

**TOWN BOARD
TOWN OF SULLIVAN
REGULAR MEETING
OCTOBER 17, 2018
9:00 A.M.**

A regular meeting of the Town Board of the Town of Sullivan was convened at the Town Office Building by Supervisor John M. Becker at 9:00 A.M. on October 17, 2018.

Those in attendance for the meeting were: Supervisor John M. Becker; Councilors: Kerry Ranger; Thomas J. Kopp, John Brzuszkiewicz and Jeffrey Martin; Attorney for the Town John R. Langey; Comptroller Beth Ellis; Highway Superintendent Andrew Busa; and Town Clerk Amy B. Wells.

Also in attendance: Kyle Coon, Assistant Comptroller; and members of the public.

Pledge to the flag was led by Supervisor Becker.

APPROVAL OF MINUTES OF MEETING

Prior to approval of the October 3, 2018 minutes, Councilor Kopp noted his middle initial was J, not K.

Thereafter, a motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Martin and unanimously passed by the Board approving the corrected minutes of the Town Board meeting held on October 3, 2018 at 7:00 p.m.

ADOPTION OF THE DECEMBER 31, 2017 AUDIT

Supervisor Becker stated that F.J. Pompo & Company, P.C. has prepared the Audit for the Year 2017 indicating that the Town was in good financial condition and everything is being done correctly with respect to fiduciary duties.

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board adopting the December 31, 2017 Audit.

ADOPTION OF A SEXUAL HARASSMENT PREVENTION POLICY

The following resolution was offered by Councilor Brzuszkiewicz, who moved its adoption, seconded by Councilor Martin, to wit:

WHEREAS, the Town of Sullivan has recognized its commitment to promote a safe and secure work environment that promotes the achievement of its mission of serving the public; and

WHEREAS, pursuant to New York State Labor Law all municipalities are required to develop and implement programs and policies to prevent workplace sexual harassment and sex discrimination; and

WHEREAS, the Town of Sullivan has caused to be prepared a “Sexual Harassment Prevention Policy” compliant with the applicable State and Federal Law, as amended.

NOW, THEREFORE, BE IT RESOLVED that the Town of Sullivan hereby adopts the “Town of Sullivan Sexual Harassment Prevention Policy” set forth herein:

“SEXUAL HARASSMENT PREVENTION POLICY”

A. **Statement of Policy**

1. **Sexual Harassment Prohibited:** It is the policy of Town of Sullivan to promote a safe, productive environment for its employees and visitors. As with discrimination involving other protected characteristics, Town of Sullivan prohibits sex discrimination, including sexual harassment of its employees, applicants for employment, interns (paid or unpaid), contractors, subcontractors, vendors, consultants or other persons providing services pursuant to a contract in the workplace. Town of Sullivan has zero-tolerance for any form of sexual harassment and requires all of its employees to work in a manner that prevents sexual harassment in the workplace.

The Town of Sullivan recognizes that sexual harassment is prohibited by federal and state law and considers sexual harassment by an employee to be a form of employee misconduct. It is further the policy of Town of Sullivan that employees who engage in sexual harassment, or who are a manager or supervisory employee who knowingly allows harassment to occur, shall be subject to potential disciplinary action.

2. **Sexual Harassment Defined:** Sexual harassment is a form of sex discrimination, and includes harassment on the basis of sex, sexual orientation, self-identified sex, gender expression or identity and the status of being transgender. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, is made either explicitly or implicitly a term or condition of employment, or creates an intimidating, hostile, or offensive work environment.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- a. The victim as well as the harasser may be a woman or a man. The victim does not have to be of the opposite sex.

- b. The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- c. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- d. Sexual harassment may occur without economic injury to or discharge of the victim.
- e. The harasser's conduct must be unwelcome.

3. **Forms of Sexual Harassment:** Specific conduct that may constitute prohibited sexual harassment includes, but is not limited to:

- a. Any sexual advance or request for sexual favors that is unwelcome, or that occurs when a person in authority tries to trade job benefits for sexual favors.
- b. Verbal comments of a sexual nature related to a person's gender, including sexual innuendoes, slurs, comments or sounds of a sexual nature that are suggestive, derogatory or insulting, whistling, sexually-themed jokes or stories and sexual propositions or threats.
- c. Sexually-oriented comments about a person's body or appearance that are unwelcome and/or unreasonably interfere with an employee's work performance or create an intimidating, hostile or offensive working environment.
- d. Displaying or distributing written, recorded or electronically-transmitted material that is sexually suggestive, including, but not limited to: pornographic or sexually explicit images or objects, graphic commentaries or obscene gestures that unreasonably interferes with an employee's work performance, or creates an intimidating, hostile or offensive working environment.
- e. Physical contact of any kind, which is unwelcome, including, but not limited to: touching, grabbing, hugging, fondling, jostling, petting, pinching, coerced sexual intercourse or sexual relations, assault or intentional brushing up against another person's body.

B. **Reporting and Investigation of Sexual Harassment**

- 1. **Reporting Sexual Harassment:** Any covered individuals who believe they have been subjected to sexual harassment or who witness or become aware of potential instances of sexual harassment and would like to either obtain guidance about how to file a complaint or report such incidents should contact their immediate supervisor. A person who reports possible sexual harassment shall be advised of the right to file a written report

and provided with a copy of Town of Sullivan's policy and reporting form, a copy of which is incorporated as part of this policy.

