

At a special meeting of the Town Board for the Town of Oswego held the 4th day of August, 2020 at the Town Hall, 2320 County Route 7, Oswego, Oswego, County of Oswego, State of New York.

RESOLUTION NO. 2020-71

RESOLUTION ESTABLISHING TOWN OF OSWEGO LAKESHORE COMMERCIAL SEWER DISTRICT

WHEREAS, the Town Board has been asked to consider the formation of a sewer district in the Town of Oswego to be known as the Town of Oswego Lakeshore Commercial Sewer District, pursuant to Article 12-A of the Town Law of the State of New York; and

WHEREAS, the Town Board of the Town of Oswego directed that Bernier, Carr & Associates, P.C. (BCA) to prepare a Map, Plan and Report to consider all aspects of the proposed sewer district; and

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

WHEREAS, at a regular meeting of the Town Board for the Town of Oswego held the 14th day of July, 2020, the Town Board reviewed the Map, Plan and Report and directed the Town Clerk to publish an Order and Resolution/Notice of Public Hearing scheduling a public hearing on the proposed sewer district for the 4th day of August, 2020 at 6:00 p.m. at the Town of Oswego Town Hall, and to publish notice of same in the official newspaper for the Town all pursuant to Article 12-A, Section 209-d of the Town Law of the State of New York; and

WHEREAS, a Notice of the Public Hearing was published in the official newspapers of the Town, The Palladium Times, on July 21, 2020, and posted on the Town bulletin board pursuant to Section 209-d of the Town Law of the State of New York; and

WHEREAS, the Town Board held a public meeting regarding the proposed sewer district on the 4th day of August, 2020, and all interested parties were heard; and

WHEREAS, the Town Board has reviewed and approved a Full Environmental Assessment Form pursuant to the State Environmental Quality Review Act (SEQRA) and believes it appropriate to adopt a negative declaration in connection with the formation of the sewer district, and did make a determination that the proposed Lakeshore Commercial Sewer District will not have a significant negative impact on the environment and directed the preparation and filing of a negative declaration (Resolution 2020-69); and

WHEREAS, the Town Board at this public meeting, had a full discussion pertaining to the proposed Town of Oswego Lakeshore Commercial Sewer District, has heard the public comments, and has discussed same with the Consulting Engineers, BCA, as well as with the Town Attorney, Kevin C. Caraccioli, Esq.

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

1. That the notice of public hearing was published and posted as required by law and is 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 are included within the limits of the proposed district;
4. That the formation of the proposed district is in the public interest;
5. That based upon 1-4 above, this Board does hereby approve the formation and establishment of the sewer district to be known as the Town of Oswego Lakeshore Commercial Sewer District pursuant to the terms and boundaries as found in the Map, Plan and Report prepared by BCA, and filed with the Town Clerk as of July 14, 2020; and
6. The Town Board further determines that this Resolution shall be subject to a permissive referendum pursuant to Town Law §209-e (3).

The Resolution, having been duly made and seconded was voted on by the Members of the Town Board in attendance and constituting a quorum in accordance with the following roll call vote:

RICHARD KAULFUSS, SUPERVISOR	YES
GREG HERRMANN, COUNCILOR	YES
RICHARD TESORIERO, COUNCILOR	YES
VICTORIA MULLEN, COUNCILOR	ABSENT
JONATHAN FOWLER, COUNCILOR	YES

The Resolution, having been duly voted upon, is hereby adopted.

Dated: August 4, 2020



NIKKI FOWLER, TOWN CLERK

Certification

I, Nikki Fowler, the duly appointed Town Clerk of the Town of Oswego, do hereby certify that the following Resolution was adopted at a Special Meeting of the Town Board held on August 4, 2020, and is on file and of record in the office of the Town Clerk for the Town of Oswego, and that said Resolution has not been altered, amended or revoked and is in full force and effect.

Dated: August 5, 2020



NIKKI FOWLER, TOWN CLERK
TOWN OF OSWEGO

[SEAL]