

December 16, 2009

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
Matt Besemer	Councilperson	Present
Marty Christopher	Councilperson	Present
Bud Shattuck	Councilperson	Present
Connie Wilcox	Councilperson	Present
Bonny Boles	Town Clerk	Present
Guy Krogh	Town Attorney	Present

Visitors: Jeff Overstrom, Steve Colt, Jack French, W. David Banfield, Ted Schiele, James Mason, Dan Veaner, Dave and Joyce Heck, John O'Neil, Kara Cusohto, Robert Cree, John Mares, Joanna Barrett, Bruce Kilmartin, Robin Presthus, Hayley Presthus, Kathy Miller, Cornelius Drost, Kate Schuttenberg, Sarah Mogil, Gregg Travis, Bill Demo, Dan Konowalow and a couple other residents.

The Supervisor led all present in the Pledge of Allegiance.

PRIVILEGE OF THE FLOOR:

Connie Wilcox:

Mrs. Wilcox read the following to all present:

I know it is highly unusual for a Board Member to ask for privilege of the floor, but I have some things to say that if I wait until Board member reports most of the public, once they have addressed the issues they came to address have left.

I want to thank Bud Shattuck and Matt Besemer for their years on the Board. I have worked with Bud the past 6 years and Matt the past 4 years. I think it is important to relay their worth on the Board.

Bud spent many hours working on committees and attending meetings at the County level as well as other organizations for the town. I really don't think anyone realizes how much time he did spend doing things for the town over the past 10 years. Some folks were often offended by his sometimes cavalier attitude, but he managed to get things done. He's never been afraid to state his opinions and why he felt that way, but he has also listened to your opinion and why you felt that way. He served as liaison to the planning board for 6 years and the ZBA for 4 years. He led the charge for the solar panel project at the town highway garage. He has always looked at issues concerning our employees and acted fairly. He was responsible for getting all the job descriptions and classifications updated, and updating our employee handbook, he has looked very closely at costs and where we were spending the most money, and was there an option that would benefit the town as a whole. In my opinion Bud has served the Town of Lansing well and we will miss him on the board.

Matt, while only on the board for 4 years has also contributed a great deal. He has served as the liaison for the planning board for 3 years, and worked on the Ordinance Committee, served as liaison to Parks and Rec. As a concerted effort between me and

him we were able to strike a contract with the School District for the School taxes to be collected here at the town hall after hearing complaints from our town residents, for the past 4 years they have been collected here at no additional cost to our taxpayers. We have heard many good things from the taxpayers as well as the school district on how we handled this situation.

I know there are many things that both Bud and Matt have done that I have probably forgotten to recognize, but as a Board we have worked together with no personal agendas always looking at what is best for the town. We are probably one of the most unpolitical boards in the County and we are proud of that. We don't always agree, but we still end up liking and respecting each other at the end of the day. One thing about Bud and Matt they have always been open minded and listened to what people really had to say whether it was their fellow board members or the public. From my own perspective I will surely miss them, especially Bud's quick wit and how he can make you laugh even when you are really ticked off about something.

So I say to you both a Big Thank and don't forget the Board meetings are the 3rd Wednesday of the month and we want to see you here every so often. Enjoy your retirement from the political limelight.

James Mason:

Mr. Mason stated that he will be the Chairman of a new advisory committee in regard to natural gas drilling.

He went over the people that would be interested in being on the committee.

He brought a resolution before the Board to go over and send to Governor Patterson immediately asking him to rescind the supplemental draft of the GEIS.

He asked the Town Board to step back from the GEIS and get a document that actually has teeth in it so that we can be protected when Companies start coming in this area.

He went over a task list for the proposed committee.

Mr. Krogh stated that the Town cannot be an *Involved* Agency. He did say that however, the Town could be an *Interested* Agency.

Mr. Mason stated that they will need the opinion and expertise of the Town Attorney at times. Mrs. Wilcox stated that there is no money in the budget to expand Legal fees for this Committee. She stated that many items were cut in the 2010 Budget and it may be very hard to come up with money for extra Legal fees.

Mr. Pinney said he will discuss the proposed Committee under his report tonight.

Open Public Hearing on Proposed Local Law No.9 of 2009:

RESOLUTION 09 - 211

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

RESOLVED, that the Public Hearing proposed Local Law Number 9 of the Year 2009 is hereby opened at 6: 21p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Ted Schiele – Cobb Street, Groton:

Mr. Schiele informed the Board that he works for the Tompkins County Health Department and he is the Coordinator of Tobacco Free Tompkins which is a State funded program to reduce the incidences of tobacco use within the State. He commended the Board for proposed Local Law Number 9, regarding smoking upon certain properties owned and under the care of the Town of Lansing and for holding the Public Hearing. The following was sent to the Town Supervisor and to the Town Clerk:

From: Ted Schiele

To: supervisor@lansingtown.com

Date: 12/9/09 12:10 PM

Subject: Public Hearing on Smoking Regulation and services available from Tobacco Free Tompkins

Dear Supervisor Pinney;

I am writing to introduce myself, express my support for the proposed Local Law to regulate smoking on Town property, and offer my assistance as may be appropriate.

I am coordinator of Tobacco Free Tompkins, a state grant funded tobacco prevention program based at the Tompkins County Health Department. We run the T-Free Zone program, and have worked with businesses, organizations and municipalities over the past few years to establish smoke-free outdoor areas. This has included the Town of Newfield, Village of Tburg, and City of Ithaca (Newfield and Tburg have recently passed resolutions establishing smoke-free Town /Village property and parks, and Ithaca is close to passing an ordinance.) To my knowledge, Ithaca, and if passed, Lansing would be among the first (if not the first) Local Laws in the state that regulate smoking in outdoor public areas.

Regarding assistance that I can offer to the Town of Lansing, this includes signs, educational materials for residents and employees, and information on smoking cessation programs.

