

**RESOLUTION ADOPTING PLAN AND SUMMARY OF DISSOLUTION FOR  
CONSOLIDATED WATER DISTRICT EXTENSION #3 AND SETTING PUBLIC  
HEARING THEREUPON**

**RESOLUTION 24-**

**RESOLUTION ADOPTING PLAN AND SUMMARY OF DISSOLUTION FOR  
CONSOLIDATED WATER DISTRICT EXTENSION #3 AND SETTING PUBLIC  
HEARING THEREUPON**

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 as set forth in the Public Interest Order, in the State Comptroller’s Order and Approval, and in the Final Order for the District Extension; and

WHEREAS, the Town Board referred this problem to the Water & Sewer Advisory Board (“WSAB”) for review and a formal recommendation, and WSAB determined that the district, as planned and configured, was not feasible from a fiscal, technical, or planning perspective, that the District Extension should be dissolved, including to allow for the creation of smaller future or targeted districts, including in accordance with the other recommendations of the WSAB dated July 6, 2022; and

WHEREAS, the Town Board unanimously agreed with and accepted such recommendations, and further determined that the District Extension should be dissolved but, for reasons unknown, that dissolution, as required by General Municipal Law Article 17-a, never occurred, and there have been renewed inquiries about extending public water mains into areas within the territorial boundaries of the District Extension, but a new district may not be formed, built, or considered atop an existing district; and

WHEREAS, given no land use disturbances or impacts will occur, and because there are no deconstruction requirements, and given that this is a largely ministerial proceeding to continue a general management and operational plan for water as a utility within the Town, this matter is classified as a Type II Action under SEQRA per 6 NYCRR 617.5(13), (24-26), and (33), such that no EAF or further action under SEQRA is required; and

WHEREAS, and upon consideration of the foregoing and the prior decision to dissolve the District Extension, the Town Board has duly **RESOLVED** as follows:

1. The Town Board did previously decide, and does hereby so resolve, to dissolve the District Extension, and the Town Board does hereby endorse the plan of dissolution set forth below. The proposed plan of dissolution is found to comply with General Municipal Law § 774, and the facts and plan for dissolution are set forth as follows:

- a. The name of the local government entity to be dissolved is the Town of Lansing Consolidated Water District No. 3 (again, the “District Extension”).
- b. The territorial boundaries of the entity are as set forth in the Map, Plan and Report and Public Interest Order for the District Extension, include lands along Buck, Bower, Wilson, and Conlon Roads, and is more particularly described as follows: Beginning at a point in the centerline of Conlon Road opposite the southwest corner of tax map parcel 31.-5-1, said point being approximately 165 feet north of the centerline of NYS Route 34B; thence north along the centerline of Conlon Road to a point opposite the southeast corner of parcel 31.-3-11; thence west a distance of 127± feet; thence north a distance of 275± feet to the northwest corner of parcel 31.-3-10; thence west a distance of 205± feet; thence north a distance of 711± feet to the northeast corner of parcel 31.-3-1; thence north to a point in the south line of parcel 31.-1-6.11, said point being 325± feet west of the centerline of Conlon Road; thence west 99± feet to the southwest corner of parcel 31.-1-6.11; thence north 470± feet to the northwest corner of said parcel; thence east 24± feet along the north line of said parcel to a point, said point being 325± feet west of the centerline of Conlon Road; thence north 1,323± feet to a point in the south line of parcel 31.-1-11.1, said point being 325± feet west of the centerline of Conlon Road, thence west 279± feet to the southwest corner of parcel 31.-1-11.1; thence a distance of 602± feet to the southeast corner of parcel 31.-1-20; thence west 2,518± feet to a point in the west line of parcel 31.-1-19, said point being the northwest corner of parcel 31.-1-5; thence south 1,059± feet to the southeast corner of parcel 31.-1-19; thence west 475± feet; thence north 1,072± feet to the northeast corner of parcel 31.-1-1.41; thence 225± feet west to the centerline of Buck Road; thence north 298± feet along the centerline of Buck Road to a point opposite the southwest corner of parcel 27.-1-36.3; thence west a distance of 325± feet along the north line of Wilson Road to a point; thence north 530± feet to a point in the south line of parcel 27.-1-41, said point being 325± feet from the centerline of Buck Road; thence west 175± feet; thence north 235± feet to the northwest corner of said parcel; thence east 527± feet to the centerline of Buck Road; thence north 25± feet along the centerline of Buck Road to a point opposite the southeast corner of 27.-1-27.1; thence west 802± feet to the southwest corner of parcel 27.-1-27.22; thence north 785± feet; thence east a distance of 466± feet to the southwest corner of parcel 27.-1-27.21; thence north 485± feet; thence east 1,228± feet to the centerline of Buck Road; thence northeasterly 56± feet along the centerline of Buck Road; thence north 25± feet; thence west 1,249± feet to the southwest corner of parcel 27.-1-14.1; thence 308± feet to the northwest corner of said parcel; thence east 1,110 feet; thence southeasterly 246± feet; thence 267± feet to the centerline of Buck Road; thence east along the centerline of Buck Road 90± feet; thence north 436± feet to the northwest corner of parcel 27.-1-26.8; thence east along the north line of said parcel to a point being 325± feet west of the centerline of Conlon Road; thence north 281± feet to a point opposite the southwest corner of parcel 27.-1-26.12; thence east 62± feet to the southwest corner of said parcel; thence north 772± feet to the northwest corner of parcel 27.-1-26.10; thence east 228± feet to the centerline of Conlon Road; thence south 1,187± feet along the centerline of Conlon Road to a point opposite the northwest corner of parcel 28.-1-41; thence easterly 337± feet to the northwest corner of parcel 28.-1-43; thence a total distance of 198± feet to the northwest corner of parcel 28.-1-42; thence easterly 160± feet to the northwest corner of parcel 28.-1-22; thence east 435± feet to the northeast corner of said

