

## **TOWN OF HASTINGS, OSWEGO COUNTY NEW YORK**

### **TOWN BOARD MEETING- JULY 8, 2025**

The Town of Hastings Town Board held a regular meeting on Tuesday July 8<sup>th</sup>, 2025, at 7:30pm.

#### **ATTENDANCE**

**Board members present:** Supervisor Tony Bush, Councilman Alan Hanson, Councilman Mark Martino, Councilman Richard Waldron, and Councilman John DeBottis.

**Also present:** Jason Burns, Director of community planning and code enforcement; Krista Lewis, Parks Manager, and Erin Goodrich, Town Clerk.

#### **PLEDGE OF ALLEGIANCE**

Supervisor Bush called the town board meeting to order at 7:34pm, asked for the Pledge of Allegiance and pointed out the emergency exits.

#### **DISCUSSION**

Supervisor Bush opened the floor for public comments.

1.) Dee from the NC HUB spoke about the start of their summer programs. This first week they have a soccer camp going on in the morning and then the Summer Mayhem activities in the afternoon. They had 500 spots and about 90 children involved in that week's activities.

2.) Stephen Stevenson asked the board if they had a timeline for the improvements they want to make at the Lighthouse Park in Brewerton. Supervisor Bush responded that they have not physically received the state grant money awarded yet and are still in the planning phase with the engineers for the project. Stephen wondered if in order to receive the money, did the Town have to have the project "shovel ready" in two years or how the funding might work. Supervisor Bush said the Town will have to put up some money to get the project going and then be refunded by the grant.

#### **RESOLUTIONS:**

**1.) Councilman Waldron introduced the following and moved its adoption:**

**RESOLVED**, the Town of Hastings Town Board hereby approves the minutes from the July 8<sup>th</sup>, 2025, Town Board Meeting.

Councilman DeBottis seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-80 adopted.**

**2.) Councilman Waldron introduced the following and moved its adoption:**

**RESOLVED**, the Town of Hastings Town Board approves for the payment the claims certified on attached abstract #7 in the amounts indicated thereon.

Councilman Martino seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-81 adopted.**

**3.) Councilman Waldron introduced the following and moved its adoption:**

**BE IT RESOLVED**, the Town of Hastings Town Board hereby authorizes the publication for bids for the replacement of the Town of Hastings Highway Garage Roof as per the attached specifications labeled exhibit "A". Bids will be accepted by the Town Clerk until 2pm on August 5<sup>th</sup>, 2025, and at which time they will be opened.

**BE IT FURTHER RESOLVED**, the Town of Hastings Town Board reserves the right to reject any and all bids.

Councilman DeBottis seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-82 adopted.**

**4.) Councilman DeBottis introduced the following and moved its adoption:**

**RESOLVED**, the Town of Hastings Town Board hereby accepts the donation of \$1,490 worth of services provided by David Bardoun Land Surveying for the goal post layout for the football field at VanLieu Town Park and the staking and flagging of the property lines at the Lighthouse Park.

Councilman Martino seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-83 adopted.**

**5.) Councilman DeBottis introduced the following and moved its adoption:**

**RESOLVED**, the Town of Hastings Town Board authorizes the attached land lease agreement with Bell Atlantic Mobile Systems LLC dba Verizon Wireless.

Councilman Waldron seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-84 adopted.**

**6.) Councilman DeBottis introduced the following and moved its adoption:**

**RESOLVED**, the Town of Hastings Town Board has approved the modification of the payment structure for the Chief Wastewater Treatment Plant Operator, Dustin Clark, transitioning from a semi-monthly pay rate to a biweekly pay rate schedule, effective July 21<sup>st</sup>, 2025.

**BE IT FURTHER RESOLVED**, that the Chief Wastewater Treatment Plant Operator, Dustin Clark, will receive a biweekly salary of \$2,285.83 for the remaining 11 pay periods of the year.

Councilman Martino seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-85 adopted.**

**7.) Councilman DeBottis introduced the following and moved its adoption:**

**RESOLVED**, the Town of Hastings Town Board hereby approves the use of Paychex Flex® Select as the payroll service provider for the Town of Hastings effective 7/21/2025.

