

At a regular Meeting of the
Town Board of the Town
of Geddes, held in the
Town Office Building at
1000 Woods Road ,
Geddes, New York, on
December 10, 2019.

PRESENT:

Supervisor Albrigo _____
Councilor Valenti _____
Councilor Weber _____
Councilor Donovan _____
Councilor LaFex _____
Councilor Kelley _____
Councilor Quijano _____

IN THE MATTER OF:
The Acquisition of Street Lights
Under Section Article 12 of the Town Law
Lighting District
Town of Geddes
County of Onondaga
State of New York

RESOLUTION /ORDER
AFTER PUBLIC
HEARING APPROVING
ACQUISITION OF
STREETLIGHTS FROM
NATIONAL GRID

Councilor _____ offered the following Resolution and moved for its adoption.

Councilor _____ seconded the motion.

WHEREAS, the Geddes Town Board has heretofore created the Westvale Lighting District within the Town of Geddes; and

WHEREAS, the Town of Geddes has received a proposed "Agreement for Purchase and Sale of Street Lights" and a proposed "License Agreement for Customer-Owned Street and Area Lighting Attachments to Utility Poles and Structures" relating to the Town's purchase and operation of street lighting fixtures within the Westvale Lighting District from Niagara Mohawk Power Corporation, doing business as National Grid (collectively referred to herein

as "the Agreements").

WHEREAS, the Geddes Town Board has, upon its own motion, Pursuant to Article 12 of the Town Law, has caused a proposed Agreements to be placed on file with the Town Clerk, said agreements proposing the acquisition by the Town of the Street Lighting facilities in the Westvale Lighting District and specifying the facilities and their locations to be so acquired; and,

WHEREAS, the proposed agreement sets for an anticipated cost of acquisition of the street lighting facilities from National Grid in an amount of \$238,175.00; and,

WHEREAS, the purpose of acquiring the street lighting facilities is to realize an estimated cost savings to the town of \$88,486 per year through a Master Cost Recovery Agreement with the New York Power Authority; and,

WHEREAS, it is anticipated the annual costs of the improvements will be assessed against the properties within the Westvale Lighting District on an ad valorem basis, however, pursuant to the 2019 budget of the Town of Geddes, lighting district improvements via acquisition of the streetlights are to be paid out of the district fund balance, and therefore it is not anticipated that the project will result in additional per unit costs to the residents of the district.

WHEREAS, the Town of Geddes, on its own motion, on November 12, 2019, adopted an Order calling for a public hearing on this matter to be held on December 10, 2019 at 7:00pm to consider whether said improvement project is in the public interest at a maximum estimated cost of \$238,175.00.

WHEREAS, notice of said public hearing was duly published in the official newspaper of the Town of Geddes at least 10 but not more than 20 days prior to the aforesaid public

hearing in accordance with the provisions of Law were made and provided.

WHEREAS, by Order dated November 12, 2019, the Town Board of the Town of Geddes held a public hearing on this project on the 10th day of December 2019.

WHEREAS, the Town has given due consideration to the impact that such project in the Westvale Lighting District may have on the environment and on the basis of such consideration, the Town has determined the environmental impact as set forth below; and

WHEREAS, the Town has considered whether said project(at no anticipated additional cost to the district) is in the public interest and which is estimated to be at a maximum cost of \$238,175.00, to be paid from district fund balance; and

WHEREAS, based on the maximum estimated project cost of \$238,175.00, the fact that there is no debt being issued by the Town or District, the fact that the cost of acquisition is being paid for out of fund balance, results in the following unit cost: Debt service: \$0.00, maximum estimated additional district charges associated with the acquisition\$0.00, for an estimated first year tax of \$0.00 additional dollars per equivalent unit upon completion of the project; and

WHEREAS, the Town has declared itself lead agency for State Environmental Quality Review Act purposes and the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising article 8 of the Environmental Conservation Law and, in connection therewith, a duly processed Negative Declaration and/or other applicable documentation has been filed in the office of the Town Clerk; and

NOW, THEREFORE, in accordance with Article 12 of the New York State Town Law, upon the evidence presented at the public hearing, this Town Board does hereby order and

resolve as follows:

1. 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. All the property and the property owner(s) within the proposed district are benefited thereby. 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.

1a. The Town, for State Environmental Quality Review Act purposes, declares itself Lead Agency, determines this to be Type II action pursuant to paragraphs (2), (25) and (26) of section 617.5, subsection (c), of the SEQRA regulations, accepts the Short EAF filed herewith as adequate as to scope and content, and makes, declares, and adopts a Negative Declaration with respect to this project, as the project will not have a significant adverse impact upon the environment.

2. The entry into the proposed "Agreement for Purchase and Sale of Street Lights" and a proposed "License Agreement for Customer-Owned Street and Area Lighting Attachments to Utility Poles and Structures" relating to the Town's purchase and operation of street lighting fixtures within the Westvale Lighting District from Niagara Mohawk Power Corporation, doing business as National Grid (collectively "the Agreements") is hereby approved.

3. The Board's Order of November 12, 2019 was duly adopted.

4. The Town Board accepts the Agreements and attached explanatory material from National Grid. The acquisition by the Town of the streetlight improvements hereinabove described are in the public interest and present no undue burden to the District or to the Town at a proposed maximum cost of \$238,175.00, to be paid from the District's fund balance.

5. This Order is subject to a Permissive Referendum as described in Article 7 of the

Town Law. A Petition is sufficient if it is initialed and signed and acknowledged in the same manner as a Petition for improvements. A Petition must be filed within thirty (30) days of the adoption of this Order with the Town Clerk. It is the wish of the Town Board that if a signed petition is not filed within thirty (30) days, a Permissive Referendum may still be held and conducted as described in Article 7 of the Town Law.

6. The proposed lighting district improvements includes the acquisition of streetlights in the Westvale Lighting District and installation of disconnect fuses at a maximum estimated cost of \$238,175.00, to be paid for out of the Lighting District fund balance at no anticipated additional cost to the District residents as shown on the Agreements and Budget on file with the Town Clerk. The facilities are acquired because the Town anticipates a cost savings to the District and Town for power consumption of \$88,486 per year through a Master Cost Recovery Agreement with the New York Power Authority and conversion of the streetlights to more efficient bulbs

7. The Town Supervisor is authorized to execute, on behalf of the Town, the agreements, and all necessary documents consistent with this Order, subject to final approval by the attorney for the Town of the Agreements and any amendments made thereto.

8. The Town Clerk shall record a certified copy of this Order in the Office of the County Clerk of the County of Onondaga and duplicate certified copies of this Order (along with a copy of the Notice of Public Hearing) in the Office of the State Comptroller, within ten (10) days of its execution.

9. The Town Attorney shall prepare and/or review the necessary documents and the Town Supervisor shall take whatever further action is necessary to effectuate acquisition of streetlights under the Agreements.

Members of the Town Board of the Town of Geddes

Dated December 10, 2019

Supervisor Albrigo	_____
Councilor Valenti	_____
Councilor Weber	_____
Councilor Donovan	_____
Councilor LaFex	_____
Councilor Kelley	_____
Councilor Quijano	_____