

**REGULAR TOWN BOARD MEETING**  
**November 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 6:32 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              Doug Dake, Councilperson

**ABSENT:**    Robert Cree, Councilperson

**ALSO PRESENT:**    Guy Krogh, Town Counsel, Charlie “Cricket” Purcell, Highway Superintendent, Mike Moseley, Deputy Highway Superintendent, Dan Veaner, Lansing Star, John O’Neill, Village of Lansing, Mike Sigler, Tompkins County Legislator, Michael Long, Town Planning Consultant, Cassandra Negley, Lansing Ledger, Dave Herrick, Town Engineer, Ted Laux, Connie Wilcox, Chris Williams, Doug Emerick, and a few other attendees.

**LANSING COMMUNITY LIBRARY REPORT – EMILY FRANCO**

The following report was available as a handout.

**TOWN BOARD UPDATES**  
**FROM THE LANSING COMMUNITY LIBRARY**  
**November 16, 2016**

1. The Library Book Sale was another great success. The Friends started hosting a two day event several years ago and that continues to be a big draw. The last hour on Saturday has been reserved for non-profits and this helps support those groups and decrease the amount of books passed on to the Tompkins County Friends of the Library Sale. Science Saturday was also busy with kids young and old.
2. The Friends of the Lansing Community Library will host the 8<sup>th</sup> annual Artisan Fair at the Lansing Community Center on Friday, December 2 from 3pm – 6pm and Saturday, December 3 from 10am - 5pm. Handicrafts to include: jewelry & accessories, gourmet foods, home decor, knitted ware and much more. Enjoy a free beverage and holiday treats while you shop.
3. LCL will close at 5:00pm on Wednesday November 23 and will be closed Thursday and Friday, November 24 and 25, for Thanksgiving.
4. The LCL Board of Trustees meetings will be held on Monday, November 28 and Wednesday, December 14 at 7:00pm instead of the regular 4<sup>th</sup> Wednesday due to the holidays.
5. LCL will host an Art Opening for photographer Frank Leahy on Saturday, November 19, 11am - 1pm at Lansing Community Library. Frank is a photographer who lives and works in Trumansburg, NY. This show includes works from his Ice Bench Experiment 2016, his fourth year. From December-March he creates an arrangement of colored ice and lights on a rustic bench in his backyard that he documents with photographs. A raffle and light refreshments will be on hand. Frank's art will be on display from November through December.

Councilperson Andra Benson, stated the Book Sale is larger every year, it is a good fund raiser for the library and it is held two times a year.

Councilperson Andra Benson, reported the Artisan Fair is growing and is also a fund raiser for the library.

**MOTION TO OPEN PUBLIC HEARING ON THE PROPOSED LOCAL LAW #10 OF 2016-UPDATING AND AMENDING VILLAGE CIRCLE-VILLAGE SOLARS PDA, LOCAL LAW #1 OF 2013**

Supervisor Edward LaVigne moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED LOCAL LAW #10 OF 2016-UPDATING AND AMENDING VILLAGE CIRCLE-VILLAGE SOLARS PDA, LOCAL LAW #1 OF 2013** at 6:35 pm. Councilperson Andra Benson seconded the motion.

All in Favor - 4                      Opposed - 0

Supervisor Edward LaVigne, explained this is changing the number of units and will include more micro units. He stated there will be less three bedrooms and more two and one bedrooms. Ed noted they may put a restaurant there.

Town Planner Michael Long, reported this will include additional parking, if necessary. He stated they are adding a future location for NYSEG gas distribution regulating building. Michael explained the changes are only to the interior of the buildings.

Town Counsel Guy Krough, explained the number of bedrooms are not changing; it's the number of units in each building that are changing. He reported water, sewer, and parking have all been reviewed.

A resident asked what restaurant will be there. No one had an answer.

**MOTION TO CLOSE PUBLIC HEARING**

All persons desiring to be heard, having been heard, Supervisor Edward LaVigne moved to **CLOSE THE PUBLIC HEARING ON THE PROPOSED LOCAL LAW #10 OF 2016-UPDATING AND AMENDING VILLAGE CIRCLE-VILLAGE SOLARS PDA, LOCAL LAW #1 OF 2013** at 6:40 pm. Councilperson Doug Dake seconded the motion.

All in Favor - 4                      Opposed - 0

**TOMPKINS COUNTY REPRESENTATIVE – MIKE SIGLER**

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

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

Hello and thanks for having me in tonight. The county legislature ended two-and-a-half months of deliberation and review, passing the County's 2017 budget and the capital program for the next five years. The budget was approved by a 13-1 vote, with Legislator Dooley Kiefer voting no.

The \$171 million budget represents an increase in local spending of 0.9% and increases the County tax levy by 2.93%. The tax rate of \$6.62 per thousand is down by 11 cents (1.53% from 2016.)

Apart from, but related to the budget, the Legislature, by unanimous vote, also formally established the 2017 annual Solid Waste Fee, which remains at \$55.00 per household/billing unit.

The summary of the final amendments and the adopted budget will be posted on the budget page of the County website at [www.TompkinsCountyNY.gov/ctyadmin/2017budget](http://www.TompkinsCountyNY.gov/ctyadmin/2017budget).

The legislature also supported the issuance of up to \$1 million in serial bonds and notes to potentially fund the jet bridge expense, if that is needed. This is great news! Airport Manager Mike Hall noted that, with the airlines' decision to consolidate southern tier service at ITH, and with the shift of American and United to jet service beginning in

February 2017, the purchase of a second, refurbished jet bridge, at an estimated cost of up to \$1 million is needed to respect and protect that service.

The Airport has applied for State grant funding for the jet bridge as part of a larger airport improvement project, and will seek other potential revenue sources should that award not come through, but this gives us the leeway for the much needed bridge.

The Legislature, by unanimous vote agreed to appropriate \$15,000 in contingent funds to support a structural, mechanical, and codes assessment of the Tompkins Trust building on the Ithaca Commons, an initial step in the County's exploration of possible acquisition and reuse of the building as a new home for The History Center in Tompkins County and a proposed heritage education center bringing together compatible non-profits. The study will assess the condition of the building's structural and mechanical systems, as well as any required code-related improvements. As part of its longstanding role in providing space for a museum that preserve the records and artifacts that document the county's history, the County allocates about \$100,000 annually to underwrite The History Center's occupancy costs.

The Legislature also voted to award the Center for Governmental Research (CGR), of Rochester, NY, a contract to study the Criminal Justice/Jail Population Trend Analysis for the Tompkins County Jail, for an amount not to exceed \$63,000. CGR was the unanimous choice of the Jail Study Committee, the Probation Director, Jail Captain, and County Administrator. The analysis is the first of two studies focused on Jail capacity to be undertaken by the County after the New York State Commission of Correction announced its intent to revoke the Jail's long-standing 18-bed variance.

The Legislature will also study governance models for Stewart Park at a cost of \$17,000. The study will analyze Stewart Park's current management and governance structure and recommend alternatives. I voted against this as I can't see any scenario where the county should take over Stewart Park and the costs associated with maintaining it.

