



TOWN OF AMENIA TOWN BOARD

4988 Route 22, AMENIA, NY 12501
(845) 373-8860 www.ameniany.gov

Resolution # 5 of 2024

RE: AUTHORIZING THE APPROPRIATION OF FUNDS FOR THE PREPARATION OF A MAP, PLAN AND REPORT FOR THE CREATION OF A NEW SEWER DISTRICT WITHIN THE TOWN OF AMENIA SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Town of Amenia is considering the creation of a new sewer district pursuant Town Law § 209, which requires the preparation of a Map, Plan and Report pursuant to Town Law § 209-b and § 209-c; and

WHEREAS, the Town of Amenia has previously completed a Sewer Feasibility Study for the Hamlet of Amenia in June 2022; and

WHEREAS, the Sewer Feasibility Study delineated a proposed wastewater district centered in the Amenia Hamlet; and

WHEREAS, in consequence of the Sewer Feasibility Study, the Town Board requested proposals for engineering and legal services for the preparation of a Map, Plan and Report; and

WHEREAS, in response to such request, LaBerge Engineering & Consulting Group Ltd. submitted an engineering proposal to prepare such Map, Plan and Report, as required by Town Law § 209-b for a fee not to exceed \$27,550.00 as set forth in said proposal; and

WHEREAS, the Town Board has determined that Laberge Engineering & Consulting Group Ltd. is a duly qualified engineering firm to prepare such Map, Plan and Report; and

WHEREAS, in response to such request, Tabner, Ryan and Keniry, LLP submitted a legal proposal for the preparation of such Map, Plan and Report, as required by Town Law § 209-b for a fee not to exceed \$18,000.00 as set forth in said proposal; and

WHEREAS, the Town Board has determined that the law firm Tabner, Ryan and Keniry, LLP is a duly qualified law firm to provide professional legal services in the creation of such Map, Plan and Report; and

WHEREAS, based on the proposal submitted by LaBerge Engineering & Consulting Group Ltd. and Tabner, Ryan and Keniry, LLP, the Town Board has determined that the cost for the preparation of the Map, Plan and Report will not exceed \$45,550.00, which will be paid from Wastewater Engineering Budget Line No. 1.080204.01.103.00; and

WHEREAS, the Town Board acknowledges that the cost of the preparation of such Map, Plan and Report will be a Town charge, and shall be assessed, levied and collected in the same manner as other Town charges; and

WHEREAS, in the event the Town Board determines to establish such sewer district pursuant to the aforementioned provisions of Town Law, as set forth in Article 12-a of the Town Law, the expenses incurred by the Town for the preparation of the Map, Plan and Report shall be deemed to be part of the cost of such sewer improvement, or the rendering of such services, and the Town shall be reimbursed in the amount paid therefor, or such portion of that amount which the Town Board, at a public hearing to be held pursuant to Town Law § 209-d, shall allocate against such district; and

WHEREAS, the Town Board further anticipates that the cost of the preparation of such Map, Plan and Report will be reimbursed to the Town through available governmental grants and aid, applications, which are actively being pursued by the Town Board.

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. The recitations set forth above are incorporated in this Resolution as if fully set forth and adopted herein.
- 2. The Town Board of the Town of Amenia hereby appropriates the sum of \$45,550.00 for the preparation of the Map, Plan and Report for the creation of the new wastewater district to be paid from Wastewater Engineering Budget Line No. 1.080204.01.103.00.
- 3. This Resolution, in accordance with §24 of the Municipal Home Rule, Article 7 of the New York State Town Law and §209-b of the New York State Town Law is **subject to a permissive referendum.**

Motion made by S/Blackman
Seconded by C/Hamm

The foregoing resolution was voted upon with all councilwomen/councilmen voting as follows:

Supervisor Blackman	Aye
Councilman Rebillard	Nay
Councilwoman Hamm	Aye
Councilman Winters	Aye

Dated: Amenia, New York
January 4, 2024


DAWN MARIE KLINGNER, TOWN CLERK