2. **Investigation of Reported Sexual Harassment:** Upon receiving a report of possible sexual harassment, whether communicated verbally or through the written complaint form referenced in this policy, the immediate supervisor shall log the report, provide the reporter with written acknowledgement of the report, and conduct a fact-finding inquiry designed to determine within a reasonable degree of probability what happened. Such fact-finding investigations shall be conducted in such a manner as to protect the confidentiality of the reporter to the fullest extent possible.
 - a. The fact-finding investigation should be conducted in a timely manner after the report is made and pursued with sufficient diligence to reach a conclusion without undue delay.
 - b. An independent third party may be designated to conduct the investigation.
 - c. The investigation should determine, with as much detail as possible, the sequence in which events occurred, the identity of each person involved and their respective roles, and the exact words and/or conduct of each person involved in the reported events. To the extent possible, fact-finding interviews should be conducted by one person.
 - d. The investigation shall include an opportunity for any person alleged in such a report to have violated this policy to respond to each statement or action constituting an alleged violation.
 - e. Investigative interviews shall be scheduled and conducted in compliance with applicable provisions of law and collective bargaining agreements.
 - f. Each person interviewed in connection with such an investigation shall be advised that they are protected by the non-retaliation provision of this policy.
3. **Resolution of Investigation:** Upon completion of the investigation, the designated investigator shall:
 - a. Promptly prepare a written fact-finding report describing:
 - i. The investigation, including a summary of each interview performed and any documents or other evidence reviewed;
 - ii. Any conclusions drawn regarding disputed facts;
 - iii. A conclusion as to whether or not prohibited sexual harassment has occurred;

iv. A recommendation regarding any corrective action if sexual harassment is found to have occurred.

b. If the fact-finding report determines that sexual harassment did not occur, the reporter and any person who was alleged by the reporter to have engaged in sexual harassment shall be advised of the determination verbally and in writing. The reporter may request that the report be reviewed.

c. If the fact-finding report determines that sexual harassment did occur, the reporter shall be advised of the determination orally and in writing and, consistent with applicable policies or law concerning the confidentiality of employee personnel records, be advised that corrective action shall be taken to deter similar conduct in the future. Any person(s) found in the report to have committed sexual harassment shall be advised verbally and in writing of the determination and the right to have such determination reviewed, advised verbally of the recommended corrective action and, to the extent required by applicable law or collective bargaining agreement, the steps that Town of Sullivan intends to pursue to implement such corrective action.

d. Review of a fact-finding report shall be conducted by the Town Supervisor, who shall perform such review promptly and advise the person requesting such review of any action taken resulting from the review.

e. Upon issuance of a final fact-finding report, the reporter shall be advised that sexual harassment is prohibited under federal and state nondiscrimination laws and regulations, and of the right to pursue redress of a report of sexual harassment, whether or not the fact-finding report determined that sexual harassment occurred, through the filing of an external complaint, as outlined in Section E herein.

C. **Retaliation Prohibited**

1. No person covered by this policy shall be subjected to retaliation of any kind, including adverse employment actions such as discharge, discipline, or other discrimination, as a result of reporting sexual harassment or assisting or participating in the investigation of a complaint of sexual harassment.
2. Intimidation, coercion, threats, reprisal or discrimination against any person who in good faith reports possible sexual harassment, or any person who cooperates, aids or assists with an investigation of such a report, is strictly prohibited.
3. Retaliation against a person who makes a good faith report of sexual harassment, or any person who cooperates, aids or assists with an investigation of such a report is unlawful and a form of employee misconduct that may be subject to disciplinary

action.

4. This retaliation provision is not intended to protect persons who make intentional false charges of harassment.

D. **Supervisory Responsibility:** Department heads and supervisory personnel are responsible for promoting a workplace that is free from unsolicited, unwelcome and/or intimidating conduct of a sexual nature. Supervisory employees must take immediate and appropriate corrective action upon becoming aware of such conduct involving any employee of Town of Sullivan or any contractor, consultant, vendor or other person providing services to or receiving services from Town of Sullivan.

E. **Availability of Administrative and Judicial Review and Employee Rights:**

1. Persons who believe they have been the subject of sexual harassment may, in addition to the procedures set forth in this policy, pursue claims of sexual harassment through state or federal entities such as:

- a. **The New York State Division of Human Rights ("DHR"):** The New York State Human Rights Law, codified as Executive Law Article 15, sections 290 et seq., applies to employers in New York State with regard to sexual harassment and protects employees, paid or unpaid interns and non-employees. A complaint alleging a violation of the Human Rights Law may be filed with the DHR or in an appropriate federal or state court.

Complaints filed with DHR may be filed within one (1) year of the date of alleged harassment. Upon receiving a complaint, DHR will investigate and determine whether probable cause exists that discrimination has occurred. If probable cause is found, DHR refers the matter to a public hearing before an administrative law judge. If discrimination is found after a hearing, DHR has the power to award various forms of relief, including directives to an employer to stop harassment and monetary damages.