We also recognized the passing of Donald Culligan, Tompkins County's longest-serving legislator. He passed away November 9th. Mr. Culligan served on the Tompkins County Board of Supervisors and Board of Representatives (as the County Legislature was formerly known) for 35 years, from 1958 through 1993.

Also:

The Tompkins County Strategic Tourism Planning Board (STPB) is recruiting two new members representing local arts and culture, and one new member representing lodging, to begin service in early 2017. Tompkins County residents are invited to submit an application no later than December 5, 2016.

And:

Tompkins County is seeking nominees to serve on two volunteer citizen boards that advise the County Legislature on decisions made about our local environment: the Water Resources Council (WRC) has vacancies for individuals representing the general public (at-large seats), municipal government, business and industry, and recreation. The Environmental Management Council (EMC) is seeking new at-large and municipal members.

For an application, visit the county's website at <http://www.tompkinscountyny.gov/legislature/advisory-board>, or call the Legislature office at 607-274-5434.

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

The following report was available as a handout.

**Parks & Recreation Department  
11/16/16  
Town Board Meeting**

## **RECREATION**

- Early winter programming has started. Gymnastics, Bowling, Jump Around, Basketball (4<sup>th</sup> – 6<sup>th</sup>) and Friday Night Soccer at The Field are all very well attended.
- The school bus availability issue seems to be working out with no interruptions so far with regards to having enough drivers. Hopefully this will last throughout the winter.
- The Ski Bus is almost sold out. This is really early for us to be this full compared to past years. We only have 5 available seats remaining. This is great, but hope that this quick fill won't create other issues for us as I am not sure we could handle a second bus or get a second driver...
- Our Holiday Cookie Exchange for students in grades 4<sup>th</sup> – 8<sup>th</sup> is set for Saturday December 3<sup>rd</sup> and this year will take place in the Middle School in room 162. Decorate and exchange 5 different types of cookies.
- After the holidays, we will also be offering Travel Basketball, additional sessions of Gymnastics, Elementary Basketball for 2<sup>nd</sup> & 3<sup>rd</sup> graders, and Wrestling.
- Our Youth Wrestling Program for grades K – 6<sup>th</sup> has to be the best in the country!!! With instructors like Doug Dake, Kyle Dake, Jacob Arnone and Mitch Clark along with support from Rob Koll at Cornell, this is CRAZY GOOD!!! We are very lucky.

## **PARKS**

- All of our parks and ballfield fall clean up and winterization is nearly completed. We continue to have many walkers and a lot of drive through traffic and especially when the weather is good. Our park crew does a great job and they deserve all of the compliments that are made about our grounds.
- We have been able to purchase more safety surface wood fiber for our playgrounds. We were able to get excellent good pricing and did save over 50% of the cost by doing in-house trucking.
- The latest Eagle Scout Project at Salt Point is almost complete and easy to see as you enter Salt Point. It is a new Chimney Swift Tower. I will have more details and pictures after the project is completed.

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

Cricket reported the following:

Winter: They are ready for snow.

Novalane: They are wrapped up for now.

Capital Plan: Working on a plan with Mike Long.

Generators: Will discuss at the work session.

Historical Building: Supervisor Ed LaVigne and Cricket reported the historical society is paying for the materials and the highway workers are supplying the labor.

## **PLANNING CONSULTANT REPORT – MICHAEL LONG**

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

- 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.
  - Farm Day – Held Oct. 15, 2016 at Town Hall
- **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.
  - Developer’s Conference - Sketch Plan Planning Board Meeting – Sept. 12, 2016.
  - Meeting to review Phase 2 proposed changes if any – 9/21/2016.
  - Construction yard plan map received – Oct 17, 2016
  - **Public Hearing on Site Plan– tentative Nov 28, 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
  - Storm Water Plan- SWPPP report 10/ 11/ 2016
  - **SEQRA / Site Plan mtg. – 11/ 28/ 2016**
- **Village Solars / Village Circles – PDA amendment**
  - Requested change – meetings on water and sewer capacities, Parking, site plan changes
  - Planning Board reviewed the density changes (174 to 206) within the existing building footprint, asphalt parking for rest., parking ratio of 1.25 / du. – approved 9/12/2016 meeting.
  - Town Board – PDA waver to increase density Building M (18 to 24 units)
  - **Town Board – PDA amendment – November 16, meeting**
- **Buck Road - Scott Morgan – 2 duplex buildings – Site Plan Review**
  - 239 Review letter dated 9/20/2016
  - Planning Board Meeting 10/24/2016
- **Reach Works Rock Climbing Facility – The Rink / The Field 1767 East Shore Drive.**
  - Application received and sent to for 239 Review – Sept 12, 2016
  - Height visual simulation – Oct 19, 2016
  - Public Hearing – Oct 24, 2016
  - Require Planning Board SEQRA review –
  - **ZBA area variance required for Height over 35 feet (62 foot – existing building (Meeting 11/15/2016)**
  - **Final Site Plan Approval 11/14/2016**
- **Comprehensive Plan** – Town Board appointment of members Jan 4, 2016
  - Planning Board Members appointed: Lin Davidson, Larry Sharpsteen, Jerry Caward and Sandy Conlon.
  - 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
  - **Planning Board work sessions – Sept, 12, Sept. 26, Oct 24, Nov 14,...**
  - Town Board Public Hearing -TBD.

Mike reported the ZBA granted the variance for the height on the Reach Works Rock Climbing Facility.

Mike stated when the Planning Board has completed their review of the Comprehensive Plan there will be a joint meeting with the Town Board and Planning Board for further discussion and review.

Supervisor Edward LaVigne, reported Richard Prybyl has resigned from the Planning Board, due to scheduling issues. Mike stated the normal term on the Planning Board is seven years and maybe the Town Board will want to look at changing this.

**AGRICULTURE COMMITTEE REPORT – CONNIE WILCOX**

Connie reported the following:

The Agriculture Committee has not met recently, but will probably meet in December. They may make a sub-committee to go over the agriculture zones, which will then report back to the rest of the Agriculture Committee.

**COMPREHENSIVE PLAN UPDATE – CONNIE WILCOX**

Connie reported the following:

The Planning Board is reviewing the Comprehensive Plan. The Town Board and Planning Board should meet before the public hearing. It is a solid plan which will work for another five to ten years. Joe Shepherd is updating and marking the changes.

