

**TOWN OF CONESVILLE  
TOWN BOARD MEETING  
MINUTES  
Conesville Town Hall  
May 9, 2022 7:00 PM**

**Roll Call:**

**a. Council Persons:** Bill Federice - Present, Carl Fancher - Present, Laurel Mattice - Present, Robert Proudman - Present, Kelly Smith - Present

**b. Officials:** Carrie Sutton - Present, Richard Irwin - Present, William Amend - Present, Marie Stuber – Absent, Diane Williams – Absent, Deputy Clerk Erica Weiss – Present.

**2. Pledge of Allegiance**

**3. Privilege of the Floor**

Steve Young- Requested privilege of the floor to discuss a variance for setback on Robinson Road 209-2-.1 .45-50 feet. Council says ok. Kelly said to talk to Bill and Rich to make sure they get the okay. Contingent on Bill and Rich to get the project started. The previous structure burned down and there is only a concrete slab with sewer and water hook-ups remaining.

Emily Carman- 4-H community garden update, layout with dimensions, second page presented to the council is schematic of the garden. Sponsors listed on bottom with donations, can reach out to Jennifer or Emily. Email to reach is Facebook page the mountain rangers 4H club 518 860 2262 Emily, 607-644- Jennifer - [emilycarman2019@gmail.com](mailto:emilycarman2019@gmail.com). Plant in second week in June, over 20 vegetables in Jamie Durkin's greenhouse were planted and will be repotted. A fence will be put up at some point but wanted to make sure its removeable.

**4. Minutes:** April 11, 2022 – Motion to accept the minutes: Laurel Mattice Second- Robert Proudman. Motion carried.

**5. Assessor's Report** Motion to accept the assessors report: Kelly Smith Second: Carl Fancher. Motion carried.

**a. Marie Stuber** – extensive time spent in the last month visiting properties working on updates to the tax rolls, 85 change notices sent. Tentative rolls have been filed and are available upon request or on the county website. Board of Assessment review is scheduled for June 6<sup>th</sup> from 5 – 9 pm. All complaints must be submitted prior to June 3<sup>rd</sup>.

**6. Code Enforcement Officer's Report** Motion to accept the code enforcement officers report: Robert Proudman Second: Kelly Smith. Motion carried.

**a. Richard Irwin** – CEO has been very busy. All files are now current with the exception of two expired permits that notices have been sent out about. There have been five new permits issues, one each certificate of occupancy and compliance, three renewals and two property searches. There were fourteen prework inspections completed as well as seven code inspections and one final inspection. There were also two compliance orders and one stop work order issued and a total of 201 miles traveled in the past month.

**7. Town Clerk's Report** Motion to accept the clerk's report: Kelly Smith Second: Carl Fancher. Motion carried.

**a. Carrie Sutton** – There were three dog license renewals in the last month. 25 sewer district bills have been paid in full and 16 are still outstanding, and five water district bills have been paid in full for the year. The town's insurance representative visited both the Clerk's office and the Highway department on the 2<sup>nd</sup> of May and provided a list of recommendations around the town hall, highway garage, and park that the insurer would like to see completed.

**8. Town Tax Collector's Report** Motion to accept the tax collector's report: Carl Fancher Second: Laurel Mattice. Motion carried.

**a. Diane Williams** - At this time the total taxes collected are: \$1,515,008.37 and \$253,848.83 are still outstanding. The penalties collected in the month of April totaled \$738.19 and 188 late notices have been mailed.

**9. Sewer District Operator's Report** Motion to accept the sewer district operators report: Kelly Smith Second: Robert Proudman. Motion carried.

**a. Travis Castle** – Average daily flow for the month was 3,682 gallons a day. May 16<sup>th</sup> the Bull Hill section of the road will be jetted and camera inspection will be completed. Contractors have been working on the punch list and several items have been completed although there is still more to do.

**10. Historian's Report** Motion to accept the historians report: Robert Proudman Second:

Laurel Mattice. Motion carried.

- a. **Kim Young** - Last three months, good phone calls and property history. Did an environmental site report and genealogical pieces for various people. First newsletter went out and active on social media. We created a historical society, have met twice and are making plans to restore the Couchman house. Kim is the President, Carrie Sutton is the Vice President, Lori Gustin is the treasurer and Erica Weiss is secretary. Asking the town to sponsor the historical society before we apply for nonprofit status. Our email address is [conesvillehistoricalsociety@gmail.com](mailto:conesvillehistoricalsociety@gmail.com). Bill talked about hiring an engineer at first representing the town to look at the house to see what the restoration will have to look like.

**11. Highway Superintendent's Report** Motion to accept the highway supervisor's report: Kelly

Smith Second: Carl Fancher. Motion carried.

