

Whereas, Kyle Dake honorably represented the United States of America at the 2020 Olympic Games (held in 2021 due to COVID-19) and won the bronze medal at 74kg (163lbs); and

Whereas, the Lansing Town Board wishes to acknowledge and commend the hard work and talents of Kyle Dake, who has brought honor and pride to his family, hometown, university, and country; and

Now, therefore, I, Edward J. LaVigne, Town of Lansing Supervisor on behalf of the Lansing Town Board, do hereby proclaim the month of December 2021 to be:

Kyle Dake Month
In the Town of Lansing

in celebration of his continued success, the Town of Lansing honors and salutes Kyle Dake, pays tribute to his meritorious accomplishments, competitive spirit, and sportsmanship as a world champion wrestler, and extends its best wishes for continued success in all his future endeavors,

RESOLVED, that the Lansing Town Board recognizes Kyle Dake for his amazing wrestling achievements and presents this proclamation signifying the Town’s pride in his accomplishments.

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 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 November 17, 2021.

MOTION TO OPEN PUBLIC HEARING UPON ADULT USE CANNABIS (RECREATIONAL MARIJUANA) RETAIL DISPENSARIES AND CONSUMPTION ESTABLISHMENTS IN THE TOWN OF LANSING

Councilperson Joseph Wetmore, moved to **OPEN PUBLIC HEARING UPON ADULT USE CANNABIS (RECREATIONAL MARIJUANA) RETAIL DISPENSARIES AND CONSUMPTION ESTABLISHMENTS IN THE TOWN OF LANSING** at 6:40 p.m.

Councilperson Andra Benson seconded the motion.

All in Favor – 5 Opposed – 0

Three (3) residents that are opposed to Cannabis in the Town of Lansing stated the following:

- Retail outlets are a concern
- Worried with information not reaching residents
- New York State may change opt-out date to 2022
 - Wait to make decision
- Look at other states that have legalized marijuana
 - Children in Oregon have been poisoned
- Addictive substance
- Negative effects on the body
- Consult with law enforcement
- If opt-out of retail sales only forfeit about \$30,000 from sales tax revenue per year
- Support prescribed medical marijuana
- Would like public vote
- No way to measure a person’s impairment from marijuana

- Marijuana is a drug

Supervisor Edward LaVigne stated the following:

- If the Town does nothing, the Town will be allowed to have Cannabis retail dispensaries (similar to liquor stores) and on-site Cannabis consumption establishments (similar to bars)
- If the Town opts-out of Cannabis, it is subject to permissive referendum and may be brought up for a vote
- For Town information, go to lansingtown.com

Councilperson Andra Benson encouraged residents to come to Town Board meetings and express their thoughts and concerns.

Sheriff Derek Osborne stated the following regarding Cannabis:

- No way to test for marijuana at traffic stop
- Marijuana stays in system for a long time
 - No way to tell when marijuana was consumed
- Cash business
 - Large amounts of cash and marijuana
 - Could be target for crime
- May need more law enforcement
 - No financial resources to hire more deputies
- Lansing and Groton are busiest zones in Tompkins County

MOTION TO CLOSE PUBLIC HEARING UPON ADULT USE CANNABIS (RECREATIONAL MARIJUANA) RETAIL DISPENSARIES AND CONSUMPTION ESTABLISHMENTS IN THE TOWN OF LANSING

All persons desiring to be heard, having been heard, Councilperson Doug Dake, moved to **CLOSE PUBLIC HEARING UPON ADULT USE CANNABIS (RECREATIONAL MARIJUANA) RETAIL DISPENSARIES AND CONSUMPTION ESTABLISHMENTS IN THE TOWN OF LANSING** at 7:16 p.m.

Councilperson Andra Benson seconded the motion.

All in Favor – 5

Opposed – 0

MOTION SCHEDULING PUBLIC HEARING ON A PROPOSED LOCAL LAW PURSUANT TO NEW YORK STATE CANNABIS LAW § 131 OPTING OUT OF ALLOWING ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF LANSING

MOTION M21-28

MOTION SCHEDULING PUBLIC HEARING ON A PROPOSED LOCAL LAW PURSUANT TO NEW YORK STATE CANNABIS LAW § 131 OPTING OUT OF ALLOWING ON-SITE CANNABIS CONSUMPTION ESTABLISHMENTS WITHIN THE TOWN OF LANSING

Motion Scheduling Public Hearing on a Proposed Local Law Pursuant To New York State Cannabis Law § 131 Opting Out of Allowing On-Site Cannabis Consumption Establishments Within the Town of Lansing, scheduled for December 15, 2021 at 6:31 pm, at the Lansing Town Hall, 29 Auburn Road, Lansing, NY, or via Zoom.

The question of the adoption of such proposed Motion was duly motioned by Councilperson Doug Dake, 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 Motion was approved, carried, and duly adopted on November 17, 2021.