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

**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
    - Punch list items by contractor are reportedly completed. Project closeout and final payment to contractor can be processed at November 16th meeting.
  - b. Town CWD, Extension 3: Buck Road, Conlon Road and Wilson Road Area:
    - Pending Board authorization, the Engineer’s Map, Plan and Report; Preliminary Notice of Intent to NYS Agriculture and Markets; and SEQR FEAF can be prepared for a fee of \$10,000.
  - c. Town CWD, Extension Feasibility Studies: Drake Road:
    - Pending Board authorization, the Engineer’s Map, Plan and Report together with the SEQR FEAF can be prepared for a fee of \$5,000.
  - d. Town CWD, Extension 1: Lansing Station Road Main Extension
    - Contacted Nick Fazzolari with Norfolk Southern in Harrisburg, PA and he will pursue arranging a site visit with the Regional Line Manager and Justus Fuchan, Division Asst Engineer. This is the same process that was initiated in November 2015 but generated no N/S response. Will continue to make requests for action through Mr. Fazzolari.
  - e. Pine Grove Pump Station (Ludlowville Road)
    - Investigating NYSEG invoices and pump operation to clarify power consumption and monthly costs.
2. Stormwater Planning and Maintenance
  - a. Drainage Districts #1, #2, #4 and #5
    - Drafting a letter to landowners in these districts regarding annual maintenance fees that will be collected through the Town/County tax bill in 2017.
3. Transportation Planning
  - a. Town Park Dock Permitting
    - Will be contacting NYSDEC/USACE staff this week to reaffirm permit process for new dock.
4. Code Enforcement and Planning
  - a. Code Enforcement Office and Planning Department:
    - United Storage stormwater management

Dave reported the following regarding CWD extension #3 (Buck Rd.) and #4 (Drake Rd):

The MPR is a “road map” which shows what the project is, when it will take place, the cost, and how it will be financed. This will be shared with the land owners which will benefit from the CWD. It also shows the environmental impacts. CWD extension # 3 is in the Agriculture District, so we have to comply with NYS Ag and Markets before finalizing the MPR. The tillable land will not be included in the CWD.

Town Counsel Guy Krogh, reported the following regarding CWD extension #3 (Buck Rd.) and #4 (Drake Rd.):

Both of the CWD extensions require a permissive referendum, so the town will need to wait thirty days to see if there are any challenges before Dave Herrick can proceed with the MPR or Notice of Intent for Buck Rd. The CWD district will reimburse the town for the MPR cost, if the district is formed. There are several steps involved including a public hearing, comptroller approval (if required), final order filing in the clerk’s office, several resolutions, county and state filings, and land owners signing easements. The best case scenario for having this done will be spring.

Supervisor Edward LaVigne, reported the following regarding CWD extension #3 (Buck Rd.) and #4 (Drake Rd.):

Letters have been sent out to residents which Ed could not reach. He has been very clear that this is not his water district. There will be multiple times for residents to challenge this. He has 70% of resident’s signatures in support of this already. If other residents build, then the EDU’s will go down per person.

**RESOLUTION AUTHORIZING MAP, PLAN & REPORT FOR CONSOLIDATED WATER DISTRICT EXTENSION NO. 3 (BUCK ROAD)**

**RESOLUTION 16-141**

**RESOLUTION AUTHORIZING MAP, PLAN & REPORT FOR CONSOLIDATED WATER DISTRICT EXTENSION NO. 3 (BUCK ROAD)**

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

WHEREAS, whether spearheaded by residents along Wilson Road, Conlon Road, or Buck Road, for over 8 years there has been substantial interest in a water district extension to serve such areas with municipal water due to the density and lack of potable water and water supplies in such area, and over the years several map and planning iterations and petitions have been circulated and developed, each with advantages and disadvantages, one of the largest of which has always been cost; and

WHEREAS, the Water and Sewer Advisory Committee, working with the Town and Town Engineers and residents, has developed a map of a proposed service area, and the same has been examined and deemed feasible due to the Highway Department’s availability to install the mains, and the costs of construction thereof have been estimated to carry an EDU cost of around \$1,050; and

WHEREAS, while the Town is working to bring such number down, such number has been the subject of a petition circulated for a proposed Buck Road water district extension, with two add-on areas also under consideration, and the petitions for all such areas have come back with over a 70% approval rate, despite the cost of just over \$1,000 per year; and

WHEREAS, the creation of such proposed Consolidated Water District Extension #3 is found to be feasible and deserving of official study, and given the needs and desires of the residents such extension is deemed to be in the public interest and in the interest of the affected property owners proposed to be included in such district, and the Town now desires to fully examine the construction and costs of such a proposed district, and

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

RESOLVED, that the Town Board of the Town of Lansing hereby directs the Town Engineer to proceed with the preparation of a Map, Plan and Report (“MPR”) pursuant to Town Law §§ 209-c and 209-d relative to the proposed Consolidated Water District Extension No. 3 (Buck Road); and it is further

RESOLVED that an Agriculture and Markets Preliminary Notice of Intent be developed, that a SEQRA FEAF be developed, and that the review of the same by the Town, the Town Engineer, the New York State Department of Agriculture and Markets, and Department of Environmental Conservation, be undertaken to inform the scope and cost of such proposed district, and that the Town Engineer thereafter prepare such official Map, Plan and Report (“MPR”) for the proposed district for consideration by the Town Board and residents, and that the cost of all of the same be and hereby is approved in an amount not to exceed \$10,000, all as subject to permissive referendum as provided by Town Law Article 7 and § 209-b.

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

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

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

**RESOLUTION AUTHORIZING MAP, PLAN & REPORT FOR CONSOLIDATED WATER DISTRICT EXTENSION NO. 4 (DRAKE ROAD)**

**RESOLUTION 16-142**

**RESOLUTION AUTHORIZING MAP, PLAN & REPORT FOR CONSOLIDATED WATER DISTRICT EXTENSION NO. 4 (DRAKE ROAD)**

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

WHEREAS, whether spearheaded by residents along Drake Road or otherwise, since 2000 and even earlier there have been multiple requests for a water district extension to serve the Drake Road area, and since 2006 such requests have been multiplied due to the water main being extended part-way down Drake Road for the then approved Cottonwoods Subdivision, and the CWD’s need for redundant SR 34-A connections remains, and as a result of all thereof, over the years several maps and planning iterations and petitions have been circulated and developed; and

WHEREAS, the Water and Sewer Advisory Committee, working with the Town and Town Engineers and residents, has developed a map of a proposed service area, and the same has been examined and deemed feasible due to the Highway Department’s availability to install the mains, and the costs of construction thereof have been estimated to carry an EDU cost of around \$850; and

WHEREAS, while the Town is working to bring such number down, such number has been the subject of a petition circulated for a proposed Drake Road water district extension, to be denominated as CWD Extension #4, and the petition has been returned with over 70% support for an extension at the \$850 EDU rate per year for construction costs; and

WHEREAS, the creation of such proposed Consolidated Water District Extension #4 is found to be feasible and deserving of official study, and given the needs and desires of the residents such extension is deemed to be in the public interest and in the interest of the affected property owners proposed to be included in such district, and the Town now

desires to fully examine the construction and costs of such a proposed district, and accordingly, based upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Town Board of the Town of Lansing hereby directs the Town Engineer to proceed with the preparation of a Map, Plan and Report (“MPR”) pursuant to Town Law §§ 209-c and 209-d relative to the proposed Consolidated Water District Extension No. 4 (Drake Road); and it is further

RESOLVED that a SEQRA FEAF be developed and undertaken to inform the scope and cost of such proposed district, and that the Town Engineer thereafter prepare such official Map, Plan and Report (“MPR”) for the proposed district for consideration by the Town Board and residents, and that the cost of all of the same be and hereby is approved in an amount not to exceed \$5,000, all as subject to permissive referendum as provided by Town Law Article 7 and § 209-b.

