

**TOWN OF SULLIVAN
TOWN BOARD MEETING
AUGUST 2, 2023 AT 6:00 P.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at 6:00 P.M. on August 2, 2023 by Supervisor John Becker.

The meeting was held at the Town Office Building located at 7507 Lakeport Road. The meeting was also streamed live via YouTube. The link and a passcode for the public to join the meeting were posted on the Town's website.

Present were: Supervisor John Becker; Town Councilors Jeffrey Martin, John Brzuszkiewicz, David Montroy, and Daniel Gibbons; Attorney for the Town John Langey; Town Clerk Amy B. Wells; Comptroller Beth Ellis; Receiver of Taxes Katy Vanderwerken; and Deputy Town Clerk Jill Doss.

Also present were: Bruce Burke of PAC99; Ken Knutsen of Barton & Loguidice; Ernie Hotaling; Art Lelio; CiCi Berean; Fire Chief Tim Ostrowski, Fire Chief Tim Flynn; Dale Lamphear; Joseph Wiczorek; Michael Badgett; Lisa Lewis; Lou Cianfrocco; Kerry Ranger; Michael and Jennifer Keville.

Pledge to the flag was led by Supervisor John Becker.

APPROVAL OF JULY 19, 2023 MEETING MINUTES

A motion was duly made by Councilor Gibbons, seconded by Councilor Martin to approve the minutes of July 19, 2023 and, with no further discussion, the following vote was recorded to adopt the draft Town Board meeting minutes of July 19, 2023.

| | | | |
|---------------------------|-------------------|--------------|------------|
| JEFFREY MARTIN | COUNCILOR | VOTED | YES |
| DAVID MONTROY | COUNCILOR | VOTED | YES |
| JOHN BRZUSZKIEWICZ | COUNCILOR | VOTED | YES |
| DANIEL GIBBONS | COUNCILOR | VOTED | YES |
| JOHN BECKER | SUPERVISOR | VOTED | YES |

Motion carried.

**BID OPENING – DESIGN/BUILD 3-BAY AMBULANCE/HEAVY
EQUIPMENT GARAGE PROJECT**

Supervisor Becker inquired if any bids were received for the Emergency Services Garage Project. Deputy Clerk Doss advised that no bids were received for the project. The Town Board members discussed the re-advertisement of the bid and scheduled a new bid opening date. Upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Town Board unanimously approved the establishment of a new bid resolution with an opening date of August 16, 2023 at 9:00 A.M. for the Emergency Services garage expansion project.

**PUBLIC HEARING IN THE MATTER OF THE FORMATION 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**

Supervisor Becker opened the public hearing in the matter of the formation of the Clear Path Water District. He asked if anyone wished to speak for or against formation of the Clear Path Water District. There were no comments from the Town Board or the audience. Upon the motion made by Councilor Gibbons and seconded by Councilor Brzuszkiewicz the Town Board unanimously approved the closing of the public hearing.

Attorney for the Town Langey reviewed with the Board the SEQR paperwork relative to the Town of Manlius (as lead agency) and the resolution allowing engineers to pursue funding. He explained a Memorandum of Understanding will be prepared. Ken Knutsen of Barton & Loguidice requested there be two separate approvals for this project; the Memorandum of Understanding and the Approval of the Formation of the District.

The Town Board members discussed the Memorandum of Understanding between the Towns of Manlius and Sullivan and the Engineers for the project which would give approval for the Engineers to pursue the funding needed for the Clear Path Water District project. Upon the motion made by Councilor Martin and seconded by Councilor Gibbons, the Town Board unanimously approved the preparation of a Memorandum of Understanding for the Clear Path Water District Project between the Town of Manlius and Town of Sullivan giving authority for the Engineers to pursue funding for the Project. A copy of the form of the Memorandum of Understanding is attached to these minutes. Thereafter, the following action took place:

**IN THE MATTER OF THE FORMATION 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 Martin moved and Councilor Montroy 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), 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 an "Type I Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), and it has been determined by the lead agency for the entire joint project, the Town Board of the Town of Manlius, that the joint project will not result in any significant adverse environmental effects, and the documentation relating to SEQRA is available in the office of the Town Clerk for inspection during normal office hours; and

WHEREAS, the Town Board of the Town of Sullivan hereby further recognizes and reaffirms the SEQRA determination and negative declaration rendered by the Town Board of the Town of Manlius as lead agency.

