

**BELOW PLEASE FIND THE DRAFT RESOLUTIONS
TO BE CONSIDERED AT THE
TOWN OF LANSING REGULAR TOWN BOARD MEETING
November 15, 2017 AT 6:30 P.M.
29 AUBURN ROAD, LANSING, NEW YORK**

RESOLUTION 17-

**RESOLUTION ISSUING PUBLIC INTEREST ORDER AND APPROVING THE
ESTABLISHMENT OF CAYUGA ORCHARD
CONSOLIDATED WATER DISTRICT EXTENSION
FOR BALANCE OF CAYUGA ORCHARD LANDS**

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

WHEREAS, a petition and proposed Map, Plan, and Report duly sealed by a NYS licensed engineer (“MPR”), has been submitted by the Town Engineer to extend the Consolidated Water District (“CWD”) to all of the lands of the proposed Cayuga Orchard Apartments Project (formerly known as Cayuga Farms) (hereafter, “Cayuga Orchard”), along Triphammer Road upon the balance of TPN 37.1-6-3.362 (the “Project”); and

WHEREAS, a portion of the land in Cayuga Orchard is already in the CWD and some lands are not within the bounds of the CWD, and this process is simply to include the balance of the lands and to assure continuity and the ability to locate and service mains along the public streets of such project, and the Town has thus determined that extending the CWD is feasible and to the benefit of the CWD, and thus the MPR has been reviewed by the Town Board and is accepted and deemed final, complete, and in compliance with Town Law §§ 209-c and 209-d, and the Project is declared and deemed to be in the public interest, and the Town Board desires to now proceed towards completion of the Project pursuant to the authority of Article 12-A, and finds that all proceedings to date have been in compliance therewith; and

WHEREAS, this action was previously classified as a Type I Action under SEQRA and the lead agency, under a coordinated review that duly considered the extension of water and utilities to the project and site, previously issued a Negative Declaration, and an examination of such FEAF and prior SEQRA findings in relation to this project (PB R15-14, July 2015) and the extension of the CWD has been examined and the Town Board has found that no impacts arising from this extension are or are likely to cause any actual or potential impact to become a moderate or significant impact such that no supplemental review under SEQRA is determined to be necessary; and

WHEREAS, the Town Board duly issued an Order calling a Public Hearing upon the Project (the “Order”), such Order meeting the requirements of Town Law, and such public hearing having been duly held a 6:35 pm upon November 15, 2017 at Town Hall, 29 Auburn Road, Lansing, New York, upon the question of adoption of the Public Interest Order, and all persons interested in the subject thereof were duly heard and all evidence taken; and

WHEREAS, the owner of 100% of the land within this extension supports this extension, the same was and remains a requirement of site plan review for the Cayuga Orchard Apartments and water is a needed utility for site development, and such sole owner, as the only eligible voter, has submitted a written waiver of a right to referendum; and

WHEREAS, the Town desires to proceed towards establishment of the Project and finds that all proceedings to date have been in compliance with said Town Law Article 12-A and that this extension is in the public interest; and after conducting the aforesaid public hearing and in consideration of all evidence reviewed and considered thereat and otherwise, the Town Board of the Town of Lansing has hereby duly

RESOLVED AND DETERMINED, that: (i) the Notice of Public Hearing was published and posted as required by law and was otherwise sufficient; (ii) all property and property owners within the proposed extension (Cayuga Orchard) are benefited thereby; (iii) all benefited properties and property owners are included within the said extension; and (iv) the establishment of said extension is in the public interest; and it is further

RESOLVED AND DETERMINED, that the boundaries of said CWD extension are wholly outside the boundaries of any incorporated city or village, and are defined as inclusive of all that land identified and described as p/o 37.1-6-3.362, being 20.8 acres, as shown and described in the MPR, all together with the land surveys, metes and bounds maps and descriptions, and such other descriptions and maps as are on file in the Tompkins County Clerk's Office for the foregoing tax parcel numbers and as described in the MPR (including at Appendix A, therein), each of which is incorporated into this Resolution as if set forth here in full; and it is further

RESOLVED, that the maximum amount proposed to be expended by the Town or the District for the construction of the Cayuga Orchard CWD extension is \$0.00, as no current public improvements are expected for such district extension as: (i) this is infill upon a parcel where service is already available and a site plan approval already exists; but (ii) when and if any water service infrastructure is to be constructed or installed, the cost to the Town and District will be \$0.00 as all expenses and costs of improvement are the responsibility and expense of the Developer, subject to the continuing approvals and permits of the Town and Bolton Point; and it is further

RESOLVED AND DETERMINED, that the construction and improvements identified in the afore-described Order Calling a Public Hearing be and the same are hereby approved and authorized to be provided to such areas of the Cayuga Orchard Extension after issuance of the Final Order of formation of and for this district extension.

