

**ORWELL TOWN BOARD  
Public Hearing/Regular Meeting  
Orwell Town Hall  
1999 County Route 2, Orwell, NY  
November 10, 2020  
6:45PM**

Members Present:

Supervisor-William Potter

Councilmen:Jeffrey Graham, David Lake, Ryan Jones Jessica Steele

Also Present:

CEO John Howland

Water Board Member-David Potter, James Ellis, Dan McNitt

Water Operator-Eric Pappa

Highway Superintendent-Doug Henry

Tug Hill Representative-Paul Baxter

Town Attorney-Rebekah Prosachik

Town Clerk-Amber Wilson

Public Present: Shirley Downes

Dustin Clark, Dave Powers from Barton&Loguidice

The Town of Orwell Public Hearing opened at 6:45 pm with Dave Powers from Barton & Loguidice presenting an informational hand out he prepared. No questions from the Public were asked. Dave Powers then went through the SEQRA packets 2 & 3 as written as well as Resolution #10-2020. Dave Powers then turned the floor over to the Town Attorney Rebekah Prosachik and she went over Resolution # 11-2020. The Public Hearing concluded at 7:20pm and the Regular Board Meeting was opened at 7:25pm by Supervisor William Potter with the pledge of allegiance. A motion was made by Councilwoman Jessica Steele and seconded by Councilman David Lake to pass Resolution # 10-2020 determining that the proposed Town of Orwell Water System Improvements project is a type 1 action and will not have a significant adverse impact on the environment. Another motion was made by Councilwoman Jessica Steele and seconded by Councilman Ryan Jones to pass Resolution # 11-2020 Order Authorizing improvements and expansion of the Orwell Water District pursuant to Article 12 Section 202-B of Town Law of the State of New York.

**RESOLUTION NO. 10-2020**

**Proposed Action: Town of Orwell Water System Improvements Project**

**RESOLUTION DETERMINING THAT THE PROPOSED TOWN OF ORWELL WATER SYSTEM IMPROVEMENTS PROJECT IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT**

**WHEREAS**, the Town of Orwell (Town) is proposing the Town of Orwell Water System Improvements Project (Project), located in the Town of Orwell and Town of Richland, Oswego County, New York; and

**WHEREAS**, the Project has been classified as a “Type I Action” as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

**WHEREAS**, the Town of Orwell Town Board sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to other potentially “Interested Agencies” and “Involved Agencies” (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2), indicating the Town’s desire to serve as the “Lead Agency” (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

**WHEREAS**, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Town of Orwell Town Board serving as Lead Agency for the Project, including the Town of Richland whom has been identified throughout the SEQRA process as an Involved Agency; and

**WHEREAS**, pursuant to the SEQRA Regulations, the Town of Orwell Town Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern:

**NOW, THEREFORE, BE IT**

**RESOLVED** that, the Town of Orwell Town Board hereby establishes itself as Lead Agency for the Project; and

**BE IT FURTHER RESOLVED**, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Town’s knowledge of the area surrounding the Project, the Town of Orwell Town Board makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

**BE IT FURTHER RESOLVED**, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA, the Town of Orwell Town Board, as Lead Agency, hereby directs the Town of Orwell Supervisor to sign the FEAF Part 3 – Determination of Significance indicating that a

Negative Declaration has been issued for the Project; this Resolution shall take effect immediately and will be properly noticed.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

William Potter, Supervisor	AYE
Jeff Graham, Board Member	AYE
Ryan Jones, Board Member	AYE
David Lake, Board Member	AYE
Jessica Steele, Board Member	AYE

The foregoing resolution was thereupon declared duly adopted.

Dated: 11/10/2020

I hereby certify that this resolution was adopted on 11/10/2020 and is recorded in the Meeting Minutes of the Town of Orwell Town Board.

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Town Clerk  
Amber Wilson

At a meeting of the Town Board for the Town of Orwell held the 10<sup>th</sup> day of November, 2020 at 7:00 pm at the Orwell Town Hall, 1999 County Route 2, Town of Orwell, County of Oswego, State of New York

On motion made by Councilwoman Jessica Steele and seconded by Councilman Ryan Jones, BE IT RESOLVED as follows:

William Potter, Supervisor	AYE
Jeff Graham, Councilmember	AYE
Ryan Jones, Councilmember	AYE
David Lake, Councilmember	AYE
Jessica Steele, Councilmember	AYE

**RESOLUTION 11-2020/ORDER AUTHORIZING IMPROVEMENTS AND EXPANSION OF THE ORWELL WATER DISTRICT PURSUANT ARTICLE 12 SECTION 202-B OF TOWN LAW OF THE STATE OF NEW YORK**

**WHEREAS**, the Town Board of the Town of Orwell, in the County of Oswego, New York has heretofore caused a map and plan of proposed improvements in and for the Orwell Water District in said Town, together with an estimate of costs thereof, to be prepared by a competent engineer licensed by the State of New York; and

