

ORWELL TOWN BOARD
Public Hearing and Regular Meeting
Orwell Town Hall
October 10th, 2023
7:00PM

Members Present:
Supervisor William Potter
Council members: William Garvin, David Lake, Ryan Jones
Also Present:
Highway Superintendent-Doug Henry
CEO- John Howland
Asst. Water Operator-Mike Pappa
Oswego County Legislator-Herb Yerdon
Tug Hill Commission Representative-Paul Baxter
Barton & Loguidice-David Powers
NOCA Representative-Bob Trainham
Town Clerk-Amber Wilson
Public present-Shirley Downes, Jeff Graham

Supervisor Potter opened the Public Hearing for the Bond Resolution Increase at 7:00 PM with the Pledge of Allegiance. David Powers from Barton and Loguidice explained that by increasing the bond resolution it will give the Town some flexibility with construction bids. No public present had any comments.

-A motion was made by Councilman Ryan Jones and seconded by Councilman William Garvin to adjourn the Public Hearing and move into the regular meeting at 7:05pm. (4 ayes) motion carries

-A motion was made by Councilman William Garvin and seconded by Councilman David Lake to approve Resolution # 11-2023 Authorizing Increase in cost of the construction of improvements and expansion of the Orwell water district. (4 ayes) motion carries

**EXTRACT OF MINUTES OF MEETING OF THE TOWN
BOARD ADOPTING RESOLUTION AND ORDER**

At a regular meeting of the Town Board of the Town of Orwell, in the County of Oswego, in the State of New York on the 10th day of October 2023:

PRESENT: Councilman Ryan Jones, Councilman William Garvin, Councilman David Lake, and Supervisor William Potter

ABSENT: Councilwoman Jessica Steele

Councilman William Garvin presented the following resolution and moved that it be adopted:

**RESOLUTION #11-2023-ORDER AUTHORIZING
INCREASE IN COST OF THE CONSTRUCTION OF 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 (the “Town”) caused a Map, Plan and Report (the “Report”) outlining all aspects of 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”), which Report has been duly filed with the Town Clerk in accordance with the requirements of Article 12-A of the Town Law; and

WHEREAS, an Order was duly adopted by the Town Board on November 10, 2020 (the “2020 Order”), reciting the filing of the Report, the improvements proposed, the boundaries of the proposed Water District, the proposed method of financing, the fact that the Report describing the same were on file in the Town Clerk’s Office for public inspection, and stating all of the matters required by the Town Law to be stated, and specifying February 18, 2021 as the date, at 7:00 p.m. on said day as the time, at the Town Office, as the place, where the Town Board would meet and consider the Report, and to hear all persons interest in the subject thereof concerning the same (the “2020 Public Hearing”), and to take such action thereon as is required or authorized by the Town Law; and

WHEREAS, notice of the 2020 Public Hearing was duly published and posted as required by the Town Law (the “2020 Notice of Public Hearing”); and

WHEREAS, the 2020 Order stated that the maximum amount proposed to be expended to pay for the Project was \$3,000,000.00; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations contained in 6 NYCRR Part 617 adopted pursuant thereto by the Department of Environmental Conservation of the State of New York, (hereafter “SEQRA”), the Town Board by resolution duly adopted on November 10, 2020 (the “SEQRA Resolution”), and based on its examination of the Environmental Assessment Form (“EAF”), the criteria set forth in Sections 617.11 and 617.6 of the regulations, and such further investigation as the Town Board deemed appropriate, determined that the Project will not cause a significant impact on the environment, and the Town Board will not require the preparation of an environmental impact statement and ordered that a negative declaration is to be prepared and circulated in accordance with the requirements of SEQRA and the regulations thereunder; and

WHEREAS, due to generally increased costs of labor and materials, the maximum amount now proposed to be expended for the Project is \$3,900,000.00, an increase of \$900,000; and

WHEREAS, the order adopted described the estimated increase in cost of the now proposed improvements to be **Three Million Nine Hundred Dollars (\$3,900,000.00)** and stated that the Town Board would meet to hear all persons interested in the subject matter thereof on the 10th day of October 2023, at 7:00 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 increase in the maximum estimated costs of the improvements were discussed; and

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

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

(1) That the Notice of the Public Hearing was published and posted as required by law and was otherwise sufficient.

