

December 15, 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 Supervisor called the meeting to order and had the clerk take the Roll Call.

ROLL CALL

A. Scott Pinney	Supervisor	Present
Marty Christopher	Councilperson	Present
Robert Cree	Councilperson	Present
Kathy Miller	Councilperson	Present
Connie Wilcox	Councilperson	
Present		
Bonny Boles	Town Clerk	Present
Guy Krogh	Town Attorney	Present

Visitors: Jeff Overstrom, Steve Colt, Jack French, Dan Veaner, Ed LaVigne, Andy Sciarabba, Stephen Cardamone, John O’Neil, Mary & Dorothy Krizek and Ted Laux.

The Supervisor led all present in the Pledge of Allegiance.

Town Historian’s Yearly Report:

Town Historian’s Report for 2010 by Louise Bement

As Town Historian since 1981, I find that I am in the Town Historian mode almost all the time. I am always thinking about the history of Lansing and figuring out ways to do more effective research and education. And I am always on call through the telephone or e-mail.

This year I attended seven Municipal Historians’ meetings that usually last about 2 hours. This year the historians chose, as a project, helping people do research on the history of their homes and property. These meetings are lively affairs and we enjoy sharing our individual projects and helping each other.

As president of the Lansing Historical Association I chair five board meetings a year and send out the agenda for each meeting a week ahead of time. We always have a very good attendance of our 15 board members. Our two evening meetings, which are open to the public, were on the life of Clara Barton (spring meeting), and the history of the Grange (fall meeting). I also do research and edit the Lansing Historical Association newsletter which goes out in an eight page format every other month. The Associations’ big news this year is that we finally got our permanent charter from the Board of Regents of New York State. We had been working towards that for quite a few years.

Some of the things I did as Town Historian this year were:

In February I did research on the Keeney/Hoskins line. I also researched the 1973 closing of Lansing’s three remaining post offices. Mary Jo Kyle wrote me an e-mail and we began corresponding about the Jacobs family line in North Lansing. Because I was writing up the Flora Sperry Diary for the Association newsletter, I called Victor Lewis in Trumansburg to learn more about the Golden family mentioned in the diary. On February 27th I spent an enjoyable two hours

at Woodsedge presenting an historical slide show. Then we all had pizza and punch. I am always glad to share my slide show.

In March I met with Frederick Schwarz and his wife to give them copies of Ted Keeney's memoirs. I had met this couple at the fall historical association program and when I learned that they had bought property on the old Keeney farm I knew they had to have Ted's history of the area. Karen Veaner and I spent an afternoon sorting through the pictures and memorabilia of Lansing so that she could incorporate this in the theme for the Harbor Festival. I also met with John Howell to discuss the Farmstead Survey. He would like to do some further work on this survey.

In April I did research and copying on the schoolhouses in Ludlowville for Jackie Baker. Bill and I went to Barbara Bell's home in Irelandville to pick up her scrapbooks in which she had kept all her articles she had written for the Ithaca Journal. I met with Maureen Cowan about the old abandoned railroad beds in Lansing. Maureen is working with a committee to make walking paths in Lansing.

In May I went to Mary Bowman's to get a 1930's picture of a beautiful girl to see if I could find anyone who could identify the picture. So far she still remains a mystery. I met with Tom Sill to lend him the large picture of South Lansing in the 1940's. He wanted to make a copy of it to give to Floyd Wilson, and he returned it quickly none the worse for wear. Early in the morning of May 22nd I got a phone call from a lady from Virginia. She was in town and wanted to find Timothy Howe's grave. I did some quick research and she was able to go to the site. She later sent me information about Timothy and I was able to use it in the Lansing Historical Association newsletter.

In June I met with a woman for an interview and a site review of the Lansing Historical Archives and schoolhouse. This was the last step in our lengthy process of being granted a permanent charter. In May I had done research for a short talk I gave about the Revolutionary War soldier, George Rhodes. I presented this at a ceremony given by the Sons of the American Revolution, a very impressive occasion when a bronze marker was placed on his grave at the Old German Dutch Cemetery on Lansingville Road. Towards the end of June Ann Nedrow and I met to make up questions for a history quiz for the Fourth of July. Andrew Roth from Virginia met with me to learn more about the salt mine and industry. He is writing a novel about this area of the Finger Lakes. A few days later Norm Wheeler and I worked several hours on the history of Revolutionary War soldiers.

I spent the day of the Fourth of July from ten in the morning till three in the afternoon at the History Tent at the Lansing Lions' Chicken Bar-B-Q. On July 22nd Mary Jo Kyle from Washington, D.C. met with me to give me Kate Snyder's diary of 1880. We did some research on the Jacobs/Snyder families and then we went to the North Lansing Cemetery to find their gravestones; ate lunch at Linda's Diner; and drove around the Holden Road area where the families had lived. July 30th I spent the afternoon with a girl who was doing research on the Underground Railroad for her Master's Degree from Syracuse University. I showed her Betsy Barber's diary of 1852 and we drove up to Jerry Smith Road to find the house where Betsy's family had housed a fugitive slave for overnight before sending him on his way. Betsy gave him a quarter – quite a sum for those days.

In August I worked on an information sheet to be placed in a "mailbox" at the site of the North Cabin in the Lansing Town Park in Myers. Dan Veaner and I thought it would be good to have the information there when the cabin was dedicated during the Harbor Festival. On August 6th I met with Mary Beth Williams from 9:30 to 11:30. Mary Beth is a law student at Cornell. She was doing research about the railroad crossing at Bill Burin's which the railroad closed

several years ago. We are hoping to find evidence that it has a right to be there and remain open. August 6th I met with Monica Curtains from Massachusetts. She and her husband were vacationing in Aurora and she wondered if we could find her ancestor's property in Lansing. She had the Military Lot number and so we drove up to Jerry Smith Road and found the location. It is just a corn field today, but she was thrilled. On August 14th I attended the ribbon cutting ceremony at the North Cabin. People who descended from Thomas North were there much to everyone's surprise. They had planned their summer vacation around this event.

In September I copied the Lake Ride Cemetery records for Jo Hass. I also met with Cornell students who needed to do research about the history of Lansing. September 22nd I worked with Donna Scott on the publicity for my talk at the Lansing Community Library to be held October 6th. Later I made copies for hand-outs for my talk which I presented to an enthusiastic audience of about 20.

