

REGULAR TOWN BOARD MEETING
March 16, 2016

A Regular Meeting of the Lansing Town Board was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:30 p.m. The meeting was called to order by the Supervisor, Edward LaVigne and opened with the Pledge of Allegiance to the flag. Roll call by Debbie Munson, Deputy Town Clerk, showed the following to be

PRESENT:

Edward LaVigne, Supervisor
Katrina Binkewicz, Councilperson

Andra Benson, Councilperson
Robert Cree, Councilperson

ABSENT: Doug Dake, Councilperson

ALSO PRESENT: Guy Krogh, Town Counsel, Charlie “Cricket” Purcell, Highway Superintendent, Steve Colt, Director Parks and Recreation, Michael Long, Town Planning Consultant, Charmagne Rungay, Bookkeeper, David Herrick, Town Engineer, Dan Veaner, Lansing Star, Connie Wilcox, John O’Neill, Village of Lansing, Ted Laux, Charles Nedrow, Liz Miller, Chris Williams and a few other attendees.

LANSING COMMUNITY LIBRARY REPORT – LIZ MILLER

Reviewed the following with the Town Board and the report was available as a handout.

TOWN BOARD UPDATES
FROM THE LANSING COMMUNITY LIBRARY
MARCH 16, 2016

1. LCL has launched the 3rd Annual LCL Logo Contest! This year’s Summer Reading Program theme is Fitness and entries must be submitted by Friday, March 18th. The winning logo will be announced at our Annual Meeting April 18th and featured on Summer Reading program gifts, library newsletters, posters and the LCL web site for one year. Entry forms are available from the library or from the web site or Facebook page.
2. March is Buy One Get One Free at the Lobby Book Sale Rack. New books will be available every week.
3. LCL has awarded McPherson Builders the contract to replace the old front entry windows. In addition to new casement windows, there will be some support work done to reinforce the upper frame. This work is funded through a grant from Senator Nozzolio’s office and will begin in the next few weeks.
4. The LCL Annual meeting will be on April 18, 2016 and the trustee election and vote will be on Tuesday, May 3, 2016. We anticipate all our incumbents to run for additional terms but have information and petition forms for any new trustee applicants at the library circulation desk. The petition needs 25 signatures and must be turned no later than 30 days prior to the election (April 2, 2016).
5. Upcoming programs:
 - a. On Tuesday, March 22nd at 7:00 PM, Sean Dembrosky, the proprietor of Edible Acres, will present Permaculture 101, an introductory look into Permaculture, at LCL.
 - b. Also on March 22nd, The Friends of LCL will be screening the film “Out of Print: The Movie” followed by a Q&A with Alice Ball, book buyer from Buffalo Street Books, Susie Gutenberger (the Library Manager) and Todd Howell, a Lansing High School English teacher. This program will be at the Town Hall.
 - c. Saturday April 2nd from 11 AM to 1:00 PM, The Friends of LCL present “Lessons for Loving” Advice from the Oldest and Wisest Americans on Love, Relationships and Marriage, presented by Karl A. Pillemer, Ph.D.
 - d. April 10th to 16th is National Library Week
 - e. The Summer Reading Kick off is scheduled for Saturday, June 18th and the Spring Book Sale will be held both Friday and Saturday, June 17th & 18th in conjunction with the kick-off.

On March 9th, LCL hosted an Art Opening at 7:00 PM for the new exhibit from renowned wildlife photographer Marie Read. This photography exhibition celebrates the colorful songbirds, owls, hawks, and waterbirds that call Lansing and Cayuga Lake home, titled Our Feathered Neighbors: birds of Salt Point and Lansing. The display will run through April 2016. (<https://www.facebook.com/events/464609240406355/>)

TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER

Was not present. The following report was available as a handout.

**Tompkins County Legislator
Michael Sigler
March 16, 2016**

Hello and thanks for having me in again. I wanted to start with the powerplant tonight. I met with the school district and town Supervisor Ed LaVigne to go over the path ahead. We put together a letter that was sent to the state calling on the state to help offset the loss of tax revenue if the plant closes. 19 million dollars was set aside to help towns struggling with powerplant closure. I do feel that some of the information that was laid out by those wanting the plant closed was at best misleading and those who continue to argue for the plant to close continue to imply that Lansing is right now eligible for this money. According to what's in front of us now, the loss of tax base has to equal 20 percent of the taxing body's revenue. The plant is about 8 percent of the school district's revenue and less for the other taxing entities. Assemblywoman Barbara Lifton says she is trying to get that threshold lowered to 5 percent and I hope she's successful. To be honest I feel it was a talking point put out by people who think closing this plant will be good for the environment when I believe the exact opposite is true.

At the March 1st meeting, the Legislature amended Tompkins County's Capital Program to increase cost of the Pine Tree Road Bike and Pedestrian Paths project, in the Town of Ithaca, appropriating \$163,729 for the project from the Highway Fund, and awarding the construction contract to Economy Paving, Inc., of Cortland.

The project, included in the County's Capital Program since 2009, will create separate pedestrian and bicycle facilities and widen road shoulders at the old railroad overpass, providing safe, accessible accommodations for pedestrians, bicycles, and motor vehicles.

Federal and State governments have committed approximately \$1.2 million in non-transferable aid to the project; Cornell University previously committed \$400,000; and the Town of Ithaca \$70,000.

The Legislature, which late last year, endorsed a joint effort with the City of Ithaca to secure State grant funding and other aid to fund a detailed analysis of the feasibility and opportunities for consolidation or further sharing of police services between the City of Ithaca and Tompkins County, authorized continued work on the first stage of the application process for such grant funding from the New York Department of State.

The authorization vote came by an 8-5 vote, with Legislators Dooley Kiefer, Leslyn McBean-Clairborne, Mike Sigler, Will Burbank, and Carol Chock voting no (Legislator Dan Klein was excused). Several Legislators expressed concern regarding whether there had been adequate opportunity for public input at this stage. I voted against it because I see no benefit to Lansing.

The Legislature, without dissent (Legislator Dan Klein was excused), urged New York State to provide technical and financial assistance to counties in complying with federal child care law changes, so that local child care slots are not lost due to increased costs of meeting new federal mandates. The new regulations, covering such requirements as background checks, annual inspections, and health and safety training, the measure notes, will affect the accessibility and affordability of child care as a critical work support, with added implementation costs reducing subsidies to low-income families who need child care in order to go to work.

At last night's meeting the county voted to enter into an agreement to buy its power from Gravity Renewables. We will be buying our power from a small Hydro plant in Waterloo, NY. In the end it saves the county money, but also shrinks out carbon footprint considerable. The project itself is amazing. It revitalizes a 100 year old plant and boosts the amount of power it provides.

Lastly, the Ithaca Tompkins Regional Airport will close its runway for two weeks in July for runway resurfacing.

The runway will be closed from Friday, July 8, at 8 p.m., until Saturday, July 23, at 5 a.m. The full closure during the 14-day period will allow 24-hour-a-day work by the contractor performing the full runway overlay, resurfacing that has not been done in 22 years.

Again, I'd like to thank Marcia Lynch for her enormous contribution to this report.

PARKS AND RECREATION REPORT – STEVE COLT

Reviewed the following with the Town Board and the report was available as a handout.

Parks & Recreation Department Town Board Meeting 3/16/16

RECREATION

- The LBP baseball and LSP softball registration forms are distributed and are coming in daily. We will have to push to get to our usual number of around 300 players, which is typical as the forms are not due until March 24th. So, most will come in on the 25th.... That's just how it is?
- The total registration number is important to us as it directly impacts everything involved with the program including scheduling, equipment, shirts & hats and coaches.
- Coaches meetings and team selection is set for April 5th and 6th. Teams will start practicing April 11th, games start May 7th and the season ends on Super Saturday June 11th.
- Spring Break is the last week in April this year for the schools. We will be offering "Spring Training Players Clinics" for both baseball and softball. These clinics will be conducted by Lansing varsity teams and coaches. We also plan to offer an *Archery Camp* and a *Rock Climbing Camp* during the break.
- We will also be offering "Saturday Morning Soccer" for students that 6U and 8U years of age. This program will take place at the Highway Barn Field and WILL NOT CONFLICT with LBP or LSP !!!
- Lansing Recreation Dance Club – On Tuesday evenings at the Community Center we are starting a new adult dance program for *Salsa* and *Rueda*. No experience – no partner necessary and drop-ins are welcome. See you all there!
- Saturday Morning Swimming Lessons – are going well and we sold out of several time slots. We will have the last session this Saturday March 19th. Additionally, we partnered with the Lansing PTSO and have offered a Family Open Swim after our lessons on Saturdays.
- Our Travel Basketball season ended on March 5th. We had 3 Boys teams and 2 Girls team that did very well this season and improved greatly. These teams were able to play a lot of games this season and we hope to have these players continue their play this summer.

