

At a regular recessed meeting of the Town Board for the Town of Oswego held the 14th day of July 2020 at the Oswego Town Hall, 2320 County Route 7, Oswego, New York.

RESOLUTION 2020 - 63 _____

ORDER SCHEDULING PUBLIC HEARING PERTAINING TO THE PROPOSED FORMATION OF THE LAKESHORE COMMERCIAL SEWER DISTRICT PURSUANT TO ARTICLE 12-A, SECTION 209-d OF THE TOWN LAW OF THE STATE OF NEW YORK

WHEREAS, the Town Board for the Town of Oswego, is considering the formation of a sewer district in the Town of Oswego to be known as the Lakeshore Commercial Sewer District¹ to include Fred Haynes Boulevard corridor and County Route 89 and parts of NYS 104; and

WHEREAS, the Town Board believes it in the best interest of the residents within the proposed district of the Town to form said sewer district; and

WHEREAS, to further consider a proposed sewer district to be known as the Lakeshore Commercial Sewer District, and pursuant to Article 12-A of the Town Law of the State of New York, the Town Board directed Bernier, Carr & Associates, P.C. (BCA), of 327 Mullin Street, Watertown, New York 13601 to prepare a Map, Plan and Report of the proposed sewer district; and

WHEREAS, said Map, Plan and Report dated July, 2020, was filed with the Town Clerk for the Town of Oswego as of the 14th day of July, 2020; and

WHEREAS, this Board has reviewed the Map, Plan and Report, and wishes to schedule a public hearing regarding the possible formation of a sewer improvement district to be known as the Lakeshore Commercial Sewer District pursuant to Article 12-A Section 209-d of the Town Law of the State of New York.

NOW, THEREFORE, on motion made by Councilor Mullen and seconded by Councilor Teseriero, **BE IT RESOLVED** as follows:

1. That this Board will hold a Public Hearing pursuant to Section 209-d of the Town Law of the State of New York on the 4th day of August, 2020, at 6:00 p.m. at the Town Hall,

¹ This sewer district was originally formed in July 2019, however the Town of Oswego received additional grant money from the State of New York to enlarge the area to be served which is the basis for this resolution.

2320 County Route 7, Oswego New York to consider the formation of a sewer district to be known as the Lakeshore Commercial Sewer District, and directs that notice of same be given pursuant to law.

2. That pertaining to the proposed sewer district, the Town Board does hereby find as follows:

a. A description of the boundaries of the proposed sewer district is more particularly set forth in Schedule A attached hereto and made a part hereof.

b. The improvements proposed would be as follows:

i. This project includes the construction of a combination gravity and low-pressure sewer mains and appurtenances along County Route 89, Fred Haynes Boulevard and NYS Route 104 in the Town of Oswego, Oswego County, New York. These facilities would be constructed and maintained by the Town of Oswego.

ii. Initially, the proposed facilities will provide domestic service to 176 equivalent dwelling units (EDUs).

c. That the maximum amount proposed to be expended for the improvement and formation of the sewer district is Five Million Five Hundred Fifty Thousand Dollars (\$5,550,000.00).

d. The annual costs will be assessed against the properties within the Lakeshore Commercial Sewer District on a unit basis.

i. Estimated Maximum Project Cost \$5,550,000.00

ii. Estimated Anticipated Funding \$ 490,000.00
30 years @ 3.25% interest

iii. Secured Funding \$5,060,000.00

iv. Number of EDUs: Debt Service = 176

v. Estimated cost per EDU breakdown per year:

Debt Service	\$146
O&M	\$ 51
City Sewer Transmission	\$490
City Sewer Connection	\$ 95
Annual Short-Lived Asset	<u>\$ 18</u>
Estimated cost per EDU:	\$800

e. The Map, Plan and Report describing such improvements as prepared by BCA dated July, 2020 and filed in the Town Clerk's Office of the Town of Oswego, is available for public inspection, as well as by accessing the Town's website: www.townofoswego.com.

3. That the Town Clerk of the Town of Oswego is hereby authorized and directed to publish a copy of this Resolution/Order in the Palladium Times, the official newspaper for the Town of Oswego, and to post a copy of same on the official bulletin board for the Town of Oswego in the time and manner required by law.

