this action is classified as a Type II SEQRA Action pursuant to 6 NYCRR Parts 617.5 (c) (20) and 617.5 (c) (27), and therefore no environmental review is necessary or required; and

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of August at 6:05 p.m. to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy hereof on the Town signboard maintained by the Town Clerk, in accord with law, including , specifically, the requirements of Municipal Home Rule Law § 20 (5).

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

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Robert Cree, Councilperson
Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Deputy Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Schedule PUBLIC HEARING for SEORA review of proposed Drainage District #5:

Guy Krogh explained the Drainage District for the Farm Pond Circle Subdivision. He stated that a map, plan and report was received showing the Drainage District that will handle the stormwater for this subdivision. After further review the following resolutions were hereby approved.

RESOLUTION 10-103

**RESOLUTION SCHEDULING HEARING FOR SEQRA REVIEW OF
PROPOSED DRAINAGE DISTRICT #5 AND MAKING CERTAIN
SEQRA DETERMINATIONS AS TO SEQRA CLASSIFICATION AND
THE DESIGNATION OF LEAD AND OTHER AGENCIES**

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July, 2010, the following members were present and voting throughout:

A. Scott Pinney, Supervisor;
Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and
Connie Wilcox, Councilperson.

The following Town Board members were absent: none.

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

WHEREAS, NYS law and the Town's Stormwater Local Law require the Town to plan for the future maintenance of drainage, sediment control, and stormwater facilities; and

WHEREAS, the Town Board of the Town of Lansing received a request for the approval of permanent infrastructure for stormwater facilities located in the proposed Farm Pond Circle Subdivision, as depicted upon an approved preliminary subdivision plat therefore and in the SWPPP for such subdivision, all pursuant to the Town's Stormwater Local Law; and

WHEREAS, the Developer has requested the creation of a Drainage District, and the Town Board has issued a Public Interest Order relative to formation of the said Drainage District #5 and desires to conduct a SEQRA review to examine the environmental impacts of such proposed Drainage District, and to review the proposal in light of the Town's Land Use Ordinance and Comprehensive Plan, and accordingly, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that

1. This action is classified as an Unlisted Action pursuant to 6 NYCRR Part 617.2(ak);
2. The Town Board of the Town of Lansing proposes to be the Lead Agency for environmental review, subject to consent or any requests of coordinated or independent review by any Involved or Interested Agency, as applicable;
3. The Involved Agencies are determined to be the NYS Department of Environmental Conservation, the NYS Department of Transportation, the Tompkins County Highway Department, the Tompkins County Health Department, and the Town of Lansing Planning Board;
4. There NYS Comptroller's Office and the Village of Lansing are determined to be Interested Agencies;

and it is further

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of August, 2010, at 6:10 o'clock P.M., to consider a SEQRA review of the environmental impacts of proposed Drainage District #5, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with law; and it is further

RESOLVED, that the Town Clerk immediately issue and deliver a Notice of Intent relative to Lead Agency status to all Involved and Interested Agencies.

The question of the adoption of such proposed Resolution was duly motioned by Mrs. Wilcox, duly seconded by Mr. Christopher, and put to a roll call vote with the following results:

- Vote of Town Board ... (Aye) Martin Christopher, Councilperson
- Vote of Town Board ... (Aye) Robert Cree, Councilperson
- Vote of Town Board ... (Aye) Kathy Miller, Councilperson
- Vote of Town Board ... (Aye) Connie Wilcox, Councilperson
- Vote of Town Board ... (Aye) A. Scott Pinney, Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Approve Final Map, Plan and Report for proposed Town of Lansing Drainage District #5, Farm Pond Circle Subdivision, Declaring Public Interest and Scheduling a PUBLIC HEARING:

RESOLUTION 10-104

RESOLUTION APPROVING FINAL MAP, PLAN & REPORT FOR PROPOSED TOWN OF LANSING DRAINAGE DISTRICT NUMBER 5, SERVICING THE FARM POND CIRCLE SUBDIVISION, DECLARING

PUBLIC INTEREST AND SCHEDULING PUBLIC HEARING THEREUPON

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July, 2010, the following members were present and voting throughout:

A. Scott Pinney, Supervisor;
Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and
Connie Wilcox, Councilperson.

The following Town Board members were absent: none.

