

**SPECIAL/WORK SESSION TOWN BOARD MEETING**  
**AUGUST 7, 2013**

A Special Meeting of the Lansing Town Board was held at the Town Hall Board Room, 29 Auburn Road, Lansing, NY on the above date at 6:02 p.m. The meeting was called to order by the Supervisor, Kathy Miller and opened with the Pledge of Allegiance to the flag. Roll call by Darlene Marshall, Deputy Town Clerk, showed the following to be

**PRESENT:**

Kathy Miller, Supervisor	Katrina Binkewicz, Councilperson
Robert Cree, Councilperson	Ruth Hopkins, Councilperson
Edward LaVigne, Councilperson	

**ABSENT:** None

**ALSO PRESENT:** Sharon Butler Bowman, Deputy Supervisor, Guy Krogh, Town Attorney, Dan Veaner, Lansing Star, John O'Neill, Village of Lansing, Ray Farkas, Duane Ray, Connie Wilcox, Irene Tyrrell, Lois Hulbert, Andy Sciarabba, Laura Davis, Elizabeth Cook, Dale Baker, Ted Laux, Sue Ruoff, Ed Wagner, Randa Corwin, Gay Nicholson and a few other attendees.

**CONSIDER RESOLUTION AUTHORIZING THE ISSUANCE OF BOND**  
**ANTICIPATION RENEWAL NOTE #02-13**

**DISCUSSION**

Supervisor Kathy Miller explained the following Resolution. Rates of interest received from other banks were discussed. It was explained that this BARN is for one year.

**RESOLUTION 13-114**

**RESOLUTION AUTHORIZING THE ISSUANCE OF A \$374,081.23**  
**TOWN OF LANSING, TOMPKINS COUNTY, NEW YORK,**  
**BOND ANTICIPATION RENEWAL NOTE, NUMBER 02-13**

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 ("BAN") was renewed by Bond Anticipation Renewal Note ("BARN") 02-11 (\$1,700,000.00), which was again renewed by BARN 02-12 (\$668,199.23), which BARN 02-12 is hereby being renewed; and

WHEREAS, BARN 02-12 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 BARN for the balance thereof; and

WHEREAS, the Town has contacted several lending institutions to find the lowest rates, and has determined that the Chemung Canal Trust Company has the best rates and terms for the proposed Bond Anticipation Renewal Note 02-13, to be issued in the amount of \$374,081.23, for one year at a 1.35% interest rate (non-callable), and maturing upon August 8, 2014; 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 (“BARN”) hereby authorized is for the payment of indebtedness relating to the purchase and acquisition of goods to construct the Project.

Section 2. The BARN 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 \$374,081.23, and said amount is hereby appropriated there for, and the plan for the financing thereof shall consist of the issuance of up to \$374,081.23 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 \$374,081.23 for the payment of the obligations relating to the Project, which amount shall be paid by the issuance of BARN 02-13.

Section 5. No other Bond Anticipation Notes (“BAN”) or BARNs are issued or outstanding for the payment of the indebtedness relating to the Project (except BARN 02-12, which is hereby being paid in full as authorized by this Resolution and the issuance of BARN 02-13).

Section 6. The BARN authorized by this Resolution is a renewal of BARN 02-12, issued August 10, 2012.

Section 7. The BARN authorized by this Resolution shall be dated August 9, 2013, and shall mature and be and become due and payable upon August 8, 2014.

Section 8. The BARN 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 Supervisor Kathy Miller, duly seconded by Councilperson Katrina Binkewicz, and put to a roll call vote with the following results:

Councilperson Katrina Binkewicz - 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 7, 2013.

#### **PROPOSED STAND ALONE SEWER UPDATE**

Supervisor Kathy Miller made a statement indicating that the Town is not going forward with 12-A or 12-C Sewer Project based on the existing Map, Plan and Report. There is no plan for a town wide or residential municipal sewer. The Lansing School District will have to pursue replacement of their own sewer system. Supervisor Kathy Miller indicated that since a Public Interest Order was not issued, a Resolution to do this is not required. After further discussion all five Town Board members indicated they were in agreement to not continue with 12-A and the 12-C Proposed Sewer Project.

#### **MOTION TO ADJOURN MEETING**

Councilperson Edward LaVigne moved to **ADJOURN THE AUGUST 7, 2013 TOWN BOARD MEETING AT 6:10 PM** to go into **THE WORK SESSION MEETING**.

Councilperson Ruth Hopkins seconded the motion.

All In Favor – Aye - 5            Opposed - 0

Minutes taken and executed by the Deputy Town Clerk.

Respectfully submitted,

Darlene Marshall

## **TOWN BOARD WORK SESSION MEETING**

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.

### **TOPICS OF DISCUSSION:**

1. Scheduling a Joint Meeting with the Lansing School District
2. Purchase of Land for the Bone Plain Road Water Tank
3. Tax Exemptions for Solar Energy
4. Highway Department Lease for Excavator
5. Small Parcels of Land owned by the Town and their Disposition
6. Applications for Town Center RFP Committee

With no further business to discuss the meeting ended at 8:15 pm.

Notes were taken by Deputy Supervisor Sharon Bowman and executed by the Deputy Town Clerk.

Respectfully Submitted,

Darlene Marshall