- Lansing’s Varsity Softball, JV Softball and Modified Softball will be practicing and playing their games at our ballfield complex this season due to the ongoing projects at school. Turf warranty issues...

Steve also reported that this summer the Lansing School pool and gym will not be available because of construction projects.

PARKS

- The Summer Concert Series is booked! We actually have 5 totally new bands this summer to keep it fresh. The talent is excellent and if the weather is good, we will fill the park again!
- The marina is nearly full for this season, which is the final year of the 3 year term. We also have a viable waiting list.
- The Dry Dock area is about half filled as of now. It will sell out as we get closer to the “real spring”. We are also currently renting kayak and canoe spaces now and are almost full.
- There will be a presentation here in the Town Hall on March 23rd at 7 PM “Magnificent Ospreys”.
- We anticipate a very hectic spring and summer and hope to keep our crew together to handle it all!!

Steve stated that some repair work could be done to the Myers Park roads. He reported the “A” Pavilion is leaning towards the tree and possibly it could be replaced with a new structure which could be used year round. Steve noted that the Town is very lucky to have our very skilled Highway Department because they save the Town thousands. He also stated that when needed maybe the Porta Johns will be “up scaled”.

HIGHWAY SUPERINTENDENT REPORT – CHARLIE “CRICKET” PURCELL

Reviewed the following items with the Town Board.

1. Winter Work – About \$82,000.00 in savings from this time last year; material and labor.
2. Brushing and Ditching –Early start with the mild weather.
3. Salmon Creek Dredging - The permit has been extended to December 2018. The work is rescheduled for late fall 2016.
4. Stormwater Project - Working with Katrina on a Grant for the Stormwater Project for Water Wagon Road.
5. Historical Folks – Helping with repairs to the building.
6. Equipment Purchases - Completing the equipment purchases as approved from January 2016. Saved some money by purchasing the box separate, so another resolution may be needed. Possibly get an additional \$5,000 to purchase another pickup truck to get them on a three year rotation.
7. Highway Department Website Page - Should be up within a couple of weeks.
8. Myers Park - Recommend paving Myers Park as asphalt prices are reduced from the past several years.

Director of Parks and Recreation Steve Colt commented that parts of the marina are still gravel and dirt.

Supervisor Ed LaVigne stated there is an additional \$75,000 in mortgage tax-one time in - which could be a one time out. Councilperson Robert Cree questioned if

the bottom line had at least an additional \$75,000 and Supervisor Ed LaVigne confirmed it did.

Cricket stated the last paving was done twenty years ago.

PLANNING CONSULTANT REPORT – MICHAEL LONG

Reviewed the following with the Town Board and the report was available as a handout.

- Novalane – Jack Young
 - Preliminary Plat subdivision plan with turn around extension of Smugglers Path.
 - SEQR – classified as an “Unlisted Action” and will have resolutions available.
 - Public Hearing opened Feb 9th for the “Flag Lots” – still open.
 - Storm Water Plan SWPPP reviewed by TG Miller, letter dated Jan 26, 2015 of issues, revisions currently underway
 - Site meeting to walk future Smugglers Path road extension – 5/7/2015 –
 - Request for 1 lot subdivision as an interim step before the entire subdivision is completed – Sept 28, 2015. Withdrawn at this time.
 - Preliminary and Final Plat approvals - TBD.
- West view Partners, Boris Simkin – Major Subdivision – 4 Lots.
 - Original application - 3 lot subdivision classified as minor
 - Joint Planning Board / Town Board Meeting Oct. 6, 2014 to review the history of the Sun Path development- reclassified as a “Major Subdivision” and future phases to be included and storm water considerations.
 - Designated a Major subdivision (4 lots and ROW issues) – phase plan completed by T.G. Miller with ROW access and future roads included (drawing dated 12/15/2015).
 - Revised Subdivision Plan (12/15/2014) - submitted to TG Miller Storm Water Plan for 4 lots with future lots #5-10 and road to north.
 - Revised 239 Review from County – response 50 foot buffer 3/30/2015
 - SWPPP plan reviewed by TG Miller, recommended changes letter 3/23/2015, Meeting held on 4/8/2015.
 - Field work completed 9/4/2015 with Dave Herrick on site.
 - Revised SWPPP submitted Jan 10, 2016 and review letter issued 1/14/2016 by T.G. Miller
 - Revisions to the draft subdivision map are being prepared by T.G. Miller .
 - Public Hearing date –March 28, 2016 Planning Board Meeting.
- Whispering Pines VI (AKA **Asbury Hill**) – Subdivision 28 lots - Richard Thaler
 - Revised Plans being developed by engineer. (submitted 3/26/2015)
 - 239 Review from Tomkins County – letter dated 4/24/2015 with 100 foot setback from stream bank.
 - Storm Water Review – T.G. Miller currently underway – Lot #7 ok with drainage easement. Balance of site still being reviewed.
 - Water District Extension –Town Board Public Hearing held 4/15/2015 with Town Board Approval completed.
 - Lot #7 – Treat as VI - #1A – Flag Lot public hearing 5/11/2015 and requesting Final Plat / SEQR approval and site plan approved 5/11/2015 meeting.
 - Public Hearing – Completed May 11, 2015 – SEQR and Preliminary Plat Subdivision approved.
 - SEQRA - Adopted May 11, 2015 / Preliminary Platt May 11, 2015.
 - Revised SWPPP submitted – T. G. Miller to review. Engineer review meeting 10/29/2015

- Town Board Roadway approval – proposed November 18, 2015 – waiver of new highway specs requested.
- Town Board to adopt storm water management plan. – TBD –draft plan under review.
- Final Plat – approved December 14, 2015.
- Town adopted stormwater plan Jan. 20, 2016 meeting.
- ZBA mtg. TBD to hear area variance granted February 29, 2016 for lot#28 for an existing 20 foot wide driveway (condition of PB approval).
- Lake Forest Circle Drive – L1 Zone - Major subdivision of 16 lots plus storm water.
 - Tompkins Co. 239 review (Letter 11/12/2014) has been completed.
 - Storm water plan revisions requested T.G. Miller. Letter dated 11/19/2014.
 - Revisions are being made to the SWPPP materials. Submitted 10/26 revised maps. Letter (Oct. 27, 2015) from Tim Buhl in response circulated. Comments on map sent on map 10/28/2015.
 - “Public Hearing”- held December 14, 2015.
 - SEQRA, Preliminary Plat approval December 14, 2015 – included waiver of new town highway specs.
 - Discussion regarding existing easements and potential changes – propose meeting with owner and staff to resolve outstanding issues.
 - Final Plat approval – TBD.
- Ag Plan – Follow up meeting – finalize report meeting June 1, 2015
 - Joint Planning Board and Town Board meeting held– June 22, 2015
 - Town Board Public Hearing Meeting – July 15, 2015
 - Town Board establishes 2nd Public Hearing for Sept. 16, 2015
 - Town Board adopted Ag Plan on Sept. 16, 2015.
 - Town Board to establish a formal “Agriculture Committee” as per the recommendations.
 - Requested community volunteers Lansing Star and town web site.
 - Meeting held Feb 8th 9:00 AM at Linda’s Diner with farmers, etc.
 - Ag Committee members appointed by the Town Board February 17th meeting.
 - First Ag Committee Meeting held Monday March 7, 2016.
 - Next Ag Committee meeting Wed. April 13, 2016.
- Mirabito Holdings, Inc. – Site Plan Requested – Town Barn Road B2 Zone.
 - 3 acre phased development – LP Gas storage facility with later phase petroleum.
 - Informal Site Plan meeting – PB held Oct 26, 2015
 - PB is requesting a “Public Hearing” to be established after SWPPP is prepared.
 - 239 Review requested underway.
 - Storm Water Plan submitted 1/11/2016 for T.G. Miller review.
 - Applicant’s agreement executed 1/18/2016 with deposit.
 - Set “Public Hearing” as requested by Planning Board – January 8, 2016.
 - Applicant has submitted the Fire Safety Analysis dated March 1, 2016.
 - SEQRA and Site Plan approval – TBD.
 - Town Board should designate Town Barn /Verizon as a “public road”.
- A. Scott Pinney – Peruville Road Site Plan (RA Zone) to add 15 additional duplex buildings in addition to 4 existing duplexes and office / barn complex.
 - Site Plan draft submitted (12/2014, meeting held and revised site plan resubmitted (9/14/2015).
 - Application for Site Plan and Developers Agreement –received 11/15/2015.