For signs, I have been advocating for using the "T-Free Zone" in an effort to foster county-wide awareness and solidarity for the trend to smoke-free outdoor areas. My goal is first to promote regulations as a move to provide the majority with smoke-free areas, rather than as a ban of or push against individuals who are smokers. Second, as the T-Free Zone logo becomes more recognizable throughout the county I believe that it will speed acceptance and compliance. People will realize that these are not isolated actions or the work of "fringe" voices, but rather evidence of a growing community norm.

If the Town of Lansing establishes smoke-free areas, I will offer to fund the design and purchase of signs. I am ready to work with you, Councilmember's, the Clerk, or whomever on the details of custom signage, with the only provision being that --- in keeping with the concept outlined above --- they include the T-Free Zone logo and text that identifies an area as "Smoke-Free" at least as prominently as "Smoking Prohibited". You can see examples of signs on the T-Free Website:

<http://www.tompkins-co.org/wellness/tobaccofree/zone/product.htm>.

Regarding educational materials, I am in the process of developing informational flyers or brochures that explain the public health reasons for regulating outdoor smoking in public areas. My goal for such materials is, again, to help speed compliance and acceptance of the new "norm". Also, some materials will be designed for use in an enforcement situation, so that a smoker could be approached with a "palm card" that outlines the regulation and the public health reasons for regulation.

Regarding smoking cessation efforts, there is no quick fix for this and no local groups or programs. However, I can provide information about the state Quitline and other phone-based services, and references for local cessation professionals. I can also speak to staff or other groups about implementing new regulations in situations where the groups include both smokers and nonsmokers, or for employees or volunteers who may be charged with enforcement and approaching people who are out of compliance. I have recently done this for Better Housing for Tompkins County, which will soon implement a 100% smoke-free residences policy at the properties they manage. I met with BHTC staff, and residents at each of their properties.

Once again, I fully support and commend these important steps being taken by the Town of Lansing, and would welcome an opportunity to work with you to assure successful passage and implementation of the proposed Local Law. I will be attending the public hearing next Wednesday, and will introduce myself at that time.

Regards

/Ted

-- + --

Ted Schiele, MS, CWPC

Tobacco Free Tompkins

Tompkins County Health Department

Ithaca, NY

(v) 607-274-6712

<http://www.tompkins-co.org/tobaccofree>

Public Health Excellence Award Recipient, 2009

Robin Presthus and Joanna Barrett:

Both Lansing High students gave short speeches encouraging the Town Board to pass the Proposed Local Law. They gave statistics on second and third hand smoke and other factors of smoking.

They both thanked the Board for their participation in the proposed Local Law.

Bud Shattuck:

Mr. Shattuck stated that he will vote yes tonight but has been adamantly opposed to it all along as he does not feel it is strict enough and we need to include a hundred foot parameter around the playgrounds in the Myers and Ludlowville Parks.

Close Public Hearing on Proposed Local Law No.9 of 2009:

RESOLUTION 09 - 212

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

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing on the proposed Local Law No. 9 is hereby closed at 6:31 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Approve Local Law Number 9 of 2009:

RESOLUTION 09-213

**RESOLUTION RENUMBERING AND ADOPTING LOCAL LAW NUMBER 9 OF 2009
RE SMOKING UPON CERTAIN TOWN PROPERTY**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson;

and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Christopher, and was duly seconded by Mr. Besemer; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck –Aye; Connie Wilcox – Aye; Martin Christopher – Aye; Matthew Besemer - Aye-; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town Board desires to implement a no smoking policy upon certain town-owned lands consistent with the changes to the Employee Handbook adopted November 18, 2009; and

WHEREAS, such local law proposed to prohibit smoking in each and all of the following areas: (1) the Town Hall and the campus area upon which the same is situate, including all outside, parking, and lawn areas; (2) the Town Community Center, and the area upon which the same is situate, including all outside, parking, and lawn areas; (3) the Town Library Building, located upon the Town Hall Campus as leased to the library, and the lands upon which the same is situate, including all outside, parking, and lawn areas; (4) all Highway Department Facilities, and all areas upon which the same are situate, including all outside, parking, and lawn areas; and (5) all Town Ball fields, including all parking, and lawn areas (including the “main fields” near the Town Hall, and the Highway facility fields adjacent to the Town Highway Facility campus); with such restrictions to also prohibit smoking within any private vehicle or other enclosure upon any such property; and

WHEREAS, this action is 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 required; and

WHEREAS, a Public Hearing was duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, on the 16th day of December, 2009, at 6:05 o'clock P.M., to consider the aforesaid Local Law, and all persons interested in the subject thereof were duly heard; and

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

RESOLVED, that Local Law Number 9 of 2009 be and hereby is adopted, reading in its entirety as follows:

**“TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 9 OF 2009**

**A LOCAL LAW PROHOBITING SMOKING UPON
CERTAIN TOWN-OWNED LANDS**

Be it enacted by the Town Board of the Town of Lansing:

SECTION 1: This Local Law is adopted pursuant to the provisions of the Municipal Home Rule Law of the State of New York, including, but not limited to, § 10 and § 23 thereof. The Town of Lansing declares that smoking in and upon certain Town owned property is deleterious to such property and harmful to the health of persons using and enjoying such Town owned lands. The Town Board further finds and determines that human health is seriously threatened by exposure to environmental tobacco smoke (ETS) and that recent findings by the federal Environmental Protection Agency (EPA) make clear that ETS, or secondhand smoke, is a human carcinogen responsible for lung cancer deaths in nonsmoking adults. Further, the EPA has concluded that exposure to ETS increases the risks of respiratory and middle ear diseases in children, contributing to cases of bronchitis and pneumonia in

infants and young children. Further, exposure to ETS significantly worsens the condition of asthmatic children and contributes to new cases of asthma in once-healthy children. Accordingly, and based upon the authority of the Town of Lansing to regulate the use of its property and the authority of the Town to enact laws in furtherance thereof, including, but not limited to Town Law § 64 and § 130, Public Health Law § 1399-r, and the Municipal Home Rule Law § 10, the Town of Lansing adopts this Local Law in furtherance of the health, welfare, and safety of the Town and its residents.