MOTION SCHEDULING PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND ZONING TO REGULATE RETAIL CANNABIS DISPENSARIES

MOTION M21-29

MOTION SCHEDULING PUBLIC HEARING ON A PROPOSED LOCAL LAW TO AMEND ZONING TO REGULATE RETAIL CANNABIS DISPENSARIES

Motion Scheduling Public Hearing on a Proposed Local Law to Amend the Code of the Town of Lansing Chapter 270 Zoning to Regulate Retail Cannabis Dispensaries, scheduled for December 15, 2021 at 6:32 pm, at the Lansing Town Hall, 29 Auburn Road, Lansing, NY, or via Zoom.

The question of the adoption of such proposed Motion was duly motioned by Councilperson Joseph Wetmore, 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 Motion was approved, carried, and duly adopted on November 17, 2021.

MOTION SCHEDULING PUBLIC HEARING ON A PROPOSED LOCAL LAW PURSUANT TO NEW YORK STATE CANNABIS LAW § 131 OPTING OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES WITHIN THE TOWN OF LANSING

MOTION M21-30

MOTION SCHEDULING PUBLIC HEARING ON A PROPOSED LOCAL LAW PURSUANT TO NEW YORK STATE CANNABIS LAW § 131 OPTING OUT OF ALLOWING RETAIL CANNABIS DISPENSARIES WITHIN THE TOWN OF LANSING

Motion Scheduling Public Hearing on a Proposed Local Law Pursuant To New York State Cannabis Law § 131 Opting Out of Allowing Retail Cannabis Dispensaries Within the Town of Lansing, scheduled for December 15, 2021 at 6:33 pm, at the Lansing Town Hall, 29 Auburn Road, Lansing, NY, or via Zoom.

The question of the adoption of such proposed Motion was duly motioned by Councilperson Bronwyn Losey, duly seconded by Councilperson Joseph Wetmore, 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 Motion was approved, carried, and duly adopted on November 17, 2021.

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

(Available in person and via Zoom)

One resident stated the following regarding Short-term Rentals:

- Proposed local law is too "heavy handed"
- Property owners rent rooms for local graduations
- People need additional money to pay taxes
- Difficult for residents to get permits
- Drawing of premises
- Certificate of occupancy and compliance
- Worked fine for many years
- Safety inspection required – why are apartments not inspected
- Guest more than seven (7) days need permit
 - Includes relative
- No other place has building inspector do inspection to get permit

One resident stated the following regarding Short-term Rentals:

- Regulations are important for Air BNB's
- Proposed local law regulates what people do with their own home
 - Restrictions are only on residences
- No regulations on large landowners
 - Landowner should have the right to do what they want with their land

Councilperson Joseph Wetmore questioned why the proposed Short-term Rental local law regulates family members moving in.

Supervisor Edward LaVigne stated residents should send emails to the Town Board, with their thoughts and concerns.

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
November 17, 2021**

1. The library is now open with extended evening hours, express browsing without an appointment and curbside pick-up Monday/Wednesday 10-6, Tuesday/Thursday 10-7, Friday and Saturday 10-2. Computers may now be used without an appointment.
2. The Lansing Artisan Fair will take place on Friday, December 3rd from 3-6pm and on Saturday, December 4th from 10am-4pm at the All Saints Church hall.
3. Dungeons and Dragons Club – Tweens and teens are invited to join the club in a campaign based on the adventures in the *Candlekeep Mysteries*. The club will meet via Google Meeting on every other Thursday from 3:30-5:30. Registration is required.
4. Fall Tween Book Club and Take and Make Craft – The book selection is *Julius Zebra: Rumble with the Romans!* By Gary Northfield.
5. Fall Take and Make Crafts – The project for November is a clay hand dish. Materials are available November 15th.
6. The library will be closed on November 25-26th.
7. The library continues to provide free delivery to Woodsedge.
8. The library has an Empire Pass and passes to the Museum of the Earth and the Cayuga Nature Center available for check-out.
9. The LCL's Wi-Fi 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
November 2021**

LYS's next meeting will be on November 18th at 6pm

Programs completed last week- October 28th

1. **Mad Science:** Participants had fun exploring engineering with spaghetti and marshmallows, completing Lego challenges, bridge building contest, and exploring the electromagnetic kits. 15 youth served.
2. **Outdoor Adventure:** Participants practiced fire making in a newly discovered area on Salmon Creek. The group enjoyed cooking and learning about the local species of fish as many fishermen and their catches were observed. A group favorite was camouflage. 14 youth served.
3. **Unusual Art:** Making big art was the favored mode of creation. This group of youth made tile collages, large scale spin art and creations out of popsicle sticks. The spin art project will make a return, the set up was involved, but doable, very popular and super fun! 16 youth served.

4. **Outdoor Cooking:** Cooking over the fire occurred daily, S'mores, hot dogs, apple pie, cookies, and cinnamon snakes were all enjoyed around the group fire. The final day consisted of grilling at the park and a mini celebration! 12 youth served.

