

REGULAR TOWN BOARD MEETING
July 16, 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 Deputy Supervisor, Sharon Bowman and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Crandall, Town Clerk, showed the following to be

PRESENT:

Sharon Bowman, Deputy Supervisor	Doug Dake, Councilperson
Ruth Hopkins, Councilperson	Edward LaVigne, Councilperson

ABSENT: Kathy Miller, Supervisor and Robert Cree, Councilperson

ALSO PRESENT: Guy Krogh, Town Attorney, Steve Colt, Park and Recreation Supervisor Jack French, Highway Superintendent, Mike Sigler, Tompkins County Representative, John O'Neill, Village of Lansing, Dan Veaner, Lansing Star, Ted Laux, Connie Wilcox, C. Jacobucci, Pat Pryor, Max and Amanda Steinhardt, Chris Williams, Doug Myer, Karen Edelstein, Paul Costantini, Mike Duesing, Dave and Joyce Heck, Susan & Jim Eyster, Victor & JoAnn Mancini, S. Thomson, S. Henne, Sandra Rapp, Ron Bricker, Tom Butler, James and Mary Sullivan, Maureen Cowen, Margo Hittleman, Mel & Jane Richards, Elizabeth Hillman, Marcy Rosenkrantz, Susan Brock, Steve Emlen, W.H. Miller, Candace Cornell, Joyce Barney, Andrea Gibbs, Joseph Wetmore, Gerry Friedman, and a few other residents.

Tabled Agenda Items

Deputy Supervisor Sharon Bowman announced that the agenda items in red have been tabled for tonight. She stated that Agenda item #7 comments will be taken under privilege of the floor with the exception of any comments related to multiple dwellings, including apartments and condominiums in the R1 District. She stated the clerical error has been correct and these are NOT allowed in the R1 District.

TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER

County Legislature Update – July 16th

Airport Manager Bob Nicholas retires at the end of this month after 25 years with the county. Michael Hall has been appointed Interim Airport Manager.

Mr. Hall is from Ithaca and will serve until a permanent manager is appointed. There was a nationwide search made, but it ended without a consensus and a new search will be done. Mr. Hall is a Cornell alumni and retired Air Force General.

The Legislature adopted the 2014-2015 operating budget for Tompkins Cortland Community College (TC3). The \$39.1 million budget includes a total sponsoring community contribution of about \$4.5 million (split between Tompkins and Cortland Counties), a 3% increase in sponsor contribution over the current year's budget. Tompkins' share of the sponsor contribution is just under \$2.9 million (63%), based on a funding formula related to the proportion of students enrolled from each county.

The Legislature observed a moment of silence in honor of long-time Legislator and past Chair Stuart Stein, who passed away June 26 at the age of 84. Public Hearing Scheduled Regarding

The Legislature held a public hearing before the Legislature on July 15 at 5:30 p.m., on proposed repeal of a Local Law passed in 2012 that opts out of a section of State Real Property Tax Law providing exemptions related to construction of solar, wind

or farm waste energy systems. The legislature passed the repeal after the public hearing.

The Legislature authorized the County Planning Department to assist Mazourek Farms in Newfield and Glenwood Farms in Ulysses in seeking State grant funds to develop farmland protection conservation easements.

The county is working on ways to get natural gas to some property development plans in Lansing. TCAD is helping developers with that.

The Biggs property was on the agenda. The resolutions regarding the sale of the property on West Hill were repealed. The resolution authorizing NRP properties to submit an application for the project on the property then came forward. That passed. The developer will now have to go to the Town of Ithaca with its proposal. I voted against authorizing NRP properties from submitting an application as they've already done. There's a lot of bad blood with this project. The neighbors simply don't feel they were heard throughout this process. Frankly, I don't see how the hospital can be a residential hub. I always thought the hospital was put in the wrong place. 96 is a terrible road as you go into the city. I just don't see it.

There is no news from Andy Zepp on the NYSEG Bell Station site, everything is still up in the air.

There are 5 proposals for the old library and will be reviewed by the committee. Every proposal that has been received will put the property back on the tax roll.

OPEN PUBLIC HEARING – LOCAL LAW #3 OF 2014

Councilperson Ruth Hopkins moved to **OPEN THE PUBLIC HEARING UPON LOCAL LAW #3 OF 2014 THE TOWN OF LANSING PROPERTY MAINTENANCE AND OUTDOOR STORAGE LOCAL LAW** at 6:16 pm.

Councilperson Doug Dake seconded the motion.

All in Favor - 3 Opposed - 0

No one addressed the Town Board.

CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Edward LaVigne moved to **CLOSE THE PUBLIC HEARING** at 6:17 pm. Councilperson Ruth Hopkins seconded the motion.

All in Favor - 3 Opposed - 0

Agenda #6 – Tabled

Public Hearing 6:07 PM – Local Law #4 of 2014

Subdivision Rules and Regulations

Councilperson Ruth Hopkins asked why this was being tabled. Town Counsel stated he didn't know why it was tabled. Deputy Supervisor Sharon Bowman stated she thought it was the decision of the Supervisor.