- Revised SEQRA application received 11/16/2015.
- SWPPP submitted to T.G. Miller – Oct. 2015 preliminary review underway
- Revised SWPPP submitted 11/12/2015.
- SWPPP comments from T.G. Miller 11/24/2015 to engineer, waiting response.
- 239 Review – comments received 1/6/2016.
- SEQRA, SWPPP and Site Plan approval – TBD.
- East Shore at Cayuga Vista Drive – (B1 Zone) – Site plan for a “Dollar General” 9,100 SF retail store by Primax Properties, LLC. Together with a subdivision request to create 2 lots.
 - Preliminary site plan drawings received 11/9/2015, application 11/30/2015.
 - Informal sketch plan meeting held by Planning Board on Dec. 14, 2015 with neighbors notified.
 - Revised site plan with formal application and stormwater plan submitted 1/11/2016.
 - 239 Review – submitted 1/21/2016 and received comments 2/2/2016 with an updated letter dated March 1, 2016.
 - Public Hearing for One-Lot subdivision held Feb 22, 2016.
 - Approval for “Minor sub-division” creating 2 lots.
 - SEQRA / Site Plan approval meeting, March 14, 2016 meeting.
 - Requested easement from the Town Board authorization for driveway access to Cayuga Vista Drive.
 - ZBA will need to approve a sign area variance under current design.
- Airport Storage Building – Arno Finkelday at 8 Hillcrest Road - addition 8 storage units.
 - Application and SEQRA forms submitted 1/20/2016.
 - SWPPP information submitted 1/20/2016. Forward to T.G. Miller for review and comments received dated February 3, 2016.
 - 239 Review – submitted 1/21/2016 and received Feb 9, 2016.
 - Formal SEQRA / Site Plan approval – March 14, 2016.
- Comprehensive Plan – Town Board appointment of members Jan 4, 2016
 - Planning Board Members appointed: Lin Davidson, Larry Sharpsteen, Jerry Caward and Sandy Conlon.
 - Requested additional members - Lansing Star and town web site.
 - Reorganizational meeting held Wed. Jan. 13, 2016 at 7:00 PM.
 - Committee Meeting scheduled for first Wed. of the month at 6:00 PM. – next 4/6/2016. Committees have been consolidated and new members assigned.
 - Full Comprehensive Plan Committee meetings 2nd Wed. – at 6:00 PM - next 4/13/2016.

Mike stated there is no longer natural gas available within the Town of Lansing. He reported a new gas line is proposed through the adjacent town and a pressurized system will be by Village Solar.

AG COMMITTEE REPORT – CONNIE WILCOX

Reviewed the following with the Town Board.

Communication is good. Everyone is sharing good thoughts, ideas and getting along. Thanks to Andra for her participation.

Right to Farm Law – The language is good, but it needs to be updated.

COMP PLAN REPORT – CONNIE WILCOX

Reviewed the following with the Town Board.

Comp Plan - Like to have the rough draft ready by June 2016. Goal to have the Comp Plan completed by September 2016. Thanks to Katrina for her help.

ENGINEER'S REPORT – DAVE HERRICK

Reviewed the following with the Town Board and the report was available as a handout.

ENGINEER'S REPORT

1. Water System Planning and Maintenance
 - a. Town CWD, Bone Plain Pressure Zone
 - Filling, flushing and disinfection of the water mains and tank will be taking place between April 1-May 15th.
 - The pressure zone change over will occur in two phases.
 - Existing connected water customers will need to be notified of expected dates for placing the higher pressure zone into operation. Bolton Point will provide the customer name and address information. The Town will prepare an informational letter explaining dates, what changes customers will experience and what plumbing changes may be required in their buildings, if any.
 - Pavement and lawn restoration will be weather dependent.
 - b. Town CWD, Triphammer Terrace Extension
 - Short Form Agreement for Professional Services to be approved by Town Board.
 - Topographic survey and preliminary design services will begin once authorized by the Town Board.
 - Engineer to complete design work by April 22, 2016.
 - c. Town CWD, Extension 1: Lansing Station Road Boundary Extension
 - Mr. Davenport, resident at 283 Lansing Station Road provided several contact names and phone numbers for NS representative. Will reach out to these contacts and continue with local contractor and Highway Department to arrange a site visit with NS personnel along the impacted portion of the railroad. The purpose of the meeting will be to understand where 'strict' NS requirements for construction might be flexible based on actual field conditions such that water system construction costs can be reduced.
 - d. Burdick Hill Pump Station
 - TGM has completed a design for the upgrade of pumps, motors, plumbing and electrical service at the Town's Burdick Hill Pump Station on Horizon Drive. Expect to solicit bids for a public works project to complete these improvements in 2016.
 - Project cost was estimated at \$150k. Need to check CWD funds and determine method of financing before issuing bidding documents.
2. Transportation Planning
 - a. Salmon Creek Dredging
 - NYSDEC has issued a modified permit extending the dredging date to December 31, 2018. Use of Myers Point Fishing Access Site for dewatering the dredged gravel has also been renewed.
3. Code Enforcement and Planning
 - a. Recently Completed Development Reviews and Planning Department Assistance
 - Tompkins County B&T Park Masterplan
 - Mirabito Petroleum Facility
 - Dollar General

- **Town Barn Road right-of-way mapping**

Regarding the Bone Plain Pressure Zone, Dave stated that several homes had booster pumps installed which will no longer be needed.

PRIVILEGE OF THE FLOOR

A resident thanked the Town Board for moving the executive session to follow the work session. He stated that allows residents to attend the work session without having to wait around for the executive session to end and promotes openness and transparency.

RESOLUTION APPROVING THE NEW YORK STATE DEC LICENSE ISSUING AGENT AGREEMENT AND APPOINT AN ASSISTANT LICENSE ISSUING AGENT

RESOLUTION 16-58

RESOLUTION APPROVING THE NEW YORK STATE DEC LICENSE ISSUING AGENT AGREEMENT AND APPOINT AN ASSISTANT LICENSE ISSUING AGENT

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

WHEREAS, the New York State DEC is authorized by § 11-0713 of the Environmental Conservation Law and applicable rules and regulations to appoint agents to issue licenses for the privilege of hunting and fishing in New York State; and

WHEREAS, the License Issuing Agent has applied to the Department for appointment as such a License Issuing Agent; and

WHEREAS, the Department has determined that the License Issuing Agent is qualified to be appointed as a License Issuing Agent; and

NOW THEREFORE the parties hereto agree as follows:

1. DEFINITIONS

As used in this Agreement, the following terms shall have the meaning provided herein:

License Issuing Agent – shall mean both the *License Issuing Agent* and the *License Issuing Officer* as provided in 6 NYCRR § 177.1 (f) and (g) of the Department regulations and shall also mean the duly appointed owner, municipal clerk, or manager set forth above.

Assistant License Issuing Agent – shall mean the individual appointed by the License Issuing Agent to receive Department sponsored training for the purpose of issuing sportsman licenses and to be the point of contact of any Department inquires.

Approved Location – shall mean the business' or municipality's address as set forth in the beginning of this Agreement.

2. APPOINTMENT

A. The Department hereby appoints the License Issuing Agent and their duly appointed Assistant License Issuing Agent to be an agent issuing hunting, trapping, and fishing licenses at the approved location.

B. The License Issuing Agent for the Town of Lansing shall be Deborah K. Munson, Municipal Deputy Town Clerk and she is also appointed as the Assistant License Issuing Agent, (per DEC Jack Cicero).

3. **DEPARTMENT REPRESENTATIONS**

The Department hereby agrees that it will:

- A. Provide the License Issuing Agent with a license printer (and necessary supplies) at the approved location for the sale and reporting of hunting and fishing licenses and provide necessary support for the printer.
- B. Pay a commission to the License Issuing Agent for each license sold as prescribed in Department laws, rules and regulations.
- C. Provide appropriate training and training materials to the Assistant License Issuing Agent, including a toll free telephone “help desk” service to answer questions and assist with problems.
- D. Provide informational materials for use at the approved location for the License Issuing Agent and their authorized employees to distribute to hunters, anglers, etc., regarding regulatory requirements for all authorized licenses issued.