Programs that have begun this week – November 1st

5. **Game On!:** Mondays through December 13th - Board games, card games, custom puzzle making with the possibility of making our own board game. 16 youth enrolled
6. **Outdoor Adventure:** Tuesdays through December 14th - Late fall and early winter naturalist observations will be part of the plan. Shelter building and winter survival skills will also be explored. 12 youth enrolled
7. **Art and Soul:** Wednesdays through December 15th - Jewelry making, painting, charcoal art and participation in the Artesian Fair are on the agenda for this program. 14 youth enrolled
8. **Iron Chef- Unleashed:** Thursdays through December 16th - Exploration of a variety of cooking methods will be part of this Iron Chef program, hot plates, camp stoves, fire logs and solar cookers will all be part of the fun and learning experience. 12 youth enrolled
9. **Youth Employment Program:** High School students will fill out applications and learn skills associated with employment through November and December. New placements in the high school will begin January 2021. Current youth employees will work through December 12th, 2021 payroll.
10. LYS reviewed bylaws at September Meeting. They plan to vote on the revised bylaws at the November Meeting, as there wasn't a quorum for the October Meeting.
11. Meghan Guerra Lyons (Youth Services Liaison) coordinated a training for youth commissions on Cultural Humility and creating DEI statements with trainer Fatima Banister. Both trainings attended by Stacie Mastin. LYS will continue to work with Fatima and Meghan in creating a meaningful DEI statement that will be threaded through LYS programming.
12. LYS Goals will be reviewed at the November and December meetings. Vitality Check-list will be implemented by year's end to allow group to reevaluate goals.

LYS 2021 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.

Councilperson Andra Benson stated the program is very successful.

TOMPKINS COUNTY LEGISLATOR REPORT – MIKE SIGLER

Reviewed the following with the Town Board.

**Tompkins County Legislator
Michael Sigler
November 17, 2021**

Hello and thanks for having me in again.

Good news at the County this month. Last night we passed our budget for 2022. There will be no tax levy increase this year and you'll see your tax rate go down. We also approved the capital plan which has the phase one of the greening of the County facilities. The goal is to get to net-zero for the County buildings over the next few years. This first expenditure will grab the lowest fruit and we'll get a good sense where we are for the next two phases.

We also approved 1.8 million to plan a new County Office Building and approved the acquisition of the property at the corner of Tioga and Buffalo. Some will ask why. We've made do with a hodge-podge of space for County workers for a number of years and our needs have outgrown the space we have. We're also losing space in the County Courthouse as the State needs that space, so space will be needed for the County Clerk and the District Attorney. We've been able to acquire land near the Courthouse and Legislature to make a downtown campus and that's what we'll push forward with unless events in the future derail that plan.

We added \$15,000 last night to the budget to keep the library downtown open on Sundays after the city decided to defund the library and withdraw the \$15,000 it normally puts in.

Congratulations to Joe and Ruth on their winning of seats to the Town Board. We have several new members coming on the County Legislature. I met with Greg Mezey this morning at the Roadhouse Café. He'll be representing the southeast side of Dryden replacing Martha Robertson. He has a Lansing attachment as he and his partner own the marina. He's a solid addition to the Legislature. I've reached out to Veronica Pillar and Travis Brooks and already know Randy Brown. It looks like Mike Lane will retain his seat on the Legislature after a close race.

We named a new Director at the Airport. Roxan Noble will be leading the Airport going forward. She's been Interim Director since Mike Hall retired and was his second in command. We welcome her. Bill Troy was named the new County Attorney. He's been in the County Attorney office for some time. Jonathan Wood, of Lansing, is retiring. As for County Administrator, we are going to reopen the search for that position.

The County has started vaccinating children against COVID-19. Vaccination clinics for children ages 5-11 years old will take place this week on Friday, November 12 from 11:00am – 7:00pm and Saturday, November 13 from 10:00am – 6:00pm at the Ithaca Mall Vaccination Site. The vaccine is free of charge.

Tompkins County Health Department is working closely with local pediatric offices and school districts to hold large vaccination clinics throughout the month of November at the Shops at Ithaca Mall vaccination site (40 Catherwood Road, Ithaca). So far, we've vaccinated about 2800 children.

We appointed the members of the redistricting committee. They'll work on redrawing the lines of the legislative seats based on the census. Last time this was done we moved from 15 to 14 seats so we're looking forward to what comes out of this committee this time. Hank Dullea will lead the group as he did 10 years ago.

We had some flooding as you know in Town. I reached out to Anna Kelles and Pam Helming and our County Emergency Services director, and they were all very responsive. Also, I reached out to the DOT about the 34B bridge. They now expect that to be done in July.

PARKS AND RECREATION REPORT – PATRICK TYRRELL

Reviewed the following with the Town Board and the report was available on Town of Lansing website and as a handout.