(2) That all of the property and property owners within the proposed district are benefited thereby.

(3) That all of the property and property owners benefited by the proposed district are included within the limits of the proposed district.

(4) That the formation of the proposed district is in the public interest.

That based upon 1 through 4 above, this Board does hereby approve the increase in the maximum amount to be expended for the formation of the Town of Orwell Water District to **THREE MILLION NINE HUNDRED THOUSAND (\$3,900,000.00) DOLLARS**; and

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.

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

AYE

NAY

Councilman Ryan Jones
Councilman William Garvin
Councilman David Lake
Supervisor William Potter

The foregoing resolution was thereupon declared duly adopted.

taxable real property shall be considered one owner for the purposes of a petition requesting a referendum and shall be entitled to one vote to be cast by an officer or agent of the corporation or other duly authorized person designated by appropriate resolution of such corporation.

ABSTRACT OF RESOLUTION AND ORDER DATED OCTOBER 10, 2023

The following is a summary of a resolution adopted by the Town Board of the Town of Orwell, Oswego County on September 12, 2023. Said resolution (A) determined that it was in the public interest to authorize an increase in the maximum amount to be expended for the construction, reconstruction and additions to the water supply system improvements for the Orwell Water District, including land, rights in land, the acquisition of equipment, machinery or apparatus and the payment of costs incidental thereto of the Town of Orwell to \$3,900,000, an increase of \$900,000 over the amount previously authorized to be expended; and (B) authorized such increase.

Dated: October 10, 2023

Town Clerk
Town of Orwell
Oswego County, New York

-A motion was made by Councilman Ryan Jones and seconded by Councilman David Lake to approve Resolution #12-2023 Authorization to standardize AquaLogics Systems Inc. (4 ayes) motion carries.

Resolution #12-2023
Resolution Authorization to Standardize AquaLogics Systems Inc.
Town of Orwell
Town Board
October 10th, 2023

WHEREAS, the Town of Orwell is progressing its Water System Improvements Capital Project to update existing water system deficiencies by connecting to the Town of Richland water system, ensure continued system operations, and ensure public safety; and

WHEREAS, part of the Water System Improvements project includes the construction of a new booster pump station which shall include integration of a new instrumentation and control system to communicate with the existing Town of Orwell water storage tank system and with the existing Town of Richland integration and control system; and

WHEREAS, the Town of Richland instrumentation and control system has been designed, fabricated, furnished, installed, and maintained by AquaLogics Systems Inc. for the existing water treatment and well site; and

WHEREAS, the Town of Orwell finds it desirable to obtain the integrated SCADA controls for its Water System Improvements project through AquaLogics Systems, Inc., so as to maintain continuity of programming and equipment, efficiency, and economy with the existing Town of Richland system.

NOW THEREFORE BE IT RESOLVED, the Town of Orwell Town Board authorizes the standardization of the integrated SCADA controls for the Joint Water System to AquaLogics Systems Inc., as System Integrator for the instrumentation and control components for the Town of Orwell Water System Improvements Capital Project; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

Supervisor William Potter	AYE
Councilman David Lake	AYE
Councilwoman Jessica Steele	ABSENT
Councilman William Garvin	AYE
Councilman Ryan Jones	AYE

CLERK CERTIFICATION:

I, Amber Wilson, Clerk of the Town of Orwell in the County of Oswego, State of New York, do hereby certify the resolution is duly adopted by the Board Members of the Town of Orwell at an open meeting of such Board held on October 10, 2023.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said own this 10th day of October 2023.

Amber Wilson
Orwell Town Clerk

REPORTS:

A) Asst. Water Operator Mike Pappa gave his report. Usage is around 15,000 gallons/day. The water levels are still good. The submersible burned up and has been replaced. Still waiting on the motor for system 2.

