

**CLEAR PATH WATER DISTRICT
PH RESOLUTION AND ORDER**

**TOWN OF SULLIVAN TOWN BOARD
PUBLIC HEARING RESOLUTION AND ORDER**

July 5, 2023

At a Regular Meeting of the Town of Sullivan Town Board, Madison County, New York, held at the Town Hall, located at 7507 Lakeport Road, Chittenango, New York, on July 5, 2023 at 6:00 p.m.

The meeting was called to order by the Supervisor, and upon roll being called, there were:

PRESENT:	John M. Becker	Supervisor
	Jeffrey Martin	Councilor
	John E. Brzuskiewicz	Councilor
	Daniel Gibbons	Councilor
	David Montroy	Councilor

**IN THE MATTER OF THE FORMATION OF
OF THE CLEAR PATH WATER DISTRICT IN THE TOWN OF SULLIVAN,
MADISON COUNTY, STATE OF NEW YORK
PURSUANT TO ARTICLE 12-A OF THE TOWN LAW**

Councilor Montroy moved and Councilor Martin seconded the following resolution.

WHEREAS, the Town of Sullivan Town Board has become aware of a general interest and desire for public water service in portions of the Town of Sullivan along Salt Springs Road, particularly with respect to the Clear Path for Veterans property; and

WHEREAS, the Town of Sullivan Town Board has been presented with a Map, Plan and Report of the proposed Clear Path Water District; and

WHEREAS, a Map, Plan and Report, prepared by Barton & Loguidice, competent engineers duly licensed by the State of New York, dated July 2023, has been prepared in such manner and in such detail as heretofore has been determined by the Town of Sullivan Town Board, relating to the establishment of the Clear Path Water District pursuant to Article 12-A of the Town Law (the "Water District"); and

WHEREAS, the Map, Plan and Report, as revised, has been duly filed in the Office of the Town Clerk of the Town of Sullivan; and

WHEREAS, the boundaries of the proposed Water District are those properties and areas within the Town of Sullivan as set forth in Schedule “A” attached hereto and made a part hereof; and

WHEREAS, the proposed improvements consist generally of the improvements as more particularly described in the Map, Plan and Report, to wit:

31,000 linear feet (~6-miles) of 8-inch ductile iron pipe water transmission and distribution main; Ten (10) hydrants spaced along the transmission main and within the Skyridge Water District; Thirty-one (31) mainline valves spaced no more than 1,000 feet apart; Twenty-nine (29) ¾-inch copper water service laterals extended to the highway right-of-way boundary (Skyridge Water District only); One (1) water service feed to the Clear Path at Skyridge LLC parcel fronting Salt Springs Road, comprised of an 8-inch ductile iron pipe and isolation gate valve; 178,000 gallon glass fused-to steel water storage tank and access road; One (1) package booster pump station with emergency on-site generator; Three (3) mainline pressure reducing valve (PRV) pits for maintaining water pressures generally below 80 psi; Connections to the OWCA water system near the intersection of Salt Springs Road and North Eagle Village Road in the Town of Manlius, Onondaga County, and to the 8-inch distribution main serving the Town of Sullivan’s Sleepy Hollow Water District in Madison County; and, Decommissioning, demolition and/or removal of the existing wells, tank and distribution mains serving the Skyridge Water District.; and

WHEREAS, said capital project is part of a larger joint water improvement project in conjunction with the Town of Manlius; and

WHEREAS, the maximum amount proposed to be expended for the design and construction of the Water District improvements, based on proportion of water district equivalent dwelling units (EDUs) to total joint project EDUs, is estimated to be Eight Hundred Forty-Three Thousand Seventy-Seven and 00/100 Dollars (\$843,077.00) and the plan of financing includes the

issuance of bonds of the Town to finance said cost and assessment, levy and collection of special assessments from the several lots and parcels of land within the Water District, which the Town Board shall determine and specify to be especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and any interest on said bonds as the same shall become due and payable, all as shown on the attached financing plan (Schedule “B”) as set forth in the Map, Plan and Report and further includes subsidized financing and grant opportunities through the Environmental Facilities Corporation (EFC); and

WHEREAS, the estimated cost of the Water District to the “typical property” (as defined by the Town Law), equivalent to one (1 EDU), is Five Thousand One Hundred Ninety Two and 00/100 Dollars (\$5,192.00) (taking into account the capital/debt service, operation and maintenance, water use, user fees), annually (the Water District consists solely of the Clear Path for Veterans property which has been assigned two (2) equivalent dwelling units in the Map, Plan and Report); and

WHEREAS, the estimated cost of hook-up fees for the Clear Path property is One Hundred Eighteen Thousand and 00/100 (\$118,000.00) to extend an 8-inch main to the Clear Path facilities on private property outside the highway right-of-way all as detailed in the Map, Plan and Report; and

WHEREAS, the cost and expenses of operation and maintenance of said Water District, shall be a charge to the benefitted property owners and shall not be a general charge against the Town; and

WHEREAS, the Town Board has heretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and

WHEREAS, the joint project, including the improvements and construction of said Water District has been determined to be a “Type I Action” by the Town Board of the Town of Manlius, acting with intent to be lead agency pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act (“SEQRA”) for the coordinated review process; and

WHEREAS, the Town Board of the Town of Sullivan hereby recognizes and reaffirms the intent of the Town Board of the Town of Manlius to serve as lead agency for the formation and construction of the Water District under SEQRA as established by Sullivan Town Board resolution at its regular meeting held on June 21, 2023.