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

WHEREAS, NYS Law and the Town’s Stormwater Local Law require the Town to plan for the future maintenance of drainage, sediment control, and stormwater facilities; and

WHEREAS, the Town Board of the Town of Lansing received a request for the approval of permanent infrastructure for stormwater facilities located in the proposed Farm Pond Circle Subdivision, as depicted upon an approved preliminary subdivision plat therefor and in the SWPPP for such subdivision, all pursuant to the Town’s Stormwater Local Law; and

WHEREAS, the Developer has requested the creation of a Drainage District, herein Drainage District #5, and the Lansing Town Board having received input and assent to proceeding by the proposed affected property owners for the establishment of proposed Drainage District #5, and it appearing that the request is in compliance with required Town procedures established under Town Law Article 12-A; and

WHEREAS, the Lansing Town Board having previously determined that a drainage district was needed for the Farm Pond Circle Subdivision, and had previously authorized the preparation of a map, plan and report (“MPR”) by Resolution 10-89, and no objection to such resolution having been received, and no request for a referendum having being filed or received, and as no public funds have been expended for such MPR, as the Developer has paid the cost of the same, no permissive referendum notice was hereby required, and thus, the Town Board having reviewed and accepted the MPR as prepared and submitted by the Town Engineer as complete and final; and

WHEREAS, the creation of a Drainage District is deemed to be in the public interest, and in the interest of the affected property owners proposed to be included in such district; and

WHEREAS, the Town desires to proceed towards establishment of Drainage District #5 pursuant to the provisions of Town Law Article 12-A; and finds that all proceedings to date have been in compliance therewith, and upon due deliberation upon the foregoing and the public interests to be served and the properties to be benefited thereby, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that the final Map, Plan and Report comply with the requirements of Town Law §§ 209-c and 209-d, particularly as to the descriptions and expenses set forth therein for the boundaries and first year’s expenses for the proposed district; and it is further

RESOLVED AND DETERMINED that it is in the public interest and to the benefit of all parcels in the proposed district to establish the Town of Lansing Drainage District #5; and it is further

RESOLVED AND DETERMINED that all benefited parcels are included within such district and no benefited properties have been excluded form the district; and it is further

RESOLVED, that the Town Board hereby adopts an Order pursuant to Town Law §209-d as follows:

- (1) The boundaries of the proposed district are inclusive of a portion of tax parcel number 38.-1-4.12, being approximately 47.82 acres, as shown upon the Farm Pond Circle Subdivision Map drawn by Wayne C. Matteson, Jr., P.E., as dated April 10, 2010(s), as on file at the Clerk's Office, which map is incorporated herein, and which map shows all lots within the said Farm Pond Circle Subdivision and all lots and parcels of land benefited by the proposed Drainage District #5; being more particularly described as follows: Beginning at a point located in the centerline of Collins Road at the southwest corner of lands now or formerly of White (Inst. No. 469047-001); thence N 87° 28' 36" E 248.76' to a point at the southeast corner of said lands of White (R.O.); thence S 74° 36' 37" E 171.75' to a point; thence S 86° 00' 04" E 154.16' to a point at the southeast corner of lands now or formerly of Common Fields, Inc. (Inst. No. 532921-001); thence northerly along the easterly border of said lands of Common Fields, Inc. (R.O.) N 02° 37' 02" W 292.86' to a point in the centerline of Peruville Road; thence N 87° 02' 29" E along said centerline 403.90' to a point; thence S 27° 22' 39" E 2,324.15' to a point at the northeast corner of lands of Laughlin (Inst. No. 507542-001); thence S 87° 16' 13" W 1,043.17' to a point marking the approximate northwest corner of said lands of Laughlin (R.O.); thence N 02° 43' 05" W 1,341.96' to a point marking a northeasterly corner of lands now or formerly of Newton (Inst. No. 438916-001); thence N 57° 29' 00" W 344.24' to a point marking the southwesterly corner of Lot #1 in the proposed Farm Pond Circle Subdivision; thence N 03° 38' 40" W along the southerly line of said Lot #1 to a point; thence S 86° 20' 52" W 249.13' to a point in the centerline of Collins Road; thence N 03° 39' 42" W along the centerline of said Collins Road a distance of 151.01' to the point and place of beginning.
- (2) The proposed improvements consist of 3 stormwater retention ponds, a series of vegetated swales and ditches to convey stormwater to pond forebays, and other related stormwater facilities and drains, all of which are set forth upon the Farm Pond Circle Subdivision Plat (and in the SWPPP), which is expressly herein incorporated herein (as now exists or as hereafter amended). All costs of installation will be paid for by the Developer pursuant to the Town's Stormwater Local Law, NYSDEC GP-0010-001, and the Developer's SWPPP. The Town's maintenance responsibilities include inspections, sediment and debris removal, vegetation management, animal and nuisance management; erosion control; and structural repairs. The Developer will provide easements and rights-of-way to the Town and the District for normal maintenance and emergency access, and title to all lands will remain with the Developer. Further, the Developer will maintain all ponds and related structures pursuant to the SWPPP and SPDES permit requirements, and the Drainage District will maintain all roadside (and other) ditches and vegetated swales - all as set forth in the MPR;
- (3) The estimated cost of the proposed improvements is \$0.00, which is the maximum amount proposed to be expended;
- (4) There is no hook-up cost for or to the drainage district;
- (5) There is no financing needed for this project;
- (6) The Map, Plan and Report are on file for public review and inspection at the Office of the Town Clerk;
- (7) A public hearing upon such proposed district will be held at 6:12 p.m. upon August 18, 2010 at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and
- (8) The Map, Plan and Report describes in detail how the financing, hook-up costs, and other costs and expenses of the proposed drainage district were estimated and computed, including the first year's estimated average maintenance cost of \$70.52