**Parks & Recreation
11/17/21
Town Board Meeting**

RECREATION

- Trunk or Treat had another successful year at Myers Park, despite the high-water levels. Thank you to all involved.
- Ongoing programs include basketball, cheerleading, horse riding and indoor soccer.
- We have spent some time at the Lansing School facilities making some improvements to the baseball fields.
- Volunteer coaches continue to be more and more difficult to find for any sport.
- The water will be turned off on the ballfields on Monday.

PARKS

- The Isaac Cove sign has been installed and dedicated at Salt Point, hopefully you all saw the very nice article written by Robert Rieger in the Tompkins Weekly.
- The heavy rainfall has once again brought a tremendous amount of debris to Myers Park, this will take us several days to clean up once the water recedes.
- Myers Park water has been shut off for the season.
- Salt Point hunting is now under the supervision of the DEC, hunters must register at the hunting cooperative station in King Ferry. Call 315-364-7777.
- Ludlowville Park usage still remains very high, especially with all the heavy rainfall, many people are stopping to view the falls.

HIGHWAY REPORT – MICHAEL MOSELEY

Reviewed the following with the Town Board and the report was available on Town of Lansing website and as a handout.

HIGHWAY REPORT November 17, 2021

FLOOD DAMAGE REPAIR – Clean up from October 26th storm.

PAVING – Hot mix pavement on Sun Path Road, Eastlake Road, Bolton Point Road, Autumn Ridge Drive, and a section of Smugglers Path.

SHOULDER WORK – Added shoulders to newly paved roads while continuing to fix wash outs around Town from flooding.

DITCH DIGGING – Cleaned ditches and replaced driveway pipes around Town.

WINTER PREPARATION – Worked on getting trucks ready for the winter.

Mike also reported:

- Three (3) sections of each of the following roads are seasonal
 - Sweazey Road, Ross Road, and Brown Hill Road
 - The Town does not maintain these sections December 1 – April 1
- May need budget modifications
 - Depending on snow
 - May need to purchase salt
 - Personnel money to plow roads is short
- Ludlowville Road – should have additional information in December

DIRECTOR OF PLANNING REPORT – C.J. RANDALL

Reviewed the following with the Town Board and the report was available on Town of Lansing website and as a handout.

CORE PLANNING FUNCTIONS

- **Planner conducting future classification and review of development applications**
- **Data and GIS Services**
 - Reviewed cloud-based software for planning and permitting on 10/12

- **Agricultural and Farmland Protection Committee staff support**
- **Conservation Advisory Council staff support**
 - Reviewed Cayuga Lake Scenic Byway Overlay District geographic extent on 10/7
 - Reviewed Open Space Index scope of work on 10/7
 - Circulated Bell Station thank you letters on 10/27
- **Planning Board staff support**
 - No 10/11 working meeting (holiday)
 - Lansing Propane / Petroleum Storage and Distribution Facility (Phase 2) – 15 Town Barn Rd
 - SEQRA Negative Declaration of Environmental Significance and Site Plan approval granted 10/25
 - Waza Turf Field (commercial recreation:outdoors)–320 Peruville Rd
 - SEQRA Negative Declaration of Environmental Significance and Site Plan approval granted 10/25
 - Locke Road – Minor Subdivision (reclassified from Major) – 144 Locke Rd
 - SEQRA Negative Declaration of Environmental Significance and Subdivision approval granted 10/25
 - Momo’s Café – 1173 Auburn Rd
 - Modification of Site Plan (previously approved 2/22/2021) for construction of addition granted 10/25
 - Dollar General Retail Store and Lot Line Adjustments – East Side of NYS Route 34B north of Lansing Station Rd
 - SEQRA Declaration of Lead Agency – 10/25
- **Zoning Board of Appeals staff support**
 - 281 Bill George Rd – 30’ Area Variance appeal from Minimum Yard Setback from Cayuga Lake to enable emplacement of 8’ x 12’ accessory building – granted 10/12
- **Interdepartmental Infrastructure Coordination**
 - Coordinated and attended monthly Department Head meeting on 10/13
 - Coordinated and attended Town Center Committee meeting on 10/6; prepared and submitted application to Tompkins County Municipal Housing Affordability grant program on 10/29
 - Coordinated with NYS OGS regarding Lansing Residential Center on 10/6
- **Attended Tompkins County Code Officials meeting on 10/5**
- **Attended Lansing Advisory Committee on Power Plant Future (LAC-PPF) meeting on 10/14**
- **Chaired Tompkins County Planning Advisory Board (PAB) meeting on 10/12**
- **Attended American Planning Association Upstate NY Chapter conference sessions on 10/15, 10/20, 10/22, 10/27**
- **Attended Land Use Institute conference on 10/19-10/20**
- **Attended United Solar Energy Supporters (USES) Solar PB Site Plan Review training on 10/19**
- **Attended American Farmland Trust Smart Solar Siting Roundtable on 10/21**

LAND USE POLICY WORK PROGRAM

- **Land Use Ordinance Update**
 - Coordinated and attended Ad Hoc Cannabis Working Group (Meeting 1 of 3) on 10/8

- Circulated schedule of adoption and scope of work for Rural Agricultural (RA) / AG Zoning District update Q4 2021 to Q3 2022
- **Environmental Protection Overlay Districts**
 - Scope of work and schedule of adoption forthcoming based on 2021 CAC Work Plan

ENGINEER’S REPORT – DAVE HERRICK

No report.