If an individual does not file a complaint with DHR, they can still pursue a claim directly in an appropriate court within three (3) years of alleged discrimination.

An internal complaint made under this policy does not extend the time in which to file a complaint with DHR or in court. A complaining party does not need an attorney, and there is no cost to the complainant to file a complaint with DHR.

More information about filing a complaint with DHR may be obtained through the DHR website at www.dhr.ny.gov or by calling (888) 392-3644.

b. **The Equal Employment Opportunity Commission ("EEOC")**: The EEOC enforces federal antidiscrimination laws, including Title VII of the Civil Rights Act of 1964, codified at 42 U.S.C. Section 2000e *et seq.* An individual may file a complaint with the EEOC any time within 300 days of harassment. There is no cost to file a complaint with the EEOC. The EEOC will investigate the complaint and determine if there is reasonable cause to believe that discrimination has occurred, at which point it may issue a Right to Sue letter permitting the individual to file a complaint in an appropriate court.

The EEOC does not hold hearings or award relief directly to a complaining individual but may take other action including pursuing cases in federal court on behalf of a complaining party. Federal courts may award remedies if discrimination is found to have occurred.

Any employee who believes he or she has experienced sexual harassment or any other form of unlawful discrimination at work can file a Charge of Discrimination with the EEOC. More information may be obtained through the EEOC's website www.eeoc.gov or by calling 1-800-669-4000.

c. **Local Protections**: Many localities enforce laws protecting individuals from sexual harassment. An individual should contact the county, city or town in which they live or work to find out if such a law exists.

2. Nothing in this policy should be construed as in any way limiting, diminishing or otherwise affecting the rights of employees to use any applicable Dispute Resolution Procedure or to affect any due process rights available under applicable law or regulation.

F. **Posting and Distribution of this Policy**: A copy of this Policy will be provided to all employees in writing, including by means of electronic transmission (e-mail). A copy of this Policy may also be posted in areas of the workplace where it is visible to employees and other covered individuals."

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	Voted	Yes
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: October 17, 2018

It was thereafter directed that the Policy be distributed to all employees and Board Members, included in the Town Employment Handbook and posted on the Town's website.

**STEVENS-8429 BLACK CREEK ROAD
REVOCABLE PERMIT/LICENSE AGREEMENT FOR TRAILER
ONE YEAR RENEWAL**

A motion was duly made by Councilor Kopp, seconded by Councilor Martin and unanimously passed by the Board approving renewal of the Revocable Permit/License Agreement for a trailer owned by Dale and Jean Stevens at 8429 Black Creek Road for an additional one (1) year period subject to the original conditions contained in the permit.

**PROPOSED 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**

Supervisor Becker explained the various public informational meetings which have occurred with both the proposed upgrades to the existing Sleepy Hollow Water District and the proposal to extend the Sleepy Hollow Water District. After discussion, the following action was taken:

**IN THE MATTER OF
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**

Councilor Martin moved and Councilor Kopp seconded the following resolution.

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 October 10, 2018, pursuant to §202-d and §196 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 3,250 linear feet of 8-inch water main; approximately 4 mainline valves spaced at 800-feet on average; a 25 gpm duplex booster pump station constructed adjacent to the new water main on Salt Springs Road near the Tobin Drive connection; two hydro-pneumatic tanks and a master meter will be included within the pump station building; approximately 10 new $\frac{3}{4}$ " copper water services extended to the highway right-of-way and connected to the existing private water service to remain outside the right-of-way, and 2 new $\frac{3}{4}$ " copper water services extended to the house (for 103 and 115 Sleepy Hollow Road, currently unserved) with new curb stops and service connections; approximately 12 water meters to be installed inside the building or external to the building in a meter pit for buildings located more than 100-feet from the right-of-way; and decommissioning and abandonment of existing water system infrastructure in the Town of Sullivan, 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 increase from One Hundred Fifty Thousand and 00/100 Dollars (\$150,000.00) to Three Hundred Eighty One Thousand Seven Hundred and 00/100 Dollars (\$381,700.00) 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 as well as a new design with upgraded water facilities;
and

WHEREAS, the estimated cost of the District to the "typical property" (as defined in the Town Law) is One Thousand Forty One and 00/100 Dollars (\$1041.00) (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, construction of the Water Improvements is a Type I action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has given 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 will determine the environmental impact, if any, to be caused by such construction under SEQRA; and

NOW THEREFORE, BE IT RESOLVED AND DETERMINED that the Town Board of the Town of Sullivan hereby determines that:

1. The action is a Type I Action for purposes of SEQRA;
2. The Town Board of the Town of Sullivan shall act as lead agency;
3. The United States Department of Agriculture – Rural Development; United States Army Corp of Engineers; New York Department of Health; New York State Office of Parks, Recreation and Historic Preservation; New York State Environmental Facilities Corporation; New York State Department of Environmental Conservation – Region 7; Madison County Department of Transportation; Madison County Department of Health; and Onondaga County Water Authority (OCWA); have been found to be involved and/or interested agencies in connection with the SEQRA review;
4. The action will require the submission of a Full Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

RESOLVED AND DETERMINED, that the Town Board of the Town of Sullivan shall hereby notify all involved and/or interested agencies that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of the mailing of such notice; and it is further