4. **AGENT REPRESENTATIONS**

The Agent hereby agrees that it will:

- A. Provide authorization attached hereto as Attachment “A” for the Department to access a bank account for electronic fund transfers to pay for all licenses sold. Fund transfers shall be scheduled on a regular basis as determined by the Department.
- B. Provide reasonable and necessary security to protect equipment and supplies from damage and unauthorized use.
- C. Ensure that all Department license issuing equipment is maintained in good working condition and returned to the Department when license sales are no longer provided at the approved location.
- D. Pay all amounts due to the Department. Failure to maintain an adequate balance in the License Issuing Agent’s account may result in immediate termination of this Agreement.
- E. The License Issuing Agent must provide a compatible computer system including a plain paper printer and access to the internet at no charge to the Department.
- F. The License Issuing Agent agrees that it will indemnify and save harmless the Department and the State of New York from and against all losses from claims, demands, payments, suits, actions, recoveries and judgments of every nature and description brought or recovered against it in a court of competent jurisdiction, to the extent such loss is attributable to a negligent omission or tortuous act of the License Issuing Agent, its agents or employees in the performance of this Agreement.
- G. The License Issuing Agent is solely responsible for the supervision and direction of the performance of this Agreement by the Assistant License Issuing Agent and other authorized license issuing employees other than as specifically provided herein.

5. **AGENT RESPONSIBILITY**

- A. General Responsibility: The License Issuing Agent shall at all times during the Agreement term remain responsible. The License Issuing Agent agrees, if requested by the Commissioner or his or her designee, to present evidence of its continuing legal authority to do business in New York State, integrity, experience, ability, prior performance, and organizational and financial capacity.

B. Suspension of Work (for Non-Responsibility): The Commissioner or his or her designee, in his or her sole discretion, reserves the right to suspend any or all activities under this Agreement, at any time, when he or she discovers information that calls into question the responsibility of the License Issuing Agent. In the event of such suspension, the License Issuing Agent will be given written notice outlining the particulars of such suspension. Upon issuance of such notice, the License Issuing Agent must comply with the terms of the suspension order. Agreement activity may resume at such time as the Commissioner or his or her designee issues a written notice authorizing a resumption of performance under the Agreement.

6. **LICENSE ISSUING CONDITIONS**

A. All licenses authorized to be sold pursuant to this Agreement may only be sold by the Assistant License Issuing Agent or authorized employees of the License Issuing Agent at the approved location set forth in this Agreement.

B. All employees authorized to issue licenses by the License Issuing Agent pursuant to paragraph "A" of this section, shall be appropriately trained in the use of the license issuing system by the Assistant License Issuing Agent prior to using the issuance system.

C. The Assistant License Issuing Agent must receive recurring training sponsored by the Department at least once every three years or sooner as circumstances warrant as determined by the Department.

D. The License Issuing Agent and its employees who are authorized to issue licenses pursuant to this Agreement must abide by the New York State Regulations 6 NYRRP Part 177 (www.dec.ny.gov/regs/3936.mtml) and 6 NYCRR Part 183 (www.dec.ny.gov/regs/3931.html).

E. All personal data provided by customers shall be kept confidential to the extent required by Law.

F. All documents considered returnable documents as well as all voided licenses for which credit is requested must be returned to the Department within one month of the transaction.

G. All funds received from the sale of licenses, less the commission fee established by the Department, will be held in trust for the Department. Monies collected from the sale of licenses are Department funds and any other use of such funds is prohibited. The License Issuing Agent accepts the responsibility and duties of trustee for all funds collected for the benefit of the Department under this Agreement.

H. No license may be sold for a fee in excess of or less than the amount established by the Department.

I. The complete catalog of sportsman licenses must be available for sale at the License Issuing Agent's approved location as designated in this Agreement.

7. **USE OF EQUIPMENT AND SUPPLIES**

A. Supplies and equipment assigned to the License Issuing Agent for the printing of licenses are to be used for that purpose only, unless prior approval for such use is provided by the Department. Equipment is not transferable to other license issuing agent locations.

B. In the event that defective equipment is replaced, the License Issuing Agent shall return the defective equipment immediately to the specified repair center. The License Issuing Agent shall pay for any such equipment not returned, or equipment that shows obvious abuse. Failure to remit payment for abused or unreturned equipment may result in the immediate termination of this Agreement.

8. **CHANGE IN OWNERSHIP**

In the event of a change in ownership of the License Issuing Agent's business, the Department must be notified 30 days in advance of any such change, and this Agreement becomes immediately terminated at the time of such change in ownership. At the time of termination, all Department-provided licensing equipment must be returned to the Department or the Department's representative. The License Issuing Agent's appointment is not transferable and shall apply only to the License Issuing Agent's appointment to sell hunting and fishing licenses.

9. **CHANGE IN MUNICIPAL CLERK**

In the event of a change in municipal clerk from that who entered into this Agreement, the Department must be notified within 30 days of such change and this Agreement will become void at the time of such change. To avoid a disruption in service, a new Agreement should be submitted in advance of such change signed by the new municipal clerk. If the municipality intends to submit a new Agreement, Department-provided equipment does not need to be returned.

10. **COMPLIANCE INSPECTIONS**

The Department reserves the right to inspect the approved location for the purpose of determining compliance with this Agreement.

11. **TERMINATION**

In addition to any termination event appearing elsewhere in this Agreement, or provided in the applicable Department regulations, the following shall apply:

A. This Agreement may be terminated for cause if the Department determines that any false statements or omissions were made on the License Issuing Agent's application.

B. This Agreement may be terminated for cause for failure to comply with the terms of the Agreement at any or all approved locations at any time by the Department.

C. Either party may terminate this Agreement for convenience by 15 days written notice to the other party.

D. In the event of termination of this Agreement, the License Issuing Agent shall pay for all licenses sold and not previously paid for and return all equipment and supplies to the Department within 30 days of such termination.

E. Termination for Non-Responsibility: Upon written notice to the License Issuing Agent, and a reasonable opportunity to be heard with appropriate Department officials or staff, the Agreement may be terminated by the Commissioner or his or her designee at the License Issuing Agent's expense where the License Issuing Agent is determined by the Commissioner or his or her designee to be non-responsible. In such event, the Commissioner or his or her designee may complete the contractual requirements in any manner he or she may deem advisable and pursue available legal or equitable remedies for breach.

F. In the event of a change in the appointment of the Assistant License Issuing Agent, the License Issuing Agent shall notify the Department of such change within 15 business days by submitting to the Department a completed revised License Issuing Agent Application Form attached hereto as Attachment "B" which shall provide, among other things, the name and title of the newly appointed Assistant Licensing Issuing Agent. In the Department's sole discretion, this agreement may be suspended or terminated in the event the Department is not notified of any change in appointment of the Assistant License Issuing Agent as provided herein.

12. **TERM**

This Agreement shall remain in effect from the date execution until such termination.

13. **APPLICABLE LAWS**

A. This Agreement shall be governed by the laws of the State of New York.

B. All licenses shall be issued in accordance with the provisions of the New York Codes, Rules and Regulations of the State of New York (<http://www.dec.ny.gov/regs/2494.html>) and New York State Law and the policies and procedures of the Department.

14. **TOTAL AGREEMENT**

This Agreement together with any laws, documents and instruments herein referenced, shall constitute the entire agreement and any previous communication pertaining to this Agreement is hereby superseded.

15. **CONTRACT AMENDMENT**

Any agreement revisions, including payment adjustments or time extensions, shall be made by a written amendment to the agreement, signed by both parties.

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

RESOLVED, that Deborah K. Munson, Deputy Town Clerk as the License Issuing Agent for the Town of Lansing, Tompkins County, New York is hereby authorized to execute the New York State Department of Environmental Conservation (DEC) License Issuing Agent Agreement and file it with the Game Management, NYS DEC, 625 Broadway, Albany, NY 12214-0334; and it is further

RESOLVED, that the new License Issuing Agent has been trained by Debbie S. Crandall, Town Clerk and sold 2015-2016 Licenses, reviewed the Handbook and completed the 2.0 online Module online test.