parcel; thence north 172± feet to a point, said point being 325± feet from the centerline of Buck Road; thence east 215± feet to the east line of parcel 28.-1-47; thence north 126± feet to the northwest corner of parcel 28.-1-17.5; thence east 234± feet to the northeast corner of said parcel; thence south and east along the east line of said parcel a total distance of 625± feet to the centerline of Buck Road; thence east along the centerline of Buck Road 25± feet to a point opposite the southwest corner of parcel 28.-1-17.2; thence north and west; along the west line of said parcel a total distance of 526± feet to the northwest corner of said parcel; thence 423± feet east to the northwest corner of parcel 28.-1-25.42; thence south 270± feet to the southeast corner of said parcel; thence easterly 57± feet to the northeast corner of parcel 28.-1-25.41; thence south 332± feet to the centerline of Buck Road; thence easterly along the centerline of Buck Road 79± feet to a point opposite the southwest corner of parcel 28.-1-25.222; thence north 347± feet to the northwest corner of 28.-1-25.5; thence east 552± feet to the northeast corner of said parcel; thence south 153± feet; thence east 101± feet to the east line of said parcel; thence north 136± feet to a point; thence east to a point in the east line of parcel 28.-1-25.23, said point being 325± feet from the centerline of Buck Road; thence continuing east to a point in the west line of parcel 28.-1-27.22, said point being 325± feet from the centerline of Buck Road; thence north 175± feet to the northwest corner of said parcel; thence east 365± feet to the northwest corner of parcel 28.-1-28.242; thence easterly 560± feet to the northeast corner of parcel 28.-1-28.212; thence south 452± feet to the centerline of Buck Road; thence east along the centerline of Buck Road 60± feet to a point opposite the southwest corner of parcel 28.-1-28.232; thence north 419± feet to the northwest corner of said parcel; thence east 322± feet to the northeast corner of parcel 28.-1-28.231; thence south 135± feet to the northwest corner of parcel 28.-1-28.4; thence east 645± feet to the west line of NYS Route 34 (Auburn Road); thence south along the west line of said highway 116± feet to a point; thence east to the northwest corner of parcel 29.-1-3.2; thence north 291 feet to the northwest corner of parcel 29.-1-37.621; thence east a total distance of 1,252± feet to the northeast corner of parcel 29.-1-37.9; thence continuing east to the west line of parcel 29.-1-3.4; thence south 220± feet to the northeast corner of parcel 29.-1-37.4; thence west a total distance of 356± feet to the northwest corner of parcel 29.-1-37.5; thence south 310± feet to the centerline of Buck Road; thence west a total distance of 1,532± feet to a point in the east line of NYS Route 34 (Auburn Road); thence continuing west along the centerline of Buck Road to a point opposite the northeast corner of parcel 28.-1-28.37; thence south along the west line of NYS Route 34 (Auburn Road) 2,134± feet to the centerline of Bower Road; thence west along the centerline of Bower Road a distance of 300± feet to a point; thence north to the southwest corner of parcel 28.-1-29.11, said corner being 311± feet west of the west line of NYS Route 34 (Auburn); thence north 100± feet; thence west a total distance of 1,312± feet to the southwest corner of parcel 28.-1-29.11; thence west 714± feet to the southwest corner of parcel 28.-1-19.22; thence continuing west 900± feet to the southwest corner of 29.-1-25.211; thence west along the north line of Bower Road 46± feet to the southeast corner of parcel 28.-1-25.1; thence north along the east line of said parcel 307± feet; thence west along the north line of said parcel; thence south 326± feet along the west line of said parcel to the centerline of Bower Road; thence continuing south 325± feet to a point; thence west running parallel to the centerline of Bower Road and offset 325± feet to a point, said point being 325± feet east of the Conlon Road centerline; thence southerly running parallel to the centerline of Conlon Road and offset 325± feet a distance of 3,922± feet to a point