October 4th I met with Jill Howland and her niece from Danby to receive a large amount of memorabilia about the Young/DeCamp/Bower lines. October 6th I did research on the A.J. Ozmun line for Maureen. Mr. Ozmun owned land across from the Town Hall complex and Maureen is thinking of naming a path there in his honor. Earlier this summer I had worked with Maureen on a presentation, held at the Farmers' Market, of the old railroad beds. One afternoon I had a nice visit with Louise Ford about Lansing history. Karen Holden was visiting her mother and came to my house to read up on the Holden family file. I spent some time copying records from that file for her. I ended the month doing research on the Myers family for Keith Brooks.

In November I worked on the distribution of land for the Military Lots. I met with a girl from Ithaca College 1 ½ hours at the Archives Building to do research on Lansing History. She is hoping her work will be displayed on an Ithaca College Web Site. I worked with Andy Sciarabba about early traces of Indians living here – burial sites, etc. On November 16th Norm Wheeler and I worked for about an hour for his research on veterans from the Revolutionary War to the present.

Most of my meetings with people take place at the Archives Building, and I am so happy to have that lovely space.

PRIVILEGE OF THE FLOOR:

No one approached the Board.

Approve Dog Fees for 2011:

RESOLUTION 10 - 190

SET FEES FOR LICENSING AND IDENTIFICATION OF DOGS:

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none.

WHEREAS, on June 22, 2010, Governor Paterson signed a measure into law as part of the 2010-2011 State Budget that moves the remainder of the dog licensing function required by Article 7 of the New York State Department of Agriculture and Markets Law to the local level, and

WHEREAS, as a result, the existing roles in the licensing of dogs for both county Government and New York State Department of Agriculture and Markets will be eliminated on January 1, 2011, and

WHEREAS, in order to offset costs associated with this requirement, Part T of the Laws of New York 2010, eliminates the current revenue-sharing structure between localities, counties and New York State Department of Agriculture and Markets and directs 100% of the revenue associated with dog licensing to the licensing municipality, and

WHEREAS, under this new provision of Article 7 of New York State Department of Agriculture and Markets Law the local municipality is authorized to establish a fee schedule pertaining to the licensing, identification and enumeration of dogs, now therefore

BE IT RESOLVED, that the Town Board of the Town of Lansing hereby adopts the following fee schedule pertaining to the licensing, identification and enumeration of dogs within the Town and Village of Lansing:

Dog License & Identification Fees:

Altered Dog Town License Fee: \$15.00

(Includes NYS Mandated Animal Population Control Fee of \$ 1.00)

Unaltered Dog Town License Fee: \$25.00

(Includes NYS Mandated Animal Population Control Fee of \$ 3.00)

Replacement Tag: \$ 3.00

Tompkins County Working Dog Tag: No Charge

Purebred License - 5-20 Dogs: \$100.00 + Population Control Fees

Purebred License - 21+ Dogs: \$200.00 + Population Control Fees

AND BE IT FURTHER RESOLVED, that these fees shall become effective January 1, 2011 and may be reviewed and amended from time to time as the Town Board deems appropriate.

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) 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

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

Open Public Hearing on the proposed Woodland Park Planned Development Area:

RESOLUTION 10- 191

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

RESOLVED, that the Public Hearing on the proposed Woodland Park Planned Development Area is hereby opened at 6:05 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

The Lansing Planning Board approved the following resolution on December 13, 2010:

RESOLUTION No. 10-91

**RECOMMENDING TO THE TOWN BOARD
THE CARDAMONE “WOODLAND PARK AT LANSING” PLANNED
DEVELOPMENT AREA” FINAL DEVELOPMENT PLAN**

WHEREAS, Applicant Cardamone Home Builders, Inc., has requested final Town Board Approval, and Planning Board preliminary review, of the final development plan respecting a PDA Application for the “Woodland Park at Lansing” Planned Development Area” (formerly Warren Road PDA) respecting an approximate 59.984 acre parcel residential development consisting of 48 townhouse units and 25 single family lots for an average density of 35,793 square feet per dwelling unit within the R1 Residential District located on Warren Road and Hillcrest Road in the Town of Lansing, Tax Map Parcel 41.-2-5; and

WHEREAS, the Lansing Planning Board has considered and carefully reviewed the Application, the Applicant’s preliminary and final development plans and the Applicant’s Statement of Intent to Comply with Conditions and Specifications of the Planning Board, dated August 26, 2010, respecting the Applicant’s PDA Proposal; and further the Public Comment Period on the Application commenced upon August 26, 2010, upon submission of the Applicant’s Statement of Intent to Comply, pursuant to Section 706.5 of the Lansing Land Use Ordinance, and a public hearing was held by the Lansing Planning Board on October 6, 2010, respecting the Planning Board’s consideration of the Woodland Park Planned PDA Application materials and the Applicant’s August 26, 2010, Statement of Intent to Comply, as well as consideration of whether the Planning Board should recommend to the Town Board either: (1) disapproval of the proposed PDA development; or (2) conditional approval of the PDA development, subject to such conditions set forth in the Statement of Intent to Comply and/or any other conditions otherwise imposed by the Planning Board; and

further, at said public hearing held on October 6, 2010, the residents of the Town of Lansing were given a full opportunity to be heard respecting the Woodland Park PDA Development Proposal, and the Planning Board reviewed said comments and concerns of the residents, including concerns respecting certain potential impacts of the project, including, but not limited to increased

traffic, drainage and stormwater concerns, density issues, and infrastructure capacity; and

WHEREAS, on October 6, 2010, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed Woodland Park PDA development, and has considered and carefully reviewed the requirements of the Land Use Ordinance Section 701 *et seq.*, relative to Planning Board site plan review and the unique needs of the Town due to the topography, the soil types and distributions, and other natural and man made features upon and surrounding the area of the proposed Site Plan, and consideration of storm water drainage, erosion control, parking, water and sewer facilities, driveways, site lighting, off site impacts, roadways and walkways, height regulations, landscaping, open space, and compliance with other state, county and local agency regulations; and the Planning Board has also considered the Town's Comprehensive Plan and compliance therewith; and

