

**REGULAR TOWN BOARD MEETING**

**June 16, 2021**

Town of Lansing YouTube Channel

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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 6:36 p.m. The meeting was called to order by Edward LaVigne, Supervisor, 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

Doug Dake, Councilperson (remotely)

Bronwyn Losey, Councilperson (remotely)

Joseph Wetmore, Councilperson (remotely)

Edward LaVigne, Supervisor

**ABSENT:** No one absent

**ALSO PRESENT:** Mike Sigler, Tompkins County Legislator, Michael Moseley, Deputy Highway Superintendent, and Lisa Marshall

**ALSO PRESENT REMOTELY:** Guy Krogh, Town Counsel and C.J. Randall, Director of Planning

**MOTION TO OPEN PUBLIC HEARING FOR SPECIAL USE PERMIT -  
COMMERCIAL RECREATION: OUTDOORS, 320 PERUVILLE ROAD, TAX  
PARCEL 30.-1-30.1**

Councilperson Andra Benson, moved to **OPEN PUBLIC HEARING FOR SPECIAL USE PERMIT – COMMERCIAL RECREATION: OUTDOORS, 320 PERUVILLE ROAD, TAX PARCEL #30.-1-30.1** at 6:39 p.m.

Councilperson Doug Dake seconded the motion.

All in Favor – 5

Opposed – 0

One resident stated the project sounds great. Their residence is near the project and this was the first time they were aware of it. They asked the Town Board to consider notifications of projects in a different manner.

**MOTION TO CLOSE PUBLIC HEARING FOR SPECIAL USE PERMIT –  
COMMERCIAL RECREATION: OUTDOORS, 320 PERUVILLE ROAD, TAX  
PARCEL 30.-1-30.1**

All persons desiring to be heard, having been heard, Councilperson Doug Dake, moved to **CLOSE PUBLIC HEARING FOR SPECIAL USE PERMIT – COMMERCIAL RECREATION: OUTDOORS, 320 PERUVILLE ROAD, TAX PARCEL #30.-1-30.1** at 6:43 p.m.

Councilperson Andra Benson seconded the motion.

All in Favor – 5

Opposed – 0

**RESOLUTION AUTHORIZING SPECIAL USE PERMIT FOR COMMERCIAL  
RECREATION: OUTDOORS WAZA TURF FIELD, 320 PERUVILLE ROAD**

**RESOLUTION 21-90**

**RESOLUTION AUTHORIZING SPECIAL USE PERMIT FOR COMMERCIAL  
RECREATION: OUTDOORS WAZA TURF FIELD AT 320 PERUVILLE RD**

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

WHEREAS, an Application was submitted for Special Use Permit and Site Plan approval by Steve Ruoff, Applicant on behalf of SKR Land LLC, Owner, in collaboration with TC Waza Academy and FC LIFA, Ltd. for construction of adaptive reuse of the existing 40' x 50' clubhouse for a day-care facility and site improvements for commercial recreation: outdoors on the existing 37.63-acre parcel, Lansing, New York, TPN 30.-1-30.1, located in the Rural Agricultural (RA) Zoning District; and

WHEREAS, this is a proposed action reviewed under Town of Lansing Code § 270-36 (B)(1) Special Use Permits and § 270-27 Site Plan Review, for which the completed application was received February 25, 2021 and amended May 4, 2021; and

WHEREAS, this action was determined to be An Unlisted Action under the State Environmental Quality Review Act ("SEQRA"); and

WHEREAS, this Board did on June 16, 2021, review and accept as adequate: "Site Plan – Proposed (L200)" dated 5/27/2021 prepared by Stack Rock Group Landscape Architecture & Master Planning; Short Environmental Assessment Form Part 1; May 4, 2021 narrative statement describing the project; and other application materials; and

WHEREAS, the Town Board duly held a Public Hearing on June 16, 2021 on the Special Use Permit application wherein all evidence and comments were considered, along and together with the requirements of the Town's Code, existing development in the surrounding area, the public facilities and services available, the Town's Comprehensive Plan and land use regulations, and site characteristics and issues; and

WHEREAS, in accordance with Town Code § 270-36B(1), on May 24, 2021 the Planning Board passed a Motion RECOMMENDING TOWN BOARD AUTHORIZE SPECIAL USE PERMIT FOR COMMERCIAL RECREATION: OUTDOORS WAZA TURF FIELD AT 320 PERUVILLE RD, FINDING THAT GENERAL REQUIREMENTS 270-36(A) HAVE BEEN COMPLIED WITH; and

WHEREAS, the Town Board hereby makes the following findings for the aforementioned Special Use Permit under Town Code § 270-36 (A), after a duly advertised public hearing: (1) that the proposed land use or activity is to be located, constructed, and operated so that the public health, safety and general welfare will be protected; and (2) that the existence of the proposed land use or activity will not cause substantial injury to the value of other property in the surrounding neighborhood; (3) that adequate landscaping and screening is to be provided; and (4) that adequate off-street parking and loading is provided and the ingress and egress are so designed as to cause minimum interference with traffic on abutting roads; and (5) that the proposed land use or activity will not result in excessive erosion and will not increase the volume or velocity of surface water runoff onto abutting properties; and (6) that any proposed water and/or sewage disposal system is determined by appropriate jurisdictional authority to be adequate; and (7) that vibration, glare, odor, heat or noise anticipated from the proposed use can be mitigated; *now therefore be it*

RESOLVED, that the Town Board of the Town of Lansing does hereby authorize a Special Use Permit for Town of Lansing Tax Parcel Number 30.-1-30.1 for Steve Ruoff, Applicant on behalf of SKR Land LLC, Owner, subject to the following specifications and conditions:

1. Site Plan approval by the Town of Lansing Planning Board, including compliance with curb cut and NYSDOT permit conditions and requirements, including receipt of final NYSDOT approval or permit close-out for any curbing or driveway, culvert, or related land use designs or improvements as may be emplaced upon or adjacent to any existing highway right-of-way or public highway.
2. This Special use permit shall expire within 12 months from the date of issuance if the proposed land use activity has not been substantially implemented, as per Town Code § 270-36D.

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

Councilperson Andra Benson – Aye	Councilperson Doug Dake – Aye
Councilperson Bronwyn Losey – Aye	Councilperson Joseph Wetmore – Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 16, 2021.

Director of Planning C.J. Randall stated a mailing will be done to property owners, within 600 feet of the project, before the Planning Board June Meeting.

