

**TOWN OF PLATTSBURGH
TOWN BOARD MONTHLY MEETING
December 5, 2024**

Resolution No. 024-286

**A RESOLUTION APPROVING THE
CONSOLIDATION OF TWO TOWN OF
PLATTSBURGH WATER DISTRICTS, TO WIT:
CONSOLIDATED WATER DISTRICT AND BASE
WATER DISTRICT; FOUR EXISTING OUTSIDE
USERS AND TWO VACANT PARCELS INTO ONE
CONSOLIDATED WATER DISTRICT SUBJECT TO
THE COMPLETION OF PROCEEDINGS
PURSUANT TO ARTICLE 17-A OF THE GENERAL
MUNICIPAL LAW OF THE STATE OF NEW YORK**

WHEREAS, there exists within the Town of Plattsburgh two water districts, to wit: **CONSOLIDATED WATER DISTRICT and BASE WATER DISTRICT; FOUR OUTSIDE USERS AND TWO VACANT PARCELS**; and

WHEREAS, the aforesaid two water districts have been created for similar purposes;
and

WHEREAS, the Town Board on the 7th day of November, 2024 adopted a Resolution and Order to give notice of a public hearing pursuant to the provisions of Article 17-A of the General Municipal Law of the State of New York to be held at the Plattsburgh Town Hall on the 5th day of December, 2024 at 6:15 p.m. for the purpose of hearing all persons upon the question of consolidating the two water districts of the Town of Plattsburgh, to wit: **CONSOLIDATED WATER DISTRICT AND BASE WATER DISTRICT; FOUR OUTSIDE USERS AND TWO VACANT PARCELS** into a single consolidated water district; and

WHEREAS, the Town Board wishes to plan for the future needs of the Town and its residents and businesses; to consolidate services; to reduce the amount of administrative services and costs within the water districts; to increase the financial base of the water districts in order to obtain a reduction in interest rates on any anticipated future borrowing; to distribute costs more evenly and to establish fair and reasonable rates for services as follows:

- (i) The Consolidated Water District shall pay capital charges on existing and future debt on an ad valorem basis in the amount of \$0.4479/\$1,000;
- (ii) The Base Water District shall pay capital charges on existing and future debt on an ad valorem basis in the amount of \$1.2247/\$1,000;
- (iii) The four out of district users and two vacant parcels shall pay for any capital improvements on any debt on an ad valorem basis in the amount of \$0.4479/\$1,000;
- (iv) Expenses for operation and maintenance for the two existing water districts, four out of district users and two vacant parcels shall equal \$4.00 per 1,000 gallons

with the minimal residential and commercial rates, as presently existing, remaining the same; and

WHEREAS, the Town Board and Town Clerk have caused, as required by law, to be posted and published, the Notice of Public Hearing pursuant to the provisions of the aforesaid Article 17-A of the General Municipal Law; and

WHEREAS, the Town Board conducted the Public Hearing on the 5th day of December, 2024 to consider the consolidation of the stated two water districts, four outside users and two vacant parcels into a single consolidated water district at which time all persons interested in the same were afforded ample opportunity to be heard and speak in support of or in opposition to the proposed consolidation; and

WHEREAS, the Town Board has carefully reviewed the issues associated with the consolidation of the aforesaid two water districts, four outside users and two vacant parcels.

NOW, THEREFORE, IT IS hereby resolved that this Town Board acting pursuant to the provisions of Section 754 of the General Municipal Law of the State of New York does hereby consolidate the two water districts of the Town of Plattsburgh, to wit: **CONSOLIDATED WATER DISTRICT AND BASE WATER DISTRICT; FOUR OUTSIDE USERS AND TWO VACANT PARCELS** into a single consolidated water district, said consolidation to be effective January 1, 2025 and upon such consolidation does hereby further determine as follows:

1. This Resolution is adopted pursuant to the provisions of Article 17-A of the General Municipal Law of the State of New York.
2. That all steps required by the provisions of Article 17-A of the General Municipal Law have been carried out in relation to this project.
3. That it is in the public interest to consolidate the aforesaid two water districts, four outside users and two vacant parcels as set forth herein and as set forth in the Joint Consolidation Agreement into one consolidated water district to be executed by the Town of Plattsburgh and each of the existing water districts.
4. All property and assets of the aforesaid two water districts, four outside users and two vacant parcels shall become the property and assets of the new consolidated water district.
5. All property of the existing two water districts, four outside users and two vacant parcels shall become the property of the consolidated water district, and the consolidated water district shall assume and pay for the indebtedness, if any, of each of the existing two water districts, four outside users and two vacant parcels as if such indebtedness had been incurred subsequent to the consolidation, as provided by law and as set forth within this resolution.

6. All expenses of operation and maintenance shall be paid as set forth within this resolution.
7. All expenses for capital charges arising from any existing and future indebtedness shall be paid as set forth within this resolution.
8. The consolidated water district shall be known as the Town of Plattsburgh Consolidated Water District.
9. The Joint Consolidated Agreement between the Town of Plattsburgh and the two water districts is approved, and the Town Supervisor is authorized to execute the same.
10. The Town Clerk is hereby directed within ten (10) days after the adoption of this Resolution to cause a certified copy of this final resolution to be filed in the Clinton County Clerk's Office and in the Office of the State Comptroller in Albany, New York.
11. The boundaries of the Town of Plattsburgh Consolidated Water District are set forth in Schedule A annexed hereto.

Motion:

Seconded:

Discussion:

Roll Call:

	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
Michael Cashman, Supervisor	_____	_____	_____
Thomas Wood	_____	_____	_____
Barbara Hebert	_____	_____	_____
Charles Kostyk	_____	_____	_____
Dana Isabella	_____	_____	_____

Plattsburgh, New York
December 5, 2024

CERTIFICATION OF TOWN CLERK

I, **KATHRYN KALLUCHE**, the undersigned Town Clerk of the Town of Plattsburgh, Clinton County, New York, **DO HEREBY CERTIFY:**

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on the 5th day of December, 2024, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this ____ day of December, 2024.

Kathryn Kalluche, Town Clerk

S E A L: