

RESOLUTION AUTHORIZING PROCUREMENT OF SPECIALIZED ENVIRONMENTAL SERVICES FOR 10 TOWN BARN ROAD

RESOLUTION 25-

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

WHEREAS, in June 2025 the Town began construction of the new Department of Public Works Garage on Town owned land at 10 Town Barn Road; which includes, among other building and site improvements, the decommissioning and removal of an existing above-ground fueling island and replacement with a new, above-ground fuel island; and

WHEREAS, on April 24, 2026 in the process of excavating existing soils to establish a proper and suitable subgrade for the new fuel island and adjacent pavements, unsuitable subgrade soils were encountered that exhibited visual and olfactory characteristics of contamination by petroleum; and

WHEREAS, on April 24, 2026 the Director of Public Works/Highway Superintendent promptly reported the discovery of the soil contamination to the New York State Spill Hotline; and

WHEREAS, the New York State Department of Environmental Conservation (“NYSDEC”), Division of Remediation has assigned a Spill Number 2600721 named “Historic at DPW Facility”; and

WHEREAS, the Director of Public Works/Highway Superintendent has taken immediate action under the guidance and oversight of the NYSDEC Spill Responder to properly remove and temporarily store any excavated soil exhibiting contamination, together with collecting and temporarily storing ground and surface waters entering the open excavation by means of pumping such waters into a storage tank supplied and mobilized by Momentum Environmental (“Momentum”) of Bath, New York, a third party company specialized in environmental remediation; and

WHEREAS, Momentum is currently contracted by NYSDEC, Region 7 to provide emergency spill response, environmental remediation and environmental investigation and maintains the necessary State permits and licenses to handle, transport and properly dispose of contaminated soil and water; and

WHEREAS, Momentum has submitted to the Town a Master Services Agreement and detailed Scope of Work dated April 30, 2026 to provide the necessary equipment, vehicles, materials and labor to perform the specialized environmental work required to properly manage, transport and dispose of petroleum impacted soils and waters; and

WHEREAS, the Town recognizes that time is of the essence to remediate this unforeseen occurrence of contamination, mitigate the potential for further contamination of soils through

water migration, protect the existing Town Highway Barn and property, and protect the health, safety and welfare of Town Personnel, and as such immediate emergency action is required; and

WHEREAS, consistent with General Municipal Law § 103(4), in the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health, safety or property of the inhabitants of a political subdivision or district therein, require immediate action which cannot await competitive bidding or competitive offering, contracts for public work or the purchase of supplies, material or equipment may be let by the appropriate officer, board or agency of a political subdivision or district therein; and

WHEREAS, it is understood that the Proposal #PQ002449, dated April 30, 2026, was prepared prior to additional digging and discovery of a larger area of contamination, bringing the tonnage of contaminated soil to three to four times more than the 500 tons itemized in the proposal, and due to continued rain bringing the additional groundwater to a greater tonnage than itemized, it is estimated that the amount of the remediation could be more than triple that of the April 30 proposal; and

WHEREAS, a detailed scope of work and agreement have been developed for the performance of the specialized environmental services, and the Town Board has fully reviewed the same, and therefore the Town Board has

RESOLVED, that the Director of Public Works/Highway Superintendent be and hereby is authorized to execute the Master Services Agreement and Scope of Work with Momentum Environmental by, for, on behalf of, and in the name of the Town of Lansing; and further

RESOLVED, to approve expenditures up to but not to exceed \$500,000 for the remediation of the contaminated site for removal of contaminated soil and water, should the amount of soil and groundwater exceed the proposed amount of 500 tons of soil and 90 tons of groundwater.

The question of the adoption of such 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 –	Councilperson Joseph Wetmore –
Supervisor Ruth Groff –	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on May 20, 2026.