

September 13, 2022

Regular meeting of the Town Board of the Town of Sparta was held September 13, 2022 at 7:00 PM.

Members present: Supervisor Mark Schuster, Deputy Supervisor Deb Halpenny, Mary Ellyn Calabrese and Bill Smith.

Member absent: Council Dan Maloney

Minutes of the previous meeting were read. A motion was made by Bill Smith and seconded by Deb Halpenny to approve the minutes as read. All voted yes. Carried.

Supervisor Schuster declared the public hearing on Formation of a Scottsburg Sewer District to be opened at 7:05 pm.

People who spoke at the public hearing were:

Mike Lima,
David Coburn
Thomas Taft
Cathy Carney
Barb Baley
Tim Sparks
Sarah April
Carol French

Assessor Holley Smalt, reviewed her report.

Code Enforcement Officer, Chuck Cagle reviewed his report.

Highway Superintendent, Kevin Robinson reviewed his report.

A motion was made by Deb Halpenny and seconded by Mary Ellyn Calabrese for Supervisor Schuster to sign a letter of intent for the Highway Superintendent to purchase a new pickup truck. All voted yes. Carried.

The surveyor has completed the map for the property north of the Highway Department. It is recommended that adoption of an amended Subdivision Regulations be made before making an application to the Town and County Planning Board. The Town Attorney is reviewing and will make suggestions for amending the Town of Sparta Subdivision Regulations.

A motion was made by Mary Ellyn Calabrese and seconded by Bill Smith to contract with Lippincott's for refuse disposal. All voted yes. Carried.

There being no further comments from the public or Town Board members, Supervisor Schuster declared the public hearing closed.

A motion was made by Deb Halpenny and seconded by Bill Smith to move forward with a vote on the following resolutions pertaining to the Scottsburg Sewer District. All voted yes. Carried.

Supervisor Schuster presented the following Resolution:

RESOLUTION NO. 3 CLASSIFYING THE TOWN OF SPARTA SCOTTSBURG SEWER DISTRICT IN THE TOWN OF SPARTA AS A TYPE I ACTION, ESTABLISHING LEAD AGENCY AND DETERMINING THE SIGNIFICANCE OF SUCH ACTION, AND DIRECTING THAT THE NEGATIVE DECLARATION BE PUBLISHED IN ACCORDANCE WITH SEQRA.

Council Member Bill Smith moved that it be adopted, and it was seconded by Council Member Deb Halpenny.

BE IT RESOLVED BY THE BOARD OF THE TOWN OF SPARTA AS FOLLOWS:

WHEREAS, the Town Board of Sparta, New York is considering improvements for the Town of Sparta Scottsburg Sewer District and the formation of said District, including the installation of approximately 14,500 linear feet of 6-inch sewer force main, 5,300 linear feet of 8-inch gravity sewer, and 1,800 linear feet of 2-inch sewer force main along portions of Groveland Scottsburg Road, Lake Street, West Swamp Road, Springwater Scottsburg Road, and Sheppard Road to serve approximately 64 residential properties; and

WHEREAS, to aid the Board in determining whether such Project and financing and other actions of the Board in connection therewith (the "action") might have a significant effect on the environment, the Board

caused to be prepared an environmental assessment form or similar information (“EAF”), a copy of which is attached hereto; and

WHEREAS, the Board duly reviewed the EAF and related documents with respect to the above-referenced project and duly considered the impacts which may be expected to result from the proposed action with the criteria set forth in the State Environmental Quality Review Act and the applicable regulations promulgated thereunder (“SEQRA”); and

WHEREAS, the Board determined that the project was an “Type I Action” pursuant to SEQRA; and

WHEREAS, the Board determined that the project involved one or more involved agencies, mandating a coordinated review; and

WHEREAS, the Board duly notified the other involved agencies pursuant to 6 NYCRR 617.6(3)(i) and indicated its willingness to be designated Lead Agency status; and

