

# TOWN OF LLOYD TOWN BOARD

## SPECIAL MEETING

SEPTEMBER 2, 2015

**Present:** Supervisor Paul Hansut  
Councilmember Michael Guerriero  
Councilmember Michael Horodyski  
Councilmember Jeffrey Paladino

**Also present:** Sean Murphy, Attorney  
Rosaria Peplow, Town Clerk  
Kate Jonietz, Secretary

**Absent:** Councilmember Kevin Brennie

**7:00 PM** – Supervisor opened the meeting and led the Pledge of Allegiance.

On behalf of himself and the members of the Town Board, he expressed condolences to the family of Joseph Indelicato, Sr. and the family of Salvatore Cusa, Sr.

**7:00 PM** – Supervisor opened the Public Hearing in relation to the increase and improvement of facilities of the Highland Water District, consisting of the construction of water system improvements, including, but not limited to: (i) the connection of existing wells to the water system; (ii) the repainting of the existing two (2) million gallon water storage tank and the addition of mixing to such tank and (iii) the preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning for future capital projects of the District; and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, at the estimated maximum cost, including preliminary costs and costs incidental thereto and the financing thereof, of \$1,714,000, all as further described in the map, plan and report entitled "Feasibility Report for Town of Lloyd - Highland Water District Capital Improvement Plan," dated August 2015 prepared for the Town by Morris Associates Engineering Surveying Consultants, PLLC, which is on file with the Town Clerk.

Supervisor noted that 1600 notices for this public hearing were mailed to properties in the water and sewer districts.

Supervisor introduced Ray Jurkowski of Morris Associates, an engineering and consulting firm, who made the following presentation on the plan for the Highland Water District Capital Improvements:

Ray Jurkowski stated that the purpose of the public hearing is for the potential borrowing to help fund the proposed improvements. These improvements are for maintenance as well as the efficiency of the overall system and for the future needs of the water system. The anticipated costs and impact to the district users will be discussed. He said that he will answer all questions at the end of the presentation. A letter with questions was received today from a resident and he will go over those by identifying the question and then give a response.

He noted that the Town of Lloyd has always been proactive with the infrastructure of water and sewer, understanding the importance to its users; the Waste Water Treatment Plant was recently completely renovated based on the age of the plant. The Highland Water District serves approximately 1877 parcels within the Town of Lloyd. The Highland Water Treatment Facility was constructed in the 1980's, which at the time was a state-of-the art facility and capable of handling up to 4-million gallons per day. It is now over 30 years old and technology has changed as well as the purity of water requirements that the system needs to meet. Based on the age and the condition of the facility, there are a number of recommendations made by the Water/Sewer/Drainage Committee, his office and Adam Litman, Water and Sewer Administrator. The Town of Lloyd has a Water/Sewer/Drainage Committee that meets on a monthly basis to go over infrastructure issues and issues brought to their attention by the public. The Committee makes recommendations to the Town Board for their consideration. There is constant maintenance that needs to take place and it needs to be budgeted accordingly so that the financial impact is minimized for everyone.

### **CAPITAL IMPROVEMENT PLAN**

There are a number of recommended improvements to the existing facilities which have been identified, reviewed by the Water/Sewer Committee, Morris Associates and the Water Administrator.

Proposed short term improvements include connection of existing wells to the water system, repainting the existing two-million gallon storage tank and the addition of mixing to the existing storage tank.

Proposed long-term improvements include the replacement of the existing filtration system with a microfiltration system, replacement of the existing blending tank, installation of

generators at the treatment facility and raw water (Hudson River) pump station, modernization of existing controls and improvements to the existing disinfection, chemical feed and storage, piping and building facilities. For the long-term improvements this is for the initial design and the permitting process; construction will not take place until 2017 or 2018.

#### *Connection of Existing Wells*

There are existing wells that were drilled on the water treatment facility parcel and it is proposed to connect these wells to the water system. The town gets its water from two surface sources: the Hudson River and the Reservoir. The town tries to utilize the Reservoir on Illinois Mountain to its best extent. However, during the summer months with the lack of rain the water levels in the Reservoir start to drop and the Reservoir water cannot be used. Water is then drawn from the Hudson River which is filtered, purified and placed into the system. The wells were drilled on Illinois Mountain in an attempt to utilize the reservoirs year around.

