

**REGULAR TOWN BOARD MEETING**  
**September 21, 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 Deborah K. Munson, Town Clerk, showed the following to be

**PRESENT:**

Edward LaVigne, Supervisor                      Andra Benson, Councilperson  
Katrina Binkewicz, Councilperson          Robert Cree, Councilperson  
Doug Dake, Councilperson

**ABSENT:**    None

**ALSO PRESENT:** Charlie “Cricket” Purcell, Highway Superintendent, Dan Veaner, Lansing Star, John O’Neill, Village of Lansing, Mike Sigler, Tompkins County Legislator, Connie Wilcox, Cassandra Negley, Lansing Ledger, Michael Long, Town Planning Consultant, Chris Williams, Rocco Lucente, Village Solars, Jack Rueckheim, Linda Woodard, Bill Goodman, and a few other attendees.

**BOLTON POINT DISCUSSION ON WATER RATES**

Jack Rueckheim and Linda Woodard reported the following:

Bolton Point looked at improvements. They want to be fair, knowing that some customers are using less than 5,000 gallons of water per quarter. Bolton Point also needs to generate revenue to cover fixed costs. They looked at several scenarios and settled on minimum usage of 5,000 gallons of water per quarter; for fairness and to cover fixed costs.

Jack and Linda reviewed the information the Town Board was given regarding Quarterly Consumption and Percent of Meter Readings Below Minimum. Data from 2014 and 2015 was used for the study.

There will not be a water rate increase for 2017.

Bolton Point wants to have the new meters installed before implementing a new rate structure. The new rates will be for 2018. The 2016 water consumption information will be analyzed for further information before making changes. Bolton Point will have more accurate information with the new meters.

**LANSING COMMUNITY LIBRARY REPORT – EMILY FRANCO**

The following report was available as a handout.

**TOWN BOARD UPDATES**  
**FROM THE LANSING COMMUNITY LIBRARY**  
**September 21, 2016**

1. Summer Reading was the largest ever, with 357 children participating and 83 adults.
2. Story Time is returning to the regular schedule Tuesdays at 1:00 PM and Thursdays at 10:30 AM.
3. On Tuesday September 20 at 7:00 PM Drew Montreuil, local meteorologist and librarian marks the 5th anniversary of the September 11 Southern Tier floods with an in depth look at this weather event. Registration is required as space is limited.
4. As of September 1<sup>st</sup>, the Finger Lakes Library System has launched the “One Card, Many Libraries” initiative which allows patrons to use their current cards at any of the 33 member libraries in Cayuga, Cortland, Seneca, Tioga, or Tompkins Counties.

5. The week before school started, LCL and the Lansing Recreation Department co-hosted the first kindergarten readiness camp. The program was very well received and will be hosted again next year.
6. LCL is working with the Town Ag Committee to plan an event to celebrate Lansing's agricultural history. The event is currently scheduled for October 15, 2016.

Councilperson Andra Benson, stated the Agricultural event on October 15, 2016 is really present day agriculture in Lansing, not agricultural history.

7. The library will be closed Monday, October 10<sup>th</sup> for Columbus Day.
8. The current art on display is from the Lansing Elementary School and will be up until November.

### **TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER**

The following report was available as a handout.

**Tompkins County Legislator  
Michael Sigler  
September 21, 2016**

Hello and thank you for having me again.

Earlier this month the Tompkins County Administrator Joe Mareane has a 2017 Recommended County Budget. The budget proposes modest spending growth of less than one percent, stability in current programs, and the alignment of resources with priorities that include adaptation to climate change, reductions of the County's jail population, regulatory compliance, and a diverse, well-trained, motivated workforce.

The Recommended Budget supports total expenditures of \$173 million (an increase of 0.8%) and local dollar spending of \$84.7 million (an increase of 0.9%). It meets the Legislature's 2017 budget goal of a 3% increase in the County property tax levy. Due to a substantial 4.5% increase in the county's tax base, which spreads the cost of government across a larger base, the budget contains a property tax rate that will go down in 2017-from \$6.73 per \$1,000 to \$6.63 per \$1,000-a reduction of 1.5%. This is the third consecutive year that the tax rate has decreased, and is the lowest rate since 2011.

The 2017 Recommended Budget is posted on the County website at [www.TompkinsCountyNY.gov/ctyadmin/2017budget](http://www.TompkinsCountyNY.gov/ctyadmin/2017budget).

The Legislature, by unanimous vote, requested that the New York State Department of Environmental Conservation (DEC) hold a public hearing in Tompkins County on the proposed expansion of the Dominion Transmission, Inc. New Market Pipeline, which runs through Tompkins County, and expansion of the Borger Compressor Station, located on Ellis Hollow Creek Road in the Town of Dryden

The Legislature stopped short of indicating a position on the project at this time, or making support contingent upon conducting the studies it recommends.

