

**TOWN BOARD  
TOWN OF SULLIVAN  
REGULAR MEETING  
NOVEMBER 7, 2018  
7:00 P.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 7:00 P.M. on November 7, 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; 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**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board approving the minutes of the Town Board Meeting of October 17, 2018, October 29, 2018 and November 1, 2018.

**2019 BUDGET**

Supervisor Becker stated that the Board would adopt the 2019 Budget on November 8, 2018 at 9:00 A.M. following the public hearing on the preliminary Budget. Supervisor Becker stated that if anyone wanted a copy of the 2019 budget to please see him.

**PUBLIC HEARING  
FOR HAMILTON BROWN/BUSHNELL SHORE WATER PROJECT**

A motion was duly made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to open the Public Hearing on Hamilton Brown/Bushnell Shore Water Project at 7:06 P.M.

Engineer John Dunkle of Dunn & Sgromo Engineers provided an overview of the proposed water project for Hamilton Brown/Bushnell Shore. Mr. Dunkle reviewed the project construction and financing and entertained questions.

Supervisor Becker asked if anyone would like to speak on the Hamilton Brown /Bushnell Shore Water Project to come forward. Sean Tessier, property owner at 9305 Hamilton Brown Road in Bridgeport, asked when the Town would be applying for grants. Michelle Bishop, residing at 8909 Bushnell Shore Road in Bridgeport, stated that she was in favor of the water project as proposed.

A motion was duly made by Councilor Martin seconded by Councilor Kopp and unanimously

passed by the Board to close the Public Hearing at 7:12 P.M. After discussion, the following action was taken:

**RESOLUTION AND ORDER OF THE TOWN BOARD OF THE TOWN OF  
SULLIVAN TO CONDITIONALLY APPROVE THE CONSTRUCTION OF  
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"**

**Subject to Permissive Referendum**

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 estimated cost of hook-up fees is approximately Two Thousand and 00/100 Dollars (\$2,000.00); 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 duly adopted by the Town Board on October 17, 2018 for the hearing of all persons interested in this matter at a meeting of the Town Board to be held at the Town Hall on November 7, 2018 at 7 P.M. to consider the approval and potential construction of the proposed Water Improvements as described herein and for such other action on the part of the Town Board with relation thereto as may be required by law; and

**WHEREAS**, the Town Board did conduct a public hearing on November 7, 2018 in consideration of the proposed Water Improvements and all comments of the public having been heard and considered; and

**WHEREAS**, it was previously determined by the Town Board that for purposes of the State Environmental Quality Review Act ("SEQRA"):

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.

**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 AND ORDERED** that pursuant to Article 12-C of the Town Law (§ 209-q), the Town Board of the Town of Sullivan hereby determines that it is in the public interest to make such Water Improvements, as specifically referred to above and as described in the Map, Plan and Report dated October 2018, prepared by Dunn & Sgromo Engineers, PLLC, subject however to the following:

- A. Approval of the New York State Comptroller's Office of the above-referenced Water Improvements;
- B. That the costs of such Water Improvements shall be borne entirely by the properties located within the described benefitted areas as amended, including the several lots and parcels of land within the benefitted areas (as described in the attached Schedule "A", as associated with the Water Improvements, which the Town Board has determined 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 and interest on said bonds as the same shall become due and payable, all as set forth in the financing plan for said Water Improvements;
- C. That said approval of (and authorization for) the construction of said Water Improvements is contingent and conditioned upon realizing and 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;
- D. The cost and expense of operation and maintenance 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 it is further;

**RESOLVED AND ORDERED** that the Town Board of the Town of Sullivan hereby determines that the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, et seq. for the reasons contained herein:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects:  
The Project will not create any adverse changes in the existing air quality, water quality or noise levels, nor in solid waste production, nor create potential for erosion, promote flooding or drainage problems. The Project will produce minimal disturbance of soil and vegetation, with minimal storm run-off. Such impacts will be temporary in nature and will

be mitigated through the utilization of appropriate erosion control and construction measures. The Project will provide a positive impact on water supply and quality, as well as fire prevention and response. The area itself has a history of poor water quality and poor water pressure and will provide for the ability to create a long-term reliable, safe water supply for those participating in the improvement Project. Disturbances will be limited to the area of installation of the water lines and associated appurtenances and will be confined to existing rights-of-way, when available. Any Army Corps of Engineer permits required for the Project shall be obtained prior to any construction or disturbance of land.