per parcel (with actual costs varying per parcel size from a low of \$31.00 to a high of \$263.00); such costs are proposed to be paid through special benefit assessments for the benefited parcels of the proposed district, to be collected with the annual Town and County tax bill.

and it is further

RESOLVED AND DECLARED that the average cost was computed by identifying the frequency that each maintenance activity is required, and then establishing the number of hours and cost per hour for such time, and then parsing responsibilities between the owner and the district per the SWPPP and MPR, and then arriving at a total district first year and average cost of \$1,340.00. Such amount was then applied to the total acreage of the benefited subdivision, being 42.597 acres, and then a pro-rata formula was applied to each lot for payment in accordance with the total cost per acre, all as shown more particularly on pages 5-8 of said MPR (with maps at pp. 9-10); and this statement of detail as to how the cost was calculated is and shall be deemed filed with the Town Clerk as required by Town Law § 209-d(1); and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing and copy of the Order to be published in the Town's official newspaper not less than 10 nor more than 20 days before such public hearing, and posted on the Town's official signboard not less than 10 nor more than 20 days before such public hearing; and it is further

RESOLVED, that the Town Clerk file a certified copy of this Resolution and Order with the NYS Comptroller at or about the time of the publication hereof.

The question of the adoption of such proposed Resolution was duly motioned by Mrs. Wilcox, duly seconded by Mr. Cree, and put to a roll call vote with the following results:

Vote of Town Board ... (Aye) Martin Christopher, Councilperson
Vote of Town Board ... (Aye) Robert Cree, Councilperson
Vote of Town Board ... (Aye) Kathy Miller, Councilperson
Vote of Town Board ... (Aye) Connie Wilcox, Councilperson
Vote of Town Board ... (Aye) A. Scott Pinney, Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

RESOLUTION 10-105:

**RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S
AGREEMENT FOR FARM POND CIRCLE SUBDIVISION**

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July, 2010, the following members were present and voting throughout:

A. Scott Pinney, Supervisor;
Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and
Connie Wilcox, Councilperson.

The following Town Board members were absent: none.

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

WHEREAS, by prior Resolution the Town Board authorized the preparation of a Map, Plan and Report for the Farm Pond Circle Subdivision in relation to the formation of Drainage District #5; and

WHEREAS, a proposed Developer's Agreement has been drafted and is acceptable to the Town Board; and

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

RESOLVED, that the proposed Developer's Agreement be and hereby is approved, and the Supervisor and/or Deputy Supervisor be and are hereby authorized to execute such Developer's Agreement by, for, on behalf of, and in the name of the Town of Lansing.