The Legislature approved Cornell Cooperative Extension of Tompkins County (CCE) providing coordinated reentry services for inmates of the Tompkins County Jail. The program is a critical element of the Tompkins County Reentry Plan, developed by the County's Criminal Justice/Alternatives to Incarceration Board (CJATI) to reduce recidivism rates, reducing the jail population over time.

Last night, the Tompkins County Planning Department presented the Legislature with results of its 2014 inventories of Greenhouse Gas Emissions and Energy Use by the Tompkins County community and Tompkins County government operations.

Results from the Community Inventory, accounting for all GHG emissions from within Tompkins County, show a 21% reduction in emissions between 2008 and 2014, and a reduction in emissions for County government operations of 53% over the same period.

Deputy Commissioner of Planning Katherine Borgella cautioned, however, that those results are based on methodology used in the County's previous GGE inventory in 2008. New accounting methods, which take into account emissions effects from methane leakage from fracked natural gas, however, indicate that emissions may have actually increased for the community by 67%, and for government operations by 10%, from 2008 to 2014.

Thank you for having me and again, thank you to Marcia Lynch whose reports I draw from liberally using entire passages.

## **PARKS AND RECREATION REPORT – STEVE COLT**

The following report was available as a handout.

### **Parks & Recreation**

**9/21/16**

***Town Board Meeting***

#### **RECREATION**

- Our early Fall programming is up and running. This includes JR and SR YFL Small Fry Football, Flag Football, Youth Cheerleading and the Fall Soccer program. Participant totals for these programs alone, total just under 300.
- Our Small Fry teams were weight certified on September 10 and opened the season this past Sunday at Tully. We have 3 HOME games on our schedule this season that includes one “night” game at Sobus field. The season ends on October 30<sup>th</sup>.
- The Youth Soccer Program has 200 players made up of K-6 players and a lot of volunteer coaches. Our parents are great, and always step up to make this program happen!!!
- We are working closely with the school’s transportation department to stay on top of the bus driver shortage issues. The bus driver shortage is a big problem all over. It would certainly affect several of our late fall and winter programs. We have looked at alternate transportation and the prices are considerably more expensive.
- Additional upcoming programming includes: Karate classes, Jump Around, Horseback Riding, and Bowling.
- The regional Youth Cross Country Race Series is returning to Lansing for a race. This will take place on the Town Center Trail course and is set for Saturday October 8<sup>th</sup>. This race is open to anyone that would like to run. 7 & 8 year olds run a 2K course and ages 9 – 13 run a 3K course. There are 4 races set (Elmira, Lansing, Groton, Ithaca).

#### **PARKS**

- The annual Vet Watch Fire took place at Myers Park on Friday September 16<sup>th</sup> for the 26<sup>th</sup> year. It was well attended as usual.
- We are still very busy with camping and pavilion rentals for this time of the year, which is a little unusual. The weather has been nice and we hope to remain open through Columbus Day.
- The Lighthouse 5K Race took place in Myers Park on August 20<sup>th</sup>. It was a great event with over 100 runners and was very well done. The Lansing Cross Country coaches directed the event along with many volunteers and did an excellent job!

- Lisa's Run is set for this Saturday September 24<sup>th</sup>. The race is named for Lisa Topoleski and benefits the LAST Foundation that financially assists local families battling cancer.

### **HIGHWAY SUPERINTENDENT REPORT – CHARLIE “CRICKET” PURCELL**

Cricket reported the following:

Novalane – The Town portion is underway.

Triphammer Terrace – Is all done except for planting trees.

Paving – With the paving they did this week, they have now completed 20 miles of roads this year. This is about one fifth of the town roads.

Case Excavator – Supervisor Ed LaVigne, stated there is a resolution proposed to purchase a Case Excavator. He noted this will be used exclusively for the water districts, so the money to pay for this will come out of the water districts fund. Cricket stated there will be no added cost to the taxpayer for this purchase. He noted the lease was up on the excavator the highway was using and this excavator is a better size for the work it will be doing.

### **AMC AGREEMENT– BILL GOODMAN, TOWN OF ITHACA SUPERVISOR**

Bill reported the following:

There have been several changes to the AMC Agreement (Agreement for Municipal Cooperation-Governing Document for Bolton Point Water System). The five municipal boards and their attorneys need to look over the AMC before they sign the final version. They are hoping to have the final version completed by the end of the year.

Supervisor Ed LaVigne, advised Bill that he will be on the Agenda for next month to discuss this further.

