

**BELOW PLEASE FIND THE DRAFT RESOLUTIONS
TO BE CONSIDERED AT THE
TOWN OF LANSING REGULAR TOWN BOARD MEETING
MARCH 22, 2017 AT 6:30 P.M.
29 AUBURN ROAD, LANSING, NEW YORK**

RESOLUTION 17-

**RESOLUTION MAKING SEQRA NEGATIVE DECLARATION
AND APPROVING AND ADOPTING LOCAL LAW #2 OF 2017,
AMENDING ZONING DEFINITION OF BUILDING HEIGHT**

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

WHEREAS, with updated and amended building codes, including the provisions of the International Code Council, NYS and the Codes Division have amended the definition of building heights, and it is deemed in the best interests of the Town and its citizens to have both zoning and building codes agree upon what the term “building height” means; and

WHEREAS, this action was classified as an Unlisted Action under SEQRA and the Town Board duly declared its intent to be lead agency for a coordinated review, and no other agency having objected or requested lead agency status within the 30 days following service of the notice, and

WHEREAS, a § 239 referral was duly made and County Planning noted no negative intercommunity or countywide impacts; and

WHEREAS, a public hearing was duly noticed and duly held at the Lansing Town Hall on the 15th day of March, 2017, whereat all persons interested in the subject matter of this local law were duly heard; and

WHEREAS, after due deliberation thereupon, the Town Board of the Town of Lansing has hereby resolved, and determined and ordered, as follows:

RESOLVED and DETERMINED, that after consideration of the potential environmental impacts, including those reviewed in accord with 6 NYCRR § 617.7(c), the Town Board finds that the proposed action of approving the proposed local law will neither individually nor cumulatively have any moderate or significant negative environmental consequences or impacts; and it is further

RESOLVED and DETERMINED, that this declaration is made in accord with Article 8 of the New York State Environmental Conservation Law and SEQRA regulations promulgated thereunder, and accordingly, the Town Board of the Town of Lansing, based upon: (i) its thorough review of the SEAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have any moderate or 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 SEAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above referenced proposed actions, and determines that an Environmental Impact Statement is therefore not required; and it is further

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

RESOLVED, that Local Law Number 2 of 2017 be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted;” and it is further

RESOLVED and ORDERED, that in accord with the Municipal Home Rule Law, the final, adopted version of this local law shall be filed with the Town Clerk, and the said Town Clerk shall within 20 days hereof file the same with the NYS Department of State, Division of Corporations, State Records and Uniform Commercial Code, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, as required by Municipal Home Rule Law.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Duke -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.

RESOLUTION 17-

RESOLUTION ADOPTING LOCAL LAW #3 OF 2017, CLARIFYING AND UPDATING TAX EXEMPTIONS AND OPTING OUT OF TAX EXEMPTIONS UNDER REAL PROPERTY TAX LAW § 487

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

WHEREAS, the Town had already combined its senior citizen and related exemptions with its cold war veteran exemptions, but alternative veterans exemptions and certain senior construction housing improvement exemptions remained the subject of separate local laws dating as far back as 1989, which laws need updating, and the Town had further elected to opt out of the § 487 tax exemption for certain energy facilities, and such election is referenced in a local law from 2013, and there is an overall need to update, confirm, modernize, and place all exemptions into one easy to track and administer location; and

WHEREAS, such action is deemed a Type II Action under SEQRA such that no environmental review is required; and

WHEREAS, a public hearing was duly noticed and duly held at the Lansing Town Hall on the 15th day of March, 2017, whereat all persons interested in the subject matter of this local law were duly heard; and

WHEREAS, after due deliberation thereupon, the Town Board of the Town of Lansing has hereby resolved, and determined and ordered, as follows:

RESOLVED, that Local Law Number 3 of 2017 be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted;” and it is further

RESOLVED and ORDERED, that in accord with the Municipal Home Rule Law, the final, adopted version of this local law shall be filed with the Town Clerk, and the said Town Clerk shall within 20 days hereof file the same with the NYS Department of State, Division of Corporations, State Records and Uniform Commercial Code, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231, as required by Municipal Home Rule Law.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Dake -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.