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

Vote of Town Board ... (Aye) Martin Christopher, Councilperson
Vote of Town Board ... (Aye) Robert Cree, Councilperson
Vote of Town Board ... (Aye) Kathy Miller, Councilperson
Vote of Town Board ... (Aye) Connie Wilcox, Councilperson
Vote of Town Board ... (Aye) A. Scott Pinney, Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Time Warner Cable Franchise Fee:

Mr. Pinney informed the Board that Time Warner Cable has not currently paid the current fees due to the franchise. The amount due is \$4,972.00. Time Warner Cable stated that if they do pay this there will be additional fees passed on to the subscribers in the Town. Time Warner Cable is required to pay the franchise fee. Supervisor Pinney will sign the necessary paperwork that is required.

NYMIR Reciprocal Agreement:

RESOLUTION 10-106

**RESOLUTION AUTHORIZING EXECUTION OF
NYMIR RECIPROCAL AGREEMENT**

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July, 2010, the following members were present and voting throughout:

A. Scott Pinney, Supervisor;
Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and
Connie Wilcox, Councilperson.

The following Town Board members were absent: none.

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

WHEREAS, the George B. Bailey Agency, Inc. is the Town's broker of record for several municipal insurers and has presented cost analyses for insurance to the Town Board upon the several different types of coverage needed by the Town; and

WHEREAS, the Town Board has opted to join the NYMIR consortium for insurance coverages, which requires the execution and approval of the NYMIR Reciprocal Agreement; and

WHEREAS, after a review of the foregoing and due deliberation and consideration thereof, the Town Board of the Town of Lansing has hereby

RESOLVED, that the NYMIR Reciprocal Agreement be and hereby is approved, and the Town Supervisor, and/or the Deputy Supervisor, be and each is hereby authorized to execute such agreement by, for, and in the name of the Town of Lansing; and it is further

RESOLVED, that the George B. Bailey Agency, Inc. be and hereby is reconfirmed as the Town's Agent of Record for NYMIR.

The question of the adoption of such proposed Resolution was duly motioned by Mrs. Wilcox, duly seconded by Mr. Christopher, and put to a roll call vote with the following results:

Vote of Town Board ... (Aye) Martin Christopher, Councilperson
Vote of Town Board ... (Aye) Robert Cree, Councilperson
Vote of Town Board ... (Aye) Kathy Miller, Councilperson
Vote of Town Board ... (Aye) Connie Wilcox, Councilperson
Vote of Town Board ... (Aye) A. Scott Pinney, Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Union Negotiations Timetable

Supervisor Pinney reviewed the letters of correspondence with the Teamsters Local 317.

Dated June 1, 2010 from Duane E. Wright Business Agent for Teamsters Local 317 requesting their desire to re-open agreement for negotiations as the agreement expires on December 31, 2010.

Dated June 8, 2010 Supervisor Pinney's letter in response with a list for meeting dates to re-open negotiations.

Dated June 17th, 2010 a letter from Duane E. Wright Business Agent for Teamsters Local 317 indicating that the union is not prepared at this time to begin negotiations with the Town of Lansing. Mr. Wright indicated in the letter that he will contact the Town to schedule meeting dates after he has met with the bargaining unit members.

Copies of the letters were also provided to the public.

Supervisor Pinney wanted everyone to be aware of the timeframes and requests for negotiations. It is important to start negotiating to prepare for the Budget process.

Planning and Engineering Department Report - Jeff Overstrom

Schedule Public Hearing for the proposed Stormwater Management Plan:

Jeff Overstrom reviewed and discussed the requirements of the Stormwater Management Plan. He then asked the Town Board to set the following Public Hearing.

RESOLUTION 10-107:

RESOLUTION SCHEDULING PUBLIC HEARING FOR PROPOSED STORMWATER MANAGEMENT PLAN

At a Regular Meeting of the Town Board of the Town of Lansing, held in and for the Town of Lansing at the Lansing Town Hall on 21st day of July 2010, the following members were present and voting throughout:

A. Scott Pinney, Supervisor
Martin Christopher, Councilperson;
Robert Cree, Councilperson;
Kathy Miller, Councilperson; and

Connie Wilcox, Councilperson.

The following Town Board members were absent: none.