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

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

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

**RESOLUTION APPROVING AND ADOPTING LOCAL LAW #10 OF 2016, AMENDING LAND USE ORDINANCE § 1610 AND LOCAL LAW NO. 1 OF 2013 REGARDING THE APPROVAL AND FINAL DEVELOPMENT PLAN OF THE VILLAGE CIRCLE - VILLAGE SOLARS PDA, AND ISSUING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE UNDER SEQRA**

Town Counsel Guy Krogh, reviewed the SEAF part 2.

Supervisor Edward LaVigne, stated the changes are on the inside of the buildings, not moving buildings or adding buildings.

**RESOLUTION 16-143**

**RESOLUTION APPROVING AND ADOPTING LOCAL LAW #10 OF 2016, AMENDING LAND USE ORDINANCE § 1610 AND LOCAL LAW NO. 1 OF 2013 REGARDING THE APPROVAL AND FINAL DEVELOPMENT PLAN OF THE VILLAGE CIRCLE - VILLAGE SOLARS PDA, AND ISSUING NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE UNDER SEQRA**

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

WHEREAS, some requested and needed changes and amendments to the PDA plan for the Village Circle-Village Solars (“VCVS”) Planned Development Area (“PDA”), codified as § 1610 of the Town’s Land Use Ordinance (“LUO”), have arisen due to changes in rental and market demands, financing requirements, and the need for additional smaller apartments and fewer 3-unit apartments, and concomitant changes in the site planning, parking requirements, and utility facilities needed or desirable for the PDA, and the § 706.10 of the LUO states that minor changes, extensions, or modifications may be made only after they have been reviewed by the Planning Board and approved by the Town Board, and LUO § 707.10.1 further notes that if the changes affect significant elements of the PDA, such as land uses, size, occupancy or density of buildings, then a new PDA submission is required; and

WHEREAS, it had been previously declared and determined that the proposed modifications constitute minor changes as they are consistent with the site plans, planned uses, and purposes of the PDA and effect no changes in allowed uses, no significant site

changes, and no changes in the goals and developmental purposes underlying the PDA, including its prior statement of Intent to Comply with the Town's Comprehensive Plan; and further, among other reasons, the change was classified as minor as the size and bulk and overall population of the PDA is not expected to materially change and the sewer and water demands will not change or require any expansion in infrastructure; and

WHEREAS, Article XVI of the Town of Lansing Land Use Ordinance governs PDAs generally, and § 1610 covers the VCVS PDA specifically, and the changes effect minor updates and changes required by minor plan modifications and the passage of time, such as the elimination of conditions already fulfilled, and per prior notices duly delivered a County Planning § 239 notice was delivered and a response duly received noting no significant inter-community or county-wide impacts, and a referral back of the local law to the Planning Board resulted in no recommended changes and the Planning Board standing behind its prior recommendation of approval; and

WHEREAS, this matter was previously classified as an Unlisted Action for coordinated review, and a EAF was duly prepared and reviewed on the record, and a public hearing, both upon the environmental review and the local law itself, was duly noticed and held upon the 16th day of November 2016, at 6:35 pm, whereat all persons wishing to be heard, or to submit any evidence or information, were duly heard; and

WHEREAS, each identified potential environmental impact was analyzed and duly considered by the Town Board, as Lead Agency in this uncoordinated review of an Unlisted Action, in relation to the question of whether any potential environmental impacts were so probable of occurring or so significant as to require a positive declaration, and after weighing the above and all other potential impacts arising from or in connection with this project, and after also considering: (i) the probability of each potential impact occurring; (ii) the duration of each potential impact; (iii) the irreversibility of each potential impact, including permanently lost resources of value; (iv) whether each potential impact can or will be controlled or mitigated by permitting or other processes; (v) the regional consequence of the potential impacts; (vi) the potential for each impact to be or become inconsistent with the Town's Comprehensive Plan and local needs and goals; and (vii) whether any known objections to the Project relate to any of the identified potential impacts, the Town Board found that these factors did not cause any potential impact to be or be likely to become a moderate or significant impact such that a negative declaration will be issued; and

WHEREAS, and after due deliberation upon this matter, be it now hereby RESOLVED as follows:

RESOLVED, that after consideration of the potential environmental impacts reviewed in accord with 6 NYCRR Part 617, § 617.7(c), the Lead Agency finds that the proposed action—adopting Local Law #10 of 2016, entitled “A LOCAL LAW AMENDING § 1610 OF THE TOWN OF LANSING LAND USE ORDINANCE AND THE PROVISIONS OF LOCAL LAW NO. 1 OF 2013, REGARDING THE APPROVAL AND FINAL DEVELOPMENT PLAN OF THE VILLAGE CIRCLE - VILLAGE SOLARS PDA”—will have no moderate or significant negative environmental consequences; and this declaration is made in accord with Article 8 of the Environmental Conservation Law of the State of New York and the New York SEQRA Act, and the regulations promulgated thereunder, and accordingly, the Town Board of the Town of Lansing, based upon (i) its thorough review of the EAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review, (ii) its thorough review of the potential relevant areas of environmental concern to determine if the proposed action may have a moderate or significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR § 617.7(c), and (iii) its completion of the EAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), hereby makes a negative determination of environmental significance (“Negative Declaration”) in accordance with SEQRA for the above referenced proposed action, and determines that an Environmental Impact Statement is therefore not required; and it is further

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

RESOLVED, that Local Law Number 10 of 2016 be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted”; and it is further

RESOLVED, that within 20 days after the final adoption of this Local Law the Town Clerk shall file a certified copy of this Local Law, together with the required certifications, if any, as follows: (i) in the Office of the Town Clerk; and (ii) with the New York State Secretary of State as required by Municipal Home Rule Law §27 (said filing may be made by delivery to the NYS Department of State, Division of Corporations, State Records and Uniform Commercial Code, One Commerce Plaza, 99 Washington Avenue, Albany, New York 12231); and it is further

RESOLVED, that the Town Clerk mail a copy of this resolution to County Planning in fulfillment of the Town’s reply and reporting obligations under GML § 239-1.