Councilman Martino seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-86 adopted.**

**8.) Councilman Martino introduced the following and moved its adoption:**

**BOND RESOLUTION AUTHORIZING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF THE SOUTH-CENTRAL SANITARY SEWER DISTRICT AT AN ESTIMATED MAXIMUM COST OF \$74,700,000, APPROPRIATING SAID AMOUNT THEREFORE, AND AUTHORIZING THE ISSUANCE OF UP TO \$19,700,000 BOND ANTICIPATION NOTES AND SERIAL BONDS OF THE TOWN TO PAY IN PART OF THE COST OF THE PROJECT**

**Whereas**, the Town of Hastings Town Board (the “Town”), caused a Map, Plan & Report dated May 2024 (the “2024 MPR”) related to the formation of the South Central Sewer District to be prepared by Barton & Loguidice Engineers, P.C. (“B&L”), pursuant to Town Law Article 12-A and the 2024 MPR was filed in the office of the Hastings Town Clerk; and

**Whereas**, by Order dated May 14th, 2024, Town Board called for and noticed a public hearing in connection with the formation of the South-Central Sewer District, and such public hearing was held on June 11th, 2024; and

**Whereas**, by Order adopted on June 11, 2024 (the “2024 Order”), in accordance with Article 12-a of the New York State Town Law, upon the evidence presented at the public hearing and upon the advice and recommendation of the B&L, the Town Board accepted the 2024 MPR, including the boundary description, and determined that (i) the notice of the public hearing described above was posted and published as required by law and in all respects satisfactory and the public hearing was duly held, (ii) all the property and the property owner(s) within the proposed district are benefited thereby, (iii) all the property and property owners benefited are included within the limits of the proposed district and the establishment of such district is in the public interest, and (iv) approved the establishment of the South Central Sewer District; and

**Whereas**, the 2024 Order was subject to permissive referendum as described in Article 7 of the Town Law, and the Town Clerk caused notice of adoption of the 2024 Order subject to permissive referendum to be published on June 21st, 2024 and the period of time subsequently elapsed for the submission and filing of a petition for a permissive referendum with no valid petition being submitted and filed; and

**Whereas**, the Town Clerk recorded a certified copy of the 2024 Order in the Office of the County Clerk of Oswego and duplicate certified copy of the 2024 Order in the Office of the State Comptroller, within ten (10) days of its execution; and

**Whereas** the 2024 Order authorized the creation of the District and did not authorize the construction of any improvements within the District and established a \$0.00 estimated maximum cost to District residents in connection with the District's formation; and

**Whereas** the Town is a local agency pursuant to the New York State Environmental Quality Review Act ("SEQRA"), Environmental Conservation Law Section 8-0101, et seq., and implementing regulations, 6 NYCRR Part 617 (the "Regulations"); and

**Whereas**, the Town has determined that it is now necessary for the Town to undertake a project consisting of the acquisition, construction and equipping a sewer system, including new sewer mains, service laterals, decommissioning existing private septic tanks, installation of grinder pumps, manholes, collection system pump stations and emergency interconnect/bypasses in the South Central Sanitary Sewer District, together with all original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such sewer system is constructed, as more particularly described in the EAF discussed below (collectively, the "Project"); and

**Whereas**, pursuant to the Regulations, the Town is required to make a determination with respect to the environmental impact of any "action" (as defined by SEQRA) to be taken by the Town and the approval of this bond resolution constitutes such an action; and

**Whereas**, B&L was retained by the Town to develop the scope of work for the Project and assist with the Town's review of the potential environmental impacts of the Project; and

**Whereas**, following the recommendation of B&L, by resolution adopted on February 11th, 2025, the Town Board (a) initially classified the Project as a Type I Action as that term is defined in Part 617.2 of the Regulations, (b) declared its intention to serve as lead agency to undertake a coordinated review of the Project, and (c) directed B&L to circulate notice to all involved agencies of the Town's intent to act as lead agent pursuant to the Regulations together with a copy of a long form Environmental Assessment Form (the "EAF"), to facilitate a review of the potential environmental impacts of the Project; and

**Whereas**, on February 11th, 2025, a notice was transmitted to all involved agencies of the Town Board's desire to act as lead agency with respect to the environmental review of the proposed Project and, following expiration of the applicable notice period, no agency objected to the designation of the Town Board as lead agency with respect to the environmental review of the proposed Project; and

**Whereas**, the Town Board recently caused B&L to prepare a Preliminary Engineering Report/Map, Plan and Report dated March 2025 (the "2025 MPR") relating to the acquisition, construction and equipping of the Project pursuant to Section 202-b of the Town Law; and

**Whereas**, by Order dated March 11th, 2024, Town Board called for and noticed a public hearing in connection with the acquisition, construction and equipping of the Project, and such public hearing was held on April 8th, 2025; and

**Whereas**, following review of the EAF and careful consideration of the nature and scope of the Project and the criteria contained in the Regulations, the Board of Education, by resolution adopted on May 13th, 2025 (i) declared itself lead agency with respect to the environmental review of the Project, (ii) determined that the Project will not result in a potential significant adverse impact on the environment, and (iii) issued a Negative Declaration pursuant to SEQRA; and