Resident question: What is the water flow from the existing wells?

Answer: The wells produce approximately 100 gallons per minute; it is a sustainable water supply and sufficient to help offset some of the use of the River pumps. The Hudson River water production cost is the most costly because it has to be pumped from the River against a high elevation to the Water Plant filter and into the system. The Reservoirs are already on the Mountain and there is much less energy cost involved in producing that water.

The benefits for connecting these wells include:

The test results for the wells indicate that they will not require filtration treatment, meaning that it will be significantly less expensive to produce this water than water obtained from the Hudson River or Reservoir. The proposal is to install piping from the wells directly to the existing storage tank and chlorinate the water prior to it going into the system.

A cost analysis performed by Morris Associates indicated that the annual savings in chemicals, electrical and sludge removal costs from utilizing the wells would more than pay for the annual capital cost payments for connection of the wells. The proposed well connection has already been approved by the Health Department and can be implemented in 2015.

The well production would represent approximately 20% of the total current demands, while also providing a source of water for the District.

#### *Storage Tank Improvements*

Storage tank improvements include repainting the existing storage tank and the addition of tank mixing. The storage tank is welded steel, which is very common, located on Illinois Mountain, adjacent to the Water Treatment Facility. Periodically, that tank is inspected both inside and out; between 15 and 30 years, it is repainted.

Repainting of the existing tank is recommended based upon a visual inspection of the tank. The tank was last painted in the 1980's and will need to be repainted at this time. This work is proposed to be completed in 2016. The process is to drain the water out of the tank, the interior is sand-blasted; it is again inspected to see the extent of any rust, repairs are made and the interior is repainted with epoxy which is good for another 15 or 20 years.

Question from a resident via letter: Is there lead paint in the existing tank?

Answer: There is no lead paint in the tank; when the tank was repainted in the 1980's when there were lead paint requirements, especially regarding potable water. The tank was down to the bare metal before being repainted.

Question from the resident via letter: How does the plant continue to provide water during the down time of the tank?

Answer: The tank is used for the town's average daily consumption and for fire suppression hydrants; the tank will be down for about a month. During that time frame, there will be limited fire suppression available. There are two additional tanks that the fire company could use draft water. There is a water storage tank on Hudson Hills and at the northern most part of the district, just off Route 9W. The fire company will be notified of the somewhat limited access to water. It is anticipated that the wells will be installed in the spring of 2016 and completed prior to the tank work. The wells can be run directly into the distribution system which would offset as much as 140,000 gallons per day and the filtration system will not be needed.

Question from the resident via letter: How will the system maintain water pressure?

Answer: An improvement during the winter, at the existing facility for a bypass on the pumping system that would allow a pressure gauge to be set and regulated which would provide a constant pressure in the existing system. If water is not being used throughout

the system while the pumps are running, the pressure relief gauge would open up and water would be re-circulated back into the clear wells, therefore, not wasting water.

The benefits for tank mixing include:

The EPA has a newer regulation regarding disinfection byproducts for water standards. The Town of Lloyd is susceptible to the disinfection byproducts because surface waters are used i.e. Reservoir and River. A disinfection byproduct is known to be a carcinogenic compound formed when organic matter mixes with chlorine and ages over time so that disinfection byproducts can form in the water. One of the things that can be done to reduce the actual trihalomethanes and haloacetic acids, two types of disinfection byproducts, is to reduce the age of the water as it is going into the system. In the 2-million gallon storage tank, approximately 500,000 gallons of water is used per day. This is four days of storage in that tank where there is contact of the water and chlorine in the metal tank during the summer months where there is a higher heat generation. It is not mixed so there is a quicker degradation of the water quality and the potential of an increase of the disinfection byproducts. The town has been testing as required to regarding the disinfection byproducts and to see that the EPA standards are being met. The EPA standards may become more stringent which may be an issue and the town would like to be proactive to provide for the best possible water for the district and to stay ahead of the curve of the EPA standards.