in the north line of parcel 31.-1-6.3; thence east 670± feet to the northeast corner of said parcel; thence south 313± feet to the southeast corner of said parcel; thence west 311± feet to the southwest corner of said parcel; thence south 276± feet to the southeast corner of parcel 31.-1-8.3; thence west to a point in the south line of said parcel being 325± feet from the centerline of Conlon Road; thence south to a point in the north line of parcel 31.-5-4, said point being 325± feet from the centerline of Conlon Road; thence west 325± feet back to the point or place of beginning; all as more particularly shown upon a proposed District Extension boundary map contained within the MPR. Such land descriptions being also generally inclusive of all or a portion of the following Town of Lansing tax parcel numbers: 28.-1-28.37; 28.-1-41; 29.-1-3.2; 31.-1-21.2; 27.-1-36.7; 28.-1-47; 28.-1-28.211; 27.-1-36.4; 27.-1-36.1; 29.-1-37.622; 31.-1-20; 28.-1-17.42; 29.-1-37.624; 31.-1-6.3; 27.-1-39.2; 28.-1-48.2; 28.-1-17.41; 28.-1-31; 29.-1-37.7; 31.-1-8.2; 28.-1-20; 31.-1-6.22; 31.-1-6.11; 27.-1-36.3; 27.-1-36.25; 28.-1-28.241; 31.-3-11; 28.-1-27.3; 28.-1-36; 27.-1-34; 31.-1-10; 28.-1-25.41; 28.-1-25.42; 28.-1-17.1; 28.-1-17.5; 28.-1-28.321; 27.-1-26.8; 27.-1-26.2; 27.-1-26.12; 27.-1-26.7; 27.-1-26.10; 29.-1-37.625; 31.-4-1; 28.-1-48.1; 28.-1-27.1; 29.-1-37.9; 29.-1-37.623; 28.-1-28.36; 32.-1-22.1; 27.-1-41; 28.-1-33; 31.-1-19; 28.-1-42; 28.-1-25.212; 28.-1-28.232; 28.-1-17.2; 27.-1-36.22; 27.-1-36.9; 29.-1-37.2; 28.-1-28.4; 28.-1-34.2; 28.-1-28.212; 31.-1-23.2; 27.-1-27.24; 30.-1-24.2; 27.-1-27.22; 27.-1-27.25; 28.-1-25.5; 28.-1-27.22; 31.-3-10; 27.-1-36.21; 27.-1-36.23; 28.-1-49; 28.-1-29.11; 27.-1-27.21; 27.-1-40; 28.-1-25.23; 27.-1-36.5; 28.-1-25.222; 28.-1-25.3; 27.-1-27.23; 28.-1-28.34; 31.-1-21.1; 28.-1-28.323; 28.-1-28.31; 28.-1-23; 31.-1-8.3; 27.-1-27.1; 27.-1-14.1; 28.-1-35; 27.-1-26.9; 27.-1-39.1; 28.-1-25.211; 28.-1-28.231; 28.-1-43; 27.-1-26.112; 27.-1-26.111; 31.-1-11.1; 31.-1-11.22; 31.-1-11.3; 31.-1-11.21; 29.-1-37.61; 28.-1-28.33; 31.-1-23.1; 28.-1-25.43; 31.-1-1.6; 27.-1-35; 28.-1-32; 27.-1-36.6; 31.-1-16.2; 28.-1-22; 27.-1-26.1; 28.-1-39; 31.-5-1; 31.-1-22; 28.-1-28.322; 29.-1-37.8; 28.-1-25.213; 27.-1-36.24; 28.-1-38; 29.-1-37.621; 28.-1-25.221; and 28.-1-28.242. The assessment maps and property descriptions therefor as are on file with the Tompkins County Clerk's Office and Tompkins County Assessment Department are further and expressly incorporated herein.

