

**ORWELL TOWN BOARD  
Public Hearing/Regular Meeting  
Orwell Town Hall  
1999 County Route 2, Orwell, NY  
February 9, 2021  
7:00PM**

Members Present:  
Supervisor William Potter  
Councilmen: Ryan Jones, Jeffrey Graham, David Lake, Jessica Steele  
Also Present:  
Oswego County Legislator-Herb Yerdon  
Highway Superintendent-Doug Henry  
Barton & Loguidice-Dustin Clark and David Powers  
Town Clerk-Amber Wilson  
Public present-Shirley Downes

The public hearing opened at 7pm. David Powers from Barton & Loguidice read the handout outlining the Town's water system improvements project. The Town is still in need of an alternate water source to fix the issues with the exiting water source capacity. The three potential alternatives discussed are still viable options and are being pursued starting with groundwater investigations. The project will benefit the community by providing a reliable year round water source and improving existing infrastructure. The Town will be submitting a CDBG funding application by the deadline in March, requesting \$1,250,000 in grant. There is no local match amount for the CDBG program. Resolution #5-2021, Resolution #6-2021, Resolution #7-2021, and Resolution #8-2021 were all passed unanimously. No public attended the public hearing and the regular meeting opened at 7:15pm with the pledge of allegiance.

**RESOLUTION #5-2021**  
**Authorizes the preparation and filing of a 2020 Consolidated Funding Application to the**  
**New York State Homes and Community Renewal for funding**  
**TOWN OF ORWELL**  
**TOWN BOARD**  
February 9, 2021

The following resolution was offered by Supervisor William Potter, who moved its adaption; seconded by Councilwoman Jessica Steele, to wit:

WHEREAS, the Board Members of the Town of Orwell have considered the comments presented at the public hearing held on February 9, 2021 pertaining to the availability of the 2020 New York State Community Development Block Grant (CDBG) Public Infrastructure Program funds;

NOW, THEREFORE, BE IT RESOLVED, that the Board Members of the Town of Orwell hereby authorizes the preparation and filing of a 2020 Consolidated Funding Application to the New York State Homes and Community Renewal for funding under the Community Development Block Grant Public Infrastructure Program to secure funding for the design and construction of improvements to the Orwell Water System and;

BE IT FUTHER RESOLVED, that the Town Supervisor, William Potter, is hereby authorized and directed to execute the application and to sign all necessary documents relating to the submission on behalf of the Town Board.

The adaption of the Resolution was thereafter duly put to a vote on roll call which resulted as follows:

William Potter, Town Supervisor	AYE
Jeff Graham, Councilman	AYE
Ryan Jones, Councilman	AYE
David Lake, Councilman	AYE
Jessica Steele, Councilwoman	AYE

the Resolution was declared duly adapted.

**CLERK CERTIFICATION:**

I, Amber Wilson, Clerk of the Town of Orwell in the County of Oswego, State of New York, do hereby certify that I have compared the preceding copy of the resolution with the original thereof duly adapted by the Board Members of the Town of Orwell at a public hearing of such Board held on February 9, 2021, and the same is a true and correct copy of such resolution and of the whole thereof.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said Town this 9<sup>th</sup> day of February, 2021.

\_\_\_\_\_  
Amber Wilson, Clerk  
Town of Orwell

**RESOLUTION #6-2021**  
**Appointing the Fair Housing Policy Officer**  
**TOWN OF ORWELL**  
**TOWN BOARD**

February 9, 2021

Councilman Jeffrey Graham offered the following resolution,  
which was seconded by Councilwoman Jessica Steele

**WHEREAS**, the Board Members of the Town of Orwell appoint Supervisor William Potter as the Fair Housing Policy Officer.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Orwell appoints a Fair Housing Officer to oversee the Fair Housing Policy prohibiting discrimination in housing.

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, Town Supervisor	AYE
Jeff Graham, Councilman	AYE
Ryan Jones, Councilman	AYE
David Lake, Councilman	AYE
Jessica Steele, Councilwoman	AYE

The foregoing resolution was thereupon declared duly adopted.