Question from resident by letter: Would simple mixing do away with the formation of disinfection byproducts.

Answer: He is correct in questioning that. There are a few things that the town has been doing to further reduce the potential disinfection byproducts. (1) Water is not pre-chlorination; the water is filtered to remove as many organic as possible then the chlorine is added. (2) A micro-filtration system will provide better quality water and remove more organic matter than is being removed now. This will also reduce the disinfection byproducts. (3) The use of ground water wells has lower organics and will provide lower amounts of organics into the system.

Question from resident by letter: What is the method of mixing?

Answer: Mixing will be both aeration and mixing. The town uses a mixer in one of the reservoirs which is known as a Solar Bee and uses solar power. There was a taste and odor issue with Reservoir #5 based on organics and once that Solar Bee was introduced, the issue went away.

A mixer will be added to reduce the levels of trihalomethanes (THMs) that form in the storage tank by preventing water stagnation. THM levels are a concern whenever the Hudson River water source is used.

Tank mixing should allow for lower chlorine dosages to be used, as chlorine residual levels are better maintained when mixing is used. This will also reduce the potential formation of ice in the tank.

It is proposed to add tank mixing at the same time that the tank is repainted, in order to minimize any tank down times as well as reduce the overall capital costs.

He displayed an illustration of the tank showing the water entering into the tank from the bottom; what tends to happen there is stratification on very large tanks of colder water, or younger water, versus the older water that continues to age. Without mixing during those summer months as the sun beats down on the tank the water warms up. There are a couple of things that take place: production of disinfection byproducts is increased and the heat degrades the chlorine. The mixing device would mix the entire tank providing a more uniform temperature and reduce the age of the water in the tank.

These items are short-term items for efficiency and maintenance.

#### *Micro-Filtration*

This is the long-term and the part of the bond that is proposed is for the design of these improvements, not the construction which will be in the 2017 or 2018 time frame. Starting the design process will mean that the project is shovel-ready and they can continue to look for funding.

The most significant recommended long-term improvement is the replacement of the filtration system and associated controls, which are at the end of their expected service life.

It is proposed to replace the existing filtration system with a state-of-the-art microfiltration system, which uses membranes in lieu of mixed media for filtration. The current filtration system is clarification which then goes into a sand filter. This is the traditional method of purifying water, removing organics and reducing turbidity. This was the state-of-the-art system but new technologies are more efficient in removing the materials and providing a better, overall, water quality. Microfiltration is a series of tubes with very fine elements in them; the water is passed through filtering out the debris which then will be chlorinated. This system takes only a fraction of the overall footprint of the existing facility.

Question from resident by letter: Is there a solids removal system in the existing facility?

Answer: Yes, there is. There is a clarifier prior to filtration. With the microfiltration system, that is not needed.

The benefits of microfiltration include:

Membrane filtration units are much more flexible in terms of treating varying water qualities.

This is useful as the facility treats both reservoir and River water. The system is also fully automated, minimizing the potential for any treatment issues to occur.

The current filtration units waste a great deal of treated water when backwashing the unit which is estimated at 85,000 gallons per day (GPD) when using Hudson River water and 46,000 GPD when using reservoir water, which is actually cleaner water than the River. The microfiltration units waste significantly less water than this (roughly 25% of River value), with precise estimates to be determined during design (bench scale testing). The waste water goes to the Sewer Plant which then has to be processed.

Question of resident by letter: He understood that the microfiltration system would produce more backwashes; his comment did not indicate what he was using for comparison.

Answer: Compared to the type of system that we currently have, it will backwash less. There are other types of filtration systems that produce fewer backwashes than the microfiltration such as reverse osmosis but they are more expensive for the overall construction. That is one of the reasons it is not being considered. This will conserve water, there will be a cost savings as less water will be pumped from the Hudson, the Reservoir water will be used for a longer duration of time and less water to process at the Waste Water Treatment Plant. Published reports say that there is approximately 25,000 gallons of water during a backwash cycle for the microfiltrations for every million gallons. This is a dramatic change from what is currently being done.

