

264-2021 A Resolution to Set the Capital Costs and Operation and Maintenance Costs for the Consolidated General Water District in 2022

WHEREAS, the Town Board wishes to ensure the fiscal stability of the Consolidated General Water District in 2022 and beyond; and

WHEREAS, funding for the Water District must cover capital costs as well as operation and maintenance costs; and

WHEREAS, capital costs will be covered by the cost per unit of assessment charged on the annual tax bill and operation and maintenance costs will be funded by user rates;

now, therefore, be it

RESOLVED, payment of capital costs for the Town of East Greenbush Consolidated General Water District for the year January 1, 2022 to December 31, 2022 shall be based upon a Unit of Assessment as set forth in Schedule A, attached hereto and made a part hereof;

and it is further

RESOLVED, the payment of capital costs (debt service) and operation and maintenance expenses for the Town of East Greenbush Consolidated General Water District for the year January 1, 2022 to December 31, 2022 shall be as follows:

Capital Costs (debt service)

\$34.25 per unit of assessment as set forth on Schedule A, attached hereto and made a part hereof;

Operation and Maintenance Expenses

\$3.74 per 100 cubic feet of water consumed or \$5.00 per 1,000 gallons of water consumed;

and it is further.

RESOLVED, the rate for users outside the Town of East Greenbush Consolidated General Water District for the year January 1, 2022 to December 31, 2022 shall be \$5.61 per 100 cf or \$7.50 per 1,000 gallons of water consumed.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Supervisor Conway – Noted attachment of Schedule A referring to this resolution.

265-2021 A Resolution Approving the Consolidation of Four Town of East Greenbush Sewer Districts, to Wit: General Sewer District; Hampton Manor Sewer District; Couse Sewer District; and Third Avenue Sewer District into One Consolidated Sewer District Subject to the Completion of Proceedings Pursuant to Article 17-A of the General Municipal Law of the State of New York

WHEREAS, there exists within the Town of East Greenbush four sewer districts, and related extensions, to wit: General Sewer District; Hampton Manor Sewer District, Couse Sewer District; and Third Avenue Sewer District; and

WHEREAS, the aforesaid four sewer districts and related sewer district extensions have been created for similar purposes; and

WHEREAS, the Town Board on the 15th day of September, 2021 adopted a Resolution and Order, to give notice of a Public Hearing pursuant to the provisions of Article 17-A of the General Municipal Law of the State of New York to be held at the East Greenbush Town Hall on the 20th day of October, 2021 at 6:00 o'clock p.m. for the purpose of hearing all persons upon the question of consolidating the four sewer districts and related sewer district extensions of the Town of East Greenbush, to wit: General Sewer District; Hampton Manor Sewer District, Couse Sewer District; and Third Avenue Sewer District into a single consolidated sewer district; and

WHEREAS, the Town Board wishes to plan for the future needs of the Town and its residents and businesses; to consolidate services; to reduce the amount of administrative services and costs within the sewer districts and the extensions; to increase the financial base of the sewer districts and the extensions in order to obtain a reduction in interest rates on any anticipated borrowing; to distribute costs more evenly and to establish fair and reasonable rates for services; and

WHEREAS, should consolidation be approved all expenses for any existing debt and future debt repayment for any capital charges for the four sewer districts and related extensions shall be imposed annually among all parcels or any additional parcels contained within the consolidated sewer district by the imposition of a \$100.00 fee per equivalent dwelling unit for the first year of consolidation based upon present budgetary calculations and then adjusted annually thereafter, if necessary; the number of equivalent dwelling units for each parcel within the consolidated sewer district shall be determined from the Schedule of Assessment Units for each property type and is attached hereto as Schedule B; and

WHEREAS, in the event of consolidation expenses for operation and maintenance for the four sewer districts and related extensions shall be imposed annually among all parcels or any additional parcels contained within the consolidated sewer district as follows: \$2.87 per 100 cf metered water use; \$3.84 per 1000 gallons metered water use; \$40.17 minimum use up to 1400 cf or 10,500 gallons; and \$45.91 flat rate for unmetered water use; each customer shall pay for 100 cf or 1000 gallons consumed, but if less than 1400 cf or less than 10,500 gallons then the minimum rate shall apply no matter the volume consumed; and

WHEREAS, the Town Board and Town Clerk have caused, as required by law, to be posted and published, the Notice of Public Hearing pursuant to the provisions of the aforesaid Article 17-A of the General Municipal Law; and

WHEREAS, the Town Board conducted the Public Hearing on the 20th day of October, 2021 to consider the consolidation of the stated four sewer districts and related sewer district extensions into a single consolidated sewer district at which time all persons interested in the same were afforded ample opportunity to be heard and speak in support of or in opposition to the proposed consolidation; and