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 Doug Dake - Aye    | Supervisor Edward LaVigne - Aye       |

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

**TOWN OF LANSING LOCAL LAW NO. 10 OF 2016**

**A LOCAL LAW AMENDING § 1610 OF THE TOWN OF LANSING LAND USE ORDINANCE AND THE PROVISIONS OF LOCAL LAW NO. 1 OF 2013, REGARDING THE APPROVAL AND FINAL DEVELOPMENT PLAN OF THE VILLAGE CIRCLE - VILLAGE SOLARS PDA**

By Resolution dated November 16, 2016, the Town Board of the Town of Lansing hereby adopts the following local law and, accordingly, be it enacted by the Town Board of the Town of Lansing as follows:

**Section 1. Amendments Land Use Ordinance § 1610 and Final Development Plan Approval reflected in Local Law No. 1 of 2013.**

The following amendments to said § 1610 be and hereby are effected and approved:

- a. § 1610(2)(a)(2) shall be amended from permitting up to 18 units per building to allowing up to 24 units per building.
- b. § 1610(2)(a) is amended by adding a new subdivision (7) as follows: “7. Utility and utility-related infrastructure relating to the provision of utilities and services to the PDA and general distribution needs in the Lansing area, including specifically the utility structures proposed and requested by NYSEG proposed near the north end of Village Place, as shown on the updated site drawings entitled “Revised Village Solars PDA, September 2016,” dated September 2016 (the “Updated PDA Site Drawing”), are hereby approved. Any other future siting of such utility facilities and the approval of

any other utility buildings or infrastructure shall be approved by the Planning Board by site plan review as provided in § 1610(2)(b)(10).

c. § 1610(2)(b)(7) shall be amended to clarify and list that up to 20 one bedroom and micro-unit apartments may be a part of the Community Center, such that such subsection shall now read: "7. One Community Center Building, which may contain any of the uses allowed in § 1610(2)(a) above, and which Community Center may also contain self-service laundry facilities, restaurants, and up to 20 one bedroom and micro-unit apartments."

d. § 1610(2)(b)(10) is added to read: "Utility buildings and structures, other than service lines typical to commercial and residential uses, whenever the same shall be located above ground and require or cause land disturbance greater than 100 ft<sup>2</sup>, land area usage greater than 100 ft<sup>2</sup>, or a shed, cabinet, housing, or other structure in excess of 100 ft<sup>2</sup>. The utility infrastructure already approved by § 1610(2)(a)(7) shall be subject to site plan review, regardless of size, if substantially relocated from the areas where approved."

e. § 1610(5) shall be amended to permit up to 502 total units.

f. § 1610(6)(a) is amended to reduce adjacent parking requirements for buildings from 1.5 spaces per unit to 1.25 spaces per unit.

g. § 1610(6) shall be amended by adding a new subdivision (i) as follows: "(i) Up to three additional parking lots, as shown in the Updated PDA Site Drawing, are permitted so long as the same are made from permeable surfaces and the locations thereof, and facilities therefor, are approved by the Planning Board by site plan review. Additionally, parking near the Community Center (Building F) may be paved or otherwise improved as required or desired to facilitate parking and access to such facility."

h. § 1610(11) shall be amended by removing the existing text, as Phase I and the required water and sewer improvements have been completed and are now functional and working, and replaced with the following: "11. No increase in the number of units, nor any additional units or buildings or uses, shall be permitted without first considering: (i) the availability of water from the Consolidated Water District, including ensuring that capacity and pressures are sufficient to provide service and not interfere with service in other areas; (ii) sewer capacity is available and is within the limits and capacities of the municipalities to transport and treat under a certain "Intermunicipal Wastewater Transportation and Treatment Agreement," dated March 8, 2010, by and between the Town of Lansing and the Villages of Lansing and Cayuga Heights; and (iii) all changes are examined appropriately and meet all requirements of stormwater review and control, including compliance with the Town's Stormwater Local Law and the requirements of any New York SPDES permits issued, including the conditions thereof.

i. § 1610(12) be and hereby is amended by changing the 2-year infrastructure build-out requirement in sub-clause (i) to 5 years, to match the Community Center build-out requirement listed in sub-clause (ii).

j. § 1610(14) is amended to read: "14. The March 20, 2013 and the Updated PDA Site Drawing, as well as the updated PDA project proposals and site maps outlining the proposed phasing of the project, the project build-out and site features, are hereby approved, and the improvements and facilities thereupon noted be and are hereby approved, authorized and allowed,

including as part of the Final Development Plan, as updated and amended, but in all cases subject to the requirements of § 1610 of the Town’s Land Use Ordinance, as amended from time to time, any future site planning approvals and conditions, all permit conditions, and all stormwater requirements, each where applicable or as required;”.

**Section 2. Effective Date.**

This local law shall take effect immediately.

**RESOLUTION UPDATING EMPLOYEE KEVIN MAY’S POSITION AND JOB CLASSIFICATIONS DUE TO FULFILLING OBLIGATIONS AND OBTAINING CDL**

**RESOLUTION 16-144**

**RESOLUTION UPDATING EMPLOYEE KEVIN MAY’S POSITION AND JOB CLASSIFICATIONS DUE TO FULFILLING OBLIGATIONS AND OBTAINING CDL**

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

WHEREAS, Kevin May was hired as a laborer and has now passed his CDL test such that he qualifies for and, as planned, will be promoted into the MEO position; and

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

RESOLVED, that effective October 24, 2016, Kevin May be classified as a MEO, Grade C, Step 1, with an hourly wage to be set at \$18.15 per hour, such promotion and position to be probationary for the customary 26-week period.

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

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

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

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

**RESOLUTION HIRING KRISTIN CLARK, AS PART-TIME RECREATION ASSISTANT TO ACT IN A SUBSTITUTE CAPACITY FOR THE LANSING DROP IN PROGRAM**

**RESOLUTION 16-145**

**RESOLUTION HIRING KRISTIN CLARK, AS PART-TIME RECREATION ASSISTANT TO ACT IN A SUBSTITUTE CAPACITY FOR THE LANSING DROP IN PROGRAM**

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

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

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

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

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

RESOLVED, that Kristin Clark be and hereby is approved to be employed as a Town of Lansing Grade 2, Step 1 Employee, as Part-Time Recreation Assistant, to act in a substitute capacity for the Lansing Drop In Program, with such employment to commence 11/08/2016 at the rate of \$11.75 per hour, and all Town perquisites and benefits as are available to such position; and it is further

RESOLVED, that the probationary be and hereby is scheduled for 26 weeks; and it is further

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

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

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

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

**RESOLUTION APPROVING AND ADOPTING UPDATED CWD OUTSIDE USER AGREEMENT PROCESS AND SAMPLE FORMS**

Councilperson Doug Dake, explained the following:

In the past the Town Board has approved several resolutions for residents to be hooked up to water as an outside user, but very few actually followed through and were hooked up. Now there is a process to follow and forms to be completed before a resident is approved to come in to the CWD as an outside user. The resident will pay the fee at the end of the process.

Connie Wilcox commended Councilperson Doug Dake, the Advisory Board, and the Town Board for getting this completed. She stated this has been needed for a long time and it will simplify the process.