Microfiltration because of the membranes has a much greater microbial log removal for giardia and cryptosporidium than other technologies. This means that using this technology will not only meet today's standards but will also be able to handle any future standards or changes in water quality.

The microfiltration units remove more of the source constituents (total organic carbon or TOC) that contribute to higher THM levels, so this will lower the formation potential of THMs in the distribution system. THM levels are an issue whenever Hudson River water is used.

The microfiltration units are modular in design and take up less space than the current filtration units. This will allow for further potential expansion of the filtration facilities.

#### *Other Long-Term Improvements*

In addition to replacement of the filtration system, it is proposed to replace the existing raw water blending tank, which has been temporarily patched, but is in need of replacement. During certain times of the year both Reservoir and River water is used and both go into that tank; then pumped from that tank in through the filtration system and then pumped again to the distribution system and water storage tank.

Question of a resident by letter: Questioned the efficient use of electricity because he understood that the water had to be pumped through the microfiltration because it has to be under pressure.

Answer: He is correct with that, however, that is being done now so there will not be an increase but an actual energy reduction.

Regarding the blending tank, that was installed at the time the filtration system, 1980's, was installed and is a pre-coated bolted steel tank. Unfortunately, there have been several leaks where pinholes and holes the size of quarters have rusted through the plates. Because of the type of bolted construction and the epoxy coating the tank cannot be resurfaced. This tank has to be disassembled and a new tank installed. The proposed tank is similar to the one at the northern end of the district and is a glass-lined tank. This is a fiberglass resin on the interior and exterior; unless they are physically damaged, these tanks do not have to be re-coated.

In order to be able to operate during longer power outages, it is proposed to add generators to the treatment facility and raw water (Hudson River) pump station sites. During the last hurricane, the town came very close to not being able to supply water. Fortunately, the 2-million-gallon storage tank was filled prior to that event and the town had to scramble to find large-capacity generators to keep the facility going. Two generators are proposed, one at the water treatment facility and one at the River pump station.

The existing plant controls are well beyond their expected service life and it is increasingly difficult to repair these facilities, so it is proposed to modernize the facility system controls. The controls are from the 1980's and parts are no longer available. The system

will be upgraded for better logic control and to provide for a system that will allow for remote monitoring. All data will be available and viewed with a computer.

As part of a review of the current treatment facility, improvements are recommended for the existing disinfection, chemical feed and storage systems. Chlorine gas is being used for disinfection which is very volatile and dangerous.

Implementation of the recommended long term improvements for the facility will result in the need for associated process piping modifications and building improvements.

### **FINANCIAL ANALYSIS**

Both the Town Board and the Water/Sewer/Drainage Committee recognizes the financial impacts to the district water users.

In order to fund the proposed improvements, both Bond Anticipation Notes (BANs) and Bonds will be utilized. BANs will be utilized for Short Term Financing and Bonds will be utilized for Long Term Financing.

Separate bonds are proposed for the filtration and related long-term improvements, starting in 2019; and the remaining work, consisting of short term improvements (well connections and tank painting/mixing) and Route 9W North Water Main work, starting in 2017.

Included in the Financial Analysis is a Project Financing Summary Sheet, with Projections for the next 5 years using BANs and Bonds, a chart showing the projected total annual payments over the next 5 years, projected annual payments with a 2% increase, and a bond repayment schedule with annual tax impacts for long term financing.

#### *Financial Projection Summary*

Existing debt for the existing Water Plant will be paid off this year with the last payment of \$288,000. Currently there is an existing debt of \$1.1-million based on improvements to the Route 9W north, including the tank. In 2015, \$40,000 will be paid on that and \$30,000 in 2016. It is proposed to roll the remainder of that existing debt into long-term financing. With respect to the proposed project, it is the well connection (\$400,000), the tank painting and mixing (\$675,000); the engineering design permitting process for the filtration (\$639,000) or \$1.7-million for the proposed short-term improvements. Additional bonding (a BAN) for 2017 for the filtration improvements and once the construction is completed (2017/2018) move forward with long-term financing in 2019. Annual payment with the increase of \$336,000 long term; total new BAN: \$7,000 for 2015; \$55,000 for 2016, 2017 and 2018 are at \$105,000.