**Whereas**, by Order adopted on May 13th, 2025 (the “2025 Order”), in accordance with Section 202-b of the Town Law, upon the evidence presented at the public hearing and upon the advice and recommendation of the B&L, the Town Board determined that (i) the notice of the public hearing described in the preambles hereof was posted and published as required by law and is in all respects satisfactory, (ii) the construction of the improvements hereinabove described is in the public interest, (iii) the cost of such improvements shall be apportioned pursuant to Town Law §202-b(4), (iv) B&L was directed to prepare definite plans and specifications and to make careful estimate of the expense of the aforesaid improvements and to make necessary preparation for the solicitation of competitive bids and to prepare a proposed contract for the execution of such work, and (v) the Town Supervisor was authorized to submit an application on behalf of the Town for grant funding under the New York State Environmental Facilities Corporation’s applicable grant programs relative to the Project, including but not limited to the CWSRF Program and WIIA Program, and to execute any agreements, instruments or other documents in connection with the Town’s acceptance of any such grants and/or the funding thereof; and

**Whereas**, the 2025 Order was subject to permissive referendum as described in Article 7 of the Town Law, and the Town Clerk caused notice of adoption of the 2025 Order subject to permissive referendum to be published on June 6th, 2025 and the period of time subsequently elapsed for the submission and filing of a petition for a permissive referendum with no valid petition being submitted and filed; and

**Whereas**, the Town Clerk shall record a certified copy of the 2025 Order in the Office of the County Clerk of Oswego and duplicate certified copy of the 2025 Order in the Office of the State Comptroller, within ten (10) days of its execution; and

**Whereas**, pursuant to Town Law §209 (f)(3)(a), the 2025 Order directed the Town Clerk to apply to the Office of the New York State Comptroller for permission to construct the aforesaid improvements to the South-Central Sewer District; and

**Now, therefore, be resolved** by the Town of Hastings Town Board as follows:

**Section 1.** Subject to the approval of the Office of the New York State Comptroller to undertake the Project, the acquisition, construction and equipping of the Project, consisting of the acquisition, construction and equipping a sewer system, including new sewer mains, service laterals, decommissioning existing private septic tanks, installation of grinder pumps, manholes,

collection system pump stations and emergency interconnect/bypasses in the South Central Sanitary Sewer District, together with all original furnishings, equipment, machinery and apparatus required in connection with the purposes for which such sewer system is constructed, as more particularly described in the EAF and 2025 MPR, at a maximum estimated cost of \$74,700,000, including all professional costs, equipment, machinery and other necessary appurtenances and all other necessary costs incidental to such work, is approved, and the Town hereby appropriates the amount of \$74,700,000 for the Project. There are hereby authorized to be issued up to \$19,700,000, or such lesser amount as may be necessary, of serial bonds or any bond anticipation notes, including renewals of such notes, in anticipation of the issuance and sale of the bonds of said Town, pursuant to the provisions of the Local Finance Law and the levy of a tax to pay principal and interest on said obligations, and the application, if and when available, of state and/or federal assistance available or to any revenues available for such purpose from any other source. The bonds and notes authorized hereby may be issued to the United States Department of Agriculture, Office of Rural Development, or any of its related offices or agencies, the New York State Environmental Facilities Corporation under any of its revolving fund programs or any purchaser in accordance with the provisions of the Local Finance Law.

**Section 2.** The plan for the financing of the aforesaid specific object or purpose is the issuance of up to of \$19,700,000 or such lesser amount as may be necessary, of serial bonds or any bond anticipation notes in anticipation of the issuance and sale of the bonds of said Town, hereby authorized to be issued pursuant to the Local Finance Law, and the assessment, levy and collection of special assessments upon the several lots and parcels of land in the South Central Sanitary Sewer District, and the establishment and collection of sewer rents and the levy of a tax to pay the principal of and interest on said bonds, and by the application of state and/or federal assistance available or to any revenues available for such purpose from any other source.

**Section 3.** Each of the bonds authorized by this resolution and any notes in anticipation thereof shall contain recital of validity prescribed by Sec. 52.00 of the Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation as to rate or amount, subject to applicable statutory limitations, if any. The full faith and credit of the Town is hereby irrevocably pledged for the payment of the principal of and interest on the Bonds as the same respectively become due and payable. There shall be annually apportioned and assessed upon the several lots and parcels of land within the South Central Sewer District, which the Town Board shall determine and specify to be especially benefited by the improvements, an amount sufficient to pay the principal and interest on such obligations as the same become due, but if not paid from such source, all of the taxable real property in the Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amounts sufficient to pay the principal of and interest on the Bonds as the same shall become due. The obligations herein authorized are issued in anticipation of bonds for an assessable improvement.