SECTION 2: Smoking (principally, but not exclusively, meaning the use, ignition, and/or consumption of tobacco and other combustible products intended to be inhaled through cigarettes, cigars, pipes and similar devices) is prohibited in any Town building, facility, or vehicle, and in each and all of the following areas:

1. The Town Hall and the campus area upon which the same is situate, including all outside, parking, and lawn areas;
2. The Town Community Center, and the area upon which the same is situate, including all outside, parking, and lawn areas;
3. The Town Library Building (currently occupied by the Lansing Community Library), located upon the Town Hall Campus as leased to the said library, and the lands upon which the same is situate, including all outside, parking, and lawn areas;
4. All Highway Department Facilities, and all areas upon which the same are situate, including all outside, parking, and lawn areas;

Smoking within a private vehicle or other enclosure upon any such site shall be a violation of this Local Law.

SECTION 3: This Local Law may be enforced by any New York State police or peace officer, or by any person designated by the Town Board of the Town of Lansing as an Enforcement Officer relative to this Local Law. The Town Code Enforcement Officer(s) and any Town constables or police shall be and be deemed Enforcement Officers under this Local Law.

SECTION 4: Any person violating the provisions of this Local Law shall be deemed to have committed a violation and shall be subject to criminal prosecution for such violation, with the fine imposed to be not less than \$50.00 and not greater than \$250.00 per violation. Nothing contained in this Local Law shall be construed to exempt an offender from any other prosecution or penalty otherwise provided by law.

SECTION 5: This Local Law shall in no way limit or alter any restriction upon smoking imposed by any law of the State of New York.

SECTION 6: If any clause or provision of this Local Law shall be held invalid or unenforceable by a court or tribunal of competent jurisdiction, such holding shall not affect or invalidate the remainder of this Local Law and any such invalidity or unenforceability shall be confined in its

operation to the clause or provision directly involved in the controversy in which such holding shall have been rendered.

SECTION 7: This Local Law shall become effective upon January 1, 2010 and shall be filed in the office of the Secretary of State.”;

and it is further

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

RESOLVED, that upon such approval by the Supervisor (or 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, in the Office of the Town Clerk and 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.

Open Public Hearing to consider the Environmental Review of Amendment to Warren Road Business Park PDA for Transonic Systems, Inc.:

RESOLUTION 09 - 214

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

RESOLVED, that the Public Hearing to consider the Environmental Review of Amendments to Warren Road Business Park PDA for Transonic Systems, Inc. is hereby opened at 6:34 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Mr. Krogh went over the proposed amendment with all present. Mr. Drost, Mr. Kilmartin and Mr. Mares were all present to answer any questions that may come up.

Close Public Hearing on Environmental Review of Amendments to Warren Road Business Park PDA for Transonic Systems, Inc.:

RESOLUTION 09 - 215

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

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing on the Environmental Review of Amendment to Warren Road Business Park PDA for Transonic Systems, Inc. is hereby closed at 6:37 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson

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

Approve Negative Declaration (SEQRA) for Amendment to Warren Road Business Park PDA:

RESOLUTION 09-216

**RESOLUTION DETERMINING ENVIRONMENTAL SIGNIFICANCE
AND ISSUING NEGATIVE DECLARATION UNDER SEQRA FOR
AMENDMENT TO WARREN ROAD BUSINESS PARK PDA FOR
TRANSONIC SYSTEMS, INC.'S FACILITY EXPANSION**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Shattuck; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck – Aye; Connie Wilcox – Aye; Martin Christopher – Aye; Matthew Besemer –Aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, Applicant Transonic Systems, Inc. has requested Town Board approval of a PDA Application respecting the Warren Road Business Park PDA modification and a 28,375 square foot expansion of its existing facility located at 34 Dutch Mill Road, Town of Lansing, Tax Map Parcel #39.-1-50.10; and

WHEREAS, in or about 1988 the Town Board approved the creation of the Warren Road Business Park PDA in the Town of Lansing, said PDA which is now zoned within the Lansing IR District and Applicant, Transonic Systems, Inc., is located within said PDA; and

WHEREAS, Transonic Systems, Inc., one of the owners of property in the Warren Road Business Park is seeking an expansion of its facility which will require an amendment to the original Warren Road Business Park covenants which provide, among other things, that Lot 9 shall be used as open space/park, though such open space has never been dedicated to such use nor ever used for such purposes, and the Applicant now seeks to utilize Lot 9 in the drainage configuration of its proposed expansion; and

WHEREAS, all of the owners of properties within the Warren Road Business Park have given their written consent to the Applicant's requested change of use to the Warren Road Business Park PDA and have submitted letters approving said proposed development and use of Lot 9 as requested by the Applicant, and all other requirements of the Warren Road Business Park covenants and restrictions have been met; and

WHEREAS, on November 9, 2009, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed PDA modification and the proposed expansion of the Transonic Systems, Inc. building and parking facilities, and 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 did also consider 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, the Planning Board approved the Transonic Site Plan and recommended to the Town Board that the Town Board approve the Transonic Systems, Inc. application respecting the Warren Road Business Park PDA change of use modification and the expansion of the Transonic Systems, Inc. facility; and

WHEREAS, the action proposed is an Unlisted Action under SEQRA and an environmental review is thus required; therefore, the Town Board of the Town of Lansing did duly classify the action, identify all Involved and Interested Agencies, issue a Notice of Intent, and issue a GML § 239 Notice to the County Planning Department; and all agencies so notified have not responded or consented to the Town Board being the Lead Agency for the SEQRA review; and

WHEREAS, the Town Board duly noticed and held a public hearing upon the 16th day of December, 2009, to consider the environmental impacts of the proposed action, whereat persons were duly heard; and

WHEREAS, the environmental impacts identified were: (i) the noise, erosion and dust potentially created during construction, which potential impacts are and will be mitigated by stormwater permitting and review, further site plan reviews and/or construction inspections, building permit conditions, on site controls, and limitations of hours of operation, and which impacts are therefore deemed mitigated and non-significant; and (ii) noise and traffic generated from the expanded business site, which impacts are and will be mitigated by the site plan conditions and the site's location in an existing business park designed for such traffic and parking, thus, making such potential impacts non-significant; and (iii) potential impacts upon freshwater wetlands, which impacts are mitigated by the need for NYS and or Federal permits and the need to comply with the conditions surrounding such permits, which permits mitigate the potential impact and makes them non-significant; and

WHEREAS, after due deliberation upon this matter and a review and analysis of each and all potential environmental impacts, and the input from each and all Involved and Interested Agencies, 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 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 there under, 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, and the hearing held hereupon, and all testimony and evidence presented thereat, if any, and the comments of Involved and Interested Agencies, if any, (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 thereon (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 the 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.