In 2015's budget, there is just over \$300,000 that is included in the budget paid by the taxpayers; moving forward with the bonding proposal, there are less payments in 2016, it would be \$270,000 for the next two years and if the town decides to go forward with the construction of the filtration plant, it would go toward \$550,000 annual payment.

He is proposing that the town considers continuing the funding budget amount of a little over \$300,000 and keep that status quo all of the way across. By doing so 2016, the taxes associated with the water district won't go up; the difference will go toward the long-term improvements to offset their costs. It may not be possible considering the NYS cap. That allows three years to look for financing and funding sources. A grant application has been submitted for installation of the generators and NYS has not replied as yet. This is what was done with the new Sewer Plant, the design was shovel ready and when funding opportunities came to light, a lower interest rate was obtained, saving money.

#### *Typical User Costs*

Based upon the Financial Analysis, the long term cost increase for a typical user starting in 2019 would be \$0.47/\$1000 of assessed valuation. This would equate to:

Total Assessed Valuation of \$150,000: \$70/yr

Total Assessed Valuation of \$200,000: \$94/yr

Total Assessed Valuation of \$250,000: \$117/yr

Bond Repayment Schedule 1 of 4

Bond Repayment Schedule 2 of 4

Bond Repayment Schedule 3 of 4

Bond Repayment Schedule 4 of 4

Ray Jurkowski concluded his presentation and opened the meeting to questions from those present at the meeting.

Fred Pizzuto indicated that this is a period of historically low interest rates and asked if funds could be borrowed now with low interest rates.

Jurkowski said that they wanted to move forward with the BAN's to get the projects started; in going forward, once the BAN's are approved, it is anticipated that it will move fairly quickly and one of the things discussed was doing two bonds. One associated with short term improvements, toward the end of next year and roll the existing Route 9W North debt that remains into that bond.

Pizzuto asked if there would be meetings on that.

Jurkowski thought that moving from a BAN to a bond would require another public meeting and Sean Murphy, attorney, concurred. A financial advisor was at a WSD Committee meeting and that was one of the things considered i.e. smaller bans, stagger the bans and then breaking into two parts.

Horodyski pointed out that the issue is the cost associated with each BAN; the incremental cost to do two bonds versus one bond has to be offset as to where the rates might be the next year.

Pizzuto asked if there was money on the table now that would do anything to sell water south to Marlborough. There has been a lot of talk.

Jurkowski replied that these costs are not in any way associated with the distribution improvements going south on Route 9W. He understands that that Marlborough put together a consolidated funding application.

Supervisor agreed that Marlborough has submitted an application and is now waiting to hear from NYS.

Dorothy Desmond said that this sounds wonderful; however, she lives on Clearwater Road and has been paying Water District for 25 years but is not able to hook into the water.

Jurkowski clarified that the Desmonds are paying a portion of the tax but not the benefit of the water or sewer. This has been discussed in the past and perhaps that issue could be brought before the Water/Sewer/Drainage Committee to see what could be done. There will be a meeting this Tuesday and he will bring up that subject again; they will look at the tax rolls and see how many parcels are affected.

Desmond said that she would like to have town water and sewer as they have a shallow well and this kind of dry spell is a worry.

Guerriero said that they are asking people to spend all of this money and asked the state of the water system right now; he understood that the tank has to be repainted and the mixer put in the tank.

Mark Rizzi also asked how much of the \$1.7-million is mandated and how much is a wish list.

Horodyski said that \$1.1-million is the part that needs to be done; every EPA regulation is met right now but the EPA regulations will continue the trend to less and less microbial, the town wants to be poised to meet what is expected to be more stringent standards. The \$639,000 to do the filtration plant is the wish list but having that ready to go in the event that funding is available. If another stimulus package is offered as it was in 2008 for infrastructure, money might be available. Right now the key is the \$1.7-million for the connection of the wells, the tank and agitator.