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

WHEREAS, the Town Board has reviewed and approved the 2010 Stormwater Management Report and now, in compliance with law, must implement a regular stormwater management plan in accord with the requirements of the DEC, and a proposed plan has been developed by the Planning Department; and

WHEREAS, upon due deliberation thereon, the Town Board of the Town of Lansing, in its capacity as governing body of the Town of Lansing, has hereby

RESOLVED, that a Public Hearing will be held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 18th day of August at 6:15 p.m. to consider the aforesaid Local Law, and to hear all persons interested in the subject thereof, and concerning the same, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy hereof on the Town signboard maintained by the Town Clerk, in accord with law.

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

Vote of Town Board . . . (Aye) Martin Christopher, Councilperson
Vote of Town Board . . . (Aye) Robert Cree, Councilperson
Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Accordingly, the foregoing Resolution was approved, carried, and duly adopted.

Permitting Fireworks within the Town:

Mr. Overstrom informed the Board that he received a visit from the New York State Department of Labor representative concerning Firework Displays. There was a private ceremony held in the Town of Lansing by a professional fireworks company. Mr. Overstrom received an anonymous call asking him if fireworks were allowed from a licensed fireworks display company in the Town of Lansing. He told them they would have to refer to the Fire Department or Sheriff's Department as the Town does not have any permitting policy in place.

The NYS representative informed Mr. Overstrom that it is now on the shoulder of the local municipality. As Code Enforcement Officer the Town needs to make a decision as to whether the Town permits public firework displays or does not permit public firework displays. Private firework displays are not allowed.

Mr. Overstrom has spoken with Town Counsel, Guy Krogh and he has looked into NYS Law. Mr. Overstrom has the Town of Cortlandville's four page draft copy in his office.

After further discussion it was the consensus of the Town Board to have Guy Krogh move forward on working with Mr. Overstrom on drafting a Local Law to review and schedule a Public Hearing at the next Town Board meeting on August 18, 2010.

Code Office Monthly Activity Report June, 2010

Planning Board – June 14, 2010

- Site Plan Review-Auto Repair, 39 Ridge Road, Tax Parcel # 31.-6-9.2
Incomplete information from Applicant & Landowner
- Public Hearing Final Plat-Farm Pond Circle Subdivision, Collins Road, Tax Parcel # 38.-1-4.122 - No Final Approval given on this date, Applicant to return to the July 12, 2010 PB Meeting
- Site Plan & SEQR Review-12 Unit Apartment Building, Village Circle, Tax Parcel # 39.-1-38.2
- Approval of May 24, 2010 Planning Board Minutes

Fire Safety Inspections & Re-Inspections

Total: 4

Construction Inspections

Total: Approximately: 71

Operating Permits Issued

Total: 1

New Addresses Issued for 2010

Total: 11

Notice of Fire

Year to Date Total: 7

Expired Permit Notices

First Notices: 9

Second Notices: 6

Renewed Permits -11 Renewed Permits YTD – 29

Highway Superintendent's Report – Jack French:

Water Main Breaks:

Mr. French informed the Board that there have been four water main breaks in the Town. He stated it is very unusual to have any water main breaks this time of year. He is not sure what is the cause, possibly the earthquake we had four weeks ago.

Hot Mix Paving:

Drake Road and Waterwagon Road have been paved. Plans are still in the works for sections of other roads.

Playground:

A partial crew has been completing work on the playground. The sidewalk and landscaping have been completed.

Supervisor Pinney commented on how nice the sidewalk looked and that it really added a lot to the area.

Mrs. Wilcox also praised the Highway Department for some of the work that is being done around Town. The mowing of the cemeteries, trimming, etc., it makes a difference and is really noticeable. Mr. French stated that they have received a lot of compliments around town.

Water Main on East Shore Drive:

Mr. French has been working with Mr. Purcell and Mr. Overstrom have been working on the new water main on East Shore Drive. Permits have been taken over to the State Department of Transportation in Cortland.

Warren Road Sewer Line:

Mr. French informed the Board that permits have been turned into the County for the Sewer Line on Warren Road.

Teeter Road and East Shore Circle:

Mr. Cree asked Mr. French what the possibility was of a speed bump or a stop sign being placed at the corner of East Shore Circle and Teeter Road.

Mr. French stated that the Highway Department had cut the brush back earlier this week due to the fact that you couldn't see around the curb very well. Federal Law doesn't warrant a three way stop there. Speed bumps are not relative to this climate due to winter plowing.

Mr. Cree stated that he was inquiring because his son was on his bike and was hit by a car from behind. After talking to his neighbor's there is also concern with the speed of vehicles.