WHEREAS, pursuant to Section 706.5 of the Town Of Lansing Land Use Ordinance, the Planning Board recommended conditional approval of the PDA based upon the Developer/Applicant's Statement of Intent to Comply (with addendum) and a list of proposed conditions; and

WHEREAS, by Resolution dated October 6, 2010, and in compliance with the Land Use Ordinance, the Planning Board has complied with the requirements of the Land Use Ordinance relating to the Public Comment Period, and other preliminary steps, relative to the conditional recommendation of the proposed PDA, and has formally referred the matter to the Town Board for mandatory review, public hearing, and a SEQRA review; and pursuant to the Land Use Ordinance, the Town Board scheduled and duly conducted a public hearing upon November 17, 2010, whereat all evidence and testimony were heard and weighed; and

WHEREAS, a SEQRA review of this proposed project was duly conducted and a Negative Declaration of environmental impact was duly declared and issued, and it was noted that further and/or supplemental SEQRA reviews may or will be required for the drainage district, the water district extension, the Final Development Plan for the PDA, and/or upon the issuance of any wetlands or other permits, with or without conditions; and

WHEREAS, pursuant to GML § 239-l, -m, and -n, the Tompkins County Department of Planning issued official comments, including: (i) the required highway permit from the County for access and a curb cut to Warren Road and the consideration of pedestrian walkways throughout the development, particularly to meet TCAT demand for a bus stop at the project site; and (ii) the provision for 10% of the available units to be designated or provided for low to moderate income households; and (iii) the provision of a recreational area for children in the area with the townhouse units. Upon these opinions, the County Department of Planning has otherwise stated that the project, without such changes, may have "negative inter-community, or county-wide impact". In reply the Town Board finds little basis to believe that these changes actually relate to inter-community or county-wide issues or impacts, and finds that, even if there were such "global" effects from not having more project sidewalks, more play areas, or low and moderate income housing, the same are not readily applicable to this project as the PDA process was specifically chosen by the Developer, working with the Town, so as to increase project density, thereby causing the development costs to go down, thereby making the units more affordable.

Further, the PDA process increased open areas and spaces, thus actually increasing the available recreation areas and open spaces. Further, the Developer has, in the townhouse area, set aside walkways and recreational areas comprising over 10% of the available land area. Thus, while the County comments may have some overall merit relative to modern planning, such matters were already factored in and, as noted, the same seem not to relate to any inter-community or county-wide issues or impacts (with the exception of housing costs, which, in any event, are largely controlled by land and development costs). Further, TCAT has indicated it will not place a bus shelter on Warren Road near the project as the area is a designated rural route, so there is little need for more sidewalk areas to serve this function. Finally, the project has a design and serves an identified market for housing within the Town of Lansing, so the Town finds the recommendations of the County Department of Planning to be of minimal value given the rural character of the bus route, the nature of neighboring roads and highways, the abundant recreational parks and areas within Lansing, and the design of the project itself; and

WHEREAS, on November 17, 2010, the Town Board granted Conditional Approval of the proposed Planned Development Area pursuant to and under Section 706.6 of the Town of Lansing Land Use Ordinance, subject to the conditions and findings set forth below, and referred the Application back to the Planning Board for the applicable steps and verifications necessary for the Final Development Plan; and it is further

WHEREAS, the Town Board's conditions and findings set forth in the Town Board's November 17, 2010 resolution are set forth below, each and all of which must be satisfied before approval of the Final Development Plan:

1. Final Development approval shall be contingent upon the ACOE approval and issuance of wetland permits and any wetland mitigation required by the ACOE;
2. The Town's Right of Way/Easement Road Width for the proposed Private Road in the Townhouse phased construction area shall be 50 feet, and the requested waiver/variance from the 60' wide roadway requirement be and hereby is granted and approved by the Town Board;
3. The applicant shall make provision for a 6 foot shoulder/pathway either north or south of Public Road B, located on the southern portion of the PDA sketch plan; further noting that the Town Board is not recommending any change in the cross section or paved width of Public Road B as shown on the Applicant's plans;
4. The applicant shall provide an estimated time frame proposal for each phase of the construction;
5. The lots designated for single family home construction cannot be amended to permit additional multifamily dwellings in the PDA;
6. The approval of the PDA is contingent upon Town Board approval of the applicant's application for extension of the Water District to encompass the entire PDA project;
7. The approval of the PDA is contingent upon the dedication to the Town of stormwater infrastructure, or rights therein, together with the land upon which situate, or easements necessary to access, inspect, service, maintain,

repair and/or replace the same, all together with a further condition that approval be contingent upon the creation of a drainage district to manage such permanent stormwater practices upon such terms as the proposed map, plan and report for such future drainage district so dictate or require;

8. The approval of the PDA is contingent upon Town Board approval of any and all deed restrictions, if any; and

9. The approval of the PDA is contingent upon the County Highway Department's review and approval of proposed single curb cut access to Warren Road;

and

WHEREAS, on December 13, 2010 the Planning Board reviewed the Applicant's proposed Final Development Plan and found that the preceding conditions have been duly met by the Applicant;

now it is hereby

RESOLVED, that, pursuant to Section 706.7 of the Town Of Lansing Land Use Ordinance, the Lansing Planning Board hereby recommends to the Town Board that the Town Board conditionally approve the "Woodland Park at Lansing" PDA Final Development Plan subject to the following condition which was agreed to by the Applicant:

1. Sunset provision of 25 years to be included in the Applicant's proposed "Declaration of Restrictions";

and it is further

RESOLVED, that, pursuant to Section 706 *et seq.* of the Land Use Ordinance, the Planning Board recommends that the Town Board set a public hearing for Town Board consideration of the Applicant's Final Development Plan within 45 days of the Town Board's receipt of this Resolution and the Applicant's Final Development Plan, in accordance with the provisions of Section 706.8 of the Land Use Ordinance. In addition, pursuant to Section 706.8 of the Town of Lansing Land Use Ordinance, Town Board approval, approval with conditions, or disapproval of the Final Development Plan shall be issued by the Town Board within 30 days of said aforementioned requisite Town Board public hearing;

and it is further

RESOLVED that a copy of this resolution of the Planning Board be filed by the Planning Board with the Town Board and the Code Enforcement Officer in accordance with Section 706.7 of the Town of Lansing Land Use Ordinance

Close Public Hearing on Woodland Park Planned Development Area :

RESOLUTION 10 - 192

RESOLUTION offered by Mr. Pinney and seconded by Mrs. Miller:

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing on the proposed Woodland Park Planned Development Area, is hereby closed at 6:06 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

Approval of Woodland Park Planned Development Area:

RESOLUTION 10 – 193

**RESOLUTION APPROVING FINAL DEVELOPMENT PLAN FOR
WOODLAND PARK PDA**

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none.