RESOLVED AND DETERMINED, that a hearing of the Town Board of said Town of Sullivan shall be held at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on the 7th day of November, 2018, at 7:00 p.m., or as soon thereafter as the matter can be heard, to consider the increase in the maximum amount to be expended for improvement of facilities in the Sleepy Hollow Water District herein referred to and the construction of such 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 AND DETERMINED, the Town Clerk publish at least once in the Oneida Daily Dispatch, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law, a copy of this Order or Notice of Public Hearing, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and it is further

RESOLVED 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 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:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
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: October 17, 2018

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, 2.15% (subsidized)
Project Capital Cost Benefitting Existing Users	\$381,700
Project Capital Cost Benefitting New Users	\$178,300
Total Estimated Capital Project Cost	\$560,000
<i>Additional Grant Funding Targeted (WIIA)</i>	\$336,000
Net Project Cost to be Financed	\$224,000
<i>Estimated Debt Service (Existing Customers):</i>	
Pro rata max grant (13 EDU/ 19 EDU)	\$230,000
Total Estimated Project Cost	\$151,700
Annualized Project Cost	\$6,914
Number of EDU's in Existing District	12.5
Capital Debt per EDU	\$553
Estimated Annual OCWA Water Bill	\$225
Estimated Town of Sullivan O&M	\$211
Estimated Capital Reserve	\$53
Cost to the Typical Property (Total Annual Cost per EDU (Existing District))	\$1,041

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 October __, 2018.

/s/**AMY B. WELLS**
Town Clerk

(SEAL)

**PROPOSED ESTABLISHMENT OF
THE SLEEPY HOLLOW WATER DISTRICT EXTENSION NO. 1
IN THE TOWN OF SULLIVAN, COUNTY OF MADISON, STATE OF NEW YORK**

**IN THE MATTER OF
THE ESTABLISHMENT OF
THE SLEEPY HOLLOW WATER DISTRICT EXTENSION NO. 1
IN THE TOWN OF SULLIVAN, COUNTY OF MADISON, STATE OF NEW YORK**

Councilor Kopp moved and Councilor Martin seconded the following resolution.

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 October 10, 2018, pursuant to Article 12 of the Town Law, for the extension of the **Sleepy Hollow Water District** which petition is signed by the owners of taxable real property situate in the proposed District extension, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed 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 proposed District extension, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, said petition purported to describe the boundaries of the proposed 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 proposed District extension is bounded and described in the attached Schedule "A"; and

WHEREAS, following preparation of a map, plan and report by Barton & Loguidice, competent engineers duly licensed by the State of New York, for the proposed District extension, and the construction of water facilities therein, consisting generally of approximately 3,250 linear feet of 8-inch water main; approximately 4 mainline valves spaced at 800-feet on average; a 25 gpm duplex booster pump station constructed adjacent to the

new water main on Salt Springs Road near the Tobin Drive connection; two hydro-pneumatic tanks and a master meter will be included within the pump station building; approximately 8 water services extended to the highway right-of-way; and approximately 7 water meters to be installed inside the building or external to the building in a meter pit for buildings located more than 100-feet from the right-of-way, 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 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 estimated to be One Hundred Seventy Eight Thousand Three Hundred and 00/100 Dollars (\$178,300.00) 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 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 estimated cost of the District to the "typical property" (as defined in the Town Law) is Nine Hundred Ninety Five and 00/100 Dollars (\$995.00) (taking into account the capital/debt service, operation and 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 Seven Thousand Three Hundred and 00/100 Dollars (\$7,300.00); 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 extension; 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, construction of the water improvements is a Type I action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has given 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 will determine the environmental impact, if any, to be caused by such construction under SEQRA; and

NOW THEREFORE, BE IT RESOLVED AND DETERMINED that the Town Board of the Town of Sullivan hereby determines that:

1. The action is a Type I Action for purposes of SEQRA;
2. The Town Board of the Town of Sullivan shall act as lead agency;

3. New York State Department of Health; New York State Environmental Facilities Corporation; New York State Department of Agriculture & Markets; New York State Department of Environmental Conservation - Region 7; New York State Office of Parks, Recreation and Historic Preservation; Madison County Health Department; Madison County Highway Department; Onondaga County Water Authority (OCWA); Village of Chittenango; and Barton & Loguidice, D.P.C.; have been found to be involved and/or interested agencies in connection with the SEQRA review;
4. The action will require the submission of a Full Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

RESOLVED AND DETERMINED, that the Town Board of the Town of Sullivan shall hereby notify all involved and/or interested agencies that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of the mailing of such notice; and it is further

RESOLVED AND DETERMINED, that a hearing of the Town Board of said Town of Sullivan shall be held at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on the 7th day of November, 2018, at 7:00 p.m., or as soon thereafter as the matter can be heard, to consider the proposed District extension herein referred to and the construction of such 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 AND DETERMINED, the Town Clerk publish at least once in the Oneida Daily Dispatch, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and it is further

RESOLVED 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 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:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
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: October 17, 2018

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.