AGRICULTURE COMMITTEE REPORT – CONNIE WILCOX

No report.

CONSENT AGENDA

- a. **MOTION AUTHORIZING STORMWATER OPERATING, MANAGEMENT AND REPORTING AGREEMENT FOR MIRABITO HOLDINGS, INC.**

MOTION M21-31

MOTION AUTHORIZING STORMWATER OPERATING, MANAGEMENT AND REPORTING AGREEMENT FOR MIRABITO HOLDINGS, INC.

Moved that, the Mirabito Holdings, Inc. (propane and petroleum storage distribution facility) Stormwater Operating, Management, and Reporting Agreement (the “SOMRA”) be and hereby is approved, in the form as set forth before this meeting and pursuant to Town Code § 225-28D and the Town Supervisor, upon consultation with and the approval of the Town’s Stormwater Management Officer; Attorney for the Town; and Director of Planning, be and hereby is authorized as follows: (i) subject to approval by the Town Board for material changes, to make final adjustments and negotiate the final form of such SOMRA; and (ii) when in final form execute the same by, for, on behalf of, and in the name of the Town of Lansing.

- b. **MOTION APPROVING SUSAN BROCK, ESQ., AS SPECIAL COUNSEL FOR THE TOWN FOR PROFESSIONAL ASSISTANCE RELATING TO THE REVIEW OF PROPOSED VILLAGE CIRCLE/VILLAGE SOLARS PDA APPLICATION**

MOTION M21-32

MOTION APPROVING SUSAN BROCK, ESQ., AS SPECIAL COUNSEL FOR THE TOWN FOR PROFESSIONAL ASSISTANCE RELATING TO THE REVIEW OF PROPOSED VILLAGE CIRCLE/VILLAGE SOLARS PDA APPLICATION

Motion to approve Susan Brock, Esq., as special counsel for the Town of Lansing for professional assistance relating to the review of proposed Village Circle/Village Solars PDA Application, and all matters relating to the same as the Town Board, the Planning Board, the ZBA, or the Town Planning and Zoning Department may so decide or elect.

- c. **RESOLUTION AUTHORIZING THE TOWN OF LANSING HIGHWAY SUPERINTENDENT TO HIRE TOWN OF LANSING, MOTOR EQUIPMENT OPERATOR AND / OR LABORER EMPLOYEES**

RESOLUTION 21-142

RESOLUTION AUTHORIZING THE TOWN OF LANSING HIGHWAY SUPERINTENDENT TO HIRE TOWN OF LANSING, MOTOR EQUIPMENT OPERATOR AND / OR LABORER EMPLOYEES

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

WHEREAS, there is a need for three (3) Motor Equipment Operators (MEO) and / or Laborer Employees at the Town of Lansing Highway Department; and

WHEREAS, acceptable and qualified candidates will be identified and selected by the Town of Lansing Highway Superintendent, and are therefore proposed to be hired to fulfill such job requirements; and

WHEREAS, the Town of Lansing Supervisor has recommended that the Highway Department, Motor Equipment Operator and / or Laborer Full Time Employee positions be filled at the Town of Lansing; and

WHEREAS, upon due consideration and deliberation by the Town of Lansing Town Board, now therefore be it RESOLVED as follows:

1. The Town of Lansing Highway Superintendent is hereby approved to hire a Motor Equipment Operator and / or a Laborer (total of three (3) employees), at a pay grade not to exceed \$23.63 per hour for MEO and \$18.58 per hour for Laborer,
2. 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.

d. RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF TOWN CENTER LEASE TO KERSAT LANDSCAPING, INC., SUBJECT TO PERMISSIVE REFERENDUM

RESOLUTION 21-143

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF TOWN CENTER LEASE TO KERSAT LANDSCAPING, INC., SUBJECT TO PERMISSIVE REFERENDUM

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

WHEREAS, the Town acquired title to 104 Auburn Road upon August 15, 2019, such land being part of the Town Center area; and

WHEREAS, the Town acquired such land subject to two leases, one of which is Kersat Landscaping, Inc. (the other being "Scoops"), which lease expired October 31, 2021, and which tenant has requested a one-year extension of its lease and an expansion of leasehold occupancy rights to assume in tenancy the entirety of the main building located upon such parcel; and

WHEREAS, a form of lease has been drafted and approved and, upon due deliberation thereupon, the Town Board of the Town of Lansing has hereby