B) CEO John Howland submitted a list of building permits and violations for the month of September.

C) Highway Superintendent Henry went over the bills, repairs, and maintenance costs for the month of September. The Town Highway department took delivery of the dump box, plow, and wing. The truck will be going to Stadium International in Syracuse Wednesday October 11th. The Town should receive the truck next week. There is still no snow and ice contract with the Oswego County Highway Dept.

D) Oswego County Legislator Herb Yerdon arrived at 7:19 pm and gave his report. All informational packets are on file in the Town Clerk's office.

- Early voting locations will be held at the Board of Elections, 185 E. Seneca St, Oswego and the H. Douglas Barclay Courthouse, 1 Broad St, Pulaski Saturday Oct 28th, Sunday Oct 29th, Monday Oct 30th, Wednesday Nov 1st, Friday Nov 3rd, Saturday Nov 4th, Sunday Nov 5th 9am-5pm and Tuesday Oct 31st and Thursday Nov 2nd from noon-8pm.
- Oswego County EMS sent a letter to Governor Hochul encouraging her to sign bill S1446A/A250 into law. It was unanimously supported and passed by the NYS Legislature. This bill will implement a streamlined process that would send health insurance payments directly to the ambulance provider.

E) NOCA representative Bob Trainham gave his report. NOCA was up 17 calls from last year in September. They have responded to 1,807 calls total YTD. They are still within the budget for 2023.

F) Tug Hill Representative Paul Baxter arrived at 7:26 pm and read his report as written.

DISCUSSION:

A. Public Hearing for Local Law #2-2023-Overriding the tax cap will be on October 24th at 7 pm.

B. Motion to ratify the Town Board's prior approval of Resolution #6-2023, authorizing the approval of Local Law #1-2023. Local Law #1-2023 was not received by the Town Attorney therefore a motion to ratify the Town Board's prior approval was necessary. The Town Clerk will send a copy to the Town attorney after the meeting.

-A motion was made by Councilman Ryan Jones and seconded by Councilman David Lake to ratify the Town Board's prior approval of Resolution #6-2023, authorizing the approval of Local Law #1-2023. (4 ayes) Motion carries.

C. 2024 Budget- The budget schedule is as follows:

- Budget workshops- 10/12- canceled.
- 10/19, 10/26 (as needed) all @7pm
- Public hearing on 2024 preliminary budget- 11/14/2023 @7pm

PUBLIC COMMENTS: Jeff Graham asked if the Sheriff deputies in the town were using unmarked vehicles. He saw a white pick up with lights in the grill and in the truck with a car pulled over. Jeff's wife commented to him that if it were her, she would not feel comfortable pulling over for an unmarked vehicle. Supervisor Potter responded that to his knowledge they were using marked vehicles. Supervisor Potter also commented that in the 15 total hours the Sheriff's deputies have patrolled, they have written 22 tickets.

CORRESPONDENCE: Tug Hill Times

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 Councilman William Garvin and seconded by Councilman Ryan Jones to approve the September 12th, 2023; Regular meeting minutes as written. (4 Ayes) Motion carries.

-A motion was made by Councilman Ryan Jones and seconded by Councilman William Garvin to approve the October 3rd, 2023; Tentative budget meeting minutes as written. (4 Ayes) Motion carries.

-A motion was made by Councilman David Lake and seconded by Councilman William Garvin to approve the Town Clerk's report for September 2023. (4 Ayes) Motion carries.

-A motion was made by Councilman Ryan Jones and seconded by Councilman William Garvin to approve payment of the following claims. (4 Ayes) Motion carries.

General Fund Abstract #10	Claims # 158-172	\$ 13,471.87
Highway Fund Abstract #10	Claims # 90-99	\$ 5,484.03
Water Fund Abstract #10	Claims # 52-59	\$ 34,319.79

-A motion was made by Councilman Ryan Jones and seconded by Councilman William Garvin to adjourn the meeting at 7:54 PM. (4 Ayes) Motion carries.

Submitted October 26, 2023