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

Financing Plan/Budget

Sleepy Hollow Water District Extension No. 1

User Cost Estimate

DESCRIPTION	EFC, 30 year, 2.15% (subsidized)
Project Capital Cost Benefitting Existing Users	\$381,700
Project Capital Cost Benefitting New Users	\$178,300

Total Estimated Capital Project Cost	\$560,000
<i>Additional Grant Funding Targeted (WIIA)</i>	\$336,000
Net Project Cost to be Financed	\$224,000
<i>Estimated Debt Service (New Customers):</i>	
Pro rata max grant (6 EDU/ 19 EDU)	\$106,000
Total Estimated Project Cost	\$72,300
Annualized Project Cost	\$3,295
Number of EDU's in New District	6.5
Capital Debt per EDU	\$507
Estimated Annual OCWA Water Bill	\$225
Estimated Town of Sullivan O&M	\$211
Estimated Capital Reserve	\$53
Cost to the Typical Property (Total Annual Cost per EDU (New District))	\$995

**HAMILTON BROWN/BUSHNELL SHORE WATER IMPROVEMENT PROJECT
(TOWN OF SULLIVAN TOWN BOARD
PUBLIC HEARING ORDER AND INITIAL SEQR DETERMINATION)**

Supervisor Becker discussed with the Town Board the various public informational meetings which have occurred on this project. Given the support for the project from the residents, the Town Board took the following action:

**IN THE MATTER OF
PROVIDING PROPOSED WATER IMPROVEMENTS, PURSUANT TO
ARTICLE 12-C OF THE NEW YORK STATE TOWN LAW, TO BE KNOWN AS
"THE TOWN OF SULLIVAN - HAMILTON BROWN/BUSHNELL SHORE
WATER IMPROVEMENT PROJECT"**

Councilor Martin moved and Councilor Brzuszkiewicz seconded the following resolution:

WHEREAS, a Map, Plan and Report has been duly prepared in such manner and in such detail as heretofore has been determined by request of the Town Board of the Town of Sullivan, New York (the "Town"), relating to the creation and construction, pursuant to Town Law Article 12-C (§209-q), of water system improvements to be known and identified as the "Town of Sullivan - Hamilton Brown/Bushnell Shore Water Improvement Project" (the "Water Improvements"); and

WHEREAS, such Water Improvements include those described in the Town Engineer's Map, Plan and Report and consist generally of approximately 6,900 feet of 8" water main with 6 hydrants on Hamilton Brown Road and approximately 1,200 feet with 3 hydrants on Bushnell Shore Road, all being areas currently with no access to public water and consisting of approximately 28 properties; and

WHEREAS, such Water Improvements are to be constructed and owned by the Town; and

WHEREAS, said Map, Plan and Report have been prepared by Dunn & Sgromo Engineers, PLLC, the Town Engineers who are a competent engineering firm duly licensed by the State of New York, and has been filed in the office of the Town Clerk where it is available for public inspection, and

WHEREAS, the proposed Water Improvements consist of the improvements more particularly set forth in the Map, Plan and Report and as described by Deed of Conveyance and in the areas of the Town as set forth above (using tax map numbers of the benefitted parcels), presently on file in the Office of the Town Clerk and are located as specifically described in the attached Schedule "A"; and

WHEREAS, the maximum amount proposed to be expended for the creation and construction of the Water Improvements is estimated to be Eight Hundred Thousand and 00/100 Dollars (\$800,000.00) 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 (pursuant to Town Law §209-q(8)) shall be borne entirely by the properties located within the described benefitted areas including the several lots and parcels of land within said benefitted areas as associated with the Water Improvements, 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 that the Town of Sullivan Town Board has determined to seek and obtain public sources of funding and financing through the United States Department of Agriculture - Rural Development ("USDA-RD") and/or the New York State Environmental Facilities Corporation ("NYSEFC"), if applicable, as well as other sources, for the construction and administrative costs associated with the creation of the Water Improvements and that any final order of the Town Board for construction of the Water Improvements will be conditioned upon obtaining an actual cost to the "typical property" (as defined in the Town Law) of Nine Hundred Four and 00/100 Dollars (\$904.00) per unit (or less) and that if such additional grant monies and funding are not obtained and the cost of typical property is not at or below Nine Hundred Four and 00/100 Dollars (\$904.00) per unit, then the Town Board shall not authorize the construction of said Water Improvements; and

WHEREAS, the estimated cost of the Water Improvements to the "typical property" (as defined in the Town Law) is Two Thousand One Hundred Ninety-Two and 00/100 Dollars (\$2,192.00) annually; and

WHEREAS, the cost and expenses of operation and maintenance (being an additional expense) of said Water Improvements, shall be a function of charges to the benefitted property owners by the Onondaga County Water Authority (OCWA) 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 creation and construction of the Water Improvements is a Type I action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has given due consideration to the impact that such creation and construction of the Water Improvements may have on the environment and on the basis of such consideration, the Town Board will hereby determine the environmental impact, if any, to be caused by such construction under SEQR.

