

**REGULAR TOWN BOARD MEETING**  
**June 21, 2017**

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:**

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

**ABSENT:** Robert Cree, Councilperson

**ALSO PRESENT:** Guy Krogh, Town Counsel, Charlie “Cricket” Purcell, Highway Superintendent, Mike Sigler, Tompkins County Legislator, Michael Long, Town Planning Consultant, Steve Colt, Director of Parks and Recreation, Cassandra Negley, Lansing Ledger, Ted Laux, Dave and Joyce Heck, Chris Williams, Walaa Horan, John O’Neill, Village of Lansing, Joseph Wetmore, Larry Fabbroni, Rocco Lucente, and a few other attendees.

**LANSING COMMUNITY LIBRARY REPORT – AMI STALLONE**

No report this month.

**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**  
**June 21, 2017**

Hello and thank you for having me in again. There’s a lot of news coming out of the county this month.

Tompkins County will purchase the Tompkins Trust Company building on the Ithaca Commons to house the History Center, along with other non-profits co-located at a heritage education center.

It was a unanimous vote. The goal is to have the building ready for History Center in January 2019. The county gave approval to spend up to \$2 million (\$400,000 below market value) on the purchase and another \$900,000 on improvement. There will be a campaign to fund the project privately with a goal of raising \$450,000. I want to thank our team and the Tompkins Trust Company team for making this happen. It took a lot of patience, but I think it will be well worth it.

In the wake of President Trump’s announcement seeking to withdraw the United States from the Paris Climate Change Agreement, the Legislature affirmed its support of United States participation in fighting global climate change, and continued local action.

The vote reaffirmed the County’s commitment to taking action to reduce climate pollution in line with its goal of reducing greenhouse gas emissions by at least 80% by 2050, and supports principles of the Paris Accords and participation of the U.S. as a party to that agreement.

We also approved a new Local Law adopting a permitted exemption under New York State Real Property Tax Law on infrastructure improvements made by a developer. The law provides a three-year abatement of County tax on the increase in value due to improvements made to public infrastructure (utilities and road), as long as the developer retains ownership of the newly subdivided lots. This could have a significant impact for Lansing as developers put in roads and infrastructure for their developments.

The Legislature went on record in support of proposed State legislation, advanced by Senator Pam Helming and Assemblywoman Barbara Lifton in response to the County's initiative, which would revise the criteria for State Urban Development Corporation transition funding for communities impacted by closure or diminished production of electric generating facilities, such as the local coal-fired Cayuga Power Plant. I want to thank Martha Robertson for pushing this issue with both the Senator and Assemblywoman after I brought it up at meetings over the past six months with the Senator and Assemblywoman. She asked I write the legislation on this and I got it to her in time for her to submit the bill and move this for a vote by our county before the state legislature ends its session. We are hoping this will pass before recess.

Also in power plant news, I support repowering the plant, no secret there. The Cayuga Operating Company released a poll showing Tompkins residents have broad and firm support across all demographic groups for the repowering of the coal plant to natural gas and renewable energy sources.

Residents surveyed were asked for their reaction to the following statement: "The Cayuga Operating Company is considering a plan to convert its power plant in Lansing from coal to natural gas without a public subsidy and also build a large solar farm on the property."

64% of voters are favorable to that idea, 21% are neutral, and just 11% have unfavorable attitudes, according to the poll.

Jerry Goodenough, VP of Development at the plants says "We envision a site that combines renewables, energy storage and repowering to natural gas and, ultimately, becomes an energy park where local manufacturing and other energy-intensive commercial operations would be located. We think Cayuga will be a model for how coal plants can become an important part of the energy transition underway in New York and the United States."

The Legislature approved two funding proposals from Tompkins Cortland Community College, approving a one-time discretionary supplemental appropriation of \$83,200 from the County's Contingent Fund to implement a Service Management Modernization Program during the coming academic year. The Legislature also supported the College's request to appropriate \$100,000 of its surplus funds to replace lost tuition-based revenue for the current academic year.

Also, the state cut \$19,000 from Meals on Wheels. The program was able to bridge \$6,000 of that cut and the county voted to make up the other \$12,000. With all the talk about the federal government cutting this program, it's a reminder that this funding ultimately comes from the state.

Lastly, this month was declared **LGBTQ+ Pride Month** in Tompkins County and a gay pride flag is now flying from the county flag pole.

Mike Sigler also reported the following:

Myers Park Road: The Lansing Highway Department did a great job on the road.

Crosswalk by Lansing Middle School: New York State installed crosswalk signs by the school. Mike has contacted New York State about putting rumble strips in by the school.

East Shore Drive: Mike contacted New York State requesting that the road be fixed due to deteriorating road conditions.

North Triphammer Road: The signs that display speed are currently temporary, but will be replaced with permanent signs run by solar power.

Corner of Asbury and East Shore Drive: The County will back fill the one side they own, where there is a drainage pipe.

Supervisor Edward LaVigne noted that East Shore Drive from Rogues Harbor will be paved starting in July.

Supervisor Edward LaVigne also passed along a thank you to Mike from Cayuga Solar for all his help.

Salt Mine: Mike attended a meeting at the Sailing Club in Ithaca and there are people wanting the salt mine closed and no mining under the lake. Mike talked to several employees at the salt mine and found out that a lot of the information given out at the meeting at the Sailing Club was incorrect.

**MOTION TO OPEN PUBLIC HEARING ON THE PROPOSED LOCAL LAW #6 OF 2017 – UPDATING AND AMENDING § 1210 OF THE LAND USE ORDINANCE TO AMEND THE PDA AND SITE DEVELOPMENT PLAN OF THE VILLAGE CIRCLE-VILLAGE SOLARS PDA**

Supervisor Edward LaVigne moved to **OPEN THE PUBLIC HEARING ON THE PROPOSED LOCAL LAW #6 OF 2017 – UPDATING AND AMENDING § 1210 OF THE LAND USE ORDINANCE TO AMEND THE PDA AND SITE DEVELOPMENT PLAN OF THE VILLAGE CIRCLE-VILLAGE SOLARS PDA** at 6:48 pm. Councilperson Doug Duke seconded the motion.

All in Favor - 4

Opposed - 0

**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 #6 OF 2017 – UPDATING AND AMENDING § 1210 OF THE LAND USE ORDINANCE TO AMEND THE PDA AND SITE DEVELOPMENT PLAN OF THE VILLAGE CIRCLE-VILLAGE SOLARS PDA** at 6:53pm. Councilperson Andra Benson seconded the motion.

All in Favor - 4

Opposed - 0

**MOTION TO OPEN THE PUBLIC HEARING ON THE ANNUAL STORM WATER REPORT**

Councilperson Doug Duke moved to **OPEN THE PUBLIC HEARING ON THE ANNUAL STORM WATER REPORT** at 6:54 pm. Councilperson Katrina Binkewicz seconded the motion.

All in Favor - 4

Opposed - 0

Town Counsel Guy Krogh noted this is a mandatory report on inspection and updates to the storm water systems.

A resident expressed his concern that the Myers Road upgrade will change the flow of water going down the hill.

Highway Superintendent Cricket Purcell noted there will be no extra water flow and with the improved pipes and gravel it makes the earth more permeable.

Councilperson Katrina Binkewicz added that with the gravel around the pipes this will allow trees to grow which will also absorb excess water.

**MOTION TO CLOSE THE PUBLIC HEARING**

All persons desiring to be heard, having been heard, Councilperson Doug Duke moved to **CLOSE THE PUBLIC HEARING ON THE ANNUAL STORM WATER REPORT** at 6:58 pm. Councilperson Katrina Binkewicz seconded the motion.

All in Favor - 4

Opposed - 0

## PARKS AND RECREATION REPORT – STEVE COLT

The following report was available as a handout.

### **Parks & Recreation Department**

6/21/17

### **Town Board Meeting**

#### RECREATION

- **The LBP and LSP** spring baseball and softball season ended on Saturday June 10<sup>th</sup> “Super Saturday”. Unlike most of the season, it did NOT rain and we got it in with good weather.
- **Baseball and Softball equipment** was turned-in after the June 10<sup>th</sup> games and our coaches did a great job getting everything back to us in good condition. Our volunteer coaches also did a great job coaching over 300 kids that were in the program this spring.
- **The summer Travel Season** has just started for baseball and softball. We have a lot of teams in action and all doing very well so far. We have three 10U teams, one 12U team, two 14U teams, one 16U team for baseball. We have a very good 12U softball team and a 14U softball team. We have nearly 120 youth players participating this summer with these teams.
- **The summer program recreation forms** continue to come in here at a very steady pace. Several of our programs are sold out. We have very diverse program offerings this year, and all are getting participants. Several of our programs start next week. Even though the school Pool is still down for this summer, most of the other school facilities that we like to use are available to us.
- **Late Summer and Fall Program flyers** have just been completed and will go into the schools this week, to ensure that all students get access to these programs. I typically follow up by using the schools email listing to promote these programs as well.

