

**Town of Schroepfel
Town Board Meeting
September 26th 2023**

Present: Town Board Members Zachary Gelling, Lewis Hoyt, JoAnn Nazarian and Town Clerk Darlene Owens.
Absent Cary Redhead and N. Hoyt

At 6:00 p.m. Owens called the meeting to order with the Pledge Allegiance.

SEQR Motion:

Gelling made a **Motion** that all actions taken tonight are excluded, exempt or Type II actions for the purpose of the State Environmental Quality Review Law unless otherwise stated, seconded by Nazarian. All ayes: Nazarian, Gelling and L. Hoyt. Absent Redhead and N. Hoyt

Gelling said that the Town Supervisor or Deputy Supervisor was not available tonight and that he would like to make a **Motion** to waving the 15 minutes wait time seconded by L. Hoyt. All ayes; Nazarian, Gelling and L. Hoyt. Absent Redhead and N. Hoyt.

Gelling said with that he would like to make a **Motion** to appoint JoAnn Nazarian pro tem as Chairperson for the meeting seconded by L. Hoyt. All ayes; Nazarian, Gelling and L. Hoyt. Abstain Absent Redhead and N. Hoyt.

Gelling said Town Clerk Owens, Councilwomen Nazarian, Councilmen Gelling and L. Hoyt were in attendance for the Town Board meeting.

JoAnn Nazarian: Town Legal News Papers

Nazarian said that Sample News group of Oswego County has taken over more newspapers. This will be easier for us to get our in to the paper faster without waiting so long for them to come out. Nazarian made the **Motion** for the Valley News, Oswego County Weeklies and the Palladium Times as the Town's legal papers seconded by Gelling. All ayes; Nazarian, Gelling and L. Hoyt. Abstain Absent Redhead and N. Hoyt.

Bankrupt Road Resolution

Nazarian said this Resolution is approving the proposed Formation of the Town of Schroepfel Bankrupt Road Water District Pursuant to Article 12-A, section 209_e of the Town Law of the State of New York. Nazarian said that this Board held a Public Hearing pursuant to Section 209-d of the Town Law of the State of New York on the 20th day of December, 2022, at 6:15 p.m. at the Town Hall 69 County Route 57A, Schroepfel, New York and reconsidered the formation of a water district to be known as the Town of Schroepfel Bankrupt Road Water District, and hereby determined that notice of same was published and posted as required by law. Nazarian said the Legal never ran in the paper last year.

Nazarian said that the repayment of debt service in the Water District, i.e., Town of Schroepfel Bankrupt Road Water District, shall be made by collecting a special benefit assessed on all parcels of land in said Water District. The annual water rent including operation and maintenance is estimated to be \$397, together with an annual charge for debt service of \$578, for a total cost of \$975 per Equivalent Dwelling Unit (EDU).

Nazarian said this resolution is subject to permissive referendum, and a copy of the map, plan and report as prepared by c2ae, together with the additional funding sources that establish the new, higher EDU charge, may be reviewed at the Town Clerk's Office. Said map, plan and report contains a map of the Water District showing the boundaries and the tax parcels therein.

Nazarian made the **Motion** to accept the Resolution for Bankrupt Road Water District seconded by Gelling. All ayes: Nazarian, Gelling, and L Hoyt. Absent Redhead and N. Hoyt. (Attached to Minutes)

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At 6:06 Gelling made the **Motion** to adjourn the meeting seconded by Nazarian. All ayes: Nazarian, Gelling, and L Hoyt. Absent Redhead and N. Hoyt

Respectfully submitted,

Darlene M. Owens
Town Clerk

At a regular meeting of the Town Board for the Town of Schroepfel held the 26th day of September, 2023 at the Schroepfel Town Hall, 69 County Route 57A Schroepfel, New York at 6:00 P.M.