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Sullivan hereby determines that:

1. The action is a Type I Action for purposes of SEQR;
2. The Town Board of the Town of Sullivan shall act as lead agency;
3. United States Department of Agriculture - Rural Development; United States Army Corps of Engineers; New York State Department of Health; New York State Office of Parks, Recreation and Historic Preservation; New York State Environmental Facilities Corporation; Madison County Health Department; and; Onondaga County Water Authority (OCWA); have been found to be involved and/or interested agencies in connection with the SEQRA review;
4. The action will require the submission of a Full Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

RESOLVED AND DETERMINED that the Town Board of the Town of Sullivan shall hereby notify all involved and/or interested agencies that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of mailing of such notice; and it is further

RESOLVED AND DETERMINED that a hearing of the Town Board of said Town of Sullivan shall be held at the Town Hall located at 7507 Lakeport Road, Chittenango, New York on the 7th day of November, 2018 at 7:00 P.M., or as soon thereafter as the matter can be heard, to consider the creation and construction of the proposed Town of Sullivan - Hamilton Brown/Bushnell Shore Water Improvement Project herein referred to 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 AND DETERMINED that the Town Clerk cause a copy of this order to be published once in the Oneida Daily Dispatch, a newspaper having a general circulation in the Town and previously designated as 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 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:

John E. Brzuszkiewicz	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
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: October 17, 2018

SCHEDULE "A"

The Hamilton Brown/Bushnell Shore Water District, situated in the Town of Sullivan, Madison County and State of New York, being more particularly described as follows:

Bushnell Shore Road

Commencing at a Point of Beginning, said Point being on the southeastern corner of Parcel 9.-3-8.12, in the Town of Sullivan; said point also being on the westerly highway boundary of Bushnell Shore Road;

1. Thence westerly along the southern boundary of Parcel 9.-3-8.12 to the southwestern property corner of said Parcel;
2. Thence northerly along the western boundaries of Parcels 9.-3-8.12, 9.-3-8.11, 9.-3-8.7, 9.-3-8.6, and 9.-3-8.51 to the northwestern property corner of Parcel 9.-3-8.51;
3. Thence easterly along the northern boundary of Parcel 9.-3-8.51 to the northeastern property corner of said Parcel, said point being the western boundary of the Bushnell Shore Road right-of-way;
4. Thence northerly along the western boundary of the Bushnell Shore Road right-of-way to a point, said point being the westerly projection of the northern boundary of Parcel 9.-3-8.9;
5. Thence easterly across the Bushnell Shore Road right-of-way to the easterly highway boundary and the northwest property corner of Parcel 9.-3-8.9;
6. Thence easterly along the northern boundary of Parcel 9.-3-8.9 to the northeastern property corner of said Parcel;
7. Thence southerly along the eastern boundary of Parcel 9.-3-8.9 to the southeastern property corner of said Parcel;
8. Thence westerly along the southern boundary of Parcel 9.-3-8.9 to the southwestern property corner of said Parcel; said point being the eastern boundary of the Bushnell Shore Road right-of-way;

9. Thence southerly along the eastern boundary of the Bushnell Shore Road right-of-way to the northwestern property corner of Parcel 9.-3-8.42;
10. Thence easterly along the northern boundary of Parcel 9.-3-8.42 to the northeastern property corner of said Parcel;
11. Thence southerly along the eastern boundary of Parcel 9.-3-8.42 to the southeastern property corner of said Parcel;
12. Thence westerly along the southern boundary of Parcel 9.-3-8.42 to the southwestern property corner of said Parcel; said point being the eastern boundary of the Bushnell Shore Road right-of-way;
13. Thence westerly across the Bushnell Shore Road right-of-way, on a projection of the southern boundary of Parcel 9.-3-8.42, to the western highway boundary of Bushnell Shore Road;
14. Thence northerly along the western boundary of the Bushnell Shore Road right-of-way to the southeastern corner of Parcel 9.-3-8.12, said point also being the Point of Beginning.
15. Including part or all of the following Parcels on the east and west sides of Bushnell Shore Road in the Town of Sullivan:

East side:	9.-3-8.42	West side:	9.-3-8.11
	9.-3-8.9		9.-3-8.12
			9.-3-8.51
			9.-3-8.6
			9.-3-8.7

Hamilton Brown Road

Part A: Commencing at a Point of Beginning, said Point being on the southwestern corner of Parcel 9.5-1-2, in the Town of Sullivan; said point also being on the eastern highway boundary of Hamilton Brown Road;

1. Thence easterly along the southern boundary of Parcel 9.5-1-2 to the southeastern property corner of said Parcel;
2. Thence northerly along the eastern boundary of Parcel 9.5-1-2 to the northeast property corner of said Parcel;
3. Thence easterly to a point 300 feet east of the easterly highway boundary of Hamilton Brown Road;
4. Thence northerly through Parcels 3.-3-77.11 and 3.3-77.12 parallel to Hamilton Brown Road to the northern boundary of Parcel 3.-3-77.11;
5. Thence westerly along the northern boundary of Parcel 3.-3-77.11 to the easterly boundary of the Hamilton Brown Road right-of-way;
6. Thence easterly across the right-of-way of Hamilton Brown Road to the northeastern property corner of Parcel 3.-3-74;
7. Thence easterly along the northern boundary of Parcel 3.-3-74 to the northwestern property corner of said Parcel; said point also being a property corner of Parcel 3.-3-73.1;