#### PARKS

- **Our Park crew** has done a great job getting the parks ready and looking good in the midst of what seems to be daily rain.
- **The swim area ropes** were installed yesterday and our Health Department inspection will be tomorrow. Pending that inspection and a good water test, we will open the swim area on Monday June 26<sup>th</sup>
- **The Lansing Community Council Fireworks** show is approaching (July 1). The band for this event is *Tailor Made*. The Lansing Varsity Football team will be involved with parking cars again this year.
- **The Lion’s Club BBQ** is set for the 4<sup>th</sup> of July along with a Lansing Bicentennial event at the North Cabin directed by Louise Bement.
- **Myers Park concert series** starts July 6<sup>th</sup> with *Small Town Shade*, a great regional Country band. We have a very strong line-up this summer. Let’s hope for good weather!!!!

Steve Colt stated the Health Department Inspection at the Park went well. He is waiting on the results of the water test and that will determine when the swimming area will open.

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

Cricket reported the following:

Road Improvements: They are going well.

#### **AGRICULTURE COMMITTEE REPORT – CONNIE WILCOX**

Connie was unable to attend the meeting, in her absence Mike Long reported the following:

Mike Long reported that the Town received a \$1,200 Community Celebration Grant for Agriculture History. Mike will be working with Town Historian Louise Bement and The History Center for a permanent display.

#### **COMPREHENSIVE PLAN UPDATE – CONNIE WILCOX**

Connie was unable to attend the meeting, in her absence Mike Long gave updates in his report.

#### **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. Additional changes required.
  - 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
  - Farm Day 2017 – Community Celebrations \$1,200 Grant awarded
- **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 height fall zone regulations.
  - Balloon site test / Visual Analysis TBD
  - Revised site plan – lowered tower to 95 height - submitted April 28, 2017 revisions.
  - **Public Hearing / Visual Simulations – May 22, 2017 mtg.**

- 239 Review Tompkins County Planning – submitted May 11, 2017- response TBD
- NYSEG letter re: fall zone / Requested May 22, 2017.
- SEQRA / Site Plan approval – TBD
- ZBA Fall Zone Area Variance required - TBD
- **Comprehensive Plan** – Town Board appointment of additional new members Jan 4, 2016
  - Committee Public Hearing – August 10, 2016----
  - Committee Final Document – approved Sept 14, 2016.
  - Town Board Resolution Sept 14, 2016 Thanking members for their service and requested Planning Board to review and give input on this document.
  - **Planning Board work sessions** – Sept, 12, Sept. 26, Oct 24, Nov 14, Dec 12, Jan 23, Feb 13, Feb 27, March 13, April 24, May 8, 2017, May 15, 2017, and June 12, 2017
  - **Finalize Comprehensive Plan version to Town Board**
  - **2 informational sessions planned TBD**
  - Town Board Public Hearing -TBD.
- **Village Solars / Village Circle – PDA Revision #3**
  - Increase 502 units to 572 units
  - SWPPP DEC Permit Modification – submitted
  - Planning Board mtg. May 8, 2017 update presentation.
  - Planning Board recommendation to Town Board – June 12, 2017 meeting.
  - **Town Board PDA amendment – Public Hearing June 21.**
  - Town Board PDA amendment July 19, 2017.
- **NYSEG – Cell Tower** (100 foot height) intersection of Peruville Rd at NYS Rt. 34
  - Transfer Substation, electrical relays. Site improvements
  - Preliminary sketch plan review – April 24, 2017 meeting
  - Recommended investigation of alternate sites – Town Highway Site?
  - Fall Zone issues (140 foot height required)
  - 239 Review – sent 3/23/2017
  - Public Hearing / SEQRA / TBD
- **Jennifer Minor – 24 Emmons Road – Site Plan**
  - Convert existing Barn to Residential Dwelling Unit
  - SEQRA / Site Plan approved May 8, 2017 meeting
- **Jay & Carol Engels / Estate of Eleanore Hunter - Scofield Road**
  - Minor Subdivision classification to reconfigure 3 existing lots – June 12, 2017
  - Public Hearing – June 26, 2017
  - Planning Board to review and approve – proposed June 26, 2017
- **“No Barks About It”** – Former Car Quest Building – 3114 N. Triphammer Rd.
  - **Site plan approval for the solid fencing proposed. – June 26, 2017.**
- **Cayuga Operating Plant – Proposed 18 Megawatt Solar Farm – \$25million** dollar investment
  - Press Conference Announcement – June 7, 2017
  - NYSERDA Grant applications - TBD
  - SWPPP / SEQRA Review - TBD
  - Site Plan Approval – TBD

Mike Long also reported the following:

CFA grant application workshop: Mike and Supervisor Edward LaVigne attended a workshop in Elmira on the unified application process. This is a great opportunity to submit an application for the Myers Park project; the due date is July 28, 2017.

Mike and Supervisor Edward LaVigne met with the Village of Cayuga Heights this week and agreed to formally approve the Memorandum of Understanding, which approves 33,050 gallons per day to go to the waste water treatment.

Supervisor Edward LaVigne thanked Bookkeeper Charmagne Rungay for processing the Gateway Application.

### **ENGINEER'S REPORT – DAVE HERRICK**

The following report was available as a handout.

1. Water System Planning and Maintenance
  - a. Town CWD, Extension 3: Buck Road, Conlon Road and Wilson Road Area:
    - Engineer's MPR is submitted for Town review and incorporates Ag & Markets recommendations and conditions.
    - The SEQR Full Environmental Assessment Form has also been drafted for Town review and action.
  - b. Town CWD, Extension 4: Drake Road:
    - Engineer's MPR has been updated and is submitted for Town review.
    - The SEQR Full Environmental Assessment Form has also been drafted for Town review and action.
  - c. Burdick Hill Pump Station
    - O'Connell Electric has submitted certificates of insurance to the satisfaction of the Town's Insurance Agent.
    - Subject to the Town Attorney's acceptance of the bonds, I recommend the Town Supervisor execute the Contract and the Notice to Proceed be issued.
    - The Contract Time is 120 days from issuance of the Notice to Proceed and there are liquidated damages for not completing the work with the allotted time.
2. Stormwater Planning and Maintenance
  - a. Salmon Creek Road
    - Preparing an illustrative plan for drainage improvements being installed by Town Highway Department.
3. General Engineering
  - a. Recreation Department Storage Building
    - Working with Town Departments to understand the extent of the building project and assist with design, code and procurement tasks.

### **PRIVILEGE OF THE FLOOR**

A resident addressed the Town Board regarding holding a public information session for the proposed sewer extension for the adjacent neighbors and neighborhoods that will be affected by the project. The resident also asked that a projection of increased expenditures to the Town for the roads that will be adopted during this process and a projected increase in expenses for the schools be available to the public.

A resident asked about any plans for Tompkins County Shared Services and how this will impact the Town of Lansing.

### **RESOLUTION ISSUING NEGATIVE DECLARATION UNDER SEQRA AND ADOPTING LOCAL LAW #6 OF 2017, AMENDING AND RESTATING SECTION 1210 OF THE LAND USE ORDINANCE TO UPDATE THE SITE DEVELOPMENT PLAN AND ZONING REGULATIONS FOR PDA #1, THE VILLAGE CIRCLE-VILLAGE SOLARS PLANNED DEVELOPMENT AREA**

Town Counsel Guy Krogh stated this will replace six old buildings with six new ones.

Town Counsel Guy Krogh reviewed the SEAF part 2.