RESOLUTION

APPROVING THE PROPOSED FORMATION OF THE TOWN OF SCHROEPEL BANKRUPT ROAD WATER DISTRICT PURSUANT TO ARTICLE 12-A, SECTION 209-e OF THE TOWN LAW OF THE STATE OF NEW YORK

WHEREAS, by resolution dated July 30, 2019 (the "approving resolution"), the Town Board for the Town of Schroepfel adopted the Proposed Formation of the Town of Schroepfel Bankrupt Road Water District, which called for a mandatory referendum; and

WHEREAS, the referendum was held on October 1, 2019, and the vote was 121 in favor of establishing the Bankrupt Road Water District, and 36 opposed, thus resulting in the formation of the said district (the "Water District"); and

WHEREAS, the Town of Schroepfel received qualified bids for the construction of the improvements to the Water District in excess of \$2.5 million and therefore far exceeding the projected estimates contained in the approving resolution, which projected the Equivalent Dwelling Unit ("EDU") charge of \$828 per EDU; and

WHEREAS, based on the construction bids the new EDU would exceed the threshold established by the NYS Comptroller, and therefore, the Town Board pursued and obtained additional grant and other funding; and

WHEREAS, the Town Board for the Town of Schroepfel has reconsidered the resolution establishing the formation of a water district in the Town of Schroepfel to be known as the Town of Schroepfel Bankrupt Road Water District to include portions of County Route 46/Bankrupt Road, Hawthorne Road, County Route 57, County Route 6, and other local side streets, based upon the May 2019 Map, Plan and Report prepared by Capital Consultants Architecture and Engineering (c2ae), of 301 Plainfield Road, Suite 270, Syracuse, New York 13212 filed with the Town Clerk for the Town of Schroepfel the 23rd day of May, 2019; and

WHEREAS, this Board, pursuant to the requirements of Article 12-A and pursuant to Section 209-d of the Town Law of the State of New York, held a public hearing based on the construction costs, new funding, and revised Equivalent Dwelling Unit (EDU) calculations, with said hearing being duly advertised in the Town's official newspaper, with the hearing held

on December 20, 2022, at 6:00 p.m. at the Town Hall, Phoenix, New York, heard all interested persons pertaining to the proposed Town of Schroepfel Bankrupt Road Water District, and adopted as resolution approving the re-establishment of the Water District; and

WHEREAS, the Town Board proposes to re-establish the Water District, subject to permissive referendum, charge the cost for same under the authority of Section 209-e of the Town Law of the State of New York, and to ratify and confirm the resolution of the Town Board adopted on December 20, 2022 with respect to the Water District; and

WHEREAS, the Board discussed in open session on December 20, 2022, and at this meeting, the impact of forming the proposed Water District and the public benefits proposed by said formation.

NOW, THEREFORE, on motion made by Councilor Nazarian, and seconded by Councilor Gelling **BE IT RESOLVED** as follows:

1. That this Board held a Public Hearing pursuant to Section 209-d of the Town Law of the State of New York on the 20th day of December, 2022, at 6:15 p.m. at the Town Hall 69 County Route 57A, Schroepfel, New York and reconsidered the formation of a water district to be known as the Town of Schroepfel Bankrupt Road Water District, and hereby determined that notice of same was published and posted as required by law.

2. That all of the property and property owners within the proposed Water District is benefitted thereby.

3. That all of the property and property owners benefitted are included within the limits of the proposed Water District.

4. That the establishment of the proposed Water District is in the public interest.

5. That the repayment of debt service in the Water District, i.e., Town of Schroepfel Bankrupt Road Water District, shall be made by collecting a special benefit assessed on all parcels of land in said Water District. The annual water rent including operation and maintenance is estimated to be \$397, together with an annual charge for debt service of \$578, for a total cost of \$975 per Equivalent Dwelling Unit (EDU).

6. That based upon 1-5 above, this Board does hereby approve the formation of the Town of Schroepfel Bankrupt Road Water District, pursuant to the terms and boundaries as found in the Map, Plan and Report prepared by c2ae and filed in the Town Clerk's Office and does hereby ratify and confirm its resolution adopted on December 20, 2022.