**RESOLUTION 16-146**

**RESOLUTION APPROVING AND ADOPTING UPDATED CWD OUTSIDE USER AGREEMENT PROCESS AND SAMPLE FORMS**

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

WHEREAS, as reported in August and September, 2016 to the Town Board, the Water and Sewer Advisory Board ("WSAB") had reviewed and recommended, and the Town Board had approved, approximately 20 outside user agreements allowing so-called back-

lot extensions to the Consolidated Water District and its Extensions (the “CWD”), but despite these approvals, and to date, only 2 actual permits have been issued by Bolton Point; and

WHEREAS, this process was creating future confusion as future landowners may, even 25 years from now, hold up an outsider user agreement and claim a right to connect to the CWD, even though the rules and infrastructure and feasibility of such connection may be substantially different as compared to today, and even further the process was bogging the WSAB down in individual application after application, and the myriad of problems one can encounter with neighbors, easements across roadways, installation costs, etc., such that the more important business of examining proposed capital improvement needs and proposals, from new district extensions to needed repairs and upgrades, was being hampered; and

WHEREAS, the WSAB unanimously recommended to the Town Board that it be allowed to present and recommend an amended process for outside users, including one that would not issue any approvals or result in the execution of agreements until after the applicant determined the layout and cost of installation, after applicant obtained required easements, and after applicant placed a formal application for approval and paid the required fee; and

WHEREAS, Since August, and mainly in September and October, the WSAB discussed such a process and procedure, and on November 9, 2016, the WSAB made final proposed changes and recommendations to an updated process and forms for such applications and such documents and process, as amended, were unanimously adopted and approved by the WSAB and referred with a recommendation of approval to the Town Board; and

WHEREAS, such process and forms have been duly reviewed and considered by the Town Board, and upon due deliberation thereupon, the Town Board of the Town of Lansing has thus

RESOLVED, that the form of the documents as submitted to this meeting, including the summary instructions, the sample waterline and curb-box easement, the related TP-584 easement filing document, and the draft updated outside user agreement, be and hereby are approved; and it is further

RESOLVED, that the Town reserves the right to amend and update such forms, as desired or as needed to address particular circumstances, particular sites, changes in the CWD, changes in the law, rules, or regulations affecting the CWD or municipal water systems, specifically or generally, or for any other good and sufficient reason as determined by the Town.

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

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

**RESOLUTION SCHEDULING PUBLIC HEARING UPON PROPOSED LOCAL LAW #11 OF 2016, UPDATING AND MODERNIZING THE TOWN'S FOIL PROCEDURES AND INCORPORATING CERTAIN MANDATES OF THE PERSONAL PRIVACY PROTECTION LAW**

Supervisor Edward LaVigne, stated the following:

This is clarifying the FOIL process. There will be one central location for FOIL requests.

Town Counsel Guy Krogh, reported the following:

There have been several updates to FOIL over the years and this incorporates them. The Personal Privacy Protection Law needs to be followed. A person's name and address can't be disclosed at a municipality, so some things will be redacted prior to fulfilling the FOIL request. The person making the FOIL request will be able to understand that certain items are redacted because of state law. The FOIL procedure must be on our website, we have to follow the rules, and the records need to be kept in writing.

**RESOLUTION 16-147**

**RESOLUTION SCHEDULING PUBLIC HEARING UPON PROPOSED LOCAL LAW #11 OF 2016, UPDATING AND MODERNIZING THE TOWN'S FOIL PROCEDURES AND INCORPORATING CERTAIN MANDATES OF THE PERSONAL PRIVACY PROTECTION LAW**

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

WHEREAS, the Town's existing FOIL local law and procedures were adopted in 2004 and amended in 2005 due to amendments to the New York Public Officers Law, and since then the Public Officers Law and FOIL have been amended multiple times, including to clarify issues in FOIL such as timing, replies to requests, fees, and appeals; and

WHEREAS, New York State has also adopted batteries of laws and regulations further protecting certain personal information and personally identifying information, such as SSNs, medical records, and other information, including enactments such as the Personal Privacy Protection Law; and

WHEREAS, certain other NYS laws and certain federal laws and rules accomplish similar purposes (such as HIPAA), such that the number of denials, partial denials, and redactions now properly required under FOIL for records request responses has become a needlessly complex tangle of rules and liabilities; and

WHEREAS, the Town believes that providing some guidance to its officers and employees, as well as to provide information to the general public, will inure to the benefit of all as spelling out the reason for redactions from records, which is defined by COOG as a partial denial of a FOIL request, is required by law; and

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

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

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 21st day of December 2016, at 6:35 pm, to consider the adoption of proposed Local Law #11 of 2016 – updating the Town's FOIL local law and procedures, and add personal privacy and personal information protection requirements, 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.

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 Doug Dake - Aye

Councilperson Katrina Binkewicz - Aye  
Supervisor Edward LaVigne - Aye

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

**RESOLUTION ACCEPTING RICHARD PRYBYL’S RESIGNATION FROM THE TOWN OF LANSING PLANNING BOARD AND APPOINTING SANDRA DENNIS CONLON TO THE TOWN OF LANSING PLANNING BOARD TO COMPLETE RICHARD PRYBYL’S TERM OF APPOINTMENT**

**RESOLUTION 16-148**

**RESOLUTION ACCEPTING RICHARD PRYBYL’S RESIGNATION FROM THE TOWN OF LANSING PLANNING BOARD AND APPOINTING SANDRA DENNIS CONLON TO THE TOWN OF LANSING PLANNING BOARD TO COMPLETE RICHARD PRYBYL’S TERM OF APPOINTMENT**

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

WHEREAS, the Lansing Town Clerk has received a resignation letter from Richard Prybyl stating he is resigning from the Town Planning Board, which will leave an opening for a member and which created a vacancy in a public office; and

WHEREAS, the Town Planning Board has requested that current Planning Board Alternate Member Sandra Dennis Conlon be appointed as a Member to the Town of Lansing Planning Board; and

WHEREAS, Sandra Dennis Conlon is qualified to be and remain on the Town of Lansing Planning Board by virtue of having mandatory NYS training and by already serving on the Town of Lansing Planning Board as an Alternate Member for over one year; and

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

RESOLVED, that Richard Prybyl’s resignation from the Town of Lansing Planning Board is accepted; and it is further

RESOLVED, that Sandra Dennis Conlon is hereby appointed as Member to the Town of Lansing Planning Board effective November 16, 2016 through December 31, 2020, to complete Richard Prybyl’s vacant term of Office, and the Town Supervisor be and hereby is authorized to take such steps as are necessary to effect such appointment, and the Town Clerk shall administer the oath of office for such new position; and it is further

RESOLVED, that the Town of Lansing Planning Board will advertise to fill the Town of Lansing Planning Board Alternate position which was previously held by Sandra Dennis Conlon and is now vacant.

The question of the 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 Doug Dake - Aye

Councilperson Katrina Binkewicz - Aye  
Supervisor Edward LaVigne - Aye

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

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

**RESOLUTION 16-149**

The Supervisor submitted his monthly report for the month of October, 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 Katrina Binkewicz and Supervisor Edward LaVigne.

