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## Lansing board denies revote on library

Resident who organized petition plans to file appeal with state

By **Tim Ashmore**

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Journal Staff

**LANSING** — The Lansing Central School District Board of Education will not act on a petition from Lansing residents calling for a third vote on creating a library tax district in Lansing based on legal counsel advice.

School Board President Tom Keane made the announcement that the board would not act on the petition Monday

night at the board's first meeting of the year.

The Lansing Library Tax District was created with a Dec. 11 vote that passed by some 65 votes. The library vote failed during a vote in May 2007.

Resident Dan Pace delivered the petition calling for a revote on the library at the Dec. 17 board meeting with 138 signatures from school district residents.

Pace said he thought scheduling the vote so late in the year when many residents head

south for the winter or for holidays was bad timing. He also pointed out that people do not have to be registered New York state voters for a school district vote.

Keane said that since voters approved the measure, the board has no authority to schedule a third vote. He said library trustees would have to act to hold another vote on the tax district.

In a letter to Pace, Keane wrote "... you stated that there may have been unqualified vot-

ers who voted at the Dec. 11 referendum and that you might wish to challenge the result of the vote. If you wish to do so, you have the right to file an appeal to the Commission of Education ..."

Pace said he is filing an appeal this week with the State Department of Education under Section 310 of New York State Education Law. Appeals can be filed no later than 30 days after the action.

Pace said the appeal has to do with "the way the voting procedure went" but said that's all he could say about the

grounds for the appeal at this time.

Keane said the vote was held the same way district elections have been held for the last 25 years.

Lansing complied with education law voting regulations, but since it is not a registered district, voters only need to sign their name next to a district address and affidavit that they are at least 18 and a citizen of the United States, Keane said. The only registered district in Tompkins County is the Ithaca City School District.

See LANSING Page 2B

# LANSING

CONTINUED FROM 1B

Jodi Rusaw, Lansing district clerk and overseer of school votes, said the district has not been informed of a challenge and has not gone through all the election records to determine if county residents from outside the school district voted.

She said if the vote is challenged, the records will need to be reviewed.

At the board meeting, board member David Dittman asked a number of questions about making the Lansing school district a registered district to avoid these kinds of problems in the future. The board said it would look into becoming a registered district before the May vote on the district budget, if possible.

Marlaine Darfler, chairwoman of the Friends of the Lansing Library, said the vote was legal.

"My wish and desire is that the people that are so upset would use their energy to go to the state and change the way the election is held," she said.

Darfler said the library will have its paperwork in to the state by Jan. 11 for its provisional charter.

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