Approve Amendments to Warren Road Business Park PDA:

RESOLUTION 09-217

**RESOLUTION APPROVING AMENDMENTS TO
WARREN ROAD BUSINESS 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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck – Aye; Connie Wilcox – Aye; Martin Christopher –Aye; Matthew Besemer - Aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, Applicant Transonic Systems, Inc. has requested Town Board approval of a PDA Application respecting the Warren Road Business Park PDA modification and a 28,375 square foot expansion of its existing facility located at 34 Dutch Mill Road, Town of Lansing, Tax Map Parcel #39.-1-50.10; and

WHEREAS, in or about 1988 the Town Board approved the creation of the Warren Road Business Park PDA in the Town of Lansing, said PDA which is now zoned within the Lansing IR District and Applicant, Transonic Systems, Inc., is located within said PDA; and

WHEREAS, Transonic Systems, Inc., one of the owners of property in the Warren Road Business Park is seeking an expansion of its facility which will require an amendment to the Warren Road Business Park PDA approvals as the Applicant now seeks to utilize Lot 9 in the drainage configuration of its proposed expansion; and

WHEREAS, all of the owners of properties within the Warren Road Business Park have given their written consent to the Applicant’s requested change of use to the Warren Road Business Park PDA and have submitted letters approving said proposed development and use of Lot 9 as requested by the Applicant; and

WHEREAS, on November 9, 2009, the Planning Board, pursuant to Lansing Land Use Ordinance Section 706.5, underwent site plan review of the proposed PDA modification and the proposed expansion of the Transonic Systems, Inc. building and parking facilities, and 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 considered 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, the Planning Board approved the Transonic Site Plan and recommended to the Town Board that the Town Board approve the Transonic Systems, Inc. application respecting the Warren Road Business Park PDA change of use modification and expansion of the Transonic Systems, Inc. facility; and

WHEREAS, a Negative Declaration of environmental significance was duly issued after a Public Hearing thereupon on December 16, 2009; and

WHEREAS, upon due deliberation upon the foregoing and the application materials on file with the Town and the Planning Board, the Town Board of the Town of Lansing has hereby

RESOLVED and DETERMINED that, pursuant to the Town's Land Use Ordinance, Section 710.0, the application does not entail any significant changes to any significant elements of the PDA as the proposal does not change (i) the size of the PDA, (ii) the allowed uses or nature of the orientation of any allowed uses in the PDA, (iii) the occupancy of the PDA; or (iv) the density of allowed uses in the PDA; and it is further

RESOLVED, that the Amendment to the PDA be and hereby is approved in accordance with the site plan submitted to and recommended by the Planning Board, which site plan is also hereby approved; and it is further

RESOLVED, that, in part due to the lack of need for or use of Lot 9 as originally proposed within the PDA, and in part due to the fact that this PDA is now zoned IR (having once been zoned R2), and due to the desire to have zoning work to cluster commercial and industrial businesses within the business park and not cause sprawl into residential and other areas, the Town Board hereby amends the PDA by removing all restrictions and designations to and upon said Lot 9, except those as are part of the restrictive covenants affecting the park generally; and it is further

RESOLVED, therefore, that the application respecting the Warren Road Business Park PDA change of use modification and expansion of the Transonic Systems, Inc. facility be and hereby is approved.

Open Public Hearing on Review of Draft Agriculture Plan:

RESOLUTION 09 - 218

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

RESOLVED, that the Public Hearing Review of the Draft Agriculture Plan is hereby opened at 6:40 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Mrs. Wilcox gave a brief explanation of the Agriculture Plan and stated that they received a six month extension on the grant from New York State to get the plan in place.

Close Public Hearing on Review of the Draft Agriculture Plan:

RESOLUTION 09 - 219

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

RESOLVED, that the Public Hearing on Review of the Draft Agriculture Plan is hereby closed at 6:43 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Open Public Hearing on Proposed Local Law No. 8 of 2009:

RESOLUTION 09 - 220

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

RESOLVED, that the Public Hearing proposed Local Law Number 8 of the Year 2009 is hereby opened at 6: 44 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Close Public Hearing on Proposed Local Law No.8 of 2009:

RESOLUTION 09 - 221

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

RESOLVED, that all persons desiring to be heard, having been heard, the Public Hearing on the proposed Local Law No. 8 is hereby closed at 6:45 p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Approve Local Law Number 8 of 2009:

RESOLUTION 09-222

**RESOLUTION ADOPTING LOCAL LAW NUMBER 8 OF 2009 REGARDING
ELECTRICAL INSPECTIONS**

(AMENDING LOCAL LAW NUMBER 6 OF 2006 RE CODE ENFORCEMENT)

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Christopher, and was duly seconded by Mrs. Wilcox; and the vote was as follows: A. Scott Pinney - Aye; Francis Shattuck –Aye; Connie Wilcox – Aye; Martin Christopher –Aye; Matthew Besemer –Aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town eliminated the Electrical Inspector position and now needs to assure that its laws duly reference the need for affected residents and individuals to obtain Electrical Inspections, when required, from qualified Inspectors, by adding Electrical Inspections to the list of matters necessary to obtain Certificates of Compliance and occupancy, and also by defining who is a qualified Electrical Inspector; and

WHEREAS, a Public Hearing was duly held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, on the 16th day of December, 2009, at 6:05 o'clock P.M., to consider the aforesaid Local Law, and all persons interested in the subject thereof were duly heard; and

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

RESOLVED, that Local Law Number 8 of 2009 be and hereby is adopted, reading in its entirety as follows:

**“TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK
LOCAL LAW NUMBER 8 OF 2009**

**Amendments to Code Enforcement Local Law, Local Law Number 6
of 2006**

Be it enacted by the Town Board of the Town of Lansing:

SECTION 1: This Local Law shall be known as “Local Law Number 8 of 2009”. Local Law Number 8 of 2009 applies only within those portions of the Town of Lansing, Tompkins County, New York, that are outside of the Village of Lansing. This Local Law does not replace or supplant any requirements of the New York State Building and Fire Codes and the New York State Energy Codes (herein together, the “Building Codes”), nor any provision of Local Law Number 6 of 2006 (Code Enforcement) of the Town of Lansing.