RESOLVED that the 1-year lease to Kersat Landscaping, Inc. be and hereby is approved in substantially the form as presented and, subject to negotiation and approval of the final form thereof by the Town Supervisor, undertaken upon the advice and consent of the Town Attorney, and as so amended in their negotiated final form, 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.

e. RESOLUTION ESTABLISHING 2022 SEWER RATES FOR ALL SEWER DISTRICTS IN THE TOWN OF LANSING

RESOLUTION 21-144

RESOLUTION ESTABLISHING 2022 SEWER RATES FOR ALL SEWER DISTRICTS IN THE TOWN OF LANSING

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

WHEREAS, on June 15, 2011 by Resolution 11-101, the Town Board adopted an updated formula for sewer charges; and

WHEREAS, the Town Clerk, hereby recommends an increase of \$5 per quarter (\$20 annually) in Sewer District fees which are billed a flat rate; and

WHEREAS, vacant parcels will be charged an Operation and Maintenance annual flat fee of \$73.75 which will be placed on the Town and County Tax Bill starting with the 2022 tax year; and

WHEREAS, dwellings that are not hooked up to sewer with water accounts will be billed \$73.75 Operation and Maintenance annual flat fee. Said fee will be billed by S.C.L.I.W.C. (Bolton Point) on the quarterly water bills, beginning February 2022 in the amount of \$18.44 per quarter; and

WHEREAS, dwellings that are hooked up to sewer but do not have a water account will be billed an annual flat fee of \$295.00 which will be placed on the Town and County Tax Bill starting with the 2022 tax year, and

WHEREAS, dwellings that are hooked up to sewer that have water accounts will be billed an annual flat fee of \$295.00. Said fee will be billed by S.C.L.I.W.C. (Bolton Point) on the quarterly water bills, beginning February 2022 in the amount of \$73.75 per quarter,

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

RESOLVED, that the Town Board of the Town of Lansing does hereby approve the above increase and formula for all Sewer Districts in the Town of Lansing.

f. RESOLUTION APPROVING HIGHWAY DEPARTMENT PURCHASE OF REPLACEMENT VEHICLE AND EQUIPMENT IN ACCORD WITH 2022 BUDGET AND CAPITAL REPLACEMENT PLANS

RESOLUTION 21-145

RESOLUTION APPROVING HIGHWAY DEPARTMENT PURCHASE OF REPLACEMENT VEHICLE AND EQUIPMENT IN ACCORD WITH 2022 BUDGET AND CAPITAL REPLACEMENT PLANS

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

WHEREAS, the Town of Lansing has long had capital management and equipment replacement plans for the Highway Department consisting of a balance of reserve funds and budgeted cash, and in 2021 certain capital needs of the Highway Department were discussed, including how to fund the purchase of the same in 2022 without incurring debt, which discussions resulted in funds being placed into Highway Budget line DB5110.200 and SW8340.200 and DA5142.200 to support such purchases in 2022; and

WHEREAS, the Highway Department has now confirmed and identified its need for a new highway truck which consists of a plow truck with box and plow kit, and has utilized the County Bid lists for pricing such vehicle and equipment; and

WHEREAS, the Town Board has fully reviewed such need and the options for the same, including the purchase of the same from the budget balances, and the Highway

Department now wishes to use such funds and seeks verification from the Town Board that this budget line item is indeed to be used as cash to purchase the vehicles and equipment discussed in 2021; and

WHEREAS, upon and after due deliberation upon this matter, the Town Board of the Town of Lansing has determined as follows, and now be it therefore

RESOLVED, that the Town Board affirms the funds listed are \$77,500 in DB5110.200 and \$77,500 in SW8430.200 and \$77,500 in DA5142.200 were and are intended to be used for equipment and vehicle purchases; and it is further

RESOLVED, that the Highway Superintendent be and hereby is authorized to affect the following purchase: a 2023 International HX620 tandem axle dump truck with plow package and muni body (county contract #8996); but only as long as the amount to be expended does not cumulatively exceed the sum of \$232,500 for such vehicle and equipment; and it is further

RESOLVED, that should the sum proposed to be expended exceed such amount of \$232,500, it is requested that the Highway Superintendent notify the Town Board and work with the Town Board to decide whether to spend such additional funds.

g. APPROVE AUDIT AND BUDGET MODIFICATIONS AND SUPERVISOR'S REPORT

RESOLUTION 21-146

The Supervisor submitted his monthly report for the month of October 2021, to all Board Members and to the Town Clerk. The Supervisor's Report was reviewed by Councilperson Doug Dake. The bills were reviewed by Councilperson Doug Dake and Councilperson Bronwyn Losey. 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 # 011

DATED	<u>11/17/2021</u>
AUDITED VOUCHER #'s	<u>991 - 1077</u>
PREPAY VOUCHER #'s	<u>991 - 994</u>
AUDITED T & A VOUCHER #'s	<u>83 - 89</u>
PREPAY T & A VOUCHER #'s	<u>83 - 85</u>