### **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 T.G. Miller, letter dated Jan 26, 2015 of issues, revisions currently underway
  - Site meeting to walk future Smugglers Path road extension – 5/7/2015 –
  - Town Board / Highway agreement to connect to ROW Eastlake Rd – 7/20/2016.
  - SEQRA and Preliminary Plat approved by Planning Board 8/8/2016 meeting
  - Area variance for Lot#1 – road frontage dimension ZBA meeting 8/17/2016
  - Final Plat approvals – 8/22/2016
  - Road construction begun Sept 1, 2016.
- 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.
- Revised SWPPP documents submitted for review T.G. Miller March 16, 2016.
- 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 adopted Ag Plan on Sept. 16, 2015.
  - Ag Committee members appointed by the Town Board February 17<sup>th</sup> meeting.
  - First Ag Committee Meeting held Monday March 7, 2016.
  - Next Ag Committee meeting Monday – October 10, 2016 at Linda’s Diner.
- 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.
  - SWPPP revision dependent upon drainage tests. Review letter sent June 15, 2016.
  - Revised SWPPP completed June 30, 2016 and T.G. Miller letter approval 7/27/2016.
  - Sketch Plan Planning Board Meeting – Sept. 12, 2016.
  - SEQRA, and Site Plan approval – TBD...
- Cell Tower – Crown Castle (Verizon Wireless tenant) – applicant represented by Matthew Kerwin attorney of Barclay Damon (Syracuse, NY).
  - Preliminary application materials received 3/21/2016.
  - Copy application submitted to structural engineer for review and comments.
  - Sketch Plan review meeting – April 11, 2016
  - Planning Board mtg discussion April 25, 2016 -Tower Height does not comply with the current fall zone regulations.
  - Balloon site test / Visual Analysis scheduled for August 16<sup>th</sup> (Aug 23 rain date).
  - Revised site plan may acquire neighboring property? Discussions underway.
  - SEQRA / Site Plan approval – TBD
- United Storage – Bill Duthie
  - Sketch plan review – Planning Board Meeting 7/25/2016
  - Storm Water Plan – SWPPP base information – mtg. 8/24/2016

- **33 Lansingville Road – 3 lot subdivision –Harry Powers**
  - Minor Subdivision classification meeting held Aug 8, 2016.
  - Public Hearing and approval – Aug 22, 2016.
- **Lansing United Methodist Church – site plan approval**
  - 239 reviews approved - August 5, 2016.
  - SEQRA / Site Plan approval – Aug 22, 2016.
- **Reach Works Rock Climbing Facility – The Rink / The Field 1767 East Shore Drive.**
  - Application received and sent to for 239 Review – Sept 12, 2016
  - Require Planning Board SEQRA review TBD
  - ZBA area variance required for Height over 35 feet
  - Final Site Plan Approval TBD
- **Comprehensive Plan** – Town Board appointment of members Jan 4, 2016
  - Planning Board Members appointed: Lin Davidson, Larry Sharpsteen, Jerry Caward and Sandy Conlon.
  - Reorganizational meeting held Wed. Jan. 13, 2016 at 7:00 PM.
  - Committee Meeting scheduled for first Wed. of the month at 6:00 and new members assigned.
  - Full Comprehensive Plan Committee meetings 2<sup>nd</sup> Wed. – at 6:00 PM - next 7/13/2016.
  - Committee Public Hearing – August 10, 2016----
  - **Committee Final Document – approved Sept 14, 2016.** – Recommendation to Town Board. Planning Board to give input on this version.
  - **Town Board Public Hearing -TBD.**

Mike stated he will put Village Solar-Village Circle back on the report. He reported there is a resolution, regarding this, on the Agenda for tonight.

Mike noted that Buck Road is not on this report. He stated this is for Scott Morgan to build 2 duplex buildings. The 239 review has been received back from the county.

**ENGINEER’S REPORT – DAVE HERRICK**

The following report was available as a handout.

ENGINEER’S REPORT

1. Water System Planning and Maintenance
  - a. Town CWD, Bone Plain Pressure Zone
    - There are several minor punch list items remaining to be completed by LRS. Suggest targeting October 19th for project closeout and final payment to contractor.
    - Project construction budget remains within the original authorization.
  - b. Town CWD, Extension Feasibility Studies: Drake Road, Beach Road and Atwater Road Areas:
    - Have refined the preliminary estimate of project costs for each of the three possible extensions using Town Force Account approach.
    - EDU annual charges are still relative high (\$900+ /year).
  - c. Town CWD, Extension 3: Buck Road, Conlon Road and Wilson Road Area:
    - A new petition form is being circulated for signatures.
  - d. Town CWD, Extension 1: Lansing Station Road Main Extension
    - There has been no contact with the Norfolk Southern personnel.
  - e. Town CWD, Article 12-c Service Area:
    - Beginning discussion of larger CWD service area and steps needed to move forward with the water system master plan and feasibility study.