WHEREAS, the Town Board has carefully reviewed the issues associated with the consolidation of the aforesaid four sewer districts and the related sewer district extensions; now, therefore, be it

RESOLVED, that this Town Board acting pursuant to the provisions of Section 754 of the General Municipal Law of the State of New York does hereby consolidate the four sewer districts and related sewer district extensions of the Town of East Greenbush, to wit: General Sewer District; Hampton Manor Sewer District, Couse Sewer District; and Third Avenue Sewer

District into a single consolidated sewer district, said consolidation to be effective January 1, 2022 and upon such consolidation does hereby further determine as follows:

1. This Resolution is adopted pursuant to the provisions of Article 17-A of the General Municipal Law of the State of New York.
2. All steps required by the provisions of Article 17-A of the General Municipal Law have been carried out in relation to this consolidation.
3. It is in the public interest to consolidate the aforesaid four sewer districts and related sewer district extensions as set forth herein and as set forth in the Joint Consolidation Agreement into one consolidated sewer district.
4. All property and assets of the aforesaid four sewer districts and related sewer district extensions shall become the property and assets of the new consolidated sewer district.
5. All property of the existing four sewer districts and related sewer district extensions shall become the property of the consolidated sewer district, and the consolidated sewer district shall assume and pay for the indebtedness of each of the existing four sewer districts and related sewer district extensions as if such indebtedness had been incurred subsequent to this consolidation.
6. All expenses for operation and maintenance shall be paid as set forth within this resolution and revised annually, if necessary, by resolution after a public hearing conducted after notice duly given pursuant to the Town Law of the State of New York.
7. All expenses for capital charges arising from any existing and future indebtedness shall be paid as set forth within this resolution and revised annually, if necessary, by resolution after a public hearing conducted after notice duly given pursuant to the Town Law of the State of New York.
8. The Schedule of Assessment Units may be revised annually, if necessary, by resolution after a public hearing conducted after notice duly given pursuant to the Town Law of the State of New York.
9. The consolidated sewer district shall be known as the Town of East Greenbush Consolidated General Sewer District.
10. The Joint Consolidation Agreement between the Town of East Greenbush and the four sewer districts and related sewer district extensions is approved, and the Town Supervisor is authorized to execute the same.
11. The Town Clerk is hereby directed within ten (10) days after the adoption of this Resolution to cause a certified copy of this final resolution to be filed in the Rensselaer County Clerk's Office and in the office of the New York State Comptroller at Albany, New York.
12. The Town of East Greenbush Consolidated General Sewer District boundaries are as set forth in Exhibit A.

The foregoing resolution was duly moved by Supervisor Conway and seconded by Councilor Matters and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor R. Matters	VOTED: YES
Councilor T. Tierney	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor B. Fritz	VOTED: YES

Supervisor Conway – Noted attachments of Schedule B and Exhibit A referring to this resolution.

William F. Ryan, Jr., Esq. – Indicated what the town has now is a workable framework moving forward, which is very simplistic, capital and O&M. Mentioned now having paradigm to fill in the blanks moving forward.

266-2021 A Resolution to Schedule a Special Meeting of the East Greenbush Town Board for November 10, 2021

WHEREAS, the East Greenbush Town Board has a previously scheduled pre-board meeting on November 10, 2021; and

WHEREAS, the Town Board also has some time-sensitive business that must be conducted that evening; and

WHEREAS, the Town Comptroller confirms that this resolution will not have a material impact on the Town’s finances;

now, therefore, be it

RESOLVED, that the Town Board schedules a Special Meeting of the East Greenbush Town Board for November 10, 2021 at 7:00 p.m. at East Greenbush Town Hall, 225 Columbia Turnpike in the Town of East Greenbush and/or by remote means to consider issues related to the consolidated sewer district and any other matters that may be brought to the Board’s attention

This resolution was duly moved by Supervisor Conway and seconded by Councilor Fritz and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor B. Fritz	VOTED: YES
Councilor T. Tierney	VOTED: ABSENT
Councilor H. Kennedy	VOTED: YES
Councilor R. Matters	VOTED: YES

ADJOURNMENT

Motion to adjourn was duly moved by Supervisor Conway and seconded by Councilor Kennedy and brought to a vote resulting as follows:

Supervisor J. Conway	VOTED: YES
Councilor H. Kennedy	VOTED: YES
Councilor T. Tierney	VOTED: ABSENT
Councilor R. Matters	VOTED: YES
Councilor B. Fritz	VOTED: YES

Respectfully submitted,

Ellen Pangburn, Town Clerk