**PRESENTATION ON CABLE FRANCHISE AGREEMENT RENEWAL AND FRANCHISE FEE AUDIT SERVICES - MICHAEL ROBERTS, COHEN LAW GROUP**

Michael stated the following:

- Company founded by Dan Cohen
- Represented other municipalities – does not represent the industry
- Know the cable franchising laws and Charter negotiation techniques
- Improve Town of Lansing franchise agreement
- Retain rights and privileges Town currently has under its existing franchise
- Cable franchise renewal process
  - Formal process – involved and expensive
  - Informal renewal process – typical
    - Create initial draft for Town
    - Negotiate agreement on behalf of Town
  - Last Town franchise 2003 – many technical and law changes since then
  - Franchise fee paid to municipality for use of public rights of way – up to 5%
- Franchise fee audit
  - Currently, 2% franchise fee on cable operators gross revenues
  - Town may look back at three (3) years of franchise fee payments to determine accuracy of payments
    - Request detailed reports from cable operator
      - Is Charter paying for every line item of service, in franchise fee calculation
  - Uncovered underpayments about 60% of the time
  - Give Town detailed final audit report
    - Assist Town with recovering missed payments
- Homes past list – review list maintained by cable operator of every residence in Town
  - Charter list may not be accurate
    - Recover past franchise fees
    - Going forward be sure Town is receiving all franchise fees
- Agreement
  - Franchise fee revenue
    - Currently, Town gets 2%
    - Cohen Law Group can get Town 5%
    - Based on gross revenues – 27 revenue sources
      - Current agreement – very limited definition of gross revenues
      - Include franchise fees on cable, internet, and phone
  - Customer service standards improved in agreement
- Competitive Equity – addresses how other non-Charter entities seeking a franchise or providing video service in the Town affects Charter
- Flat fee basis for their services

Councilperson, Joseph Wetmore stated the Broadband Committee approved the contract.

## **HEATSMART PRESENTATION – LISA MARSHALL**

Lisa stated the following:

- Tomkins County community non-profit promotes home energy efficiency – heat pumps
- Cost savings
- Comfort
- Climate solutions
- Convenience
- Founded in Tompkins County – now funded by NYSERDA
- Clean heating and cooling
- Heat pumps take heat from ground for heat or cooling, dehumidify, heat hot water, and improve air quality
- Grants available
- Community campaign for clean heating and cooling – Town participation
  - Host webinar
  - Post information on website, newsletter, press release, community calendars
  - Host power house – tiny house with solar panels and heat pump
  - Yard signs
- HeatSmart will help Town
  - Complete scoping document for NYSERDA
  - Track leads
  - Provide promotional materials
  - Present and promote webinars
- Heat pump in new construction counts towards campaign goals

Councilperson Doug Duke uses heat pumps in his business and likes them, but expressed the following concerns:

1. Additional electric on the grid
2. Conventional heat pumps or splits
3. Heat pump water heater behind louvered door

Lisa responded to Doug's concerns:

1. More than enough power generated
  - a. NYSEG distribution system needs to be improved – she feels positive going forward
  - b. Heat pumps help the grid
2. Recommend splits – eligible for rebates now – for cold climate heat pumps
3. HeatSmart does not recommend water heaters behind louvered doors

Councilperson Bronwyn Losey asked how the program works for renters.

Lisa responded to Bronwyn:

- Tenant has to be income qualified
- Tenant has to be responsible for utility bill
- Owner and tenant both involved

Need Lansing team to work with Lisa to help promote community campaign.

Information available:

- HeatSmart website
- Book appointment on website for call back or home energy audit
- HeatSmart telephone #607-500-HEAT

## **PRIVILEGE OF THE FLOOR – GUIDELINES**

Available on Town of Lansing website and as a handout.

The public shall be allowed to speak only during the Public Comment / Privilege of the Floor period of the meeting, or during public hearings, or when they have reserved and been granted time upon the Agenda.

Speakers must be recognized by the presiding officer (or his or her designee) and step to the front of the room.

Speakers must give their name and state whether they are speaking as a resident, a member of the public, or for any other person or organization.

Speakers must limit their remarks to 3 minutes, and comments unrelated to the subject matter of the public hearing are not allowed.

Speakers may not yield any remaining time they may have to another speaker.

With the permission of the presiding officer a Board or committee member may interrupt a speaker for the purpose of clarification or information (and not for any other reason or to debate or disagree). Such time shall not be counted against the speaker's 3-minute limit.

All remarks shall be addressed to the Board or committee as a body and not to any member thereof, nor to any member of the public whether present at such public hearing or not.

Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity, and good taste.

Interested parties or their representatives may address the Board by written communications. Written documents and evidence may be submitted as part of the record of the public hearing.

Persons who exceed 3 minutes, violate rules of courtesy, decorum, dignity, or good taste, or deliberately or by their behavior interfere with other person's right to comment or participate in the public hearing, or who deliberately or by their behavior interfere with governmental administration will be cut off, removed, or have non-recognized comments removed from the record, or any combination of the above. Before a comments or statements will be excised from the record, the speaker will be verbally warned that they are in violation of the rules for this public hearing.

#### **PRIVILEGE OF THE FLOOR – COMMENTS**

No one addressed the Town Board.

#### **LANSING COMMUNITY LIBRARY REPORT – CHRISTINE EISENHUT**

The following report was available on Town of Lansing website and as a handout.

#### **TOWN BOARD UPDATES FROM THE LANSING COMMUNITY LIBRARY June 16, 2021**

1. The Library is now open with express browsing without an appointment and curbside pick-up Monday/Wednesday 10-6, Tuesday/Thursday 10-5, Friday and Saturday 10-2. Computers will be available to use in July. Circulation has increased with the increased hours.
2. The Summer Reading program, Tails and Tales will begin on June 26<sup>th</sup>. There will be weekly events outside in a tent behind the Town Hall.
3. Space is still available for the June craft, a Fourth of July themed wreath.
4. The new Tween (kids ages 9-12) Book Club will feature a variety of titles. Each month participants will receive a kit that includes a copy of the book and fun materials and projects related to the selection.
5. The library is providing free delivery to Woodsedge.

6. The library now has an Empire Pass and passes to the Museum of the Earth and the Cayuga Nature Center available for check-out.
7. Plans are underway for book sale in August.
8. Appointments are now available for the Cayuga Medical Center telehealth pilot program. Please contact the library for more information.
9. The LCL's wifi is not password protected. The community is welcome to park in the lot to access the Internet.

### **LANSING YOUTH SERVICES REPORT – MEGHAN LYONS**

The following report was available on Town of Lansing website and as a handout.