- a. **William Amend** – Tomorrow (5/10) on Durham Road hot patching will commence. Seeking bids on gutter and downspout work at the Town Garage and waiting for a response on the information requested on two doors and awning. Has okay from the town for that work. Asking the board about the roller that he has; the motor has an oil leak. Needs a 4-cylinder diesel motor. Cost could be around \$6,000 with motor and labor but needs the roller for the dirt roads. If we are going to start fixing dirt roads, needs to have this roller. The item seems to be in stock so if the board gives the okay, could start the work within a months' time. Bill would have the work done in house, or have someone come on location and do the work. It would be an expense (trucking the roller) that could be avoided. Just need a new motor and not the roller part itself. There's an issue on a dirt road in town, not uncommon but seems to be a bone of contention. Status of town equipment turnaround, one resident has threatened to dig out town equipment turnaround because the resident believes it's on his property. Bill

has contacted several other highway superintendents to see what their protocols are in situations like this and has contact of Geoffrey Scott of Cornell Local Roads. “in Highway Law 189. This means that the portion of the road that has been in use for more than 10-years, regardless if it is within the confines of the private property, is considered a portion of the Town’s roadway. If a road has been in use by the town in an excess of 10-years, it assumed the owner has given an undeclared permission. This access right would transfer from owner to owner. Within those 10-years, the town must have made some level of maintenance to the road, which could include the shoulders and the adjacent ditches. The limit of a Road-by-Use reaches to the extent that the town has maintained. This is further discussed in our Workshop manual “Powers & Duties of Local Highway Officials” (starts on page 8) which discusses its origin and its inclusion into Highway Law 189. The link to the manual is below, included below is another link that discusses “What is a Right Of Way”.

If this is a road with a deeded right-of-way, and this is outside of the deeded right-of-way, this would not apply. To determine if this road has a deeded right-of-way, you would need to find documentation of its dedication at the town or county clerk’s office. If there is no documentation to support a deeded right of way it is assumed to be a Road by Use.

Highway Law 319 also gives you some authority to remove ‘obstructions’ from the roadway, which sounds like what is happening in this case as well. This is further discussed in the Powers & Duties manual, that begins on page 38/39.”

Highway Supervisor reiterated the need for the town to familiarize themselves with these laws as this issue was likely to arise in the future.

**The Roller in question and motor repair was approved by the council: Motion  
Carl Fancher, Second: Kelly Smith**

Ralph Irving interjected a question about pit at the bottom of Shale Pit Road, no water running down the other side. Shale pit getting washed out. Asking to have the culvert cleaned out and repaired. Highway superintendent stated that they have already fixed the issue but would look at it in the coming week.

**12. Supervisors County Report** Motion to accept the supervisor's report: Laurel Mattice

Second: Carl Fancher. Motion carried.

- a. **Bill Federice** – Renewable Energy Update – A judge issued a Temporary Restraining Order statewide as a result of an action filed by 9 Schoharie County towns, including Conesville and private citizens. Renewable energy projects are being assessed as much as 85% below their value. Both parties were ordered back to argue the merits of their position. Court date is set for May 27<sup>th</sup>.

**13. Town Business**

- a. Supervisor's March 2022 Financial report- Motion to accept the supervisor's financial report was made by Kelly Smith. Seconded by Carl Fancher. Motion carried.
- b. Budget Amendment- Including the movement of funds in house, including JCAP funds to appropriate account. Roll Call- : Bill Federice - Aye, Carl Fancher - Aye, Laurel Mattice - Aye, Robert Proudman - Aye, Kelly Smith - Aye
- c. SR990V and Bull Hill Road Paving – has been finished, some houses have driveways that have not been properly joined to the new road surface. The issue is being addressed with the project manger.
- d. Conesville Historical Society – Was talked about during the historian's report and will be addressed a bit more in the Couchman House Update.
- e. Couchman House Update – Motion: Supervisor Federice    Second: Councilwoman Mattice presented Resolution 36 to the Board: Roll Call- : Bill Federice - Aye, Carl Fancher - Aye, Laurel Mattice - Aye, Robert Proudman - Aye, Kelly Smith - Aye

Town will be purchasing the house to use as town offices as well as historical society building. The Town and County agreed on a cost to the Town of \$19,930.07 which represents unpaid taxes and penalties. Last meeting went into executive session to discuss contract negotiation and is legal under open meetings law. The county valued the house at \$115,000 and they are giving the house for the price as stated above. Supervisor Federice talked to the finance committee, gave a letter of request which unanimously accepted. The request revolved around the historical significance of the building to the town and the Town's desire to acquire the building. The price of selling the building to the town was also agreed upon unanimously. Supervisor Federice reiterated that this was not done secretly as some have suggested, but went through the proper channels with the county in a public manner. It was stated that just because a private resident is interested in acquiring the house from the county it does not give them first dibs. Any transaction of real state is subject to a permissive referendum. In a town the size of Conesville 25 registered voters would need to sign a petition requesting permissive referendum which must be submitted to the Town Clerk within 30 days. The historical society needs to have an oversight committee aka the board of trustees. The historical society is asking the board to be that committee.