WHEREAS, all of the involved agencies have consented to the Board’s request to be designated Lead Agency status;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF SPARTA DECLARES TO BE LEAD AGENCY FOR THE PROJECT FOR THE PROPOSED ACTION AND THEREFORE RESPONSIBLE FOR DETERMINING WHETHER AN ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED IN CONNECTION THEREWITH AND OTHERWISE COMPLYING WITH THE PROCEDURAL AND SUBSTANTIVE REQUIREMENTS OF SEQRA;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF SPARTA, NEW YORK AS FOLLOWS:

1. Based upon the review by the Board of the EAF and other necessary criteria, (a) the Board hereby finds and determines that the proposed action is an “Type I Action” under SEQRA and will result in no significant impacts and therefore, such action is not one which “may include the potential for at least one significant adverse environmental impact,” (b) “there will be no significant adverse environmental impacts,” and (c) no “environmental impact statement” need be prepared, as such quoted terms are defined in SEQRA. Reasons supporting this determination are attached hereto and hereby made a part of this resolution for the purposes of SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.
2. A copy of this resolution shall be placed on file in the office of the Town Clerk, where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

Approved on Roll Call as follows:

Supervisor	Mark J. Schuster	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Deb Halpenny	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Bill Smith	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Mary Ellyn Calabrese	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Dan Maloney	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" type="checkbox"/> Absent

All voted yes. Carried.

Supervisor Schuster presented the following Resolution:

**RESOLUTION AND ORDER FOR THE ESTABLISHMENT OF THE
SCOTTSBURG SANITARY SEWER DISTRICT
FOR A PORTION OF THE TOWN OF SPARTA**

WHEREAS, the Town Board of the Town of Sparta, New York, has duly adopted a Resolution directing the Supervisor of the Town of Sparta to file a map, plan and report as prepared by the Town’s engineer for providing the facilities, improvements or services in the Hamlet of Scottsburg wherein a sanitary sewer district is proposed to be established; and said map, plan, and report dated April 2022 has been filed in the office of the Town Clerk of the Town of Sparta on the 9th day of May, 2022; and

WHEREAS, said Supervisor adopted an “Order for a Public Hearing on the Petition for Establishment of the Town of Sparta Scottsburg Sanitary Sewer District” reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a map, plan and report describing the same is on file in the Town Clerk’s Office for public inspection and specifying that said Town Board shall meet at the Town of Sparta Town Hall on the 13th day of September, 2022 at 7:05 p.m. for the purpose of conducting a public hearing on such proposal to establish the sanitary sewer district with the specified improvements and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, a “Petition to Request Sewer District” was filed in the Sparta Town Clerk’s Office on the 5th day of July, 2022, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Sparta, the owners of taxable real property located in the proposed Town of Sparta Scottsburg Sanitary Sewer District (also referred to herein as “Sewer District”) owning in the aggregate at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Sewer District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Sewer District owned by residents; and

WHEREAS, the project area of the Hamlet of Scottsburg, along portions of Groveland-Scottsburg Road, Lake Street, West Swamp Road, Springwater-Scottsburg Road, Church Street, and Sheppard Road has been identified through public interest; and

WHEREAS, copies of the aforesaid said “Order for a Public Hearing on the Petition for the Establishment of the Town of Sparta Scottsburg Sanitary Sewer District” was duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the boundary of the proposed Town of Sparta Scottsburg Sanitary Sewer District shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference; and

WHEREAS, the total annual cost for an average homeowner including debt service and sewer bill would be estimated to be \$900.00 per year, per household; and

WHEREAS, the evidence offered at such hearing requires that the Town Board make the determinations hereinafter made.

ON MOTION OF Bill Smith, which was duly seconded by Deb Halpenny,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Sparta, in the County of Livingston, duly convened, that it be and hereby is determined as follows:

- (1) The aforesaid “Petition to Request Sanitary Sewer District” was signed and acknowledged or proved or authenticated, as required by law and is otherwise sufficient;
- (2) The Notice of Hearing was published and posted as required by law and is otherwise sufficient;
- (3) That all the property and property owners, within the proposed sewer district are benefited thereby;
- (4) That all of the property and property owners benefited are included within the proposed sewer district; and
- (5) It is in the public interest to establish the proposed sewer district as hereinafter described; and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a sewer district as hereinafter described to be known as the Town of Sparta Scottsburg Sanitary Sewer District and shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference; and be it