**RESOLUTION 17-91**

**RESOLUTION ISSUING NEGATIVE DECLARATION UNDER SEQRA AND ADOPTING LOCAL LAW #6 OF 2017, AMENDING AND RESTATING SECTION 1210 OF THE LAND USE ORDINANCE TO UPDATE THE SITE DEVELOPMENT PLAN AND ZONING REGULATIONS FOR PDA #1, THE VILLAGE CIRCLE-VILLAGE SOLARS PLANNED DEVELOPMENT AREA**

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

WHEREAS, proposed local law #6 is a zoning change for PDA Zone #1, codified as § 1210 of the Town's Land Use Ordinance, as based upon updated project needs, a desire to increase passive solar radiation, and replace older buildings within the zone, all as more fully delineated in the application under review by both the Town and Planning Boards; and

WHEREAS, the Planning Board, Town Board, and Planning Department have been reviewing this matter since March, 2017, including the formal application submitted on April 9, 2017, and the Planning Board has, pursuant to planned development area ("PDA") regulations set forth in the Town's Land Use Ordinance, classified the proposed amendments and reviewed the same in light of the exiting site plans, PDA plat, and project development statue, and upon June 12, 2017, issued an approval with only two recommendations: to have the Town Board consider more clearly stating conditions relative to one of the three additional potential parking lots referenced in amendment #2; and to consider adjusting conditions relating to the adjusted timing for construction of the Community Center, and such adjustments have been made and classified as minor and non-material updates as they effected no regulatory or development plan changes and only amended existing controls and prior approvals; and

WHEREAS, input was also had from the Highway Department and the Department of Parks and Recreation relative to the updated development plan and the proposed consolidated and updated local law, particularly as relates to roadways, pathways, trails, community facilities, and the timing of build-out plans for the same and the Community Center, and such input was and remains reflected in the draft local law as previously delivered in draft to the Town and Planning Boards at the end of May and again upon June 9, 2017; and

WHEREAS, a County § 239 referral was made and an answer received upon April 28, 2017, whereby the County indicated that there were no anticipated negative inter-community or county-wide impacts occurring relative to the amended PDA site plans and plat, and the County was again contacted relative to this local law and advised that the matter had been reviewed and, as long as no material changes were to be made, the § 239 review reply already received in relation to this matter stood for the local law implementing the updated PDA development plan as well; and

WHEREAS, SEQRA environmental review of potential environmental impacts was undertaken on the record and findings duly made and a negative declaration issued as declared below; and

WHEREAS, a public hearing was duly held upon at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 21st day of June 2017, at 6:35 pm, and all testimony and evidence presented thereat, if any, was duly considered; and

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

1. This declaration is made in accord with Article 8 of the New York State Environmental Conservation Law and SEQRA regulations promulgated thereunder, and accordingly, the Town Board of the Town of Lansing, based upon: (i) its thorough review of the SEAF, and any and all other documents prepared and submitted with respect to this proposed action and its environmental review; (ii) its thorough review of the potential

relevant areas of environmental concern to determine if the proposed action may have any moderate or significant adverse impact on the environment, including, but not limited to, the criteria identified in 6 NYCRR § 617.7(c); and (iii) its completion of the SEAF, including the findings noted therein (if any, and which findings are incorporated herein as if set forth at length), and after consideration of the potential environmental impacts, including those reviewed in accord with 6 NYCRR § 617.7(c), the Town Board finds that the proposed action of approving the proposed local law will neither individually nor cumulatively have any moderate or significant negative environmental consequences or impacts 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.

2. A responsible officer of the Town Board of the Town of Lansing is hereby authorized and directed to complete and sign the determination of significance, confirming the foregoing Negative Declaration, which fully completed and signed SEAF and determination of significance shall be incorporated by reference herein.

3. Local Law Number 6 of 2017 be and hereby is approved and adopted in the form as presented to this meeting, and in such form “be it so enacted.”

4. In accord with the Municipal Home Rule Law, and 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).

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 21, 2017.

**TOWN OF LANSING LOCAL LAW AMENDING THE TOWN OF LANSING  
LAND USE ORDINANCE TO UPDATE AND AMEND § 1610 PER AMENDED  
DEVELOPMENT PLANS FOR PDA ZONE #1 – THE VILLAGE CIRCLE-  
VILLAGE SOLARS PLANNED DEVELOPMENT AREA**

**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK**

**LOCAL LAW NUMBER 6 OF 2017**

**Be it enacted by the Town of Lansing as follows:**

**SECTION 1:                      TITLE & APPLICATION; FINDINGS**

A. This Local Law shall be known as “Local Law Number 6 of 2017.” This Local Law amends the Town of Lansing Land Use Ordinance, by: (i) amending and superseding all prior local laws and amendatory local laws governing the Village Circle-Village Solars Planned Development Area (PDA #1), and by specifying the allowed land uses and related regulations for such PDA #1, including, without limitation, § 3 of Local Law #1 of 2013, Local Law # 4 of 2015, and Local Law #10 of 2016.

**SECTION 2:                      PLANNED DEVELOPMENT AREA #1 – THE VILLAGE  
CIRCLE-VILLAGE SOLARS PDA**

A. The Town of Lansing Land Use Ordinance sets forth the rules and requirements for PDA #1 at § 1610, and such § 1610 be and hereby is amended and replaced in its entirety to read as follows:

**§ 1610 PLANNED DEVELOPMENT AREA #1 – THE VILLAGE CIRCLE-VILLAGE SOLARS PDA**

1. PDA #1 shall use all definitions as are applicable to the Land Use Ordinance generally.
2. The allowed principal and supplementary or accessory land uses permitted within the PDA are as follows:
  - a. Uses permitted as of right include:
    1. Single family residential dwellings and multi-family dwellings not to exceed 24 units in any one structure or connected but independent structures.
    2. One or more leasing and rental offices.
    3. Indoor and outdoor recreational facilities, whether for public use or for profit (and specifically including within the Community Center).
    4. Traditional home occupations shall be allowed only where, in the determination of the Town Code Enforcement Officer, the following standards are met. All home occupations that exceed any one or more of these standards or requirements shall be permitted only after an approved site plan review is completed by the Town Planning Board:
      - i. Such operation, business, or trade is operated solely or principally by a full-time resident of the dwelling.
      - ii. No more than one additional person not residing at the premises is employed therein.
      - iii. No goods or products are publicly displayed or advertised for sale on the premises.
      - iv. There is no outside storage of goods, parts, or inventory.
      - v. No noise, dust, or objectionable odor is experienced beyond the dwelling where such use is conducted.
      - vi. The home occupation may not exceed the lesser of 300 ft<sup>2</sup> or 20% of the floor space of such dwelling.
      - vii. No signage for such home occupation may be displayed other than upon the residence structure, and only one such sign shall be permitted. The coloration of the sign must match that of the residence in question, the sign may only be two-dimensional in its geometrical aspects, and such sign may not exceed 12 ft<sup>2</sup> in total surface area.
  5. Accessory buildings, such as dog houses, storage sheds, patio covers, garages, gazebos, or other small structures clearly ancillary and related to dwelling uses are permitted when they meet the other requirements of these PDA regulations and the Land Use Ordinance.
  6. Self-service laundry facilities, but only (i) within the Community Center Building; or (ii) when located within a dwelling and the location and design make such facility non-observable from the building exterior.

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 as requested by NYSEG) near the north end of Village Place, as shown on the updated site drawings entitled “Revised Village Solars PDA, May 22, 2017” (the “Updated PDA Site Drawing”). Any other or future siting of utility facilities, as well as 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) hereof.

b. The following uses are permitted, but only upon the receipt of site plan approval by the Town Planning Board:

1. Small retail convenience stores and coffee/sandwich shops, including similar small-scale retail services.

2. Churches or other places of worship, convents, and parish houses.

3. Public or private libraries, museums, private and public schools and instructional centers, nursery schools, kindergartens, and day care centers.

4. Nursing, retirement and congregate housing or convalescent homes and medical clinics or professional offices located outside of a residential dwelling.

5. Youth centers.

6. Theaters and facilities for live indoor performing arts.

7. Uses in the Community Center Building, which include all allowed uses listed in § 1610(2)(a), self-service laundry facilities, restaurants, public and private health centers, public and private gymnasiums, business and rental offices for onsite operations or facilities, and up to 20 one bedroom and micro-unit apartments. The residences and Community Center Building itself are permitted as of right and without site plan review of approvals, but each individual commercial or non-residential use shall be subject to site plan review when sited within the Community Center Building, and thereafter whenever the nature of the approved commercial or non-residential use shall significantly change.

8. One rooming house/tourist home, not to exceed 2 suites, to be made available only to visitors of residents of the PDA.

9. One maintenance building for the storage of tools, supplies, parts, and other items needed to maintain residences, buildings, improvements, yards, buffers, and other elements of the PDA by the Developer.

10. Other than service lines typical to commercial and residential uses, all utility buildings and structures shall be subject to site plan review in each of the following circumstances: (i) regardless of size, if substantially relocated from areas where already approved within this PDA; (ii) whenever located above ground; or (iii) whenever such siting shall disturb or use in excess of 100 ft<sup>2</sup> of land area or propose a shed, cabinet, housing, or other structure in excess of 100 ft<sup>2</sup>.

3. Yardage requirements and set-back requirements, density, building and structure height, and coverage regulations are as follows:

a. All building and structure setbacks, excluding roadways and pedestrian walkways and trails, shall be at least 25’ from the exterior boundary lines of the PDA. Other internal PDA set-back and yardage requirements shall be as set forth in the Land Use Ordinance for R2 zones.

