

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
JUNE 3, 2020
6:00PM**

A regular meeting of the Town Board of the Town of Sullivan was convened by Supervisor John Becker at 6:00 pm on June 3, 2020.

The meeting was noticed in accordance with Town Law and applicable NYS Executive Orders, to include utilization of the Zoom videoconferencing platform and simultaneously cast on YouTube Live.

Members participating via Zoom/YouTube Live were: Supervisor John Becker, Councilors John Brzuszkiewicz, Jeff Martin, Kerry Ranger, Comptroller Beth Ellis, Highway Superintendent Andy Busa. Councilor Tom Kopp was excused.

Members from Sleepy Hollow Water District and Sleepy Hollow Ext. #1 water district were present as well, via Zoom. Taylor Bottar from Barton and Loguidice was available via zoom for this meeting.

The meeting opened at 6:00 pm.

Pledge to the flag was led by Supervisor Becker.

Supervisor Becker asked everyone to remember June 6, 2020 D-Day. Our veterans and their families are close to us in our hearts and minds at this time.

APPROVAL OF MAY 6, 2020 MEETING MINUTES

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously approved by the Board to approve the minutes from the May 6th, 2020 Town Board meeting.

**PUBLIC HEARING FOR SLEEPY HOLLOW WATER DISTRICT
INCREASE IN MAXIMUM AMOUNT TO BE EXPENDED**

The public hearing was opened at 6:07 pm for the Sleepy Hollow Water District. Richard Reilly spoke and expressed he is anxious to get this project moving forward. Jim Phillips wanted to know if it is at the Comptroller's office for approval, how long would this take the project out. Attorney John Langey explained the process. Supervisor John Becker explained he would be making calls on behalf of the project to NYS. Dick Reilly said it would be helpful to have Supervisor Becker assist in this manner.

The public hearing for Sleepy Hollow Water District was closed at 6:09 pm. Motion was made by Councilor Jeff Martin and seconded by Councilor John Brzuszkiewicz.

Thereafter, Councilor John Brzuszkiewicz moved and Councilor Jeff Martin seconded the following resolution:

**RESOLUTION AND ORDER OF THE TOWN BOARD AUTHORIZING AN
INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED FOR
IMPROVEMENT OF FACILITIES IN THE SLEEPY HOLLOW WATER DISTRICT
IN THE TOWN OF SULLIVAN, COUNTY OF MADISON AND STATE OF NEW YORK**

WHEREAS, the Town Board of the Town of Sullivan (the “Town Board” and the “Town”, respectively), in the County of Madison, State of New York, has received a petition, dated April 24, 2020, pursuant to §202-d of the Town Law, requesting an increase in the amount to be expended for improvement of facilities in the existing and formed Sleepy Hollow Water District, which petition is signed by the owners of taxable real property situate in the Water District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the Water District, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the Water District, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, said petition purported to describe the boundaries of the Water District in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the petitioners and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the Water District is bounded and described in the attached Schedule “A”; and

WHEREAS, following preparation of a map, plan and report by Barton and Loguidice, competent engineers duly licensed by the State of New York, for the Water District, and the construction of water facilities therein, consisting generally of approximately 2,840 linear feet of 8-inch water main; approximately 8 mainline valves; a Grundfos booster pump station and water service; two hydro-pneumatic tanks; water meter supplied by OCWA; 10 water service transfers (and 2 new water services extended to house); and approximately 20 water meters to be installed within the project area; and decommissioning and abandonment of existing water system infrastructure in the Town of Sullivan (the “water improvements”), said map, plan and report are now on file in the Office of the Town Clerk; and

WHEREAS, the maximum amount proposed to be expended for the construction of the water improvements is proposed to be increased from Three Hundred Eighty One Thousand Seven Hundred and 00/100 Dollars (\$381,700.00) to Five Hundred Forty Thousand Two Hundred Twelve and 00/100 Dollars (\$540,212.00) and the plan of financing includes the issuance of bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the 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 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 said Map, Plan and Report and further includes a Water

Infrastructure Improvement Act (WIIA) Grant and an anticipated 30-year low interest DWSRF loan; and

WHEREAS, the increase in the maximum amount to be expended is due to generally increased costs of labor and materials; and