The question of the adoption of such proposed Resolution was duly motioned by Councilperson Robert Cree, seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye

Councilperson Katrina Binkewicz - Aye
Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #3 OF 2016, UPDATING AND REPLACING THE EXISTING SUBDIVISION LOCAL LAW

RESOLUTION 16-59

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #3 OF 2016, UPDATING AND REPLACING THE EXISTING SUBDIVISION LOCAL LAW

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

WHEREAS, the Town has long recognized a need to update and simplify its subdivision local law, and since late 2013 amendments have been underway in respect of the same, and this draft local law has been reviewed by the Planning Board on at least 4 separate occasions and their final recommendations were communicated to the Town Board, and the Town Board has conducted its third review of these amendments; and

WHEREAS, such local law proposes to update definitions, standards, and procedures of review of exempt, minor, and major subdivisions, and to add clustering in the form of conservation subdivisions, all largely following the processes set forth in Town Law Article 16, but superseding certain provisions to allow for waivers and streamlined reviews when needed; and

WHEREAS, upon due consideration, 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 20th day of April, 2016, at 6:35 pm, to consider the adoption of proposed Local Law #3 of 2016 - the Town of Lansing Subdivision Local Law, and the environmental impacts thereof, and to thereat 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; and it further

RESOLVED AND DETERMINED, that this action is classified as an Unlisted Action pursuant to SEQRA, and in furtherance thereof:

- i. The Town Board of the Town of Lansing proposes to be the Lead Agency for coordinated environmental review, subject to consent or any requests regarding such coordinated review by any involved agency.
- ii. The Town of Lansing is the sole Involved Agency.
- iii. The Interested Agencies are determined to be: the Town of Lansing Planning Board; The Town of Lansing Zoning Board of Appeals; the Village of Lansing; and the Tompkins County Planning Department; and it is further

RESOLVED, that the Town Clerk issue a Notice of Intent to each and all of the Involved Agencies and Interested Agencies, including therewith a copy of the proposed local law and SEAF Part 1 and its supporting EAF Map(s); and it is further

RESOLVED, that this local law and the SEQRA materials be sent to County Planning with a request for a General Municipal Law §§ 239-1 and -m review.

The question of adoption of such proposed Resolution was duly motioned by Supervisor Edward LaVigne, duly seconded by Councilperson Andra Benson, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye

Councilperson Katrina Binkewicz - Aye
Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION SCHEDULING PUBLIC HEARING FOR ADOPTION OF LOCAL LAW #4 OF 2016, AMENDING THE LAND USE ORDINANCE TO ADD § 1611 TO MAP AND CODIFY THE WARREN ROAD BUSINESS PARK PLANNED DEVELOPMENT AREA

RESOLUTION 16-60

**RESOLUTION SCHEDULING PUBLIC HEARING
FOR ADOPTION OF LOCAL LAW #4 OF 2016,
AMENDING THE LAND USE ORDINANCE
TO ADD § 1611 TO MAP AND CODIFY THE WARREN ROAD BUSINESS PARK
PLANNED DEVELOPMENT AREA**

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

WHEREAS, this proposed local law will amend the Town of Lansing Land Use Ordinance by adding § 1611 to Article XVI for the purpose of formally codifying, mapping, approving, and adopting Planned Development Area (“PDA”) #2 for the Warren Road Business Park PDA, and by specifying the allowed land uses and related regulations for such PDA #2; and

WHEREAS, the Town of Lansing Comprehensive Plan and Land Use Ordinance encourage the efficient use of land to promote sustainable and intelligent designs, such as a business park fostering more intensive land uses, especially in areas where water and sewer infrastructure is available, and the Comprehensive Plan also recognizes that business and light industrial development are vital and important resources as they support general operations, provide employment, provide a commercial base for goods and personal service businesses, and create concentrated and node-based development that, in turn, preserve land and agricultural uses that also serve to benefit and define the community; and

WHEREAS, PDA #2 was approved in or about 1988, by application of C.J. Developments, as a business park to allow a mix of business and light industrial uses and to contribute to the variety of businesses and employment opportunities within the Town, as reflected in the park plan and covenants, including by placing review requirements and construction restrictions so as to ensure that the PDA remains a business park serving the commercial and light industrial needs of businesses in the Town and in the region, including by promoting denser development to reduce utility costs, maintaining within the PDA certain open spaces, and to create a “tucked-away” business park that would preserve trees and buffers and appropriately and visually mesh well with the surrounding landscapes and uses in the Town, and all within the parameters of allowed density under the Land Use Ordinance; and

WHEREAS, the Final Plat for such PDA was filed in the Tompkins County Clerk’s Office upon July 16, 1988 as Instrument #BF017957-001, at Map Drawer K25 (the “Final Plat”), and such PDA #2 shall be enumerated as Section 1611 of the Land Use Ordinance; and

WHEREAS, a full environmental review occurred when the PDA was formed and additional reviews have occurred many times since such date as each individual site plan and construction project was reviewed, and when sewer services were extended to PDA #2, and accordingly, (i) as these are not comprehensive new regulations or do not affect changes to any land uses or districts, (ii) as such uses have been allowed since 1988, and (iii) although over 25 acres in size, no new uses are proposed and no changes in uses within the park zone are proposed, this action is classified as an Unlisted Action under SEQRA; and

WHEREAS, upon consideration of the foregoing, the Town Board of the Town of Lansing has duly resolved as follows:

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 20th day of April, 2016, at 6:37 pm, to consider the adoption of proposed Local Law #4 of 2016 – adding the Warren Road Business Park PDA regulations to the Land Use Ordinance, to consider and review the environmental impacts thereof, and to thereat 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; and it is further

RESOLVED AND DETERMINED, that this action is classified as an Unlisted Action pursuant to SEQRA, and in furtherance thereof:

- i. The Town Board of the Town of Lansing proposes to be the Lead Agency for coordinated environmental review, subject to consent or any requests regarding such coordinated review by any involved agency.
- ii. The Town of Lansing is the sole Involved Agency.
- iii. The Interested Agencies are determined to be: the Town of Lansing Planning Board; The Town of Lansing Zoning Board of Appeals; the Village of Lansing; the Town of Groton; the Town of Ulysses, the Town of Locke; the Town of Genoa; the Town of Dryden; the County of Tompkins; the County of Cayuga; the NYS Regional Director of Parks in the Finger Lakes Region; NYSDEC; NYS Office of Parks, Recreation and Historic Preservation; the NYS Department of Agriculture; the Tompkins County Planning Department; and the Clerk of the Tompkins County Legislature; and it is further

RESOLVED, that the Town Clerk issue a Notice of Intent to each and all of the Involved Agencies and Interested Agencies, including therewith a copy of the proposed local law and SEAF Part 1 and its supporting EAF Map; and it is further

RESOLVED, that this local law and the SEQRA materials be sent to County Planning with a request for a General Municipal Law §§ 239-l and -m review.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Katrina Binkewicz, duly seconded by Councilperson Andra Benson, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION RE-ESTABLISHING TOWN OF LANSING ETHICS BOARD, IDENTIFYING MEMBERS, AND RE-ISSUING CHARGES TO SUCH BOARD

Supervisor Edward LaVigne stated that Tom Jones agreed to Chair the Ethics Board for one year. He reported that Jay Franklin checked with his superiors and they do not believe there is any conflict with him being on the Ethics Board.