SECTION 2: Section 702 is amended to add references to electrical inspectors and inspections, and shall read as follows:

Sec. 702 The Code Enforcement Officer shall issue a Certificate of Occupancy and/or Certificate of Compliance if the work which was the subject of the Building Permit was completed in accordance with all applicable provisions of the Building Codes and, if applicable, the structure, building or portion thereof that was converted from one use or occupancy classification or sub-classification to another complies with all applicable provisions of the Building Codes. The Code Enforcement Officer, or an Inspector authorized by the Code Enforcement Officer, shall inspect the building, structure, or work prior to the issuance of Certificate of Occupancy and/or Certificate of Compliance. In addition, where applicable, the following documents, prepared at the expense of the applicant for the Certificate of Occupancy and/or Certificate of Compliance and prepared in accordance with the provisions of the Building Codes by such person or persons as may be designated by, or otherwise acceptable to, the Code Enforcement Officer, shall be provided to the Code Enforcement Officer prior to the issuance of the Certificate of Occupancy and/or Certificate of Compliance:

(1) a written statement of structural observations and/or a final report of special inspections; and

(2) flood hazard certifications; and

(3) Electrical Inspection Certificates of Compliance that show that the inspection was performed by a NYS Certified Electrical Inspector and passed such inspection pursuant to the requirements of the NYS Building Code, the International Residential Code, the National Electrical Code, the requirements of the National Fire Protection Association, and applicable electrical utility specifications. The term “NYS Certified Electrical Inspector” means a person who: (i) has passed the NYS Civil Service Examination, is eligible for appointment as an Electrical Inspector according to the rules of the Civil Service Commissioner, and so appointed by the Town; and/or (ii) as to one and two family dwellings, has been certified as a Residential Electrical Inspector by the International

Association of Electrical Inspectors, and/or (iii) has been certified as a Master Electrical Inspector by the International Association of Electrical Inspectors, and/or (iv) is otherwise qualified by law and has proper credentials to conduct electrical inspections and issue certificates of compliance in accord with applicable codes and requirements.

SECTION 3: This Local Law shall take effect immediately, and the Town Clerk is directed to immediately file a copy of this Local Law with the NYS Secretary of State as required by law.”;

and it is further

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

RESOLVED, that upon such approval by the Supervisor (or 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, in the Office of the Town Clerk and 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.

Re-Appoint Linda Hirvonen to the Lansing ZBA:

RESOLUTION 09 – 223

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Christopher ; and the vote was as follows: A. Scott Pinney– aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the ZBA has requested that Linda Hirvonen be re-appointed to a 5-year term on the ZBA; and

WHEREAS, she 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 Linda Hirvonen is hereby re-appointed to a 5-year term on the ZBA, commencing January 1, 2010 and expiring December 31, 2014.

Resolution Re-Appointing David Hatfield to Planning Board

RESOLUTION 09 – 224

RESOLUTION RE-APPOINTING DAVID HATFIELD TO PLANNING BOARD

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Francis Shattuck, Councilperson; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Christopher, and was duly seconded by Mr. Besemer; and the vote was as follows: A. Scott Pinney – aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

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

WHEREAS, David Hatfield 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 David Hatfield be and hereby is re-appointed as a member of the Planning Board, effective January 1, 2010 for a term of 7 years, expiring December 31, 2016, and to thereat serve at the pleasure of the Town Board.

Resolution Re-Appointing George Gesslein to Lansing Housing Authority Board:

RESOLUTION 09 - 225

**RESOLUTION RE-APPOINTING GEORGE GESSLEIN
TO LANSING HOUSING AUTHORITY BOARD**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; Francis Shattuck, Councilperson; and the following members being absent: none and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Christopher, and the vote was as follows: A. Scott Pinney– aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye;– Francis Shattuck - aye and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, George Gesslein’s 5-year term on the Board of the Housing Authority is expiring or has expired, and

WHEREAS, George Gesslein seeks re-appointment and the Town has identified a vacancy; and

WHEREAS, upon due deliberation thereupon, the Town Board has

RESOLVED, that George Gesslein be and hereby is re-appointed to another 5-year term on the Board of the Housing Authority, effective January 1, 2010 through December 31, 2014.

Accept Resignation From Justice William F. Burin:

Resolution 09 – 226

Mr. Pinney thanked Mr. Burin for his years of service to the Town.

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, Mr. Pinney accepted a resignation letter from Mr. William F. Burin on December 4, 2009 stating that due to health and personal reasons, his last day working for the Town of Lansing will be December 31, 2009, therefore it is

RESOLVED, that the Town Board of the Town of Lansing does hereby accept the resignation of William F. Burin effective December 31, 2009.

Approve Appointment of W. David Banfield:

RESOLUTION 09 - 227

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Christopher, and was duly seconded by Mr. Besemer; and the vote was as follows: A. Scott Pinney - ay; Francis Shattuck – aye; Connie Wilcox –aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town of Lansing will have a vacancy of a Town Justice effective December 31, 2009 which vacancies are filled by Resolution of this Board; and

WHEREAS, after a search for eligible and qualified candidates, W. David Banfield is deemed duly qualified and has agreed to the appointment; and

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

RESOLVED, that W. David Banfield be and hereby is appointed as the Town of Lansing Town Justice to finish the one year vacancy, with such term to commence effective January 1,2010 and to terminate upon December 31, 2010.