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

WHEREAS, Applicant Cardamone Home Builders, Inc., has requested Town and Planning Board Approval for the “Woodland Park Planned Development Area,” respecting an approximate 59.984 acre parcel of residential development consisting of 48 townhouse units and 25 single family lots for an average density of 35,793 square feet per dwelling unit within the R1 Residential District located on Warren Road and Hillcrest Road in the Town of Lansing, Tax Map Parcel 41.-2-5; and

WHEREAS, the Lansing Planning Board considered and carefully reviewed the Application and the Applicant’s Statement of Intent to Comply with Conditions and Specifications of the Planning Board, and after the Public Comment Period and a Public Hearing thereupon, the Planning Board recommended conditional preliminary approval of the PDA based upon the Developer/Applicant’s Statement of Intent to Comply (with addendum) and a list of proposed conditions and formally referred the matter to the Town Board for mandatory review, Public Hearing, and a SEQRA review; and pursuant to the Land Use Ordinance, the Town Board scheduled and duly conducted Public Hearings (both for the preliminary PDA approval and the SEQRA review) upon November 17, 2010, whereat all evidence and testimony were heard and weighed; and

WHEREAS, a SEQRA review of this proposed project was duly conducted and a Negative Declaration of environmental impact was duly declared and issued upon November 17, 2010; and

WHEREAS, pursuant to GML § 239-l, -m, and -n, the Tompkins County Department of Planning issued official comments, including: (i) the required highway permit from the County for access and a curb cut to Warren Road and the consideration of pedestrian walkways throughout the development, particularly to meet TCAT demand for a bus stop at the project site; and (ii) the provision for 10% of the available units to be designated or provided for low to moderate income households; and (iii) the provision of a recreational area for children in the area with the townhouse units. Upon these opinions, the County Department of Planning has otherwise stated that the project, without such changes, may have “negative inter-community, or county-wide impact”. In reply the Town Board again finds little basis to believe that these changes actually relate to inter-community or county-wide issues or impacts, and finds that, even if there were such “global” effects from not having more project sidewalks, more play areas, or low and moderate income housing, the same are not readily applicable to this project as the PDA process was specifically chosen by the Developer, working with the Town, so as to increase project density, thereby causing the development costs to go down, thereby making the units more affordable. Further, the PDA process increased open areas and spaces, thus actually increasing the available recreation areas and open spaces. Further, the Developer has, in the townhouse area, set aside walkways and recreational areas comprising over 10% of the available land area. Thus, while the County comments may have some overall merit relative to modern planning, such matters were already factored in and, as noted, the same seem not to relate to any inter-community or county-wide issues or impacts (with the exception of housing costs, which, in any event, are largely controlled by land and development costs). Further, TCAT has indicated it will not place a bus shelter on Warren Road near the project as the area is a designated rural route, so there is little need for more sidewalk areas to serve this function. Finally, the project has a design and serves an identified market for housing within the Town of Lansing, so the Town finds the recommendations of the County Department of Planning to be of minimal value given the rural character of the bus route, the nature of neighboring roads and highways, the abundant recreational parks and areas within Lansing, and the design of the project itself; and

WHEREAS, the Town Board duly issued its Conditional Approval of the proposed PDA pursuant to and under Section 706.6 of the Town of Lansing Land Use Ordinance, and the matter was duly referred back to the Planning Board for a review and implementation of the conditions stated and the development of the Final Development Plan; and

WHEREAS, the Planning Board, by Resolution of December 13, 2010, issued a final approval for the Final Development Plan for the PDA and found that the required conditions had been duly met (or provision for the same were duly acknowledged), and duly referred this matter back to the Town Board for a Public Hearing and final approval pursuant to the Land Use Ordinance; and

WHEREAS, after consideration of evidence and comments, if any, submitted at the Public Hearing upon the Final Development Plan, as held upon the 15th day of December, 2010, at the Lansing Town Hall, and upon due deliberation upon this matter and the foregoing recitations, and in consideration of the comments of the Planning Board and the County Department of Planning, it was

RESOLVED, that the Final Development Plan be and hereby is approved, subject to the following conditions:

1. Final approval of the PDA is contingent upon: (i) issuance of any needed or required wetland permits and any wetland mitigation required by the ACOE; (ii) the Consolidated Water District serving the entire PDA project (whether by district extension, boundary change, or otherwise); (iii) compliance with the approved final SWPPP and the formation of a drainage district and related infrastructure and agreements, and the dedication of such infrastructure to the Town (or to such drainage district), together with rights of access and use necessary to access, inspect, service, maintain, repair and/or replace the same; (iv) adding a 25-year sunset clause to the restrictive covenants for the PDA; (v) present and future compliance with the terms and requirements of the Statement of Intent to Comply; and (vi) the County Highway Department's review and approval of a proposed single curb cut for access to Warren Road;
2. The lots designated for single family home construction cannot be amended to permit additional multi-family dwellings in the PDA;
3. Aesthetic and related considerations shall be in accordance with the deed restrictions, covenants, and related guidelines as submitted to and approved by the Planning Board as part of the Final Development Plan, each and all of which are hereby approved;
4. The Developer shall comply with any further requests of the Town Board or Town Planning Board for data, documents, or information in respect to the implementation of the Final Development Plan, and additional Planning Board and Town Board review and approvals shall be required both for each future Phase of the PDA, and required yearly per the Lansing Land Use Ordinance, Section 706.9.1 and 706.9.2; and
5. This conditional approval of the PDA Final Development Plan shall be valid for one year from the date of final approval, unless extended by the Town Board;

and it is further

RESOLVED and DETERMINED, that the proposed PDA Final Development Plan, together with the conditions imposed above, is in compliance and accordance with the Town of Lansing's Comprehensive Plan, including, but not limited to, the following goals and objectives set forth therein: appropriate growth and development while preserving the distinctive character of this area of the Town; mixed uses where water and sewer may be provided; development of the mixed residential use area in a way that will maximize access for pedestrian traffic and open spaces while preserving natural areas of value; providing a range of dwelling types; diversified housing development; new development consistent with existing and future land uses; housing development patterns that help retain open space and preserve the traffic-carrying function of major roads; and encouraging alternatives to traditional residential development through measures such as clustering and planned development that will conserve land and land uses; and it is further