RESOLUTION 16-61

RESOLUTION RE-ESTABLISHING TOWN OF LANSING ETHICS BOARD, IDENTIFYING MEMBERS, AND RE-ISSUING CHARGES TO SUCH BOARD

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

WHEREAS, the Town Board had duly appointed, circa 2008, an Ethics Board and adopted an Ethics Local Law in 2009 that identified the duties of such committee; and

WHEREAS, for the past several years the Ethics Board has been out of compliance with law as a majority of its members were Town officers or employees and this problem is to now be remedied, including by appointing or reappointing members thereto; and

WHEREAS, and after due deliberation upon this matter, and in respect of the important work of the Ethics Board, be it now hereby RESOLVED as follows:

1. There is hereby established and re-established a Board of Ethics consisting of 5 members, to be appointed by the Town Board, all of whom shall reside in the Town, and all of whom shall serve without compensation and at the pleasure of the Town Board for an indeterminate term. A majority of such members shall be persons other than Town Employees. At least one member of such Board of Ethics shall be an elected official of the Town. The Attorney for the Town shall be an *ex officio* member of said Board without voting privileges.
2. The Board of Ethics shall have the following duties and charges:
 - a. The Board of Ethics shall render advisory opinions to Town Officers, Employees, and agents upon written request and shall, upon request of the Town Board, make recommendations to such Town Board relating to any amendments to Town laws and procedures.
 - b. The opinions of the Board of Ethics shall be advisory and confidential, and in no event shall the identity of the Town Officer, Employee, or agent be disclosed except to authorized persons and agencies. Such opinions shall be on the advice of the Attorney for the Town, or if he or she is recused or has a conflict, then from counsel so employed by the Board of Ethics upon approval from the Town Board.
 - c. The Board of Ethics shall interpret and enforce the Town's Ethics Local Law and General Municipal Law Article 18, as well as such other laws, rules, provisions, procedures, and decisions as the Board of Ethics deems relevant, applicable, or controlling by virtue of Article 3 of the Town of Lansing Ethics Local Law.
 - d. Any Town Officer, Employee, or agent who requests an opinion or is the subject matter of an opinion before the Board of Ethics shall be granted the right to be heard by said Board prior to the making of an opinion.
 - e. On a case-by-case basis, and for good cause shown, the Board of Ethics may defer hearing, reviewing or considering any matter, may decline any jurisdiction it may have, and may defer and refer the same to the County Board of Ethics.
 - f. The Board of Ethics may promulgate its own internal rules and regulations as to its form and procedures, and it shall maintain appropriate records of its opinions and proceedings.
2. The Board of Ethics may request technical assistance or specialized advice from any person or body as to it may seem appropriate, including from the Town Attorney, but the Ethics Board has no other or independent power to authorize any expenditure of Town funds or enter into any contract or other arrangements for the payment of goods or services by, for, on behalf of, or in the name of the Town. Funds necessary for proper operations or technical assistance may be requested from the Town Board and, in accordance with customary procedures, the Town Board may authorize such funds and approve the expenditure thereof, and execute contracts in support of approved expenditures.
3. The members hereby appointed to the Board of Ethics are
 - i. Tom Jones, Chairperson
 - ii. Henry "Hurf" Sheldon
 - iii. Ed LaVigne
 - iv. Jay Franklin
 - v. Kevin Wyszowski

The question of adoption of such proposed Resolution was duly motioned by Councilperson Robert Cree, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye

Councilperson Katrina Binkewicz - Aye
Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION APPROVING FINAL ORDER OF FORMATION FOR DRAINAGE DISTRICT #8 FOR CAYUGA WAY SUBDIVISION AND STORMWATER PRACTICES

RESOLUTION 16-62

FINAL ORDER OF FORMATION FOR DRAINAGE DISTRICT #8 FOR CAYUGA WAY SUBDIVISION AND STORMWATER PRACTICES

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

WHEREAS, NYS law and the Town's subdivision and stormwater local laws require the Town to plan for the future maintenance of drainage, sediment control, and stormwater facilities, and the Town Board of the Town of Lansing received a request for the approval of permanent infrastructure for stormwater facilities located in the Cayuga Way Subdivision, being jointly composed of the lands in the Cayuga Way Subdivision and an adjacent portion thereof commonly known as a portion of Lakeview Phase III, which was acquired by Developer to connect the proposed Rose Ann Lane to the Grandview Drive Extension (all together herein, "Cayuga Way"), and the approved final 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 Town Law §§ 209-c and 209-d Map, Plan and Report ("MPR") was duly authorized and prepared relative to proposed Drainage District #8 for the Cayuga Way subdivision and, it being previously declared as being in the public interest, and the Town Board duly issued an Order under Town Law § 209-d and determined that (i) the final Map, Plan and Report complies with the requirements of Town Law, and (ii) it is in the public interest and to the benefit of all parcels in the proposed district to establish the Town of Lansing Drainage District #8, and (iii) all benefited parcels are included, and no benefited parcels were excluded, from such district, and a public hearing was duly held upon January 20, 2016 at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, to consider district formation, the public interest order, and the environmental review thereof, and all persons thereat were duly heard, a negative declaration under SEQRA was duly issued, and the public interest order duly approved; and

WHEREAS, the Notice of Permissive Referendum was properly and timely published and more than 30 days has passed since adoption of such prior resolution conditionally approving formation of Drainage District #8, and no request for a referendum and no petitions in relation thereto have been received by or filed with the Town; and

WHEREAS, and after due deliberation hereupon be it now RESOLVED that the following findings be made and that a Final Order approving the formation of Drainage District #8 be approved and issued as follows, including pursuant to Town Law § 209-f(2):

1. 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.
2. The boundaries of Drainage District #8 are inclusive of the tax parcel numbers comprising the Cayuga Way subdivision and all lots therein as shown on the sealed plat

and survey map as filed in the Town and County Clerk's Offices, and the Map, Plan and Report on file at the Town Clerk's Office, and the real property metes and bounds descriptions as are on file at the County Clerk's Office for such lands are expressly herein incorporated.

3. Drainage District #8 be approved and constructed as set forth in the order calling a public hearing, and the Town shall assess, levy, and collect special assessments upon the several lots and parcels of land within the said district, 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 district and any existing or future indebtedness lawfully incurred for such district.

4. The Town Clerk shall file: (i) a certificate with the County Clerk certifying that no referendum was requested; and (ii) a certified copy of this Resolution with the Tompkins County Clerk and the New York State Department of Audit and Control (at the NYS Comptroller's Office) within 10 days of the adoption of this Final Order.

5. Drainage District #8 hereby is empowered to approve and accept dedications and assignments of lands, easements, and rights-of-way from the developer and the Town of Lansing relating to the district and stormwater facilities thereof, and the Town Supervisor and Deputy Supervisor be and each is hereby authorized, upon approval of the form thereof by the Attorney for the Town, and on behalf of the Town of Lansing and Drainage District #8, to do such things and execute such documents as are or may be necessary or desirable to effect and attain such easements and rights as are or may hereafter be needed by said Drainage District #8.

The question of adoption of such proposed Resolution was duly motioned by Supervisor Edward LaVigne, duly seconded by Councilperson Robert Cree, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye

Councilperson Katrina Binkewicz - Aye
Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION APPROVING FINAL ORDER OF FORMATION FOR DRAINAGE DISTRICT #9 FOR ASBURY HILL SUBDIVISION AND STORMWATER PRACTICES

RESOLUTION 16-63

FINAL ORDER OF FORMATION FOR DRAINAGE DISTRICT #9 FOR ASBURY HILL SUBDIVISION AND STORMWATER PRACTICES

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

WHEREAS, NYS law and the Town's subdivision and stormwater local laws require the Town to plan for the future maintenance of drainage, sediment control, and stormwater facilities, and the Town Board of the Town of Lansing received a request for the approval of permanent infrastructure for stormwater facilities located in the Asbury Hill Subdivision, and the approved final 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 Town Law §§ 209-c and 209-d Map, Plan and Report ("MPR") was duly authorized and prepared relative to proposed Drainage District #9 for the Asbury Hill subdivision and, it being previously declared as being in the public interest, and the Town

Board duly issued an Order under Town Law § 209-d and determined that (i) the final Map, Plan and Report complies with the requirements of Town Law, and (ii) it is in the public interest and to the benefit of all parcels in the proposed district to establish the Town of Lansing Drainage District #9, and (iii) all benefited parcels are included, and no benefited parcels were excluded, from such district, and a public hearing was duly held upon January 20, 2016 at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, to consider district formation, the public interest order, and the environmental review thereof, and all persons thereat were duly heard, a negative declaration under SEQRA was duly issued, and the public interest order duly approved; and

WHEREAS, the Notice of Permissive Referendum was properly and timely published and more than 30 days has passed since adoption of such prior resolution conditionally approving formation of Drainage District #9, and no request for a referendum and no petitions in relation thereto have been received by or filed with the Town; and

WHEREAS, and after due deliberation hereupon be it now RESOLVED that the following findings be made and that a Final Order approving the formation of Drainage District #9 be approved and issued as follows, including pursuant to Town Law § 209-f(2):