2. Sanitary Sewer Planning and Maintenance
  - a. Warren Road Sewer District Boundary Extension
    - Tompkins County B&T Park request to add two County parcels west of Warren Road.
3. Stormwater Planning and Maintenance
  - a. Drainage Districts #1, #2, #4 and #5
    - Inspection reports are being finalized for each District and then determine what physical repairs are needed.
    - Some deficiencies in the permanent practices are a result of the developer not originally completing the work correctly.
4. Transportation Planning
  - a. Smuggler's Path Extension
    - TGM has provided survey stakeout services to the Highway Department for construction of the roadway.
    - Water main extension will require Health Department approval and has been coordinated with the Novalane application.
  - b. Town Park Dock Permitting
    - Have been requested to assist Recreation Department with NYSDEC/USACE permit process for new dock
5. Code Enforcement and Planning
  - a. Code Enforcement Office and Planning Department:
    - Novalane Subdivision SWPPP
    - Sun Path Deed Covenants and Final Plat
    - United Storage stormwater management

**AGRICULTURE COMMITTEE REPORT – CONNIE WILCOX**

Connie reported the following:

Agriculture Day - Is October 15, 2016 from 10:00 am to 1:00 pm, at the Town Hall Complex. There will be a quilt display in the Town Hall Board Room. Some of the other activities being considered are: 4-H animals, tractors, pie contest, apple and cheese tasting, pumpkin painting, and face painting. The next Agriculture Committee meeting will be October 10, 2016 at 9:00 am, at Linda's Diner.

Farm Tour – Connie and Councilperson Katrina Binkewicz, went on the Farm Tour last Friday. They toured several farms, including an organic one. Some Agriculture students, from BOCES, were also on the tour. Councilperson Katrina Binkewicz, noted that the Farm Tour was very impressive and encourages anyone to go on it.

**COMPREHENSIVE PLAN COMMITTEE REPORT – CONNIE WILCOX**

Connie reported the following:

Comprehensive Plan – The committee met last week. There are a lot of revisions to the plan since the beginning. The plan is a guide (not a law or ordinance) which is a work in progress. The committee voted 10-2 to accept the plan as written. Next the Planning Board will review the Comprehensive Plan and then the Town Board will review it. Connie stated they had a very good committee. Councilperson Katrina Binkewicz stated that she feels the plan is a very good compromise.

**PRIVILEGE OF THE FLOOR** – No one addressed the Town Board.

**RESOLUTION CONTINUING THE 2016 WATER RATES FOR THE YEAR 2017 FOR THE TOWN OF LANSING**

**RESOLUTION 16-124**

**RESOLUTION CONTINUING THE 2016 WATER RATES FOR THE YEAR 2017  
FOR THE TOWN OF LANSING**

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

WHEREAS, the Town of Lansing is a signatory to the amended, supplemental, restated and consolidated agreement of municipal cooperation for construction, financing and operation of an Intermunicipal, water supply and transmission system dated as of June 5, 1979, as the same has been amended from time to time, (the “Agreement”); and

WHEREAS, pursuant to the Agreement each municipality agreed to pay to the Southern Cayuga Lake Intermunicipal Water Commission (hereinafter referred to as the “Commission”), water revenues based upon, in part, a water rate schedule annexed as Exhibit I of Schedule A to the Agreement; and

WHEREAS, the Town must set its water rates for 2017 so as to allow the Commission to begin first quarter billing; and

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

RESOLVED, that the Town Board of the Town of Lansing does hereby continue the following 2016 water rates for the Town of Lansing residents within the Town of Lansing Consolidated Water District for the year 2017.

Water Rate (SCLIWC)	\$ 4.44 per thousand gallons
Operation and Maintenance Fee (TOL)	\$ <u>.61 per thousand gallons</u>
<b>TOTAL RATE</b>	<b>\$ 5.05 per thousand gallons</b>

BE IT FURTHER RESOLVED, that #1 and #2 accounts are not included in the current Town of Lansing Consolidated Water District. Therefore, the Town Board of the Town of Lansing does hereby continue the following 2016 water rates for the Town of Lansing residents in the #1 accounts being Algerine and Lansing Station Roads and #2 accounts being Drake Road. This will also include future water district extensions for the year 2017.

Water Rate (SCLIWC)	\$ 4.44 per thousand gallons
Operation and Maintenance Fee (TOL)	\$ <u>1.06 per thousand gallons</u>
<b>TOTAL RATE</b>	<b>\$ 5.50 per thousand gallons</b>

BE IT FURTHER RESOLVED, that #9 account residents with a Consolidated Water District Outside User Agreement will pay 2 times the water rate of the users that are not included in the current Town of Lansing Consolidated Water District. Said rate to be paid to the Town of Lansing as an outside user to equalize the taxed O&M fees of the CWD that inside users must pay. This rate will be charged until such time as the applicant’s lands are brought within the Consolidated Water District:

Water Rate (SCLIWC)	\$ 4.44 per thousand gallons
Operation and Maintenance Fee (TOL)	\$ <u>6.56 per thousand gallons</u>
<b>TOTAL RATE</b>	<b>\$ 11.00 per thousand gallons</b>

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**RESOLUTION APPROVING RENEWAL OF THE CONTRACT AGREEMENT FOR PROFESSIONAL PLANNING SERVICES FROM FINGER LAKES PLANNING AND DEVELOPMENT**

Supervisor Ed LaVigne stated this is Michael Longs contract. He reported this will include a \$5.00 per hour raise, not to exceed \$61,000 per year.