Jurkowski added that the connection of the wells will pay for themselves immediately in savings. The EPA standards are forever changing and more stringent. The town has also been approached by other municipalities to buy water. One of the considerations was that it would take time to implement that both in design and construction. As the water continues to go out through the distribution system, the water continues to age. The further the water is from the source, the more the water is susceptible to disinfection byproducts. Several years ago, the Town of Marlborough showed strong interest in purchasing water from the Town of Lloyd. One of the main reasons that did not move forward was the public outcry from Marlborough because they were concerned about water quality, partly because of the disinfection byproducts.

Horodyski said that the graph showed the 2% increase over time so in 2016 this Town Board is going to look like heroes because the bond payments will be done, the debt service goes way down but then there will be a big sticker shock. The Town Board wants to make sure that the quality of water is maintained. Knowing that we were a day away from being out of water at the time of that hurricane, that is a scary proposition.

Guerriero said that he hoped that the generators will help that situation and asked how the generators will be fueled.

Jurkowski replied that they are looking at natural gas; both of the facilities have natural gas and it is available. There has been some debate if the generators should be natural gas or diesel and that debate may continue.

Terence Horton, *New Paltz Times*, asked the kind of maintenance protocols would be required for the mixing unit.

Jurkowski answered that every five years there would be a maintenance inspection which is normally done in the same timeframe that the tank inspection is done. Unlike in the past, the inspection is done by a rover and a human does not go into the tank. The rover is dropped into the tank and propels itself through the water. Depending on where the issue is, it is not necessary to drain the tank. If an issue is under the surface, it is possible to remove the unit temporarily and not drain the tank.

Horton asked about the \$7,230,000 figure.

Jurkowski explained that is the entirety and is considered to be the long-term improvements such as the generators, the filtration and chemical storage. This public hearing is for the \$1.7-million short-term improvements.

Susan Lindauer, asked about the mixer being solar driven and added that the winter last year did not have any sun.

Jurkowski said that is a consideration but there various types of mixers. There are air driven mixers with simple aerators and the disbursement of the air within the tank helps mix. There has been success with the Solar Bee at the Reservoir. They have not decided on a specific unit and the design process will hone in on a recommendation.

Paladino asked the cost per gallon is for 85,000 gallons that we are potentially saving.

Jurkowski said that he does not have that figure but he will email a separate slide on the savings.

## 1. RESOLUTIONS

- A. TABLED Motion** to close the Public Hearing relation to the increase and improvement of facilities of the Highland Water District, consisting of the construction of water system improvements.

Supervisor stated that the Public Hearing will remain open until the Regular Town Board meeting of September 16 and the Water/Sewer/Drainage Committee will discuss this further at their meeting next meeting. Information will be available on the Town of Lloyd website.

### **B. TABLED Resolution**

**WHEREAS**, the Town Board of the Town of Lloyd (herein called the "Town"), in the County of Ulster, New York, on behalf of the Highland Water District (herein referred to as the "District"), has caused Morris Associates Engineering Surveying Consultants, PLLC, engineers duly licensed by the State of New York (the "Engineer"), to prepare a map, plan and report entitled "Feasibility Report for Town of Lloyd – Highland Water District Capital Improvement Project," dated August 2015 (the "Report"), for the increase and improvement of facilities of the District, consisting of the construction of water system improvements, including, but not limited to: (i) the connection of existing wells to the water system; (ii) the repainting of the existing two (2) million gallon water storage tank and the addition of mixing to such tank and (iii) the preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning for future capital projects of the District; and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing;

**WHEREAS**, the Engineer has estimated that the cost of such increase and improvement of facilities shall be \$1,714,000 and said map, plan and report have been filed with the Town Board;

**WHEREAS**, the Town Board, acting as lead agency, has given due consideration to the impact that each of the projects described herein may have on the environment, and has determined that such projects constitute Type II actions pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5 (c), and therefore no further environmental review is required;

**WHEREAS**, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on September 2, 2015 at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, 12 Church Street, Highland, New York;

**WHEREAS**, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law and mailed by first class mail to each owner of taxable real property in the District;