Councilperson Katrina Binkewicz 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 # 11**

|                           |                    |
|---------------------------|--------------------|
| DATED                     | <u>11/16/2016</u>  |
| AUDITED VOUCHER #'s       | <u>1140 - 1241</u> |
| PREPAY VOUCHER #'s        | <u>1140 - 1141</u> |
| AUDITED T & A VOUCHER #'s | <u>110 - 120</u>   |
| PREPAY T & A VOUCHER #'s  | <u>110 - 113</u>   |

| <u>FUND</u>                   |                  | <u>TOTAL APPROPRIATIONS</u> |
|-------------------------------|------------------|-----------------------------|
| GENERAL FUND                  | (A&B)            | \$ <u>69,930.10</u>         |
| HIGHWAY FUND                  | (DA&DB)          | \$ <u>264,441.29</u>        |
| BONE PLAIN WATER TANK PROJECT | (HB)             | \$ <u>1,206.88</u>          |
| DRAINAGE DISTRICTS            | (SDD1, 2, 4 & 5) | \$ <u>0.00</u>              |
| LANSING LIGHTING              | (SL1, 2 & 3)     | \$ <u>1,477.99</u>          |
| LANSING SEWER DISTRICTS       | (SS1, SS3)       | \$ <u>16,290.16</u>         |
| LANSING WATER DISTRICTS       | (SW)             | \$ <u>219,841.33</u>        |
| TRUST & AGENCY                | (TA)             | \$ <u>51,191.94</u>         |

**BUDGET MODIFICATIONS**

**GENERAL A FUND  
November 16, 2016**

| <u>FROM</u> | <u>TO</u> | <u>FOR</u>   | <u>AMOUNT</u> |
|-------------|-----------|--|---------------|
| A1990.400   | A1440.402 | FR CONTINGENY TO ENGINEER STMWTR P&M<br>ADDITIONAL ENGINEERING NEEDED    | \$ 3,208.64   |
| A1990.400   | A1440.403 | FR CONTINGENCY TO TRANSPORTATION<br>UNANTICIPATED TRANS EXPENSES         | \$ 579.16     |
| A7310.100   | A7110.400 | FR YTH PROG PER TO PARKS CONTRACT<br>UNANTICIPATED PARK EXPENSES         | \$ 907.90     |
| A7310.100   | A7310.400 | FR YTH PROG PER TO YTH CONTR<br>FALL CAMP EXPENSES/BROUGHT IN MORE REV   | \$ 4,628.81   |
| A1990.400   | A8750.401 | FR CONTINGENCY TO AG PROTECTION<br>ADDITIONAL EXPENSES FROM AG COMMITTEE | \$ 215.24     |

|           |            |  |             |
|-----------|------------|--|-------------|
| A8745.400 | A8674.400  | FR FLOOD&EROSION TO PROPERTY SALES<br>RESOLUTION #1683                               | \$ 7,700.00 |
| A511      | A1610.200R | FR APPR TECH RES TO RESERVE APPROPRIATION  | \$ 300.00   |
| A511      | A1610.400R | FR APPR TECH RES TO RESERVE APPROPRIATION<br>PART OF SERVER INSTALLATION RESO#16-113 | \$ 6,016.48 |

**BUDGET MODIFICATIONS****GENERAL B**

November 16, 2016

| <u>FROM</u> | <u>TO</u> | <u>FOR</u>   | <u>AMOUNT</u> |
|-------------|-----------|--|---------------|
| B1990.400   | B8020.402 | FR CONTINGENCY TO PLNG LEGAL                                 | \$ 2,736.72   |
| B1990.400   | B8020.402 | FR CONTINGENCY TO PLNG LEGAL<br>UNANTICIPATED LEGAL EXPENSES | \$ 1,243.28   |

**BUDGET MODIFICATIONS****HIGHWAY DB**

November 16, 2016

| <u>FROM</u> | <u>TO</u>  | <u>FOR</u>  | <u>AMOUNT</u> |
|-------------|------------|---|---------------|
| DB599       | DB5110.200 | FR FUND BALANCE TO ST MAIN - EQUIPMENT<br>NEEDED EQUIPMENT RESOL #16-137,16-139 | \$101,027.10  |
| DB599       | DB5112.200 | FR FUND BALANCE TO IMPROV- EQUIPMENT<br>NEEDED EQUIPMENT RESOL #16-137          | \$ 25,575.90  |

**BUDGET MODIFICATIONS****WATER SW**

November 16, 2016

| <u>FROM</u> | <u>TO</u>  | <u>FOR</u>  | <u>AMOUNT</u> |
|-------------|------------|---|---------------|
| SW1990.400  | SW8310.401 | FR CONTINGENCY TO WTR ADMIN-ENG<br>UNANTICIPATED ENGINEERING          | \$ 6,148.65   |
| SW1990.400  | SW8340.400 | FR CONTINGENCY TO TRANS&DIST CONT<br>UNANTICIPATED REPAIRS            | \$ 7,341.87   |
| SW8340.401  | SW8320.400 | FR CONT-CWD REPAIRS TO SOURC OF SUP CONTR                             | \$90,000.00   |
| SW1990.400  | SW8320.400 | FR CONTINGENCY TO SOURCE OF SUP CONTRACT<br>MORE THAN ANTICIPATED     | \$ 3,228.60   |
| SW8340.401  | SW8320.401 | FR CONT-CWD REPAIRS TO SOURCE OF LANSING STA<br>MORE THAN ANTICIPATED | \$ 294.19     |
| SW8340.401  | SW8320.402 | FR CONT-CWD REPAIRS TO SOURCE OF DRAKE RD<br>MORE THAN ANTICIPATED    | \$ 447.58     |

**BUDGET MODIFICATIONS****WARREN SEWER SS1-**

November 16, 2016

| <u>FROM</u>  | <u>TO</u>    | <u>FOR</u>  | <u>AMOUNT</u> |
|--------------|--------------|---|---------------|
| SS1-1990.400 | SS1-8130.400 | FR CONTINGENCY TO TREAT& DISP - CONTRACT<br>MORE THAN ANTICIPATED | \$ 2,664.46   |

**BUDGET MODIFICATIONS****CHERRY SEWER SS3-**

November 16, 2016

| <u>FROM</u>  | <u>TO</u>    | <u>FOR</u>  | <u>AMOUNT</u> |
|--------------|--------------|---|---------------|
| SS3-8120.400 | SS3-8120.100 | FR SEWER CONTRACT TO SEWER - HWY PERS SVC<br>UNANTICIPATED LABOR      | \$ 2,627.75   |
| SS3-8120.401 | SS3-8130.400 | FR SWR ENGINEERING TO TREAT& DISP - CONTRACT<br>MORE THAN ANTICIPATED | \$ 468.89     |

Councilperson Doug Dake seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson - Aye  
Councilperson Doug Dake - Aye

Councilperson Katrina Binkewicz - Aye  
Supervisor Edward LaVigne - Aye

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

## **BOARD MEMBER REPORTS**

### **Andra Benson**

#### **Library Committee:**

Andra stated the library report was already given.

#### **Lansing Youth Services:**

Andra reported Travis has transitioned well as the new manager and the program is gaining more students in the after school program.

### **Edward LaVigne**

Nothing to report.

### **Doug Dake**

Doug stated he already gave the report on the CWD Outside User Agreements.

### **Katrina Binkewicz**

#### **Emergency Planning Committee:**

Katrina reported the committee is meeting Thursday November 17, 2016. She noted the committee is almost finished with the plan and will be moving it to the Supervisor's Office.

#### **Salt Point:**

Katrina reported residents and out of town tourists are visiting Salt Point and the new Kiosk. She noted they have a good website.