**RESOLUTION 16-125**

**RESOLUTION APPROVING RENEWAL OF THE CONTRACT AGREEMENT FOR PROFESSIONAL PLANNING SERVICES FROM FINGER LAKES PLANNING AND DEVELOPMENT**

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

WHEREAS, the Town of Lansing has a need for a Planner to provide basic planning services for the Town and assist with updating the Comprehensive Plan and the Land Use Ordinance, along and together with additional projects and duties as further requested by the Town Board and Planning Board, all pursuant to the terms of a written proposed agreement between the Town and such Planner; and

WHEREAS, Michael Long, (now Finger Lakes Planning and Development) has served as the Planner for the Town of Lansing since September 22, 2014; and

WHEREAS, such agreement has been reviewed and approved by all parties thereto, and upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Town Board hereby approves and authorizes the contract for planning services from Finger Lakes Planning & Development. Said contract is an hourly basis for the Town of Lansing pursuant to the terms of the contract as presented at this meeting; and it is further

RESOLVED, that the Supervisor is hereby 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 Robert Cree, and put to a roll call vote with the following results:

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**RESOLUTION APPROVING \$1610 WAIVER FOR BUILDING DESIGN CHANGE AT VILLAGE CIRCLE – VILLAGE SOLARS PDA**

Supervisor Ed LaVigne stated this is not for additional units, but just changing the number of units from 18 to 24.

Mike Long reported that the capacity for water, sewer and parking have all been looked at. He also noted that they have been asked to contact NYSEG regarding building a small compressor building on the site.

**RESOLUTION 16-126**

**RESOLUTION APPROVING §1610 WAIVER FOR BUILDING DESIGN  
CHANGE AT VILLAGE CIRCLE – VILLAGE SOLARS PDA**

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

WHEREAS, an application for a waiver was received from Village Solars, LLC, by Larry Fabbroni, Engineer, agent, requesting that Building I be increased from 18 to 24 units based upon housing needs and the housing market demanding smaller units, the bank requiring more rental units in such building, and the agreement to reduce the number of units in Building M by such 6 units so as to not change overall density or allowed use parameters of the PDA; and

WHEREAS, the size and bulk and overall population of the subject building is not expected to materially change as the 6 units are mainly created by converting 3-bedroom apartments into a two-bedroom apartment and a one-bedroom micro unit; and

WHEREAS, initial water and sewer use analyses from existing buildings already built and occupied show that such increase will not require any expansion in infrastructure or any additional usage of water or sewer services, and even if such were to occur the same would be offset by reductions in impacts from Building M, and parking in the area of Building I having been determined sufficient given existing PDA requirements to accommodate such 6 new units, especially considering the existing parking uses for similar buildings and the plans for additional parking nearby in the next project phase; and

WHEREAS, given such rental patterns and lender requirements, it is likely that such a change may ultimately be addressed, along with other small changes, by and through a more formal future amendment to the PDA by local law (and requiring such an amendment and a fuller review thereof is made a condition of approval of this waiver, as set forth more fully below); and

WHEREAS, Article XVI of the Town of Lansing Land Use Ordinance governs PDAs generally and § 1610 covers the Village Circle-Village Solars PDA specifically, and § 1610(18) allows for the waiver of certain requirements of Article 16 upon the making of certain specific findings, but only to allow earlier approvals for building permits and certificates of occupancy and compliance, mainly to offset the myriad of small issues that arise in larger projects that, individually, would be otherwise impossible to manage through the traditional PDA amendment process; and

WHEREAS, upon consideration of all factors and verification of impact mitigation, and upon the review of this matter and recommendations in favor of approval from the Planning Board (even though no formal referral is required until the PDA amendment stage), and upon due deliberation thereupon, the Town Board of the Town of Lansing has thus

RESOLVED AND DETERMINED that sufficient plans for all water and sewer lines have already been approved, such facilities already exist and have been installed, and such lines and appurtenances have sufficient capacity to handle 6 more units of this nature per §§1610(18)(a) and (b); sufficient hardship has been found due to financing obligations as meet § 1610(18)(c); the Town Board finds that there is adequate financing for the Developer to complete the project, including as based upon prior successful building completions in the PDA and the financing being approved once the waiver is granted per § 1610(18)(d); the Town Engineer has recommended the waiver per § 1610(18)(e); this waiver, with conditions, is the minimum waiver as would alleviate the hardship without increasing any on- or off-site impacts per § 1610(18)(f); and this waiver is a Type II Action under SEQRA, including per and due to 6 NYCRR §§ 617(5)(c)(7), (9) and (20), and further including the fact that this action is not classifiable under 6 NYCRR 617.4 and the standards of § 617(5), subsections (b)(1) and (2) are not triggered, and as no impacts or negative environmental impacts are expected due to the PDA not being amended in terms of changing the overall size or density allowed, as only the distribution of already approved units is being adjusted as between two phases already and previously approved; and