2. Aesthetics, Agriculture, Archeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archeological, historical, natural or cultural resources. The Project involves a provision of service which must be located as and where necessary to provide potable water to the affected areas. Further, there have been no identified archeologically or culturally sensitive areas where prior disturbance has not occurred. Construction of the improvements will be within existing public rights-of-way. Minor disturbance will occur on individual private lots through the provision of individual service lines to the public portion of the Project.
3. Vegetation, fish, Wildlife, Significant, Habitats, Threatened or Endangered Species: No plant or animal species will be adversely affected by the Project. No endangered or threatened species, either plant or animal, have been identified in the area which would be negatively impacted by this action.
4. Community Plans, Use of Land or Natural Resources: The proposed Project is not adverse to any official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community. Rather, the Project will satisfy the Town's desire to provide a reliable source of clean water to portions of the community which have been historically underserved in this area.
5. Growth, Subsequent Development, etc.: The Project will not induce any significant or adverse growth or subsequent development. While some development may occur because of the introduction of a more stable water supply, it is not anticipated to be in such numbers as to threaten the environment.
6. Long-Term, Short-Term, Cumulative or Other Effects: The Project will not have any significant negative adverse long-term, short-term, cumulative, or other environmental effects.
7. Critical Environmental Area: The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, Subdivision 617.14(g) as no such CEAs have been created in the Town; and it is further

**RESOLVED AND ORDERED** that the Clerk of the Town of Sullivan be and hereby is

authorized and directed, on behalf of said Town, to file and record certified copies of this resolution and such other documents or instruments as may be required by law; and it is further

**RESOLVED AND ORDERED** that the Town's legal counsel distribute and publish the Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R., Part 617; and it is further

**RESOLVED AND ORDERED** that this Resolution and Order is adopted subject to a Permissive Referendum; and it is further

**RESOLVED AND ORDERED** 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	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: November 7, 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

<b>I. Construction Costs:</b>			
Hamilton Brown Road	- 6,900 feet (20.0 units)		
Bushnell Shore Road	- 1,200 feet (5.0 units)		
<b>Total</b>	<b>8,100 feet of waterline</b>	<b>x</b>	<b>\$80/foot<sup>1</sup> = \$648,000</b>
<b>II. Contingency – 10%</b>			<b>\$ 65,000</b>
<b>III. Soft Costs – 14%</b>			<b>= \$ 85,000</b>
<b>IV. Total Project Cost</b>			<b>Use \$800,000<sup>1</sup></b>
<b>V. Water District Unit Costs</b>			
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 <sup>2</sup>			
a. 38-year loan @ 4.0% (.0516) (estimated for 2019)		= \$	41,280/year
4. Total Annual District Cost:		= \$	42,300

5. Units = 25 (approximate)

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) <sup>3</sup>

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 cost<sup>4</sup>) = \$600,000 (approximate)  
(75%)**

<sup>1</sup> Costs for 2019 (estimated).

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

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

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

**PUBLIC HEARING FOR SLEEPY HOLLOW WATER DISTRICT (202-D)  
AND THE SLEEPY HOLLOW WATER DISTRICT EXTENSION NO. 1**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to open the Public Hearing at 7:23 P.M.

Emily Procopio, P.E. from Barton & Loguidice, D.P.C. presented the two (2) water projects to the public and answered questions concerning each project.

Supervisor Becker asked if anyone would like to speak on Sleepy Hollow Water District to come forward. Richard Riley, residing at 109 Sleepy Hollow Road thanked Supervisor Becker for all his hard work with this project.