#### **Lansing Youth Services Town Board Report June 2021**

LYS's next meeting will be on June 17, 2021 at 5:30pm in-person. The following are updates from LYS:

#### 1. Current LYS/RYS Program Offerings

**Leisure by the Lake:** The group has been taking in everything "Cayuga Lake". Searching the shoreline for treasures is very popular along with arts and crafts and enjoying the view. The group has created their own games for the playground, including live versions of online games. 9 youth served.

**Outdoor Adventures:** The group has learned and succeeded at one match fires, created art using artist's charcoal they made, paint from ground stone and egg yolks, and paintbrushes made from chewed grapevine. 10 youth served

**Fishin' Fridays:** Utilizing the equipment acquired through the PITCH Grant, this all fishing program has been all along the shoreline at Myers Park as well as most of Salmon Creek. The group has not had luck with any catches, but the chase is what all the fun is about! Participants are learning how to bait their hooks, tie on tackle and lots of practice casting! 7 youth served.

**Game On:** Participants are back playing board games and Magic the Gathering. The group has missed these kinds of games and are great at sanitization. The group has also been busy on the volleyball court playing versions of "volleyball" and Newcome ball. 11 youth served.

**Fishing Derby:** FISHING DERBY IS BACK! We will be holding our annual LYS Fishing Derby on Saturday, June 19th from 7:30am to 11am. Gear to borrow will be available and snacks and prizes will be provided.

**Summer Programming:** Summer programs are right around the corner! Here is what LYS will look like this summer: Lake Life, Cardboard Boat Building, Get Lost, Funky Furniture, DIY Summer Edition, Eco Explorers, and a primitive skills program.

2. Meghan Lyons (Youth Services Liaison) has created an online platform for LYS documentation (Google Docs). Please connect with Meghan if you would like access.
3. Meghan Lyons will continue to review the 2021 Goals for LYS into the Results Based Accountability model for Tomkins County. Online placement is completed, now Meghan will work on Needs Assessment with LYS.
4. Bridgette Nugent (Youth Services) has updated the Lansing Town Profile, it was sent to LYS members.

**LYS Goals:**

1. Create orientation packet for new members - outlines of fiscal revenue and funded programs. Set expectations to visit programs/uniform template to monitor programs.
2. Online placement for agendas, minutes, and reports
3. Regular tracking of goals
4. Conduct community needs assessment (focus on impacts of the pandemic)
5. Use DEI statement to track metrics and funded programs
6. Incorporate more youth input at meetings for feedback into program decisions.

**TOMPKINS COUNTY LEGISLATOR REPORT – MIKE SIGLER**

The following report was reviewed by Mike.

**Tompkins County Legislator**

**Michael Sigler**

**June 16, 2021**

Hello and thank you for having me again... I want to thank the County's communications director Dominick Recckio in advance because like Marsha Lynch before him, I draw liberally from their reports.

Obviously the big news was the lifting of most of the remaining mandates at the State level. We're still waiting on new guidance from the Centers for Disease Control on K to 12 masking in schools, but at least the kids don't have to wear masks outside anymore and the social distancing of six feet has been lifted allowing businesses to function normally. It's odd and concerning to me that the Governor has maintained his emergency powers despite the lack of an emergency. I asked for the Legislature to reclaim it's role three months ago and now I see no justification for them not to do that. I'll continue to push for the return of normal legislative protocols in the capital. The County Legislature will be returning to in person meetings in July.

At last night's meeting Interim Tompkins County Administrator Lisa Holmes presented an overview of the \$19.8 million one-time American Rescue Plan funds made available to the County, including key dates, restrictions on use of the funds, and options for use of the funding for one-time expenses in the Capital Program. You can find that on my Legislator Facebook page or at the County website. Holmes explained that proposals regarding the Capital Program would enable more flexibility in target funding for departments and agencies as well as long-term budget stability and fund balance while supporting emissions reduction goals that were adjusted during the pandemic.

On June 15, the Legislature released a survey seeking community input on the use for the funds. The survey and more details can be found on the County's website, <https://www2.tompkinscountyny.gov/news/tompkins-county-seeks-community-input-use-american-rescue-plan-funds>.

Michael Stitley confirmed as Next Director of Department of Emergency Response.

Stitley thanked Legislators for their confidence in his abilities and shared that he is looking forward to meeting the County's team and community. Stitley comes to Tompkins County having most recently been the Emergency Preparedness Coordinator & Interim Security Manager for Guthrie Health System.

The Legislature passed a resolution approving two positions to staff the Community Justice Center and implement the Reimagining Public Safety plan. The positions of Project Director and Data Analyst will be supported equally by the County and City of Ithaca and recruitment for candidates will begin shortly.

Earlier this month, a resolution calling for a moratorium on the operation of cryptocurrency mining centers until the NYS Department of Environmental Conservation can review environmental impacts passed unanimously (14-0). Cryptocurrency mining takes a large amount of energy and has become a popular industry before regulations could be put in place at the State level. Conversation was had on whether renewable energy should be considered to power these centers. Legislator Mike Sigler (R-Lansing) shared that he has been following bitcoin since 2014, and that Legislators have spent a

great deal of time researching something “they’re not voting on, this is a vote of support. I’m going to vote for this, but there are a lot of unanswered questions.”

A resolution member-filed by Legislator Dan Klein (D-Danby) to adopt a policy managing an old-growth forest owned by the County with minimal human intervention and without commercial logging was passed 11-3, with Legislators Koreman (D-Ulysses), Schill (D-Ithaca), and Robertson (D-Dryden) voting against. Klein shared an impassioned speech about the importance of protecting old-growth forest land and provided historical examples of the impacts of commercial logging on the environment and local ecosystems.

We also recognized June 2021 as LGBTQ+ PRIDE Month and as Dairy Month and commemorated Juneteenth, the annual celebration of Black liberation from slavery.

Mike also reported:

- Matt Montague left Tompkins Weekly; his replacement is Audrey Warner
- Dug Road Bridge
  - Spoke with residents
  - Believes County will pay 5%, if Town receives BridgeNY grant
  - County aware it needs to bear weight to accommodate heavy vehicles, inclined to build one (1) lane bridge
- Solar – more leases signed

### **PARKS AND RECREATION REPORT – PATRICK TYRRELL**

The following report was available on Town of Lansing website and as a handout.

#### **Parks & Recreation 6/16/21 Town Board Meeting**

#### **RECREATION**

- We had a great Super Saturday event on the 5<sup>th</sup>, the car show was a huge success and we also had Jackie from MJ Engineering here doing public outreach. Our next Parks & Trails Master Plan public workshop will be June 22<sup>nd</sup> at 6pm.
- Travel Baseball and Softball has started.
- The summer program booklet is available. Programs are filling quickly. New programs added daily. We have expanded limits of some camps to accommodate more kids.
- Our adult programming has started back up again with great turnouts.
- Day Camp starts June 28<sup>th</sup>.
- Additional cameras have been installed on the ballfields for security.
- We will be hosting 3 baseball tournaments in July.