**Section 4.** Pursuant to Sections 30.00, 50.00 and 56.00 to 60.00, inclusive of the Local Finance Law, the power to authorize the issuance of and to sell the serial bonds and any bond

anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Town Supervisor, the chief fiscal officer. Such bonds or notes shall be of such form and contents, and shall be sold in such a manner, as may be prescribed by said Town Supervisor, consistent with the provisions of the Local Finance Law.

**Section 5.** The Town Supervisor is hereby further authorized, at his sole discretion, to execute all agreements and instruments in order to affect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town. The Town Supervisor is hereby further authorized to execute a project finance and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation and/or the United States Department of Agriculture – Rural Development, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described herein, or a portion thereof, by a bond, and/or note issue of the Town in the event of the sale of same to the New York State Environmental Facilities Corporation or to such other entity as may be designated by the United States Department of Agriculture – Rural Development as part of the FMHA Community Loan Programs.

**Section 6.** The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to affect the issuance of the aforesaid bonds and/or notes without resorting to further action of this Town Board.

**Section 7.** The following additional matters are hereby determined and declared:

- (a) Pursuant to paragraph 4 of Section 11.00 of the Local Finance Law, the period of probable usefulness of the Project is forty (40) years; and
- (b) Current funds are not required by the Local Finance Law to be provided prior to the issuance of the bonds and any notes issued in anticipation thereof authorized by this resolution; and
- (c) The proposed maturity of the bonds authorized by this resolution may exceed five (5) years.
- (d) The reasonably expected source of funds to be used to initially pay for the expenditures authorized by Section 1 of this resolution shall be from the Town's General Fund. It is intended that the Town shall then reimburse expenditures from the General Fund with the proceeds of the bonds and bond anticipation notes authorized by this resolution and that the interest payable on the bonds and any bond anticipation notes issued in anticipation of such bonds shall be excludable from gross income for federal income tax purposes. This resolution is intended to constitute the declaration of the Town's "official intent" within the meaning of Treasury Regulation Section 1.150-2 to reimburse the expenditures authorized by this resolution with the proceeds of the bonds and bond anticipation notes authorized herein. Other than as specified in this resolution, no monies are

reasonably expected to be received, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

(e) The requirements of SEQRA have been met.

**Section 8.** Such bonds shall be in fully registered form and shall be signed in the name of the Town of Hastings, Oswego County, New York, by the manual or facsimile signature of the Town Supervisor and a facsimile of its corporate seal shall be imprinted or impressed thereon and maybe attested to by the manual or facsimile signature of the Town Clerk.

**Section 9.** The Town hereby covenants and agrees with the holders from time to time of the Bonds and any bond anticipation notes issued in anticipation of the sale of the Bonds, that the Town will faithfully observe and comply with all provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any proposed or final regulations issued pursuant thereto unless, in the opinion of bond counsel, such compliance is not required by the Code and regulations to maintain the exclusion from gross income of interest on said obligations for federal income tax purposes.

**Section 10.** All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds with a schedule of substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the Town by the facsimile signature of its Town Supervisor, providing for the manual countersignature of a fiscal agent or of a designated Official of the Town), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. 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 52.00 of the Local Finance Law, as the Town Treasurer shall determine.

**Section 11.** 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 publication, or

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

**Section 12.** The law firm of WJ Marquardt, PLLC is hereby appointed bond counsel to the Town in relation to the Project and the issuance of the bonds and notes authorized by the bond resolution.

**Section 13.** In accordance with subsection (2) of section 2 of paragraph b. of Section 35.00 of the Local Finance Law, this Bond Resolution shall NOT be subject to a permissive referendum. This Bond Resolution shall become effective immediately. The Town Clerk shall cause the publishing and posting of a notice in substantially the form provided in Section 81.00 of the Local Finance Law together with a summary of this Bond Resolution.

**Be it further resolved,** the foregoing Resolution was put to a vote of the members of the Town Board of the Town, the result of which vote was as follows:

Councilman Waldron seconded. Supervisor Bush asked if there was any discussion. **Vote:** Supervisor Bush, aye; Councilman Hanson, aye; Councilman Martino, aye; Councilman Waldron, aye; and Councilman DeBottis, aye. Motion carried. **Resolution 25-87 adopted.**

#### **ADJOURNMENT**

As there was no further business, Supervisor Bush motioned to adjourn the meeting. Councilman Waldron seconded. All in favor. Motion carried.

The meeting adjourned at 7:42pm.

Respectfully submitted,

Erin Goodrich, Town Clerk