A motion was made by Councilor Martin, seconded by Councilor Brzuszkiewicz and unanimously passed by the Board to close the Public Hearing at 7:25 P.M. . After discussion, the following actions were taken:

**RESOLUTION AND ORDER OF THE TOWN BOARD  
AUTHORIZING AN INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED  
FOR 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 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 proposed 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 proposed District is bounded and described as follows:

See 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**, and order was duly adopted by the Town Board on October 17, 2018 for the hearing of all persons interested in this matter at a meeting of the Town Board to held at the Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York on November 7, 2018 at 7:00 p.m. to consider an increase in the maximum amount to be expended for the Sleepy Hollow Water District, and to hear all persons interest 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

**WHEREAS**, it was previously determined by the Town Board for purposes of the State Environmental Quality Review Act ("SEQRA") 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

**WHEREAS**, the Town Board has given due consideration to the impact that such creation and construction of the Water District 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 SEQRA.

**NOW THEREFORE**, on motion of Councilor Martin, seconded by Councilor Kopp, it is hereby

**RESOLVED AND ORDERED**, 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 and Section 196 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 AND ORDERED**, that the maximum amount to be expended for water improvements within the Sleepy Hollow Water District is hereby increased to Three Hundred Eighty-One Thousand Seven Hundred and 00/100 Dollars (\$381,700.00) with an estimated

cost of the District to the "typical property" (as defined in the Town Law) of 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 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 AND ORDERED**, that that the Town Board of the Town of Sullivan hereby determines that the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, et seq. for the reasons contained herein and the reasons identified in the prior Negative Declaration adopted on February 17, 2016:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse changes in the existing air quality, water quality or noise levels, nor in solid waste production, nor create potential for erosion, promote flooding or drainage problems. The Project will produce minimal disturbance of soil and vegetation, with minimal storm run-off. Such impacts will be temporary in nature and will be mitigated through the utilization of appropriate erosion control and construction measures. The Project will provide a positive impact on water supply and quality, as well as fire prevention and response. Disturbances will be limited to the area of installation of the water lines and associated appurtenances and will be confined to existing rights-of-way, when available.
2. Aesthetics, Agriculture, Archeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archeological, historical, natural or cultural resources. The Project involves a provision of service which must be located as and where necessary to provide potable water to the affected areas. Further, there have been no identified archeologically or culturally sensitive areas where prior disturbance has not occurred.
3. Vegetation, fish, Wildlife, Significant, Habitats, Threatened or Endangered Species: No plant or animal species will be adversely affected by the Project. No endangered or threatened species, either plant or animal, have been identified in the area which would be negatively affected by this action.
4. Community Plans, Use of Land or Natural Resources: The proposed Project is not adverse to any official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.

5. Growth, Subsequent Development, etc.: The Project will not induce any significant or adverse growth or subsequent development. While some development may occur because of the introduction of a more stable water supply, it is not anticipated to be in such numbers as to threaten the environment.
6. Long-Term, Short-Term, Cumulative or Other Effects: The Project will not have any significant negative adverse long-term, short-term, cumulative, or other environmental effects.
7. Critical Environmental Area: The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, Subdivision 617.14(g) as no such CEAs have been created in the Town; and it is further

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

**RESOLVED AND ORDERED** that the Town's legal counsel distribute and publish the Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R., Part 617; and it is further

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

**RESOLVED AND ORDERED**, 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
Kerry Ranger	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**DATED:** November 7, 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	<b>\$560,000</b>
<i>Additional Grant Funding Targeted (WIIA)</i>	\$336,000
Net Project Cost to be Financed	<b>\$224,000</b>

<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))	<b>\$1,041</b>

**RESOLUTION AND ORDER OF THE TOWN BOARD  
AUTHORIZING THE FORMATION OF SLEEPY HOLLOW WATER DISTRICT  
EXTENSION NO. 1  
IN THE TOWN OF SULLIVAN,  
COUNTY OF MADISON AND STATE OF NEW YORK CERTIFICATE**

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

**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 **Sleepy Hollow Water District Extension No. 1** 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**, an order was duly adopted by the Town Board on October 17, 2018 for the hearing of all persons interested in this matter at a meeting of the Town Board to held at the Town of Sullivan Town Hall, 7507 Lakeport Road, Chittenango, New York on November 7, 2018 at 7:00 p.m. to consider the formation of the Sleepy Hollow Water District Extension No. 1, and to hear all persons interest 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

**WHEREAS**, it was previously determined by the Town Board for purposes of the State Environmental Quality Review Act ("SEQRA") 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

**WHEREAS**, the Town Board has given due consideration to the impact that such creation and construction of the Water District 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 SEQRA.

