

**RESOLUTION AND ORDER AFTER PUBLIC HEARING APPROVING ESTABLISHMENT OF THE HARROWER SEWER DISTRICT**

**WHEREAS**, by duly adopted on February 19, 2025, the Town Board (“Town Board”) called for a public hearing to be held on March 19, 2025 to consider if it is in the public interest to undertake improvements to create the Harrow Sewer District pursuant to Section 12-A of the Town Law to install new gravity sewer mains, a sanitary sewer pump station, and related improvements needed to provide sewer service to an area generally along a portion of Midline Road (collectively, the “Project”); and

**WHEREAS**, the Town Board requested that Delaware Engineering, D.P.C., engineers duly licensed by the State of New York (“Engineer”), prepare a map, plan and report for the Project setting forth the proposed Harrower Sewer District; and

**WHEREAS**, the Project is further detailed in a revised map, plan, and report titled “Map, Plan, & Report: Harrower Sewer District” dated March 2025 (“Map, Plan, and Report”), prepared by the Engineer; and

**WHEREAS**, as set forth in the Revised Map, Plan, and Report: (a) the Engineer established that the maximum amount proposed to be expended for the improvements proposed in connection with the Project is \$7,225,280; (b) that there will not be additional fees charged for hooking-up, as the cost of plumbing connections to the sewer main shall be borne by each property owner individually when connected; and (c) the cost of the district or extension to the typical property is \$3,087.75, which is comprised of \$2,502.17 for debt service associated with the Project, \$30.59 for operation and maintenance costs, and \$554.99 for City treatment and disposal fees; and

**WHEREAS**, such public hearing was held by the Town Board on this 19th day of March, 2025 at or about 5:55 p.m. at the Town of Amsterdam Town Hall, and discussion on the matter having been had, and all persons desiring to be heard have been heard, including those in favor of and those in opposition to the Project; and

**WHEREAS**, the Project is subject to the State Environmental Quality Review Regulations, 6 NYCRR Part 617, and the Town Board, in its capacity as lead agency in accordance with SEQR, determined that the Project does not have potential to create any adverse environmental impact and that, therefore, issued a negative declaration, finding that no environmental impact statement is required;

**NOW, THEREFORE BE IT RESOLVED**, that the Town Board hereby makes the following findings with respect to the Project:

- a. The notice of hearing was published and posted as required by law, and is otherwise sufficient;
- b. All the property and property owners within the proposed district extension are benefited thereby;

c. All the property and property owners benefited are included within the limits of the proposed district or extension; and

d. The establishment or extension of such district is in the public interest; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby approves the Project; and

**BE IT FURTHER RESOLVED**, that it is in the public interest to incur the costs of the Project in the amount of \$7,225,280, to be financed in accordance with the Map, Plan, and Report; and

**BE IT FURTHER RESOLVED**, that:

1. this resolution is subject to permissive referendum as provided in Articles 7 and 12A of the Town Law; and

2. the Town Clerk shall cause to be prepared and have available for distribution proper forms for a petition requesting a referendum, in accordance with Art. 12-A Section 209-E of the Town Law, and shall distribute a supply to any person requesting same; and

3. if after the expiration of the time for filing a petition requesting a permissive referendum, no such petition has been filed with the Town Clerk, the Town Clerk shall file a certificate stating such fact in the office of the Montgomery County Clerk and Office of the Department of Audit and Control in Albany, New York. If such a petition is filed and after the referendum held, the Town Clerk shall prepare and file a certificate stating that a petition was filed and a referendum was held and certifying the result of the vote in the office of the Montgomery County Clerk and the Office of the Department of Audit and Control in Albany, New York; and

4. creation of the Harrower Sewer District, as set forth herein, is subject to permission of the state Comptroller, pursuant to Art. 12-A Section 209-F of the Town Law; and

5. the Town Supervisor is hereby authorized to cause to be prepared and, upon its preparation, verify and execute the application to the Office of the Department of Audit and Control in Albany, New York as required in accordance with NYS Town Law Art. 12-A Section 209-F; and

6. this resolution shall take effect immediately upon its adoption by the required votes of the Town Board.

Dated: March 19, 2025

Sponsored by:

Seconded by:

ADOPTED- -AYES- -NOES