7. That this resolution is subject to permissive referendum, and a copy of the map, plan and report as prepared by c2ae, together with the additional funding sources that establish the new, higher EDU charge, may be reviewed at the Town Clerk's Office. Said map, plan and report contains a map of the Water District showing the boundaries and the tax parcels therein.

8. That the Town Clerk of the Town of Schroepfel is hereby authorized and directed to publish a copy of this Resolution/Order in the Oswego County Weeklies, and/or The Valley News, and/or Palladium Times the official newspapers for the Town of Schroepfel, and to post a copy of same on the official bulletin board for the Town of Schroepfel in the time and manner required by law.

MOTION ADOPTED by those members present in accordance with the following roll call vote:

CARY REDHEAD, Supervisor	ABSENT
JOANN NAZARIAN, Councilwoman	AYE
LEWIS HOYT, Councilman	AYE
NICKLAUS HOYT, Councilman	ABSENT
ZACHARY GELLING, Councilman	AYE

Dated: September 26, 2023

Darlene Owens
Darlene Owens, Town Clerk

CERTIFICATION

STATE OF NEW YORK)
COUNTY OF OSWEGO) SS

I, Darlene Owens, Town Clerk of the Town of Schroepel, Oswego County, New York, DO HEREBY CERTIFY that I have compared the proceeding resolution with the original thereof located in the Town Office, Schroepel, New York, adopted on the 26th day of September, 2023, and that the same is a true and correct copy of the original.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 26th day of September, 2023.

Darlene Owens, Town Clerk

[SEAL]

Darlene Owens
DARLENE OWENS Town Clerk

TOWN OF SCHROEPPEL, NEW YORK

PLEASE TAKE NOTICE that on September 26, 2023, the Board Members of the Town of Schroepfel, in the County of Oswego, New York, adopted the resolution entitled:

"RESOLUTION APPROVING THE PROPOSED FORMATION OF THE TOWN OF SCHROEPPEL BANKRUPT ROAD WATER DISTRICT PURSUANT TO ARTICLE 12-A, SECTION 209-e OF THE TOWN LAW OF THE STATE OF NEW YORK",

an abstract of such resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: APPROVING the formation of the Town of Schroepfel Bankrupt Road Water District ("Water District"), pursuant to the terms and boundaries as found in the Map, Plan and Report prepared by c2ae and filed in the Town Clerk's Office and ratifying its resolution adopted on December 20, 2022, related thereto.

SECOND: DETERMINING AND STATING that the Board held a Public Hearing pursuant to Section 209-d of the Town Law of the State of New York on the 20th day of December, 2022, at 6:15 p.m. at the Town Hall 69 County Route 57A, Schroepfel, New York, and that notice of same was published and posted as required by law.

THIRD: FURTHER DETERMINING that all of the property and property owners within the proposed Water District are benefitted thereby; that all of the property and property owners benefitted are included within the limits of the proposed Water District; that the establishment of the proposed Water District is in the public interest; and that the repayment of debt service in the Water District, i.e., Town of Schroepfel Bankrupt Road Water District, shall be made by collecting a special benefit assessed on all parcels of land in said Water District.

FOURTH: STATING that the annual water rent for the Water District including operation and maintenance is estimated to be \$397, together with an annual charge for debt service of \$578, for a total cost of \$975 per Equivalent Dwelling Unit (EDU).

FIFTH: STATING that a copy of the map, plan and report as prepared by c2ae, together with the funding sources that establish the new, higher EDU charge, may be reviewed at the Town Clerk's Office. Said map, plan and report contains a map of the Water District showing the boundaries and the tax parcels therein

SIXTH: DETERMINING that the resolution is subject to a permissive referendum.

Such resolution shall be kept available for public inspection in the Town Clerk's Office during regular business hours for thirty days following this publication.

DATED: September 26, 2023

Darlene Owens, Town Clerk