Dated: February 9, 2021

I hereby certify that this resolution was adopted on February 9, 2021 and is recorded in the Meeting Minutes of the Town of Orwell.

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Amber Wilson  
Town Clerk

**RESOLUTION #7-2021**  
**Accepting the Fair Housing Policy**  
**TOWN OF ORWELL**  
**TOWN BOARD**

February 9, 2021

Councilman Jeffrey Graham offered the following resolution, which was seconded by Councilman Ryan Jones

**WHEREAS**, the Board Members of the Town of Orwell made a motion accepting the Fair Housing Policy prohibiting discrimination in housing.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Orwell accepts the Fair Housing Policy prohibiting discrimination in housing.

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, Town Supervisor	AYE
Jeff Graham, Councilman	AYE
Ryan Jones, Councilman	AYE
David Lake, Councilman	AYE
Jessica Steele, Councilwoman	AYE

The foregoing resolution was thereupon declared duly adopted.

Dated: February 9, 2021

I hereby certify that this resolution was adopted on February 9, 2021 and is recorded in the Meeting Minutes of the Town of Orwell.

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Amber Wilson  
Town Clerk

**RESOLUTION #8-2021**  
**Civil Rights, Equal Employment Opportunity and Section 3 Policy**  
**TOWN OF ORWELL**  
**TOWN BOARD**

February 9, 2021

Councilwoman Jessica Steele offered the following resolution, which was seconded by Councilman Jeffrey Graham

**WHEREAS**, the Board Members of the Town of Orwell made a motion accepting the Civil Rights, Equal Employment Opportunity, and Section 3 Policy.

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Town of Orwell accepts the Civil Rights, Equal Employment Opportunity, and Section 3 Policy.

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, Town Supervisor	AYE
Jeff Graham, Councilman	AYE
Ryan Jones, Councilman	AYE
David Lake, Councilman	AYE
Jessica Steele, Councilwoman	AYE

The foregoing resolution was thereupon declared duly adopted.

Dated: February 9, 2021

I hereby certify that this resolution was adopted on February 9, 2021 and is recorded in the Meeting Minutes of the Town of Orwell.

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Amber Wilson  
Town Clerk

**RESOLUTION #10-2021**  
**EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD ADOPTING BOND**  
**RESOLUTION**  
**TOWN OF ORWELL**  
**TOWN BOARD**

At a meeting of the Town Board of the Town of Orwell, in the County of Oswego, in the State of New York on the 9<sup>th</sup> day of February, 2021:

**PRESENT:**

Supervisor William Potter  
Councilman Jeffrey Graham  
Councilman Ryan Jones  
Councilman David Lake  
Councilwoman Jessica Steele

**ABSENT:**

Supervisor William Potter presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED FEBRUARY 9, 2021 OF THE TOWN BOARD OF THE TOWN OF ORWELL AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION AND INSTALLATION OF IMPROVEMENTS TO WATER SUPPLY SYSTEM FOR THE TOWN OF ORWELL WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$3,000,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

**WHEREAS**, the Town Board of the Town of Orwell (the “Town”) caused a Map, Plan and Report (the “Report”) to be prepared outlining all aspects of a proposed water system improvements for the Orwell Water District (the “Water District”), together with an estimate of the cost thereof, to be prepared by Barton & Loguidice, D.P.C., competent engineers duly licensed by the State of New York (the “Engineer”); and

**WHEREAS**, upon completion of the Report 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 (the “Town Law”); 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 the 10<sup>th</sup> day of November, 2020, at 6:45 p.m. 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

**WHEREAS**, at a regular meeting of the Town Board held on November 10, 2020, the Town Board as lead agency adopted a resolution determining that the Purpose (as herein defined) is a “Type 1 Action” under the New York State Environmental Quality Review Act and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York and further determined that the Purpose will not have a significant effect on the environment, and that a negative declaration be issued for the Purpose; and

**WHEREAS**, at a regular meeting of the Town Board held on November 10, 2020, the Town Board adopted a resolution (the “Order”) determining that the evaluation and construction of the improvements described in the Report are in the public interest and, the preparatory to solicitation of competitive bids relative to such construction, directing the Town’s Engineer 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