Agenda #7 - Tabled

Public Hearing 6:10 PM – Local Law #5 of 2014

Town of Lansing Land Use Ordinance

NOTICE OF CORRECTION – Multiple Dwellings Including Apartments and Condominiums are NOT allowed in R1 – Any Additional Comments can be addressed under Privilege of the Floor

OPEN PUBLIC HEARING – ENVIRONMENTAL REVIEW OF PROPOSED LOCAL LAW #3 OF 2014

Councilperson Edward LaVigne moved to **OPEN THE PUBLIC HEARING UPON THE ENVIRONMENTAL REVIEW OF PROPOSED LOCAL LAW #3 OF 2014** at 6:18 pm. Councilperson Ruth Hopkins seconded the motion.

All in Favor - 3 Opposed - 0

No one addressed the Town Board.

CLOSE PUBLIC HEARING

All persons desiring to be heard, having been heard, Councilperson Ruth Hopkins moved to **CLOSE THE PUBLIC HEARING** at 6:19 pm. Councilperson Edward LaVigne seconded the motion.

All in Favor - 3 Opposed - 0

PRIVILEGE OF THE FLOOR

Twelve people addressed the Town Board and each were given a 3 minute limit.

Four letters were submitted and will be kept on file in the Town Clerk's Office.

The majority criticized the process and transparency of the proposed local laws and stated that the town failed to communicate with the public. Many questioned the need for changes, stating it would favor developers over current residents. Residents asked for clarification in the districts and stated there were many errors and omissions in the proposed laws. They criticized the change in setback requirements and **definitions** and **descriptions** of Industrial Construction and Commercial Use, Commercial Excavation, Equipment Sales, Minor and Major Subdivisions, etc.

They urged the Town Board to consider the comprehensive survey results and to wait for the completion of the Comprehensive Plan along with hiring a Planning Consultant. Completed redline documents alongside the proposed local laws were requested for comparison.

The residents encouraged the Town Board to hold Public Informational Meetings where all questions and concerns could be addressed prior to holding scheduled Public Hearings.

Agenda #10 & #11 - Tabled

CONSIDER RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS FROM ADOPTION OF LOCAL LAW #3 OF 2014

DISCUSSION

Counsel Guy Krogh reviewed and explained the EAF (Environmental Assessment Form). He stated the adoption of the modernized new local law is a combination of Local Law #7 of 2004 – Outdoor Business Inventory and Junkyard Ordinance #49. It will regulate outdoor storage and junk that is accumulated. It gives the town the enforcement tools to review it, prohibit it and enforce the property maintenance codes to enhance the environment. No adverse or significant environmental impacts are expected as this is an administrative change to update procedures. Therefore the negative declaration will be issued.

RESOLUTION 14-85

RESOLUTION MAKING NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS FOR PROPOSED LOCAL LAW #3 OF 2014, PERTAINING TO UPDATED, MODERNIZED, AND AMENDED PROPERTY MAINTENANCE AND JUNKYARD REGULATIONS

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

WHEREAS, the Town of Lansing is considering adoption of Local Law #3 of 2014, a local law to repeal Local Law #7 of 2004 (Outdoor Inventory Storage) and the Junkyard Ordinance (#49), and combine them into a single new local law entitled as “A Local Law to Regulate Outdoor Storage and Junkyards in the Town of Lansing,” which local law seeks to greatly simplify regulating junk, junkyards, and all outdoor storage; and

WHEREAS, the Town Board, as the approving agency, must conduct a SEQRA review for this action, and had previously classified the action as an Unlisted Action, proposed that the Town Board be Lead Agency for a coordinated review, identified all Involved and Interested Agencies, issued a Notice of Intent, and has reviewed all responses, including the County Planning 239 response, none of which objected to the Lead Agency status of the Town Board or had any specific comments concerning the potential environmental impacts of the proposed action; and

WHEREAS, a public hearing to consider the environmental impacts of the proposed local law was duly held upon the 16th day of July, 2014, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, where at all persons interested in the subject thereof, were duly heard; and

WHEREAS, each of the identified impacts were analyzed and duly considered by the Town Board, as Lead Agency, in relation to the question of whether such impacts were so probable of occurring or so significant as to require a positive declaration of environmental impacts, and after weighing the above and all other potential impacts arising from or in connection with this project, and after also considering: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town’s master plan and/or Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts, the Town Board found that these factors did not cause any potential impact to be or be likely to become significant. Thus, and after due deliberation upon this matter and a review and analysis of each and all potential environmental impacts, the Town Board as Lead Agency hereby makes a negative declaration of environmental impact from the adoption of this local law; and

WHEREAS, upon deliberation thereupon, and the Lead Agency having made a negative declaration of environmental impact; accordingly, it is hereby

RESOLVED, that the Town Board of the Town of Lansing be and hereby is again declared to be the Lead Agency; and it is further

RESOLVED, after consideration of the above impacts, and other impacts required under 6 NYCRR Part 617, Section 617.7(c), the Lead Agency finds that the proposed action – adopting Local Law #3 of 2014 - will have no significant negative environmental consequences; and it is further

RESOLVED AND DETERMINED, that this declaration is made in accord with Article 8 of the Environmental Conservation Law of the State of New York and the New York SEQRA Act, and the Regulations promulgated thereunder, and accordingly, the Town Board of the Town of Lansing, based upon (i) its thorough review of the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR § 617.7(c), and (iii) its completion of the EAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above referenced proposed action, and

determines that an Environmental Impact Statement is therefore not required; and it is further

RESOLVED, that a Responsible Officer of the Town Board of the Town of Lansing is hereby authorized and directed to complete and sign, as required, the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed EAF and determination of significance shall be incorporated by reference in this Resolution; and it is further

RESOLVED that the Town Clerk deliver and/or file a copy of this Resolution with the following persons and agencies:

1. The Town Clerk of the Town of Lansing.
2. The Town Supervisor of the Town of Lansing.
3. All Involved and Interested Agencies.
4. Any person requesting a copy.