- b. Density regulations or requirements are allowed per the development plans and all parcels within the PDA shall maintain 40% minimum open space standard; similarly the entire PDA parcel shall also have a minimum 40% open space standard.
  - c. Buildings shall not exceed 3 stories and no building or structure shall exceed a height of greater than 45 vertical feet measured from the finished grade to the highest point on a flat or mansard roof and to the average height of a pitched, gabled, hip or gambrel roof. On a hillside or sloped lot or site the finished grade should be considered as the average finished grade on the uphill side of the structure.
4. No additional buildings shall be permitted within this PDA/zone without site plan review unless the same is a defined accessory structure with less than 100 ft<sup>2</sup> of overall floor and foundational space. For the purposes of clarity an 8' x 8' structure with 2 floors would require site plan review as it would have 128 ft<sup>2</sup> of combined floor/foundational space.
  5. A maximum total of 572 dwelling units shall be permitted within the PDA, each as sited and located substantially where indicated upon the updated PDA plat and site plan narrative dated May 22, 2017, showing the configuration and reconfiguration of project phases and the replacement plans pertaining to the removal of, and reconstruction of new facilities thereupon, as follows: (i) building numbers 2, 22, 102, 116, which are to be reconstructed upon similar footprints as existing buildings that are to be removed; and (ii) buildings K, L, M and 36 and 117 to be reoriented and relocated to have passive insolation benefits and conform to the overall PDA plan as set forth upon and in the updated PDA plat and site plan narrative dated May 22, 2017, which amends and supplements a prior approved narrative of March 30, 2017. In the event of any conflict between this § 1610 and any narratives, such conflict shall be resolved by giving weight in the following order: first to this § 1610; then to the May 22, 2017 narrative; and then to the March 30, 2017 narrative, application, and related materials.
  6. Roadway, parking, trail, and pathway requirements are as follows:
    - a. There shall be a minimum 1.25 parking spaces provided for each residential dwelling, and such parking shall be adjacent or near to such residential dwelling(s). Notwithstanding this rule, the parking area shown to the north of Building #116 (one of the 3 parking areas referred to below in subsection 6(e)(4)) shall not be, or be required to be built, unless there is a demonstrated need for the same and approval is therefor given by the Code Enforcement Officer.
    - b. Non-residential facilities shall have a minimum of 2 parking spaces for each 250 ft<sup>2</sup> of floor area, and such parking shall be adjacent or near such non-residential facility; however, and except that, the Community Center Building shall have a minimum of 30 parking spaces.
    - c. All parking spaces shall have a minimum width of 8.5', a minimum depth of 18', and a minimum vertical clearance height of 7', except handicapped and impaired parking spaces, which shall conform to all code and legal requirements in terms of the number of spaces, their location, and the minimum dimensions thereof.
    - d. All sidewalks and pathways shall be constructed pursuant to the approved plat and design for the PDA, including all building-to-building walkways, the perimeter exercise trail, the amenities trail, and the main community trail.
      1. Sidewalks in front of buildings, sidewalks that service building entrances and exits, and sidewalks connecting buildings to principal parking areas shall be: (i) a minimum of 4" thick by 5' wide; (ii) constructed of concrete; and (iii) built to match existing concrete walkways in front of existing buildings A, B, C, D, E, G and H.

2. Other trails and walkways shall be: (i) built of packed, crushed stone; (ii) generally 6" thick and 4' wide; and (iii) built to match the as-built walkways in Phase I and Phase 2.
  3. All sidewalks and walking trails and paths shall be maintained by the landowner, including snow and ice removal, remediation of defects and hazards, and routine maintenance, repairs, upgrades, and replacements of the same. All pathways and trails shall be maintained in a condition that is fit and safe for their intended uses.
  4. With the exception of main trails described in subsections 5 and 6, below, all pathways and trails shall be private to the Developers, but public use thereon shall be permitted.
  5. The East-West main 8' wide trail shall be blacktopped and accessible to the public. Once any town trailway is connected to the main East-West trail the said trail shall be dedicated to the Town either by easement or in fee (in the sole discretion of the Town).
  6. The main North-South trail connecting the site to Warren Road shall also be blacktopped (when built) and accessible to the public, and once connected to other off-site trails it too shall be dedicated to the Town either by easement or in fee (in the sole discretion of the Town).
- e. All roadways, driveways, and parking lots shall be engineered, designed, constructed, and maintained in such manner as to permit the safe passage of fire trucks and other emergency vehicles, and at all times there shall be at least two accessways for emergency vehicle ingress and egress to all areas and buildings within the PDA. In addition:
1. Prior to dedication and acceptance by the Town, all roads proposed for dedication shall be upgraded and constructed to the Town of Lansing roadway specifications applicable in the year of dedication.
  2. All private roads, driveways, and parking lots shall be constructed with a minimum of 1' of crushed gravel and 6" of crushed stone with a natural or stone and oil finish.
  3. Within 90 days of the date of adoption of this amended § 1610 the Developer shall dedicate a 60-foot right of way and easement for a potential future road or transportation corridor within the PDA linking Dutch Mill and Village South roads.
  4. Up to three additional parking lots, as shown in the updated PDA plat and site plan narrative dated May 22, 2017, 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. The parking lot just north of Building #116 shall be subject to the requirements of subsection 6(a), above.
  5. Parking near the Community Center (Building F) may be paved or otherwise improved as required or desired to facilitate parking, impaired accessibility, and access to such facility.
- f. A bus stop and enclosed shelter is permitted and shall be constructed within the PDA in a location approved by the Code Enforcement Officer near or in proximity to the Community Center Building as set forth in such plans, once the population of the PDA would support the same and once TCAT agrees that a bus route may extend into or through the PDA.

7. Landscaping plans and buffering requirements, including as shown in the May 22, 2017 Landscape Plan, are approved as set forth in the project plans, including the planting of buffering and screening vegetation, shade trees, and other plantings, each with only native vegetation (i.e., no exotic or invasive non-native species shall be permitted). A minimum landscaped buffer of at least 15' shall be preserved or developed and maintained around the perimeter of the PDA (and such buffer may be located partly or wholly within required setback limits). All plantings shall be maintained by the Developer and replaced with similar vegetation whenever a plant or tree shall die or become diseased or fail of its purpose relative to providing screening or buffering.

8. All building materials shall meet New York State Building and Energy Codes, and all buildings shall follow and similar complimentary architectural design and coloration. Only muted shades of blue, green, and natural colors are permitted for building exterior finishes. All rooflines and dormer and peak angles shall be similar in their angle and slope as to create a homogenized project "look and feel." All buildings and structures shall be sight buffered and screened per the planting plans approved for the PDA. All buildings shall be oriented towards the sun and sited to maximize solar exposure and natural light penetration of building envelopes so as to increase heating efficiency and decrease energy usage as set forth in the plans for the PDA. Rooftops and other suitable sites shall be available for solar access for photovoltaic or solar thermal systems, where appropriate and where structures permit such loading.

9. Lighting shall only be in locations of approved lighting poles and plans, plus any security or passage lighting for buildings. All lighting and lighting fixtures shall be shielded and designed so as to avoid glare upon adjacent properties. The lighting plans and selected LED lumières and fixtures set forth in the May 22, 2017 plans are approved, and any additional or different lighting, including any new or different lighting plans of fixtures, shall be subject to the approval of the Code Enforcement Officer, which approval may issue once the lighting plans and fixtures selected meet the IDA certification requirements for business/residential lighting.

10. No signs, other than entry signs, traffic signs, street signs, or directional signs are permitted, except the following:

- a. Non-residential facilities may have no more than 2 signs, the combined size of which shall not exceed 90 ft<sup>2</sup> and both of which must be located upon the building.
- b. Home occupations may have signage, as set forth above.
- c. Small traditional directional signage to identify the location of parking facilities, to designate handicapped and impaired parking facilities, and to identify trash, recycling, and related facilities.
- d. Interior building signage is permitted in the Community Center Building and other public-use buildings to identify facilities or allowed businesses and uses.
- e. A large project sign is allowed on the west side of the Community Center Building, but it may have only 2 significant display surfaces and may not exceed 350 ft<sup>2</sup> in surface area upon any one side.

Any additional or different signs, including any new or different signage or signage plans, shall be subject to approval pursuant to site plan review by the Planning Board.