WHEREAS, the estimated cost of the District to the “typical property” (as defined in the Town Law) is One Thousand Three Hundred Six and 00/100 Dollars (\$1,306.00) (taking into account the capital/debt service, operation, maintenance, water use, user fees and county fees), annually; and that 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, there will be no hook-up fees to the typical property in said District; and

WHEREAS, all future costs and expenses of operation, maintenance and improvements, in said District, including all expenses related to all extensions of said District which may thereafter be established, shall be a charge against the entire area of said District as extended; 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, an order was adopted by the Town Board on May 6, 2020 for the hearing of all persons interested in this matter at a meeting of the Town Board to be held at the Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York on June 3, 2020 at 6:00 p.m. and through the medium of Zoom, to consider an increase in the maximum amount to be expended for the Sleepy Hollow Water District 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 the public hearing was as ordered and described above; and

WHEREAS, the Town Board previously gave due consideration to the impact that such construction of Water Improvements may have on the environment and on the basis of such consideration, the Town Board determined that there would be no significant impact on the environmental and issued a Negative Declaration for purposes of SEQRA; and

NOW THEREFORE, BE IT

RESOLVED, ORDERED AND DETERMINED, that:

A. The petition aforesaid is signed and acknowledge or proved as required by law and duly complies with the requirements of Section 202-d of the Town Law as to sufficiency of signers and it is otherwise sufficient;

B. All the property and property owners within the District are benefitted thereby;

C. All the property and property owners benefitted are included within the limits of the District; and

D. It is in the public interest to increase the maximum amount to be expended for the construction of improvements within the District; and it is further

RESOLVED, ORDERED AND DETERMINED, that the maximum amount to be expended for the water improvements within the Sleepy Hollow Water District is hereby increased from Three Hundred Eighty One Thousand Seven Hundred and 00/100 Dollars (\$381,700.00) to Five Hundred Forty Thousand Two Hundred Twelve and 00/100 Dollars (\$540,212.00) with an estimated cost to the “typical property” of One Thousand Three Hundred Six and 00/100 Dollars (\$1,306.00) annually and the plan of financing includes the issuance of bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the 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 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 said Map, Plan and Report and further includes a Water Infrastructure Improvement Act (WIIA) Grant and an anticipated 30-year low interest DWSRF loan; and it is further

RESOLVED, ORDERED AND DETERMINED, that the Town Clerk is hereby authorized and directed, on behalf of the Town, to file and record certified copies of this resolution and such other documents and instruments as may be required by law; and it is further;

RESOLVED, ORDERED AND DETERMINED, that the construction of water improvements within the District and the increase in the maximum amount to be expended shall be subject to approval of the New York State Comptroller as required by Town Law; and it is further

RESOLVED, ORDERED AND DETERMINED, that the Supervisor of the Town of Sullivan make application to the New York State Comptroller for approval to increase the maximum amount proposed to be expended for the District; and it is further

RESOLVED, ORDERED AND DETERMINED, that this Resolution and Order shall take effect immediately.

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

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Excused	-----
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 3, 2020

SCHEDULE “A”
Boundary Description
Existing Sleepy Hollow Water District Boundary

The Existing Sleepy Hollow Water District Boundary, situated in the Town of Sullivan, County of Madison, State of New York, being more particularly described as follows:

Commencing at the Point of Beginning located at the southwestern corner of Parcel 49.9-1-7.2 as shown on the Town of Sullivan Tax Map; thence proceeding northerly along the western property boundary of Parcel 49.9-1-7.2 to the southwestern property corner of Parcel 49.9-1-6; thence continuing northerly along the western boundary of Parcel 49.9-1-6 to the southwestern property corner of Parcel 49.9-1-5; thence continuing northerly along the western boundary of Parcel 49.9-1-5 to the southwestern property corner of Parcel 49.9-1-4; thence continuing northerly along the western boundary of Parcel 49.9-1-4 to the southwestern property corner of Parcel 49.9-1-3; thence continuing northerly along the western boundary of Parcel 49.9-1-3 to the southwestern property corner of Parcel 49.9-1-2; thence continuing northerly along the western property boundary of Parcel 49.9-1-2 to the northwestern property corner of Parcel 49.9-1-1; thence proceeding easterly along the northern boundary of Parcel 49.9-1-1 to the northeastern property corner of said Parcel; thence continuing easterly across Sleepy Hollow Road to the northwestern property corner of Parcel 49.9-1-8; thence continuing easterly along the northern boundary of Parcel 49.9-1-8 to the northeastern property corner of said Parcel; thence proceeding southerly along the eastern boundary of Parcel 49.9-1-8 to the northeastern property corner of Parcel 49.9-1-9; thence continuing southerly along the eastern boundary of Parcel 49.9-1-9 to the northeastern property corner of Parcel 49.9-1-10; thence continuing southerly along the eastern boundary of Parcel 49.9-1-10 to the northeastern property corner of Parcel 49.9-1-11; thence continuing southerly along the eastern boundary of Parcel 49.9-1-11 to the northeastern property corner of Parcel 49.9-1-12; thence continuing southerly along the eastern boundary of Parcel 49.9-1-12 to the northeastern property corner of Parcel 49.9-1-13; thence continuing southerly along the eastern boundary of Parcel 49.9-1-13 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 49.9-1-13 to the southwestern property corner of said Parcel; thence continuing westerly across Sleepy Hollow Road to the southeastern property corner of Parcel 49.9-1-7.2; thence continuing westerly along the southern boundary of Parcel 49.9-1-7.2 to the southwestern property corner of said Parcel, where the point is also the Point of Beginning, and encompassing all parcels contained within.

The above-described boundary is in accordance with the map entitled “Existing Sleepy Hollow Water District Boundary” prepared by Barton & Loguidice, D.P.C. dated October 2018 and having Project No. 148.155.001.

SCHEDULE “B”
Sleepy Hollow Water District
Improvement Project
Financing Plan/Budget

Sleepy Hollow Water District

User Cost Estimate

DESCRIPTION	EFC, 30 year, 2.2% (subsidized)*
Project Capital Cost Mutual Benefit	\$744,910
Pro rata Mutual Benefit (12.5 EDU/ 19 EDU)	\$490,072
Project Capital Cost Sleepy Hollow WD	\$50,140
Total Estimated Capital Project Cost	\$817,300
<i>Additional Grant Funding Targeted (WIIA)</i>	\$490,380
Net Project Cost to be Financed	\$326,920
<i>Estimated Debt Service (Existing Customers):</i>	
Pro rata max grant (12.5 EDU/ 19 EDU)	\$322,618
Total Estimated Project Cost	\$217,594
Annualized Project Cost	\$9,985
Number of EDU's in Existing District	12.5
Capital Debt per EDU	\$799
Estimated Annual OCWA Water Bill	\$244
Estimated Town of Sullivan O&M	\$211
Estimated Capital Reserve	\$53
Cost to a Typical Property (Total Annual Cost per EDU) Existing District	\$1,306

*Based on current DWSRF market interest rates. The Subsidized Rate is 66.7% of the market rate per the NYSEFC DWSRF Intended Use Plan, October 1, 2019-September 30, 2020.

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Deputy 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 June 3, 2020

ROSEMARY CZERNIAK
Deputy Town Clerk

Thereafter, Councilor John Brzuszkiewicz moved and Councilor Jeff Martin seconded the following resolution:

**RESOLUTION OF THE TOWN BOARD AUTHORIZING THE SUPERVISOR
TO MAKE APPLICATION TO THE NEW YORK STATE COMPTROLLER
FOR APPROVAL TO INCREASE THE MAXIMUM AMOUNT TO BE EXPENDED
FOR IMPROVEMENT OF FACILITIES IN THE SLEEPY HOLLOW WATER
DISTRICT PURSUANT TO SECTION 202-d OF THE TOWN LAW**

WHEREAS, the Town of Sullivan Town Board on June 3, 2020 pursuant to Section 202-d of the Town Law, authorized an increase in the maximum amount to be expended for improvement of facilities in the Sleepy Hollow Water District, County of Madison, State of New York; and

WHEREAS, pursuant to Town Law § 202-d, upon adoption of such a Resolution and Order the Town is required to make application to the New York State Department of Audit and Control (NYS Comptroller) for permission to construct and operate said Water Improvements in compliance with the statutes in such cases and pursuant to 2 NYCRR Part 85; and

WHEREAS, the Board desires to direct and authorize the Supervisor to make such application copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED, that the Town of Sullivan Town Supervisor is hereby authorized and directed to make application for permission to increase the maximum amount to be expended for improvement of facilities for the Sleepy Hollow Water District in the

Town of Sullivan, Madison County, New York pursuant to Section 202-d of the Town Law and 2 NYCRR Part 85; and it is further

RESOLVED AND ORDERED,

- A. That the attached Application was prepared at the direction of the governing Board;
- B. That the Board believes the contents of the Application to be accurate;
- C. That the Board has determined that the District expenditure (the increase in the maximum amount to be expended) for which permission is sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof; and
- D. If the cost of the proposed Water District is to be assessed in whole or in part against a benefitted area, that all real property to be so assessed will be benefitted by the proposed Water Improvements and that no benefitted property has been excluded.