Motion to adopt the Historical Society as a part of the Town of Conesville: Kelly Smith,

Second: Robert Proudman. Motion carried.

- f. JCAP Grant Update – painting will begin May 21<sup>st</sup> and needs to be completed by May 23<sup>rd</sup>. Anyone who has an office or wants something boxed up please remove. The contractor for the floor will provide a date once the walls are done.
- g. Highway Service Update – Supervisor Federice stated that with everything else going on he did not have much more information on labor sharing opportunities than he did at the last meeting but hoped to have more at a future meeting.
- h. Sewer District Application – Resolution 37: New connection, Walt Carman is putting up a house for his son on his property. Under the sewer law, new installations are subject to

approval of the board. The growth is not an issue. There is a \$2500 fee which the family is aware of. They will pay any expenses for installation, labor, materials etc. with the West Conesville operations Travis Castle and Rich Irwin will be on site from time to time to monitor installation.

Motion: Robert Proudman Second: Laurel Mattice. Roll Call- : Bill Federice - Aye, Carl Fancher - Aye, Laurel Mattice - Aye, Robert Proudman - Aye, Kelly Smith - Aye

- i. Manorkill Stream Assessment – Greene County and Schoharie County do an assessment of the waterways periodically. One of the things they look at is invasive species, large debris, cross sections. Residents that have property along the Manorkill will be getting a letter about the assessment.
- j. Board Member Input – None.
- k. Review Invoices – Motion: Laurel Mattice Second: Carl Fancher. Motion carried.
- l. Executive Session to Interview Dog Warden Applicant – Dog Warden currently wishes to leave but will stay on before the next applicant starts. Probably will vote to appoint someone to the position after the session. Motion to enter executive session: Carl Fancher Second: Robert Proudman. Motion to come out of executive session: Laurel Mattice, seconded by Carl Fancher. Motion carried.
- m. Motion made by Laurel Mattice and seconded by Kelly Smith to appoint Jennifer Sutton Dog Warden effective June 1, 2022.

**14. Adjourn** Motion: Kelly Smith Second: Robert Proudman. Motion carried.

Marie Stuber, Assessor  
Town of Conesville  
1306 State Route 990V  
Gilboa, NY 12076

Office: 607-588-7211 Fax: 607-588-6832  
Office Hrs. Tuesdays 10-1 November 1- March 31  
or By Appt  
[conesvilleassessor@gmail.com](mailto:conesvilleassessor@gmail.com)

May 9, 2022

Dear Town Board,

Good Evening.

A very busy April. I spent a lot of time on the road visiting properties. Some of these were building permits that Mr. Irwin has provided to me from this last year and others are from past that were needing to be updated on the rolls as the work was completed. A total of 85 Change notices went out in the mail on May 4. Some are exemption change notices.

Tentative rolls are filed and available for anyone to look at with the Town Clerk and or during the hours that I will be available. Those hours are 5/9 4-8, 5/10 10-2, 5/14 1:30-5:30, 5/17 10-2. They are also available on the County website. Board of Assessment Review is scheduled for June 6 5-9. Anyone can file a grievance for the board to review. The forms are available in my office or online at [www.tax.ny.gov](http://www.tax.ny.gov). The application must be submitted to the assessor's office 3 days prior to June 6 to be heard on that date. If submitted later than June 3, hearing the complaint may be adjourned to a later date. I always recommend an owner contact me first so we can discuss their concerns.

I have submitted a voucher for mileage reimbursement for the travel expense for April.

Marie Stuber



# TOWN OF CONESVILLE BUILDING DEPARTMENT

## Code Officer Activity Report May

April 07- May 04, 2007

- 1- Area of my home office all set up for T. Conesville C.O. responsibilities.
- 2- Working with the assessor to bring improvements up to date.
- 3- Updating files. All incomplete are now active/ open, expired notices sent, enforcement closed.
  - A currently- 30- open permits
    - 2 - expired permits (contact with subject - notifications mailed)
    - 5 - active enforcement- Order to Comply, Stop Work Order
- 4- Filing paperwork in the town SBI folders.