11. The following requirements apply to the provision of water services, sewer services, and stormwater within the PDA:

- a. Water & Sewer – No building permits shall be issued unless the plans therefor comply with law and there is demonstrated compliance herewith, including verification of sewer and water capacities to serve the PDA. Usage is capped at 572 units (or equivalent) unless subjected to further review by the Town. All sewerage services are similarly capped, and all such services remain subject to the terms of the "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.

b. Water & Sewer Dedication - All waterlines and appurtenant infrastructure shall be dedicated in a form as approved by the Town, along and together with accompanying easements and rights-of-way to the CWD. Similarly, all sewer lines and appurtenances shall be dedicated to the Town or any applicable sewer district or improvement area, together with accompanying easements in a form as approved by the Town. The Developer shall submit as-built maps or surveys as required by Bolton Point and the Town showing the location and basic descriptive parameters and elevations of all improvements so installed, and all such dedications shall occur after construction and installation, after all permits have been obtained, after all permit conditions are duly met, including permits from the Tompkins County Health Department. All such water and sewer lines and appurtenances shall be subject to inspection and testing and be in operational condition at the time of dedication.

c. Stormwater - No certificates of occupancy or compliance (a "CO") shall be issued until after stormwater plans and the SWPPP are duly approved by the Town and NY SPDES permits are issued. If any project or construction plans change then updated permits and SWPPP calculations are required to be submitted to and approved by the Town and the NYS Department of Environmental Conservation.

d. All permanent stormwater facilities and permanent practices shall be required to be substantially constructed, duly inspected, and functional as of the date of issuance of the CO for that particular phase or building, and all stormwater facilities and permanent practices, once built, functioning, inspected, and approved, shall be either dedicated to the Town (or any drainage district formed for this PDA) or made the subject of a stormwater management agreement is duly executed by the Developer in a form acceptable to the Town. The determination as to whether to use or proceed by dedication or pursuant to the use of a stormwater management agreement, or some combination of both, shall be made by the Town in its own and sole discretion.

12. Except for the Community Center Building, other community buildings, and the rental offices, residential uses within the PDA shall not be mixed within any one building or structure with any non-residential uses. As to the Community Center Building and other community facilities:

a. The Community Center Building shall be substantially completed by December 31, 2020 and, until substantially complete, only 3 of the 5 building permits for major or large buildings demarked in Phase 4 (Buildings #36, #117, K, L and M) shall issue, and the remaining 2 building permits shall not be issued until the certificate of occupancy is issued for the Community Center Building.

b. The other community facilities set forth in the development and landscape plans, including but not limited to shared yards, courtyards, trails, pathways, community grills, outdoor community recreation areas, and community fire pits shall be constructed as needed within each phase of the development.

c. In the event of any ambiguity the development plan shall control, and each phase shall be fully completed before the next phase begins substantial construction, including all such public infrastructure and supporting facilities within such phase. In all circumstances, all public infrastructure and supporting facilities shall be constructed and substantially installed and completed within one year of the date the last CO is issued for any main building within each phase.

d. If the requirements of subparagraphs a, b and c above are not met, then no additional building permits shall be issued until compliance with such requirements is demonstrated.

13. All wetlands and significant natural features shall be preserved and enhanced in accord with the development plans.

14. The updated PDA plat, Landscape Plan, and site plan narrative dated May 22, 2017 outline the proposed phasing of the project. The development of the Allowed Build-Out Limit are hereby authorized and allowed, subject to all approvals, permitting, and stormwater requirements, each where applicable or as required.

15. Any proposed use not specifically herein allowed is expressly prohibited. Any future plan or proposal not here specifically allowed is prohibited unless an amendment to the zoning and development plan are approved through the applicable site planning, special permitting, or variance procedures as outlined in the Land Use Ordinance. In no event may the open space percentage of 40% be reduced; such open space measurement to be expressed as a percentage of land that is undeveloped by buildings or impervious surfaces as compared to the total acreage of the PDA as based upon its boundaries as defined below.

16. All outdoor recreational uses shall be for passive and non-motorized recreation. Auxiliary uses relating to such recreation, such as exercise areas, tennis courts, basketball courts, ball fields, gardens, trails, and small covered or stone-paved cooking and picnic pavilions or similar facilities, shall be permitted.

17. The Developer may for good cause request a waiver from the requirements of this Article and this § 1610, including for the obtaining of building permits (or certificates of compliance or occupancy) earlier than would otherwise be authorized hereunder, by applying for such a waiver to the Town Board. If such a waiver is granted, the Town Board may impose such reasonable conditions upon the waiver as it may deem appropriate. The Town Board may, but is not required to, approve any such waiver if the Town Board finds that:

a. The plans for the water or sewer lines and appurtenances have been approved by all applicable agencies and are or have been built and duly dedicated, together with necessary access and other easements, and that the SWPPP and stormwater requirements have been adequately addressed.

b. There would be a substantial hardship to one or more individuals to delay construction or certificate issuance absent such waiver, and such hardship was not self-created.

c. There is proof provided to the Town that there is adequate financial support available to the Developer to complete the work, such proof being in the form of a dedicated escrow account, performance bond, letter of credit, or other proof satisfactory and acceptable to the Town as based upon the recommendations of the Town Engineer and the Attorney for the Town.

d. Such waiver is the minimum variation from the requirements of this Article or § 1610 as would remediate or lessen such found hardship.

18. The area encompassing current TPN 39.-1-34, located within the PDA on the Village Circle side of the plan shall be allowed to be appended to and consolidated with TPN 38.-1-38.3 (or other adjacent parcel(s)) and included in the Village Solars side of the development plan.

19. The area encompassed and rezoned in accordance with this § 1610, and which is governed hereby, is described as follows: Being Town of Lansing Tax Parcel Numbers 39.-1-38.7; 39.-1-38.9; 39.-1-38.10; P/O #39.-1-32.2; P/O #39.-1-38.2, all as more particularly described as the land within the following described boundaries:

Beginning at a point marked by a found iron pin located at the northeasterly corner of lands now or formerly of the Town of Lansing (592/709), as shown on a Survey Map entitled "Village Circle Village Apartments/Village Solar PDA Boundary Survey Map," as dated March 5, 2013 and drawn by Lawrence Fabbroni (NYSPE 51734, NYSLS 49682) (hereinafter, the "Survey Map"); and thence proceeding

N 14° 40' 08" E a distance of 300.73' to a point, such point being located at the northwesterly corner of lands now or formerly of Kaida Computer Technologies LLC (#521821-001); and thence proceeding

S 75° 43' 15" E a distance of 8.50' to a point located in the northerly property line of said Kaida Computer Technologies LLC; and thence proceeding

N 14° 34' 20" E a distance of 570.01' to a point in the southerly property line of lands now or formerly of Rocco P. Lucente (#510428-001), said course also partly running along easterly property lines of lands now or formerly of Lucente Holdings Inc. (867/94 and 837/266); and thence proceeding

S 75° 43' 15" E a distance of 201.60' to a point marking the southeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 14° 34' 20" E a distance of 260.73' to a point marking the northeasterly corner of said lands of Rocco P. Lucente (#510428-001); and thence proceeding

N 75° 46' 45" W a distance of 1,132.12' to a point marked by a set iron pin in the southerly property line of lands now or formerly of Rocco Lucente (580/702), said course passing along the southerly property lines of lands now or formerly of Lee (CD2509/6727), Ivy Bridge, LLC (#592211-002), and Rocco Lucente (580/702); and thence proceeding

N 75° 45' 27" W a distance of 169.07' to a point in the southerly property line of lands now or formerly of Hopkins (908/276), said point being also the northeasterly corner of lands now or formerly of Lucente Holdings, Inc. (CD2512/1241), and said course passing along the southerly property lines of lands now or formerly of Rocco Lucente (580/702) and said Hopkins (908/276); and thence proceeding

S 14° 31' 26" W a distance of 100.00' to a point marking the southeasterly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), said course being also the easterly line of said lands of Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

N 75° 45' 27" W a distance of 150.14' to a point in or near the centerline of Warren Road, said point also being the southwestly corner of lands of said Lucente Holdings, Inc. (CD2512/1241), and said course being the southerly property line of said Lucente Holdings, Inc. (CD2512/1241); and thence proceeding

S 14° 31' 26" W a distance of 968.10' along or near the centerline of said Warren Road to a point, such point being also the northwesterly corner of lands now or formerly of Bracco (#457019); and thence proceeding

S 75° 37' 57" E a distance of 150.16' to a point located at the northeasterly corner of lands of said Bracco (#457019), said course being the northerly property line of said Bracco (#457019); and thence proceeding

S 14° 31' 26" W a distance of 310.00' to a point marking the southeasterly corner of lands now or formerly of Lane (733/314), said course running along the westerly property lines of lands of said Bracco (#457019) and Lane (733/314); and thence proceeding

S 75° 37' 57" E a distance of 889.01' to a point marking the southwestly corner of lands now or formerly of the Town of Lansing (592/708), said course passing along the northerly property lines of lands of Kaida

Computer Technologies LLC (##488698-001, 471363-001, and 523357-008); and thence proceeding

N 14° 40' 08" E a distance of 250.00' to a point marking the northwesterly corner of said lands of the Town of Lansing (592/708), said course passing along the westerly boundary of said lands of the Town of Lansing (592/708); and thence proceeding

S 75° 37' 57" E a distance of 200.00' along the northerly property line of said lands of the Town of Lansing (592/708) to the point and place of beginning, all as more particularly shown upon the Survey Map, a copy of which is in file at the Town of Lansing Town Clerk's Office.