MOTION UNANIMOUSLY ADOPTED by those members present:

Richard Kaulfuss, Supervisor	AYE
Greg Herrmann, Councilor	AYE
Richard Tesoriero, Councilor	AYE
Victoria Mullen, Councilor	AYE
Johnathon Fowler, Councilor	AYE

July 14, 2020

NIKKI FOWLER, Town Clerk

SCHEDULE A

Legal Description for Proposed Lakeshore Commercial Sewer District

ALL THAT TRACT or parcel of land situate in the Town of Oswego, County of Oswego, State of New York, and further described as follows:

BEGINNING at the intersection of the southerly shoreline of Lake Ontario and the most northerly corner of Tax Map Parcel Number 127.18-01-01.04;

THENCE in a generally southerly direction along the most easterly property line of Tax Map Number 127.18-01-01.04 to the intersection of said property line and the northerly margin of County Route 89 and the southeasterly property corner of Tax Map Parcel Number 127.18-01-01.04;

THENCE in a generally westerly direction along the northerly margin of County Route 89 and the southerly property line of Tax Map Parcel Number 127.18-1-01.04 to the intersection of the projected extension of the easterly property line of Tax Map Parcel Number 127.18-01-07 and the northerly margin of County Route 89;

THENCE in a generally southerly direction crossing County Route 89 to the southerly margin of County Route 89 and the most northerly property corner of Tax Map Parcel Number 127.18-01-07;

THENCE in a generally southerly direction along the easterly property line of Tax Map Parcel Number 127.18-01-07 to the most southeasterly corner of said parcel;

THENCE in a generally westerly direction along the property lines between Tax Map Parcel Numbers 127.18-01-07 and 127.18-01-04.01 and 127.18-01-03 to the north and 127.18-02-01 on the south to the northeasterly corner of Tax Map Parcel Number 127.18-01-05;

THENCE in a generally southerly, northeasterly and southerly directions along the property lines between Tax Map Parcels Number 127.18-01-05, 127.18-01-06 and 127.18-01-02 on the west and 127.18-02-01 on the east to the southeasterly corner of Tax Map Parcel Number 127.18-01-02;

THENCE in a generally southerly direction crossing through Tax Map Parcel 127.18-02-01 to the most northwesterly property corner of Tax Map Parcel 145.10-02-03;

THENCE in a generally northeasterly direction along the northerly property line of Tax Map Parcel Number 145.10-02-03 to most northeasterly corner of said parcel and the southwest property line of Tax Map Parcel Number 145.10-02-04;

THENCE in a generally northwesterly direction along the property line of Tax Map Parcel Number 145.10-02-04 to the northwesterly corner of said parcel;

THENCE in a generally easterly direction along the property line between Tax Map Parcel Numbers 145.10-02-04 and 145.10-02-05 on the south and 127.18-02-01 on the north to the northeasterly corner of Tax Map Parcel Number 145.10-02-05;

THENCE in a generally northeasterly direction crossing through Tax Map Parcel 127.18-02-01 to the most northerly property corner of Tax Map Parcel 145.06-01-01;

THENCE in a generally easterly direction along the northerly property line of Tax Map Parcel 145.06-01-01 to the northeast property corner of said property and the westerly property line of Tax Map Parcel 145.06-01-02.1;

THENCE in a generally southerly direction along the property line between Tax Map Parcel Numbers 145.06-01-02.1 on the east and 145.06-01-01 on the west to its intersection with the northwesterly highway limits of New York State Route 104;

THENCE in a generally northeasterly direction following the northwesterly highway limits of NYS Route 104 to southerly corner of Tax Map Parcel Number 145.06-01-03.01;

THENCE in a generally northerly direction along the westerly property line of Tax Map Parcel Number 145.06-01-03.01 to the northwesterly corner of said parcel;

THENCE in a generally northeasterly direction along the property line between Tax Map Parcel Number 145.06-01-03.01 and 145.06-01-03 on the south and 127.18-02-01 on the north to the most northerly property corner of Tax Map Parcel Number 145.06-01-03 and the southwesterly property line of Tax Map Parcel 145.06-01-04;

THENCE in a generally northwesterly and northeasterly direction along the property line between Tax Map Parcel Number 145.06-01-04 on the south and 127.18-02-01 on the north to the most northerly corner of Tax Map Parcel Number 145.06-01-04;

THENCE in a generally southeasterly direction along the northeasterly property line of Tax Map Parcel Number 145.06-01-04 to a point said being northwesterly along the northeasterly property line of Tax Map Parcel Number 146.06-01-04; a distance of 200 feet from the intersection of the northeasterly property line of 146.06-01-04 and the northwesterly highway limits of New York State Route 104;

