

TOWN OF ELBRIDGE
TOWN BOARD MEETING
March 11th, 2021

The Town Board of the Town of Elbridge met to conduct their regular meeting on Thursday, March 11th, 2021 at 7PM at the Town Municipal Building, 5 Route 31, Jordan, N.Y. Supervisor Richardson opened the meeting at 7:00 PM and led the Pledge of Allegiance.

PRESENT: Councilor Todd Platten, Councilor Floyd Duger, Councilor Doug Blumer, Supervisor Vern Richardson, Councilor Mike Caron via Zoom

OTHERS PRESENT: Attorney Tim Frateschi, Mckensey Gonyea, Deb Blasko, Alex Hess, Taylor Bottar, Jason Parkman, Danielle Karlik

ADOPT MINUTES: On a motion made by Councilor Duger, seconded by Councilor Platten, the minutes from February 25th, 2021 were approved.

COMMUNICATIONS: Supervisor Richardson received email in regards to funds being sent to the Counties, Towns, and Villages. The Town of Elbridge will receive \$625,000, and will need to give a portion to both villages, which will be determined at a later date. These monies will be designated for use in specified areas only.

Supervisor Richardson will be having a conference with Mayor DeCola, and Danielle Baldwin in regards to available no interest loans for the Joint Water Project.

There were 140 vaccines given at the Community Center on March 11, 2021.

NEW BUSINESS: Councilor Duger spoke of the fees for building and pavilion rentals. He proposed that there be a fee established for the pavilion rental at Seymour Lofft, and have it reflect the same as the pavilion rental at the Community Center. There was further discussion from the Board.

Councilor Duger also addressed the use of alcohol at rental events for the two pavilions. Seymour Lofft use included the ability to bring alcohol, whereas the Community Center does not. There was discussion. It was determined that insurance would be looked into and considered, and other parks in other towns called to compare policies. This issue will be discussed at future Board meetings.

Councilor Caron discussed the moving of Grievance Day for the Assessing office, from the 4th Wednesday in May to the second Wednesday in June. Attorney Frateschi will look more into this request and determine if it can be done by resolution, or local law.

RESOLVED:

On a motion by Councilor Duger, seconded by Councilor Blumer, the following Resolution was

ADOPTED: 4 AYES Blumer Platten Richardson Duger
1 NAYS Caron

Resolutions 45/21

The Town of Elbridge Town Board resolves to implement a rental fee of \$75.00 for residents, and \$100.00 for nonresidents, to reserve and use the Seymour Lofft pavilion.

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On a motion by Councilor Platten, seconded by Councilor Blumer, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 46/21

WHEREAS, a Resolution and Order of the Town of Elbridge Town Board to Approve the Formation of the Champions Water District Pursuant to Article 12-A of the Town Law was duly adopted on January 28, 2021; and

WHEREAS, said Resolution and Order duly determined:

1. That the Public Hearing Order and Resolution was published and posted as required by law, and is otherwise sufficient;
2. That all property and property owners within the proposed Water District are benefitted thereby;
3. That all property and property owners benefitted are included within the limits of the proposed Water District;
4. That it is in the public interest to establish said Water District; and

WHEREAS, the Resolution and Order further determined that the establishment of the proposed Water District, as set forth in the Map, Plan and Report, prepared by Barton & Loguidice, be approved as set forth below; that the Water District above referred to shall be constructed at a cost not to exceed One Million Twenty-Two Thousand Twenty-Six and 26/100 Dollars (\$1,022,026.26), and the plan of financing includes the issuance of bonds of the Town to finance said cost and assessment, levy and collection of special assessments from the several lots and parcels of land within the Water District, which the Town Board shall determine and specify to be especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and any interest on said bonds as the same shall become due and payable, all as shown on the attached financing plan (Schedule "B") as set forth in the Map, Plan and Report and further includes subsidized financing and grant opportunities through the Environmental Facilities Corporation (EFC) and other funding sources and opportunities; and that said Water District shall be designated and known as the Champions Water District in the Town of Elbridge situated outside any incorporated village or city and shall be bounded and described as set forth in Schedule "A" attached hereto and made a part hereof; and

