

IN THE MATTER OF THE COSTS OF WATER IMPROVEMENTS TO THE TOWN OF NEW PALTZ WATER DISTRICTS NO. 1, 2 AND 3 IN THE TOWN OF NEW PALTZ, ULSTER COUNTY, NEW YORK.

WHEREAS, the Town Engineer, a competent engineer (the “Engineer”), has prepared a map, plan and report for the construction and acquisition of water improvement facilities in water Districts No. 1, 2 and 3 in and for the Town of New Paltz, New York (the “Districts”), including all necessary materials, equipment, machinery, apparatus, land and rights-in-land required in connection therewith, and pursuant to the direction of the Town Board, the Engineer completed and filed with the Town Board such map, plan and report and a detailed explanation of how the estimated cost to the District of the improvements of the District was computed, and the Engineer estimated the maximum cost thereof to be financed by the Town on a permanent basis to be \$225,000, apportioned among such water district as determined by the Town Board, whereupon on November 16, 2016 the Town Board of said Town adopted an Order calling a public hearing and caused a notice of such hearing to be published, posted and mailed (by publishing, posting and mailing said order by United States Certified Mail Return Receipt Requested as specified in said Order), and stating December 1, 2016 at 5 o’clock P.M. (Prevailing Time) as the time when and The New Paltz Community Center, in New Paltz, New York, in the Town of New Paltz, as the place where the Town Board would meet to hear all persons interested in the subject matter thereof; and

WHEREAS, a public hearing was held at the time and place as aforesaid in the manner described at which all persons interested in the subject matter were given an opportunity to be heard

NOW, THEREFORE, upon the evidence given at the public hearing described herein, it is determined by the Town Board of the Town of New Paltz, New York, as follows:

1. The notice of the public hearing described in the preambles hereof was posted and published as required by law, and mailed by United States Certified Mail Return Receipt Requested as specified in said Order and is in all respects satisfactory and all parties with an interest in the proposed improvements in and for the Districts were provided actual or constructive notice;

2. The Engineer is hereby directed and authorized, with the assistance of the Town attorney, to prepare a proposed contract for the execution of the work to acquire and construct said facilities; and

3. Upon its adoption, the Town Clerk shall record a true copy of this Order in the office of the Ulster County Clerk as required by section 195 of the Town Law; and

4. The Town Board of the Town shall conduct environmental compliance proceedings required under Article 8 of the New York Environmental Conservation Law and the applicable regulations promulgated thereunder from time to time by the Department of Environmental Conservation to determine whether the acquisition, construction and financing of said improvements will have a significant adverse impact on the environment, providing that the Town Board shall conduct no further proceedings on this matter until a negative declaration as to environment impact has been determined; and

5. The costs of the improvements in the Districts may include any costs heretofore made by the Town and charged to the Districts for which the Town or any of the Districts may seek reimbursement, and the Town Board hereby determines that the proceedings of the Town Board evidence that “official action” was taken with respect to any such cost for which reimbursement may be sought; and.

6. This Order shall not be subject to a permissive referendum or approval by the Office of the New York State Comptroller.

7. This Order shall take effect immediately.