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

Councilperson Doug Dake - Aye Councilperson Ruth Hopkins - Aye
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014.

CONSIDER RESOLUTION ADOPTING LOCAL LAW#3 OF 2014

DISCUSSION - None

RESOLUTION 14-86

**RESOLUTION ADOPTING LOCAL LAW #3 OF 2014, PERTAINING
TO PROPERTY MAINTENANCE, OUTDOOR STORAGE,
AND JUNKYARD LOCAL LAW**

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

WHEREAS, the Town has an existing junk and junkyard ordinance appended as a schedule to the Town's Land Use Ordinance and the same is old and outdated, especially considering the adoption by NYS of the Property Maintenance Codes, and as well the Town has an existing business and commercial outdoor storage and inventory storage local law known as Local Law Number 7 of 2004, which regulates outdoor storage and enclosures, which local law is little used and outdated for the same and other reasons, and the Town thus desires to combine, update, and simplify such laws and ordinances in a new local law entitled "A Local Law to Regulate Outdoor Storage and Junkyards in the Town of Lansing;" and

WHEREAS, such local law: Repeal the prior existing Junkyard Ordinance and Outdoor Business Inventory Storage Local Law; Prohibits the accumulation of personal property, junk, trash, rubbish, garbage, refuse, debris, discarded materials, bulk items, and any materials as could cause a nuisance; Exempts certain businesses and requires permits of others; Provides permitting and inspections, and the enforcement of such local law; Regulates certain types of outdoor storage when located near property lines, churches, parks and other sensitive receptors or water bodies; Requires screening, fencing, the regulation of materials, and permitting rules for junkyards, including log books, permit renewals, and other procedures; And enacts general and administrative provisions; and

WHEREAS, the Town Board, as the Lead Agency issued a negative declaration of environmental impacts in respect of this local law and County Planning has issued its 239 review and noted no significant negative inter-community or county-wide impacts; and

WHEREAS, a public hearing to consider the adoption of this local law was duly held upon the 16th day of July, 2014, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, where at all persons interested in the subject thereof, were duly heard; and

WHEREAS, upon deliberation thereupon, it is hereby

RESOLVED, that Local Law Number 3 of 2014 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 Councilperson Doug Dake duly seconded by Councilperson Ruth Hopkins and put to a roll call vote with the following results:

Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye

Councilperson Ruth Hopkins - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014.

Agenda #14, #15, #16 and #17 - Tabled

HIGHWAY SUPERINTENDENT REPORT

VILLAGE CIRCLE PUMP HOUSE - The Highway Department will complete the siding as soon as NYSEG completes their work.

TRIPHAMMER TERRACE CULVERT – Still waiting for the Army Corps of Engineers.

WATERLINE REPAIRS – Still working on them.

CLEANING UP TREES AND BRUSH FROM STORMS – The Lansingville, Lansing Station and North Lansing areas were hit with 2 major storms.

DIASTER PREPAREDNESS – Jack informed the Town Board that this has been talked about for 8 years. Four years ago he was approached by a Town Board member about serving on a committee and that was the last he heard about it. Jack encouraged the Town Board to put a plan together because currently the town is not prepared.

The Highway Department lost power which disabled critical emergency equipment. Two-way radios and fuel and gas pumps were out of commission. There is currently not a backup generator to supply power to the facility. Many roads were blocked off and he was unable to access cell phone service on Salmon Creek Road when the Fire Chief was trying to reach him. He lost communication for over an hour with his crews.

Councilperson Doug Dake stated that a generator needs to be purchased for the Highway Department.

Councilperson Ruth Hopkins stated that Scott Doyle, Tompkins County Planner has extensive experience in emergency weather and preparedness planning. It was her recommendation to involve and include Mr. Doyle in a plan for the Town of Lansing.

Councilperson Ed LaVigne stated that there are two phases of concern. Phase one should immediately look into purchasing a generator for the Highway Department. Phase two would facilitate a committee that would work to formulate an emergency preparedness plan for the town. Councilperson Edward LaVigne offered to be the lead and work with Jack French along with getting input from Scott Doyle. He volunteered to be the liaison to complete phase one and immediately look into purchasing a generator. It was the consensus of the Town Board to have Councilperson Edward LaVigne work with Jack French to complete this.

Counsel, Guy Krogh stated that Tompkins County has recently updated their hazard plans and a number of towns have adopted resolutions to participate and adopt the county plan. He stated that because a committee was never established the regulatory and common sense steps have not been accomplished.

Councilperson Edward LaVigne noted that some municipalities have implemented a program called Red Alert. The program will send messages to cell phones when roads are closed, blocked and washed out.