**WHEREAS**, the Town Clerk recorded a copy of the Order in the office of the County Clerk of the County of Oswego as required under Section 195 of the Town Law; and

**WHEREAS**, the Approving Resolution was adopted subject to permissive referendum; and

**WHEREAS**, notice of the adoption of the Order (the “Permissive Referendum Notice”) was published in the official newspaper of the Town and posted on the Town bulletin board pursuant to the Town Law; and

**WHEREAS**, no petition requesting a vote on the Order was received by the Town within thirty days of the date of the publication of the Permissive Referendum Notice; and

**WHEREAS**, the Town Board desires to adopt this Bond Resolution to approve the Purpose and the issuance of bonds and bond anticipation notes to finance the cost of the Purpose;

**NOW THEREFORE BE IT RESOLVED**, by the Town Board of the Town (by favorable vote of not less than two-thirds of all the members of the Board) as follows:

Section 1. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in the aggregate principal amount of not to exceed \$3,000,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes to be financed pursuant to this resolution is the construction, reconstruction and additions to the District’s water supply system, including land, rights in land, the acquisition of equipment, machinery or apparatus and the payment of costs incidental thereto (collectively, the “Purpose”); and

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$3,000,000, (b) no money has previously authorized by the Town Board to be applied to the payment of the cost of the Purpose and (c) the Town plans to finance the cost of the Purpose entirely from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to and available grants.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in Paragraph 1 of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is forty (40) years. The proposed maturity of the Bonds authorized herein will be in excess of five (5) years.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 6. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. The faith and credit of the Town of Orwell, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year, to the extent the necessary funds are not provided from other sources. There shall be levied annually on all taxable real property in the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, to the extent the necessary funds are not provided from other sources.

Section 8. This Resolution shall constitute the declaration of the Town's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 9. This Resolution, or a summary hereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.



Section 10. The firm of Barclay Damon LLP is hereby appointed Bond Counsel of the Town in connection with the bonds and notes herein authorized.

Section 11. This Resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was seconded by David Lake, and duly put to vote on a roll call, which resulted as follows:

AYE

NAY

Councilman Jeffrey Graham  
Councilman David Lake  
Councilman Ryan Jones  
Councilwoman Jessica Steele  
Supervisor William Potter

The foregoing resolution was thereupon declared duly adopted.

STATE OF NEW YORK     )  
  ) SS.:  
COUNTY OF OSWEGO    )

I, the undersigned Clerk of the Town of Orwell of the State of New York, do hereby certify as follows:

1. A Regular Meeting of the Town Board of the Town of Orwell, State of New York, was duly held on February 9, 2021, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the Minutes of meeting of said Board. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extracts.

2. Said Minutes correctly state the time when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

3. Public Notice of the time and place of said Meeting was duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that the members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand have hereunto affixed the corporate seal of the Town of Orwell, State of New York this 9<sup>th</sup> day of February, 2021.

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Town Clerk  
Amber Wilson

[Seal]

## LEGAL NOTICE

The resolution, a summary of which is published herewith, published herewith has been adopted on the 9<sup>th</sup> day of February, 2021, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Orwell is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

A complete copy of the bond resolution summarized herewith is available for public inspection during regular business hours at the Office of the Town Clerk of the Town of Orwell for a period of twenty days from the date of publication of this Notice.

Town Clerk

**BOND RESOLUTION DATED FEBRUARY 9, 2021 OF THE TOWN BOARD OF THE TOWN OF ORWELL AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$3,000,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION AND INSTALLATION OF WATERLINES AND OTHER NECESSARY IMPROVEMENTS TO ESTABLISH A WATER SUPPLY AND DISTRIBUTION SYSTEM FOR TOWN OF ORWELL WATER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$3,000,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

Class of objects or purposes:	construction, reconstruction and additions to the District's water supply system, including land, rights in land, the acquisition of equipment, machinery or apparatus and the payment of costs incidental thereto.
Maximum Estimated Cost:	\$3,000,000
Period of probable usefulness:	Forty (40) years
Maximum amount of additional obligations to be issued:	\$3,000,000

## **REPORTS:**

A) CEO John Howland had no report.

