

**RESOLUTION APPROVING FINAL CONSOLIDATION AGREEMENT
FOR CONSOLIDATION OF
FIVE (5) TOWN SANITARY SEWER DISTRICTS**

RESOLUTION NO.: 203, 2021

**INTRODUCED BY: Mr. Harrison Freer
WHO MOVED ITS ADOPTION**

SECONDED BY: Mr. Tim McNulty

WHEREAS, New York General Municipal Law Article 17-A authorizes water and sewer districts to consolidate into combined districts if such combination “shall be conducive to the public health, welfare, and convenience and be of special benefit to the lands of the district”, and

WHEREAS, the Queensbury Consolidated Sanitary Sewer District was duly established by the Queensbury Town Board (“Town Board”) to serve the business district of Queensbury, including portions of Aviation Road, Quaker Road, Upper Glen Street, Bay Road, Ridge Road, Meadowbrook Road, and numerous other side streets, and

WHEREAS, the Route 9 Sewer District was duly established by the Town Board to serve the mostly commercial area along Route 9 from Weeks Road to Route 149, including portions of Weeks Road, Sweet Road and Lawton Avenue, and

WHEREAS, the West Queensbury Consolidated Sanitary Sewer District was duly established by the Town Board to serve the West Queensbury area including Exit 18 of I-87 (Adirondack Northway) extending from the City of Glens Falls line at Western and Thomas Streets to the area just past Exit 18 on Corinth Road and encompasses the Carey Road Industrial Park and adjacent properties, and

WHEREAS, the Technical Park Sewer District was duly established by the Town Board to serve the Queensbury Technical Park off Dix Avenue, portions of Dix Avenue and a portion of Luzerne Road, and

WHEREAS, the Pershing, Ashley, Coolidge Sewer District was duly established by the Town Board to serve the area including Pershing Road, Ashley Place and Coolidge Avenue, and

WHEREAS, the Town Board is the body responsible for the administration of all its sewer districts, including the aforesaid five (5) Sanitary Sewer Districts, and

WHEREAS, the Town Wastewater Director studied whether it would be to the mutual benefit, and in the best interests of the customers each serves, to combine these five (5) Sanitary Sewer Districts into one District proposed to be named the “Greater Queensbury Consolidated Sanitary Sewer District,” and determined that such a combination would create greater operating efficiencies and more equitable distribution of fiscal responsibilities, provide better service to the public served by each District and generate cost savings by avoiding duplication in administrative services, and

WHEREAS, in addition, the risk of isolated unpredictable failures and costs will be spread over the entire Consolidated District, expecting to result in a more financially stable District and will also better allow the Consolidated District to reliably finance its operating and capital costs, and

WHEREAS, Town Counsel and the Town Wastewater Director prepared a proposed Consolidation Agreement and provided it to the Town Board for its review, and

WHEREAS, New York General Municipal Law Article 17-A requires the local government entities to be consolidated to endorse a Consolidation Agreement by adoption of a joint Resolution to commence consolidation proceedings, and

WHEREAS, the Town Board is the governing entity for each of the Districts, so the statutory requirement for a joint Resolution is satisfied by adoption of a single Resolution by the Town Board on behalf of each District, and

WHEREAS, the Town Board adopted Resolution No.: 150,2021 on May 3rd, 2021 endorsing the proposed Consolidation Agreement and scheduling a Public Hearing to hear public comments on the proposed Consolidation Agreement, and

WHEREAS, after providing notice as required by General Municipal Law Article 17-A, the Town Board conducted a Public Hearing on the proposed Consolidation Agreement on June 21st, 2021, and the Town Board has considered the evidence given together with other information, and

WHEREAS, the Town Board wishes to consolidate the Queensbury Consolidated Sanitary Sewer District (QCSSD), Route 9 Sanitary Sewer District, West Queensbury Sanitary Sewer District, Technical Park (Tech Park) Sanitary Sewer District and the Pershing, Ashley & Coolidge (PAC) Sanitary Sewer District in accordance with General Municipal Law Article 17-A,

NOW, THEREFORE, IT IS HEREBY

RESOLVED:

1. The Town Board hereby determines that consolidation of the Queensbury Consolidated Sanitary Sewer District (QCSSD), Route 9 Sanitary Sewer District, West Queensbury Sanitary Sewer District, Technical Park (Tech Park) Sanitary Sewer District and the Pershing, Ashley & Coolidge (PAC) Sanitary Sewer District as described in the Consolidation Plan is not an “action” for purposes of SEQRA review as it does not involve any project or physical activity, planning and policy making activity or adoption of agency rules, regulations and procedures, that may affect the environment.

2. The Town Board hereby determines that consolidation of the Queensbury Consolidated Sanitary Sewer District (QCSSD), Route 9 Sanitary Sewer District, West Queensbury Sanitary Sewer District, Technical Park (Tech Park) Sanitary Sewer District and the

Pershing, Ashley & Coolidge (PAC) Sanitary Sewer District as described in the Consolidation Plan would be conducive to the public health, welfare, and convenience and be of special benefit to the lands of the Districts, approves the final Consolidation Agreement and authorizes the Town Supervisor to execute the Consolidation Agreement in substantially the form presented at this meeting.

3. The Town Board authorizes and directs the Town Supervisor, the Town Wastewater Director and the Town Clerk to take all actions necessary to effectuate this Resolution and the Consolidation Agreement.

Duly adopted this 21st day of June, 2021 by the following vote:

AYES : Mr. Ferone, Mr. McNulty, Mr. Strough, Mr. Metivier, Mr. Freer

NOES : None

ABSENT: None