

**TOWN OF MOREAU  
TOWN BOARD MEETING  
NOVEMBER 14, 2023**

**A RESOLUTION AUTHORIZING THE SCHEDULING OF A PUBLIC HEARING, CONSOLIDATING ONE TOWN OF MOREAU SEWER DISTRICT, AND SIX SEWER DISTRICT EXTENSIONS, TO WIT: SEWER DISTRICT NO. 1 (MOREAU INDUSTRIAL PARK); SEWER DISTRICT NO. 1, EXT. NO. 1 (LEONELLI APARTMENT COMPLEX); SEWER DISTRICT NO. 1, EXT. NO. 2 (BLUEBIRD VILLAGE APARTMENTS); SEWER DISTRICT NO. 1, EXT. NO. 3 (THE NEST); SEWER DISTRICT NO. 1, EXT. NO. 3 (HARRISON PLACE APARTMENTS); SEWER DISTRICT NO. 1, EXT. NO. 4 (HARRISON QUARRY/BLUEBIRD TRACE APARTMENTS); SEWER DISTRICT NO. 1, EXT. NO. 5 AND FOUR CONTRACT USERS INTO ONE CONSOLIDATED SEWER DISTRICT SUBJECT TO THE COMPLETION OF PROCEEDINGS PURSUANT TO ARTICLE 17-A OF THE GENERAL MUNICIPAL LAW OF THE STATE OF NEW YORK AND FURTHER APPROVING AND AUTHORIZING THE EXECUTION OF A JOINT CONSOLIDATION AGREEMENT.**

**WHEREAS**, there exists within the Town of Moreau one sewer district, six sewer district extensions and four contract users, to wit: Sewer District No. 1 (Moreau Industrial Park); Sewer District No. 1, Ext. No. 1 (Leonelli Apartment Complex); Sewer District No. 1, Ext. No. 2 (Bluebird Village Apartments); Sewer District No. 1, Ext. No. 3 (The Nest); Sewer District No. 1, Ext. No. 3 (Harrison Place Apartments); Sewer District No. 1, Ext. No. 4 (Harrison Quarry/Bluebird Trace Apartments); Sewer District No. 1, Ext. No. 5; and four contract users and,

**WHEREAS**, the aforesaid sewer district, six sewer district extensions and four contract users have been created for a similar purpose; and,

**WHEREAS**, the Town Board is desirous of conducting a Public Hearing pursuant to the provisions of Article 17-A of the General Municipal Law for the purpose of hearing all persons upon the question of consolidating Town of Moreau Sewer District No. 1, the six sewer district extensions and four contract users, to wit: Sewer District No. 1 (Moreau Industrial Park); Sewer District No. 1, Ext. No. 1 (Leonelli Apartment Complex); Sewer District No. 1, Ext. No. 2 (Bluebird Village Apartments); Sewer District No. 1, Ext. No. 3 (The Nest); Sewer District No. 1, Ext. No. 3 (Harrison Place Apartments); Sewer District No. 1, Ext. No. 4 (Harrison Quarry/Bluebird Trace Apartments); Sewer District No. 1, Ext. No. 5 and four contract users into one consolidated sewer district subject to the completion of proceedings pursuant to Article

17-A of the General Municipal Law of the State of New York and further approving and authorizing the execution of a joint consolidation agreement by the Supervisor of the Town of Moreau; and,

**WHEREAS**, a map, plan and report prepared by Laberge Group, competent engineers, describing the proposed consolidation has been filed in the Town Clerk's Office; and,

**WHEREAS**, in the event of consolidation, all expenses for any existing and future debt repayment and capital charges for the aforesaid one sewer district, six sewer district extensions and four contract users for the first year of consolidation shall be determined as follows: ninety (90%) percent of the annual debt service will be collected on the assessed value of all real property within the consolidated sewer district at the rate of \$4.28 per \$1000 of assessed value, while the remaining ten (10%) percent shall be based upon each parcel's acreage within the consolidated sewer district at the rate of \$61.89 per acre for the first year of consolidation distributed annually among all parcels or any additional parcels within the consolidated sewer district; and

**WHEREAS**, in the event of consolidation expenses for operation and maintenance for the aforesaid one sewer district, six sewer district extensions and four contract users for the first year of consolidation shall be divided into district costs and excess treatment costs only to users with an active connection to the sanitary sewer and based upon the usage and the number of equivalent dwelling units (EDU) of each property; for users that do not exceed an average usage of 100 gallons per day allowance during a given billing period the operation and maintenance cost shall be collected by an EDU charge and for those users exceeding the 100 gallon per day allowance included within the EDU charge an additional treatment shall apply. The total 2024 EDU rate is as follows: nontreatment portion, \$46.42 per EDU; and treatment portion \$149.29 per EDU.