Jack French stated that for emergency use the county now has new handheld radios that can reach Fire Departments, other Municipalities, County and State Highway Departments, and Law Enforcement. He recommended that the town invest in purchasing two or three units.

Former Councilperson Connie Wilcox stated that the Fire Departments, Central and Lansingville Stations can provide water and shelter in emergencies. She stated that the fire stations are included in the County Disaster Plan and recommended that they be included in developing a plan for the town. Jack French stated that volunteer firefighters have also spent three days delivering supplies to people with medical needs.

Councilperson Ruth Hopkins suggested looking into grants that can be used for future disaster relief.

Ways to better inform the residents and public will also be implemented.

PARKS AND RECREATION DEPARTMENT REPORT

*Parks & Recreation Department
7/16/14
Town Board Meeting*

RECREATION

- Many of our programs are now up and running. Participation is good and we are tracking ahead of last year with \$94K in just summer recreation program fees collected as of now.
- It is nice to have access at the schools again this summer and allows for more opportunities. We have also used THE FIELD when weather has forced our Baseball Camp inside. That facility is a great option when we need to use it.
- In a recent YFL Football meeting it was decided and now required, that all head coaches and programs in the league, must be "Heads-Up" certified. This requirement is to further promote player safety in the league. The Heads-Up program is a nationwide program that certifies coaches to teach a heads up tackling technique. When the coach takes the on-line class and passes, they also

then have access to many other assets such as practice and game planning material.

- Our summer Travel Teams will be completing their respective seasons in about 2-3 weeks. Our upper age level of baseball and softball teams will be heading into playoffs soon.
- Our late summer and early fall program forms are now available and we will be pushing and promoting these programs actively in a couple of weeks.

Kathy Mosely has connected the Recreation Department to Facebook & Twitter.

PARKS

- Even though the weather was not great the fireworks show went well. We again had several calls and comments with folks saying how much they liked the entire program.
- The concert season started last Thursday with a great performance by Iron Horse and a very large turn- out. Cars were parked on Myers Road.... We are planning on another large crowd for tomorrow July 17th.
- Myers Park has been extremely busy on the weekends and the camp site area is basically sold out for the remainder of July and August. Very few spots are available and mostly mid-week situations.

The first part of the lift has been completed and total completion of the project is expected within the next two weeks.

CONSIDER RESOLUTION AUTHORIZING THE EXECUTION OF FINAL SETTLEMENT DOCUMENTS FOR ROBINSON ROAD LITIGATION

DISCUSSION – None

RESOLUTION 14-87

RESOLUTION AUTHORIZING THE EXECUTION OF FINAL SETTLEMENT DOCUMENTS FOR ROBINSON ROAD LITIGATION

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

WHEREAS, Plaintiffs' Morris filed multiple multi-count complaints against the Towns of Locke and Lansing pertaining to an old roadway that was never likely a public highway, but which had been washed out and ceased being used in 1935, such actions were consolidated in Cayuga County, and the Supreme Court decided the matter in favor of the Town of Lansing, and reaffirmed such holding after 2 further motions by the Plaintiffs; and

WHEREAS, the Plaintiffs thereafter appealed to the Fourth Appellate Department which affirmed the decision in favor of the Town of Lansing, which holding was reaffirmed after motion, and thereafter the Plaintiffs sought a further appeal by motion to the Fourth Department and application to the Court of Appeals, both of were denied by the higher courts, including with an award to both Towns for the Costs of the applications to the Court of Appeals; and

WHEREAS, the Plaintiffs, wrongly alleging or believing they still had a claim that survived in the Supreme Court, but disliking the potential filing of a judgment for costs and disbursements against them as awarded by the Court of Appeals and as further allowed by law upon the conclusion of the matter in favor of the Town of Lansing with

no further rights of appeal, approached the Towns of Locke and Lansing and indicated that if the Towns would forego their right to apply for a judgment for costs the Plaintiffs would sign general releases and stipulations of discontinuance to fully and forever terminate all proceedings; and

WHEREAS, the cost of defending even one more motion, even if wrongly filed, would exceed the potential value of filing a judgment for costs, and the Plaintiffs having threatened to file once again for re-argument before the Court of Appeals (having done so in the Supreme Court and in the Fourth Appellate Division, both to no avail), the settlement offer was accepted subject to the requirement that the Town of Lansing Attorney draft and approve of all settlement documents, and such documents were prepared and signed by the Plaintiffs and have been approved by the Town of Locke; and

WHEREAS, upon deliberation thereupon, it is hereby

RESOLVED, that the Supervisor and Deputy Supervisor be and each is hereby severally authorized to sign such settlement agreements to fully dispose of this matter 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 Councilperson Edward LaVigne, duly seconded by Councilperson Doug Dake, and put to a roll call vote with the following results:

Councilperson Doug Dake - Aye Councilperson Ruth Hopkins - Aye
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014.

CONSIDER RESOLUTION AND ORDER SETTING PUBLIC HEARING PER TOWN LAW § 202-b FOR BOLTON POINT WATER MAIN IMPROVEMENT PROJECT FOR THE INSTALLATION OF WATER MAINS UNDER STATE ROUTE 13

DISCUSSION

Town Clerk Debbie Crandall stated that the Public Hearing will be scheduled for August 20, 2014 at 6:05 p.m.