FURTHER RESOLVED, the project will generally consist of installing approximately 21,600 linear feet of sanitary sewer main, including both gravity and force mains, within existing right-of-ways or easements along Groveland-Scottsburg Road, Lake Street, West Swamp Road, Springwater-Scottsburg Road, Church Street and Sheppard Road. The sewer main will serve approximately 59 equivalent dwelling units, which may include single family dwellings, vacant land, and commercial properties; and be it

FURTHER RESOLVED, a large portion of the project will consist of installing approximately 5,300 linear feet of 8-inch gravity sewer main in the Hamlet of Scottsburg, complete with manholes every 400 feet, as per 10 State Standards, to which residents connect from existing septic systems with gravity lateral pipes; and be it

FURTHER RESOLVED, in the most easterly area of the Hamlet, a handful of residents are required to utilize residential grinder pump systems to pump their sanitary flow past an existing stream, into a shared 2-inch force main discharging directly into the 8-inch gravity main; and be it

FURTHER RESOLVED, the proposed District will convey the entirety of the flow from the Hamlet of Scottsburg to the Groveland Station sewer system; and be it

FURTHER RESOLVED, the debt service for the initial project costs are based on equivalent dwelling units and the Town of Sparta anticipates securing grants to partially fund the project, while the remaining share will be paid for by loan in addition to all other local, state or federal funding; and be it

FURTHER RESOLVED, the total capital cost (estimated maximum amount) for the Town of Sparta Scottsburg Sewer District is \$3,400,000.00, which amount is to be financed by the issuance of serial bonds in an aggregate amount not to exceed \$3,400,000.00, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, a grant received in the approximate amount of \$2,394,650.00; and be it

FURTHER RESOLVED, Net local project costs are anticipated to be approximately \$1,005,350.00 with an annual debt service including (30 years at 0% interest) of \$33,512.00 and the estimated Debt Service per Unit of \$568.00; and be it

FURTHER RESOLVED, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the District which for the Town Board shall determine and specify to be specifically benefitted thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the principal of and interest on said bonds, as same shall become due and payable; and be it

FURTHER RESOLVED, the total annual cost for an average homeowner including debt service and sewer bill would be estimated to be \$900.00 per year, per household; and be it

FURTHER RESOLVED, in addition each unit shall be responsible for several one-time costs, including cost to hookup and connect to the right-of-way to interior plumbing; and be it

FURTHER RESOLVED, that this Resolution and Order is subject to the approval of the Office of the State Comptroller, Department of Audit and Control and the Town Supervisor, assisted by the Town Attorney, will prepare an application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this sewer district; and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed, within ten (10) days hereof, to record a certified copy of this Resolution and Order with the Livingston County Clerk's Office and submit duplicate certified copies of this Resolution and Order with the Office of the State Department of Audit and Control, together with an application, in duplicate, executed and verified by the Supervisor of the Town of Sparta for permission to create such district.

Approved on Roll Call as follows:

Supervisor	Mark Schuster	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Deb Halpenny	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Bill Smith	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Mary Ellyn Calabrese	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Dan Maloney	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Abstain	<input checked="" type="checkbox"/> Absent

All voted yes. Carried.

General bills were audited and approved for a total amount of \$6,015.09.

Highway bills were audited and approved for a total amount of \$148,930.22.

Street light bills were audited and approved for a total amount of \$176.32.

The Town Clerk accepted a written resignation from Mary Ellyn Calabrese as the Town of Sparta Representative on the Livingston County Planning Board.

A motion was made by Deb Halpenny and seconded by Bill Smith to nominate Jacob Calabrese to fill the vacancy as the Town of Sparta Representative on the Livingston County Planning Board for the remainder of the term expiring 12/31/22.

A motion was made by Mary Ellyn Calabrese and seconded by Deb Halpenny to adjourn the meeting. All voted yes. Carried.

Next regular meeting will be held on October 11, 2022 at 7:00 pm.

TOWN CLERK
Sheila Duffy