**NOW THEREFORE**, on motion of Councilor Brzuszkiewicz, seconded by Councilor Ranger, it is hereby

**RESOLVED AND ORDERED**, that:

A. The petition aforesaid is signed and acknowledge or proved as required by law and duly complies with the requirements of Article 12 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed District extension 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 form and establish the Sleepy Hollow Water District Extension No. 1; and it is further

**RESOLVED AND ORDERED**, that the said Sleepy Hollow Water District Extension No. 1 be formed in said Town of Sullivan, Madison County, New York, at a maximum estimate cost of One Hundred Seventy Eight Thousand Three Hundred and 00/100 Dollars (\$178,300.00) including construction of improvements therein with an estimated cost of the District extension to the "typical property" (as defined by the Town Law) of \$995 annually, and to be of the description and boundaries as hereinbefore described, 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 it is further

**RESOLVED AND DETERMINED**, that all costs and expenses for forming said District extension and constructing any water service facilities which may be installed within said District extension shall be annually assessed, levied and collected from the several lots and parcels of land within said District extension in the manner provided by law as stated herein; and it is further

**RESOLVED AND ORDERED**, that that the Town Board of the Town of Sullivan hereby determines that the proposed action will not have a significant adverse effect on the environment and this resolution hereby adopts a Negative Declaration for purposes of Article 8 of the Environmental Conservation Law, Volume 6 of the N.Y.C.R.R. Part 617, et seq. for the reasons contained herein:

1. Air, Water, Noise, Waste, Erosion, Drainage, Site Disturbance Effects: The Project will not create any adverse changes in the existing air quality, water quality or noise levels, nor in solid waste production, nor create potential for erosion, promote flooding or drainage problems. The Project will produce minimal disturbance of soil and vegetation, with minimal storm run-off. Such impacts will be temporary in nature and will be mitigated through the utilization of appropriate erosion control and construction measures. The Project will provide a positive impact on water supply and quality, as well as fire prevention and response. Disturbances will be limited to the area of installation of the water lines and associated appurtenances and will be confined to existing rights-of-way, when available.
2. Aesthetics, Agriculture, Archeology, History, Natural or Cultural Resource, Community or Neighborhood Character: The Project will not adversely affect agricultural, archeological, historical, natural or cultural resources. The Project involves a provision of service which must be located as and where necessary to provide potable water to the affected areas. Further, there have been no identified archeologically or culturally sensitive areas where prior disturbance has not occurred.
3. Vegetation, fish, Wildlife, Significant, Habitats, Threatened or Endangered Species: No plant or animal species will be adversely affected by the Project. No endangered or threatened species, either plant or animal, have been identified in the area which would be negatively affected by this action.
4. Community Plans, Use of Land or Natural Resources: The proposed Project is not adverse to any official community plans and goals and will have no adverse effects on land-use or the use of natural resources by or in the community.
5. Growth, Subsequent Development, etc.: The Project will not induce any significant or adverse growth or subsequent development. While some development may occur because of the introduction of a more stable water supply, it is not anticipated to be in such numbers as to threaten the environment.
6. Long-Term, Short-Term, Cumulative or Other Effects: The Project will not have any significant negative adverse long-term, short-term, cumulative, or other environmental effects.
7. Critical Environmental Area: The Project will not have an impact on any Critical Environmental Area as designated in 6 NYCRR, Subdivision 617.14(g) as no such CEAs have been created in the Town; and it is further

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

**RESOLVED AND ORDERED** that the Town's legal counsel distribute and publish the Negative Declaration pursuant to the requirements of 6 N.Y.C.R.R., Part 617; and it is further

**RESOLVED AND ORDERED** that the construction of the water facilities within said District extension shall be subject to approval of the New York State Comptroller as required pursuant to Article 12 of the Town Law; and it is further

**RESOLVED AND ORDERED**, 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
Kerry Ranger	Councilor	Voted	Yes
Thomas J. Kopp Jr.	Councilor	Voted	Yes
Jeffrey Martin	Councilor	Voted	Yes
John M. Becker	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

**DATED:** November 7, 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	<b>\$560,000</b>
<i>Additional Grant Funding Targeted (WIIA)</i>	\$336,000
Net Project Cost to be Financed	<b>\$224,000</b>
<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))	<b>\$1,041</b>

## **CHITTENANGO FIRE DEPARTMENT EQUIPMENT**

A motion was duly made by Councilor Kopp, seconded by Councilor Ranger and unanimously passed by the Board, authorizing the Chittenango Fire Chief to purchase equipment for the Fire Department.