RESOLVED AND ORDERED, this Resolution shall take effect immediately.

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

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Excused	-----
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 3, 2020

SCHEDULE "A"
Boundary Description
Existing Sleepy Hollow Water District Boundary

The Existing Sleepy Hollow Water District Boundary, situated in the Town of Sullivan, County of Madison, State of New York, being more particularly described as follows:

Commencing at the Point of Beginning located at the southwestern corner of Parcel 49.9-1-7.2 as shown on the Town of Sullivan Tax Map; thence proceeding northerly along the western property boundary of Parcel 49.9-1-7.2 to the southwestern property corner of Parcel 49.9-1-6; thence continuing northerly along the western boundary of Parcel 49.9-1-6 to the southwestern property corner of Parcel 49.9-1-5; thence continuing northerly along the western boundary of Parcel 49.9-1-5 to the southwestern property corner of Parcel 49.9-1-4; thence continuing northerly along the western boundary of Parcel 49.9-1-4 to the southwestern property corner of Parcel 49.9-1-3; thence continuing northerly along the western boundary of Parcel 49.9-1-3 to the southwestern property corner of Parcel 49.9-1-2; thence continuing northerly along the western property

boundary of Parcel 49.9-1-2 to the northwestern property corner of Parcel 49.9-1-1; thence proceeding easterly along the northern boundary of Parcel 49.9-1-1 to the northeastern property corner of said Parcel; thence continuing easterly across Sleepy Hollow Road to the northwestern property corner of Parcel 49.9-1-8; thence continuing easterly along the northern boundary of Parcel 49.9-1-8 to the northeastern property corner of said Parcel; thence proceeding southerly along the eastern boundary of Parcel 49.9-1-8 to the northeastern property corner of Parcel 49.9-1-9; thence continuing southerly along the eastern boundary of Parcel 49.9-1-9 to the northeastern property corner of Parcel 49.9-1-10; thence continuing southerly along the eastern boundary of Parcel 49.9-1-10 to the northeastern property corner of Parcel 49.9-1-11; thence continuing southerly along the eastern boundary of Parcel 49.9-1-11 to the northeastern property corner of Parcel 49.9-1-12; thence continuing southerly along the eastern boundary of Parcel 49.9-1-12 to the northeastern property corner of Parcel 49.9-1-13; thence continuing southerly along the eastern boundary of Parcel 49.9-1-13 to the southeastern property corner of said Parcel; thence proceeding westerly along the southern boundary of Parcel 49.9-1-13 to the southwestern property corner of said Parcel; thence continuing westerly across Sleepy Hollow Road to the southeastern property corner of Parcel 49.9-1-7.2; thence continuing westerly along the southern boundary of Parcel 49.9-1-7.2 to the southwestern property corner of said Parcel, where the point is also the Point of Beginning, and encompassing all parcels contained within.

The above-described boundary is in accordance with the map entitled "Existing Sleepy Hollow Water District Boundary" prepared by Barton & Loguidice, D.P.C. dated October 2018 and having Project No. 148.155.001.

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Deputy 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 June 3, 2020

ROSEMARY CZERNIAK
Deputy Town Clerk

PUBLIC HEARING SLEEPY HOLLOW EXT. #1 WATER DISTRICT
INCREASE IN MAXIMUM AMOUNT TO BE EXPENDED

A motion was duly made by Councilor Jeff Martin seconded by Councilor Kerry Ranger to open the public hearing for Sleepy Hollow Ext.#1 Water District at 6:10 pm.

Discussion ensued with question on the boundaries of Sleepy Hollow Water District vs Sleepy Hollow Ext#1 Water District. Taylor Bottar Barton and Loguidice engineer for the project answered the resident's questions concerning boundaries, when construction would start, and other information.