**WHEREAS**, upon completion of said map and plan and estimate of cost and the filing thereof in the office of the Town Clerk, the Town Board of said Town adopted an order calling a public hearing thereon and caused a notice of such hearing to be published and posted in the manner provided in section 193 of the Town Law of the State of New York, describing in general terms the proposed improvements, being groundwater resource exploration to determine the options for system improvements, upon completion of the groundwater resource exploration, the Engineers will determine which method of system expansion and improvements should be made, which may include the construction of a new local well and treatment facility, upgrades to existing water treatment facilities, water tank modifications, installation of watermain to provide for interconnection to Schoeller Well in the Town of Richland, or rights in land, furnishings, equipment, machinery and apparatus required therefor; and

**WHEREAS**, the order adopted described the estimated expense of the proposed improvements to be **Three Million Dollars (\$3,000,000.00)** and stated that the Town Board would meet to hear all persons interested in the subject matter thereof on on the 10<sup>th</sup> day of November, 2020, at 6:45 p.m at at the Town Hall, 1999 County Route 2, in the Town; and

**WHEREAS**, a public hearing was held at the time and place aforesaid in the manner described at which time all persons interested in the subject matter were given an opportunity to be heard and the proposed improvements, the estimated costs of the improvements, and the estimated annual cost to the typical property/typical home were discussed; and

**NOW, THEREFORE**, upon the evidence given at the public hearing described herein, it is hereby determined as follows:

1. The notice of the public hearing described in the preambles hereof was posted and published as required by law and is in all respects satisfactory;

2. The evaluation and construction of the improvements hereinabove described is in the public interest;
3. Preparatory to solicitation of competitive bids relative to such construction, the Town's Engineer is hereby directed to prepare definite plans and specifications and to make a careful estimate of the expense of the aforesaid improvements and, with the assistance of the Town Attorney, to prepare a proposed contract for the execution of the work; and
4. The Town Clerk shall record a copy of this order in the office of the County Clerk of the County of Oswego as required under section 195 of the Town Law of the State of New York.
5. BE IT FURTHER RESOLVED, that this Resolution is SUBJECT TO PERMISSIVE REFERENDUM and the Town Clerk and Attorney to the Town Board are hereby directed to prepare necessary notices and publish same as required by law.

Dated: 11/10/2020

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Amber Wilson, Town Clerk

### **All Informational Packets, Resolutions, and Reports are on file in the Town Clerk's Office**

#### **REPORTS:**

- A) CEO - 4 building permits were issued in the month of October.
- B) Oswego County Legislator Herb Yerdon did not come and had no report.
- C) Highway Superintendent- Doug went over the bills for the month. Saved roughly \$29,900 by screening our own sand instead of getting it from the County. Oswego County is charging \$6.50/ yard. The land owner the Town of Orwell got their sand from charged \$1/ yard and it cost \$4,600. The new plow truck was delivered and should be in service by Monday. The new fuel management system was installed and works well. After our first snowfall last week it has confirmed Superintendent Henry's suspicions that 3 trucks will be needed this winter due to Bennett's Bridges being out. The Town Highway department is looking for CDL licensed drivers and wing men.
- D) Tug Hill Commision- Paul Baxter read his report as written.
- E) NOCA- No report

#### **DISCUSSION:**

- A) After receiving the final invoice and finishing the paperwork for the new International plow truck Supervisor Potter discovered it is going to cost around \$247,000 instead of \$249,000.
- B) Supervisor Potter and Councilman Jeffrey Graham will get with John Roser to discuss Highway employee contracts for 2021-2022. Supervisor Potter hopes to possibly sign a 3 year contract with them.

C) The office of the State Comptroller is auditing the Town's budget and tax cap process. Numerous documents have been requested and will be sent next week.

**PUBLIC COMMENT:** “Have a Happy Holiday Season if I don't see everyone before then.”

**CORRESPONDENCE:** Supervisor Potter received no correspondence other than junk mail since last month's meeting.

**Approval of Minutes, Monthly Reports, Budget Adjustments, and Payment of Claims: all are on file in the Town Clerk's Office.**

-A motion was made by Councilwoman Jessica Steele and seconded by Councilman David Lake to approve the October 13<sup>th</sup> 2020 Regular Meeting Minutes. (5 Ayes) Motion carries.

-A motion was made by Councilman David Lake and seconded by Councilman Ryan Jones to approve the October 20<sup>th</sup> 2020 Water Project Meeting Minutes. (5 Ayes) Motion carries.

-A motion was made by Councilman Jeffrey Graham and seconded by Councilwoman Jessica Steele to approve the November 5<sup>th</sup> 2020 Public Hearing/Budget Meeting Minutes. (5 Ayes) Motion carries.

-A motion was made by Councilman Jeffrey Graham and seconded by Councilman David Lake to approve the Town Clerks report for the month of October 2020. (5 Ayes) Motion carries.

-A motion was made by Councilman Ryan Jones and seconded by Councilman David Lake to approve the Supervisor's report for the month of October 2020. (5 Ayes) Motion carries.

-A motion was made by Councilman Jeffrey Graham and seconded by Councilman David Lake to approve payment of the following claims. (5 Ayes) Motion carries.

General Fund Abstract #11	Claims # 148-166	\$8,019.23
Highway Fund Abstract #11	Claims #112-127	\$16,041.50
Water Fund Abstract #11	Claims #40-43	\$10,029.26

-A motion was made by Councilman Ryan Jones and seconded by Councilman Jeffrey Graham to adjourn the meeting at 8:00PM. (5 Ayes) Motion carries.

Submitted November 12, 2020

Amber Wilson, Town Clerk