RESOLUTION 14-88

RESOLUTION AND ORDER SETTING PUBLIC HEARING PER TOWN LAW § 202-b FOR BOLTON POINT WATER MAIN IMPROVEMENT PROJECT FOR THE INSTALLATION OF WATER MAINS UNDER STATE ROUTE 13

The following Resolutions were duly presented for consideration by the Town Board:

WHEREAS, the Town Board of the Town of Lansing, in conjunction with the Village of Lansing and the Village of Cayuga Heights, and the Towns of Ithaca and Dryden, has determined and agreed to participate in the provision of a joint water project for a new water main crossing under NYS 13 and connection of the new main to the existing Southern Cayuga Lake Intermunicipal Water Commission (“SCLIWC”) water system pursuant an Agreement of Municipal Cooperation for Construction, Financing and Operation of an Inter-Municipal Water Supply and Transmission System (the “Intermunicipal Agreement”), and

WHEREAS, a map, plan and report (“MPR”), including estimates of cost, have been duly prepared in such manner and in such detail as comply with the requirements of § 202-b of Town Law, with such project to be known as the “NYS Route 13 Water Main Crossing Water Improvement” (hereinafter, simply the “Improvement”), to provide such water Improvement to the present water supply and treatment system, with such water system Improvement to be constructed and owned by the Village of Lansing and used by

SCLIWC on a temporary or emergency basis whenever it cannot use its existing water main under NYS Route 13, all to enhance and better serve a benefitted area in the Town commonly known as the Consolidated Water District, CWD Extension #1, and CWD Extension #2 (all herein and together, simply the “CWD”), as the CWD derives its water supply and treatment from SCLIWC and has agreed via the Intermunicipal Agreement to pay its share of capital improvement and operating costs; and

WHEREAS, the Improvement to be constructed and owned by the Village of Lansing and used by SCLIWC and the CWD on a temporary or emergency basis will be subject to a use agreement between the SCLIWC members and the Village of Lansing, which agreement will apportion the expenses of construction of the project between the SCLIWC members and the Village of Lansing, and the Improvement proposed consists of approximately 425 feet of 18-inch ductile iron pipe, gate valves, connections to SCLIWC’s existing water main, and other necessary fittings and related ancillary facilities, all to interconnect to the Airport Water Tank and SCLIWC and Village of Lansing mains, and all at an initially determined maximum estimated cost of \$388,000, with \$227,478 of such amount being apportioned and allocated to the Villages of Lansing and Cayuga Heights, the Town of Ithaca, and water districts in the Towns of Lansing and Dryden, such that the ultimate share of the cost to be allocated to the CWD pursuant to the afore-described Intermunicipal Agreement shall be determined on the basis of benefits received or conferred or to be received or conferred from the aforesaid Improvement pursuant to the formula in the Intermunicipal Agreement as adjusted for this project, but in all cases not to exceed \$46,350; and

WHEREAS, said \$227,478 maximum estimated cost shall be authorized to be paid from the SCLIWC Capital Improvement/Replacement fund, which fund contains revenues paid by SCLIWC members to SCLIWC for water sales from SCLIWC to its members, with the CWD’s share paid by money in this fund from water rates from the CWD such that the portion attributable to the Town of Lansing and the CWD (\$46,350) will also be so paid; and

WHEREAS, said maximum estimated cost does not trigger, and the project does not require, Comptroller’s review or approval per Town Law § 202-b (3); and

WHEREAS, the Improvement to be constructed and owned by the Village of Lansing and used by SCLIWC and the CWD on a temporary emergency basis will be subject to a use agreement between the SCLIWC members and the Village of Lansing, which agreement will apportion the expenses of construction of the project between the SCLIWC members and the Village of Lansing, and the Town of Lansing is thus proposing to repair, upgrade, and improve the facilities of SCLIWC as benefit the CWD by contributing to the cost of the required water main as a capital improvement of the Bolton Point water system, with all initial capital costs proposed to be paid by SCLIWC reserve funds and fund balances, such that no financing or bonding is envisioned; and

WHEREAS, this action is classified as an Unlisted Action under SEQRA, which action has already been subjected to review under SEQRA by the Village of Lansing, the Town of Ithaca, and the Town of Dryden, each of which issued a negative declaration, but none of which performed a coordinated review such that Lansing must conduct its own and independent uncoordinated review; and

WHEREAS, in consideration of the public need for such repairs and improvements and the public interest so served thereby, and upon due deliberation upon the foregoing, the Town Board of the Town of Lansing has duly issued the following resolutions and orders:

Section 1. A public hearing shall be held by Town Board of the Town of Lansing, Tompkins County, New York, at the Town Hall at 29 Auburn Road, Lansing, New York, 14882, at 6:05 pm upon August 20, 2014, to consider the aforesaid Map, Plan and Report, the estimated cost of the project, the question of providing the Improvement, the potential environmental impacts of such project, and to thereat hear all persons interested in the subject hereof, to thereat take all evidence presented, and to thereat take such other or further action as is required or permitted by law.

Section 2. The Town Clerk of the Town of Lansing be and 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.