<u>FUND</u>	<u>TOTAL APPROPRIATIONS</u>
GENERAL FUND (A&B)	\$ <u>186,372.52</u>
HIGHWAY FUND (DA&DB)	\$ <u>234,970.64</u>
LANSING LIGHTING (SL1,2,3)	\$ <u>1,427.24</u>
LANSING WATER DISTRICTS (SW)	\$ <u>207,256.44</u>
TRUST & AGENCY (TA)	\$ <u>55,387.99</u>
WARREN RD SEWER (SS1-)	\$ <u>1,774.83</u>
CHERRY RD SEWER (SS3-)	\$ <u>0.00</u>
DRAINAGE DISTRICTS (SDD1-10)	\$ <u>601.25</u>

PERUVILLE RD CWD#5 (HC) \$ 2,582.50

BUDGET MODIFICATIONS

**GENERAL FUND A
November 17, 2021**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
A599	A1440.401	From Fund Balance to Engineering Sewer P&M Additional Needed	\$ 500.00
A599	A1440.406	From Fund Balance to Engineering Misc Water Additional Needed	\$ 10,000.00
A599	A1630.403	From Fund Balance to Community Center Electric Additional Needed	\$ 500.00
A599	A1640.403	From Fund Balance to Town Barn Storage Electric Additional Needed	\$ 500.00
A599	A5010.400	From Fund Balance to Superintendent Contractual Additional Needed	\$ 2,000.00
A599	A5132.404	From Fund Balance to Garage Phone Additional Needed	\$ 750.00
A599	A7110.110	From Fund Balance to Parks Personnel Additional Needed	\$ 9,000.00
A599	A7110.404	From Fund Balance to Parks Phone Additional Needed	\$ 600.00
A599	A7140.100	From Fund Balance to Playground/Rec Field Personnel Additional Needed	\$ 15,000.00
A599	A7140.400	From Fund Balance to Playground/Rec Field Contractual Additional Needed	\$ 5,000.00
A599	A7310.400	From Fund Balance to Youth Programs Contractual Additional Needed	\$ 10,000.00
A599	A9010.800	From Fund Balance to NYS Retirement Additional Needed	\$ 20,400.00

**GENERAL FUND B
November 17, 2021**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
B599	B8010.402	From Fund Balance to Zoning Legal Additional Needed	\$ 1,500.00
B599	B9010.800	From Fund Balance to NYS Retirement Additional Needed	\$ 325.00

**HIGHWAY FUND DA
November 17, 2021**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
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DA599	DA9010.800	From Fund Balance to NYS Retirement Additional Needed	\$ 4,100.00
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**HIGHWAY FUND DB
November 17, 2021**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
DB599	DB9010.800	From Fund Balance to NYS Retirement Additional Needed	\$ 1,050.00

**WARREN ROAD SEWER SS3
November 17, 2021**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SS3-599	SS3- 5182.400	From Fund Balance to Contractual Additional Needed	\$ 600.00

**WATER FUND SW
November 17, 2021**

<u>FROM</u>	<u>TO</u>	<u>FOR</u>	<u>AMOUNT</u>
SW599	SW8320.400	From Fund Balance to Source of Supply - CWD Contractual Additional Needed	\$ 88,400.00
SW599	SW8320.401	From Fund Balance to Source of Supply - Lansing Sta Cont. Additional Needed	\$ 4,250.00
SW599	SW8320.402	From Fund Balance to Source of Supply - Drake Rd #2 Cont. Additional Needed	\$ 125.00

**CONSENT AGENDA MOTIONS M21-31 – M21-32 AND RESOLUTIONS
21-142 – 21-146**

RESOLUTION 21-147

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

RESOLVED, that the Consent Agenda Motions **M21-31 – M21-32** and Resolutions **21-142 – 21-146**, are hereby approved as presented and amended, and

The question of the adoption of such proposed Consent Agenda Motions and Resolutions were duly motioned by Councilperson Doug Dake, 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 Resolutions were approved, carried, and duly adopted on November 17, 2021.

RESOLUTION ADOPTING AMENDED TOWN OF LANSING COVID-19 LEAVE TIME AND GENERAL POLICIES

Town Board discussed the following:

- Mandate masks for Town Board meetings and maybe all Town meetings
- Follow Tompkins County Health Department guidelines
- Separate room to accommodate people at Town Hall
 - Voting members and public
- Natural immunity if person had COVID-19
- Does vaccine work or not

Town Counsel Guy Krogh stated:

- Could have mask mandate for Town Board meetings and not other meetings
- Planning Board generally cannot require masks if not in this procedure
- Citizens have right to attend government meetings
- Get guidance from Health Department
- Could have another room that requires masks
- Day to day management of building is okay without policy
- Can post note on door (for public safety) – only enter with mask

Town Board agreed to have masks available at each meeting.