### **RESOLUTION SUPPORTING PARTICIPATION IN THE CNY STORMWATER COALITION STAFF SERVICES AND EDUCATION COMPLIANCE ASSISTANCE PROGRAM (For the Year 2019)**

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

Resolution authorizing the items listed below pursuant to requirements of the New York State Pollutant Discharge Elimination System Municipal Separate Storm Sewer System General Permit.

**WHEREAS**, the Town of Sullivan, herein called the "Municipality", after thorough consideration of the various aspects of the problem and consideration of available information, has hereby determined that certain work, as described in Attachment A, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

**WHEREAS**, the Central New York Regional Planning & Development Board, herein called the "Board", has provided program planning and implementation assistance pertaining to the requirements of the New York State Pollutant Discharge Elimination System (SPDES) Stormwater Phase II General Permit for Municipal Separate Storm Sewer System (MS4) operators since 2002; and

**WHEREAS**, the Board has proposed staff and education assistance services in support of sustaining the CNY Stormwater Coalition and to provide a regional public education, outreach and training compliance program to reduce municipal staff burdens, ensure consistency, provide widespread priority audience targeting the most efficient use of limited municipal funds by distributing total program costs over a number of entities within a twelve-month timeframe as outlined in Attachment B.

**NOW, THEREFORE, BE IT RESOLVED BY** the Town of Sullivan Town Board:

1. That John Becker, Supervisor, or such person's successor in office is the representative authorized to act in behalf of the Municipality's governing body in all matters related the Project;
2. That the Municipality agrees that it will fund its portion of the program cost in the amount of \$3,600, and that those funds will be made available to the Board upon receipt of invoice;
3. That one (1) certified copy of this Resolution will be prepared and sent to the Board upon adoption; and

4. That this Resolution 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	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: November 7, 2018**

#### **CERTIFICATE OF RECORDING OFFICER**

That the attached Resolution is a true and correct copy of the Resolution, as regularly adopted at a legally convened meeting of the Town of Sullivan Town Board, duly held on the 7th day of November, 2018; and further that such Resolution has been fully recorded in the minute book in my office.

In witness thereof, I have hereunto set my hand this 7<sup>th</sup> day of November, 2018.

AMY B. WELLS  
Town Clerk

Impress Official Seal here.

#### **ATTACHMENT A SCOPE OF SERVICES AND PROJECT APPROACH**

Program tasks are proposed under three project components: CNY Stormwater Coalition Staff Support; Public Education and Outreach; and Direct Municipal Assistance.

##### **I: CNY STORMWATER COALITION STAFF SUPPORT**

Tasks proposed under this project component are designed to advance and sustain the CNY Stormwater Coalition (the Coalition), currently consisting of 29 regulated Municipal Separate Storm Sewer System (MS4) owner/operators identified in Attachment A of this proposal. The Coalition was formally established on January 1, 2011.

Task I.1. Staffing Support for the CNY Stormwater Coalition, Executive Committee and Working Committees Deemed Necessary to Advance the Coalition's Objectives – CNY RPDB will provide direct staff support needed to plan and conduct four (4) scheduled meetings of the full Coalition membership, four (4) scheduled meetings of the Executive Committee, and working committees of the Coalition as necessary to advance and sustain a fully functioning Coalition. Staff support for all scheduled meetings includes meeting preparation and agenda development, speaker recruitment, venue selection, preparation and distribution of meeting minutes and completion of all identified meeting follow up tasks. CNY RPDB will monitor grant opportunities, respond to appropriate Requests for Proposals, and oversee implementation of any grant funded projects and/or programs.