Approve MPR for Tilley Back Lot Extension:

RESOLUTION 09- 228

**RESOLUTION CONDITIONALLY AUTHORIZING MAP, PLAN AND REPORT FOR
AMENDMENT OF BOUNDARY OF CWD RE TILLEY BACK LOT**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mrs. Wilcox, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - aye; Connie Wilcox – aye; Francis Shattuck – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, an owner of certain lot(s) within the Town of Lansing (TP# 44.-1-2.2) has asked the Town to provide water access to the Town of Lansing Consolidated Water District (“CWD”) for properties at 2671 North Triphammer Road; and

WHEREAS, the Town Planning Director has found that such an extension is feasible, in accord with the existing CWD policy for extension of the CWD to adjacent properties, and will require an Article 12 or 12-A proceeding to amend the boundaries of the CWD; and

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

RESOLVED, that, conditioned upon the applicants signing an agreement in a form as approved by Town Counsel to pay for the costs of such reports and proceedings, the Town Board of the Town of Lansing hereby directs the Town Engineer to proceed with the preparation of a Map Plan and Report (“MPR”) under Town Law Article 12-A for providing a water supply to such properties through the CWD; and it is further

RESOLVED, that up to \$1,000.00 is authorized for such MPR, but again, if and only if the applicants have signed the aforesaid agreement (and made any required escrow deposits); and it is further

RESOLVED AND DECLARED, that the requirements for a permissive referendum do not apply as there is no expenditure of public funds for the MPR as the applicants are hereby required to pay all expenses pursuant to the afore-described conditions and agreement.

SEQRA: Type II Action.

Planning and Engineering Department Report:

Mr. Overstrom presented and discussed the following:

Code Office Monthly Activity Report

November, 2009

Planning Board – November 9, 2009

- **Site Plan & SEQR Review, Bed & Breakfast**

559 Ridge Road, Rutherford-Approved w/ condition (upper driveway not utilized for customers)

- Approval of September 14, 2009 Minutes
 - PDA Modifications w/ Recommendation to the Town Board-34 Dutch Mill Road, Transonic
 - Extension Request for Cottonwood Subdivision - Granted 24 Month Extension
 - Nomination of Officers- Existing Slate Approved for 2010 year
-
- November 23, 2009 Chairperson Cancelled Working Meeting

Zoning Board of Appeals- November, 2009

- No Meeting Required

Fire Safety Inspections & Re-Inspections

Total: 2

Construction Inspections

Total: Approximately: 80

Operating Permits Issued

November 0 Year to Date Total: 2

New Addresses Issued

Total: 3

Notice of Fire

Year to Date: Total: 8

Expired Permit Notices

First Notices: 14

Second Notices: 5

Renewed Permits 3 Renewed Permits YTD - 53

Mr. Overstrom also stated that he is working on DEC and Army Corp of Engineer permits for reconstruction of the large docking at the western most part area of the Town Park Marina.

He is also obtaining permits for the dredging of the Salmon Creek gravel sediment from the Myers Road bridge below the trestle and down towards the mouth of Salmon Creek.

He has met with David Taube in regards to the Town Center.

He is working on the Agriculture land protection lay over maps for the RA District.

Mr. Overstrom stated that there will be a lot of changes within the new storm water permits.

Highway Department Report:

Mr. French discussed the following:

1. Mr. French thanked Matt and Bud for all of their help they have given him through out the years they served.
2. Installing Guiderails on Bill George and Lansing Station Road.
3. Still cutting brush along the highway. Mrs. Wilcox stated that they are doing a wonderful job with the trimming.
4. Night Shift has started. Two men are working from 10:00 p.m. until 6:00 a.m.

Park and Recreation Department Report:

Mr. Colt thanked both Mr. Besemer and Mr. Shattuck for all they did during their time with the Town.

Mr. Colt went over the following report with all present. He also gave out the Myers Park fees Schedule for 2010.

Parks & Recreation Department

12/16/09

Town Board Meeting

RECREATION

- **Winter programming plans** are complete and registration forms are coming in. Youth bowling, basketball and gymnastics are concluding initial sessions now. Second sessions and travel programs will be starting in early January.
- **Youth Wrestling** set a new participation record with over 40 participants. The program is coached by Jeremy Butler and a host of parent assistants. Jeremy does a great job and offers two levels of learning for participants in grades K – 6.
- **The Gymnastics program** will start a second session for students in grades K-4 in early January. This program takes place on Friday afternoons at the Fingerlakes Gymnastics Academy.
- **We were able to purchase** some closeout and end of year athletic equipment. This equipment has been delivered and is being organized and put away for upcoming programs.
- **The Skating program** is set to start on January 12th and will take place at The Rink on 5 consecutive Tuesdays. This is an after school program for students in grades 3 – 8.

PARKS

- **Per town board policy, see the attached pages of “park fees”** for the upcoming season. After making some price increases last year, our fees have remained constant for the 2010 season.
- **I have already booked 5 of the 7 weeks of music groups** for the 2010 Myers Park Concert Series. The lineup so far is very strong and will mostly be new talent for this season. I hope to fill the final two spots by the end of January and then start to promote. This past season of concerts, was our best for attendance and donations.
- **Camping and Pavilion reservations** may be made starting on Monday January 4th. I anticipate a line from our door out into the parking lot starting at 7:30 AM. We are working on some new logistical adjustments to handle the opening day rush. It will be extremely hectic for several hours in the morning with many calls all day.

- **We are moving forward with fundraising for the Myers Park playground makeover.** We have had preliminary presentations from **Leathers Associates** and **Parkitects**. Both of these companies are actually based here in Lansing.
-
- **The Marina repair/rebuild project** is moving forward and Jeff Overstrom is handling the permitting process and planning the technical issues, with the project to be done “in-house”.

Mr. Colt informed the Board that usually, once a year Dick’s Sporting Goods gives the Town about 4 to 6 youth sports kits. He received a call today stating that they will be receiving forty (40) kits this year.

January 4th will be the first day residents and non-residents can make their reservations for camping and pavilions.