RESOLVED, that this approval is further conditioned upon the terms, conditions, and requirements of the Planned Development Area being reflected and summarized in a document created and approved by the Town that is capable of properly identifying all special and other terms of zoning and site planning applicable to this new zoning classification such that the Land Use

Ordinance may be duly amended by Local Law to incorporate and add this PDA to such Ordinance, in accord with law.

The question of the adoption of such proposed Resolution was duly motioned by Mr. Pinney, duly seconded by Mrs. Wilcox, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Approve SCLIWC 2011 Water Rate & Authorizing Execution of Agreement:

RESOLUTION 10- 194

**RESOLUTION APPROVING SCLIWC 2011 WATER RATE
AND AUTHORIZING EXECUTION OF
AGREEMENT REGARDING SAME**

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 15th day of December, 2010, the following members being present and voting throughout:

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

The following members were absent: None

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

WHEREAS, the Town of Lansing is a signatory to the amended, supplemental, restated and consolidated agreement of municipal cooperation for construction, financing and operation of an intermunicipal water supply and transmission system dated as of June 5, 1979, as the same has been amended from time to time, (the "Agreement"); and

WHEREAS, pursuant to the Agreement each municipality agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as "Commission"), water revenues based upon, in part, a water rate schedule annexed as Exhibit I of Schedule A to the Agreement; and

WHEREAS, based on changes in costs, the Commission believes it is advisable to adopt a new water rate schedule; and

WHEREAS, Schedule A of the Agreement provides that the water rate schedule may not be changed by the Commission without the written agreement to such change of all the parties; and

WHEREAS, Exhibit I of Schedule A to the Agreement has been amended from time to time since the initial date of the Agreement; and

WHEREAS, among other changes, the basic water rate is being increased and the flat rate charge per 1,000 gallons shall be non-fluctuating and equal to two dollars and eighty seven cents (\$2.87).

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

RESOLVED, that the proposed changes be and hereby are approved, and the Town Board, and the Supervisor and each Councilperson be and hereby are authorized to execute the SCLIWC Bolton Point Water System Agreement to Change Water Rate Schedule by, for and in the name of the Town of Lansing.

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

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Ney) 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.

Mr. Sciarabba stated that he did not think commercial properties need to be inspected by Bolton Point every year. He felt it was unnecessary and costly.

Approve 2011 Water Rates for the Town of Lansing:

RESOLUTION 10- 195

**RESOLUTION ESTABLISHING 2011 WATER RATES
FOR 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 the 15th day of December 2010, the following members being present and voting throughout:

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

The following members were absent: None

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

WHEREAS, the Town of Lansing is a signatory to the amended, supplemental, restated and consolidated agreement of municipal cooperation for construction, financing and operation of an intermunicipal, water supply and transmission

system dated as of June 5, 1979, as the same has been amended from time to time, (the "Agreement"); and

WHEREAS, pursuant to the Agreement each municipality agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as the "Commission"), water revenues based upon, in part, a water rate schedule annexed as Exhibit I of Schedule A to the Agreement; and

WHEREAS, the Town must set its water rates for 2011 so as to allow the Commission to begin first quarter billing; and

WHEREAS, upon due deliberation upon the same, it is hereby

RESOLVED, that the Town Board of the Town of Lansing does hereby establish the following water rates for the Town of Lansing residents within the Town of Lansing Consolidated Water District for the year 2011.

Water Rate	\$2.87 per thousand gallons
Operation and Maintenance Fee	<u>\$.53 per thousand gallons</u>
TOTAL RATE	\$3.40 per thousand gallons

BE IT FURTHER RESOLVED, that #1 and #2 accounts are not included in the current Town of Lansing Consolidated Water District.

THEREFORE, upon due deliberation upon the same, it is hereby

RESOLVED, that the Town Board of the Town of Lansing does hereby establish the following water rates for the Town of Lansing residents in the #1 account being Algerine and Lansing Station Roads and #2 account being Drake Road. This will also include future water district extensions for the year 2011.

Water Rate	\$2.87 per thousand gallons
Operation and Maintenance Fee	<u>\$1.03 per thousand gallons</u>
Total Rate	\$3.90 per thousand gallons

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

Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Ney) 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 Highway Typist:

RESOLUTION 10-196

Resolution Provisionally Hiring Penny A. Crozier, Grade 4

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 the 15th day of December 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none

WHEREAS, the Town Board had previously posted and advertised the part time position duly created; and

WHEREAS, said position, part time typist, in the Highway Department was sought to be filled; and

WHEREAS, an acceptable and qualified individual was located, and is therefore proposed to be provisionally 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 said Penny A. Crozier be and hereby is approved to be provisionally employed as a Town of Lansing Grade 4 Employee, as a part time typist, in the Highway Department, with such employment being retro-active to December 2, 2010 at the rate of \$16.25 per hour.

The question of the adoption of such proposed Resolution was duly motioned by Mr. Pinney, duly seconded by Mrs. Miller, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Resolution Re-Appointing Larry Sharpsteen to Planning Board :

RESOLUTION 10 - 197

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none

WHEREAS, the Planning Board has requested that Larry Sharpsteen be re-appointed to a 7-year term on the Planning Board; and

WHEREAS, Larry Sharpsteen is duly qualified to be and remain on the Planning Board by virtue of having fulfilled mandatory NYS training requirements; and

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

RESOLVED, that Larry Sharpsteen be and hereby is re-appointed as a member of the Planning Board, effective January 1, 2011 for a term of 7 years, expiring December 31, 2017, and to thereat serve at the pleasure of the Town Board.