#### **PARKS**

- Myers Park Beachfront will open on June 30<sup>th</sup>.
- Every weekend for the rest of the summer is booked for camping.
- We have had several water leaks at the Park over the last week due to aging infrastructure.
- A large cottonwood tree came down last Wednesday, luckily no one was hurt.
- The USDA will be removing geese humanely from Myers Park on June 18<sup>th</sup>.
- There will not be any fireworks this year due to bridge closure, bus pricing and COVID restrictions.
- MIP (Music in the Park) set to kick off on July 8<sup>th</sup>.

### **HIGHWAY REPORT – MIKE MOSELEY**

The following report was available on Town of Lansing website and as a handout.

#### **HIGHWAY REPORT June 16, 2021**



**CONSOLIDATED WATER DISTRICT EXTENSION #5 (CWDX5-PERUVILLE RD)** – The crews are moving along installing the water line for this district.

**ROADSIDE MOWING** – We are mowing the roadsides to try and keep up with the weeds and grass.

**CULVERT REPLACEMENT** – We are in full swing on our replacement of road cross pipes and driveway culverts.

**HEAVY RAIN CLEAN UP** – Once again certain parts of the Town received heavy rains that required clean up.

- Myers Road shoulders washed
- Davis Road ditches filled with farmer's soil which then came over the road
- Some County roads had issues

**SALT STORAGE BUILDING** – The maintenance was completed by Hybrid Builders this month.

**SALMON CREEK PROJECT FOR 2022** – I have been working with Angel from Tompkins County Soil and Water, along with B&L Engineering, C.J. Randall, and Chandler Benson on this project as we attempt to come up with a concept and grant funding.

**PARKS & RECREATION** – Special thanks to Pat and his department for help in covering the salt that we had to store outside while the work was being done on the building. Also, for help in filling in the washouts on Myers Road.

#### **DIRECTOR OF PLANNING REPORT – C.J. RANDALL**

C.J. reported the following:

Project reviews – Thanks to Highway Department and Fire Company for feedback on the reviews

Dug Road Bridge – Have confirmation from New York State the Town application was received

#### Myers Park

- Working on pre-application to Appalachian Regional Commission (ARC) for improvements to Myers Park
- Thanks to Parks and Recreation Department for video
- Virtual public meeting Tuesday June 22, 2021

Consolidated Funding Application (CFA) – Three (3) applications this year

1. Highway vacuum truck about \$430,000 – Town pays 25%
2. Salmon Creek stream bank stabilization
3. Myers Park

#### Changes in the Code / Planning Department

- Lynn Day, Code Officer has retired
- Scott Russell, new Code Officer
- John Zepko, new Planner will begin work June 28, 2021

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

No report.

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

No report.

**CONSENT AGENDA**

- a. **MOTION AUTHORIZING CONSERVATION ADVISORY COUNCIL AND TOWN COUNSEL TO PREPARE AND SEND LETTER TO CORNELL REAL ESTATE, RELATIVE TO LANSING ORCHARDS**

**MOTION M21-18**

Moved that the advice and recommendations of the Conservation Advisory Council relative to Lansing Orchards lands be and hereby is approved, and that the Conservation Advisory Council and Town Counsel prepare and send a letter to Cornell Real Estate.

- b. **RESOLUTION ACCEPTING DEDICATION OF SPUR EXTENSION OF WOODLAND PARK ROAD ALONG ROADWAY A, TO PHASE 4—PHASE 5 DIVIDING LINE**

**RESOLUTION 21-91**

**RESOLUTION ACCEPTING DEDICATION OF SPUR EXTENSION OF WOODLAND PARK ROAD ALONG ROADWAY A, TO PHASE 4—PHASE 5 DIVIDING LINE**

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

WHEREAS, the Woodland Park PDA Developer previously completed part of Oakwood Drive, and its dedications were accepted by Resolutions 12-68 and 14-115, and the Developer has now completed installation and construction of the remaining portion of the public highway platted as Road A to the Phase 4—Phase 5 division line, such road proposed to be named once completed, and the Town now desires to accept such dedication and make such road become a duly dedicated public highway; and

WHEREAS, the Attorney for the Town has examined title and the proposed dedication forms and maps and has approved the same, and the Highway Superintendent has identified that the roadway is ready for dedication due to passing inspections and the proper completion of the roadway and the water and sewer infrastructure alongside and beneath such road; and

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

RESOLVED, that the proposed dedications of the northerly spur extension of Road A off the Woodland Park public highway known as Oakwood Drive, as shown on a survey map entitled “Survey Map No. 45 Oakwood Drive, Town of Lansing, Tompkins County, New York”, as prepared by T.G. Miller P.C. (Darrin A Brock, LLS #050597), as dated May 27, 2021, be and hereby is accepted and approved, and the Attorney for the Town be and is hereby authorized to take such other and further steps as are or may be necessary to finalize the form of all such agreement and transfers, and to cause the recording such dedication deeds and maps of record in the Tompkins County Clerk’s Office as are determined necessary and proper; and it is further

RESOLVED, that the proffer of a dedication of such roadway in fee for highway, stormwater, and utility purposes be and is also hereby accepted.

- c. **RESOLUTION APPOINTING SHARON JAENSON TO THE LANSING HOUSING AUTHORITY BOARD**

**RESOLUTION 21-92**

**RESOLUTION APPOINTING SHARON JAENSON TO THE LANSING HOUSING AUTHORITY BOARD**

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

WHEREAS, Kathy Overton resigned from the Lansing Housing Authority Board on November 10, 2020, leaving a vacancy for the remainder of her term ending December 31, 2023; and

WHEREAS, the Town has identified a vacancy; and

WHEREAS, the Lansing Housing Authority Board has recommended the appointment of Sharon Jaenson to fill the vacancy, with her term ending December 31, 2023; and

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

RESOLVED, that Sharon Jaenson be and hereby is appointed to the Lansing Housing Authority Board, effective June 17, 2021 through December 31, 2023.

d. **RESOLUTION HIRING PART-TIME CONSTABLE FOR THE LANSING TOWN COURT**

**RESOLUTION 21-93**

**RESOLUTION HIRING PART-TIME CONSTABLE  
FOR THE LANSING TOWN COURT**

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

WHEREAS, Lansing Town Court Constable Douglas Bowman resigned February 11, 2021 and;