RESOLVED, that the waiver request by Village Solars, LLC to allow 24 units in Building I be and hereby is approved, and a building permit may issue there for, subject to the following conditions: (i) Building M be reduced by 6 units; and (ii) final approval and verification of water and sewer capacity, including flow rates, by the Town Engineer; and (iii) that the Developer identify all existing and proposed project changes, submit the same for review to the Town Planning Board to begin the formal PDA amendment process, with such filing with the Planning Board to be made on or before November 30, 2016.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Doug Dake, 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  
Supervisor Edward LaVigne - Aye  
Councilperson Katrina Binkewicz - Aye  
Councilperson Doug Dake - Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**RESOLUTION REPEALING RESOLUTION NUMBER 15-46 CONCERNING ADMINISTRATIVE REVIEWS OF ENVIRONMENTAL ASSESSMENT FORMS AND DECLARATIONS THEREUPON**

Supervisor Ed LaVigne, stated this allows Lynn Day to approve exempt sub-divisions on his own, rather than going to the Supervisor for approval.

**RESOLUTION 16-127**

**RESOLUTION REPEALING RESOLUTION NUMBER 15-46 CONCERNING ADMINISTRATIVE REVIEWS OF ENVIRONMENTAL ASSESSMENT FORMS AND DECLARATIONS THEREUPON**

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

WHEREAS, based upon discussions with the NYSDEC and NYSDEC Counsel for Region 7, the Town adopted Resolution 15-46 as a stop-gap and temporary local SEQRA policy, enacted with the formality SEQRA requires, to address a former problem with exempt subdivisions that required environmental review, such stop-gap band aid intended to be used only until such time as the subdivision regulations were updated formally by local law; and

WHEREAS, the subdivision regulations were updated and replaced upon the adoption of Local Law #3 of 2016, but Resolution 15-46 seems to continue to have a life despite it having been intended as temporary; and

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

RESOLVED, that Resolution 15-46 be and hereby is repealed.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**RESOLUTION AUTHORIZING SETTLEMENT WITH TIME WARNER CABLE REGARDING LINE DAMAGE AND DIG TICKET CLAIM**

**RESOLUTION 16-128**

**RESOLUTION AUTHORIZING SETTLEMENT WITH TIME WARNER CABLE REGARDING LINE DAMAGE AND DIG TICKET CLAIM**

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

WHEREAS, Time Warner Cable (TWC) lines are, from time-to-time inadvertently damaged or severed by Town operations, particularly when installing water lines and other utilities, or when repairing or maintaining roadways; and

WHEREAS, TWC asserted a claim against the Town for cabling damages along Woodsedge Drive arising from Town operations occurring on or about March 17, 2016, in the amount of \$8,242.34, claiming strict liability due to the alleged lack of a dig ticket and proper marking of utilities, and the Town defended against such claims and the accuracy of the assertions; and

WHEREAS, these are stock and standard claims the Town regularly reviews and processes, and after discussing aspects of this matter, the facts, the valid defenses to the claims, and the costs of defense, the Town Board believes it is best to settle the matter on terms that are in the overall interest of the Town, including pursuant to Town Law §§ 64 and 68; and

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

RESOLVED that, upon the receipt of a general release in form as approved by Town Counsel, the sum of \$2,500 shall be paid in full settlement of all claims arising from or in relation to the above incident, costs, and damages, such amount to be paid to TWC's recovery specialist agent, Project Resources Group, Inc., 5340 Quebec St., Suite 250S, Greenwood Village, CO 80111

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**RESOLUTION ACKNOWLEDGING SERVICE OF COMPREHENSIVE PLAN COMMITTEE, CONCURING IN REFERRING OF DRAFT COMPREHENSIVE PLAN TO PLANNING BOARD, AND DISSOLVING THE COMPREHENSIVE PLAN COMMITTEE**

**RESOLUTION 16-129**

**RESOLUTION ACKNOWLEDGING SERVICE OF COMPREHENSIVE PLAN COMMITTEE, CONCURING IN REFERRING OF DRAFT COMPREHENSIVE PLAN TO PLANNING BOARD, AND DISSOLVING THE COMPREHENSIVE PLAN COMMITTEE**

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

WHEREAS, the Comprehensive Plan Committee was established by a Town Board resolution dated Aug 15, 2012; and

WHEREAS, over the intervening four-plus years the Comprehensive Plan Committee prepared several draft plans, gathered information and data, conducted a survey, conducted public informations sessions, conducted dozens upon dozens of public meetings, and developed a draft plan dated July 11, 2016, with copies available at the Lansing Town Clerk, Supervisor, and Planning offices and at the Lansing Library and Village of Lansing Offices, and through the Town’s website; and

WHEREAS, the Comprehensive Plan Committee held a Public Hearing upon August 10, 2016, whereat all members of the public wishing to speak or present evidence were duly heard and such hearing closed, and such comment period had been left open for additional written submissions and comments until August 31, 2016, and such received comments were distributed and reviewed, and amendments were made to the draft Comprehensive Plan culminating in a revised draft dated September 14, 2016; and