RESOLUTION 17-

RESOLUTION SCHEDULING PUBLIC HEARING FOR PROPOSED LOCAL LAW #4 OF 2017 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C

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

WHEREAS, the Town Board of the Town of Lansing is hereby authorized to adopt a budget for the fiscal year 2018; and

WHEREAS, said proposed Local Law proposes: (1) to override the limit on the amount of real property taxes that may be levied by the Town of Lansing, County of Tompkins pursuant to General Municipal Law § 3-C (2) pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2018 and ending December 31, 2018 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-C; and

WHEREAS, this proposed Local Law if adopted pursuant to subdivision 5 of General Municipal Law § 3-C which expressly authorizes the Town Board to override the Tax Levy Limit by the adoption of a Local Law approved by a vote of at least sixty percent (60%) of the Town Board; and

WHEREAS, and upon deliberation thereupon, the Town Board 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 April 2017, at 6:35 pm, to consider public input and comments upon such proposed Local Law, and to hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

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

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Dake -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.

RESOLUTION 17-

RESOLUTION ACCEPTING DEDICATION AND RE-DEDICATION OF EXISTING AND OPEN PUBLIC HIGHWAYS KNOWN AS VILLAGE CIRCLE, AND THE PHASE II ROADWAYS AT LANSING COMMONS KNOWN AS SEACORD LANE AND WOODSEGE DRIVE (EXTENSION)

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

WHEREAS, the public highway known as Village Circle was re-named as part of the VCVS PDA process and, with the water tank and interconnection improvements for the Bone Plain Water Tank Project now completed, a final clean-up and re-dedication of such roadway was needed due to a need to solve an old problem relative to a small segment of such roadway that had never been formally dedicated, even though well in use as a public highway, such that the final dedication or re-dedication of the entire roadway was planned for after the completion of the water tank project due to the desire to avoid duplicative expenses in surveying, and just in case the roadway location needed to be changed to accommodate project needs; and

WHEREAS, such roadway was fully mapped and re-mapped, and such mapping and deeds of dedication were duly reviewed, approved, and authorized to be filed, and having been so filed and as a matter of formality the Town Board wishes to now acknowledge and formally accept dedication and re-dedication of such public highways; and

WHEREAS, somewhat similarly, Lansing Commons Phase I roadways were previously dedicated and the completion of roadways for Phase II was accomplished in the Fall of 2016, and such roadways and their infrastructure were fully inspected and tested and accepted, and since such date such roads have been open to public use such that they are and were public highways, but due to the need for a verified as built survey, the formal dedication by deed was delayed for surveying; and

WHEREAS, such roadways were fully mapped and such mapping and deeds of dedication were also duly reviewed, approved, and authorized to be filed, and having been so filed and as a matter of formality the Town Board wishes to acknowledge and formally accept dedication of such public highways to be named Seacord Lane and Woodsedge Drive (as extended), each and both as so shown and named upon the approved Final Major Subdivision Plat (as filed in April, 2012),

and as further shown and so named upon the as built roadway survey (as filed in February, 2017); and

WHEREAS, after due deliberation thereupon, the Town Board of the Town of Lansing has hereby resolved as follows:

RESOLVED, that the Town unconditionally accepts the conveyance, transfer, and gifting of lands and improvements thereupon from the landowner-developer thereof, and that the formal dedication of Village Circle roadways be and hereby is accepted and approved, including the description and mapping thereof and therefor as are on file and of record at the County Clerk's Office as Instrument #2017-01986; and it is further

RESOLVED, that the Town unconditionally accepts the conveyance, transfer, and gifting of lands and improvements thereupon from the landowner-developer thereof, and that Seacord Lane and Woodsedge Drive (as extended) be and hereby are accepted and approved, including the description and mapping thereof and therefor as are on file and of record at the County Clerk's Office as Instrument #2017-02049; and it is further

RESOLVED, that said roadways continue as public highways and be hereafter fully taken in charge and be maintained by the Town of Lansing, and that the Highway Superintendent be and hereby is authorized to adopt any necessary orders in relation to such roadways as he shall deem necessary or advisable in relation to such public highways, including but not limited to the provisions of the New York State Highway Law § 171.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Dake -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.

RESOLUTION 17-

RESOLUTION CONDITIONALLY APPROVING BEARDSLEY DESIGN ASSOCIATES PROFESSIONAL SERVICES AGREEMENT FOR HIGHWAY BARN AND PARKS AND RECREATION MAINTENANCE AND STORAGE FACILITIES

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

WHEREAS, due to aging and need for space, the Town Board has determined it should seek professional advice concerning the Highway Barn and related facilities, and their needs, including upgrades, repairs, and possible additions thereto, further including consideration of the needs of both the Highway Department and the Parks and Recreation Department, both of which make use of such building and facilities; and

WHEREAS, Beardsley Design Associates Architecture, Engineering, Landscape Architecture, D.P.C. ("Beardsley"), is well qualified by skills and experience to examine existing and proposed

future capital, funding, recreational, and highway facility needs, and to provide turnkey services from professional analysis, planning, design, to procurement and construction services; and

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

RESOLVED, that the Beardsley proposal be and hereby is approved in an amount not to exceed \$3,000, subject to the final engagement terms being approved by Town Counsel and the parties to such agreement.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Duke -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.