- c. The type or class of the entity dissolved is a special benefit district created under Town Law Article 12-A, specifically being a water district extension.
- d. The fiscal estimate of the cost of dissolution, including required advertising and public hearing expenses, is estimated at a cost not to exceed \$2,500.
- e. No public employees or civil service positions are being transferred or eliminated as a result of this dissolution.
- f. The District Extension holds no infrastructure or installed mains, equipment, or assets, including as construction was never commenced and no infrastructure was ever assembled or installed.
- g. The District Extension has no known current liabilities or indebtedness, and no bonds or other indebtedness instruments were ever issued, assumed, or created by or for the District Extension, including as public bidding did not occur and no construction was ever commenced. Any miscellaneous obligations of the District Extension will be paid in accord

with rules under Town Law Article 12-A or General Municipal Law § 790, or otherwise as required by law.

- h. The District Extension has entered into no contracts or agreements with the Town or any other local governments, and no contracts or approvals from any third party or governmental body or agency are needed or required to carry out the dissolution of the District Extension.
  - i. The residents and landowners within the District Extension were never supplied with public water services or any opportunity to connect to a public or distribution main, such that they will simply continue to acquire water for residential and other purposes in the same manner as they have done so for the years leading up to and since the map, plan and report for this District Extension was first considered in 2017-2018.
  - j. There are no known assets or liabilities of the District Extension to distribute, levy, or collect upon.
  - k. The dissolution of the District Extension will have no effect on any local laws, codes, rules, or regulations of the Town, and no law or policy will be required to be amended or discontinued as a result of dissolution.
  - l. The effective date of dissolution is proposed to be September 1, 2024.
  - m. The time and place for the public hearing upon this proposed dissolution plan, as required by General Municipal Law § 276, is 6:31 pm upon Wednesday August 21, 2024, at the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882.
  - n. The Town Supervisor and Deputy Town Supervisor be and hereby are 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.
2. Within 5 days of the adoption of this resolution the Town Clerk shall cause a copy of this resolution and plan of dissolution to be:
- (i) Readily available for review and inspection at the offices of the Town Clerk, and be posted upon the Town Clerk's signboard, both along and together with the summary of the plan of dissolution; and
  - (ii) Posted on the Town's website, together with the summary of the plan of dissolution and a description of the location(s) where the documents pertaining to dissolution may be readily examined; and

(iii) Published together with the descriptive summary once each week for four consecutive weeks in the Town’s official newspaper prior to the public hearing hereupon.

3. The descriptive summary of this plan of dissolution is set forth below and is hereby approved. The Town Board further finds that dissolving the District Extension is necessary given it cannot be constructed at this time, and its existence prevents the consideration of other options, including smaller district extensions that may prove feasible, both fiscally and from planning and engineering perspectives, including under and in alignment with the Town’s Comprehensive Plan.

4. The notice of public hearing shall be published not less than ten days, but not more than twenty days, prior to the public hearing, and such notice shall be posted and displayed on the official signboard of the Town Clerk and published upon the Town’s website. The notice of public hearing shall provide (and post and publish) a descriptive summary of the proposed dissolution plan (see below) and shall further include references to the public place or places within the Town where a copy of such plan may be examined.