Section 3. The boundaries of the proposed Project are the whole of the CWD (and its extensions), all together with the land survey, metes and bounds, and/or such other descriptions and maps as are on file in the Tompkins County Clerk's Office for the each of the tax parcel numbers within the CWD.

Section 4. The public improvements for such Project to be installed include water mains and the necessary appurtenances to convey water both ways across SR 13, including the necessary valves, hydrants, and like accessories to complete the project in accord with the MPR.

Section 5. The maximum amount proposed to be expended by the Town of Lansing for such Projects is \$46,350;

Section 6. There is no cost of connection for any CWD users;

Section 7. There is no anticipated annualized cost to the CWD other than the amounts already payable to SCLIWC under existing water rates, and there is not expected to be any operational cost increases;

Section 8. CWD financing is not applicable to this project as the whole cost thereof will be paid from fund balances kept by SCLIWC specifically for these types of upgrades and repairs, and ongoing costs will be paid from existing SCLIWC water rates;

Section 9. The MPR is on file for public review and inspection at the Office of the Town Clerk, and the MPR describes in detail how the financing, hook-up costs, and other costs and expenses, were estimated and computed, and therefore complies with Town Law §§ 202-b and 193 as it constitutes the detailed statement of costs and expenses as therein required

Section 10. These Resolutions and this Order shall take effect immediately.

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

Councilperson Doug Dake - Aye Councilperson Ruth Hopkins - Aye
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014

**CONSIDER RESOLUION HIRING KAREN BAUR AS PART-TIME
COORDINATOR FOR LANSING DROP IN PROGRAM**

DISCUSSION - None

RESOLUTION 14-89

**RESOLUTION HIRING KAREN BAUR
PART-TIME PROGRAM COORDINATOR
FOR THE LANSING DROP IN PROGRAM**

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

WHEREAS, the Town Board of the Town of Lansing has accepted the resignation of Karyn Yahn as Part-Time Program Coordinator for the Lansing Drop In Program and;

WHEREAS, said position, Part-Time Program Coordinator, for the Lansing Drop In Program was sought to be filled; and

WHEREAS, the Town Board had previously interviewed for a posted and advertised part-time position, and

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

WHEREAS, after review and discussion of such proposal, the Town Board of the Town of Lansing has hereby

RESOLVED, that Karen Bauer be and hereby is approved to be employed as a Town of Lansing Grade 4 Employee, as a Part-Time Program Coordinator, for the Lansing Drop In Program, with such employment to commence August 1, 2014 at the rate of \$14.95 per hour.

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

Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye

Councilperson Ruth Hopkins - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014.

CONSIDER RESOLUION HIRING KARYN YAHN, DIXIE FRANKLIN AND ALYSON MURPHY AS PART-TIME RECREATION ASSISTANTS FOR LANSING DROP IN PROGRAM

DISCUSSION - None

RESOLUTION 14-90

**RESOLUTION HIRING KARYN YAHN,
DIXIE FRANKLIN AND ALYSON MURPHY
AS PART-TIME RECREATION ASSISTANTS
FOR THE LANSING DROP IN PROGRAM**

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

WHEREAS, the Town Board of the Town of Lansing has accepted the resignations of Karen Baur and Elizabeth Tarbert as Part-Time Recreation Assistants for the Lansing Drop In Program and;

WHEREAS, there is a need for a third Recreation Assistant to act in a substitution capacity when the need arises as the Drop In Center operates with three employees at all times; and,

WHEREAS, said positions, Part-Time Recreation Assistants, for the Lansing Drop In Program were sought to be filled; and

WHEREAS, the Town Board had previously interviewed for the posted and advertised part-time positions, and

WHEREAS, acceptable and qualified individuals were located, and are therefore proposed to be hired to fulfill such job requirements; and

WHEREAS, after review and discussion of such proposal, the Town Board of the Town of Lansing has hereby

RESOLVED, that Karyn Yahn and Dixie Franklin be and hereby are approved to be employed as Town of Lansing Grade 2 Employees, as Part-Time Recreation Assistants, for the Lansing Drop In Program, with such employment to commence August 1, 2014 at the rate of \$11.29 per hour, and it is further

RESOLVED, that Alyson Murphy be and hereby is approved to be employed as a Town of Lansing Grade 2 Employee, as a Part-Time Recreation Assistant for the Drop In Program to act in a substitution capacity when the need arises, with such employment to commence August 1, 2014 at a rate of \$11.29 per hour.

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

Councilperson Doug Dake - Aye Councilperson Ruth Hopkins - Aye
Councilperson Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014.