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 Katrina Binkewicz –
Councilperson Robert Cree –	Councilperson Doug Dake –
Supervisor Edward LaVigne –	

Accordingly, the foregoing Resolution and Public Interest were approved, carried, and duly adopted on November 15, 2017.

RESOLUTION 17-

RESOLUTION AND FINAL ORDER APPROVING CAYUGA ORCHARDS CONSOLIDATED WATER DISTRICT EXTENSION

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

WHEREAS, a petition and proposed Map, Plan, and Report duly sealed by a NYS licensed engineer (“MPR”), was submitted by the Town Engineer to extend the Consolidated Water District (“CWD”) to all of the lands of the proposed Cayuga Orchard Apartments Project (formerly known as Cayuga Farms) (hereafter, “Cayuga Orchard”), along Triphammer Road upon the balance of TPN 37.1-6-3.362 (the “Project”), and a portion of the land in Cayuga Orchard is already in the CWD and some lands are not within the bounds of the CWD, and this process will simply include the balance of the lands in a district to assure continuity and the ability to locate and service mains along the public streets of such project, and the Town has thus determined that extending the CWD is feasible and to the benefit of the CWD and the Project is declared and deemed to be in the public interest, and the Town Board desires to now proceed towards completion of the Project pursuant to the authority of Article 12-A, and finds that all proceedings to date have been in compliance therewith; and

WHEREAS, this action was previously classified as a Type I Action under SEQRA and the lead agency, under a coordinated review that duly considered the extension of water and utilities to the project and site, previously issued a Negative Declaration, and an examination of such FEAF and prior SEQRA findings in relation to this project (PB R15-14, July 2015) and the extension of the CWD has been examined and the Town Board has found that no impacts arising from this extension are or are likely to cause any actual or potential impact to become a moderate or significant impact such that no supplemental review under SEQRA is determined to be necessary; and

WHEREAS, the Town Board duly issued an Order calling a Public Hearing upon the Project and such public hearing was duly held and the Project approved and all findings as required to be made were duly made, and a permissive referendum was not required as the sole landowner is the site developer who petitioned for this extension, such extension is required as part of a site plan approval, and such sole owner has submitted a written waiver of the right of referendum; and

WHEREAS, upon due deliberation upon all the foregoing, and in compliance with Article 12-A of the Town Law, the Town Board of the Town of Lansing has hereby

RESOLVED AND DETERMINED, that no additional SEQRA review is necessary or required due to the passage of time, as (i) no significant changes in the property or project have occurred, and (ii) the Town finds that conducting SEQRA review as soon as is possible in relation to any project is consistent with the goals and requirements of SEQRA; and it is further

RESOLVED AND SO ORDERED, that the Cayuga Orchard Consolidated Water District be and hereby is approved, and the boundaries of the said District shall now and hereafter be inclusive of the Extension and each and all of any portion or all of such tax parcels as are within such Extension, all as more particularly mapped, shown, described in the MPR and the Public Interest Order as are on file Town Clerk’s Office; and it is further

RESOLVED AND SO ORDERED, that the owner of the parcel of property now so incorporated in this extension is especially benefited thereby, and the Town shall assess, levy, and collect tax and special improvement and benefit assessments upon the several lots and parcels of land within the said extension which the Town Board has determined, and hereby again determines, are especially benefited thereby; so much and from each as shall be in just proportion to the benefit thereof, each and all to pay the operation and maintenance costs of such extension, together with any future indebtedness lawfully incurred for such district and extension; and it is further

RESOLVED AND ORDERED, that in accord with Town law § 209-g, and within 10 days of the adoption of this Final Order the Town Clerk shall:

1. File with the Tompkins County Clerk; (i) a certificate certifying that no referendum was requested or required in relation to the conditional order approving the Public Interest Order for this Project; together with (ii) a certified copy of this Resolution; and
2. File a certified copy of this Resolution with the NYS Department of Audit and Control, Albany, New York.

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 November 15, 2017.