A motion was duly made by Councilor Jeff Martin seconded by Councilor John Brzuszkiewicz to close the public hearing at 6:18 pm.

Thereafter, Councilor Kerry Ranger moved and Councilor Jeff Martin seconded the following resolution:

**RESOLUTION AND ORDER OF THE TOWN BOARD AUTHORIZING AN
INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED FOR
IMPROVEMENT OF FACILITIES IN THE
SLEEPY HOLLOW WATER DISTRICT EXTENSION NO. 1
IN THE TOWN OF SULLIVAN,
COUNTY OF MADISON AND STATE OF NEW YORK**

WHEREAS, the Town Board of the Town of Sullivan (the "Town Board" and the "Town", respectively), in the County of Madison, State of New York, has received a petition, dated April 24, 2020, pursuant to §202-d of the Town Law, requesting an increase in the amount to be expended for improvement of facilities in the existing and formed Sleepy Hollow Water District Extension No. 1, which petition is signed by the owners of taxable real property situate in the Water District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the Water District Extension, as shown upon the latest completed assessment roll of said Town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the Water District Extension, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, said petition purported to describe the boundaries of the Water District Extension in a manner sufficient to identify the lands included therein as in a deed of conveyance and was signed by the petitioners and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the Water District Extension is bounded and described in the attached Schedule "A"; and

WHEREAS, as delineated in a map, plan and report by Barton and Loguidice, competent engineers duly licensed by the State of New York, for the Water District Extension and the construction of water facilities therein, the water facilities consist generally of approximately 2,840 linear feet of 8-inch water main; approximately 8 mainline valves; a Grundfos booster pump station and water service; two hydro-pneumatic tanks; water meter supplied by OCWA; approximately 7 water services extended to the highway right-of-way; and approximately 20 water meters to be installed within the project area (the “water improvements”) in the Town of Sullivan, all as more fully set forth in the map, plan and report, which is now on file in the Office of the Town Clerk in the Town of Sullivan; and

WHEREAS, the maximum amount proposed to be expended for the construction of the water improvements is proposed to be increased from One Hundred Seventy Eight Thousand Three Hundred and 00/100 Dollars (\$178,300.00) to Two Hundred Seventy Seven Thousand Eighty-Eight and 00/100 Dollars (\$277,088.00) and the plan of financing includes the issuance of bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District Extension, 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 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 said Map, Plan and Report and further includes a Water Infrastructure Improvement Act (WIIA) Grant and an anticipated 30-year low interest DWSRF loan; and

WHEREAS, the increase in the maximum amount to be expended is due to generally increased costs of labor and materials; and

WHEREAS, the estimated cost of the District Extension to the “typical property” (as defined in the Town Law) is One Thousand Two Hundred Seventy-Nine and 00/100 Dollars (\$1,279.00) (taking into account the capital/debt service, operation, maintenance, water use, user fees and county fees), annually; and that 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 estimated cost of hook-up fees to the typical property in said District Extension is Three Thousand Eight Hundred and 00/100 Dollars (\$3,800.00); and

WHEREAS, all future costs and expenses of operation, maintenance and improvements, in said District Extension, including all expenses related to all extensions of said District Extension which may thereafter be established, shall be a charge against the entire area of said District as extended; 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, an order was adopted by the Town Board on May 6, 2020 for the hearing of all persons interested in this matter at a meeting of the Town Board to be held at the Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York June 3, 2020 at 6:00 p.m. and through the medium of Zoom, to consider an increase in the maximum amount to be expended for

the District Extension 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 such public hearing was held as ordered and described above; and

WHEREAS, the Town Board previously gave due consideration to the impact that such construction of Water Improvements may have on the environment and on the basis of such consideration, the Town Board determined that there would be no significant impact on the environmental and issued a Negative Declaration for purposes of SEQRA; and

NOW THEREFORE, BE IT

RESOLVED, ORDERED AND DETERMINED, that:

A. The petition aforesaid is signed and acknowledge or proved as required by law and duly complies with the requirements of Section 202-d of the Town Law as to sufficiency of signers and it is otherwise sufficient;

B. All the property and property owners within the District Extension are benefitted thereby;

C. All the property and property owners benefitted are included within the limits of the District Extension; and

D. It is in the public interest to increase the maximum amount to be expended for the construction of improvements within the District Extension; and it is further