**WHEREAS**, such public hearing was duly held by the Town Board on the 2nd day of September, 2015 at 7:00 o'clock P.M. (Prevailing Time) at the Town Hall, 12 Church Street, Highland, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

**NOW, THEREFORE, BE IT DETERMINED**, that it is in the public interest to increase and improve the facilities of the District as hereinabove described, at the estimated total cost of \$1,714,000; and

**IT IS HEREBY ORDERED**, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the District, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and

**IT IS HEREBY FURTHER ORDERED**, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$1,714,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments upon the several lots and parcels of land within the District on an ad valorem basis, in the same manner and at the same time as other Town charges; and

**IT IS HEREBY FURTHER ORDERED**, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Ulster County within ten (10) days after adoption thereof.

### **C. TABLED Resolution**

**WHEREAS**, following preparation of a map, plan and report and an estimate of cost for the increase and improvement of facilities of Highland Water District (herein referred to as the "District"), in the Town of Lloyd (herein called the "Town"), in the County of Ulster, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LLOYD, IN THE COUNTY OF ULSTER, NEW YORK** (by the favorable vote of not less than two-thirds of all the members of said Board) AS FOLLOWS:

**Section 1.** The Town hereby appropriates the amount of \$1,075,000 for the increase and improvement of facilities of the District, consisting of the construction of water system improvements, including, but not limited to: (i) the connection of existing wells to the water system and (ii) the repainting of the existing two (2) million gallon water storage tank and the addition of mixing to such tank; and any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$1,075,000. The plan of financing includes the issuance of \$1,075,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District on an ad valorem basis, in the same manner and at the same time as other Town charges.

**Section 2.** Bonds of the Town are hereby authorized to be issued in the principal amount of \$1,075,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

**Section 3.** The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the object or purpose for which said \$1,075,000 Bonds are authorized to be issued, within the limitations of Section 11.00 a. 1 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

**Section 4.** Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity



prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

**Section 5.** Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

**Section 6.** The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

**Section 7.** This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "*New Paltz Times*," a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

#### **D. TABLED Resolution**

**WHEREAS**, following preparation of a map, plan and report and an estimate of cost for the increase and improvement of facilities of Highland Water District (herein referred to as the "District"), in the Town of Lloyd (herein called the "Town"), in the County of Ulster, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be so increased and improved;

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF LLOYD, IN THE COUNTY OF ULSTER, NEW YORK** (by the favorable vote of not less than two-thirds of all the members of said Board) **AS FOLLOWS:**

**Section 1.** The Town hereby appropriates the amount of \$639,000 for the increase and improvement of facilities of the District, including the preparation of surveys, preliminary plans and detailed plans, specifications and estimates necessary for planning for future capital projects of the District. The estimated total cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$639,000. The plan of financing includes the issuance of \$639,000 bonds of the Town to finance said appropriation and the assessment, levy and collection of assessments upon the several lots and parcels of land within the District on an ad valorem basis, in the same manner and at the same time as other Town charges.

**Section 2.** Bonds of the Town are hereby authorized to be issued in the principal amount of \$639,000 pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law"), to finance said appropriation.

**Section 3.** The following additional matters are hereby determined and stated:

- (a) The period of probable usefulness of the object or purpose for which said \$639,000 Bonds are authorized to be issued, within the limitations of Section 11.00 a. 62 of the Law, is five (5) years.
- (b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.
- (c) The proposed maturity of the serial bonds authorized by this resolution will exceed five (5) years.

**Section 4.** Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

**Section 5.** Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and the renewals of said bond anticipation notes, and as to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

**Section 6.** The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the constitution.

**Section 7.** This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish the foregoing bond resolution, in summary, in the "*New Paltz Times*," a newspaper having a general circulation in said Town, which newspaper is hereby designated as the official newspaper of the Town for such publication, together with the Town Clerk's statutory notice in the form prescribed by Section 81.00 of the Local Finance Law of the State of New York.

**MOTION** made by Horodyski, seconded by Paladino to adjourn the meeting at 8:20PM

**Four ayes carried.**

Respectfully submitted,

Rosaria Schiavone Peplow  
Town Clerk