NOW, THEREFORE, BE IT,

RESOLVED AND ORDERED that pursuant to Article 12-A of the Town Law, the Town Board of the Town of Sullivan hereby determines as follows:

1. That the Public Hearing Order and Resolution was published and posted as required by law, and is otherwise sufficient;
2. That all property and property owners within the proposed Water District are benefitted thereby;
3. That all property and property owners benefitted are included within the limits of the proposed Water District;
4. That it is in the public interest to establish said Water District; and be it further

RESOLVED AND ORDERED that the establishment of the proposed Water District, as set forth in the Map, Plan and Report, be approved as set forth below; that the water system herein above referred to shall be constructed at a cost not to exceed Eight Hundred Forty-Three Thousand Seventy-Seven and 00/100 Dollars (\$843,077.00), which cost will be financed as more particularly described in the financing plan on file with the Town of Sullivan Town Clerk and as further described in Schedule "B" and in the Map, Plan and Report; and that said Water District shall be known as the "Clear Path Water District" situated wholly outside of any incorporated village or city, and shall be bounded and described as set forth in Schedule "A" attached hereto; and be it further

RESOLVED AND ORDERED the estimated cost of the Water District to the "typical property" (as defined by the Town Law), 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 be it further

RESOLVED AND ORDERED 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 be it further

RESOLVED AND ORDERED 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 be it further

RESOLVED AND ORDERED that within ten (10) days after the adoption of this Resolution and Order, the Town Clerk shall record with the Clerk of the County of Madison and file with the Office of the State Comptroller copies of this Order, certified by the Town Clerk; and be it further

RESOLVED AND ORDERED that the Town Clerk, within ten (10) days from the date of the adoption of this Resolution and Order shall post and publish a notice which shall set forth the date of the adoption of this Resolution and Order and shall set forth concisely the purpose and effect thereof, and shall specify that this Resolution and Order is adopted subject to permissive referendum; and be it further

RESOLVED AND ORDERED that this Resolution and Order is subject to permissive referendum as provided in Section 209-e of the Town Law.

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.

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 |
| | | | |
| <i>Assumed Grant Funding (DASNY)</i> | \$2,000,000 | \$2,000,000 | \$2,000,000 |
| <i>Assumed Onondaga County Grant</i> | \$800,000 | \$800,000 | \$800,000 |
| | | | |
| Subtotal | \$10,900,000 | \$10,900,000 | \$10,900,000 |
| | | | |

| | | | |
|--|--------------------|--------------------|--------------------|
| <i>Additional Targeted Grant (EFC WIIA)</i> | \$5,000,000 | \$5,000,000 | \$5,000,000 |
| <i>Additional Grant Funding</i> | | \$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 |

BUDGET MODIFICATION

No budget modifications were presented today.

FIREFIGHTER APPLICATIONS

Two firefighter applications were submitted for approval at the meeting. Jacob Allen, 1107 Rt 31, Bridgeport, NY, and Anthony Flanders, 953 Smith Ridge Road, Bridgeport, NY for the Bridgeport Fire Department. The Town Board members reviewed the applications presented this evening. Upon the motion made by Councilor Martin and seconded by Councilor Montroy, the Town Board unanimously approved the firefighter applications presented for membership in the Bridgeport Fire Department for Jacob Allen and Anthony Flanders.

TOWN ZONING BOARD OF APPEALS MEMBER VACANCY

Supervisor Becker advised the Board members that Shawn Hannon had expressed interest in becoming a Zoning Board of Appeals member to fill the vacancy recently created on the Board by the retirement of one of the members. Fire Chief Tim Flynn also expressed his interest in becoming a member. The Board will wait until the next Town Board meeting to see if anyone else expresses an interest in serving on the Town Zoning Board of Appeals. No decision was made this evening.

TOWN UPDATES

Supervisor Becker advised that the Town of Sullivan Parks & Recreation Department will be hosting a free event on August 12 from 10:00 A.M. to 12:00 Noon to highlight the newly improved disc golf course at Sullivan Park. There will be free discs handed out to the first 50 people who respond to the invitation. The event will highlight the new concrete t-boxes and renovations recently undertaken for the disc golf course. The event is available to those aged 7+ and individuals must pre-register.

A Zoom meeting was held recently with Congressman Williams who advised that he has been able to earmark \$1M in funds from last year that can be applied toward the Whitelaw Water District project. The funding allocation must go through the Senate in September for final approval.

AMENDMENT TO BARTON & LOGUIDICE FUNDING REQUEST REIMBURSEMENT

Ken Knutsen from Barton & Loguidice spoke with the Town Board regarding the invoicing for the Sleepy Hollow Water District project. Mr. Knutsen advised that Barton & Loguidice have agreed to reduce the reimbursement request from \$30,000.00 to \$16,000.00, even though \$30,000.00 was invoiced toward the project. The Town Board members discussed the information presented. Upon the motion made by Councilor Martin and seconded by Councilor Brzuszkiewicz, the Town Board approved the reduction in cost for the Sleepy Hollow Water District by Barton & Loguidice from \$30,000.00 to \$16,000.00. Mr. Knutsen explained the extra work that was done including a resident chlorination issue. He further commented that is why they have an errors and omission policy in place. In the future, conversations need to be held when expenses are rising and before the costs get out of control or appear to be exceeding the presented budget for the project. With no further discussion, the Town Board unanimously approved the reduction in cost as presented by Ken Knutsen of Barton & Loguidice.