Mr. French has a call into John Young who owns the field to see if the brush could be cut back the length of East Shore Circle.

Mr. Cree inquired about the Sheriff Speed Limit Radar being placed on the road. Mr. French stated that the town has one and he will place it there to help with traffic speed in the area. It also tells how many vehicles travel on the road.

Parks and Recreation Department Report – Steve Colt

Mr. Colt reviewed the following with the Board:

**Parks & Recreation
7/21/10
Town Board Meeting**

RECREATION

- **Most of our summer programming** is in progress with only several that have not started which include; Summer's Last Hurrah Camp, Archery, Computer Programming, Riding Camps, Sailing, Bowling, Rock Climbing, High School Musical Program.
- **The Band Camp** has a record number of participants this summer. Over 80 students are registered and are participating in the week long camp.
- **Myers Day Camp** is about to complete session 2 with one more session to go. This year each of the 3 sessions were assigned themes. Session I – water games including a dunking booth. Session II – photography including trips out of camp to photograph a local farm and the bell tower at Cornell. Session III – magic!! Each of these sessions and themes also include our usual trips to swim at Yaman Park in Cortland, Hanger Theater, Wheels Day, The Rink to skate and more!

- **Swimming lessons** at the pool will conclude next week on July 30th. This program will have had around 200 participants by the time it ends.
- **Travel Softball and Baseball** programs will mostly all conclude for the summer season at the end of this month. Upper level teams (16U softball, Prep & Babe Ruth baseball) will be competing in playoffs and championships over the next 2 weeks.
- **Late Summer & Fall** program forms are coming in slowly right now but should pick up soon. I do have concern that much of the area “privatized club soccer” will impact our total registration player numbers. This could certainly change the function of our Youth Soccer program and may affect how many fields we create this season and where we locate them. This may create interesting situations for us soon?
- **Our numbers**, in general look very good with regards to participants as well as our projected revenue numbers with respect to our budgeted anticipated revenue figures.

PARKS

- **Concerts** have gone very well so far and have been well attended. Tomorrow evening our 4th concert will take place at 6:30 PM and will feature “IRON HORSE”. If the weather is good, we project seeing our largest attendance. Our Community Celebrations grant will fund tomorrow’s concert and also funded our July 8th concert. So far, in our first 3 concerts we have taken in \$1,438.37 in donations.
- **The swim area** opened on June 26th and is scheduled to close for the season on Sunday August 29th. The current hours of operation are from 10:30 AM – 8 PM. To date we have had over 1500 swimmers use the area.
- **NYMIR representatives** Tom Weisbeck and Brett Carruthers conducted an inspection of our playgrounds and facilities yesterday to safety check them and check for mandated compliance with the CPSC (Consumer Product Safety Commission) handbook. A playground equipment seminar took place from 1 – 4 PM with a tour of our new playground. We were in great shape!
- **Fee structure adjustments** will certainly be discussed prior to budget work sessions as I feel we can improve revenues while still being very fair with our patrons. The Park has been very busy and definitely looks to stay busy.

Approve Minutes:

A copy of the minutes of June 16, 2010, having been furnished to the Board Members beforehand, the Supervisor asked for a motion to make corrections or to accept the same as submitted.

RESOLUTION 10-108

RESOLUTION, offered by Mrs. Wilcox and seconded by Mrs. Miller:

RESOLVED, that the minutes of June 16, 2010 are hereby approved as submitted.

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
 Vote of Town Board . . . (Aye) Robert Cree, Councilperson
 Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
 Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
 Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Approve Audit and Budget Modifications:

RESOLUTION 10-109

RESOLUTION, offered by Mrs. Wilcox and seconded by Mr. Cree:

RESOLVED, that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

ONSOLIDATED ABSTRACT # 007

DATED 7/21/10

AUDITED VOUCHER #'s 586 – 741

PREPAY VOUCHER #'s 586 - 594

AUDITED TA VOUCHER #'s 64 – 84

PREPAY TA VOUCHER #'s 64 – 68

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>75,660.63</u>
HIGHWAY FUND	\$ <u>209,744.70</u>
LANSING LIGHTING	\$ <u>1,211.96</u>
LANSING WATER DISTRICTS	\$ <u>57,095.67</u>
TRUST & AGENCY	\$ <u>55,736.22</u>
CWD #1	\$ <u>0.00</u>
DEBIT SERVICE	\$ <u>0.00</u>