RESOLUTION 17-

**RESOLUTION ADOPTING LOCAL LAW #9 OF 2017,
EXTENDING THE COLD WAR VETERANS EXEMPTION**

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

WHEREAS, the State of New York has re-authorized the extension of Cold War Veterans Exemptions beyond the original 10-year sunset period, and in order to continue such exemption the Town must re-authorize and approve the continuation of the exemption for such period by local law; and

WHEREAS, this Action has been classified as a Type II Action under SEQRA and a public hearing was duly called and conducted upon such local law at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, upon the 15th day of November, 2017, at 6:37 pm, to consider the adoption of said proposed Local Law #9 of 2017, a local law to extend the Cold War Veterans Exemptions as authorized by NYS and required by law; and

WHEREAS, upon due deliberation upon the foregoing and said local law and the comments and input from the public hearing (if any), the Town Board of the Town of Lansing has hereby resolved, and determined and ordered, as follows:

RESOLVED, that Local Law Number 9 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 November 15, 2017.

RESOLUTION 17-

**RESOLUTION AND ORDER CALLING PUBLIC HEARING UPON
PUBLIC INTEREST ORDER FOR FORMATION OF
DRAINAGE DISTRICT #10 FOR NOVALANE SUBDIVISION**

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

WHEREAS, John Young (the “Developer”) is proposing the dedication of stormwater lots and easements to and for stormwater facilities for the Novalane Subdivision, and the development plan, subdivision plat, and project SWPPP have always envisioned that the common facilities and stormwater operation, maintenance, reporting, and repair obligations would be managed by a drainage district operated by the Town as an Article 12-A improvement district, and the Final Plat Subdivision approval issued by the Planning Board therefore requires district formation as a condition thereof; and

WHEREAS, a Map, Plan and Report (“MPR”) that complies with Town Law §§ 209-c and 209-d was prepared by the Town’s Engineer and, it being in the public interest to form such district, the Town desires to proceed towards establishment of Drainage District #10 pursuant to the provisions of Town Law Article 12-A (the “Project”) and finds that all proceedings to date have been in compliance therewith and that the final Map, Plan and Report complies with the requirements of Town Law §§ 209-c and 209-d, particularly as to the descriptions and expenses set forth therein for the boundaries and first year’s expenses for the proposed district; and as it is found to be in the public interest and to the benefit of all parcels in the proposed district to establish the Town of Lansing Drainage District #10, and as all benefited parcels are included within such district and no benefited properties have been excluded from the district; and

WHEREAS, this action was previously classified as a Type I Action under SEQRA and the lead agency, under a coordinated review that duly considered drainage and stormwater facilities, and the creation of this drainage district and this Project, and previously issued a Negative Declaration, and an examination of such FEAF and prior SEQRA findings in relation to this Project has been undertaken and the Town Board has found that no impacts arising from this Project are or are likely to cause any actual or potential impact to become a moderate or significant impact such that no supplemental review under SEQRA is determined to be necessary; and

WHEREAS, upon due deliberation hereupon, the Town Board hereby adopts an Order pursuant to Town Law §209-d as follows:

1. The boundaries of the proposed district are inclusive of all that land now and formally part of the Novalane Subdivision, including approximately 12.88 acres of which are proposed to be in the District, being comprised of six residential building parcels and one stormwater management parcel, all being more particularly known as TPNs 36.-2-1, 36.-2-2, 36.-2-3, 36.-2-4, 36.-2-5, 36.-2-6, each as owned by John Young, and each of said parcels and the district boundaries being thus further depicted in the Subdivision and Stormwater maps, incorporated herein, and the descriptions for land records thereof as are on file at the Tompkins County Clerk's Office.

2. The proposed improvements consist of stormwater retention ponds, vegetated swales and ditches to convey stormwater to pond forebays, rip rap, a culvert, and other related stormwater facilities and drains, all of which are set forth upon the Final Subdivision Plat and in the SWPPP (which are incorporated herein). All costs of installation will be paid for by the Developer. The future maintenance responsibilities of the Drainage District #10 include inspections, sediment and debris removal, vegetation management, animal and nuisance management, erosion control, and structural repairs. The Developer will provide easements and rights-of-way to the Town and the District for normal maintenance and emergency access, and title to the ponds and forebays are proposed to be dedicated to the Town or District, as then applicable. Further responsibilities of the District include the need to periodically inspect on-site privately built and maintained stormwater facilities (on individual residential lots) and require their preservation, maintenance, and improvement, as required by law.

3. The estimated cost to the Town and the District for the proposed improvements is \$0.00, which is the maximum amount proposed to be expended by the Town or the District. There is no hook-up cost for or to the drainage district, and there is no financing needed for this project.