## **TOWN COUNSEL REPORT**

### **Guy Krogh**

Guy reported East Lansing Road and the dedication of Lansing Commons (Phase 2) will probably be discussed at the December meeting.

## **MOVE MEETING TO WORK SESSION MEETING**

Meeting moved to the Work Session at 7:35 p.m.

## **WORK SESSION MEETING ITEMS OF DISCUSSION**

### **Bolton Point Intermunicipal Agreement:**

The Bolton Point amendments to the Intermunicipal Agreement were discussed. Although they will not be formally voted upon until 2017 or even 2018, the Commission and all Member Municipalities are looking for an informal agreement in principle. The key change discussed was moving from a unanimous consent requirement to a

supermajority requirement for several decision-making and operational matters. The Town had no concerns with such a minor change in the governance model and thus unanimously agreed that the Town Supervisor should advise the Commission that the Lansing Town board agrees with all changes in principle, as requested.

Beardsley Proposal:

Discussion on the Beardsley proposal was had and key concerns were: (i) the scoping of possible projects and the uses being kept flexible and inclusive; (ii) ensuring alternatives and future options remain open depending upon current and future needs; and (iii) some minor legal concerns with the contractual provisions section of the proposal. Given input on the need for professional planning, capital planning, positioning the Town for consolidated grant and other funding, the need to identify what land and what amount of land needs to be retained for future recreational needs, as well as several other factors.

**RESOLUTION CONDITIONALLY APPROVING BEARDSLEY DESIGN ASSOCIATES PROFESSIONAL SERVICES AGREEMENT**

**RESOLUTION 16-150**

**RESOLUTION CONDITIONALLY APPROVING BEARDSLEY DESIGN ASSOCIATES PROFESSIONAL SERVICES AGREEMENT**

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

WHEREAS, for purposes of good planning, grant eligibility, consolidated funding procedures, and good governance the Town has examined and decided to pursue the development of master and capital planning for Myers Park and its facilities and management needs; and

WHEREAS, for the purposes of general recreation and open space use and preservation, the Town further desires professional advice on capital planning and long-term needs for the Town Center land; and

WHEREAS, Beardsley Design Associates Architecture, Engineering, Landscape Architecture, D.P.C. (“Beardsley”), is well qualified by skills and experience to examine existing and proposed future capital, funding, and recreational needs, and to provide turnkey services from professional analysis, planning, design, to procurement and construction services, including as such firm does capital and parks and recreational planning for the State of New York in several of its park regions, as well as for many other municipalities and municipal projects; and

WHEREAS, a scope of services proposal had been provided, was reviewed and updated by Town Staff and the Town Planner, and a new proposal was provided more fully and accurately scoping the project; and

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

RESOLVED, that the Beardsley proposal be and hereby is approved in an amount not to exceed \$15,000, subject to the final engagement terms being approved by Town Counsel and the parties to such agreement

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 Doug Dake - Aye  
Councilperson Katrina Binkewicz - Aye  
Supervisor Edward LaVigne - Aye

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

Generators:

Cricket presented upon the two generator projects: the 2+ year old highway barn industrial installation with a cost estimate of \$25,000; and the much younger residential-type Town Hall installation with a maximum price estimated at \$10,000. Discussion was had as to procurement requirements, prevailing wage requirements, and like matters. Counsel was directed to analyze and recommend a process.

**RESOLUTION APPROVING PROJECT #1 FOR PURCHASE AND INSTALLATION OF EMERGENCY BACKUP GENERATOR AT HIGHWAY BUILDING, FURTHER APPROVING PROJECT #2 FOR PURCHASE AND INSTALLATION OF EMERGENCY BACKUP GENERATOR AT TOWN HALL**

**RESOLUTION 16-151**

**RESOLUTION APPROVING PROJECT #1 FOR PURCHASE AND INSTALLATION OF EMERGENCY BACKUP GENERATOR AT HIGHWAY BUILDING, FURTHER APPROVING PROJECT #2 FOR PURCHASE AND INSTALLATION OF EMERGENCY BACKUP GENERATOR AT TOWN HALL**

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

WHEREAS, the Highway Department has long been examining and pursuing the installation of one or more back-up generators to keep the Highway Department functioning during times of emergency, including in accord with the Town's and the County's emergency response planning protocols, requirements, and recommendations; and

WHEREAS, a second project of similar purposes was identified in that the Town Hall would also need to be operational in an emergency; and

WHEREAS, the emergency planning committee and the Town Board have examined each of such projects, and the Highway Superintendent has done preliminary cost estimating noting that the scope, size, and nature of the projects are very different as the Town Hall needs a small residential-type generator to keep offices running, whereas the Highway Department needs an industrial installation given the welders and machinery that needs to be operational in a large facility of that nature; and

WHEREAS, and accordingly, the price of the Town Hall system is expected to be less than \$10,000 for the combined equipment and electrical installation, while the Highway Department project is expected to cost in the area of \$30,000 for goods and services combined; and

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

RESOLVED, that for Project #1, the Highway Superintendent be and hereby is authorized to acquire an appropriate generator for the Highway Building to obtain bids for the electrical connections for the same in compliance with the Town's Procurement Policies, at a price not to exceed \$25,000; and it is further

RESOLVED, that for Project #2, the Highway Superintendent be and hereby is authorized to acquire an appropriate generator for the Town Hall and to obtain bids for the electrical connections for the same in compliance with the Town's Procurement Policies at a price not to exceed \$10,000; and it is further

RESOLVED, that should any project cost be expected to exceed \$35,000 then the bids shall be procured by competitive bidding as required by General Municipal Law § 103, and should the total costs exceed \$40,000, then the matter shall be returned to the Town Board for further review, process, and consideration or approval.

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

Councilperson Andra Benson - Aye  
Councilperson Doug Dake - Aye

Councilperson Katrina Binkewicz - Aye  
Supervisor Edward LaVigne - Aye

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

Town Supervisor Edward LaVigne – Ongoing Projects:

Most of this time was spent discussing: (i) the need for the Board to spend time in December discussing the Town Hall roof and the springing of new leaks—the thought being that time for another patch and repair may be over and that a replacement roof might now simply be needed; and (ii) fund balances and a reminder that some of such funds were going to be invested in reserve funds, such as the technology fund.

**MOTION TO ENTER EXECUTIVE SESSION**

Supervisor Edward LaVigne moved to **ENTER EXECUTIVE SESSION TO DISCUSS A CONTRACT NEGOTIATION MATTER WHERE THE DISCLOSURE OF THE TERMS MAY AFFECT THE PRICE AND COST OF THE CONTRACT AT 8:35 PM.**

Councilperson Katrina Binkewicz seconded the motion.

All in Favor - 4                      Opposed - 0

**MOTION TO EXIT EXECUTIVE SESSION**

Councilperson Doug Dake moved to **EXIT EXECUTIVE SESSION AT 9:04 PM.**

Councilperson Katrina Binkewicz seconded the motion.

All in Favor - 4                      Opposed - 0

**ADJOURN MEETING**

Meeting adjourned at the call of the Supervisor at 9:05 p.m.

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

Respectfully submitted,

Deborah K. Munson  
Town Clerk