**BUDGET MODIFICATIONS
GENERAL FUND A**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A3120.400	A3120.100	From Park Constable Cont to Park Constable Prsnl	5,000.00
A599	A7110.400	From Fund Balance to Park Contractual for MP3	17,726.44
A1990.400	A8750.402	From Contingency to Farmers Market Contractual	2,150.00

WATER DISTRICT SW

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW9790.700	SW9790.600	From Lng Sta CWD#1 Interest to Lng Sta CWD#1 Princ	7,940.00

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
 Vote of Town Board . . . (Aye) Robert Cree, Councilperson
 Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
 Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
 Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Board Member Reports:

Marty Christopher:

No Report at this time.

Robert Cree:

No Report at this time.

Kathy Miller:

AES:

Mrs. Miller informed the Board that she is attending the AES negotiation meetings and they are ongoing.

Connie Wilcox:

AG Land Protection:

Mrs. Wilcox informed the Board that they have a draft proposal for Ag Land Protection. It has been sent to all the Committee Members and the Planning Board for their review. A scheduled Public Hearing will hopefully be scheduled before too long.

Farmer's Market:

Mrs. Wilcox informed the Board that the Farmer's Market are doing very well. There has been a lot of good input from the vendor's and community members. It's a great social aspect.

Lansing Community Library Grant:

Mrs. Wilcox met with Library Manager, Susie Gutenberger in regards for them wanting to apply for a grant to fix the front steps and the door to make it more energy efficient. This is not the front exit it is the emergency exit to the library. The grant would require matching funds by the Town. The total cost of the project is \$30,000.00.

This would also require the Town of Lansing to redo the lease.

After further discussion it was the consensus of the Board that at this point the Town could not match the funds.

Chicken Barbeque:

The Lansing Housing Authority will be holding a chicken barbeque on August 7th at 10:30 a.m. until gone:

A. Scott Pinney

Monthly Report:

The Supervisor submitted his monthly report for the month of June to all Board Members and to the Deputy Town Clerk.

Ban Rates for the Warren Road Sewer:

Mr. Pinney informed the Board that HSBC has the lowest rates at 1.86% for the callable rate and 1.61% for the non callable rate.

After further discussion it was the consensus of the Town Board to accept the HSBC non callable rate of 1.61%.

Ground Breaking Warren Road Sewer:

Mrs. Wilcox stated that herself, Mrs. Miller and Mr. Pinney attended the groundbreaking for the Warren Road Sewer Park. It's wonderful for this area knowing that Transonics will stay and keep 130 jobs with them. They will be tripling what they have now. She hopes that people understand that even though it is sewer it is a good thing for the town.

Workplace Violence:

The Town Board has received a Workplace Violence Prevention Program Proposal from HR Innovation. It was the consensus of the Board to get more quotes and proposals.

Town Counsel Report:

Guy Krogh:

Sewer Law:

Mr. Krogh informed the Board that there is a Sewer Law that will be forthcoming that is required by Cayuga Heights because we are using their plant.

Semi Annual Hit List:

Mr. Krogh provided the Board with a list of items to consider, prioritize and report back to him

Executive Session:

RESOLUTION 10-110

RESOLUTION, offered by Mr. Pinney and seconded by Mrs. Wilcox:

RESOLVED, that the Regular Meeting is adjourned to go into Executive Session at 7:22 p.m. to discuss the Union contract negotiation offerings.

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Robert Cree, Councilperson
Vote of Town Board . . . (Aye) Kathy Miller, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Terminate Executive Session:

RESOLUTION 10-111

RESOLUTION, offered by Mr. Pinney and seconded by Mrs. Wilcox:

RESOLVED, that the Executive Session is hereby terminated and the Regular Meeting reconvened at 7:40 p.m.

Adjourn Meeting:

RESOLUTION 10-112

RESOLUTION, offered by Mr. Christopher and seconded by Mr. Cree:

RESOLVED, that the meeting is hereby adjourned at the call of the Supervisor at 7:41 p.m.

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Robert Cree, Councilperson
Vote of Town Board . . . (Aye) Kathy Miller, Councilperson

Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Minutes taken and executed by the Deputy Town Clerk.