20. The Developer assumes sole responsibility for the development and its worksites and all related or adjacent areas and lands and agrees to assume all responsibility for any injury or damage that may or does occur as a result of any excavation, construction, or related work. The Developer, to the fullest extent permitted by law, shall indemnify and hold the Town of Lansing harmless from and against any, each, and all losses, actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity (all together hereafter, "Claims"), including, but not limited to, reimbursement to the Town of Lansing any amount expended for any and all experts', consultants', attorneys' and engineering fees and expenses arising from or in relation to any Claim. The Town of Lansing shall not be liable or responsible for any injury to persons or damage to property due to any acts or failures to act unless it is proven to a reasonable degree of certainty that such injury or damage was solely caused by a willful or intentional act of the Town of Lansing.

21. The Town of Lansing Zoning Map is hereby amended to incorporate the location and boundaries of PDA #1.

22. The Developer may subdivide (and rejoin or consolidate) the PDA parcel into separate or differing tax parcels to assist in the delineation of project phasing, tax management issues, and financing for project development. In each such case, suitable cross-easements shall be implied, required, and provided for access and common use of project facilities, and such proposed subdivision and line locations shall be subject to review and approval by the Town Board. Once approved by the Town Board, the Town Code Enforcement Officer may seal such map for filing with or delivery to the County Clerk or Assessor's Office.

**SECTION 3: SEVERABILITY; INTERPRETATION**

If the provisions of any article, section, subsection, paragraph, subdivision, or clause of this Local Law shall be adjudged invalid by a court or other tribunal of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law. Any such invalidity shall be confined in its operation to the clause, sentence, paragraph, section or article thereof directly involved in the controversy in which such order or judgment shall have been rendered. Section and other headings are for reference and convenience only and shall not be deemed or construed to limit or define the requirements of clauses set forth thereunder.

**SECTION 4: EFFECTIVE DATE**

This Local Law shall be and become effective immediately.

**RESOLUTION APPROVING 2017 ANNUAL STORM WATER REPORT**

**RESOLUTION 17-92**

**RESOLUTION APPROVING 2017 ANNUAL STORM WATER REPORT**

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

WHEREAS, the Town’s Annual Storm Water Report is prepared and due for the required annual review pursuant to Local and State Laws and related regulations; and

WHEREAS, a copy thereof was timely filed in the Office of the Town Clerk for public review; and

WHEREAS, a Public Hearing was held at the Lansing Town Hall, 29 Auburn Road, Lansing, New York, being in the Town of Lansing, on the 21st day of June, 2017, at 6:37 PM, to consider the Annual Storm Water Report, and all persons interested in the subject thereof were duly heard, and a summary and review thereof was duly had; and

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

RESOLVED, that the 2017 Annual Storm Water Report be and hereby is approved, and once placed into its final form for submission to NYSDEC by the Town’s Stormwater Management Officer, said report may be signed and certified by the Town’s Stormwater Management Officer, by, for, on behalf of and in the name of the Town of Lansing, and the same shall be thereafter duly filed with the NYSDEC.

The question of the 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 June 21, 2017.

**RESOLUTION AUTHORIZING SALE OF TOWN CENTER PARCEL E TO LANSING COMMUNITY COTTAGES, LLC**

Supervisor Edward LaVigne stated that this is an agreement to buy the land.

Supervisor Edward LaVigne noted that Tiny Timber’s builds small houses. He stated the medium size house is 1,200 square feet and the average cost is between \$175,000 and \$225,000. Supervisor Edward LaVigne reported the need for housing is for first time homebuyers and people looking to retire. He stated they will start out with 10 houses with a goal of 60. Supervisor Edward LaVigne noted this is not affordable housing, it’s housing you can afford.

Councilperson Katrina Binkewicz noted the houses will be bundled with collective parking, green space for common use, and they will be on their own individual septic’s.

Town Counsel Guy Krogh stated that this is all subject to Planning Board approval.

Town Counsel Guy Krogh noted this is more affordable because the homebuyer can go through the HUD first time Homebuyer Program and the amount of money they save is matched by a grant.

**RESOLUTION 17-93**

**RESOLUTION AUTHORIZING SALE OF TOWN CENTER PARCEL E TO LANSING COMMUNITY COTTAGES, LLC**

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

WHEREAS, in January of 2017 the Town Board revisited and reissued a RFP for Town Center Development with an updated concept plan, all with the intent to augment

development, affordable housing, and other goals as set forth in such RFP and in the Town’s Comprehensive Plan documents; and

WHEREAS, the Town’s Planner has undertaken an update and review and a committee was appointed to review several offers and proposals that were delivered, and while each such proposal is moving forward at a differing pace, Lansing Community Cottages, a local consortium that plans to build a PDA-based community of micro housing units with open space and other amenities, has made an offer for Parcel E, a parcel identified in the RFP, for \$51,920; and

WHEREAS, a contract and relevant terms of sale have been developed and negotiated to allow the developer to obtain site rights to develop and review plans for site development, financing, and market analyses, and the Town has selected Lansing Community Cottages as the developer for Parcel E and desires to sell to such company the land so identified upon the terms as set forth in such contract; and

WHEREAS, the proposed near-final form of the contingent purchase agreement has been presented to the Town Board at this meeting and has been reviewed and, accordingly, after due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that such contract of sale be and is hereby approved in substantially the form as presented and, subject to approval of the final form thereof by the Town Supervisor upon the advice and consent of the Town Attorney, such contract be and hereby is approved, and the Town Supervisor be and hereby is authorized to execute the same by, for, on behalf of, and in the name of the Town of Lansing; and it is further

RESOLVED, that this Resolution be and hereby is subject to permissive referendum as required by Town Law § 64 and Town Law Article 7, and the Town Clerk is directed to publish a compliant notice of permissive referendum within 10 days of the adoption hereof.

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

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

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 21, 2017.

**RESOLUTION HIRING PART TIME SEASONAL EMPLOYEES FOR PARKS & RECREATION FOR THE TOWN OF LANSING**

**RESOLUTION 17-94**

**RESOLUTION HIRING PART TIME SEASONAL EMPLOYEES FOR PARKS & RECREATION FOR THE TOWN OF LANSING**

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

WHEREAS, there is a need for a Laborer, Lifeguard and Recreation Assistant positions at the Town of Lansing; and

WHEREAS, said positions have been classified and deemed as a Civil Service Laborer, Lifeguard and Recreation Assistant, positions by the Tompkins County Department of Personnel; and

WHEREAS, Kristen Morse has been identified as a qualified Laborer candidate; and

WHEREAS, Karl (Will) Czymmek, Madeline Czymmek, Grace Ferris, John Koch, Carlyn Matheny, Meghan Matheny, Rochelle Matheny, Krista Taylor and Luke Winslow have been identified as qualified Lifeguard candidates; and

WHEREAS, Daniel Cheatham, Lauren Fish, Emily Gallagher, Hailey Georgia, Devin McCartney, and Emily Quigley have been identified as qualified Recreation Assistant candidates; and

WHEREAS, the Town of Lansing Supervisor has recommended that all of the above positions be filled at the Town of Lansing; and

WHEREAS, upon a review and discussion of the matter, the Town Board of the Town of Lansing has hereby:

RESOLVED, that effective June 6, 2017, **Kristen Morse** at a rate of \$9.70 per hour, be and hereby is approved to be employed as Laborer, in the Town of Lansing; and it is further

RESOLVED, that effective June 23, 2017, **Karl (Will) Czymmek, John Koch, and Luke Winslow** at rate of \$10.00 per hour, **Meghan Matheny and Krista Taylor** at rate of \$10.50 per hour, **Madeline Czymmek and Grace Ferris** at rate of \$11.00 per hour, **Rochelle Matheny** at rate of \$12.00 per hour, and **Carlyn Matheny** at rate of \$13.50 per hour, be and hereby are approved to be employed as Lifeguards, in the Town of Lansing; and it is further

RESOLVED, that effective June 23, 2017, **Lauren Fish, Emily Gallagher, Hailey Georgia, and Emily Quigley** at rate of \$10.00 per hour, **Devin McCartney** at rate of \$10.50 per hour, and **Daniel Cheatham** at rate of \$13.50 per hour, be and hereby are approved to be employed as Recreation Assistants, in the Town of Lansing; 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 the 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 June 21, 2017.

**RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF UPDATED MEMORANDUM OF UNDERSTANDING FOR SEWER CAPACITY AND TRANSPORTATION STUDIES FOR EXPANDED TREATMENT CAPACITY IN THE TOWN OF LANSING**

Supervisor Edward LaVigne stated the new agreement is based on 33,050 gallons per day. He noted the Memorandum of Understanding is a shared service for the Town of Lansing, Village of Lansing, and Village of Cayuga Heights. Supervisor Edward LaVigne reported this is set up for three parcels (The Rink, English Village, and Cayuga Farms) and if they are under capacity the sewer service can be expanded to other properties. He stated the Flowmeters will be upgraded to measure the actual usage of flow into the pipes, not just the water consumption.

Mike Long reported the 33,050 gals per day is set up for the three parcels – a first phase in the evaluation of the Village of Cayuga Heights system.

Supervisor Edward LaVigne reported the developers will pay for the pipe and infrastructure.

Mike Long noted the Memorandum of Understanding Agreement is just the first step for the Town of Lansing, Village of Lansing, and Village of Cayuga Heights. He stated step two will be the design to figure out how big the pipes should be and the cost.

Supervisor Edward LaVigne reported this is just the Memorandum of Understanding; it's not a contract. He noted there will be a Public Hearing later. Supervisor Edward LaVigne stated this is a revised Memorandum of Understanding which is no longer based on units, it is based on gallons. He noted the Village of Cayuga Heights is now driving this.

Councilperson Katrina Binkewicz read aloud the Memorandum of Understanding.

#### **RESOLUTION 17-95**

### **RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF UPDATED MEMORANDUM OF UNDERSTANDING FOR SEWER CAPACITY AND TRANSPORTATION STUDIES FOR EXPANDED TREATMENT CAPACITY IN THE TOWN OF LANSING**

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

WHEREAS, the Town is party to an "Intermunicipal Wastewater Transportation and Treatment Agreement," by and between the Town of Lansing (including on behalf of its sewer districts) and the Villages of Lansing and Cayuga Heights, dated March 8, 2010 (the "Agreement"), and such Agreement governs the terms and conditions of sewer transportation and treatment services for the Town of Lansing and its sewer districts, including effluent rules and inspection protocols; and

WHEREAS, while such Agreement was initially designed to cover the Cherry Road Sewer District and the Warren Road Sewer District Extension, the capacity parameters have had to be updated periodically given the needs and demands of the Town, especially as the Warren Road area expands and grows, and a longer-term look at capacity and transportation issues was deemed needed, all with an eye towards expanding service capabilities, as duly envisioned in such Agreement at Paragraph 4, and verifying the infrastructure needs and capacities of existing systems, as well as developing upgrades as needed to handle continued growth and demand in the Northeast part of the county; and

WHEREAS, the parties have examined the feasibility of expanded district and general services in the Town of Lansing, including as pertains to particular lots and projects in the Warren Road and Triphammer Road corridors, and have determined that a base memorandum was the proper first step to take to help outline the feasibility and engineering issues that will need to be addressed and undertaken to assure services and the transportation and treatment capacities of all systems, from Town residents already connected, to flow capacities in the Village of Lansing, to treatment capacities at the Village of Cayuga Heights plant; and

WHEREAS, the Memorandum of Understanding ("MOU") is geared towards feasibility and costs studies and does not itself authorize or permit the creation of any infrastructure or new sewer districts or service areas such that it is a Type II Action under SEQRA, and such MOU was previously authorized by the Town but has since been amended by the Village of Cayuga Heights and needs to be re-signed; and

WHEREAS, after due consideration and deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Supervisor be and hereby is authorized to execute the amended MOU by, for, on behalf of, and in the name of the Town of Lansing and its sewer districts; and it is further

RESOLVED, that the Supervisor be and hereby is authorized to make, negotiate, and execute amendments and changes to such MOU, as well as any further amended or updated MOU, upon such terms as shall be determined to be in the best interests of the Town relative to beginning the feasibility studies proposed by such MOU.

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 Doug Duke – Aye	Supervisor Edward LaVigne – Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 21, 2017.

**RESOLUTION AMENDING CONSOLIDATED ABSTRACT #005 RESOLUTION 17-90, TO CORRECT CLERICAL ERROR**

**RESOLUTION 17-96**

**RESOLUTION AMENDING CONSOLIDATED ABSTRACT #005 RESOLUTION 17-90, TO CORRECT CLERICAL ERROR**

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

WHEREAS, the Town Board of the Town of Lansing does hereby amend Resolution 17-90, Correcting clerical error in Consolidated Abstract #005. The file was not saved before e-mailing to the Town Clerk and as a result the dollar amounts in Consolidated Abstract #005, as presented at the May 17, 2017 Town Board meeting, were actually from April 19, 2017. All of the vouchers were reviewed by Councilperson Andra Benson and Supervisor Edward LaVigne and the intent was to pay all of them; and

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

RESOLVED, that the Corrected Consolidated Abstract #005, as presented here, replaces the incorrect Consolidated Abstract which was presented at the May 17, 2017 Town Board meeting;

**CONSOLIDATED ABSTRACT # 005**

DATED	<u>5/17/2017</u>
AUDITED VOUCHER #'s	<u>330 - 419</u>
PREPAY VOUCHER #'s	<u>330 – 330</u>
AUDITED T & A VOUCHER #'s	<u>32 - 40</u>
PREPAY T & A VOUCHER #'s	<u>32 - 36</u>

<u>FUND</u>		<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND	(A&B)	\$ <u>123,952.71</u>
HIGHWAY FUND	(DA&DB)	\$ <u>98,305.28</u>
BONE PLAIN WATER TANK PROJECT	(HB)	\$ <u>0.00</u>

DRAINAGE DISTRICTS (SDD1, 2, 4, 5, 6, 7, 8)	\$	<u>0.00</u>
LANSING LIGHTING (SL1, 2 &3)	\$	<u>1,428.73</u>
LANSING SEWER DISTRICTS (SS1, SS3)	\$	<u>9,726.92</u>
LANSING WATER DISTRICTS (SW)	\$	<u>175,962.26</u>
TRUST & AGENCY (TA)	\$	<u>45,271.94</u>

The question of adoption of such proposed Resolution was duly motioned by Councilperson Andra Benson, 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 Duke – Aye	Supervisor Edward LaVigne – Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 21, 2017.

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

**RESOLUTION 17-97**

The Supervisor submitted his monthly report for the month of May 2017, 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 Doug Duke and Supervisor Edward LaVigne.

Councilperson Doug Duke 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 # 006**

DATED 6/21/2017

AUDITED VOUCHER #'s	<u>420 - 521</u>
PREPAY VOUCHER #'s	<u>420</u>
AUDITED T & A VOUCHER #'s	<u>41 - 48</u>
PREPAY T & A VOUCHER #'s	<u>41 - 44</u>

<b><u>FUND</u></b>	<b><u>TOTAL APPROPRIATIONS</u></b>
GENERAL FUND (A&B)	\$ <u>163,074.27</u>
HIGHWAY FUND (DA&DB)	\$ <u>135,642.91</u>
LANSING LIGHTING (SL1, 2 &3)	\$ <u>1,464.22</u>
LANSING WATER DISTRICTS (SW)	\$ <u>35,422.30</u>
TRUST & AGENCY (TA)	\$ <u>50,640.60</u>
WARREN ROAD SEWER DISTRICTS (SS1-)	\$ <u>2,561.49</u>

CHERRY ROAD SEWER DISTRICT (SS3-)	\$ <u>          0.00</u>
CAPITAL PROJECT BPWTP (HB)	\$ <u>          0.00</u>

**BUDGET MODIFICATIONS  
GENERAL FUND A  
6/21/2017 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A1990.400	A7110.410	From Contingency to Parks Marina Repairs Additional Repairs	\$ 144.00
A599	A7140.100	From Fund Balance to Playground/Rec Personal Svcs Budget Underestimated	\$ 15,000.00
A1990.400	A7180.400	From Contingency to Beach & Pool Contractual Additional Exp	\$ 130.00

**GENERAL FUND B  
6/21/2017 Board Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B599	B3620.110	From Fund Balance to Zoning, Code Clerk Adjustment for Retirement Incentive	\$ 20,000.00

Supervisor Edward LaVigne seconded the motion and it was carried by the following roll call vote:

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 June 21, 2017.