CONSIDER RESOLUTION AUTHORIZING ACCEPTANCE OF BID AND ISSUANCE OF NOTICE OF AWARD TO KOESTER ASSOCIATES, INC FOR THE CWD EMMONS ROAD TANK THM REMOVAL SYSTEM PROJECT

DISCUSSION - None

RESOLUTION 14-91

RESOLUTION AUTHORIZING ACCEPTANCE OF BID AND ISSUANCE OF NOTICE OF AWARD TO KOESTER ASSOCIATES, INC., FOR THE CWD EMMONS ROAD TANK THM REMOVAL SYSTEM PROJECT

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

WHEREAS, after the adoption and order making Public Interest Determination for the CWD Trihalomethane Removal Improvement Project, to be hereafter known as the “The Emmons Road Tank Project,” for the Consolidated Water District, the Town Board duly caused specifications to be drawn and released for public bidding; and

WHEREAS, the bid specifications were duly advertised and the bid opening was publicly and duly conducted, and thereafter the Town Board caused the bids to be examined for compliance with specifications; and

WHEREAS, as a result of such examinations and meeting, and upon input from the Town Engineer, the lowest bidder’s bid price and proposal were in compliance with bid requirements and such bidder is not listed upon any State Debarment List, such that the Town Board desires to now award such bid; and

WHEREAS, after a review of the foregoing, and upon due deliberation and consideration thereof, and in compliance with the specifications and the requirements for bidding upon public improvement projects, including but not limited to, General Municipal Law §§ 101 and 103, the Town Board of the Town of Lansing has hereby

RESOLVED, that the project bid be and hereby is awarded to Koester Associates, Inc., of 3101 Seneca Turnpike, Canastota, New York 13032, pursuant and subject to the project specifications, in the amount of \$79,200.00 (plus or minus any change orders or adjustments allowed or permitted by law or in or by such specifications, including but not limited to, any change orders hereafter submitted and agreed upon); and it is further

RESOLVED, that the Town Engineer be and hereby is authorized to issue a Notice of Award, which shall constitute acceptance the bid by the Town and the CWD upon the proper execution and timely delivery of the applicable contract documents; and it is further

RESOLVED, that the Town Supervisor and/or Deputy Supervisor be, and each is hereby, authorized to cause the drafting of, and to so execute, a contract with said Koester Associates, Inc. by, for, on behalf of, and in the name of the Town of Lansing, and each be and is hereby further authorized to make, negotiate, and/or execute such further or other documents and agreements as are or may be necessary or convenient to cause such contract and/or bid award to be fully authorized and construction to be completed in as timely a fashion as practicable, including but not limited to, any future contract modifications or change orders as allowed by law or in or by such project specifications.

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

Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye

Councilperson Ruth Hopkins - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 16, 2014.

APPROVE AUDIT and BUDGET MODIFICATIONS

DISCUSSION

Councilperson Ruth Hopkins asked if it was possible for Bookkeeper Sharon Bowman to track and make a summary of the budget modifications that have been moved from Planner Pers to Zoning/Planning Board Legal Services that would cover Planner functions.

Deputy Supervisor/Bookkeeper Sharon Bowman stated that she would do this. She stated that not all of the monies that have been moved and modified goes to legal services and not every single item is directly related to a function that a Planner would do. She stated that by and large the majority of the expenses probably are things that could have been done by the Planner. She stated the last time she checked the \$58,000.00 that was budgeted for a full-time Planner is down to \$28,000.00

Councilperson Edward LaVigne stated that interviews for the part-time Planner will start next week.

RESOLUTION 14-92

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

CONSOLIDATED ABSTRACT # 007

DATED	<u>7/16/14</u>
AUDITED VOUCHER #'s	<u>0572 – 0690</u>
PREPAY VOUCHER #'s	<u>0572 - 0573</u>
AUDITED T & A VOUCHER #'s	<u>059 - 069</u>
PREPAY T & A VOUCHER #'s	<u>059 – 060</u>

FUND

TOTAL APPROPRIATIONS

GENERAL FUND (A&B)	\$	<u>119,337.01</u>
HIGHWAY FUND (DA&DB)	\$	<u>32,930.60</u>
LANSING LIGHTING (SL1, 2 &3)	\$	<u>1,279.03</u>
LANSING WATER DISTRICTS (SW)	\$	<u>71,981.85</u>
TRUST & AGENCY (TA)	\$	<u>39,067.63</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$	<u>679.10</u>
DEBT SERVICE (V)	\$	<u>0.00</u>

**BUDGET MODIFICATIONS
GENERAL FUND A
07/16/2014 BOARD MEETING**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A9050.800	FROM CONTINGENCY TO UNEMPLOYMENT INSURANCE INCREASE IN UNEMPLOYMENT INSURANCE	\$ 117.15
A2189	A8710.400	FR GRANTS AWARDED TO CLWIO HYDROSEEDING PROJECT TO ACCOUNT FOR IO HYDROSEED GRANT FROM 2009	\$54,022.78

**BUDGET MODIFICATIONS
GENERAL FUND B
07/16/2014 BOARD MEETING**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B8020.100	B8010.402	FROM PLANNER PERS TO ZONING-LEGAL SVCS LEGAL SERVICES COVERING PLANNER FUNCTIONS	\$ 4,252.50
B8020.100	B8020.402	FROM PLANNER PERS TO PLAN BD LEGAL SVCS LEGAL SERVICES COVERING PLANNER FUNCTIONS	\$ 2,222.50

**BUDGET MODIFICATIONS
GENERAL FUND DA
07/16/2014 BOARD MEETING**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DA599	DA9050.800	FROM FUND BALANCE TO UNEMPLOYMENT INSURANCE INCREASE IN UNEMPLOYMENT INSURANCE	\$ 409.49

**BUDGET MODIFICATIONS
GENERAL FUND SW
07/16/2014 BOARD MEETING**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW1990.400	SW8310.401	FROM CONTENGENCY TO WATER ADMIN-ENGINEERING UNANTICIPATED ENGINEERING SVCS	\$18,393.72
SW1990.400	SW8340.400	FROM CONTENGENCY TO TRANSMISSION & DISTRIBUTION UNANTICIPATED EXPENSES	\$51,682.69

Councilperson Edward LaVigne seconded the motion and it was carried by the following roll call vote:

Councilperson Doug Dake - Aye
Councilperson Edward LaVigne - Aye

Councilperson Ruth Hopkins - Aye

Accordingly, the foregoing Resolution was approved, carried and duly adopted on July 16, 2014.