**NOW, THEREFORE, IT IS,**

**ORDERED**, that the Town Board of the Town of Moreau shall meet and hold a Public Hearing at the Moreau Town Hall, 351 Reynolds Road, Moreau, New York, at 6:30 p.m. on the 12<sup>th</sup> day of December, 2023, to consider the consolidation of the one Town of Moreau Sewer District, the six sewer district extensions and four contract users, to wit: Sewer District No. 1 (Moreau Industrial Park); Sewer District No. 1, Ext. No. 1 (Leonelli Apartment Complex); Sewer District No. 1, Ext. No. 2 (Bluebird Village Apartments); Sewer District No. 1, Ext. No. 3 (The Nest); Sewer District No. 1, Ext. No. 3 (Harrison Place Apartments); Sewer District No. 1, Ext. No. 4 (Harrison Quarry/Bluebird Trace Apartments); Sewer District No. 1, Ext. No. 5 and four contract users into a single consolidated sewer district, known as the Town of Moreau Consolidated Sewer District No. 1; to consider the execution and approval of a Joint Consolidation Agreement; and to hear all persons interested in the subject thereof concerning the same and to take such action thereon as shall be required or authorized by law, and it is further,

**ORDERED**, the Joint Consolidation Agreement proposes to consolidate the one Town of Moreau Sewer District, the six sewer district extensions and four contract users pursuant to the provisions of Article 17-A of the General Municipal Law and that as of January 1, 2024 it is proposed to consolidate the one aforesaid sewer district, six sewer district extensions and four contract users located within the Town of Moreau pursuant to Article 17-A of the General Municipal Law of the State of New York into a single consolidated sewer district, and it is further,

**ORDERED**, the proposed Joint Consolidation Agreement is on file in the Town of Moreau Town Clerk's Office at 351 Reynolds Road, Moreau, New York. A copy of the proposed Joint Consolidation Agreement and a summary thereof are displayed upon and available for public inspection on the Town of Moreau Town Clerk's Bulletin Board, at the Town Clerk's Office at the Town of Moreau Town Hall, 351 Reynolds Road, Moreau, New York, and on the Town of Moreau website; and it is further,

**ORDERED**, that a copy of the Summary of the Joint Consolidation Agreement is attached to this resolution as Exhibit A, and that a description of the geographic boundaries of the proposed consolidated sewer district is attached to this resolution as Exhibit B.

The foregoing was moved by Councilmember Stewart, seconded by Councilmember VanTassel

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

**Roll Call:**

|                                      | <u>AYES</u> | <u>NOES</u> | <u>ABSENT</u> |
|--------------------------------------|-------------|-------------|---------------|
| Supervisor Theodore T. Kusnierz, Jr. | X           |             |               |
| Councilmember Alan VanTassel         | X           |             |               |
| Councilmember John Donohue           | X           |             |               |
| Councilmember Kyle Noonan            |             |             | X             |
| Councilmember Mark Stewart           | X           |             |               |

**Carried:**

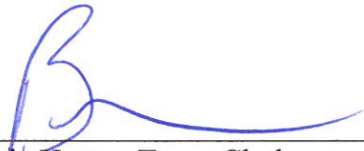
Dated: November 14, 2023  
Moreau, New York

**CERTIFICATION OF TOWN CLERK**

I, Brenda Hutter, the undersigned Town Clerk of the Town of Moreau, Saratoga County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 14th day of November, 2023, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of said Town this 14<sup>th</sup> day of November, 2023.

  
\_\_\_\_\_  
Brenda Hutter, Town Clerk

**S E A L:**