**BOARD MEMBER REPORTS**

**Andra Benson**

Library: Andra reported the Officer’s for the Board of Trustees Officer have changed. She stated Emily Franco did a great job as President for the Board of Trustees and Liz Miller and Ami Stallone are now sharing the responsibilities of this position. Andra reported that this past Saturday was the kickoff for the summer reading program; we have more participants in Lansing than any other Town in Tompkins County.

Youth Services: Andra reported that with the school year coming to an end the Youth Services programs are winding down, but there are some summer programs available in coordination with the Parks and Recreation Department.

**Doug Dake**

Water and Sewer Advisory Board: Doug reported that previous discussions of the sewer districts along with Dave Herrick’s report gives a good indication of what has been going on.

New Water District: Councilperson Katrina Binkewicz asked Cricket if the highway department is doing the installation of the Drake Road and Buck Road water districts extension and how will this impact other highway jobs.

Highway Superintendent Cricket Purcell stated he makes it work and everyone works harder to complete their jobs.

**Katrina Binkewicz**

TCCOG: Katrina reported with the summer coming she is able to go back to attending TCCOG meetings and she would like to allocate another person to be there in the fall.

**TOWN COUNSEL REPORT**

**Guy Krogh**

New York State Water Tax Bills: Guy reported New York State is long overdue on paying the tax bills (mostly Consolidated Water District charges) at the Finger Lakes Residential Center and New York State Division of Youth. He stated they owe the Town about \$72,000 in past due bills, which the County paid, but might be charged back to the consolidated water district.

Supervisor Edward LaVigne reported this will be discussed at the next meeting.

**BOARD MEMBER REPORTS**

**Edward LaVigne**

Supervisor Edward LaVigne thanked Doug Dake for his tremendous input for the roof project, the recreation building, and the water and sewer.

**MOVE MEETING TO WORK SESSION MEETING**

Meeting moved to the Work Session at 8:10 p.m.

**WORK SESSION MEETING ITEMS OF DISCUSSION**

Myers Road Storm Drain: There was discussion on the need for this project and its timeline to be moved up given stormwater drainage down the hill, ditch erosion, and the need to protect the highway, as well as in anticipation of the bridge detour. Thus, the matter was moved up in priority, the job was added to the § 284 list of highway work approved, and the Town Board decided to transfer \$46,000 from the A to the DB fund to cover this project. Recoupment of such funds should occur as the timing will allow inclusion of the project in CHIPS program funding.

Two Electronic Signs to Communicate Speed on Vehicles: The discussion surrounded the purchase of two programmable, mobile, digital signs that have data collection. These are general highway and safety tools long needed, they can be moved to different roads as needed, will be needed for the bridge closure detours, and costing estimates show a cost of \$4,800 each, including from bid lists. The Highway Supervisor was authorized to proceed to purchase 2 signs, in an amount not to exceed \$10,000 and funds will be appropriated from the A Fund for such purchase.

Recreation Department Storage at Highway Campus: The discussion included the construction and specifications for a 40 x 60 cold storage pole barn-type building, with pass through vehicle doors for storage, minor electric service, and a 6" reinforced concrete floor. The cost is not expected to exceed \$50,000 for materials and construction as it is a cold storage-type building. The size of the building is sufficient to meet storage needs for at least 10 years, the building can easily be re-purposed, and Dave Herrick is working on the siting survey for the July meeting.

Repeal Ordinance #4 of 1966 (Ordinance to Regulate and License the Hawking and Peddling of Goods, Wares and Merchandise and Soliciting Orders): This was previously reviewed and discussed in 2016. To replace this ordinance requires a lot of details and many exceptions, which will make it very difficult to administer. Many other Towns do not have a local law for this; they refer inquires to the Tompkins County Sheriff's Office. The decision was made to repeal this ordinance; a local law is needed to repeal the old ordinance.

Proposed Capital Reserve Fund for Trails and Real Property Acquisitions: The discussion was to start the fund with \$10,000 and have a goal of \$150,000. There will be additional discussion in July when the draft resolution is updated to meet the past two work session discussions concerning the parameters for such fund and its updated purposes.

Myers Park Capital Improvement Plan: Michael Long reviewed the Myers Park Master Plan Map which included preliminary numbers. The Highway Department could do the work for less cost to the Town and to meet any matching funds requirements mandated by grant applications or awards. There is a Water Front Revitalization Grant available for up to \$500,000 with a 25% match for the Town and the Town portion could be labor in kind or materials. The Town Board agreed to have Michael Long work on applying for a grant and to generally approve the plan, subject to striking the walking bridge connecting Myers and Salt Point. Final considerations and discussions will occur next month as everyone digs deeper into the map and improvement plans.

**MOTION THAT THE MYERS ROAD SHOULDER AND DITCH IMPROVEMENT PROJECT BE APPROVED; THAT THE HIGHWAY SUPERINTENDENT § 284 AGREEMENT BE DEEMED AND MODIFIED TO LIST THIS PROJECT AS APPROVED; AND THAT \$46,000 BE ALLOCATED FROM THE UNRESERVED FUND BALANCE OF THE A FUND AND TRANSFERRED TO THE DB FUND TO SUPPORT AND FUND THIS PROJECT**

Councilperson Katrina Binkewicz moved **THAT THE MYERS ROAD SHOULDER AND DITCH IMPROVEMENT PROJECT BE APPROVED; THAT THE HIGHWAY SUPERINTENDENT § 284 AGREEMENT BE DEEMED AND MODIFIED TO LIST THIS PROJECT AS APPROVED; AND THAT \$46,000 BE ALLOCATED FROM THE UNRESERVED FUND BALANCE OF THE A FUND AND TRANSFERRED TO THE DB FUND TO SUPPORT AND FUND THIS PROJECT.** Councilperson Andra Benson seconded the motion.

All in Favor - 4

Opposed - 0

**MOTION THAT THE TOWN HIGHWAY SUPERINTENDENT BE AND HEREBY IS AUTHORIZED TO PURCHASE TWO PROGRAMMABLE DIGITAL ROADWAY SIGNS THAT ARE MOBILE AND CAPABLE OF DATA COLLECTION, ALL FOR THE PURPOSES OF HIGHWAY SAFETY AND DEMARKING RULES OF THE ROAD, PARTICULARLY IN PROBLEM AREAS AND FOR DETOURS, ROAD OUTAGES, AND OTHER RELATED HIGHWAY PURPOSES, ALL AT A COST NOT TO EXCEED \$10,000, WITH SUCH ACQUISITION TO BE PER BID LISTS OR OTHERWISE IN ACCORD WITH TOWN PROCUREMENT POLICIES. SUCH FUNDS TO BE ALLOCATED FROM THE UNRESERVED FUND BALANCE IN THE A FUND**

Supervisor Edward LaVigne moved **THAT THE TOWN HIGHWAY SUPERINTENDENT BE AND HEREBY IS AUTHORIZED TO PURCHASE TWO PROGRAMMABLE DIGITAL ROADWAY SIGNS THAT ARE MOBILE AND CAPABLE OF DATA COLLECTION, ALL FOR THE PURPOSES OF HIGHWAY SAFETY AND DEMARKING RULES OF THE ROAD, PARTICULARLY IN PROBLEM AREAS AND FOR DETOURS, ROAD OUTAGES, AND OTHER RELATED HIGHWAY PURPOSES, ALL AT A COST NOT TO EXCEED \$10,000, WITH SUCH ACQUISITION TO BE PER BID LISTS OR OTHERWISE IN ACCORD WITH TOWN PROCUREMENT POLICIES. SUCH FUNDS TO BE ALLOCATED FROM THE UNRESERVED FUND BALANCE IN THE A FUND.** Councilperson Doug Duke seconded the motion.

All in Favor - 4

Opposed - 0

**MOTION TO ENTER EXECUTIVE SESSION**

Supervisor Edward LaVigne moved to **ENTER EXECUTIVE SESSION TO DISCUSS CONTRACTS FOR THE ACQUISITION OR SALE OF LAND WHERE PUBLIC DISCLOSURE OF THE TERMS MAY AFFECT PRICE OR CONSIDERATION AT 9:08 PM.**

Councilperson Katrina Binkewicz seconded the motion.

All in Favor - 4

Opposed – 0

**MOTION TO EXIT EXECUTIVE SESSION**

Supervisor Edward LaVigne moved to **EXIT EXECUTIVE SESSION AT 9:34 PM.**

Councilperson Andra Benson seconded the motion.

All in Favor - 4

Opposed – 0

**ADJOURN MEETING**

Meeting adjourned at the call of the Supervisor at 9:35 p.m.

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

Respectfully submitted,

Deborah K. Munson  
Town Clerk

Laura Nemecek  
Deputy Town Clerk