RESOLUTION 21-148

RESOLUTION ADOPTING AMENDED TOWN OF LANSING COVID-19 LEAVE TIME AND GENERAL POLICIES

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

WHEREAS, the Town of Lansing has largely followed state-generated advice on managing COVID-19 matters, including but not limited to the Governor’s Executive Orders (an “EO”), the input on essential versus non-essential personnel from the Empire State Development Corporation (“ESD”), and guidance on rules, protocols, public safety, and other matters from the New York State and Tompkins County Departments of Health (together, the “NYSDOH”), and the myriads in changes in state and federal law since January 1, 2020 respecting the labor law, leave time benefits, and a plethora of changes caused by or attributed to a virus; and

WHEREAS, at a meeting of Department Heads the November 2020 Town COVID-19 policy was updated, in due consideration of the draft new “UPDATED AND AMENDED TOWN OF LANSING COVID-19 LEAVE TIME AND GENERAL POLICIES” as submitted to this meeting, the Town Board of the Town of Lansing has duly

RESOLVED, that the said policy, as updated, supersedes and replaces the prior policy effective immediately.

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 November 17, 2021.

A SHORT BREAK WAS TAKEN AT 8:35 PM

WORK SESSION MEETING ITEMS OF DISCUSSION

American Rescue Plan Act Funding (ARPA) – cannot be used for Broadband

Cloud Based Software for Utilization by Town Residents and Property Owners –
C.J. Randall

- Planning & Code Enforcement Department and Highway Department
- Permitting and Licensing – single platform
- Current software is sunseting
- Recommend OpenGov software
- May have resolution for December 15th Town Board meeting

BOARD MEMBER REPORTS

Joseph Wetmore

Reviewed the following with the Town Board and the report was available on Town of Lansing website and as a handout.

**Joseph Wetmore
Town Board Member Report
November 2021**

Planning Board

Monday, October 25·6:30 – 8:30pm

1. Town Board liaison report (verbal) Doug was unable to attend, so I made the report.
2. Mirabito Lansing Propane / Petroleum Bulk Storage & Distribution Facility approved.
3. Waza Turf Field approved.
4. Subdivision approved for 144 Locke Rd – Subdivide the existing ~5.62 -acre parcel into three parcels.
5. MoMo’s Café addition of a two-story addition (640 sf footprint) to the existing 2,688 sf building.
6. Dollar General Retail Store –Site Plan and Consolidation/lot-line Adjustment Route 34B North of Lansing Station Rd; Classification of SEQR action.

Tompkins County Council of Governments

Thursday, October 28·3:00 – 5:00pm

1. Presentation: Tompkins Food Future Update Food Policy Council. I passed out info on this to the Town Board, staff and the AG committee on Oct 13 via email.
2. County-wide Street number assigning? Duplicative addresses in Tompkins County are hampering EMS responses.
3. EMS Task Force resolution. I presented a similar resolution at our Nov 3rd meeting.
4. Veterans Week and Operation Greenlight.

Committee on Cannabis

Friday, November 5·9:00 – 10:15am

Committee split on opting out.

Discussion: Proposed time/place/manner zoning restrictions

On-site consumption limited to Industrial, B1 and PDA

1000-1500 from schools, churches and recreational facilities

Meet again to look over draft Op-in regulations.

Planning Board

Monday, November 8·6:30 – 8:30pm

1. Code Updates Q4 2021 to Q3 2022.
2. Review of 2022 Planning & Code Department Work Plan.

3. Planning Board discussed expiring member terms. Gerald Caward is not reapplying. Planning Board will make recommendations at their next meeting.
4. 2021 member training report. Most have caught up.
5. Planning Report

**ITCTC Planning and Policy Committee Meeting
Tuesday, November 16, 2021, 10:00 am – 12:00 pm**

TBA

Andra Benson – reported the following:

Lansing Library – written report above

Lansing Youth Services – written report above

Conservation Advisory Council (CAC)

- Scenic Byway – Routes 34 and 34B – overlay district

Doug Duke – reported the following:

Planning Board

- Covered in Joe’s report above

Bronwyn Losey – reported the following:

Cayuga Lake Watershed Intermunicipal Organization (CWIO)

- Last meeting report was circulated
- Grant for watershed manager

Lansing Advisory Committee on Power Plant Future (LAC-PPF)

- Ed will attend tomorrow’s meeting for Bronwyn

Edward LaVigne – reported the following:

Ladoga Park – flooding

- Water receded about one foot – just below flood stage

Assessment Committee

- Ed will serve on this committee
- Need one more Town Board member

Airport

- New restaurant open for breakfast, lunch and dinner

American Rescue Plan Act Funding (ARPA)

- Guy Krogh is reviewing

MOTION TO ADJOURN MEETING

Councilperson Andra Benson moved to **ADJOURN THE MEETING AT 9:11 PM.**

Councilperson Joseph Wetmore seconded the motion.

All in Favor – 5

Opposed – 0

Minutes taken and executed by the Town Clerk.

Respectfully submitted,

Deborah K. Munson, RMC
Town Clerk