

At a regular meeting of the Town Board of the Town of Ticonderoga, Essex County, New York, held at the Town Hall, 132 Montcalm Street, in Ticonderoga, New York, in said Town, on March 14, 2024, at 6:00 o'clock P.M., Prevailing Time.

PRESENT:

Supervisor

Councilman

Councilman

Councilman

Councilman

In the Matter
of
the Joint Increase and Improvement of the
Facilities of Sewer Districts Nos. 2 through 9, 11
and 12 in the Town of Ticonderoga, Essex
County, New York

ORDER CALLING
PUBLIC HEARING

WHEREAS, the Town Board of the Town of Ticonderoga, Essex County, New York, has had under consideration the joint increase and improvement of the facilities of all of the sewer districts in said Town, being Sewer Districts Nos. 2 – 9, 11 and 12 in said Town (together, the “Districts”), consisting of the construction of improvements to and reconstruction of the wastewater treatment plant and collection system, including original furnishings, equipment,

machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith; and

WHEREAS, the maximum estimated cost to said Districts of such joint increase and improvement of facilities is determined to be \$30,973,172.89; and

WHEREAS, such cost shall be annually apportioned among such Districts by said Town Board, and the amounts so apportioned shall be annually apportioned and assessed upon the several lots and parcels of land within each said District in the manner provided by law, in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due; and

WHEREAS, it is anticipated at this time that the apportionment of such cost between the following Districts shall be based upon an equation of the numerator of which shall be the equivalent dwelling units (“EDUs”) for the particular districts and the denominator of which shall be the total EDUs for all the following Districts with current EDUs, subject to change in the future, as follows: Sewer District No. 2 (Park Avenue) (79.50 EDUs), Sewer District No. 3 (Alexandria Avenue) (54.00 EDUs), Sewer District No. 4 (Homelands) (28.20 EDUs), Sewer District No. 5 (Village) (1462.76 EDUs), Sewer District No. 6 (Commerce Park) (110.20 EDUs), Sewer District No. 7 (Delano Point) (27.10 EDUs), Sewer District No. 8 (Baldwin Road) (41.50 EDUs), Sewer District No. 9 (Black Point Road/Outside) (245.45 EDUs), Sewer District No. 11 (Routes 9N and 74) (36.25 EDUs) and Sewer District No. 12 (Hague Road) (14.40 EDUs); and

WHEREAS, prior proceedings incorrectly inadvertently identified the Hague Road sewer district as Sewer District No. 10; and

WHEREAS, the EDUs allocated to said Sewer Districts have been updated; and

WHEREAS, said capital project has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which, it has been determined will not result in any significant environmental impacts; and

WHEREAS, it is now desired to call a public hearing on said proposed joint increase and improvement and estimate of cost pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

ORDERED, by the Town Board of the Town of Ticonderoga, Essex County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Ticonderoga, Essex County, New York, shall be held at the Town Hall, in Ticonderoga, New York, in said Town, on the 28th day of March, 2024, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the proposed joint increase and improvement of the facilities of the each of the aforescribed sewer districts, in said Town, and the estimate of cost referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a notice of said public hearing to be published in the official newspaper of said Town, and posted in the manner prescribed by law, which notice shall be in substantially the form attached hereto as Exhibit A and hereby made a part hereof:

Section 3. This resolution shall take effect immediately.

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

_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____
_____	VOTING	_____

The resolution was thereupon declared duly adopted.

* * * *

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF ESSEX)

I, the undersigned Clerk of the Town of Ticonderoga, Essex County, New York (the “Issuer”), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 14th day of March, 2024.
2. That such meeting was a **special regular** (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the “Open Meetings Law”.
7. That notice of said meeting (*the meeting at which the proceeding was adopted*) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Issuer
this _____ day of March, 2024.

(CORPORATE SEAL)

Town Clerk

NOTICE OF PUBLIC HEARING

Sewer Districts Nos. 2-9, 11 and 12 of the Town of Ticonderoga, Essex County, New York

PLEASE TAKE NOTICE that the Town Board of the Town of Ticonderoga, Essex County, New York, will meet at the Town Hall, 132 Montcalm Street, in Ticonderoga, New York, in said Town, on the 28th day of March, 2024, at 6:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing relating to the proposed joint increase and improvement of the facilities of Sewer Districts Nos. 2-9, 11 and 12, in said Town, consisting of the construction of improvements to and reconstruction of the wastewater treatment plant and collection system, including original furnishings, equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$30,973,172.89, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Such cost shall be annually apportioned among such Districts by said Town Board, and the amounts so apportioned shall be levied and collected in each District in the manner provided by law.

It is anticipated at this time that the apportionment of cost between Districts shall be as follows: Sewer District No. 2 (Park Avenue) (79.50 EDUs), Sewer District No. 3 (Alexandria Avenue) (54.00 EDUs), Sewer District No. 4 (Homelands) (28.20 EDUs), Sewer District No. 5 (Village) (1462.76 EDUs), Sewer District No. 6 (Commerce Park) (110.20 EDUs), Sewer District No. 7 (Delano Point) (27.10 EDUs), Sewer District No. 8 (Baldwin Road) (41.50 EDUs), Sewer District No. 9 (Black Point Road/outside) (245.45 EDUs), Sewer District No. 11 (Routes 9N and 74) (36.25 EDUs) and Sewer District No. 12 (Hague Road) (14.4 EDUs). The dollar cost of the project allocated to each Sewer District is as follows:

Sewer District No. 2 -	\$ 1,172,913.29
Sewer District No. 3 -	\$ 796,695.82
Sewer District No. 4 -	\$ 416,052.26
Sewer District No. 5 -	\$ 21,581,014.39
Sewer District No. 6 -	\$ 1,625,849.62
Sewer District No. 7 -	\$ 399,823.27
Sewer District No. 8 -	\$ 612,275.49
Sewer District No. 9 -	\$ 3,621,277.57
Sewer District No. 11 -	\$ 534,818.95
Sewer District No. 12 -	\$ 212,452.22

Said EDUs and dollar allocations supersede those previously presented at public hearings.

Said capital project has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), which it has been determined to not result in any

significant environmental impacts. Copies of SEQRA compliance documentation is on file in Office of the Town Clerk where it may be inspected during regular office hours upon appointment.

Dated: Ticonderoga, New York,
March 14, 2024.

BY ORDER OF THE TOWN BOARD
OF THE TOWN OF TICONDEROGA
ESSEX COUNTY, NEW YORK

/s/ Tonya M. Thompson
Town Clerk

AFFIDAVIT OF POSTING

STATE OF NEW YORK)
) ss.:
COUNTY OF ESSEX)

I, the undersigned Clerk of the Town of Ticonderoga, Essex County, New York,
DEPOSE AND SAY:

That on the _____ day of March, 2024, I caused to be posted on the official signboard
maintained by me pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of Public
Hearing which was a part of an order adopted by the Town Board of said Town on March 14,
2024.

A true and correct copy of such Notice of Adoption is attached hereto.

Town Clerk

Sworn to before me this _____ day
of _____, 2024.

Notary Public