On June 19th, the Town along with the Cayuga Outriggers Club will be sponsoring a large race on the point at Myers Park. Outrigger racing teams will be coming from Boston, Washington and other parts of the Northeast. They will race from Myers Point to Taughannock, Taughannock to Stewart Park and Stewart back to Myers.

Mr. Krogh noted that June 19th is the first day of bass season and there will be 200-300 boats on the lake for a bass tournament. Most of these will be above Long Point.

Mr. Colt stated that they received a letter from the Community Arts Council stating that the Town was awarded a portion of the \$ 1,800.00 grant they applied for. He will get together with Robin Shuttenger to see how far they can get with the money they received.

Approve Minutes:

RESOLUTION 09 – 229

A copy of the minutes of November 18, 2009, 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 Mr. Shattuck and seconded by Mrs. Wilcox:

RESOLVED, that the minutes of November 18, 2009 are hereby approved as submitted.

- Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
- Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
- Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson
- Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson
- Vote of Town Board . . . (Aye) A. Scott Pinney, Supervisor

Approve Audit:

RESOLUTION 09 – 230

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

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

CONSOLIDATED ABSTRACT # 012

DATED 12/16/09

AUDITED VOUCHER #'s 1136 - 1236

PREPAY VOUCHER #'s 1136 - 1139

AUDITED TA VOUCHER #'s 98 - 105

PREPAY TA VOUCHER #'s 98 - 98

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	\$ <u>71,397.73</u>
HIGHWAY FUND	\$ <u>25,260.43</u>
LANSING LIGHTING	\$ <u>176.67</u>
LANSING WATER DISTRICTS	\$ <u>2,838.80</u>
CHERRY ROAD SEWER	\$ <u>0.00</u>
TRUST & AGENCY	\$ <u>23,532.40</u>
CWD EXTENSION #1	\$ <u>1,505.24</u>
CWD EXTENSION #2	\$ <u>0.00</u>

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1110.400	A1110.200	From Justices Contractual to Justices Equipment	405.00
A1990.400	A1410.140	From Contingency to Personal Srves (LCSD Tax)	13.00
A1990.400	A1410.150	From Contingency to Personal Srves (LCSD Tax)	52.00
A1990.400	A5132.110	From Contingency to Garage Highway Labor	923.00
A1990.400	A7020.110	From Contingency to Parks & Rec - Admin Pers Srvc	1,600.00
A1990.400	A7620.100	From Contingency to Adult Rec Persnl Services	260.00
A1990.400	A7620.400	From Contingency to Adult Rec Contractual	1,000.00

GENERAL FUND B

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B1990.400	B8020.402	From Contingency to Plng Board Legal	1,500.00
B1990.400	B8020.410	From Contingency to Plng Board Stipend	150.00

HIGHWAY FUND DB

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DB1990.400	DB9060.800	From Contingency to Health Ins	19,020.00

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
 Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
 Vote of Town Board . . . (Aye) Bud Shattuck, Councilperson

Vote of Town Board . . . (Aye) Connie Wilcox, Councilperson

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

BOARD MEMBER REPORTS:

Bud Shattuck:

Mr. Shattuck thanked the public, the Town Board, the press and mostly the employees of the Town.

Matt Besemer:

He said this may not be a retirement, maybe just a leave of absence.

Marty Christopher:

The Gossett Center no longer exists under this name. They are now called the Finger Lakes Residential Center.

They will hold their Christmas gathering next Tuesday which Mr. Christopher will attend.

He stated that Rodney White who is the Facility Director of the Center would like to get the community involved in knowing what they do, how they do it and so on. In the future, it could be a possibility that there could be a guided tour through the Residential Center.

Connie Wilcox:

Thanked Bud and Matt again.

A. Scott Pinney:

Natural Gas Drilling Oversight Committee:

RESOLUTION 09 – 231

NATURAL GAS DRILLING ADVISORY COMMITTEE

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; Matthew Besemer, Councilperson; Francis Shattuck, Councilperson; and the following members being absent: none and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mrs. Wilcox and the vote was as follows: A. Scott Pinney – aye; Martin Christopher – aye; Matthew Besemer - aye; Francis Shattuck – aye; Connie Wilcox – aye and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town Board of the Town of Lansing has agreed to initiate a Committee to oversee the Natural Gas Drilling in the Town of Lansing and:

WHEREAS, the said committee will be entitled “Natural Gas Drilling Advisory Committee”NGDAC and

WHEREAS, the Town Board of the Town of Lansing hereby appoints James Mason as Chairperson and Kathy Miller as Deputy Chairperson and the following residents to the Natural Gas Drilling Advisory Committee to serve on an as needed basis at the pleasure of the Board:

Lin Davidson	Skip Hardy	Susan Brock	Dan Konawalow
Andrea Benson	Dave Dubin	Tom Vawter	John Dennis
Karen Edelstein	Pat Pryor		

Now, therefore be it;

RESOLVED, that the Town Board of the Town of Lansing does hereby approve the Committee and Committee Members as noted above.

Amend Employee Handbook Section 501:

RESOLUTION 09-232

**RESOLUTION AMENDING EMPLOYEE HANDBOOK AT SECTION 501,
“OPERATIONAL POLICIES”**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; and Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, the Town has for years been considering clarifications and amendments to several sections of the Town’s Employee Handbook and now desires to clarify rules concerning hours of work and related matters pertaining to general operational policies; and

WHEREAS, upon due consideration of the above and other matters and factors, the Town Board of the Town of Lansing has hereby

RESOLVED, that effective January 1, 2010, Section 501 of the Employee Handbook is amended to read as follows:

501 Departmental Hours

Normal Hours of Operation – Town Hall hours of operation are Monday through Thursday from 7:30 a.m. to 4:00 p.m. and Friday from 7:30 a.m. to 12:00 noon (herein, the “Normal Hours of Operation”).

Work Schedules – All employees shall be required to work their assigned hours during the Town’s Normal Hours of Operation. Any employee that needs or

desires to work alternate, different, or additional hours, whether within or outside of the Town's Normal Hours of Operation, may only do so when such alternate, different, or additional hours are approved by both their Department Head and the Town Supervisor.