8. Thence easterly along the northern boundary of Parcel 3.-3-73.1 to a point that is 300 feet west of the western boundary of Hamilton Brown Road;
9. Thence southerly across Parcel 3.-3-73.1 parallel to Hamilton Brown Road to a southern boundary of Parcel 3.-3-73.1 and the northern boundary of Parcel 3.-3-75;
10. Thence easterly along the northern boundary of Parcel 3.-3-75 to the northeastern property corner of said Parcel; said point also being a property corner of Parcel 3.-3-73.1;
11. Thence southerly along the eastern boundary of Parcel 3.-3-75 and a western boundary of Parcel 3.-3-73.1 to the northern boundary of Parcel 3.-3-76;
12. Thence westerly along the northern boundary of Parcel 3.-3-76 to a point 300 feet west of the western boundary of Hamilton Brown Road;
13. Thence southerly across Parcels 3.-3-76 and 8.-2-41 parallel to Hamilton Brown Road to the southern boundary of Parcel 8.-2-41;
14. Thence easterly along the southern boundary of Parcel 8.-2-41 to the southeastern property corner of said Parcel; said point being the western boundary of the Hamilton Brown Road right-of-way;
15. Thence easterly across the Hamilton Brown Road right-of-way on a projection of the southern boundary of Parcel 8.-2-41, to the eastern highway boundary of Hamilton Brown Road; said point also being the western boundary of Parcel 3.-3-77.11;
16. Thence southerly along the eastern highway boundary of Hamilton Brown Road to the southwest corner of Parcel 9.5-1-2; said point also being the Point of Beginning.

Part B: Commencing at a Point of Beginning, said Point being on the southwestern corner of Parcel 4.54-1-12, in the Town of Sullivan;

1. Thence easterly along the southern boundary of Parcel 4.54-1-12 to the southeastern property corner of said Parcel; said point being on the western shoreline of Oneida Lake;
2. Thence northerly along the Oneida Lake shoreline, and the eastern boundaries of Parcels 4.54-1-12, 4.54-1-11, 4.54-1-10, 4.54-1-9, 4.54-1-8, 4.54-1-6, 4.54-1-5.1, 4.54-1-4, 4.54-1-3, 4.54-1-2, and 4.54-1-1 to the northwestern property corner of Parcel 4.54-1-1;
3. Thence southerly along the western boundary of 4.54-1-1 to the southwestern property corner of said Parcel; said point being the northern highway boundary of Hamilton Brown Road;
4. Thence southerly across the right-of-way of Hamilton Brown Road to a corner of Parcel 3.-3-62; said point being on the western boundary of Parcel 4.54-1-2 and on the southern boundary of the Hamilton Brown right-of-way;
5. Thence southerly along the western boundaries of Parcels 4.54-1-2, 4.54-1-4, 4.54-1-5.1, 4.54-1-6, 4.54-1-8, 4.54-1-9, 4.54-1-11, and 4.54-1-12 to the

southwestern corner of Parcel 4.54-1-12; said point also being the Point of Beginning.

6. Including part or all of the following Parcels on the east and west sides of Hamilton Brown Road in the Town of Sullivan:

Part A:	3.-3-73.1	Part B:	4.54-1-1
	3.-3-73.2		4.54-1-2
	3.-3-73.3		4.54-1-3
	3.-3-74		4.54-1-4
	3.-3-76		4.54-1-5.1
	3.-3-77.11		4.54-1-6
	3.-3-77.12		4.54-1-8
	8.-2-41		4.54-1-9
	9.5-1-2		4.54-1-10
			4.54-1-11
			4.54-1-12

SCHEDULE "B"

Hamilton Brown/Bushnell Shore Water District Improvement Project With USDA Funding Preliminary Budget

October 9, 2018

I. Construction Costs:			
Hamilton Brown Road	- 6,900 feet (20.0 units)		
Bushnell Shore Road	- <u>1,200</u> feet (5.0 units)		
Total	8,100 feet of waterline	x \$80/foot ¹	= \$648,000
II. Contingency – 10%			\$ 65,000
III. Soft Costs – 14%			= \$ <u>85,000</u>
IV. Total Project Cost			Use \$800,000¹
V. Water District Unit Costs			
1. Hydrant Rental - 9 hydrants @ \$80 each (subject to change by OCWA)	=	\$	720/year
2. MWB Levy - .0001 x total district assessment (approximately \$3 million)	=	\$	300/year
3. Project Cost Financing for \$800,000 with USDA-RD ²			
a. 38-year loan @ 4.0% (.0516) (estimated for 2019)	=	\$	41,280/year
4. Total Annual District Cost:	=	\$	42,300
5. Units (approximate)	=		25
6. Annual Unit Cost:	=	\$	1,692
VI. Other Costs:			
1. Water Use Per Unit = \$500/year (typical single-family home) (subject to change by OCWA)			

2. Meter Installation Fee = \$200 or \$250 (one time charge) **(subject to change by OCWA)**
3. Individual Private Water Service and Plumbing = varies

VII. Annual cost to typical property (water use + annual unit cost) = \$ 2,192

**VIII. Total Grant Money Needed for Typical Property Cost to meet 2018
Comptroller's Limit of \$904 per year (water use + annual unit cost⁴) = \$600,000
(approximate) (75%)**

¹ Costs for 2019 (estimated).