SHORT TERM RENTALS

Kerry Ranger asked about the short- term rental issue. He commented that the Town of Cicero is incorporating short term rentals in their Comprehensive Plan. Attorney for the Town Langey explained that many communities are proceeding in that direction but a Local Law and Zoning updates will still need to be included for the short term rental language. Kerry Ranger inquired If the Town, while updating their Comprehensive Plan, should consider including short term rentals in the language. The Board discussed the types of short-term rentals including owner and non-owner-occupied structures. By including the language in a comprehensive plan, per Attorney for the Town Langey, it adds an extra level of “armor” for the enforcement of the Town’s Codes.

UPDATE ON WIAA GRANT APPLICATIONS FOR BRIDGEPORT AND WHITELAW DISTRICTS

Ken Knutsen reported on the grant process through WIAA for Bridgeport Sewer and Whitelaw Districts. Each of these Districts’ grant requests require that the Supervisor is given authority in applying for and executing the WIAA grant applications. The Board discussed the application process briefly. Upon the motion made by Councilor Montroy and seconded by Councilor Martin, the Town Board unanimously grants authorization to the Town Supervisor for application and execution of the appropriate documents required for the Whitelaw and Bridgeport grant applications.

ROXBURY ROAD DRAINAGE ISSUE

Joseph Wieczorek from Roxbury Road addressed the Board regarding the next step for obtaining assistance to correct the drainage issue on Roxbury Road and an area of the Thruway near Roxbury Road. Mr. Wieczorek had a map of the Roxbury Road area and signatures from several residents there. Also, Michael Badgett and Lisa Lewis, residents of Roxbury Road attended the meeting. Mr. Wieczorek asked what the next step is to get this project underway. His understanding was that a temporary license or release would be needed for each affected resident where drainage work would be undertaken. Attorney for the Town Langey advised that releases would be needed for properties affected. Attorney for the Town Langey will work with Mr. Wieczorek and Highway Superintendent Busa to confirm the properties affected for which releases would be needed for drainage work to commence.

EXECUTIVE SESSION

Upon the motion made by Councilor Martin and seconded by Councilor Gibbons, the Board unanimously approved entering an Executive Session for advice of Counsel at 6:20 P.M.

A motion was made by Councilor Brzuszkiewicz and seconded by Councilor Gibbons, the Board unanimously approved to come out of Executive Session at 7:15 P.M. No action was taken.

ADJOURNMENT

With no further business and upon the motion made by Councilor Martin and seconded by Councilor Brzuszkiewicz, the Town Board meeting was adjourned at 7:16 P.M. with all Town Board Members voting in favor.

Respectfully submitted,

Jill A. Doss
Deputy Town Clerk

**MEMORANDUM OF UNDERSTANDING
SKYRIDGE WATER DISTRICT IMPROVEMENTS PROJECT**

**TOWN OF MANLIUS, TOWN OF SULLIVAN, ONONDAGA COUNTY WATER AUTHORITY
AND CLEAR PATH FOR VETERANS**

By this Memorandum of Understanding (MOU), the Town of Manlius (Manlius), the Town of Sullivan (Sullivan), the Onondaga County Water Authority (OCWA), and Clear Path for Veterans (Clear Path) document the understanding of each municipality and project stakeholder of the proposed public water infrastructure improvements, anticipated roles/responsibilities, estimated capital project costs and cost sharing for the proposed Skyridge Water District Improvements Project (the "Project"). The Project involves construction of a new transmission main, distribution mains and appurtenances in the Town of Manlius, Onondaga County, and the Town of Sullivan, Madison County for conveyance of OCWA water to the existing Skyridge Water District in the Town of Manlius, and to the proposed Skyridge Water District Extension No. 1 in the Town of Manlius and proposed Clear Path Water District in the Town of Sullivan (together "Water Districts").

The Project seeks to provide a high quality, long-term sustainable supply of public water to the Skyridge Water District to replace that district's aging and deficient wells, storage tank, and distribution mains, and to provide fire protection. Additionally, the Project seeks to provide public water to the Clear Path for Veterans campus located on two properties within the Water Districts, to replace Clear Path's current well supply with a high-quality, sustainable water supply to meet current and planned facility and service expansions within the Clear Path campus on Slat Springs Road.

