

Resolution No. 52 of 2019

At a Meeting of the Town Board of the Town of Montgomery in the County of Orange, State of New York, held at Town Hall, 110 Bracken Road, Town of Montgomery, NY, on the 7th day of November, 2019.

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In the Matter of the extension of Sewer District No. 1 in the Town of Montgomery, County of Orange, State of New York  
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ORDER  
CALLING FOR  
PUBLIC HEARING  
(Sewer District No. 1)

WHEREAS, in accordance with New York State Town Law Article 12, the Town Board of the Town of Montgomery, County of Orange, State of New York wishes to consider the petition of Medline Industries, Inc. for the extension of the Sewer District No. 1 in the Town of Montgomery to include parcels totaling approximately ± 103.1 acres that are bounded and described in a Map, Plan and Report dated March, 2019 prepared by Kimley-Horn of New York, P.C.; and

WHEREAS, the proposed extension to the Sewer District No. 1 shall provide sewer distribution services to the property located at 494 State Route 416, Town of Montgomery, County of Orange, State of New York, identified as Section 36, Block 1, Lot 35 on the Town of Montgomery tax maps, and further bounded and described in the aforesaid Map, Plan and Report as described and now on file in the office of the Town Clerk of the Town, and

WHEREAS, the sanitary sewer collection services and facilities to be utilized within the proposed district to be extended require a sewer main extension to account for additional sewer capacity required for the extension, and the cost of the sewer main extension, any new connections to such facilities, and the entire cost of improvements necessary shall be borne solely by the property owner within said district seeking same, and

WHEREAS, the maximum amount proposed to be expended for the improvements by the Town, as stated in the petition is zero dollars (\$0.00), which petition is now on file and available for review in the Office of the Town Clerk of the Town, and the estimated cost of the connection fee to any incoming parcels is a minimum of \$1,500.00 for any new connections; and

WHEREAS, the cost to the typical property owner included in this petition to extend the district consists of the user charges, which will be \$2.75 per 1,000 gallons billed quarterly, \$4.67 per 1,000 gallons billed annually, \$32.50 per acre and \$2.96 per 100 sq. ft. of building; and

WHEREAS, the Town Board is an Involved Agency because the Town Board is required to act on the request to extend Sewer District No. 1, which is a part of the plan to establish Medline Industries, Inc. to locate an approximately 1,300,000 ft<sup>2</sup> distribution center on said parcel, and the Town of Montgomery Planning Board as lead agency for the overall development classified this action as a "Type 1" action in accordance with the SEQRA regulations and has accepted a DEIS as complete and is currently reviewing the FEIS. At such time as the FEIS is

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accepted by the Lead Agency as complete, the Town Board will issue its findings for this proposed district extension.

ORDERED that on the 5th day of December, 2019 at 7:00 o'clock P.M. on said day, the Town Board will meet and hold a public hearing to consider the extension of the Sewer District No. 1, including the environmental significance thereof, and to hear all persons interested in the subject therefore, and for such other and further action on the part of the Town Board in connection with this matter as may be appropriate, and be it

FURTHER ORDERED that the Town Clerk is hereby directed to publish a certified copy of this Order at least once in the official newspaper of the Town not less than 10 nor more than 20 days before the date of the hearing, and be it

FURTHER ORDERED that the Town Clerk is hereby directed to cause a certified copy of this Order to be posted on the sign board of the Town not less than 10 nor more than 20 days before the date of the hearing.

Dated: Town of Montgomery, New York  
7<sup>th</sup> day of November, 2019

Motion By: Councilwoman Melick

Seconded By: Councilman Dempsey

Supervisor Rodney Winchell Voting Aye  
Councilman Dempsey Voting Aye  
Councilwoman Melick Voting Aye  
Councilwoman Voss Voting Aye  
Councilman Hoyt Voting Aye

I certify that the above Order Setting the Public Hearing to Extend Town of Montgomery, Sewer District No. 1, is a true and correct copy of the Order approved by the Town Board on November 7, 2019, and on file in the office of the Town Clerk of the Town of Montgomery.

Dated: Montgomery, New York  
November 15, 2019  
BY: Tara Stickle, Town Clerk  
*Town of Montgomery*  
110 Bracken Road, Montgomery, NY 12549  
845-457-2660