WHEREAS, the proposed improvements consist generally of the improvements as more particularly described in the Map, Plan and Report, to wit:

- (1) installation of two (2) new water storage tanks and booster pump stations, (one located at the City of Syracuse connection to create an initial system pressure zone and an elevated tank at the site of the existing Upper Reservoir tank to address low pressures at the Jordan Elbridge High School); (2) strategic replacement of water mains throughout the system; (3) a third conduit connection to the City of Syracuse transmission mains; (4) replacement of 28,000 LF of water main; (5) looping of dead end water mains; (6) replacement of asbestos cement water main; (7) replacement of 10% of valves and hydrants; (8)

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water main extension to serve Champions Mobile Home Park;
(9) small booster pump station, together with original

furnishings, equipment, machinery, apparatus, appurtenances,
and incidental improvements and expenses in connection
therewith; and

WHEREAS, the Map, Plan and Report, as revised, has been duly filed in the Office of the Town Clerk of the Town of Elbridge; and

WHEREAS, said Water District project is part of a larger joint water improvement project in conjunction with the Villages of Elbridge and Jordan designed to improve and correct system wide deficiencies such as fire flow, water pressure, increased pipe sizes and a new water tank in order to equally enhance the joint drinking water system for all water users; and

WHEREAS, the Resolution and Order further determined that the estimated cost of the Water District to the “typical property” (as defined by the Town Law) Five Hundred Four and 93/100 Dollars (\$504.93) (taking into account the capital/debt service, operation and maintenance, water use, user fees), annually; and

WHEREAS, the Resolution and Order further determined that the estimated cost of the Water District to the “typical two-family property” is One Thousand Nine and 86/100 Dollars (\$1,009.86); and

WHEREAS, the Resolution and Order further determined that the Resolution and Order further determined the estimated cost of hook-up fees for the Champions Mobile Home Park is Thirty Thousand and 00/100 (\$30,000.00) all as detailed in the Map, Plan and Report; and

WHEREAS, the Resolution and Order further determined that the cost and expenses of operation and maintenance of said Water District, shall be a charge to the benefitted property owners and shall not be a general charge against the Town; and

WHEREAS, the Resolution and Order was adopted subject to permissive referendum in accordance with Article 12-A of the Town Law; and

WHEREAS, a Notice of Adoption of said Resolution and Order was duly published on January 31, 2021 and posted on January 29, 2021; and

WHEREAS, the thirty (30) day period of time elapsed for the submission and filing of a petition seeking to hold a referendum on the question of the formation and establishment of the Elbridge Permissive Service Area Water District; and

WHEREAS, no such petition for a referendum as submitted and filed with the Town Clerk of the Town of Elbridge; and

WHEREAS, the Town Clerk has executed an Affidavit of No Referendum as no petitions were filed; and

WHEREAS, the Town Board desires to adopt a Final Order and Resolution forming and establishing the Champions Water District in accordance with Article 12-A of the Town law.

NOW, THEREFORE, BE IT

RESOLVED ORDERED AND DETERMINED that the Champions Water District is hereby formed and established as originally approved on January 28, 2021; and be it further

RESOLVED, ORDERED AND DETERMINED that the Town Board hereby reaffirms

1. That the Public Hearing Order and Resolution was published and posted as required by law, and is otherwise sufficient;

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2. That all property and property owners within the proposed Water District are benefitted thereby;
3. That all property and property owners benefitted are included within the limits of the proposed Water District;
4. That it is in the public interest to establish said Water District; and

RESOLVED, ORDERED AND DETERMINED that within ten (10) days after the adoption of this Resolution and Order, the Town Clerk shall record with the Clerk of the County of Onondaga and file with the Office of the State Comptroller copies of the Order, certified by the Town Clerk; and be it further

RESOLVED, ORDERED AND DETERMINED that this Resolution and Order shall take effect immediately.