Task I.2. Communications – CNY RPDB will coordinate all internal and external communications and serve as the primary liaison between the Coalition and various regulatory agencies including the NYS DEC and the U.S. EPA. To help ensure Coalition

members understand the implications of any modifications or additional requirements that may impact their ability to comply with the NYS Stormwater General Permits (MS4 and Construction), CNY RPDB will monitor and report proposed and enacted changes to the stormwater general permits, including associated compliance, reporting, and inspection requirements. CNY RPDB will compile feedback and inquiries from Coalition members, and coordinate and prepare unified responses to new and evolving regulatory requirements on behalf of the Coalition to appropriate regulatory agencies as warranted. CNY RPDB will prepare training and informational updates for Coalition members to support regulatory compliance with the next version of the MS4 General Stormwater Permit, anticipated release March 2018. CNY RPDB will engage other statewide stormwater coalitions, as well as non-regulatory partners involved in all aspects of stormwater management, to identify and initiate compliance opportunities that support the objectives of the Coalition.

Task I.3. Annual and Semi-Annual Reporting - CNY RPDB will document all education, training and outreach compliance activities conducted on behalf of the Coalition and complete the Minimum Control Measure 1. Public Education and Outreach section of the MS4 annual report in compliance with MS4 annual reporting requirements, and semi-annual reporting requirements for MS4s in the Onondaga Lake watershed, as specified in the most current NY SPDES General Permit for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4s). CNY RPDB will deliver the MCM 1 section to participating MS4s for inclusion in their individual annual and semi-annual reports. CNY RPDB will respond to any public comments received relative to the documented education and outreach services. In the event that NYS DEC enacts a new MS4 Annual Report format during the 2019 program year, CNY RPDB will provide training and information as needed to transition into the new format.

Task I.4. Financial Administration and Reporting – CNY RPDB will coordinate and administer all contracted activities funded as part of this Scope of Services through December 31, 2019, including quarterly financial reporting, bookkeeping and accounting, documentation of local match (if necessary to support Coalition approved grant funded programs), subcontracting (if deemed necessary and approved by the Coalition), and solicitations (if deemed necessary and approved by the Coalition). Progress reports and financial reporting will be made available to the Executive Committee of the Coalition on a quarterly basis.

## **II: PUBLIC EDUCATION AND OUTREACH**

Tasks proposed under this program component comply with the public education and outreach requirements defined in the current New York SPDES General Permit for Stormwater Discharges from MS4s and are targeted primarily toward the general public with a secondary focus on construction contractors and municipal officials.

Task II.1 Stormwater Public Survey Response Actions – CNY RPDB will develop and compile new and existing materials as needed to address public education needs identified through the 2015 Stormwater Public Survey. CNY RPDB will continue to identify appropriate outlets for distributing the materials to the targeted audiences, including social media (Facebook and Twitter) and traditional outlets that may include public libraries, schools, veterinary offices, commercial entities, and community centers. CNY RPDB will provide materials in hard copy and/or electronic formats, and track distribution and use.

Task II.2 Maintain Regional Stormwater Website – CNY RPDB will maintain and promote the CNY Stormwater website. CNY RPDB will compile new and existing information, guidance materials and permit updates for reference and use by regulated MS4s in the SUA. When



available, online training opportunities will be made accessible and promoted to appropriate municipal staff. CNY RPDB will provide informational items developed as part of the year-11 education program directly to participating MS4s for inclusion on municipal websites at their discretion.

Task II.3 Syracuse Post Standard Stormwater Pullout – CNY RPDB will develop a 4-page, broadsheet, pullout to be distributed in the main section of the Syracuse Post Standard daily edition (1-edition). The pullout will focus on stormwater processes, impacts, issues of concerns, SUA primary pollutants of concern, and citizen generated solutions. The pullout will be published in the spring of 2019 and will reach approximately 144,000 individuals across the CNY region.

Task II.4 Electronic Stormwater Newsletter for the General Public - CNY RPDB will distribute a quarterly stormwater newsletter for the general public. The seasonally themed electronic newsletter maintains a focus on primary pollutants of concern in the SUA, stormwater processes, and offers advice for reducing negative water quality impacts through simple actions. The newsletter will encourage participation in locally sponsored events that support stormwater management and protection efforts. CNY RPDB will conduct direct outreach in support of building the distribution list with existing organizations, groups and users of social media.