NOW, THEREFORE, BE IT,

RESOLVED, ORDERED AND DETERMINED that a hearing of the Town Board of the Town of Sullivan shall be held at the Town Hall, located at 7507 Lakeport Road, Chittenango, New York, New York on the 19th day of July 2023 at 9:00 a.m., or as soon thereafter as the matter can be heard to consider the proposed Water District herein referred to and the construction of water improvements therein and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and it is further

RESOLVED, ORDERED AND DETERMINED that the Town Clerk cause a copy of this order to be published once in the official newspaper of the Town for such purposes; to also post a copy thereof on the Town’s official signboard maintained pursuant to §30(6) of the Town Law; and to further place a copy of this order upon the Town’s website, all as certified by the Town Clerk, the first publication thereof and said posting are to be not less than 10 nor more than 20 days before the day designated for the hearing as aforesaid, all in accordance with the provisions of the Town Law; and it is further

RESOLVED, ORDERED AND DETERMINED that the Town Clerk file a certified copy of this order with the Comptroller of the State of New York on or about the date of publication and posting of a copy of this order.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

David Montroy	Councilor	Voted	Yes
Daniel Gibbons	Councilor	Voted	Yes
John E. Brzuszkiewicz	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: July 5, 2023

SCHEDULE A

Town of Sullivan, Clear Path Water District
Town of Sullivan, Madison County, New York

The Town of Sullivan Clear Path Water District, situated in the Town of Sullivan, Madison County and State of New York, and being part of Lot 26 – Varrick’s Location in said Town being more particularly described as follows:

Commencing at a point of beginning, said point being at the southwestern corner of Parcel 48.-1-1.1; thence proceeding easterly along the southern boundary of Parcel 48.-1-1.1 and the northern ROW boundary of Salt Spring Road to the most southerly southeastern property corner of said Parcel; thence proceeding north along the intermediate eastern boundary of Parcel 48.-1-1.1 and the western boundary of Parcel 48.-1-22.2; thence proceeding northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-22.2 to the northeastern property corner of Parcel 48.-1-22.2; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and northern boundary of Parcel 48.-1-2 to the northeastern property corner of 48.-1-2; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-22.4 to the northeastern property corner of Parcel 48.-1-22.4; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-22.3 to the northeastern property corner of Parcel 48.-1-22.3; thence continuing northeasterly along the intermediate southern boundary of Parcel 48.-1-1.1 and the northern boundary of Parcel 48.-1-1.12 to the northeastern property corner of Parcel 48.-1-1.12; thence proceeding southerly along the eastern boundary of Parcel 48.-1-1.12 to the intermediate southeastern property corner; thence proceeding northeasterly along the southern most boundary of Parcel 48.-1-1.1 to the easternmost property corner of said Parcel; thence proceeding generally northwesterly along the eastern most boundary of Parcel 48.-1-1.1 to the northeastern property corner of said Parcel; thence proceeding along the northern boundary of Parcel 48.-1-1.1 as it bend and turns to the northwestern property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 48.-1-1.1 to the southwestern property corner of said Parcel, said point also being the point of beginning, encompassing all parcels between said boundary.

SCHEDULE B

Description	Preliminary Plan of Finance	Required Grants EDU - \$2,596	Required Grants EDU - \$1,040 (1)
Total Estimated Capital Project Cost (2023 Dollars)	\$13,700,000	\$13,700,000	\$13,700,000
Assumed Grant Funding (DASNY)			
	\$2,000,000	\$2,000,000	\$2,000,000
Assumed Onondaga County Grant			
	\$800,000	\$800,000	\$800,000
Subtotal			
	\$10,900,000	\$10,900,000	\$10,900,000
Additional Targeted Grant (EFC WIIA)			
	\$5,000,000	\$5,000,000	\$5,000,000
Additional Grant Funding			
		\$4,168,359	\$5,408,955
Total Estimated Capital Project Cost			
	\$5,900,000	\$1,256,452	\$491,045
Annualized Project Cost (50% Rule)			
	\$240,500	\$70,586	\$20,016
Number of EDUs			
	32.5	32.5	32.5
Capital Debt per EDU (50% Rule)			
	\$7,400	\$2,172	\$616
Estimated Annual OCWA Water Bill			
	\$424	\$424	\$424
Total Annual Cost per EDU			
	\$7,824	\$2,596	\$1,040

	EDUs	Capital Cost Share
Capital Project Cost Share by District (Proportionate to EDU's)	32.5	\$13,700,000
Skyridge (Manlius)	29.0	\$ 12,224,615
Skyridge Extension No. 1 (Manlius)	1.5	\$ 632,308
Clear Path WD (Sullivan)	2.0	\$ 843,077

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Town Clerk of the Town of Sullivan, Madison County, New York, **DO**
HEREBY CERTIFY:

That I have compared the foregoing Resolution with the original thereof on file in the Office of the Town Clerk of the Town of Sullivan, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting and that, pursuant to Section 103 of the Public Officers Law, said meeting was open to the general public.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on July 6, 2023.

(SEAL)

s/AMY B. WELLS
Town Clerk