SCHEDULE A
Boundary Description
Proposed Champions Water District Boundary

The Proposed Champions Water District Boundary, situated in the Town of Elbridge, County of Onondaga, State of New York, being a part of Farm Lot Nos. 73 and 74, being more particularly described as follows:

Commencing at the Point of Beginning located at the northwestern corner of Parcel 037.-01-24.1 as shown on the Proposed Champions Water District Boundary Map; thence proceeding northerly along the western property boundary of Parcel 037.-01-21.1 to the northwestern property corner of said Parcel; thence proceeding along the northern and eastern boundary of Parcel 037.-01-21.1 as it bends and curves to the northeastern property corner of Parcel 037.-01-22.0; thence proceeding westerly along the northern boundary of Parcel 037.-01-22.0 to the northwestern property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 037.-01-22.0 to the southwestern property corner of said Parcel; thence proceeding westerly along the northern boundary of NYS Route 5 to the southeastern property corner of Parcel 037.-01-23.1; thence proceeding northerly along the eastern boundary of Parcel 037.-01-23.1 to the northeastern property corner of said Parcel; thence proceeding northwesterly along the northern boundary of Parcel 037.-01-23.1 to the northeastern property corner of Parcel 037.-01-23.2; thence proceeding westerly along the northern boundary of Parcel 037.-01-23.2 to the northwestern property corner of said Parcel; thence proceeding southerly along the western boundary of Parcel 037.-01-23.2 to the southwestern property corner of said Parcel; thence proceeding westerly along the northern boundary of NYS Route 5 to the southeastern property corner of Parcel 037.-01-24.1; thence proceeding northerly along the eastern boundary of Parcel 037.-01-24.1 to the northeastern property corner of said Parcel; thence proceeding westerly along the northern boundary of Parcel 037.-01-24.1 to the northwestern property corner of said Parcel, where the point is also the Point of Beginning, and encompassing all parcels contained within.

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The above-described boundary is in accordance with the map entitled “Proposed Champions Water District Boundary” prepared by Barton & Loguidice, D.P.C. dated December 2020 and having Project No. 046.050.002.

SCHEDULE B

Town of Elbridge Water District Maximum Amount to be Expended

Service Area	Town Wide Maximum Amount to be Expended	Existing EDUs	Water District Maximum Amount to be Expended
Elbridge Permissive Service Area WD	\$8,080,916.23	83	\$790,938.73
Jordan Permissive Service Area WD		347.5	\$3,311,460.37
Champions WD		107.25	\$1,022,026.26
Crossett Road WD 1		5.5	\$52,411.60
Crossett Road WD 2		4.5	\$42,882.22
Hartlot Road WD		85	\$809,997.50
Route 5 East WD		114.75	\$1,093,496.62
Sandbank Road WD		21	\$200,117.03
West Elbridge WD		79.5	\$757,585.90

Estimated User Cost for Joint Water System Customers

DESCRIPTION	EFC, 30 year loan, (V) Jordan (0% Hardship Rate), (V) Elbridge, (T) Elbridge (2.2% Subsidized Rate)
Project Capital Cost Benefitting All Users (2022 Dollars)	\$19,054,000
Amount to be Bonded (V) Jordan	\$5,712,865
Amount to be Bonded (V) Elbridge	\$5,260,219
Amount to be Bonded (T) Elbridge	\$8,080,916
<i>Estimated Cost for Joint Water System Users</i>	
Total Grant Contributions – (V) Jordan DWSRF Award	\$3,000,000
Total Estimated Project Cost After Grants	\$16,054,000

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Annualized Project Cost	\$702,615
Total EDUs	1999.5
Capital Debt per EDU	\$351.40
First Year O&M Charge	\$147.54
Water Purchase Cost	\$6
Estimated First Year Cost per EDU	\$504.93

On a motion by Councilor Duger, seconded by Councilor Platten, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 47/21