THENCE in a generally northeasterly direction crossing Tax Map Parcel Number 127.18-02-01 on a line which is parallel to and 200 feet from northwesterly of the northwesterly highway limits of New York State Route 104 to a point in the southwesterly margin of Sweet Road;

THENCE in a generally southeasterly direction along the southwesterly margin of Sweet Road crossing New York State Route 104 to the intersection of the southerly margin of Mollison Street and the southwesterly margin of New York State Route 104;

THENCE in a generally easterly direction along the southerly margin of Mollison Street to a point;

THENCE in a generally southwesterly direction crossing Tax Map Parcel Number 145.07-02-01, on a line which is parallel to and 200 feet southeasterly of the southwesterly highway limits of New York State Route 104 to a point in the easterly margin of Thompson Road;

THENCE in a generally southwesterly direction crossing Thompson Road to the intersection of the westerly margin of Thompson Road and the southeasterly property corner of Tax Map Parcel Number 145.07-01-08;

THENCE in a generally southwesterly, northwesterly and southwesterly direction along the property lines between Tax Map Parcel Numbers 145.07-01-08 and 145.07-01-06 on the north and 145.07-01-09 on the south to the most westerly property corner of Tax Map Parcel Number 145.07-01-09;

THENCE in a generally southwesterly, southerly, and easterly direction along the property line between Tax Map Parcel Numbers 145.07-01-09 and 145.07-01-10 on the east and north and 145.07-01-12 on the west and south to the westerly margin of Thompson Road;

THENCE in a generally southerly direction along the easterly margin of Thompson Road to the intersection of said easterly road margin and the most northeasterly property corner of Tax Map Parcel Number 145.00-01-27;

THENCE in a generally westerly, southerly and westerly directions along the property line between Tax Map Parcel Numbers 145.00-01-27 and 145.00-01-30 on the south and 145.06-01-06 on the north to the southwesterly property corner of Tax Map Parcel Number 145.06-01-06;

THENCE in a generally northerly direction along the property line between Tax Map Parcel Number 145.00-01-25 on the west and 145.06-01-06 on the east to the southerly property corner of Tax Map Parcel Number 145.09-01-7.2;

THENCE in a generally northerly direction along the property line between Tax Map Parcel Number 145.06-01-7.2 on the west and 145.06-01-06 on the east to the most northerly property corner of Tax Map Parcel 145.06-01-7.2;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Number 145.06-01-07.1, 145.06-01-08 and 145.06-01-09 on the north and 145.06-01-7.2 on the south to the most westerly property corner of Tax Map Parcel 145.06-01-7.2;

THENCE in a generally westerly direction along the property line between Tax Map Parcel Number 145.00-01-25 on the south and 145.06-01-09 and 145.06-01-10 on the north to the most southwesterly property corner of Tax Map Parcel Number 145.06-01-10;

THENCE in a generally westerly direction along the property line between Tax Map Parcel Number 145.06-01-11 on the north and 145.00-01-24 on the south to the southwesterly proper corner of Tax Map Parcel Number 145.06-01-11;

THENCE in a generally southwesterly direction crossing through Tax Map Parcel Number 145.00-01-24 to the most easterly corner of Tax Map Parcel Number 145.00-01-23;

THENCE in a generally southwesterly direction along the southeasterly property line of Tax Map Parcel Number 145.00-01-23 to the most southerly corner of said parcel and the northeasterly property line of Tax Map Parcel Number 145.00-01-20;

Thence in a generally southeasterly direction along the northeasterly property line of Tax Map Parcel Number 145.00-01-20 to the most easterly property corner of Tax Map Parcel 145.00-1-20;

THENCE in a generally southwesterly direction along the southeasterly property lines of Tax Map Parcel Numbers 145.00-01-20 and 145.00-01-19 to the most southerly corner of Tax Map Parcel Number 145.00-01-19;

THENCE in a generally southeasterly direction along the property line between Tax Map Parcel Number 145.00-01-16 on the west and 145.00-01-24 on the east to the easterly property corner Tax Map Parcel Number 145.00-01-16;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Numbers 145.00-01-16 and 145.00-01-24 on the south to the easterly property corner of Tax Map Parcel Number 145.00-01-15.01;