The proposed Project, as outlined in the Preliminary Engineering Report and Map & Plan for the Skyridge Water District Improvements, dated March 2021; Revision 1 June 2023, prepared by Barton & Loguidice, D.P.C. (B&L), would serve the existing and proposed water districts shown on Figure 6 – Skyridge/Salt Springs Joint Water Project Proposed Infrastructure, attached hereto as Exhibit A, and be comprised of the following infrastructure improvements:

- Thirty-one thousand (31,000) linear feet of 8-inch DIP 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), 3/4-inch copper water service laterals extended to the right-of-way boundary and reconnection to the existing services (Skyridge Water District only);
- One (1) water service feed to the Clear Path Sullivan parcel fronting Salt Springs Road, comprised of an 8-inch ductile iron service and isolation gate valve;
- One hundred seventy-eight thousand (178,000) gallon glass-lined-steel water storage tank and access road;
- One (1) booster pump station with emergency on-site generator;
- Three (3) mainline pressure reducing valve (PRV) vaults for maintaining 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.

The total estimated probable project cost for the proposed "Joint" water Project is \$13.7 million, inflated to 2025 dollars. Proposed Project infrastructure is shown of Figure 6, attached hereto as Exhibit A.

The Project will benefit the existing Skyridge Water District in the Town of Manlius, as well as the proposed Skyridge Water District Extension No. 1 in Manlius, and Clear Path Water District in Sullivan, and will therefore be planned and implemented as a "Joint" water project. Core long-term loan financing for the Project will be pursued by the Town of Manlius Town Board on behalf of the Skyridge Water District, whom shall also serve as Lead Agency for completing Project environmental review under SEQRA/SERP. The Project is currently listed on the Annual List within the New York State Environmental Facilities Corporation (NYSEFC) Intended Use Plan (IUP) for its Drinking Water State Revolving Fund (DWSRF) program.

Together, the Town of Manlius, Town of Sullivan, OCWA, and Clear Path for Veterans, as Project stakeholders, commit to working together to apply (where applicable) for supplemental grant funding through available Federal, State and local grant programs. These programs include, but may not be limited to, the Water Infrastructure Improvement Act (WIIA), Congressional Spending Requests, funding through NYS Senators and Assembly representatives, Empire State Development, and others for which the Project and stakeholders are eligible applicant(s)

The Town of Manlius and Town of Sullivan agree that the capital project cost for Project infrastructure planning, design, and construction will be paid for by benefitting customers within Town Water Districts formed in accordance with Article 12-A and improved in accordance with Article 12, Section 202-b of NYS Town Law and as approved, where required, by the NYS Comptroller's Office. Further, the long-term plan of finance and annual user costs will be calculated and assessed to benefit the Water Districts' customers in proportion to the benefit derived, as may be determined by the Town of Manlius Town Board, Town of Sullivan Town Board, and OCWA during development of an Intermunicipal Agreement (IMA).

OCWA intends to sell water to the Water Districts' customers based on its annual Rate Schedule No. 2A – Gallons, General Residential Service – Quarterly, and Rate Schedule No. 8A, Commercial/Light Industrial Service – Quarterly, published each year by OCWA with an effective date of January 1. These rate schedules have been used to estimate the annual water purchase cost for a typical single-family user within the Skyridge Water District PER-M&P, and within the Map, Plan & Reports prepared for the proposed Skyridge Water District Extension No. 1 and Clear Path Water District, respectively.

The Town of Manlius, Town of Sullivan, OCWA, and Clear Path for Veterans agree to work together in good faith and with due diligence to establish the terms and conditions for planning and implementing an OCWA water supply to the Skyridge Water District and Clear Path for Veterans campus, and for developing an Intermunicipal Agreement for said supply.

By Town Board Resolution # _____, dated _____, the Town Supervisor of the Town of Manlius is authorized to sign this Memorandum of Understanding of behalf of the Town of Manlius and Skyridge Water District.

John Deer, Town Supervisor
Town of Manlius

Date

By Town Board Resolution # _____, dated _____, the Town Supervisor of the Town of Sullivan is authorized to sign this Memorandum of Understanding of behalf of the Town of Sullivan.

John M. Becker, Town Supervisor
Town of Sullivan

Date

The Executive Director of OCWA is authorized to sign this Memorandum of Understanding of behalf of the Onondaga County Water Authority.

Jeffrey D. Brown, Esq., Executive Director
Onondaga County Water Authority

Date

By Board Resolution # _____, dated _____, the Executive Director of Clear Path for Veterans is authorized to sign this Memorandum of Understanding of behalf of Clear Path for Veterans.

Alex Behm., Executive Director
Clear Path for Veterans

Date