WHEREAS, there is a need for a second Constable to act in a substitution capacity when the need arises as the Court operates with one Constable at all times; and

WHEREAS, the Town of Lansing Supervisor has recommended that the Part-Time Constable position be filled at the Town of Lansing; and

WHEREAS, acceptable and qualified individuals will be located, and is therefore proposed to be hired to fulfill such job requirements; and

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

RESOLVED, that a Part-Time Constable hereby is approved to be employed for the Lansing Town Court, at the rate of \$45.00 per hour with a minimum of two hours, 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.

e. **RESOLUTION HIRING FULL-TIME INFORMATION AIDE IN THE SUPERVISOR'S OFFICE**

**RESOLUTION 21-94**

**RESOLUTION HIRING FULL-TIME INFORMATION AIDE  
IN THE SUPERVISOR'S OFFICE**

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

WHEREAS, the Supervisor's Office has a Full-time Information Aide position available; and

WHEREAS, the Town of Lansing Supervisor has recommended that the Information-Aide position be filled at the Town of Lansing; and

WHEREAS, acceptable and qualified candidates will be identified and are therefore proposed to be hired to fulfill such job requirements; and

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

RESOLVED, that the Town of Lansing Supervisor is hereby approved to hire a Full-time Information Aide, in the Supervisor's Office, at an hourly rate not to exceed \$28.00 per hour, and; also

RESOLVED, that the probationary period be and hereby is scheduled for 26 weeks, and; also

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.

f. **RESOLUTION SCHEDULING PUBLIC HEARING FOR PROPOSED LOCAL LAW No. 2 OF 2021 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C**

**RESOLUTION 21-95**

**RESOLUTION SCHEDULING PUBLIC HEARING FOR PROPOSED LOCAL LAW No. 2 OF 2021 A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-C**

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

WHEREAS, the Town Board of the Town of Lansing is hereby authorized to adopt a budget for the fiscal year 2022; and

WHEREAS, said proposed Local Law proposes: (1) to override the limit on the amount of real property taxes that may be levied by the Town of Lansing, County of Tompkins pursuant to General Municipal Law § 3-C (2) pursuant to Town Law Article 12-C, governed by the Town Board for the fiscal year beginning January 1, 2022 and ending December 31, 2022 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law § 3-C; and

WHEREAS, this proposed Local Law if adopted pursuant to subdivision 5 of General Municipal Law § 3-C which expressly authorizes the Town Board to override the Tax Levy Limit by the adoption of a Local Law approved by a vote of at least sixty percent (60%) of the Town Board; and

WHEREAS, upon deliberation there upon, the Town Board of the Town of Lansing has hereby

RESOLVED, that a Public Hearing will be held on the 21st day of July, 2021, at 6:31 pm, to consider public input and comments upon such proposed Local Law, and to hear all persons, via Zoom Video Conference or in person at 29 Auburn Road, Lansing, NY, interested in the subject thereof, and to take such action thereon as is required or permitted by law; and it is further

RESOLVED, that the Town Clerk of the Town of Lansing, Tompkins County, New York, is hereby authorized and directed to cause a Notice of Public Hearing to be published in the official newspaper of the Town of Lansing, and also to post a copy thereof on the Town signboard maintained by the Town Clerk, in accord with the law.

**g. RESOLUTION ACCEPTING RESIGNATION OF ROBERT JETTY AND APPOINTING LEON ZAHARIS TO THE TOWN OF LANSING ADVISORY COMMITTEE ON POWER PLANT FUTURE**

**RESOLUTION 21-96**

**RESOLUTION ACCEPTING RESIGNATION OF ROBERT JETTY AND APPOINTING LEON ZAHARIS TO THE TOWN OF LANSING ADVISORY COMMITTEE ON POWER PLANT FUTURE**

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

WHEREAS, Robert Jetty was appointed to fill the term of Town of Lansing Advisory Committee on Power Plant Future effective December 19, 2019 through December 31, 2022 and resigned effective April 30, 2021; and

WHEREAS, Leon Zaharis submitted an application on March 12, 2021 for the expiring term, for which the notice of vacancy was advertised on the Town website and in the newspaper, and for which three completed applications were received; and

WHEREAS, on May 13, 2021, the Town of Lansing Advisory Committee on Power Plant Future unanimously passed a Motion recommending that Leon Zaharis be appointed as a Member; and

WHEREAS, Leon Zaharis is qualified to serve on the Town of Lansing Advisory Committee on Power Plant Future; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Town Board; now therefore be it

RESOLVED, that Leon Zaharis is hereby appointed as Member of the Town of Lansing Advisory Committee on Power Plant Future effective June 17, 2021 through December 31, 2022.

**h. RESOLUTION AUTHORIZING DIRECTOR OF PLANNING TO EXECUTE PROPOSAL TO PERFORM CABLE FRANCHISE RENEWAL SERVICES AND FRANCHISE FEE AUDIT WITH COHEN LAW GROUP**

**RESOLUTION 21-97**

**RESOLUTION AUTHORIZING DIRECTOR OF PLANNING TO EXECUTE PROPOSAL TO PERFORM CABLE FRANCHISE RENEWAL SERVICES AND FRANCHISE FEE AUDIT WITH COHEN LAW GROUP**

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

WHEREAS, the Town of Lansing Broadband Committee was formed on April 15, 2020 via Resolution 20-73, which notes the expired Spectrum Northeast, LLC (locally known as Charter Communications) Cable TV Franchise Agreement; and

WHEREAS, Cohen Law Group is a legal services provider with detailed knowledge of franchise renewal agreement processes, to be compensated at a total flat fee not to exceed \$12,960 (cable franchise renewal negotiations - \$9,900; and franchise fee audit - \$4,500), plus eligible reimbursement expenses (copying and postage and travel); and

WHEREAS, such Proposal to Perform Cable Franchise Renewal Services dated May 21, 2021, and franchise fee audit proposal dated June 2, 2021, has been reviewed by and is generally acceptable to the Town Board, and upon consideration and deliberation upon the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED, that the Proposal to Perform Cable Franchise Renewal Services and franchise fee audit proposal be and hereby is approved, and that the Town Director of

Planning may sign and execute the same by, for, on behalf of, and in the name of the Town of Lansing.

i. **RESOLUTION FILLING TOWN PLANNER POSITION, AUTHORIZING FILING OF MSD 428, AMENDING RESOLUTION 19-54, AND RE-AWARDING LOST VACATION LEAVE BENEFITS**