1. 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.
2. The boundaries of Drainage District #9 are inclusive of the tax parcel numbers comprising the Asbury Hill subdivision and all lots therein as shown on the sealed plat and survey map as filed in the Town and County Clerk's Offices, and the Map, Plan and Report on file at the Town Clerk's Office, and the real property metes and bounds descriptions as are on file at the County Clerk's Office for such lands are expressly herein incorporated.
3. Drainage District #9 be approved and constructed as set forth in the order calling a public hearing, and the Town shall assess, levy, and collect special assessments upon the several lots and parcels of land within the said district, 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 district and any existing or future indebtedness lawfully incurred for such district.
4. The Town Clerk shall file: (i) a certificate with the County Clerk certifying that no referendum was requested; and (ii) a certified copy of this Resolution with the Tompkins County Clerk and the New York State Department of Audit and Control (at the NYS Comptroller's Office) within 10 days of the adoption of this Final Order.
5. Drainage District #9 hereby is empowered to approve and accept dedications and assignments of lands, easements, and rights-of-way from the developer and the Town of Lansing relating to the district and stormwater facilities thereof, and the Town Supervisor and Deputy Supervisor be and each is hereby authorized, upon approval of the form thereof by the Attorney for the Town, and on behalf of the Town of Lansing and Drainage District #9, to do such things and execute such documents as are or may be necessary or desirable to effect and attain such easements and rights as are or may hereafter be needed by said Drainage District #9.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Katrina Binkewicz, duly seconded by Supervisor Edward LaVigne, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye
Councilperson Robert Cree - Aye

Councilperson Katrina Binkewicz - Aye
Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION ADOPTING AMENDED POLICIES & PROCEDURES FOR LANSING DROP IN CENTER

RESOLUTION 16-64

RESOLUTION ADOPTING AMENDED POLICIES & PROCEDURES FOR LANSING DROP IN CENTER

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

WHEREAS, the Town of Lansing provides the Lansing Community with the services of the Lansing Drop In Center and, based upon the recommendation of the director of the Drop In Center, the Town Board wishes to revise and adopt some updated policies and procedures; and

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

RESOLVED, that the Town Board of the Town of Lansing does hereby adopt the updated Drop In Center Policies and Procedure amendments as presented to this meeting.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Andra Benson, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION APPROVING TELDAR PAPER, LLC AND WELLS AS OUTSIDE USERS AND AUTHORIZING EXECUTION OF CWD AGREEMENTS REGARDING THE SAME

RESOLUTION 16-65

RESOLUTION APPROVING TELDAR PAPER, LLC AND WELLS AS OUTSIDE USERS AND AUTHORIZING EXECUTION OF CWD AGREEMENTS REGARDING THE SAME

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

WHEREAS, the Water and Sewer Advisory Board (“WSAB”), in accord with its duties and functions as assigned by the Town Board, has considered certain outside user requests for the Consolidated Water District (“CWD”), and the WSAB has issued a recommendation to approve outside user requests and agreements for the following:

1. Teldar Paper, LLC (by Richard A. Pinney, Jr., Member) owns property known as 24 Ross Road, TPN 23.-1-18.41, and wants to extend the district to the whole of the parcel as only part of the parcel is now in the district; and
2. Constance P. Wells, 84 Sperry Lane (TPN 25.-1-21.4), with land fronting on both Sperry Lane and Fiddler’s Green, to extend service to the whole of such parcel as, again, only a portion is within the CWD.

WHEREAS, the Town’s CWD Local Law only allows outside users to receive water from the CWD or any of its extensions when approved by the Town Board and an

adequate contract for services is executed that complies with law in several material respects; and

WHEREAS, said action is a Type II SEQRA action for which no environmental review is required, and upon due consideration thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that an outside user agreement (the "Agreement") for each of the persons and properties above-listed be and hereby is approved, and that permission is given to tap into CWD water mains once the Agreement is signed in a final form as approved by Town Counsel; but subject to the continuing requirements of such Agreements that the installation be at the expense of each applicant, including any pumps, valves, and like appurtenances, and that the applicant approve any future boundary change or district extensions covering their lands, and that the applicant is responsible to obtain and pay for all easements, approvals, and permits necessary therefor and all maintenance and upkeep thereof; and it is further

RESOLVED, that the amended permit fee of \$200.00 be and hereby is approved for backlot and outside user applications and agreements; and it is further

RESOLVED, that the Town Supervisor or Deputy Town Supervisor be and each is severally authorized to execute such Outside User Agreements by, for, on behalf of, and in the name of the Town of Lansing.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Robert Cree, duly seconded by Supervisor Edward LaVigne, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION APPROVING ENGINEERING SERVICES CONTRACT WITH T.G. MILLER P.C. FOR TRIPHAMMER TERRACE CWD IMPROVEMENT PROJECT AND AUTHORIZING EXECUTION OF THE SAME

RESOLUTION 16-66

RESOLUTION APPROVING ENGINEERING SERVICES CONTRACT WITH T.G. MILLER P.C. FOR TRIPHAMMER TERRACE CWD IMPROVEMENT PROJECT AND AUTHORIZING EXECUTION OF THE SAME

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

WHEREAS, the Town issued a final and public interest order for the Triphammer Terrace Consolidated Water District Improvement Project under Town Law § 202-b and the Town Engineer had completed the initial work of designing the project in the map, plan and report for the same, and now the Town Engineer needs to make more definite plans and specifications, and more fully design, price, and examine bidding and other specifications for the project per Town Law Article 12 and § 202-b; and

WHEREAS, T.G. Miller P.C. has submitted a standard-form EJCDC contract to the Town which has been reviewed by town counsel, which contract defines the price and scope of services and is within the initial estimates of cost set forth for the project as approved by such public interest order; and

WHEREAS, and upon a review of said contract, and upon due consideration thereupon, and pursuant to and under the authority granted to the Town Board by Town Law § 202-b, the Town Board of the Town of Lansing has hereby

RESOLVED, that such contract be and hereby is approved, and that the Supervisor and Deputy Supervisor be and each is hereby independently authorized to execute such contract, by, for, on behalf of, and in the name of the Town of Lansing.

The question of adoption of such proposed Resolution was duly motioned by Supervisor Edward LaVigne, duly seconded by Councilperson Andra Benson, and put to a roll call vote with the following results:

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION AMENDING RESOLUTION 16-44 RELATING TO HIGHWAY EQUIPMENT PURCHASE

RESOLUTION 16-67

**RESOLUTION AMENDING RESOLUTION 16-44
RELATING TO HIGHWAY EQUIPMENT PURCHASE**

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

WHEREAS, Resolution 16-44 authorized the purchase of several planned and budgeted vehicles and related equipment for the highway department, including vehicles for snow removal, and additional changes in purchasing and some allocations of such funds are needed to allow equipment to be bought under different county bid lists than previously identified; and

WHEREAS, upon the recommendation of the Highway Superintendent and in consideration and deliberation of the same and the needs of the Town, the Town Board of the Town of Lansing has hereby

RESOLVED, that Resolution 16-44 be and be deemed amended as follows: (i) an additional \$5,000 is allocated towards the purchase of an additional Chevy 2500HD from the county bid list; (ii) the box for the Ford F550 may be separately acquired from different county bid lists; and (iii) as long as within the amounts approved for expenditure, the Highway Superintendent be and is hereby authorized to adjust purchasing as between the several bid lists as to achieve as much savings as is possible without sacrificing equipment or vehicle quality or reliability.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Katrina Binkewicz, duly seconded by Councilperson Andra Benson, and put to a roll call vote with the following results:

Councilperson Andra Benson – Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Supervisor Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

RESOLUTION ALLOCATING ADDITIONAL FUNDS TO HIGHWAY DEPARTMENT FOR MYERS PARK ROADWAY IMPROVEMENT PROJECTS

Councilperson Robert Cree noted that he wanted to be sure the fund balance went up because of year end results, not a particular account.

Supervisor Edward LaVigne stated the following facts: the mortgage sales tax was high this year and oil is down.

RESOLUTION 16-68

RESOLUTION ALLOCATING ADDITIONAL FUNDS TO HIGHWAY DEPARTMENT FOR MYERS PARK ROADWAY IMPROVEMENT PROJECTS

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

WHEREAS, as the park roads and vehicle areas in Myers Park were graveled and paved approximately 20 years ago and are showing their age and wear, and as an unexpected additional \$75,000 in mortgage taxes was generated and paid above the budgeted amounts of revenue expected to be received (and no other budget line has any foreseeable shortfall), and as oil prices make the production, cost, and transportation of asphalt attractive as being at a very low price point; and

WHEREAS, upon the recommendation of the Highway Superintendent and Director of Parks, and in consideration and deliberation of the same and the needs of the Town, the Town Board of the Town of Lansing has hereby

RESOLVED, that \$75,000 be allocated and transferred from Fund A to Highway Fund DB and be earmarked for roadway and other improvements at Myers Park.