The Town of Elbridge resolves and concurs with the determination of the Village of Elbridge that the proposed Village of Elbridge, Town of Elbridge, and Village of Jordan Joint Water System Improvement Project is a Type 1 Action and will not have any significant adverse impact on the environment

WHEREAS, the Village of Elbridge, Town of Elbridge, and Village of Jordan are pursuing the Joint Water System Improvement Project (Project), located in the Village of Elbridge, Village of Jordan, and Town of Elbridge, Onondaga County, New York; and

WHEREAS, the Project has been classified as a "Type I Action" as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, the Village of Elbridge Village Board sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to other potentially "Interested Agencies" and "Involved Agencies" (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2), indicating the Village's desire to serve as the "Lead Agency" (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Village of Elbridge Village Board serving as Lead Agency for the Project; and

WHEREAS, the Town of Elbridge participated in the SEQRA process as an Involved Agency and agreed to the Village serving as Lead Agency for the Project; and

WHEREAS, pursuant to the SEQRA Regulations, the Village of Elbridge Village Board considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern; and

WHEREAS, The Village of Elbridge established themselves as Lead Agency for the Project and issued a Negative Declaration for the Project on July 6, 2020:

NOW, THEREFORE, BE IT

RESOLVED that, the Town of Elbridge Town Board hereby concurs with the establishment of the Village of Elbridge as Lead Agency for the Project; and

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BE IT FURTHER RESOLVED, that based upon an examination of the FEA and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Town's knowledge of the area surrounding the Project, the Town of Elbridge Town Board concurs with the Village of Elbridge's determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement.

On a motion by Councilor Blumer, seconded by Councilor Duger, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 48/21

The Town of Elbridge Board authorizes The Elbridge Town Supervisor to execute the "Intermunicipal Agreement for the Joint Construction, Operation, Maintenance and Financing of the Proposed Town of Elbridge, Village of Jordan, and Village of Elbridge Joint Water Project"

WHEREAS, the Town of Elbridge, Village of Jordan and Village of Elbridge (the "Parties") are in need of upgrades and investments in their respective water systems; and

WHEREAS, the Parties have determined that said upgrades and investments in their respective water systems is more economical and efficient as part of a joint water project given the interconnected and interrelated nature of the water system that serves the Parties and their residents; and

WHEREAS, the Parties desire to enter into an intermunicipal agreement that will govern the relationship between the Parties as it relates to the construction, operation, maintenance and financing of the joint water project.

NOW, THEREFORE BE IT RESOLVED that the Town of Elbridge Town Board hereby authorizes the Town Supervisor to execute the "Intermunicipal Agreement for the Construction, Operation, Maintenance and Financing of the Proposed Town of Elbridge, Village of Jordan and Village of Elbridge Joint Water Project."

On a motion by Councilor Duger, seconded by Councilor Blumer, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 49/21

The Town Board of the Town of Elbridge resolves to authorize the issuance of aggregate \$8,080,916.23 Bond of the Town of Elbridge, Onondaga County, New York, to pay the cost of the improvement of facilities of certain water districts, in the Town of Elbridge, Onondaga County, New York

WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Articles 12 and 12-A of the Town Law, said Town Board has determined it to be in the public interest to improve the facilities of certain water districts being the facilities of the Elbridge Permissive Service Water District, Jordan Permissive Service Water District, Champions Water District, Crossett Road Water Districts No. 1 and No. 2, Hartlot Road Water

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District, Sandbank Road Water District, Route 5 East Water District, and West Elbridge Water District in the Town of Elbridge, Onondaga County, New York (the “Water Districts; each a “Water District”), being in each such district, the construction of improvements to the water storage and distribution system therein, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at aggregate maximum estimated cost of an \$8,080,916.23; and

WHEREAS, the capital project hereinafter described, as proposed, has been determined to be a Type I Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which it has been determined will not have any significant adverse impact on the environment; and

WHEREAS, it is now desired to authorize such capital project and its financing; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Elbridge, Onondaga County, New York, as follows:

Section 1. For the class of objects or purposes of paying the cost of the construction of the facilities of the Elbridge Permissive Service Water District, Jordan Permissive Service Water District, Champions Water District, Crossett Road Water Districts No. 1 and No. 2, Hartlot Road Water District, Sandbank Road Water District, Route 5 East Water District, and West Elbridge Water District in the Town of Elbridge, Onondaga County, New York (the “Water Districts; each a “Water District”), being in each such district, the construction of improvements to the water storage and distribution system therein, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, there are hereby authorized to be issued aggregate \$8,080,916.23 bonds of said Town pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the maximum estimated cost of the aforesaid class of objects or purposes is \$8,080,916.23, which class of objects or purposes is hereby authorized at said maximum estimated cost, and that the plan for the financing thereof is by the issuance of the \$8,080,916.23 bonds of said Town authorized to be issued pursuant to this bond resolution.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 4. The faith and credit of said Town of Elbridge, Onondaga County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised in the respective Water Districts in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and

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shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 6. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the Supervisor shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 8. The Supervisor is hereby further authorized, at the Supervisor's sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Health and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 9. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution 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

- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 11. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

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Section 12. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law

On a motion by Councilor Blumer, seconded by Councilor Platten, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 50/21

The Town Board of the Town of Elbridge, pursuant to Section 64(2) of the Town Law of the State of New York, resolves to authorize the Town Supervisor to execute an Amended and Restated Solar Lease Agreement with Abundant Solar Power (E1) LLC for a solar energy project at the municipal landfill site known as 801 Peru Road, Jordan, New York, subject to Permissive Referendum, that was duly posted and published as required by law, and verified by the Town Clerk to not have any existing petition signed by the electors of the Town protesting against said resolution.

On a motion by Councilor Duger, seconded by Councilor Platten, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 51/21

The Town Board of the Town of Elbridge authorizes Supervisor Vern Richardson to sign the following affidavit:

Vernon Richardson, Supervisor of the Town of Elbridge, (“Deponent”), being duly sworn, deposes and says that:

1. Deponent is Supervisor of the Town of Elbridge, a Municipal Corporation formed under the Laws of the State of New York (the “Town”). Deponent has been the Supervisor of the Town of Elbridge since 2018 and has been a member of the Town Board of the Town of Elbridge since 2006. In my capacity as Town Supervisor and Town Board member, except as otherwise qualified herein, I make the following representations upon my best knowledge, information and belief.

2. The Town of Elbridge is the fee owner of property commonly known as 801 Peru Road, Town of Elbridge, County of Onondaga, New York, by the deeds listed in attached **Schedule A**, having Tax Map No. 29-2-20.1 (the “**Premises**”);

3. Deponent’s attention has been drawn to an Oil and Gas Lease given to Pioneer Resources, Inc. (“**Lease Grantee**”), dated 3/20/1982 and recorded 4/21/1982 in the Onondaga County Clerk’s Office in Liber 2394 of Deeds at page 134, as assigned to CNG Development Company by Assignment of Oil and Gas Leases dated 2/28/1983 and recorded 5/2/1983 in Liber 3006 of Deeds at page 60, and as further assigned by an Assignment of Oil and Gas Leases dated 11/27/1985 and recorded 1/23/1986 in Liber 3233 of Deeds at page 7 (the “**Lease**”)

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4. With respect to the above Lease, Deponent states that:

a. Deponent has reviewed available records of the Town from 1996 to the date hereof and states that he viewed no evidence of 1) any construction, drilling or other activity on the Premises by Lease Grantee; 2) receipt of any rents, payments or royalties from Lease Grantee during the period of Deponent's ownership of the Premises; 3) any rentals accruing under and by virtue of the terms of said Lease being paid or tendered to Deponent, or to any bank for their credit, by the Lease Grantee or its agents or assigns; 4) an executed extension of the Lease.

b. Deponent further states that in his role as Supervisor and Town Board Member, that he is not been made aware of or advised or seen any proof of 1) any oil or gas having been produced pursuant to the Lease; 2) Lease Grantee being engaged in drilling or re-working operations on the Premises; 3) the Property covered by said Lease being pooled, any well being drilled, reworked, plugged back, or deepened upon said land, nor any oil or gas produced therefrom or stored therein pursuant to the Lease.