WHEREAS, the Comprehensive Plan Committee, pursuant to Town Law §§ 272-a(4) and (5) issued a formal recommendation upon the updated draft plan and ordered it delivered to the Planning Board for review for the purposes of moving the plan forward through the process mandated by said § 272-a, ultimately to be sent to the Town Board for public hearing, review, and potential adoption; and

WHEREAS, the Town Board wishes to publicly deliver its sincere thanks for all the dedication and hard work to everyone on the committee, past and present, including the involved members of the public, for helping to conclude the efforts of the Comprehensive Plan Committee in the preparation of such draft, and for the 4-plus year effort; and

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

RESOLVED, that the Comprehensive Planning Committee be and hereby is dissolved as a “special board” as described in and authorized by Town Law § 272-a(2)(c); and it is further

RESOLVED, that the Town Board concurs in the delivery of the updated draft Comprehensive Plan, and all comments and the recording of the public hearing, to the Planning Board for review, comment, and a formal recommendation.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**RESOLUTION AUTHORIZING PURCHASE OF CASE EXCAVATOR**

**RESOLUTION 16-130**

**RESOLUTION AUTHORIZING PURCHASE OF CASE EXCAVATOR**

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

WHEREAS, given the number of water line installations and repairs, the Highway Department and the Town have identified a need of the Consolidated Water District (“CWD”) and its extensions for an excavator, and the Highway Superintendent has researched such needs and identified that an excavator on the NYS bid list is the correct

piece of equipment for such needs, such excavator being a Case Model CX55B, NYSOGS PC# PC67265, NYSOGS bid list price \$68,884.00, and such excavator being available and proposed to be purchased from and through Monroe Tractor, 110 Old Ithaca Road, Horseheads, New York 14845; and

WHEREAS, the CWD and Extensions #1 and #2 have fund balances and reserves sufficient to effect such purchase, and such equipment purchasing is and has been a part of the purposes of such savings; and

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

RESOLVED, that the purchase of a Case Model CX55B, NYSOGS PC# PC67265, NYSOGS bid list price \$68,884.00, from Monroe Tractor, 110 Old Ithaca Road, Horseheads, New York 14845, be and hereby is approved; and it is further

RESOLVED, that the Town Highway Superintendent and the Deputy Highway Superintendent be and each hereby are severally authorized to pay for and purchase such excavator and sign such purchase orders, agreements, and delivery documents as are or may be necessary to effect the purchase, acquisition, and delivery of the above-referenced excavator by, for, on behalf of, and in the name of the Town of Lansing for the CWD.

The question of adoption of such proposed Resolution was duly motioned by Councilperson Doug Dake, 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	Councilperson Doug Dake - Aye
Supervisor Edward LaVigne - Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on September 21, 2016.

**APPROVE AUDIT and BUDGET MODIFICATIONS AND SUPERVISOR'S REPORT**

**RESOLUTION 16-131**

The Supervisor submitted his monthly report for the month of August, 2016 to all Board Members and to the Town Clerk. The Supervisor's Report was reviewed by Councilperson Robert Cree. The bills were reviewed by Councilperson Andra Benson and Supervisor Edward LaVigne.

Councilperson Andra Benson moved that the Supervisor's Report be approved as submitted and the Bookkeeper is hereby authorized to pay the following bills and to make the following budget modifications.

**CONSOLIDATED ABSTRACT # 09**

DATED	<u>9/21/2016</u>
AUDITED VOUCHER #'s	<u>923 - 1039</u>
PREPAY VOUCHER #'s	<u>923 - 927</u>
AUDITED T & A VOUCHER #'s	<u>82- 99</u>
PREPAY T & A VOUCHER #'s	<u>82 - 85</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	(A&B) \$ <u>87,138.08</u>
HIGHWAY FUND	(DA&DB) \$ <u>129,382.40</u>
BONE PLAIN WATER TANK PROJECT	(HB) \$ <u>45,398.94</u>
DRAINAGE DISTRICTS	(SDD1, 2, 4 & 5) \$ <u>1,113.76</u>
LANSING LIGHTING	(SL1, 2 & 3) \$ <u>1,410.64</u>
LANSING SEWER DISTRICTS	(SS1, SS3) \$ <u>10,442.73</u>
LANSING WATER DISTRICTS	(SW) \$ <u>88,661.85</u>
TRUST & AGENCY	(TA) \$ <u>46,627.69</u>

**BUDGET MODIFICATIONS**

**GENERAL A FUND**

September 21, 2016

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A7310.100	A7180.100	FR YTH PRG PERS SVC TO BEACH&POOL PERS SVC UNANTICIPATED HOURS WORKED	\$ 1,103.02
A7110.400	A7180.400	FR PARKS CONTRACT TO BEACH&POOL CONTRACT UNANTICIPATED EXPENSES	\$ 9.24
A511	A1610.200R	FR APPROPRIAT RES TO TECHNOLOGY EQUIP RESERVE NEW SERVER	\$ 8,695.04
A1610.200	A1610.400	FR TECHN EQUIP TO TECHN CONTRACTUAL PAY LABOR FOR NEW SERVER INSTALL	\$ 2,000.00