Flex-Time – With their Department Head's and Town Board's written approval, an employee may change their regular scheduled work hours within the Normal Hours of Operation.

Department Head Absences – Whenever a Department Head's duties require out-of-office work such Department Head shall schedule employees in such manner to assure that, at all times during Normal Hours of Operation, assistance, services, and forms are available to the public.

Refusals to Work – Because the Town is a governmental employer and has unique needs and responsibilities to the County, the State, and the public, and because the Town may often be required to respond to unique situations or emergencies, any employee that refuses to work additional hours or times as directed or approved by their Department Head, the Town Supervisor, or the Town Board shall be subject to disciplinary procedures.

Union Employees – The work schedules and hours of work of employees subject to a collective bargaining agreement shall be governed by these Operational Policies to the extent the same are not inconsistent with such collective bargaining agreement.

Approve 2010 Teamsters Agreement:

RESOLUTION 09-233

**RESOLUTION APPROVING 2010 TEAMSTERS AGREEMENT WITH TOWN
HIGHWAY CBU AND RATIFYING 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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mr. Shattuck; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck – aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, Town Supervisor Pinney and Councilperson Shattuck negotiated the 2010 Teamsters Collective Bargaining Agreement (“CBA”) and, with assistance from counsels and others, attended a final bargaining session that resulted in the resolution of the final issues under consideration; and

WHEREAS, with negotiations closed and such amendments to the Collective Bargaining Agreement recommended by Mr. Pinney and Mr. Shattuck, and the Collective Bargaining Unit (“CBU”) having approved the 2010 contract, the Town Board

must now, by law, undertake legislative action to approve or disapprove the CBA as presented to the CBU; and

WHEREAS, upon deliberation of the foregoing and the terms of the 2010 CBA, the Town Board of the Town of Lansing has hereby

RESOLVED, that the 2010 CBA with the Highway Department CBU be and hereby is approved, and all actions previously undertaken and documents signed by Mr. Pinney or Mr. Shattuck be and hereby are ratified and approved.

Appoint Thomas Vawter to Water Resources Council:

RESOLUTION 09-234

**RESOLUTION APPOINTING THOMAS VAWTER TO
WATER RESOURCES COUNCIL**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; Francis Shattuck, Councilperson; and the following members being absent: none and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mrs. Wilcox and the vote was as follows: A. Scott Pinney– aye; Connie Wilcox – aye; Martin Christopher – aye; Matthew Besemer - aye; Francis Shattuck - aye and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, there is a vacancy upon the Water Resources Council, and Tom Vawter has submitted his application to serve as the representative from the Town of Lansing; and

WHEREAS, upon review and discussion of the matter, the Town Board of the Town of Lansing has hereby

RESOLVED, that effective December 16, 2009, Tom Vawter be and hereby is appointed to the Water Resources Council to serve a full term thereat.

Accept Empire Geo Bid and Contract:

RESOLUTION 09-235

**RESOLUTION ACCEPTING EMPIRE GEO BID AND CONTRACT REGARDING SOIL
TESTING FOR WARREN ROAD SEWER DISTRICT**

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck –aye; Connie Wilcox –aye; Martin Christopher – aye; Matthew

Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

WHEREAS, bids having been sent to all local soil and excavation firms for sewer testing and sampling pursuant to the previously approved project plan for the Warren Road Sewer District, and Empire Geo having submitted the lowest qualifying bid; and

WHEREAS, the funding for the same having already been approved and being part of the engineering and construction contracts and/or specifications for the project; and

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

RESOLVED, that the bid and contract of Empire Geo be and hereby is accepted and that the Town Engineer proceed with soil testing, sampling and analyses for such sewer district; and it is further

RESOLVED, that, upon approval of the terms thereof by the Town's Engineer and Counsel, the Town Supervisor and Deputy Supervisor each be and are hereby authorized to execute such contracts for said soil work by, for, on behalf of, and in the name of the Town of Lansing.

Monthly Report:

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

Town Counsel Report:

Mr. Krogh asked for a generic resolution to proceed with the survey and the appraisal for the land across from the Town Hall.

The following Resolution was adopted:

RESOLUTION 09- 236

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 16th day of December, 2009, the following members being present: A. Scott Pinney, Supervisor; Connie Wilcox, Councilperson; Francis Shattuck, Councilperson; Martin Christopher, Councilperson; and Matthew Besemer, Councilperson; and the following members being absent: none; and the following motion for a Resolution was duly made by motion of Mr. Pinney, and was duly seconded by Mr. Christopher; and the vote was as follows: A. Scott Pinney - aye; Francis Shattuck -aye; Connie Wilcox -aye; Martin Christopher - aye; Matthew Besemer - aye; and the following Resolution therefore passed 5-0, and was duly adopted:

RESOLVED, that T.G. Miller PC Engineer and Surveyors is hereby authorized to perform a survey of Town owned land across from the current Town Hall not to exceed \$ 1,500.00, and be it further

RESOLVED, that David Long Appraisal Co. Inc. is hereby authorized to complete an appraisal of said land not to exceed \$ 750.00.

Truck Traffic:

Mr. Pinney was contacted by Clause Nyberg in regards to an article in the Ithaca Journal which said that two farm groups have joined opposition for proposed truck restrictions under review for Tompkins and nearby Finger Lakes counties saying the plan would increase transportation costs for farmers. Mr. Pinney felt this could really increase the truck traffic that would travel through the Town of Lansing and that he was very concerned with this. Mr. Pinney will contact involved agencies in this matter and try to defer any extra truck traffic from coming through the Town of Lansing.

Adjourn Meeting:

RESOLUTION 09 – 237

RESOLUTION, offered by Mr. Pinney and seconded by Mr. Besemer:

RESOLVED, that the meeting is hereby adjourned at the call of the Supervisor at **7:20** p.m.

Vote of Town Board . . . (Aye) Matt Besemer, Councilperson
Vote of Town Board . . . (Aye) Marty Christopher, Councilperson
Vote of Town Board . . . (Aye) Bud Shattuck, 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.