RESOLVED, ORDERED AND DETERMINED, that the maximum amount to be expended for the water improvements within the District Extension is hereby increased from One Hundred Seventy-Eight Thousand Three Hundred and 00/100 Dollars (\$178,300.00) to Two Hundred Seventy-Seven Thousand Eighty-Eight and 00/100 Dollars (\$277,088.00) with estimated cost to the "typical property" of One Thousand Two Hundred Seventy-Nine and 00/100 Dollars (\$1,279.00) and the plan of financing includes the issuance of bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District Extension, 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 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 said Map, Plan and Report and further includes a Water Infrastructure Improvement Act (WIIA) Grant and an anticipated 30-year low interest DWSRF loan; and it is further

RESOLVED, ORDERED AND DETERMINED, that the Town Clerk is hereby authorized and directed, on behalf of the Town, to file and record certified copies of this resolution and such other documents and instruments as may be required by law; and it is further;

RESOLVED, ORDERED AND DETERMINED, that the construction of water improvements within the District Extension and the increase in the maximum amount to be expended shall be subject to approval of the New York State Comptroller as required by Town Law; and it is further

RESOLVED, ORDERED AND DETERMINED, that the Supervisor of the Town of Sullivan make application to the New York State Comptroller for approval to increase the maximum amount proposed to be expended for the District Extension; and it is further

RESOLVED, ORDERED AND DETERMINED, that this Resolution and Order shall take effect immediately.

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

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Excused	-----
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 3, 2020

SCHEDULE "A"
Boundary Description
Sleepy Hollow Water District Extension No. 1 Boundary

The Proposed Sleepy Hollow Water District Extension No. 1 Boundary, situated in the Town of Sullivan, County of Madison, State of New York, being more particularly described as follows:

Commencing at the Point of Beginning located at the northwestern corner of Parcel 49.39-2-1 as shown on the Town of Sullivan Tax Map; thence proceeding easterly along the northern property boundary of Parcel 49.39-2-1 to the northwestern corner of Parcel 49.39-2-2; thence continuing easterly along the northern property boundary of Parcel 49.39-2-2 to the northwestern corner of Parcel 49.39-2-3; thence continuing easterly along the northern property boundary of Parcel 49.39-2-3 to the northwestern corner of Parcel 49.39-2-4; thence continuing easterly along the northern boundary of Parcel 49.39-2-4 to the northeastern corner of said Parcel; thence proceeding southwesterly along the southern boundary of Parcel 49.39-2-4 to the southwestern corner of said Parcel; thence proceeding southerly across Salt Spring Road to the northeastern property corner of parcel 49.-1-2.11; thence continuing southerly for 500-ft along the eastern boundary of Parcel 49.-1-2.11; thence proceeding westerly along the offset 500 feet south of the northern boundary of Parcel 49.-1-2.11 to the southeastern property corner of Parcel 49.-1-2.12; thence continuing westerly along the offset 500 feet south of the northern boundary of Parcel 49.-1-2.11 to a point 500 feet south of the northwestern property corner of said Parcel; thence proceeding northerly for 500-ft along the western boundary of Parcel 49.-1-2.11 to the northwestern corner of said Parcel; thence continuing northerly across Salt Springs Road to the southwestern property corner of Parcel 49.9-1-7.1; thence continuing northerly along the western boundary of Parcel 49.9-1-7.1 to the northwestern corner of said Parcel; thence proceeding easterly along the northern boundary of Parcel 49.9-1-7.1 to the northeastern property corner of said Parcel;

thence continuing easterly across Sleepy Hollow Road to the northwestern property corner of Parcel 49.9-1-14; thence continuing easterly along the northern boundary of Parcel 49.9-1-14 to the northeastern corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 49.39-2-1 to the northwestern corner of said Parcel, said point also being the Point of Beginning, and encompassing all parcels within.

The above-described boundary is in accordance with the map entitled “Proposed Sleepy Hollow Water District Extension Boundary” prepared by Barton & Loguidice, D.P.C. dated October 2018 and having Project No. 148.155.001.