BOARD MEMBER REPORTS

Doug Dake

Roof Repair

Bids are in and will be reviewed by the Town Board at the Work Session Meeting. These are estimates that are good for 30 days.

Edward LaVigne

Youth Service Grant

The United Way Youth Service Grant has been received again this year.

Log Cabin Tour

The Senior Citizens will be taking the log cabin tour in August.

Bone Plain Water Tank

He is working with Dave Herrick and Guy Krogh and things are moving forward.

Water District Extensions

He is working with Dave Herrick on Beach Road and Drake Road and Tom Sill on Conlon, Wilson and Buck Roads. When new figures are received he will get back to the Town Board.

Ruth Hopkins

New Decision Documentation Format

Ruth informed the Town Board that the ZBA now has an Area Variance Decision Document. She will have Rachel in the Codes Office supply everyone with copies.

Time Warner Negotiations

Negotiations with Time Warner are continuing even though Comcast is in negotiations to buy Time Warner. Ruth informed the Town Board that not a single town in the county has a current contract with Time Warner.

Shared Service Questions

Ruth has distributed the shared service questions. She would like to split the departments to obtain the needed information in order to comply with the Tax Cap Freeze Program. The shared services need to be identified in order for residents to receive their rebates. The school will also be working on this. The project is due next summer.

Comments Concerning Tonight's Meeting

She received a lot comments by email with questions and concerns. She appreciated the time the residents took to come to tonight's meeting. She thinks the Town Board should pay particular attention to all the comments that were made. She stated that Public Information Sessions should be held before the next round is issued. She would like to see administration portions of this moved forward. As a group the Town Board needs to be attentive to the process. She stated without a Planner the town is at risk. A Planner would have taken responsibility and been the primary editor. It is not the responsibility of Town Counsel to be an editor.

Counsel Guy Krogh stated that every single change that was in the Subdivision Law was drafted verbatim by the Planner. Counsel stated that there is no reason it can't be made better.

Sharon Bowman

Sharon informed the Town Board that Kathy asked that the following resolution be adopted to appoint the Water and Sewer Advisory Board.

APPOINT WATER AND SEWER ADVISORY BOARD

DISCUSSION

The members were discussed and it was suggested that a Community Member outside the Water and Sewer Districts be included. After further discussion the following resolution was offered by the Town Board.

RESOLUTION 14-93

**RESOLUTION APPOINTING THE MEMBERS OF
THE TOWN OF LANSING
WATER AND SEWER ADVISORY BOARD**

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

WHEREAS, the Town Board of the Town of Lansing has determined a need to establish a Water and Sewer Advisory Board; and

WHEREAS, the Town Board of the Town of Lansing would like to appoint the members of the Town of Lansing Water and Sewer Advisory Board; and

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

RESOLVED, that the Town Board of the Town of Lansing appoints the following Water and Sewer Advisory Board Members: Supervisor Kathy Miller, Councilperson Doug Dake, Deputy Highway Superintendent Charlie "Cricket" Purcell, Town Clerk Debbie Crandall, Town Attorney Guy Krogh, Town Engineer David Herrick, and Community Members: Daniel Adinolfi and John Gutenberger, and it is further

RESOLVED, that at a later date an additional Community Member be appointed who does not reside within a water or sewer district.

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

Councilperson Doug Dake - Aye Councilperson Ruth Hopkins - Aye
Councilperson Edward LaVigne - Aye

Accordingly, the following Resolution was approved, carried, and duly adopted on July 16, 2014.

Monthly Report

The Deputy Supervisor submitted the Supervisor's monthly report for the month of June, 2014 to all Board Members and to the Town Clerk.

TOWN COUNSEL REPORT

Guy Krogh

Bolton Point Water Main Improvement Project

The Public Hearing to be held on August 20th at 6:05 p.m. is in regards to the Village of Lansing repairing a water main under Route 13. The project is completely being paid for by Bolton Point out of existing funds for capital improvement from water rate fees. Lansing will have its share as we are part of Bolton Point, but it is no cash out of pocket. The Town of Lansing will have to do an uncoordinated Environmental Review. A Map, Plan and Report is available for the Board to review. Guy asked if Town Board members have questions to let him know as they will have to make a decision after the Public Hearing is held.

Cayuga Way Water Pipe Issue

Sharon Bowman stated that Kathy Miller needed to know their decision on the Cayuga Way water pipe issue that has been discussed. It was the consensus of the Board Members that were present that the required pipe be 12” as approved.

MOTION TO ADJOURN

Councilperson Edward LaVigne moved to adjourn the meeting at 7:55 p.m.
All in Favor - 3 Opposed - 0

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Debbie S. Crandall