² Rates and amounts subject to change by USDA-RD (estimated for 2019, intermediate financing rate).

³ Based on OCWA's 2018 Rate Schedule 2A, with a daily water use of 250 gpd.

⁴ Approximately \$350 is for debt service for 38 years, and \$50 for hydrant maintenance, and water use levy in perpetuity.

SRC PRESENTATION

David Whitaker, Program Director for SRC appeared before the Board with a presentation on a possible drone tower located in the Business Park. The tower would be installed on the south end of the lake on the sewer treatment plant. Mr. Whitaker stated that this would be an ideal spot because of its flat terrain and 10 kilometer line of site for use with the drones being flown within the corridor to provide data to the FAA. One of the project goals is to help show that unmanned drones are safe and can be beneficial to municipalities and commercial use. Mr. Whitaker stated that this tower would be the fifth tower needed to be able to provide a 650 mile area of visibility within the corridor. Mr. Whitaker stated that this site would be economically beneficial for the Town and could create jobs within the Municipalities.

DAVID RANK MOORE ROAD

David Rank, resident of 701 Moore Road appeared before the Board and read a letter stating his concerns with the Kennel Law and the Beals' dog kennel application.

AUTHORIZE SUBORDINATION AGREEMENT (9577 Hitchcock Point Road, Bridgeport, New York)

WHEREAS, pursuant to and funded under Title I of the Housing and Community Development Act of 1974 (Public Law 93-383), as amended, the Town of Sullivan made an application and received approval of a Community Development Block Grant ("CDBG") from New York State Homes and Community Renewal ("HCR"); and

WHEREAS, the purpose of one component of the CDBG program is to provide grant funds for the costs involved in the rehabilitation of residential properties in selected target areas of the Town of Sullivan by virtue of its participation in the CDBG Program; and

WHEREAS, pursuant to the provisions of this program, the Owners of the property identified with Tax Map Number 2.27-1-9 (more commonly known as 9577 Hitchcock Point Road, Bridgeport, New York) was approved to receive a grant in the amount of \$3,100.00 in June 17, 2014; and

WHEREAS, the Rehab Program required the filing of a Consensual Lien on the property in the amount of \$3,100.00; and

WHEREAS, the Owners of Tax Map Number 2.27-1-9 desire to refinance the mortgage for the premises; and

WHEREAS, the lender requires that the Consensual Lien in the amount of \$3,100.00 be subordinate to the refinanced mortgage; and

WHEREAS, this request has been reviewed by the Town who has subsequently recommended approval of a Subordination Agreement.

NOW, THEREFORE, upon motion of Councilor Kopp, seconded by Councilor Martin, it is

RESOLVED that the Supervisor of the Town of Sullivan is authorized and directed to execute a Subordination Agreement with the Owners of Tax Map Number 2.27-1-9, subject to approval as to form and content by the Town's attorney; and be it further

RESOLVED that this Agreement shall be filed in the Office of the Madison County Clerk.

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	Voted	Yes
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: October 17, 2018

BUDGET MODIFICATIONS

A motion was duly made by Councilor Martin seconded by Supervisor Becker to adopt the following budget modification, to wit:

Correction of September 19th 2018 Budget Modification which will be reversed. Replacing with the following:

Transferring \$ 75,225.23 from DB909 Fund Balance to DB5110.4 General Repairs Contractual Expense.

Increasing appropriations A1620.433 Buildings – This is to pay A2Z Environmental Inc. for the Air Monitoring Services on 7376-Wheeler Road in the amount of \$1,650.00.

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	Voted	Yes
Kerry Ranger	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

OTHER MATTERS DISCUSSED

- 1) Supervisor Becker read a letter that he received from the NYSDOT in regards to a new speed limit on Route 5 approximately between the Madison County-line and Tom-Tom Street. Supervisor Becker gave the letter to the Highway Superintendent Andrew Busa.
- 2) Supervisor Becker stated that the Town of Sullivan's equalization rate is at 98 percent. Supervisor Becker stated that Assessor Tanya Pifer does a great job and has kept the rate right where it should be.
- 3) Dan Millert stated that on October 18, 2018 at 7:00 P.M. at the Cazenovia High school there will be a Candidate forum for the November 6, 2018 election and the Public is welcome to attend. Mr. Millert stated there would be a half marathon in Bridgeport on October 18, 2018 at 8:30 A.M.
- 4) Mr. Jeffrey Taylor spoke in regard to his understanding of a Zoning Law change with exotic animals.
- 5) Jodie Gumina spoke in regards to the Zoning Law with respect to exotic animals.
- 6) Supervisor Becker read a thank you letter from residents on Wheeler Road in regards to the clean-up at 7376 Wheeler Road.

RECESS BEFORE BUDGET WORK SESSION

The Town Board recessed at 10:58 A.M. before staring the budget work session.

ADJOURNMENT

A motion was duly made by Councilor Martin, seconded by Councilor Ranger and unanimously passed by the Board to adjourn the meeting at 5:00 P.M.

Respectfully Submitted,

Amy B. Wells, Town Clerk