THENCE in a generally northwesterly direction along the property line between Tax Map Parcel Number 145.00-01-15.01 on the west and 145.00-01-16 on the east to the easterly property corner of Tax Map Parcel Number 145.00-01-15;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Number 145.00-01-15 on the north and 145.00-01-15.01 on the south to the southerly property corner of Tax Map Parcel 145.00-01-15;

THENCE in a generally southeasterly direction along the property line between Tax Map Parcel Number 145.00-01-15.01 on the east and 145.00-01-14 on the west to the easterly property corner of Tax Map Parcel Number 145.00-01-14;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Number 145.00-01-14 and 145.00-01-13 on the north and 145.00-01-24 and 145.00-01-41 on the south to the southerly property corner of Tax Map Parcel Number 145.00-01-13;

THENCE a generally northwesterly direction along the property line between Tax Map Parcel Number 145.00-01-13 on the east and 145.00-01-42 on the west to the easterly property corner of Tax Map Parcel Number 145.00-01-12;

THENCE in a generally westerly direction along the property line between Tax Map Parcel Numbers 145.00-01-42 and 145.00-01-09 on the south and 145.00-01-12 on the north to the southwesterly property corner of Tax Map Parcel Number 145.00-01-12;

THENCE in a generally northerly direction along the along the property line between Tax Map Parcel Number 145.00-01-09 on the west and 145.00-01-12 on the east to southerly property corner of Tax Map Parcel 145.00-01-10;

THENCE in a generally northeasterly direction along the property lines between Tax Map Parcel Number 145.00-01-12 on the south and 145.00-01-10 and 145.00-01-11 on the north to the easterly property corner of Tax Map Parcel Number 145.00-01-11;

THENCE in a generally northeasterly direction along the property lines between Tax Map Parcel Number 145.00-01-12 on the east and 145.00-01-11 on the west to its intersection of the southeasterly highway limits of New York State Route 104;

THENCE in a generally southwesterly direction along the southeasterly highway limits of New York State Route 104 to the intersection of the southerly extension of the most easterly property line of Tax Map Parcel Number 145.09-03-01;

THENCE in a generally northerly direction crossing New York State Route 104 to the intersection of the southeasterly property corner of Tax Map Parcel Number 145.09-03-01 and the northwesterly highway limits of New York State Route 104;

THENCE in a generally northerly, westerly, northerly direction along the property line between Tax Map Parcel 145.09-03-01 on the west and 145.10-01-04 on the east to the northwesterly property corner of Tax Map Parcel Number 145.10-01-04;

THENCE in a generally westerly direction along the northerly property line of Tax Map Parcel Number 145.09-03-01 to the northwesterly corner of said parcel;

THENCE in a generally southerly direction along the property lines between Tax Map Parcel 145.05-03-03 on the west and 145.09-03-01 and 145.09-03-02 on the east to the intersection of the northwesterly highway limits of New York State Route 104 and the southerly property corner of Tax Map Parcel Number 145.09-03-02;

THENCE in a generally southwesterly direction along the northwesterly highway limits of New York State Route 104 to the intersection of the most southeasterly property corner of Tax Map Parcel Number 145.09-02-05.1;

THENCE in a generally northwesterly, northerly, northeasterly, northerly and westerly direction along the property lines between Tax Map Parcel Numbers 145.05-03-03 and 145.09-02-05.1 to the northwesterly corner of Tax Map Parcel Number 145.09-02-05.1;

THENCE in a generally northerly direction along the westerly property line of Tax Map Parcel Number 145.05-03-03 and 127.17-03-01 to the intersection of the extension of the southerly property line of Tax Map Parcel Number 127.17-02-05;

THENCE in a generally westerly direction crossing Tax Map Parcel Number 127.17-02-06 to the southeasterly corner of Tax Map Parcel Number 127.17-02-05;

THENCE in a generally westerly direction along the southerly property line of Tax Map Parcel Number 127.17-02-05 to the southwesterly corner of said parcel;

THENCE in a generally northerly direction along the westerly property line of Tax Map Parcel Number 127.17-02-05 to the southeasterly property corner of Tax Map Parcel Number 127.17-02-04;

THENCE in a generally westerly direction along the southerly property line of Tax Map Parcel Number 127.17-02-04 to the southwesterly corner of said parcel;

THENCE in a generally southerly direction along the easterly property line of Tax Map Parcel 127.17-02-03 to the southerly property corner of said parcel;