**RESOLUTION 21-98**

**RESOLUTION FILLING TOWN PLANNER POSITION, AUTHORIZING FILING OF MSD 428, AMENDING RESOLUTION 19-54, AND RE-AWARDING LOST VACATION LEAVE BENEFITS**

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

WHEREAS, a Planner position was approved and opened, and applications received through the County Human Resources Department (as the Civil Service Unit Administrator for Tompkins County), a candidate was selected, the terms of employment have been decided upon and approved by the Town Board, and such candidate will be provisionally appointed; and

WHEREAS, in consideration of and deliberation upon the foregoing and the needs of the Town, the Town Board of the Town of Lansing has hereby RESOLVED as follows:

1. John Zepko (“Planner”) be and hereby is appointed as Town Planner, full-time, effective June 28, 2021, with all benefits to be provided for such position, each commensurate with the benefits of all other employees and officers of the Town per existing Town policies, with the exception of Town of Lansing Employee Handbook Section 802: Vacation Leave, whereby Vacation Leave shall be 15 work days annually for the first 8 years of employment, after which time Vacation Leave will follow then-current Town of Lansing Employee Handbook.
2. Such position shall be as Planner, an FLSA-exempt salaried position in the competitive class, at a salary of \$ 72,500 per year. Such appointment is provisional until qualified per NYS and Tompkins County Civil Service Rules.
3. The Town Supervisor is authorized to file the form MSD 428 making such appointment upon such terms; and it is further
4. Resolution No. 19-54 dictating Director of Planning position benefits to be commensurate with the benefits of all other employees and officers of the Town per existing Town policies, be and is hereby amended to add, or reinstate, the originally agreed upon Vacation Leave of 3 weeks, again being an exception to Lansing Employee Handbook Section 802: Vacation Leave, whereby the stated vacation leave for such position, and as now to be referenced in such Resolution No. 19-54, shall specify that Vacation Leave shall be 15 work days annually for the first 8 years of employment, after which time Vacation Leave will follow then-current Town of Lansing Employee Handbook.
5. The benefits returned per the above item 4 are confirmed as being made retroactive to, and to be prorated upon, May 13, 2019. Any Town Planner with leave time that was not obtained or utilized due to a change in the original terms of hiring hereby may, and is permitted, to carry-forward such unused time into FY 2021.
6. The Town of Lansing Employee Handbook Section 802: Vacation Leave, is amended by adding the following clause after the chart in the subsection entitled “New Employees”:

“Notwithstanding the foregoing, Vacation Leave for all Town Planners shall start at 15 work days upon date of hire, prorated to the time of hire, with Vacation Leave thereafter expanding per the schedule above (e.g., in year 9 an additional leave time benefits of 1 day is deemed earned and so awarded)”;

**j. RESOLUTION APPOINTING TOWN PLANNER AS STORMWATER MANAGEMENT OFFICER AND AMENDING ORGANIZATIONAL RESOLUTION No. 21-59**

**RESOLUTION 21-99**

**RESOLUTION APPOINTING TOWN PLANNER AS STORMWATER MANAGEMENT OFFICER AND AMENDING ORGANIZATIONAL RESOLUTION No. 21-59**

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

WHEREAS, Resolution No. 21-59 appointed the Towns CEO as Stormwater Management Officer per Town Code Chapter 225, which also results in the appointed officer being the SMO and enforcement officer for Stormwater and Illicit Discharges; and

WHEREAS, the Town’s CEO is retiring in June, 2021, and the Town has hired a new Planner who has CPESC certification and stormwater experience, and the CEO is staying on as a hired consultant to transition to a newly hired CEO and to assist with stormwater functions; and

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

RESOLVED, that Resolution No. 21-59 be and hereby is amended to read as follows:

“Town Code Chapter 225, Stormwater Management (Stormwater and Illicit Discharges): Code Enforcement Officer and any Stormwater Management Officer (“SMO”). The Town’s Planner be and hereby is also appointed and designated as the Town’s SMO.”

**k. RESOLUTION APPROVING TOWN OF LANSING PARTICIPATION IN A COMMUNITY CAMPAIGN TO LOWER RESIDENT ENERGY COSTS**

**RESOLUTION 21-100**

**RESOLUTION APPROVING TOWN OF LANSING PARTICIPATION IN A COMMUNITY CAMPAIGN TO LOWER RESIDENT ENERGY COSTS**

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

WHEREAS, NYSERDA is currently offering generous incentives for low-to-moderate income households for insulation and air sealing, energy efficient heat pumps, and heat pump water heaters, and

WHEREAS, some of these incentives are time limited, and

WHEREAS, HeatSmart Tompkins is offering municipalities the opportunity to participate in a Campaign for Clean Heat to provide information and coordinate resident sign-ups for these services, and

WHEREAS, the campaign offers residents free assessments for home energy improvements, and

WHEREAS, successful participation in this campaign will result in greater comfort and energy savings for participating households and potential grant funding for the Town, and

WHEREAS, the Town of Lansing wishes to partner with HeatSmart Tompkins on this campaign, and

WHEREAS, the Campaign will include a Clean Heating and Cooling Webinar in July that will be open to all residents, and

WHEREAS, the Town of Lansing wishes to help residents lower their energy costs, and to promote clean indoor and outdoor air, now

THEREFORE BE IT RESOLVED, that the Lansing Town Board hereby approves Town participation in the HeatSmart Tompkins Campaign for Clean Heat from June 16th through December 31st, 2021.

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

**RESOLUTION 21-101**

The Supervisor submitted his monthly report for the month of May 2021, to all Board Members and to the Town Clerk. The Supervisor's Report was reviewed by Councilperson Joseph Wetmore. The bills were reviewed by Councilperson Joseph Wetmore and Councilperson Doug Dake. 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 06/16/2021

AUDITED VOUCHER #'s	<u>399 - 501</u>
PREPAY VOUCHER #'s	<u>399 - 401</u>
AUDITED T & A VOUCHER #'s	<u>44 - 51</u>
PREPAY T & A VOUCHER #'s	<u>44 - 47</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>149,866.04</u>
HIGHWAY FUND (DA&DB)	\$ <u>33,686.43</u>
LANSING LIGHTING (SL1,2,3)	\$ <u>1,352.09</u>
LANSING WATER DISTRICTS (SW)	\$ <u>34,825.06</u>
TRUST & AGENCY (TA)	\$ <u>52,769.76</u>
WARREN RD SEWER (SS1-)	\$ <u>12,661.36</u>
CHERRY RD SEWER (SS3-)	\$ <u>3,522.43</u>
DRAINAGE DISTRICTS (SDD1-10)	\$ <u>0.00</u>
PERUVILLE RD CWD#5 (HC)	\$ <u>5,461.25</u>

