

**TOWN BOARD WORK SESSION/SPECIAL MEETING
AUGUST 1, 2012
TOWN HALL BOARD ROOM, 29 AUBURN RD, LANSING, NY**

PLEASE NOTE: The primary purpose of the Town Board Work Session is to be informational/educational for the benefit of the Board Members. Public comment will be taken at the regular meetings when the items are scheduled on the agenda.

Meeting Time: 7:06 pm – 10:31 pm

Town Board Members Present:

Kathy Miller, Supervisor
Andra Benson, Councilperson
Robert Cree, Councilperson
Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson

Also Present: Guy Krogh, Town Attorney, Ted & Martha Laux, Andy Sciarabba, C. Iacobucci, Katrina Binkewicz, Pat Pryor, John O'Neill and a few other attendees.

Topics of Discussion:

Cell Towers: Conducting an Engineering Study was discussed to figure out where and how many towers are needed in the Town. This will help determine the best way to provide service to the most people for the least amount of money.

Pat Pryor, Tompkins County Legislature, discussed the progress that is being made at the County level. She will have another update soon.

Sewer: Any Sciarabba discussed the power point presentation for the August 7th Sewer and Town Center Public Information Meeting. A Straw Pole will be conducted at each Sewer Public Information Meeting.

Town Center Development: Request for Projects (RFPs) will be sent out to potential Developers.

The Town Board exited The Work Session Meeting to enter into a Special Meeting to discuss the Warren Road Sewer BARN Renewal.

WARREN ROAD SEWER BARN RENEWAL

RESOLUTION 12-144

**RESOLUTION AUTHORIZING THE ISSUANCE OF A \$668,199.23
TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK,
BOND ANTICIPATION RENEWAL NOTE, NUMBER 02-12**

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

WHEREAS, the Town duly authorized expenditures to cover the cost of acquiring, constructing, and equipping the improvements to be included in the Warren Road Sewer District Extension, including the acquisition of lands and easements and other rights therein, and the construction of improvements consisting of a gravity fed system consisting of 15,000 feet of eight-inch sewer and force mains, 1,700 feet of four-inch force mains, 50 service laterals, interconnection appurtenances, a duplex pumping station, road borings, 45 four-foot diameter manholes and five five-foot manholes consisting of pre-cast concrete installations and metal covers, force mains, lateral lines, valves, pumps, curb stops, original furnishings,

equipment, machinery, apparatus, fill, services, appurtenances and incidental improvements to serve the properties within the said district extension, related site work, legal, engineering, administration, environmental and other preliminary costs and other costs incidental to the financing thereof (all herein, the "Project"), all of which Project expenses were authorized by a Final Order forming the District and funded by a Bond Resolution dated January 27, 2010, and which obligation(s) were satisfied, in accord therewith, by Bond Anticipation Note 03-10 (in the amount of \$1,700,000.00), which Bond Anticipation Note was renewed by Bond Anticipation Renewal Note 02-11 (\$1,700,000.00), which Bond Anticipation Renewal Note 02-11 is hereby being renewed; and

WHEREAS, Bond Anticipation Renewal Note 02-11 is approaching its maturity date and such financing must be renewed or the debt thereof paid, and

WHEREAS, in compliance with the Local Finance Law, the Town Board has decided to partially pay-down the debt pursuant to Local Finance Law § 23.00 and issue a bond anticipation renewal note ("BARN") for the balance thereof; and

WHEREAS, the Town has contacted several lending institutions to find the lowest rates, and has determined that the Tompkins Trust Company has the best rates and terms for the proposed Bond Anticipation Renewal Note 02-12, to be issued in the amount of \$668,199.23, for one year at a 1.75% interest rate (non-callable), and maturing upon August 9, 2013; and

WHEREAS, this action is classified as a Type II Action under SEQRA, and as such, no environmental review is necessary or required; and

WHEREAS, after a review of the foregoing and due deliberation and consideration thereof, and in compliance with Local Finance Law § 38.10, and other requirements of law, the Town Board of the Town of Lansing has hereby

RESOLVED, that

Section 1. The Bond Anticipation Renewal Note hereby authorized is for the payment of indebtedness relating to the purchase and acquisition of goods to construct the Project.