5. Deponent further states that by reason of the above, Deponent, for the Town, declares that the Lease is forfeited and the Town will not, by acceptance of rentals, or in any other manner, recognize the same as a valid or existing lease; and

6. This affidavit is made with the understanding that the representations herein will be relied upon by **Abundant Solar Power (E1) LLC**, their successors and assigns, and **Chicago Title Insurance Company** and to induce said title company to issue its policy of title insurance covering said premises without exception to said Lease.

On a motion by Councilor Caron, seconded by Councilor Blumer, the following Resolution was

ADOPTED: 5 AYES Blumer Caron Platten Richardson Duger
0 NAYS

Resolutions 52/21

The Elbridge Town Board authorizes Supervisor Vern Richardson to sign the Agreement between Owner and Engineer for Professional Services, whereas the "Owner" is the Town of Elbridge, Village of Elbridge, and Village of Jordan, and the "Engineer" is Barton & Logudicie. **WHEREAS:** Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as follows: The recommended drinking water system improvements outlined as Base Improvements and Alternative No. 1 – City of Syracuse Connection Improvements in the Preliminary Engineering Report dated September 2019 and prepared by Barton & Logudicie, D.P.C, otherwise referred to as the Village of Elbridge, Town of Elbridge, Village of Jordan Joint Water System Improvement Project ("Project"), and:

WHEREAS: Engineer's services under this Agreement are generally identified as follows: Preliminary and Final Design, Permitting, Bidding, and Construction Phase Engineering Services

COMMITTEE REPORTS:

Councilor Blumer: The Planning Board met this month and has finished up an existing subdivision, and started a site plan review. It's been kind of slow.

The Historian's report is on file. A map was sent to Westlake Conservation to aid in referrals and grant research for the preservation. The Historian is also working on a new website and google account, as the former Historian's accounts are no longer available. Internet connection in the

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Historian's office should be rectified soon. Further discussion and concerns will be addressed soon by the Village of Elbridge in regards to the use of the Demarco building in the village.

Councilor Duger: Working with the Highway Superintendent in regards to pest control proposals and this season's trash rates. Hopefully there will be something to present at the next meeting.

Baseball and lacrosse are moving forward in hopes of having a season. The Senior share program continues for delivered lunches, and the Senior work out is scheduled to take place with a limited amount of 15 people to participate.

Safety plans for the use of the Community Center have been submitted and approved, and the Center is being utilized.

Councilor Duger asked about future Senior events, and if the Town could ask about vaccines. Attorney Frateschi advised.

Councilor Caron: (via Zoom) Water meeting scheduled for March, 17.

The Assessor is acclimating well. Her one-page list of items to address has morphed into three pages.

Nest week Councilor Caron will hopefully attend a PERMA webinar. Otherwise, it has been quiet.

Councilor Platten: The Environmental Committee is poised to bring on two new members. Once they have decided, they will be presented to the Town Board for approval. They are very interested in the Abundant Solar project.

Justice office is quiet and running smoothly.

No news from Dog Control.

Attended the Jordan Police Review for the public. Wished there was a better turn out, but was informative, and the information should be posted on their website.

Supervisor Richardson: Next week there will be a Zoom meeting for Town Supervisor's and County Executive, Ryan McMahon to discuss stimulus and vaccines.

MONTHLY REPORTS ON FILE: Supervisor, Highway, Sr/Rec, Codes, Assessing, Historian

ADJOURNMENT: On a motion by Councilor Duger, seconded by Councilor Blumer, the Elbridge Town Board meeting was adjourned at 7:53 PM.

Respectfully submitted,

Danielle Karlik
Elbridge Town Clerk