B) Oswego County Legislator Herb Yerdon arrived at 7:30 and gave his report

- 2021 Legislative meeting calendar and a list of committies and members is available in the Town Clerk's office
- Camp Hollis is celebrating its 75th year. Legislator Yerdon encourages the public to utilize Camp Zerbee so it can grow as big as Camp Hollis
- Submitted a list of COVID-19 testing sites in Oswego County
- Oswego County finally received enough vaccines to host a large scale COVID-19 vaccination clinic vaccinating 961 people
- The Oswego County Police Reform Task Force has scheduled a public forum to gather input from citizens regarding police reform in Oswego County. The forums are scheduled for February 3<sup>rd</sup> at 7pm in the Legislative Chambers of the Oswego County office building and February 18<sup>th</sup> at 7 pm at the H. Douglas Barclay Courthouse in Pulaski. The public may attend in person or by phone. The phone number is 1-877-304-9269 guest pass code 943570#
- Oswego County health department has issued guidelines for youth sports. A list is on file in the Town Clerk's office
- OCO is offering free transportation for COVID-19 vaccine and testing appointments. Appointments for transportation should be made in advance by calling 315-598-1514. transportation is available Monday-Friday 6am-7pm
- COVID-19 numbers are dropping

C) Dog Warden- No report.

D) Assessor- No report

E) Water Board- No report

F) Highway Superintendent Henry read the bills for January. He is still running 3 trucks and everything is running good.

G) Tug Hill Representative Paul Baxter emailed his report and a copy is available in the Town Clerk's office.

H) NOCA - No report

## **DISCUSSION:**

A) Glider Oil called Supervisor Potter and discussed changing out the 1,000 gallon propane tank for a 500 gallon one at the water tower for the generator. The board discussed it and agreed that it wasn't necessary to downsize the tank.

B) Resolution #9-2021 was presented to the Town Board for approval.

**RESOLUTION #9-2021**  
**AUTHORIZING THE TOWN OF ORWELL TOWN SUPERVISOR**  
**TO MOVE FUNDS**  
**TOWN OF ORWELL**  
**TOWN BOARD**

February 9, 2021

Supervisor William Potter offered the following resolution, which was seconded by Councilman David Lake

**WHEREAS**, the Board Members of the Town of Orwell will authorize the Town Supervisor William Potter to move \$30,000.00 from Water Fund balance SW599 to other water expenses SW 8389.4

**NOW, THEREFORE, BE IT**

**RESOLVED** that the Board Members of the Town of Orwell authorize the Town Supervisor William Potter to move \$30,000.00 from Water Fund balance SW599 to other water expenses SW 8389.4

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, Town Supervisor	AYE
Jeff Graham, Councilman	AYE
Ryan Jones, Councilman	AYE
David Lake, Councilman	AYE
Jessica Steele, Councilwoman	AYE

The foregoing resolution was thereupon declared duly adopted.

Dated: February 9, 2021

I hereby certify that this resolution was adopted on February 9, 2021 and is recorded in the Meeting Minutes of the Town of Orwell.

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Amber Wilson  
Town Clerk

**PUBLIC COMMENTS:** “ The highway crew is doing a great job.”

**CORRESPONDENCE:** None

**Approval of Minutes, Monthly Reports, Budget Adjustments, Informational packets 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 Jeffrey Graham to approve the Organizational Meeting Minutes as written. (5 Ayes) Motion carries.

-A motion was made by Councilman Ryan Jones and seconded by Councilman David Lake to approve the regular meeting minutes for January as written. (5 Ayes) Motion carries.

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

-A motion was made by Councilman Ryan Jones and seconded by Councilwoman Jessica Steele to approve the Supervisor's Monthly Report for January. (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 #02	Claims # 27- 31	\$ 22,851.92
Highway Fund Abstract #02	Claims #09-21	\$ 12,446.52
Water Fund Abstract #02	Claims #03-09	\$ 2,809.14

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

Submitted February 11, 2021

Amber Wilson, Town Clerk