4. The MPR describes in detail how the financing, hook-up costs, and other costs and expenses of the proposed drainage district were estimated and computed, including the first year's estimated average maintenance cost of \$631.33 per parcel. Such costs are proposed to be paid through special benefit assessments for the benefited parcels of the proposed district, to be collected with the annual Town and County tax bill. The average cost was computed by identifying the frequency that each maintenance activity is required; then establishing the number of hours and cost per hour for such maintenance activity and then arriving at a total district first year's estimated cost of \$3,788.00. Such amount was then applied to the total acreage and a pro-rata formula was applied to each lot for payment in accordance with the total cost per acre, all as shown more particularly on pages 7-9 of said MPR. This statement of detail as to how the costs were calculated is and shall be deemed the required computation statement required to be filed with the Town Clerk by Town Law § 209-d(1).

5. The MPR is on file for public review and inspection at the Office of the Town Clerk, and a public hearing upon such proposed district will be held at 6:35 pm upon December 20, 2017, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, and to thereat hear all persons interested in the subject thereof, and to take such action thereon as is required or permitted by law

6. The Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause this Resolution and Order to be published in the Town's official newspaper and posted not less than 10 nor more than 20 days before such public hearing.

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 November 15, 2017.

RESOLUTION 17-

**RESOLUTION AUTHORIZING MAP, PLAN & REPORT FOR CWD
EXTENSION COVERING BALANCE OF LANDS OF CARGILL, INC.**

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

WHEREAS, Cargill, Inc. owns property at 1001 Ridge Road, NYS Route 34B, Lansing, New York, TPN 23.-1-6.2, in the Rural Agriculture (RA) zone, which is partially within and partly outside of the Town of Lansing Consolidated Water District (“CWD”), and the Water and Sewer Advisory Committee has reviewed and recommends the extension of the CWD to cover the entirety of such parcel, including to promote infill; and

WHEREAS, the Town desires to fully examine the feasibility, parameters and costs of such a CWD extension and, upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that 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”) pursuant to Town Law §§ 209-c and 209-d relative to a proposed CWD Extension to service and incorporate the whole of the Cargill, Inc. lands, including an examination as to any agricultural or other water system impacts that may arise therefrom, and the sum of \$2,000 is appropriated therefor as subject to permissive referendum per Town Law Article 7 and § 209-b.

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 November 15, 2017.

RESOLUTION 17-

**RESOLUTION TO REQUEST REDUCTION OF SPEED LIMIT
ON WILSON ROAD**

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

WHEREAS, the Town Board of the Town of Lansing has received a request from the residents along Wilson Road concerned about excessive speeds, and a representative of the neighborhood has presented a petition signed by the residents in support thereof; and

WHEREAS, Wilson Road is a Town Highway; and

WHEREAS, Wilson Road from Conlon Road crossing over Buck Road and continuing to Brickyard Road has increased in population, and this increase in population includes several families with school aged children who need a safe place to enjoy the outdoors without fear of vehicles traveling at high rates of speed, and there currently is no posted speed limit on this stretch of roadway, which allows for vehicles to travel up to 55 mph; and

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

RESOLVED, that the Town Board of the Town of Lansing supports the requested reduction in speed limit and hereby directs that the Town requests the New York State Department of Transportation to conduct a traffic study along Wilson Road in the Town of Lansing for the purpose of considering reduced speed to enhance safety.

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 November 15, 2017.

RESOLUTION 17-

RESOLUTION HIRING JENNIFER MCLAUGHLIN AND SHELDON MEADE AS PART-TIME SCHOOL CROSSING GUARDS FOR THE LANSING SCHOOL DISTRICT

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

WHEREAS, the resignation of Cheryl Adams and Courtney Hamilton as Part-Time School Crossing Guards for the Lansing School District, created openings for the position; and

WHEREAS, there is a need for Part-time School Crossing Guard's; and

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

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

RESOLVED, that Jennifer McLaughlin hereby is approved to be employed as Town of Lansing Employee, as Part-Time School Crossing Guard, for the Lansing School District, with such employment commenced on October 26, 2017 at the rate of \$11.11 per hour, and it is further

RESOLVED, that Sheldon Meade hereby is approved to be employed as a Town of Lansing Employee, as a Part-Time School Crossing Guard for the Lansing School District, with such employment commenced on October 31, 2017 at a rate of \$12.12 per hour.

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 November 15, 2017.

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