The question of adoption of such proposed Resolution was duly motioned by Supervisor Edward LaVigne, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Andra Benson – Aye Councilperson Katrina Binkewicz - Aye
 Councilperson Robert Cree - Aye Supervisor Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

APPROVE AUDIT and BUDGET MODIFICATIONS

RESOLUTION 16-69

Councilperson Katrina Binkewicz moved that the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

CONSOLIDATED ABSTRACT # 03

	DATED	<u>3/16/2016</u>
	AUDITED VOUCHER #'s	<u>174-276</u>
	PREPAY VOUCHER #'s	<u>174 - 184</u>
	AUDITED T & A VOUCHER #'s	<u>17- 25</u>
	PREPAY T & A VOUCHER #'s	<u>17 - 21</u>
<u>FUND</u>		<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)		\$ <u>77,373.38</u>
HIGHWAY FUND (DA&DB)		\$ <u>27,338.44</u>
LANSING LIGHTING (SL1, 2 &3)		\$ <u>1,368.35</u>
LANSING WATER DISTRICTS (SW)		\$ <u>62,001.31</u>
TRUST & AGENCY (TA)		\$ <u>41,661.84</u>

LANSING SEWER DISTRICTS (SS1, SS3)	\$ <u>702.76</u>
BONE PLAIN WATER TANK PROJECT (HB)	\$ <u>1,306.38</u>

**BUDGET MODIFICATIONS
GENERAL A FUND
March 16, 2016**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A7110.400	A7110.410	FR PARKS CONTRACTUAL TO PKS-MARINA REPAIRS	938.00

Councilperson Andra Benson seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson - Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Supervisor Edward LaVigne- Aye

Accordingly, the foregoing Resolution was approved, carried and duly adopted on March 16, 2016.

BOARD MEMBER REPORTS

Andra Benson

Ag Committee:

Andra stated the Ag Committee is a good addition to the town and most farmers seem to be happy with it. She noted that sometimes the farmers felt left out. Andra commented that people who have a development or a house in a rural area need to be aware that we have a right to farm.

Library Committee:

Andra stated that every month there are more new patrons and more patrons are using the computers.

Katrina Binkewicz noted the computers are used to apply for jobs and for doing homework.

Andra reported that when patrons are applying for jobs, the Library will fax or make copies for free.

Lansing Youth Services:

Andra reported the program is strong and their annual spaghetti dinner will be held at All Saints Catholic Church on April 15, 2016. She commented this is a fundraiser and a learning tool.

Katrina Binkewicz

Grant Money:

Katrina stated that she is working with “Cricket” Purcell to get some grant money to help with ditching issues on Water Wagon Road. She noted the past two grants were for proper ditching and to reduce run off and silt going down ditches. Katrina reported there are large ditches on Water Wagon Road which they would like to re-direct the flow to a drainage pond.

Emergency plan:

Katrina reported that Dan Ferguson talked with the county about our short plan. She commented that she is working on the do list and she'll give everyone tasks. Katrina reported that an employee will be needed at the Town Hall to do trainings and follow procedures during an emergency. She noted that the Town employee's and Town Board members will be asked to take an online Emergency Training class.

Robert Cree

ZBA Committee:

Robert reported the meeting was re-scheduled from its original time and he wasn't able to attend on the new day. He stated that Mike Long updated us with his report.

Internal Audit:

Robert reported it's time to do internal audits. He noted we also use an outside audit firm which helps us keep our credit rating with Moody's Investors Service. Robert commented that the year-end report has been filed. He stated he will work with Charmagne Rungay on the audit.

Edward LaVigne

Year-End Report:

Ed stated the AUD (Annual Update Document/Annual Financial Year-End) Report is completed and filed.

Invoice Payments:

Ed reported they are looking at invoices to see where they can pay early to take advantage of discounts. He stated they have saved \$2,500 already.

Ag Plan and Comp Plan:

Ed reported these committees are moving forward. He stated they will work on a budget of \$2,000 for the Ag Committee at the April Town Board Meeting.

Monthly Report

The Supervisor submitted his monthly report for the month of February, 2016 to all Board Members and to the Town Clerk.

TOWN COUNSEL REPORT

Guy Krogh

PDA's:

Guy stated there are three PDA's that he's working on: Woodland Park, Horizon Villages, and East Lake. Guy noted he will send them to the Town Board, giving them two weeks to review and ask questions. He stated they should also go to the Planning Board for approval.

ADJOURN MEETING TO WORK SESSION MEETING

Meeting adjourned at the call of the Supervisor at 7:55 p.m. to enter the Work Session Meeting.

WORK SESSION MEETING ITEMS OF DISCUSSION

Fund Balance and Reserve Fund Policies:

- Goal to have policies in place by May, but no later than budget time.
- Fund balance needs were discussed.
- Reserve funds discussion included how they should be structured: type or specific funds.
- Discussed using shorter depreciation tables that match IRS timelines.
- Land purchase reserve was also discussed. Proceeds from land sales could be used to fund such an account.
- Some changes were made to the draft version of these policies. Further discussion on this next month.

With no further business to discuss the work session meeting ended at 8:32 p.m.

REGULAR SESSION MEETING RECONVENED

The meeting reconvened at 8:32 p.m.

MOTION TO ENTER EXECUTIVE SESSION

Supervisor Edward LaVigne, moved to **ENTER EXECUTIVE SESSION TO DISCUSS CONTRACT MATTERS PERTAINING TO LAND PURCHASING WHERE PUBLIC DISCLOSURE WOULD IMPAIR PRICE AND MATERIAL TERMS OF CONTRACT AT 8:33 PM.**

Councilperson Andra Benson seconded the motion.

All in Favor - 4 Opposed - 0

MOTION TO EXIT EXECUTIVE SESSION

Councilperson Robert Cree moved to **EXIT EXECUTIVE SESSION AT 10:45 PM.**
Supervisor Edward LaVigne seconded the motion.

All in Favor - 4 Opposed – 0

RESOLUTION ALLOCATING FUNDS FOR ANTICIPATED FUTURE COST OF LAND APPRAISALS FOR TOWN CENTER LANDS

RESOLUTION 16-70

RESOLUTION ALLOCATING FUNDS FOR ANTICIPATED FUTURE COST OF LAND APPRAISALS FOR TOWN CENTER LANDS

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

WHEREAS, since 1995 the Town has had a Comprehensive Plan that has envisioned a mixed-use town center surrounding the government campus and ballfields, and many steps since then have started to make such vision a reality, including the staged purchase of title and rights to 146± acres of land across the street from Town Hall; and

WHEREAS, improvements have been made to begin to integrate public uses and private uses on the land to achieve a mixed use vision for the Town Center, and many, many committees over the years have had input, from the 2010 Committee to the Town Center Committee, and multiple proposals, professional plans, and related concept proposals have been considered over the years, including responses from developers and interested parties to a fully developed RFP, and the area has even been already declared an Empire Zone; and

WHEREAS, the Town Planner has embarked upon a macro-level plan to identify land uses, roadway layouts, and the preservation of certain existing or natural features, and such initial plan has been approved by the Town Board on a non-binding interim basis, and a key factor to moving forward is to understand actual land values when comparing

parcels based upon size, access, usable area, lot depth, easements or covenants to be applied, and other factors; and

WHEREAS, in consideration of and deliberation upon the macro-plan and the Comprehensive Plan of the Town, the Town Board of the Town of Lansing has hereby

RESOLVED, that \$20,000 be allocated for future appraisals of such lots and such lot configurations as are in the future approved for examination or potential sale by the Town Board.

The question of adoption of such proposed Resolution was duly motioned by Supervisor Edward LaVigne, duly seconded by Councilperson Andra Benson, and put to a roll call vote with the following results:

Councilperson Andra Benson– Aye	Councilperson Katrina Binkewicz - Aye
Councilperson Robert Cree - Aye	Supervisor Edward LaVigne - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on March 16, 2016.

ADJOURN MEETING

Meeting adjourned at the call of the Supervisor at 10:48 p.m.

Minutes taken and executed by the Deputy Town Clerk. Work Session minutes were taken by Guy Krogh, Town Counsel and executed by the Deputy Town Clerk.

Respectfully submitted,

Debbie Munson
Lansing Deputy Town Clerk