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 –	Councilperson Joseph Wetmore –
Supervisor Ruth Groff –	

Accordingly, the foregoing Resolution was approved, carried, and duly adopted on July 17, 2024.

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### SUMMARY PLAN DESCRIPTION

#### **LEGAL NOTICE: Dissolution Plan for Dissolution of the Town of Lansing Consolidated Water District Extension #3, and Notice Calling a Public Hearing upon August 21, 2024, upon such Dissolution Plan.**

**NOTICE IS HEREBY GIVEN** that the Town Board of the Town of Lansing, a municipality of the State of New York (the “Town”), duly authorized the formation and construction of Consolidated Water District Extension #3 (the “District Extension”) on June 19, 2019, and, for many reasons relating to water district planning, the Town’s Comprehensive Plan, and the substantial increases in construction costs and bond rates, the Town Board undertook multiple fiscal and construction analyses and studies to seek ways to reduce costs, adopt value engineering options, and locate favorable financing, all of which efforts failed during 2021 and 2022 to bring the project within approximately \$600,000 of budget, resulting in the Town Board approving and adopting an advisory analysis and recommendations to dissolve the District Extension in mid-2022. The Town Board did thus resolve upon August 21, 2024, after preparation of a plan of dissolution, to dissolve the Special District in accordance with the rules and requirements of

General Municipal Law Article 17-a, and the Town Board did duly endorse a descriptive summary which reads as follows:

**Descriptive Summary of Dissolution Plan:** The Town of Lansing proposes to dissolve the District Extension, the territorial boundaries of which encompass a large area of land almost wholly within Agricultural District #1 in the Town along Buck, Conlon, Bower, and Wilson Roads, all as more specifically described in the Plan of Dissolution posted and on file at the Town Clerk's Office (the "Plan"). The District Extension is a water improvement district that does not have a separate Board of Commissioners, and which does not have any of its own local laws, ordinances, rules or regulations independent of the Town. The District Extension has no known liabilities, assets, or infrastructure located in the ground relating to water systems or distribution lines. By operation of law, including Town Law Articles 12 and 12-A, no agreement with the Town (or any other governmental agency) is necessary to carry out the dissolution.

Residents of the District Extension will continue to receive water services through water wells and in other traditional manners by which water has been supplied for residential and other uses before and since the District Extension was first approved. The Plan does not call for the elimination or transfer of any public employees or the removal of any public infrastructure, and the cost of dissolution is estimated to not exceed \$2,500. Upon approval of the Plan, after a public hearing has taken place, such public hearing being scheduled for August 21, 2024, any miscellaneous interests, documents, assets, liabilities, or other matters pertaining to the District Extension shall become the property and obligations of the Town. Any remaining indebtedness or liabilities may become a charge upon the taxable real property of land within the District Extension, as provided by Town Law Article 12-A and General Municipal Law § 790.

The dissolution shall become effective September 1, 2024, if approved by the Town Board.

**NOTICE IS HERBY FURTHER GIVEN**, that the Dissolution Plan, along with a descriptive summary thereof, may be read at the official Town Clerk's signboard adjacent to the Town Clerk's Office at Town Hall, in the office of the Town Clerk located in the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882, and a copy of each is also posted upon the Town's website at <https://www.lansingtown.com/>.

**NOTICE IS HEREBY FURTHER GIVEN** that a public hearing on this Dissolution Plan will be held on August 21, 2024, at 6:31 pm (or shortly thereafter) at the Lansing Town Hall, 29 Auburn Road, Lansing, New York 14882. At the time and place of such hearing the Town Board will take statements, testimony, and evidence from all persons interested in the subjects thereof and concerning the same, and all residents of the Town and the general public are invited to attend this public hearing. Interested parties may also submit written comments addressed to the Lansing Town Clerk, 29 Auburn Road, Lansing, New York 14882. Individuals with visual, hearing, or other impairments or disabilities that require or request assistance should contact Town Clerk Deborah Munson at the Town of Lansing, (607) 533-4142 at least 48 hours prior to the time of the Public Hearing.

**BY ORDER OF THE TOWN BOARD OF THE TOWN  
OF LANSING, TOMPKINS COUNTY, NEW YORK**