The question of the adoption of such proposed Resolution was duly motioned by Mr. Cree duly seconded by Mr. Pinney, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Mrs. Miller stated that she has been questioned on how a person is picked to be on the Planning Board. Mrs. Wilcox stated that in the past, if someone is up for re-appointment, they are appointed if they want to continue. Mr. Overstrom stated that there will be an opening soon. Mrs. Miller has two candidates that she will send to the Planning Department to fill out an application.

Mr. Christopher wanted it noted in the record that he is still in support of having 5 people on the Planning Board instead of 7.

Re-Appoint Henry (Hurf) Sheldon to the Lansing ZBA:

RESOLUTION 10 – 198

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none

WHEREAS, the ZBA has requested that Henry (Hurf) Sheldon be re-appointed to a 5-year term on the ZBA; and

WHEREAS, he is duly qualified to be and remain on the ZBA by virtue of having fulfilled mandatory NYS training requirements; and

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

RESOLVED, that Henry (Hurf) Sheldon is hereby re-appointed to a 5-year term on the ZBA, commencing January 1, 2011 and expiring December 31, 2015.

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) 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

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

Accept Resignation of Ronald Bricker as Alternate Member on the ZBA Board:

RESOLUTION 10 – 199

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none

RESOLVED, upon recommendation from the Zoning Board of Appeals, the Town Board of the Town of Lansing does hereby accept the resignation of Ronald Bricker as an Alternate Member of the Zoning Board of Appeals effective December 7, 2010.

The question of the adoption of such proposed Resolution was duly motioned by Mrs. Wilcox and seconded by Mr. Christopher, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Union Bargaining Agreement:

RESOLUTION – 10 -200

**RESOLUTION AUTHORIZING THE TERMS AND EXECUTION
OF THE 2011-2013 TEAMSTERS LOCAL 317 - TOWN OF LANSING
COLLECTIVE BARGAINING 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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none. Councilperson Connie Wilcox recused herself from participating in discussion and voting due to a conflict of interest as she has relatives who are part of the Bargaining Unit.

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

WHEREAS, upon due authority, the Town Supervisor and Councilperson Cree did negotiate the terms of the 2011-2013 3-year contract with the Teamsters Collective Bargaining Unit (mainly, highway department employees); and

WHEREAS, upon the recommendation as to the terms and negotiated terms of the proposed contract, the Supervisor recommended approval of the proposed Collective Bargaining Agreement (“CBA”), with 2 clarifying modifications; and

WHEREAS, legislative approval by the Town is a requirement for the validity of such CBA; and

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

RESOLVED, that the following 2 amendments are made to the proposed final form of the negotiated CBA to clarify the same: (i) the Addendum (a memorandum of understanding) to the 2010 CBA be and hereby is removed as it was not a part of the 2010 CBA and has expired by its express terms; and (ii) the word “plan” in Article 13, the second paragraph after the subheading “Medical Insurance for Retirees” is clarified by adding the following parenthetical phrase thereafter: “(Health Insurance Benefit Plan and Benefit/Reimbursement Plan of the Town of Lansing as delineated in the Employee Handbook)”; and it is further

RESOLVED, that, as amended and clarified, the 2011-2013 CBA be and hereby is approved, and the Supervisor and/or Deputy Supervisor be and are each hereby authorized to execute the same by, for, and in the name of the Town of Lansing.

The question of the adoption of such proposed Resolution was duly motioned by Scott Pinney, duly seconded by Marty Christopher, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Set Public Hearing for Town of Lansing Sewer Local Law Number 1 of 2011:

RESOLUTION 10- 201

**RESOLUTION SCHEDULING PUBLIC HEARING UPON LOCAL LAW
NUMBER 1 OF 2011 FOR THE TOWN OF LANSING SEWER LOCAL LAW**

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none.

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

WHEREAS, pursuant to an Intermunicipal Agreement with the Villages of Lansing and Cayuga Heights, the Town of Lansing agreed and is required to adopt an updated Local Law to require compliance with state and federal permits and wastewater treatment laws and regulations so as to allow the Villages and the Town to effect repairs and take other actions to comply with such State and Federal laws and Regulations; and

WHEREAS, such draft Local Law is intended to (a) permit discharges into the sanitary sewers of the Town of Lansing Sewer System and districts, including laterals and tributaries thereto, (b) to prohibit excessive volumes and/or inordinate rates of flow of sewage and wastes into Town of Lansing Sewer Systems, (c) to prohibit the contribution of sewage, industrial wastes, and other wastes of a flammable nature, or which creates any potential poisonous or hazardous environment for the sewer system, Town employees, and users of the sewer system, (d) to prohibit the contribution of sewage, industrial wastes, and other wastes that may cause maintenance difficulties in trunk sewers, force mains, pumping stations, sewage regulators, and other structures and

appurtenances of the Town of Lansing Sewer System and any other public sewers tributary thereto, (e) to prohibit the contribution of sewage, industrial wastes, or other wastes which may create operating difficulties at any sewage treatment plants, (f) to prohibit and/or regulate by permit the contribution of sewage, industrial wastes, and other wastes that require treatment at a level or cost greater than required for equal volumes of normal sewage, and to surcharge users for permitted effluent or contributions requiring treatment levels or costs beyond the treatment level or costs normally incurred for the collection, transportation, and treatment of normal sewage, (g) to require the treatment, before introduction into the Town of Lansing Sewer System, of such wastes as may otherwise impair the strength and/or durability of the structures appurtenant to the Town of Lansing Sewer System by direct or indirect chemical action, or that may otherwise interfere with the normal transportation and treatment processes, (h) to provide the authority and procedures for the Town of Lansing to promulgate rules, to investigate and prepare findings of facts, to collect sewer charges, rents and fees, to issue permits, to hold hearings, to make decisions, orders and opinions, and to give notice and make public all rules and decisions affecting substantial rights of persons or property, and (i) to protect the public health and prevent nuisances; and

WHEREAS, said Local Law proposes to define the above terms, among others, and to identify chemicals and compounds, and limits therefore, in relation to the permitting, fees, charges, transportation and treatment of sewage, as well as to allow for inspections, testing, and analysis of flow rates and sewage composition, and to appoint inspectors and empower them to act under the Local Law, to define offenses and penalties for violations of the Local Law, to provide for and allow permit issuance, cancelation, and other administrative processes and procedures, and to adopt rules and regulations for the operation and use of the sewer system; 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 19th day of January, 2011, 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. Pinney, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Planning and Engineering Department Report:

Mr. Overstrom presented the following monthly report:

Code Office Monthly Activity Report
November, 2010

Planning Board - November 22, 2010

- Public Hearing(s) SEQR & Application, Lansing Commons
- Set Public Hearing= Woodland Park at Lansing PDA
- Approval of October 25, 2010 Minutes

ZBA - Meeting Cancelled due to lack of Agenda Items

Training/Other
None

Fire Safety Inspections & Re-Inspections
Total: 4

Construction Inspections
Total: Approximately: 83

Operating Permits Issued
Total: 1

New Addresses Issued for 2010
2 Issued for November for a Total: 21

Notice of Fire
Year to Date Total: 8

Expired Permit Notices
First Notices: 11
Second Notices: 5
Renewed Permits -6 Renewed Permits YTD - 59

Highway Department Report:

Mr. French informed the Board that Chicago Construction is closed for the winter.

Myers Park Marina:

All the docks are out and the new ones are being built. The posts are in but will have to wait for the weather before they can proceed.

Night Shift:

The night shift has started. The hours are from 10 p.m. to 6 a.m.

New Highway Clerk:

Penny Crozier has been hired as the new Highway part-time typist taking the place of Joan Kobasa who retired.

Park and Recreation Department Report:

Mr. Colt presented the following monthly report:

Parks & Recreation Department

12/15/10

Town Board Meeting

RECREATION

- **Program updates:** Our Bowling program was completed last week after 6 trips to the Bowl-O-Drome. We had plenty of great help from parents and youth chaperones along with a large number of bowlers. Our Gymnastics program ends this Friday and will be followed with a second session starting January 7th. The “in-house” Basketball program ends on December 22nd. The “Travel” program is set to start January 3rd. A scheduling meeting has taken place and games have been set up.
- **Youth Wrestling** has started and we have a good turn-out. Jeremy Butler does an excellent job with this program.
- **The Ski program** currently has 112 participants and several skiing families that are driving over. We are set to start on January 3rd. This program occurs on Monday’s for 6 sessions.
- **The Skating program** is set to start on Tuesday January 11th and we will have 5 sessions at The Rink.
- **Indoor Soccer** will start a second session at The Field February 4th for students in grades K-4. Our current session has 48 participants and is a great turn out for our first offering of this program.
- **Our fall athletic equipment** is mostly reconditioned and stored away for the off season. We need to do some replacement purchasing and will do some of this next week.

PARKS

- **Park fee schedules** have been completed for the upcoming season. These schedules have been forwarded to the town clerk for the record. All of our pamphlets and information will be updated soon.
- The following dates have been set for making reservations for services at Myers Park:

Pavilion reservations - January 3rd

Camping reservations - January 10th

Marina boat slip lottery - February 2nd

- This year we are going to issue Myers Park entrance stickers for residents. This will be a more functional system than the process that was used 10+ years ago... Details and stickers will be available soon.
- We have already received a lot of calls from music groups wanting to play at this season Concert Series. I will review our dates and start to book the groups in February and March.

Approve Minutes:

RESOLUTION 10 – 202

A copy of the minutes of November 17, 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, offered by Mrs. Wilcox and seconded by Mr. Christopher:

RESOLVED, that the minutes of November 17, 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:

RESOLUTION 10 – 203

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

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

CONSOLIDATED ABSTRACT # 012

DATED	<u>12/15/10</u>
AUDITED VOUCHER #'s	<u>1169 – 1272</u>
PREPAY VOUCHER #'s	<u>1169 - 1176</u>
AUDITED TA VOUCHER #'s	<u>132 – 140</u>
PREPAY TA VOUCHER #'s	<u>132 – 135</u>
<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>53,943.49</u>
HIGHWAY FUND	\$ <u>31,727.79</u>

LANSING LIGHTING	\$	<u>1,294.11</u>
LANSING WATER DISTRICTS	\$	<u>6,366.03</u>
TRUST & AGENCY	\$	<u>5,479.03</u>
WARREN RD SEWER	\$	<u>233,024.65</u>
DEBIT SERVICE	\$	<u>0.00</u>

**BUDGET MODIFICATIONS
GENERAL FUND A
12/15/2010 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A1620.400	From Contingency to Buildings Contractual	2,500.00
A1630.200	A1630.400	From Comm Center Equip to Comm Cntr Cont	1,500.00
A1320.100	A3120.401	From Police Personal Srvc to Police Contractual	600.00
A1990.400	A3510.400	From Contingency to Dog Control	160.00
A7020.400	A7020.404	From Parks Cont to Parks Phone	100.00
A7140.400	A7110.110	From PG Cont to Parks Personal Srvc	760.00
A7140.400	A7110.400	From PG Cont to Parks Contractual	3,000.00
A7140.400	A7310.400	From PG Cont to Youth Programs Contractual	950.00

GENERAL FUND B

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B9060.800	B9030.800	From Health Insurance to Social Security	1,500.00
B9060.800	B9089.800	From Health Insurance to Medicare	300.00

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:

Mr. Christopher had nothing to report.

Robert Cree:

New Developments:

Mr. Cree felt that we need to have something in place for new developments as far as the pathways, etc. This should be brought up in the beginning stage of a development and not towards the end. He felt there were many questions that need to be answered and some sort of a hand out made for new developers.

Mrs. Miller stated that Dryden has a nice layout on their web site and she encouraged all to look at it.

Kathy Miller:

AES:

Talks are still going on but the situation does not look good.

I.D.A.:

Mrs. Miller and Pat Pryor attended the meeting regarding BJ's to show their support for the project.

Connie Wilcox:

Farm Land Protection Plan:

Everything is winding down and after a small extension, things should be good.

A. Scott Pinney:

Monthly Report:

The Supervisor submitted his monthly report for the month of November, 2010 to all Board Members and to the Town Clerk.

Consider Arrowhead IDA Project Resolution:

Mr. Pinney felt that BJ's would have been a big boost to the Town. The other Board Members agreed with him and passed the following resolution in support of the project.

