

# Town of Lyme

12175 NYS Route 12E  
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## RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LYME PURSUANT TO NY TOWN LAW §209-e

At meeting of the Town Board of the Town of Lyme, held at the Town Offices located at 12175 NYS Route 12E, Chaumont, NY 13622, on February 8, 2023 at 10:30 p.m., there were:

PRESENT:

Terry Cantryman  
Julia Goster  
Donald Bourquin  
Timothy Farrell

ABSENT:

Daniel Villa

**WHEREAS**, a resolution subject to permissive referendum was adopted by the Town Board on December 28, 2022; and

**WHEREAS**, the Town Board has determined that there existed the possibility of deficiencies regarding the posting and/or publishing requirements associated with the December 28, 2022 resolution; and

**WHEREAS**, out of an abundance of caution the Town Board has determined the December 28, 2022 resolution must be revoked and replaced in its entirety, and therefore the permissive referendum period associated therewith must also be revoked and replaced; and

**WHEREAS**, the Town Board wishes to replace the December 28, 2022 resolution with the current resolution; and

**WHEREAS**, by Order of this Board dated September 14, 2022, a public hearing was scheduled to consider the formation of Point Salubrious (Water District No. 6) within the Town of Lyme, pursuant to a certain revised Map, Plan and Report filed with the Town Clerk and which is incorporated by reference; and

**WHEREAS**, the Order scheduling the public hearing was duly posted, uploaded to the Town's website and published as required by law on September 22, 2022 and the public hearing was opened on September 27, 2022 and continued through December 14, 2022 and a second Notice of Public Hearing was uploaded to the Town's Website and published on November 15, 2022 to consider all persons interested in the formation of Water District No. 6; and

**WHEREAS**, the Town Board also wrote residents seeking additional input associated with the proposed District formation; and

**WHEREAS**, the Town Board learned during the public hearings that strong support exists for the Water District; and

**WHEREAS**, the Engineer for the Town of Lyme has estimated the total project cost to be \$17,480,000 and has recommended the Town proceed in efforts to provide abundant potable water to residents and safeguard the environment; and

**WHEREAS**, it is anticipated that a substantial part of the total project cost will be paid by various grants and/or low interest loans(s) all as specified in the filed Map, Plan and Report; and

**WHEREAS**, the Town Board anticipates adopting a Bond Resolution to encompass the maximum amount to be expended up to \$17,480,000 for the project and has asked the Engineer to ensure the Official Map, Plan and Report reflect the same.

**NOW THEREFORE**, on motion duly made and seconded, this Board makes the following determinations, and

**IT IS HEREBY RESOLVED:**

1. The above recitations are incorporated herein.
2. The original Notice of Public Hearing and a second Notice of Public Hearing were duly published and posted as required by law. The Public Hearing was conducted on September 27, 2022 and continued to December 14, 2022, along with additional public outreach and substantial compliance has been met and notice/input is otherwise sufficient.
3. The Water District shall be created to include the three hundred twenty-eight

(328) parcels, identified in the Map, Plan and Report.

4. All property and property owners to be benefited by the proposed Water District are included within the limits of the proposed District.

5. All of the property owners and all of the property located within the proposed Water District are benefited thereby.

6. All specifics of Point Salubrious (Water District No. 6) pursuant to the Map, Plan and Report is/are on file in the office of the Town Clerk, and upon which the public hearing was held beginning on September 27, 2022 and continued to December 14, 2022 and comply with applicable law and public input confirm the District formation is in the public interest.

7. The creation of the boundaries of the Water District to include all parcels as described in the Map, Plan and Report and providing for the service as described therein is hereby approved.

8. The maximum amount which may be expended for the public improvements within the Water District is hereby established as \$17,480,000 for the project and it is in the public interest to authorize and establish the Water District accordingly.

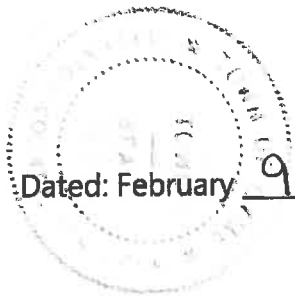
9. There shall be no individual cost for hook-up fees during construction of the Project, and the estimated costs to a typical property annually (EDU) is anticipated to be \$2,048.

10. The Town Attorneys, engineers and Town Clerk shall cooperate to seek NYS Comptroller permission to establish the District per NYS Town Law §209-f and take all steps necessary to do so.

This Resolution and Order is adopted as required by NY Town Laws §209-e and is subject to a Permissive Referendum.

The foregoing Resolution was offered by Board Member, Gosier, and seconded by Board Member, Farrell, and upon roll call vote of the Board was duly adopted as follows:

Supervisor Terry Countryman	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Don Bourquin	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Julia Gosier	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Tim Farrell	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Daniel Villa	Yes <input type="checkbox"/>	No <input type="checkbox"/>



Dated: February 9, 2023

*Ariana Henderson*  
Ariana Henderson, Town Clerk