**BUDGET MODIFICATIONS**

**GENERAL FUND A  
6/16/2021 Meeting**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A599	A1440.402	From Fund Balance to Engineering Stormwater P&M Additional Projects	\$ 5,000.00
A599	A5132.405	From Fund Balance to Garage Building Repair Additional Projects	\$ 3,000.00



**CONSENT AGENDA MOTION M21-18 AND RESOLUTIONS 21-91 – 21-101**

**RESOLUTION 21-102**

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

RESOLVED, that the Consent Agenda Motion **M21-18** and Resolutions **21-91 – 21-101**, are hereby approved as presented and amended, and

The question of the adoption of such proposed Consent Agenda Motion and Resolutions were duly motioned by Councilperson Joseph Wetmore, duly seconded by Councilperson Doug Dake, and put to a roll call vote with the following results:

Councilperson Andra Benson – Aye	Councilperson Doug Dake – Aye
Councilperson Bronwyn Losey – Aye	Councilperson Joseph Wetmore – Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 16, 2021.

**RESOLUTION CREATING MOTOR EQUIPMENT OPERATOR (MEO)/WATER/SEWER MAINTENANCE WORKER TITLE IN AND FOR THE TOWN OF LANSING**

**RESOLUTION 21-103**

**RESOLUTION CREATING MOTOR EQUIPMENT OPERATOR (MEO)/WATER/SEWER MAINTENANCE WORKER TITLE IN AND FOR THE TOWN OF LANSING**

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

WHEREAS, the Town has recognized the need for fourteen (14) MEO/Water/Sewer Maintenance Workers to handle water and sewer systems of the Town of Lansing as well as perform Motor Equipment Operator (MEO) duties in support of the Town Highway Department; and

WHEREAS, there are currently fourteen (14) Motor Equipment Operator positions that will be reclassified as a result of the creation of this title; and

WHEREAS, there is no monetary change in funding for this title; and

WHEREAS, the Town of Lansing Supervisor and Highway Superintendent have both recommended that the above title be created and changed at and by the Town of Lansing; and

WHEREAS, NYS Civil Service Law provides for the creation of particular jobs that would not be practicable to ascertain merit and fitness via competitive classification under Section 42(1) of the NYS Civil Service Law; and

WHEREAS, while such positions will be initially classified as competitive, due to the nature of the position and the multiple duties thereof a petition will be submitted to make such position non-competitive, so now, upon deliberation upon the foregoing, the Town Board of the Town of Lansing has hereby

RESOLVED, that, upon recommendation of the Tompkins County Human Resources/Civil Service Department, the new title of MEO/Water/Sewer Maintenance Worker is created and the hours of the position are to be set at 40 hours per week effective contingent upon state approval; be it 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 forms 428s, if required.

The question of the 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 Doug Dake – Aye
Councilperson Bronwyn Losey – Aye	Councilperson Joseph Wetmore – Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 16, 2021.

**RESOLUTION AUTHORIZING PURCHASE BY LEASE-FINANCE OF CASE CX160D EXCAVATOR AND CASE 650M CRAWLER-DOZER**

**RESOLUTION 21-104**

**RESOLUTION AUTHORIZING PURCHASE BY LEASE-FINANCE OF CASE CX160D EXCAVATOR AND CASE 650M CRAWLER-DOZER**

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

WHEREAS, in accord with budgeted appropriations for the Highway Department and compliance with the Town’s Procurement Policy and General Municipal Law § 103, the Town and the Town Highway Superintendent have examined the acquisition of a Case CX160D Excavator and Case 650M Crawler-Dozer using a 3-year equipment lease-finance agreement, including because the rental payments made can be captured on conversion, bid list pricing applies in relation to NYS Office of General Services piggybacking agreements and approved bid and dealer lists, and the Town Highway Superintendent has determined and recommended that the lease-finance acquisition be made at a net purchase price of \$178,000, being comprised of a \$21,698 down payment already made through payments delivered, and financing the balance thereof by equipment lease-finance agreement through NCL Governmental Capital Leasing, per NCL Sourcewell Contract # 011620-NCL; and

WHEREAS, such produce pricing was scheduled per an approved NJCP NYS OGC Piggyback contract, specifically OGS NYS Contract # PC69383, Sourcewell Contract #032119-CNH, listing Case CX160D Excavator and Case 650M Crawler-Dozer pricing approved for bid listings, which also specifically lists Monroe Tractor, Campbell, NY, and pricing based upon NYS bid lists complies with GML § 103 and Town Procurement Policies, as do Piggybacking Agreements, whether approved by the Town (as for NJCP procurement contracts) or as approved by NYS OGS, and the Town Highway Superintendent has examined and analyzed the overall cost of other purchasing options and other financing options, and has recommended to the Town Board that the desired equipment be acquired per the above bid specifications, financed by a 3-year lease financing agreement structured per the above with the Lease Service Center, Inc., better known as National Cooperative Leasing, at a rate of 3.99% and with annual lease payments each year of \$55,672.21, all pursuant to certain agreements described more fully below as submitted to the Town Board and hereby approved; and

WHEREAS, as a finance lease, the requirements of General Municipal Law (“GML”) § 109-b and related rules of the OSC were triggered, and such matters were also duly examined by Town officers and employees, and these agreements and this lease/financing recommendation duly so recommended for such Town Board approval as based upon an examination of overall lease-financing costs, overall closing and interest costs, an amortization of goods schedule, and other matters requiring examination pursuant to said GML § 109-b and the NYS Comptroller’s regulations thereunder, which examination has been reported as duly undertaken and completed, and an evaluation of financing

alternatives has been prepared by Town officers and employees demonstrating financing alternatives and the criteria used to evaluate these alternatives, all in accord with 2 NYCRR § 39.2, including an examination of the actual purchase price of the products purchased, with principal and interest amounts stated and deemed duly incorporated in this resolution and such agreements, all along and together with the requirements of Local Finance Law § 11.00; and

WHEREAS, it is found that the PPU for this equipment is well beyond the 3-year term of the lease, and that no referendum is required under the Local Finance Law or the GML (or regulations) as a result of this financing and its related agreements; and

WHEREAS, the lease-finance rate and costs were compared to current bond and BAN lending rates, including SIB rates, and while the interest rate on the lease is higher than bond and SIB rates, and even greater than canvassed BAN rates, when the overall cost of factoring in bond approvals and bond anticipation notes and resolutions, and related expenses, are considered, together with the loss of payments already made under a rental-lease agreement, the overall finance and transactional costs for this lease finance option become the most cost effective option by several thousand dollars over the 3-year life of this transaction; and

