

**RESOLUTION APPROVING FINAL DISSOLUTION PLAN FOR TOWN OF LANSING CONSOLIDATED WATER DISTRICT NO. 3, DISSOLVING SUCH DISTRICT, AND ISSUING POST-DISSOLUTION DIRECTIVES IN ACCORDANCE WITH GENERAL MUNICIPAL LAW ARTICLE 17-A**

**RESOLUTION 24-**

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

WHEREAS, the Town Board of the Town of Lansing formed Consolidated Water District Extension Number 3 (the “District Extension”) by Final Order dated June 19, 2019, but the increases in costs and construction expenses showed that the district was impossible to build in the planned amount and at planned locations in any feasible manner, and the Town Board previously both concluded and directed that the District Extension be dissolved pursuant to a Plan of Dissolution that was prepared and approved on July 24, 2024, and thereafter published and posted in the manner required by law; and

WHEREAS, a public hearing was duly held as required by law at the Lansing Town Hall, and all persons wishing to speak or present evidence were permitted to speak, and the Town Board has duly considered the history of this District Extension, the results of the public hearing, and the dissolution plan approved upon July 24, 2024 (the “Dissolution Plan”), and the Town Board has determined that there are no amendments or updates required to or in respect of such dissolution plan; and

WHEREAS, this matter was previously determined to be a Type II Action under SEQRA, and in consideration of the foregoing and the public hearing and Dissolution Plan, the Town Board has duly **RESOLVED** as follows:

1. The Dissolution Plan for the District Extension is hereby approved, and such Special District is to be duly dissolved effective September 1, 2024. The land affected shall be all lands that were included within the bounds of the District Extension, including as more fully described in prior maps, resolutions of the Town Board relating to the District Extension, and in the Dissolution Plan, which maps and descriptions are incorporated herein.
2. The Town Supervisor and the Town Board shall wind-down the affairs of the District Extension, dispose of its property as provided by law, make provisions for the payment of all indebtedness thereof and for the performance of its contracts and obligations, and levy any taxes and assessments as may be deemed necessary to accomplish the dissolution pursuant to General Municipal Law § 787(1).

3. The Town of Lansing hereby gives public notice that any and all claims arising in respect of, or relating to, Consolidated Water District No. 3 shall be submitted and filed with the Town Clerk on or before November 29, 2024, or each and all of such claims, and all elements of loss, injury, or damages shall be forever barred as set forth in General Municipal Law § 787(2). Notice of this claim limitation period shall be posted and published in the same manner as required for the Dissolution Plan pursuant to General Municipal Law Article 17-A.

4. The Town Board finds and declares that the following notice shall be sufficient for, and complies with, the General Municipal Law for purposes of this notice: **“LEGAL NOTICE TO ALL CLAIMANTS against the Town of Lansing in respect of the formation or dissolution of Consolidated Water District (CWD) Extension #3:** Pursuant to the provisions of General Municipal Law (GML) § 787(2), you are hereby notified that dissolution proceedings pursuant to General Municipal Law Article 17-A, Title 3, were successfully completed and the dissolution of CWD Extension #3 will become effective upon September 1, 2024. You are further notified that all claimants against the Town or CWD Extension #3 are required to present their respective accounts, claims, and demands in writing and in detail, addressed to the Lansing Town Clerk at 29 Auburn Road, Lansing, NY 14882, on or before November 29, 2024. All claims and demands which are not presented and filed as provided in this Notice will be forever barred as against the Town and CWD Extension #3, their assets, and each of their officers and employees, except as otherwise provided by law. August 21, 2024, Town of Lansing, by Order of its Town Board.

5. All records and documents pertaining to the District Extension shall be delivered to the Town Clerk for safekeeping and archiving, as required by General Municipal Law § 788.

6. In accordance with General Municipal Law § 790, all other debts, liabilities, and obligations of the dissolved District Extension shall be assumed by the Town of Lansing and shall be a charge upon the taxable property within the limits of the Town of Lansing or that of the dissolved entity, collected in the same manner as town taxes, in each case as required by applicable law. The Town Board shall have all powers with respect to the assets, interests, properties, debts, liabilities, and obligations as the governing body of the dissolved entity possessed prior to its dissolution, including the power to issue town bonds, to redeem bond anticipation notes, to collect fees, receivables, debts, and interest, and to otherwise and fully close-out all affairs of such dissolved entity.

7. The Town Supervisor and Deputy Town Supervisor be and hereby are remain authorized, by and on behalf of the District Extension and the Town of Lansing, to now or hereafter discontinue and release any waterline easements as may have been filed of record at the Tompkins County Clerk’s Office, whether singly in responses to requests therefor by residents, or in any other manner as is deemed expedient given the potential future need for such easements for future water districts, extensions, or user agreements in that area.

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

Councilperson Judy Drake –

Councilperson Laurie Hemmings –

Councilperson Christine Montague –  
Supervisor Ruth Groff –

Councilperson Joseph Wetmore –

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on August 21, 2024.