SCHEDULE “B”

Sleepy Hollow Water District Extension No. 1

User Cost Estimate

DESCRIPTION	EFC, 30 year, 2.2% (subsidized)*
Project Capital Cost Mutual Benefit	\$744,910
Pro rata Mutual Benefit (6.5 EDU/ 19 EDU)	\$254,838
Project Capital Cost Sleepy Hollow WD Ext. 1	\$22,250
Total Estimated Capital Project Cost	\$817,300
<i>Additional Grant Funding Targeted (WIHA)</i>	\$490,380
Net Project Cost to be Financed	\$326,920
<i>Estimated Debt Service (New Customers):</i>	
Pro rata max grant (6.5 EDU/ 19 EDU)	\$167,762
Total Estimated Project Cost	\$109,326
Annualized Project Cost	\$5,017
Number of EDU's in New District	6.5
Capital Debt per EDU	\$772
Estimated Annual OCWA Water Bill	\$244
Estimated Town of Sullivan O&M	\$211
Estimated Capital Reserve	\$53
Cost to a Typical Property (Total Annual Cost per EDU) Extension No. 1	\$1,279

*Based on current DWSRF market interest rates. The Subsidized Rate is 66.7% of the market rate per the NYSEFC DWSRF Intended Use Plan, October 1, 2019-September 30, 2020.

(1) Annual cost does not include one-time cost for installing new water service between Town's shut-off at highway R.O.W. and dwelling's interior plumbing.

CERTIFICATE

STATE OF NEW YORK)
COUNTY OF MADISON)

I, the undersigned Deputy 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 June 3, 2020

ROSEMARY CZERNIAK
Deputy Town Clerk

Thereafter, Councilor Kerry Ranger moved and Councilor Jeff Martin seconded the following resolution:

**RESOLUTION OF THE TOWN BOARD AUTHORIZING THE SUPERVISOR
TO MAKE APPLICATION TO THE NEW YORK STATE COMPTROLLER
FOR APPROVAL TO INCREASE THE MAXIMUM AMOUNT TO BE EXPENDED
FOR IMPROVEMENT OF FACILITIES IN THE SLEEPY HOLLOW WATER
DISTRICT EXTENSION NO. 1 PURSUANT TO SECTION 202-d OF THE TOWN LAW**

WHEREAS, the Town of Sullivan Town Board on June 3, 2020 pursuant to Section 202-d of the Town Law, authorized an increase in the maximum amount to be expended for improvement of facilities in the Sleepy Hollow Water District Extension No. 1 in the Town of Sullivan, County of Madison, State of New York; and

WHEREAS, pursuant to Town Law § 202-d, upon adoption of such a Resolution and Order the Town is required to make application to the New York State Department of Audit and Control (NYS Comptroller) for permission to construct and operate said Water Improvements in compliance with the statutes in such cases and pursuant to 2 NYCRR Part 85; and

WHEREAS, the Board desires to direct and authorize the Supervisor to make such application copy of which is attached hereto.

NOW THEREFORE BE IT RESOLVED, that the Town of Sullivan Town Supervisor is hereby authorized and directed to make application for permission to increase the maximum amount to be expended for improvement of facilities for the Sleepy Hollow Water District Extension No. 1 in the Town of Sullivan, Madison County, New York pursuant to Section 202-d of the Town Law and 2 NYCRR Part 85; and it is further

RESOLVED AND ORDERED,

- A. That the attached Application was prepared at the direction of the governing Board;
- B. That the Board believes the contents of the Application to be accurate;
- C. That the Board has determined that the District expenditure (the increase in the maximum amount to be expended) for which permission is sought is in the public interest and will not constitute an undue burden on the properties which will bear the cost thereof; and
- D. If the cost of the Extension is to be assessed in whole or in part against a benefitted area, that all real property to be so assessed will be benefitted by the proposed Water Improvements and that no benefitted property has been excluded.

RESOLVED AND ORDERED, this Resolution shall take effect immediately.

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

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Excused	-----
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 3, 2020

SCHEDULE "A"
Boundary Description
Proposed Sleepy Hollow Water District Extension No. 1 Boundary

The Proposed Sleepy Hollow Water District Extension No. 1 Boundary, situated in the Town of Sullivan, County of Madison, State of New York, being more particularly described as follows:

Commencing at the Point of Beginning located at the northwestern corner of Parcel 49.39-2-1 as shown on the Town of Sullivan Tax Map; thence proceeding easterly along the northern property boundary of Parcel 49.39-2-1 to the northwestern corner of Parcel 49.39-2-2; thence continuing easterly along the northern property boundary of Parcel 49.39-2-2 to the northwestern corner of Parcel 49.39-2-3; thence continuing easterly along the northern property boundary of Parcel 49.39-2-3 to the northwestern corner of Parcel 49.39-2-4; thence continuing easterly along the northern boundary of Parcel 49.39-2-4 to the northeastern corner of said Parcel; thence proceeding southwesterly along the southern boundary of Parcel 49.39-2-4 to the southwestern corner of said Parcel; thence proceeding southerly across Salt Spring Road to the northeastern property corner of parcel 49.-1-2.11; thence continuing southerly for 500-ft along the eastern boundary of Parcel 49.-1-2.11; thence proceeding westerly along the offset 500 feet south of the northern boundary of Parcel 49.-1-2.11 to the southeastern property corner of Parcel 49.-1-2.12; thence continuing westerly along the offset 500 feet south of the northern boundary of Parcel 49.-1-2.11 to a point 500 feet south of the northwestern property corner of said Parcel; thence proceeding northerly for 500-ft along the western boundary of Parcel 49.-1-2.11 to the northwestern corner of said Parcel; thence continuing northerly across Salt Springs Road to the southwestern property corner of Parcel 49.9-1-7.1; thence continuing northerly along the western boundary of Parcel 49.9-1-7.1 to the northwestern corner of said Parcel; thence proceeding easterly along the northern boundary of Parcel 49.9-1-7.1 to the northeastern property corner of said Parcel; thence continuing easterly across Sleepy Hollow Road to the northwestern property corner of Parcel 49.9-1-14; thence continuing easterly along the northern boundary of Parcel 49.9-1-14 to the northeastern corner of said Parcel; thence proceeding northerly along the western boundary of Parcel 49.39-2-1 to the northwestern corner of said Parcel, said point also being the Point of Beginning, and encompassing all parcels within.

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STATE OF NEW YORK)
COUNTY OF MADISON)

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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 June 3, 2020

ROSEMARY CZERNIAK
Deputy Town Clerk

SUPERVISOR'S REPORT ON COVID-19 AND UPDATE TO NYS BUDGET

Supervisor Becker reported on NYS possibly allowing restaurants to open for outside seating within the next few weeks. NYS's budget has taken a tremendous hit during COVID-19 pandemic. State cuts are being worked on as they are seeing a possible 14% reduction in revenues.

JEFFREY S. TAYLOR II AND TAYLOR'S WILD ENTERPRISES - PROPOSED PDD FOR A DRIVE-THRU SAFARI

Mr. Jeffrey Taylor was invited to speak by Councilor Jeff Martin relative to the status of his application for a proposed PDD for his commercial business of a drive-thru safari currently operating and located at 7591 Lakeport Road (TM# 33.1-1-.5.2) on lands partially zoned Business and partially Agricultural (majority). Mr. Taylor stated that he would soon have the drawings ready to be included with his application for a PDD under the Town's Zoning Law. Thereafter, he requested that the Board vote to voluntarily withdraw its lawsuit against him and Taylor's Wild Enterprises for violation of the Town's Land Use Laws and Zoning Ordinance. No vote for this action was taken by the Board.

PURCHASE OF DIRT AND ASPHALT ROLLERS

Highway Superintendent Andrew Busa reviewed with the Board a potential purchase from Vantage Equipment of an Ingersoll-Rand dirt roller at an amount not to exceed \$17,000.00 and an Ingersoll-Rand asphalt roller for an amount not to exceed \$6,500.00. A motion was made by Councilor Kerry Ranger, seconded by Councilor Jeff Martin and unanimously approved by the Board.

BRIDGEPORT STREETSCAPES PROJECT

Highway Superintendent Andrew Busa also reported that the Bridgeport Streetscapes Project has commenced the construction phase.

EXECUTIVE SESSION

A motion was made by Councilor Kerry Ranger, seconded by Councilor Jeff Martin and unanimously approved by the Board to go into executive session at 6:34 pm to obtain advice of Counsel.

A motion was made by Councilor Jeff Martin, seconded by Councilor John Brzuszkiewicz and unanimously approved by the Board to end executive session at 7:40 pm.

ADJOURNMENT

A motion was duly made by Councilor Jeff Martin, seconded by Councilor Kerry Ranger and unanimously approved by the Board to adjourn the Town Board Meeting at 7:43 PM.

Respectfully Submitted,
Beth Ellis
Comptroller