Section 2. The Bond Anticipation Renewal Note hereby authorized was authorized pursuant to a Bond Resolution dated January 27, 2010 (the "Bond Resolution"), which Bond Resolution was duly issued under and in accord with the requirements of the Local Finance Law, with such Project being subject to permissive referendum as required by law.

Section 3. It is hereby determined that the cost of indebtedness relating to the Project and the objects and purposes of this Resolution is \$668,199.23, and said amount is hereby appropriated there for, and the plan for the financing thereof shall consist of the issuance of up to \$668,199.23 principal amount of serial bonds (including, without limitation, statutory installment bonds) pursuant to the provisions of the Local Finance Law.

Section 4. The Town of Lansing hereby authorizes the expenditure of up to \$668,199.23 for the payment of the obligations relating to the Project, which amount shall be paid by the issuance of Bond Anticipation Renewal Note 02-12.

Section 5. No other Bond Anticipation Notes ("BAN") or Bond Anticipation Renewal Notes ("BARN") are issued or outstanding for the payment of the indebtedness relating to the Project (except BARN 02-11, which is hereby being paid in full as authorized by this Resolution and the issuance of BARN 02-12).

Section 6. The Bond Anticipation Renewal Note authorized by this Resolution is a renewal of BARN 02-11, issued August 12, 2011.

Section 7. The BARN authorized by this Resolution shall be dated August 10, 2012, and shall mature and be and become due and payable upon August 9, 2013.

Section 8. The Bond Anticipation Renewal Note hereby authorized is for an assessable improvement of or within the Town, namely, the Town of Lansing Warren Road Sewer District Extension.

Section 9. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created is hereby authorized pursuant to § 165.10 of the Local Finance Law for the purposes described in this Resolution. The Town shall reimburse such expenditures with the proceeds of the Bond Anticipation Renewal Note authorized by this Resolution. This Resolution shall constitute a declaration of official intent as required by United States Treasury Regulation § 1.150-2. Other than as specified in this Resolution, no money is, or is reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. The full faith and credit of said Town of Lansing, Tompkins County, New York, is hereby irrevocably pledged to the payment of the principal of and interest on said Bonds and the Bond Anticipation Renewal Note hereby authorized as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest due and payable in such year. Such appropriation shall be made from the several lots and parcels of land in the Town of Lansing in the manner provided by law for general taxation thereupon. In the event the collection of such assessments shall be less than the amount required to pay the principal and interest of such obligations as they shall become due, the Town Board shall direct that surplus moneys not otherwise appropriated be applied, or the Town shall take such other action as is permitted or required by law to assure the timely payment of such obligations.

Section 11. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of Bond Anticipation Notes and renewals thereof (in anticipation of the issuance and sale of the serial bonds) is hereby delegated to the Town Supervisor, as Chief Fiscal Officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law and the Bond Resolution aforesaid.

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

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 1, 2012.

ENTER EXECUTIVE SESSION:

RESOLUTION 12-145

Supervisor Kathy Miller moved to **ENTER EXECUTIVE SESSION TO DISCUSS DEVELOPER CONTRACTS FOR THE TOWN CENTER AREA AND A PERSONNEL EVALUATION AT 8:30 PM.** Councilperson Edward LaVigne seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

EXIT EXECUTIVE SESSION:

RESOLUTION 12-146

Councilperson Andra Benson moved to **EXIT EXECUTIVE SESSION AT 10:30 PM.** Supervisor Kathy Miller seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

ADJOURN MEETING:

RESOLUTION 12-147

Councilperson Andra Benson moved to **ADJOURN THE AUGUST 1, 2012 SPECIAL TOWN BOARD MEETING AT 10:31 PM.** Supervisor Kathy Miller seconded the motion and it was carried by the following roll call vote:

Councilperson Andra Benson	Aye
Councilperson Robert Cree	Aye
Councilperson Ruth Hopkins	Aye
Councilperson Edward LaVigne	Aye
Supervisor Kathy Miller	Aye

Notes were taken by Supervisor Kathy Miller and executed by the Deputy Town Clerk.

Respectfully submitted,

Darlene Marshall