THENCE in a generally northwesterly southwesterly and northwesterly direction along the property line between Tax Map Parcel Number 127.17-02-03 on the east and 145.05-02-07.02 on the west to the intersection the southeasterly margin of County Route 89;

THENCE in a generally southwesterly direction along the margin of County Route 89 to its intersection of the northeasterly property line of Tax Map Parcel Number 127.17-02-02;

THENCE in a generally southeasterly direction along the property line between Tax Map Parcel Number 145.05-02-07.02 on the east and 127.17-02-02 and 145.05-02-07.01 on the west to the easterly property corner of Tax Map Parcel Number 145.05-02-07.01;

THENCE in a generally southwesterly and northwesterly direction along the property line between Tax Map Parcel 145.05-02-07.01 on the north and 145.05-02-07.02 on the south to the easterly property corner of Tax Map Parcel Number 145.05-02-06;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Number 145.05-02-06 on the north and 145.05-02-07.02 on the south to the southerly property corner of Tax Map Parcel Number 145.05-02-06;

THENCE in a generally southerly direction along the property line between Tax Map Parcel 145.05-02-07.02 on the east and 145.05-02-05, 145.05-02-09, and 145.05-02-08 on the west to the southeasterly property corner of Tax Map Parcel Number 145.05-02-08;

THENCE in a generally northeasterly direction along the property line between Tax Map Parcel Number 145.05-02-07.02 on the north and 145.05-03-01 on the south to the northerly property corner of Tax Map Parcel Number 145.05-03-01;

THENCE in a generally southerly and southwesterly direction along the property line between Tax Map Parcel Number 127.17-02-06 on the east and south and 145.05-03-01 on the west and north to the most southerly property corner of Tax Map Parcel Number 145.05-03-01;

THENCE in a generally southerly direction along the property line between Tax Map Parcel Number 127.17-02-06 on the east and 145.05-03-11 on the west to the southeasterly corner of Tax Map Parcel Number 145.05-03-11;

THENCE in a generally westerly direction along the southerly property line of Tax Map Parcel Number 145.05-03-11 to its intersection with the margin of County Route 89;

THENCE in a generally southerly and southwesterly direction along the margin southeasterly margin of County Route 89 crossing Jackim Road to its intersection with the center of Rice Creek;

THENCE in a northwesterly and northerly direction along the centerline of Rice Creek crossing County Route 89 to its intersection with the westerly property corner of Tax Map Parcel Number 145.05-01-05;

THENCE in a generally northeasterly and northerly direction along the property line between Tax Map Parcel Number 145.05-01-05 on the east and 145.05-01-06 on the west to the northeasterly property corner of Tax Map Parcel Number 145.05-01-06;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Number 145.05-01-06.06 on the north and 145.05-01-06 on the south to the easterly property line of Tax Map Parcel Number 145.05-01-06.05;

THENCE in a generally southerly, southwesterly, northwesterly and northeasterly directions along the property line between Tax Map Parcel Number 145.05-01-06 and 145.05-01-06.05 to the intersections of the margin of Sunset Bluff;

THENCE in a generally westerly direction along the margin of Sunset Bluff to intersection of the said margin and the most easterly property corner of Tax Map Parcel 145.05-01-06.04;

THENCE in a generally southwesterly direction along the property line between Tax Map Parcel Number 145.05-01-06 on the east and 145.05-01-06.04 on the west to the southerly property corner of Tax Map Parcel Number 145.05-01-06.04;

THENCE in a generally southeasterly southwesterly and northwesterly direction along the property line between Tax Map Parcel Number 145.05-01-06 and 145.05-01-01.2 to the intersection of the westerly property corner of Tax Map Parcel Number 145.05-01-01.2 and the westerly Shoreline of Lake Ontario;

THENCE in a generally northeasterly, southeasterly, and northeasterly directions along the shoreline of Lake Ontario as the shoreline winds and turns to the point of beginning.

CONTAINING 301 acres of land more or less

IT BEING the intent to describe the Town of Oswego Lakeshore Commercial Sewer District utilizing the Town of Oswego Tax Maps 127.17, 127.18, 145.00, 145.05, 145.06, 145.07 145.09, and 145.10.

IT ALSO BEING the intent to describe the area shown on the map titled, *District Formation Map, Town of Oswego Lakeshore Commercial Sewer District, prepared by Bernier Carr and Associates and dated July 10, 2020.*