

RESOLUTION #362023

AMENDED ORDER CALLING PUBLIC HEARING

At a special meeting of the Town Board of the Town of North East, in the County of Dutchess, New York, held at Town of North East Town Hall, 19 North Maple Avenue, Millerton, New York, on June 5, 2023

_____X

**In the Matter of the
Establishment of Sewer District No. 1 in the
Town of North East, in the County of Dutchess,
New York**

_____X

WHEREAS, a written Petition dated May 11, 2023 has been submitted in due form by the owners of taxable real property situate in the proposed Sewer District No. 1 for the Town of North East, owning in the aggregate more than one-half (1/2) of the assessed valuation of the taxable real property in said proposed Sewer District as shown on the latest Assessment Roll of the Town of North East, County of Dutchess, State of New York, to establish Sewer District No. 1, which shall comprise that portion of the said Town outside of any incorporated village or city and wholly within the Town, which consists of twenty-eight (28) tax parcels as depicted on a Sewer District Map annexed to the Map, Plan and Report prepared by Tighe & Bond Engineering and Landscape Architecture P.C. dated December 2022 as Appendix A, a copy of which had been annexed to the written Petition, and is on file and available for inspection at the Town Clerk's office, and which is incorporated herein by reference and made a part hereof. Annexed hereto as Exhibit "A" are the tax parcel numbers of the twenty-eight (28) properties which comprise the said proposed District; and

WHEREAS, the improvements proposed within the said Sewer District are to consist of a sanitary sewer collection system and related infrastructure, including original furnishings, equipment, machinery, apparatus, pipes, appurtenances, lands or rights in land and incidental improvements and expenses in connection therewith to serve said District, as more fully described in §2.3 of the Map, Plan and Report prepared by Tighe & Bond Engineering and Landscape Architecture, PC, dated December 2022, a copy of which is on file in the office of the Town of North East Clerk, and is incorporated by reference herein; and

WHEREAS, the sewer collection system will connect to and be operated in conjunction with a water resource recovery system which will be constructed within the Village of Millerton as described in §2.4 of said Map, Plan and Report; and

WHEREAS, said systems will be operated together as described in the said Map, Plan and Report pursuant to an Intermunicipal Agreement between the Village of Millerton and the Town of North East; and

WHEREAS, the maximum amount proposed to be expended for the improvements for Sewer District No. 1 is \$2,955,000 as set forth in §3.1 of the said Map, Plan and Report and the plan of financing includes the issuance of \$2,955,000 serial bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the parcels within the District which the Town Board shall determine and specify to be benefited thereby in just proportion in the amount of benefit conferred upon the same to pay the principal and interest on said bonds when the same shall become due and payable provided, however, that to the extent any grants-aid are received for said project, the amount of bonds to be issued shall be reduced dollar for dollar; and

WHEREAS, a hook-up fee will be required to hook-up to the system within the District but will be waived for parcels that connect during the initial construction period established by the Village and the Town, and future hook-up costs and charges will be charged for connections to the system that occur after the initial construction period, as set forth in §3.4 of the Map, Plan and Report; and

WHEREAS, the properties within the proposed District consist of commercial properties only. The estimated costs to a typical property within the District are as follows: Annual Capital Cost \$2,965.00; Annual Operating and Maintenance Cost \$788.00; Total Annual Cost \$3,753.00; and Total Monthly Cost \$316.50. A detailed explanation as how such estimates have been computed is set forth in §4.1 of the said Map, Plan and Report.

NOW, THEREFORE, BE IT

ORDERED that a special meeting and public hearing of the Town Board of the Town of North East shall be held on June 20, 2023 at the North East Town Hall, located at 19 North Maple Avenue, Millerton, New York, at 4:00 p.m., to consider said Petition and to hear all persons interested in the subject thereof, and for such other and further action on the part of the Town Board, with relation to the premises; and be it further

ORDERED, that the Town Clerk is hereby directed to publish this Amended Order and the exhibit annexed thereto in the Town's official newspaper at least once no less than ten (10) and no more than twenty (20) days before the date set for the said public hearing; and be it further

ORDERED, that the Town Clerk shall cause a copy of this Amended Order and the exhibit annexed thereto to be posted on the sign board of the Town of North East not less than ten (10) nor more than twenty (20) days before the designated date for the public hearing; and be it further

ORDERED, that the Town Clerk is hereby directed to post notice of this Amended Order and the exhibit annexed hereto on the Town's official website not less than ten (10) nor more than twenty (20) days before the designated date for the public hearing; and be it further

ORDERED, that the Town Clerk is also directed to send a notice of this Amended Order to the owner of each parcel within the proposed District by first class mail no less than ten (10) or more than twenty (20) days before the designated date for the public hearing; and be it further

ORDERED, that a copy of this Resolution and the said Map, Plan and Report shall be made available for inspection at the office of the Town Clerk during regular business hours, be it further

ORDERED, that this Order Calling Public Hearing is intended to supersede the Order Calling Public Hearing adopted by the Town Board of the Town of North East dated May 11, 2023.

This motion was offered by Town Board supervisor Christopher Kennan and was seconded by Town Board member John Midwood.

MOTION: Christopher Kennan

SECOND: John Midwood

SUPERVISOR KENNAN	Voted AYE
COUNCILMAN FEDELE	Voted AYE
COUNCILMAN MIDWOOD	Voted AYE
COUNCILWOMAN MORRISON	Voted AYE
COUNCILWOMAN WINKLER	Voted AYE

The Resolution was carried by a 5-0 vote of the Town Board members on June 5, 2023.

Elizabeth Strauss

Elizabeth Strauss, Town Clerk,
Town of North East

STATE OF NEW YORK)
 : ss.:
COUNTY OF DUTCHESS)

I, Elizabeth Strauss, Town Clerk of the Town of North East in the County of Dutchess, New York, DO HEREBY CERTIFY that I have compared the preceding Order with the original thereof filed in my office on June 5, 2023, and that the same is a true and correct copy of said original and of the whole thereof so far as the same relate to the subject matters referred to therein.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 5th day of June, 2023.



Elizabeth Strauss

Elizabeth Strauss, Town Clerk

EXHIBIT A

**THE FOLLOWING ARE THE TAX PARCEL NUMBERS FOR EACH PARCEL
WITHIN THE DISTRICT**

7271-00-658247-0000
7271-00-701220-0000
7271-00-715223-0000
7271-00-739225-0000
7271-00-682247-0000
7271-00-622253-0000
7271-00-775238-0000
7271-00-790279-0000
7271-00-534237-0000
7271-00-715245-0000
7271-00-809228-0000
7271-00-578242-0000
7271-00-585220-0000
7271-00-591180-0000
7271-00-612237-0000
7271-00-524328-0000
7271-00-790170-0000
7271-00-632250-0000
7271-00-552232-0000
7271-00-596259-0000
7271-00-610232-0000
7271-00-623228-0000
7271-00-664222-0000
7271-00-769284-0000
7271-00-564263-0000
7271-00-738177-0000
7271-00-646248-0000
7271-00-650200-0000