WHEREAS, given the public interest to be served by such equipment, the reduced time of acquisition and fulfillment, the known working order of the equipment and the fact that it is already on site, thus saving delivery costs, and the overall lower cost of an operating lease (or an installment payment agreement per GML § 109-b), the Town has and hereby again expressly finds and declares that it is in the public and best interests of the Town to execute the lease financing agreement with National Cooperative Leasing in the form as presented to this meeting, subject to the below-stated executory clause being made applicable to such transaction, and including because this form of financing was also an approved piggyback transaction issued through NJCP-Sourcewell and the NYS Office of General Services; and

WHEREAS, upon due consideration and deliberation upon the foregoing, the Town Board of the Town of Lansing resolves as follows:

1. The Town Board hereby finds and declares that: (i) all state and local procurement requirements were duly met; (ii) the execution of these agreements will not result in the Town exceeding the limits of its borrowing capacity nor the limits set forth in GML 109-b(6) and 2 NYCRR 19.5(c), as applicable; and (iii) that the execution and performance of the Monroe Tractor (“Seller”) and National Cooperative Leasing (“Lease-Lender”) agreements is in the public interest.

2. The Purchase Agreement with Seller and the lease finance transaction with the Lease-Lender be and each is duly approved, subject to the inclusion of the following clause in each and both agreements as required by law:

“This contract shall be deemed executory only to the extent of monies appropriated and available for the purpose of the contract, and no liability on account thereof shall be incurred by the political subdivision beyond the amount of such monies. The installment purchase contract is not a general obligation of the Town of Lansing. Neither the full faith and credit nor the taxing power of the Town of Lansing is pledged to the payment of any amount due or to become due under such installment purchase contract. It is understood that neither this contract nor any representation by any public employee or officer creates any legal or moral obligation to appropriate or make monies available for the purpose of the contract.”

3. The aforesaid Agreements may hereafter be duly executed severally by either the Town Supervisor or the Town Highway Superintendent by, for, in the name of, and on behalf of the Town of Lansing.

4. No payment under the Agreements may be hereafter made, financed by, or drawn from any proceeds of obligations issued pursuant to the Local Finance Law, other than the proceeds of revenue anticipation notes, tax anticipation notes, or budget notes.

5. This is a tax-exempt transaction and no charges for sales or use taxes shall be permitted or charged against the Town of Lansing.

6. This resolution is not subject to referendum per applicable rules of the GML and the Local Finance Law, as applied; and this action is a Type II Action under SEQRA such that no environmental review is here required.

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

Councilperson Andra Benson – Aye	Councilperson Doug Dake – Aye
Councilperson Bronwyn Losey – Aye	Councilperson Joseph Wetmore – Aye
Supervisor Edward LaVigne – Aye	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on June 16, 2021.

### **BOARD MEMBER REPORTS**

**Andra Benson** – reported the following:

Lansing Library – written report above

Lansing Youth Services – written report above

Conservation Advisory Council (CAC) – Natural Resources Inventory almost complete

Environmental Management Council (EMC) – two (2) excellent speakers

- Tompkins County Reuse Center, Diane Cohen – overwhelmed with current donations, hold all donations for a month
- New York State Association of Conservation Commissions, President Simon Skolink – impressed that Tompkins County has EMC and Town of Lansing has CAC

**Bronwyn Losey** – reported the following:

Broadband Committee – already covered above with Michael Roberts presentation

Cayuga Lake Watershed Intermunicipal Organization (now CWIO) – total maximum daily load (TMDL) discussion, advocate for Town, work with CJ

**Doug Dake** – reported the following:

Planning Board Meeting May 24, 2021

- Resolution for 320 Peruville Road, special use permit – passed
- Food Pantry, East Shore Drive, addition – approved
- Resolution for Liquor Store, next to Lansing Market – passed
- Cayuga Cliffs, minor subdivision – approved
- Asbury and Collins Road, negative declaration on SEQRA – approved
- Wilson Road, negative declaration on SEQRA – approved
- Hillcrest Road, negative declaration on SEQRA – approved
- Mirabito – presentation on underground tanks for fuel storage
- Floyd Davis – Route 34B, major subdivision, technical difficulties
- Scott Morgan – Cayuga Vista and Meadow Brook, two (2) projects pending

Planning Board Meeting June 14, 2021

- Village Solars – pathway revision proposal
- Cayuga Lake Scenic Byway and future commercial development in Rural Agricultural (RA) zone – Planning Board against moratorium

**Joseph Wetmore** – reported the following:

Broadband Committee – already covered above with Michael Roberts presentation

County Broadband – County claims some information is private and will not share it with the committee, this is change from the beginning, Town has not paid \$5,000 yet

Peter Wheeler – plaque dedication ceremony at Ludlowville Park Saturday, June 19, 2021 at 10:30 am

Lynn Day – thanks for twenty (20) years of service to the Town

**Edward LaVigne** – reported the following:

Departments – all doing well

Lynn Day – thanks for service to the Town

Residential Center – meeting tomorrow

Sales Tax Revenue – up \$55,000 for first four (4) months, compared to 2020

Tompkins Ithaca Airport – busy

Federal Money – \$1.28 million – some of this will go to the Village

### **A SHORT BREAK WAS TAKEN AT 8:30 PM**

### **WORK SESSION MEETING ITEM OF DISCUSSION**

Moratorium – discussion on two (2) areas

- Cayuga Lake Scenic Byway – Overlay district is zoning district
- Rural Agricultural (RA) zone split for farming and development
- Planning Board control with site plan review
- Planning Board design review – architecture, quality materials
- Planning Board not in favor of moratorium
- Personal property rights – careful with “taking”
- Agriculture Committee had recommendations on Ag Zone
- Put effort in getting “stuff” done, rather than moratorium
- Concern with zoning “things” out
- Put “brakes” on large retail / commercial development – over 1500 / 2000 square feet
- What will be accomplished during moratorium
- Property owners may have plans in place – careful with suspending their rights
- What uses are impacted / what uses should not be impacted – for prohibition or stay
- Citizens need right to appeal
- Moratorium makes Town vulnerable

After lengthy discussion, Board agreed to wait on moratorium until C.J. Randall provides Town Board with scope of work and timeline to work on re-zoning RA and Cayuga Lake Scenic Byway – overlay district.

### **ADJOURN MEETING**

Meeting adjourned at the call of the Supervisor at 9:50 p.m.

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Deborah K. Munson, RMC  
Town Clerk