RESOLUTION 10 - 204

PILOT DIVERSION CONSENT RESOLUTION
(Arrowhead Ventures, LLC Project)

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 the 15th day of December, 2010, the following members were present and voting throughout:

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

The following Town Board members were absent: none.

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

**RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LANSING
CONSENTING TO THE DIVERSION OF CERTAIN PILOT PAYMENTS
BY THE TOMPKINS COUNTY INDUSTRIAL DEVELOPMENT AGENCY
WITH RESPECT TO THE ARROWHEAD VENTURES, LLC PROJECT
(AS FURTHER DESCRIBED BELOW) AND AUTHORIZING TOWN
SUPERVISOR (OR OTHER AUTHORIZED REPRESENTATIVE) TO
EXECUTE AND DELIVER A CERTIFICATE IN FURTHERANCE OF
THE SAME**

WHEREAS, ARROWHEAD VENTURES, LLC (the "Company") has submitted an application (the "Application") to the Tompkins County Industrial Development Agency (the "Agency") requesting the Agency's assistance with a certain project (the "Project") consisting of (i) the acquisition of an approximately 11-acre parcel or parcels of land located in the Village of Lansing, New York (north of The Shops at Ithaca Mall) and any existing improvements thereon (the "Land"); (ii) the acquisition, construction and equipping on the Land of a mixed-use residential facility comprising, twelve (12) senior housing units, a bird habitat and a BJ's wholesale club and related parking, infrastructure and improvements (the "Improvements"); (iii) the acquisition and installation in and around the Improvements of certain equipment, machinery and other tangible personal property (the "Equipment", and together with the Land and the Improvements, the "Facility"); (iv) the funding of a debt service reserve fund as security for the Bonds, if necessary ((i) through (iv) hereinafter referred to as "Project Costs"); and (v) the lease (with an obligation to purchase) or sale of the facilities financed with the Bonds to the Company or such other person as may be designated by the Company and agreed upon by the Agency; and

WHEREAS, the Agency is contemplating providing financial assistance to the Company with respect to the Project (collectively, the "Financial Assistance") in the form of: (A) the issuance of the Bonds in an amount not to exceed the lesser of the Project Costs or \$2,321,000 and (B) a Payment-In-Lieu-Of-Tax ("PILOT") Increment Financing ("PIF") structure whereby pursuant to a certain PILOT Agreement, by and between the Agency and the Company (the "PILOT Agreement"), all or a portion of the payments by the Company there under, in accordance with General Municipal Law Section 858(15) and with the consent of the Town of Lansing, the Village of Lansing, the Ithaca City School District, and the Tompkins County Legislature (collectively, the "Affected Tax Jurisdictions"), would be made available to pay debt service on the Bonds or otherwise available for other qualifying Project Costs (the "PILOT Diversion"); and

WHEREAS, in furtherance of the PILOT Diversion, the Company and the Agency have requested the consent of the Town pursuant to and in accordance with General Municipal Law Section 858(15).

NOW, THEREFORE, BE IT RESOLVED BY THE LANSING TOWN BOARD OF THE TOWN OF LANSING AS FOLLOWS:

Section 1. The Town hereby consents to and approves the PILOT Diversion and PILOT Agreement and authorizes and directs the Agency to undertake the PILOT Diversion and utilize an amount sufficient paid under the

PILOT Agreement to be made available to pay debt service on the Bonds or otherwise available for other qualifying Project Costs. Any amounts in excess thereof shall be paid to the affected tax jurisdictions in accordance with the New York State General Municipal Law.

Section 2. The Town Supervisor (or other authorized representative) is hereby authorized to execute and deliver a consent certificate (the "Certificate"), such Certificate to be delivered to the Agency as evidence of the Town's consent to undertake the PILOT Diversion.

Section 3. These Resolutions shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

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

The Resolution was thereupon duly adopted.

Town Counsel Report:

Mr. Krogh had nothing to report.

Executive Session:

RESOLUTION 10 – 205

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

RESOLVED, that the Regular Meeting is adjourned to go into Executive Session at 7:02 p.m. to discuss a pending litigation matter.

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

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Terminate Executive Session:

RESOLUTION 10 - 206

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

RESOLVED, that the Executive Session is hereby terminated and the Regular Meeting reconvened at 7:27 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

Reinstate EBS-RMSCO as Third Party Administrator:

RESOLUTION 10 - 207

**RESOLUTION AUTHORIZING HIRING OF BENEFITS
CONSULTANT/ADMINISTRATOR (RMSCO) RELATIVE TO HEALTH CARE
PLAN AND BENEFITS IN EMPLOYEE HANDBOOK**

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 the 15th day of December, 2010, the following members were present and voting throughout:

A. Scott Pinney, Supervisor
Martin Christopher, Councilperson
Robert Cree, Councilperson
Kathy Miller, Councilperson
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 has historically had a plan benefits consultant and coordinator for its health care insurance and benefit plan as outlined in the Town's Employee Handbook, but due to recent changes in the number of participants the Town was incorrectly advised that the chosen coordinator/administrator could no longer provide such services; and

WHEREAS, such services are necessary and the information provided to the Town was not correct such that the prior Resolution of the Town Board cancelling the benefits/coordinator's contract needs to be rescinded, and/or the Supervisor and Deputy Town Supervisor need authority to select and hire (by contract) a new benefits coordinator and advisor-consultant; 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 the Supervisor and/or Deputy Supervisor be and are hereby authorized to hire a new advisor-consultant, or re-hire the Town's prior advisor-consultant, relative to health care plans and insurance, and each of them are hereby empowered to negotiate for the terms of such a contract and sign such contract by, for, and in the name of the Town of Lansing; and it is further

RESOLVED, that to the extent inconsistent herewith, the prior Resolution of the Town Board concerning the same, being Resolution 10-188, be and hereby is rescinded.

The question of the adoption of such proposed Resolution was duly motioned by Robert Cree, duly seconded by Connie Wilcox, 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, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

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

Adjourn Meeting:

RESOLUTION 10 – 208

RESOLUTION, offered by Mr. Pinney and seconded by Mr. Cree

RESOLVED, that the meeting is hereby adjourned at the call of the Supervisor at 7:32 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 Town Clerk.