Task II.5 Staff CNY Stormwater Coalition Booth at 2 Public Events – CNY RPDB will secure booth space, reproduce/develop/acquire appropriate stormwater informational materials, and provide staff coverage for a minimum of two public events during 2019 program year. Efforts will be made to identify public events with reliably high attendance and complimentary objectives. CNY RPDB will ensure that informational materials are updated and appropriate to the target audiences. CNY RPDB will maintain, and upon request, make the stormwater display, interactive watershed model, and appropriate materials available to participating MS4s and other community groups for use at their events.

Task II.6 Electronic Outreach to CNY Contractors and Developers – CNY RPDB will provide direct information on topics of interest to construction developers with a focus on current construction permit requirements and additional considerations for doing business in MS4 communities. Information will be presented in newsletter format and posted as a PDF on the stormwater website. The “newsletter” will be announced by postcard mailing and through a cooperative agreement with the CNY Home Builders & Remodelers of Central New York. CNY RPDB will provide Coalition members with a PDF of the newsletter for posting on municipal websites or hard copy distribution.

### **III. DIRECT MUNICIPAL ASSISTANCE**

This program component addresses the education and training requirements and planning needs for municipal officials and staff.

Task III.1. Municipal Workshops - CNY RPDB will conduct two training workshops for municipal representatives of the CNY Stormwater Coalition. Workshop topics will be selected to address current training and informational needs as determined through discussions with NYS Department of Environmental Conservation and the CNY Stormwater Coalition. Workshops will be designed to improve compliance with the MS4 Stormwater General Permit.

Task III.2. Online System Map – CNY RPDB will secure the annual license agreement in support of continued operation of the online storm sewer system map. CNY RPDB will compile new and existing data and information needed to expand the storm sewer system

mapping effort following an established and agreed upon schedule. This may include additional field data collection and data post-processing, digitizing existing paper maps, and/or other tasks as needed to advance efforts to build a full, regional system map. CNY RPDB will perform ongoing maintenance of the online map platform as needed.

**ATTACHMENT B  
PROGRAM FEE**

The services described in this proposal will be conducted for a total fee not to exceed \$108,000 (\$3,600 per Coalition member). This fee will remain constant for each participating Coalition member regardless of the number of municipal members participating in the Coalition.

To participate in the proposed program, MS4s are required to adopt and return a municipal resolution (sample provided) no later than October 1, 2018 to CNY RPDB. CNY RPDB will issue a single invoice for the full program year on December 1, 2018. Full payment will be due to CNY RPDB no later than January 31, 2019.

## ATTACHMENT C TIMELINE

All proposed tasks will be completed between January 1, 2019 and December 31, 2019 as outlined below.

[illegible]

**APPROVAL OF APPLICATIONS FOR MEMBERSHIP IN THE FIRE COMPANIES  
COMPRISING THE SULLIVAN FIRE DISTRICT**

The Board acting as the Board of Fire Commissioners, received an application from Kenneth Zesky for membership in the Bridgeport Fire Department.

A motion was duly made by Councilor Kopp, seconded by Councilor Ranger and unanimously passed by the Board, acting as the Board of Fire Commissioners, accepting Kenneth Zesky as a member in the Bridgeport Fire Company.

**OTHER MATTERS DISCUSSED**

1. Steven Burton resident of Marsh Mill Road, appeared before the Board with questions on the Food Pantry in Chittenango. Mr. Burton also suggested to the Board that the Town of Sullivan have a Purple Heart Day for the Veteran's. Supervisor Becker stated that Madison County is a Purple Heart County.

**EXECUTIVE SESSION**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to go into executive session for advice of Counsel at 7:52 P.M.

A motion was duly made by Councilor Brzuszkiewicz, seconded by Councilor Martin and unanimously passed by the Board to close executive session at 8:52 P.M.

**ADJOURNMENT**

A motion was duly made by Councilor Martin, seconded by Councilor Kopp and unanimously passed by the Board to adjourn the meeting at 8:53 P.M.

**Respectfully Submitted,**

**Amy B. Wells, Town Clerk**