**BUDGET MODIFICATIONS**

**DRAINAGE DISTRICT SDD1- PHEASANT MEADOW**

September 21, 2016

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SDD1-599	SDD1- 8540.400	FR FUND BALANCE TO CONTRACT MAINENANCE UNBUDGETED MAINENANCE	\$ 750.19

**BUDGET MODIFICATIONS**

**DRAINAGE DISTRICT SDD2- WHISPERING PINES**

September 21, 2016

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SDD2-599	SDD2- 8540.400	FR FUND BALANCE TO CONTRACT MAINENANCE UNBUDGETED MAINENANCE	\$ 750.19

**BUDGET MODIFICATIONS**

**DRAINAGE DISTRICT SDD4- LAKE FOREST**

September 21, 2016

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SDD4-599	SDD4- 8540.400	FR FUND BALANCE TO CONTRACT MAINENANCE UNBUDGETED MAINENANCE	\$ 750.19

**BUDGET MODIFICATIONS**

**DRAINAGE DISTRICT SDD5- FARM POND CIRCLE**

September 21, 2016

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SDD5-599	SDD5- 8540.400	FR FUND BALANCE TO CONTRACT MAINENANCE UNBUDGETED MAINENANCE	\$ 750.19

**BUDGET MODIFICATIONS  
WARREN RD SEWER SS1-  
September 21, 2016**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS1-1990.400	SS1-8130.400	FR CONTINGENCY TO TREATMENT & DISPOSAL	\$ 3,000.00
SS1-2890	SS1-8130.400	FROM SEWER PERMITS TO TREATMENT & DISPOSAL UNACCOUNTED INCREASE IN BILLS	\$ 8,000.00

Councilperson Robert Cree 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	Councilperson Doug Dake - Aye
Supervisor Edward LaVigne - Aye	

Accordingly, the foregoing Resolution was approved, carried and duly adopted on September 21, 2016.

**BOARD MEMBER REPORTS**

**Andra Benson**

Agriculture Committee:

Andra reminded everyone that the Agriculture Day is October 15, 2016. She noted two of her granddaughters will be in the Dairy Princess Court. Andra reported they are hoping to have a kid sing-a-long at the Agriculture Day.

Library Committee:

Andra stated the library report was already given.

Lansing Youth Services:

Andra reported the new supervisor started two weeks ago.

**Robert Cree**

Zoning Board of Appeals:

Robert reported the ZBA meeting was cancelled.

**Doug Dake**

Water and Sewer Advisory Board:

Doug reported the board met last week. He stated they are working on changing the process of outside users being hooked up.

**Katrina Binkewicz**

Emergency Planning Committee:

Katrina reported the language for the website should be ready next week. She stated they are working on a flyer (emergency card) to mail to the residents.

Intermunicipal Watershed:

Katrina stated she was not able to go to the meeting. She noted the watershed group is interested in what is being done about the lead issue at Salmon Creek watershed. Katrina reported there is an informational meeting in October.

**Edward LaVigne**

Ed reported he meets throughout the month with Town Planning Consultant, Mike Long, Town Counsel, Guy Krogh, Highway Superintendent, Cricket Purcell, Town Engineer, David Herrick, Councilperson, Doug Dake, Zoning and Code Officer, Lynn Day, and Planning Board Chairperson, Tom Ellis.

Ed stated he is in favor of changing the process on outside water user agreements. He noted it will be better to get the easements done first.

Ed reported they are starting pilot negotiations for the power plant. He stated the power plant is the largest tax payer in Tompkins County.

**MOVE MEETING TO WORK SESSION MEETING**

Meeting moved to the Work Session at 8:00 p.m.

**WORK SESSION MEETING ITEMS OF DISCUSSION**

Budget:

The tentative budget was discussed and clarification was given on several line items. This will now be the preliminary budget.

Lansing’s Bi-Centennial Year:

A celebration, possibly including a parade, is being planned for Lansing’s 200 years.

**MOTION TO ENTER EXECUTIVE SESSION**

Supervisor Edward LaVigne, moved to **ENTER EXECUTIVE SESSION TO DISCUSS THE EMPLOYMENT PROMOTION OF A PARTICULAR PERSON AT 8:45 PM.**

Councilperson Robert Cree, seconded the motion.

All in Favor - 5

Opposed - 0

**MOTION TO EXIT EXECUTIVE SESSION**

Councilperson Robert Cree, moved to **EXIT EXECUTIVE SESSION AT 9:25 PM.**

Councilperson Andra Benson, seconded the motion.

All in Favor - 5

Opposed - 0

**ADJOURN MEETING**

Meeting adjourned at the call of the Supervisor at 9:25 p.m.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Deborah K. Munson  
Town Clerk