RESOLUTION 17-

RESOLUTION HIRING JESSICA HOLLENBECK AS PART-TIME RECREATION ASSISTANT TO ACT IN A SUBSTITUTE CAPACITY FOR THE LANSING DROP IN PROGRAM

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

WHEREAS, there is a need for a Part-Time Recreation Assistant to act in a substitution capacity when the need arises as the Lansing Drop In Program operates with four employees at all times; and,

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

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

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

RESOLVED, that Jessica Hollenbeck be and hereby is approved to be employed as a Town of Lansing Grade 2, Step 1 Employee, as Part-Time Recreation Assistant, to act in a substitute capacity for the Lansing Drop In Program, with such employment to commence March 6, 2017 at the rate of \$11.98 per hour, and it's further

RESOLVED, that the appropriate Town officer be and hereby is authorized to make such changes to the Towns' employment and civil service rosters, to file the required Civil Service forms to effect such changes per this Resolution, and to file Form 428s, if required.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Councilperson Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Dake -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.

RESOLUTION 17-

RESOLUTION AUTHORIZING TRANSFER OF FUNDS GENERAL FUND A AND HIGHWAY FUND DA FUND BALANCE

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

WHEREAS, the Town of Lansing has Adopted a Reserve Fund Policy of 2016; and

WHEREAS, the Town Board wishes to allocate a portion of the surplus Fund Balance to various Town Reserve Funds; and

WHEREAS, upon due consideration, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Town Board of the Town of Lansing hereby authorizes the Town Supervisor to allocate a portion of the surplus Fund Balance recognized from General Fund A in the amount of \$10,674.00 to Repair Reserve, and \$3,166 to Parks & Recreation Reserves, and \$4,630 to Technology Reserve; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Lansing hereby authorizes the Town Supervisor to allocate a portion of the surplus Highway Fund DA Fund Balance in the amount of \$15,000.00 to Capital Reserves for Highway Equipment; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Lansing hereby authorizes the Town Supervisor to allocate surplus General Fund A Fund Balance in the amount of \$100,000.00 to General DA Fund Balance.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Dake -

Accordingly, the foregoing Resolution was approved, carried and duly adopted on March 22, 2017.

RESOLUTION 17-

**RESOLUTION REJECTING ALL BIDS AND AUTHORIZING RE-BIDDING
UPON BURDICK HILL PUMP STATION PUMP REPLACEMENT PROJECT AND
APPROVE UPDATED ENGINEERING ESTIMATES OF COSTS**

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

WHEREAS, in June 2014 the Town Engineer completed an Engineer's Report recommending electrical and pump repairs and replacements that are needed for the Burdick Hill Pump Station, which is the backbone of the Consolidated Water District (CWD), and which pump station, if it fails, will result in a loss of water supplies to the majority of the CWD; and

WHEREAS, the Town Engineer completed the project plans and developed bid specifications for public bidding, including under Local Law #2 of 2015 (Best Value Bidding), and the project was duly authorized for bidding by resolution of February 15, 2017 (R17-60); and

WHEREAS, although 6 potential bidders attended the bid conference, only 2 bids were received and one was withdrawn, and in communications with other potential bidders it was learned that the bid preparation window was too short to allow obtaining subcontractor estimates and planning for project mobilization, among other causes, and for that and other reasons it was recommended that all bids be rejected, which right was specifically reserved in the RFP, and that the project be re-bid through the RFP process; and

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

RESOLVED, that all bids be and hereby are rejected, that the Town Engineer is directed to issue a new RFP, again under the Town's best value bidding procedures, and continue towards completing and overseeing the design and implementation of the replacement plans and construction project for the Burdick Hill Pump Station; and it is further

RESOLVED, that given increasing prices in plumbing and electrical contracting, including due to the complexity of this project as pumps must run while being replaced, the project cost has been estimated as increasing to \$250,000 (being an increase of no more than \$50,000), and as funding is available for such emergency improvement project from such same CWD funding source, such higher amount is accepted and approved for proposed project completion purposes.

The question of the adoption of such proposed resolution was duly motioned by Councilperson _____, duly seconded by Councilperson _____, and put to a roll call vote with the following results:

Councilperson Andra Benson -
Councilperson Robert Cree -
Supervisor Edward LaVigne -

Councilperson Katrina Binkewicz -
Councilperson Doug Dake -

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 22, 2017.