ACTIVITY	TOTAL	PROPERTY AFFECTED
Building Permits	5	Lloyd, meyer, oconnor, dewell, kremos.
Certificate of Occupancy	1	Heady.
Certificate of Compliance	1	Taylor, castle, laurent, sarton, campbell, mist.
Permit Renewal	3	Knoeigen, michaels, conroy.
Property Search	2	Chriss, simoniacaj
SIR Permit	0	
Final Inspections	1	Taylor.
Building Code Inspections	7	
Pre-work Site Visits	14	Castle, console, valentino, sarton, laurent, campbell, labarbera, chriss, dewell, amato, de vito, savarino, serrano, jones
Unsafe Building Notice	0	
No Permit Visits	1	Lloyd, kalina.
Complaint Follow Up	1	Valerie.
Compliance Remedy Order	2	Heady, valentino, kalina.
Stop Work Orders	4	Kremos.
Summons	0	
Fire Safety Inspection	0	
Telephone email inquiries	7	Getting busy
Miles	79	

# **TOWN CLERKS REPORT**

## **MAY 9, 2022**

Dog License Renewals Processed: 3

Sewer District Payments: 25 Received and processed 16 Outstanding

Water District Payments: 5 Accounts fully paid for the year

Tax Collection Totals

*Carriv*

Town of Conesville  
Tax Year: 2022  
Sun, May 8, 2022, 01:37 PM

25	Zero amount tax bills
163	Unpaid tax bills
2	Partially paid tax bills
1141	Fully paid tax bills
<hr/>	
1331	Total number of tax bills

1101 payments collected by collector, 45 by Co Treasurer

Total to be collected this year: \$1,831,792.24

Tax Collector(s) Paid Amounts	
Total base paid:	\$1,512,262.00
Total penalty:	\$2,746.37
Total late notice:	\$0.00
Sub total paid:	<hr/> \$1,515,008.37
Total refunds:	\$0.00
Net Collected	<hr/> \$1,515,008.37
Treasurer Collect:	\$65,681.41
Treasurer LateFees Col:	\$0.00
Total unpaid:	\$253,848.83

*April Penalties \$738.19*

*I mailed 188 late notices*

Breakdown of totals by Swis Code

# Bills	Tax Due	Base Pd	Collected(*)	Treas Collect(*)	Owed
432800	-Town of Conesville				
1306	\$1,831,792.24	\$1,512,262.00	\$1,515,008.37	\$65,681.41	\$253,848.83

\* - Totals Collected represents the base amount paid plus penalties and late notice fees minus any refunds issued.



April 2022

## West Conesville Wastewater Treatment Facility Monthly Update Report

This is a monthly update for the West Conesville Wastewater Treatment Facility. These are the highlights in your sewer district for the previous month.

- The average daily flow for the month of January was 3,682 gallons a day.
- We have made arrangements to jet the Bull Hill Road section of the collection system, with a septic hauler on Monday, May 16<sup>th</sup>. We will be doing a camera inspection of the Bull Hill Road section before and after jetting.
- Contractors have been on site working on the final punch list for the project. Below are some of the items that have been addressed:
  - o The building now has a fire extinguisher and has been mounted to the wall.
  - o Gaps between the wall, and conduit going up through the ceiling has been filled.
  - o The broken piece of trim has been replaced and secured.
  - o Cracks in the concrete apron in front of the garage door have been filled.
    - Please note that this is not a complete list of items that are on the punch list, nor the complete list of things fixed. We will update the Town once more information becomes available.

We will be pleased to answer any questions you may have about the West Conesville Wastewater Treatment Facility. You can always contact us by phone 1-(845) 532-8079, (518) 928-7861, by email ([tcastle@lvdvoperations.com](mailto:tcastle@lvdvoperations.com)), or in person.

Best regards,  
Travis Castle (Chief Operator)

## Superintendents Monthly Report, April/May 2022

We have replaced several culverts throughout town now that the weather seems to be cooperating. Three weeks ago, as you know, we had 10 inches of snow on the ground. One large one was replaced at the bottom of 906 South Mtn Rd and another one on Robinson Rd. All the paved roads were swept during the month of April and there is a continuing effort to repair potholes throughout town. A new debris tarp has been installed on truck 201 in preparation to begin hot patch repairing of some of the paved roads. Our pavement roller was sent out for repair and we have gotten it back in time to start paving. The road department has an August 1<sup>st</sup> date with The Gorman Group to start paving South Mountain Rd where they stopped last year, approximately ¼ mile north of Lost Mtn Rd. In that regard, I have been getting crusher run delivered for the project. I also have quotes for material for 5 other dirt roads from Cobleskill Stone which are in need of repair. I also need to hear from the board about bids I've received to make some basic safety repairs to the highway building.

Bill Amend

----- Forwarded message -----  
From: **Geoffrey R. Scott** <[grs78@cornell.edu](mailto:grs78@cornell.edu)>  
Date: Wed, May 4, 2022 at 7:35 PM  
Subject: RE: Town equipment turnarounds  
To: Town Conesville <[coneshwy135@gmail.com](mailto:coneshwy135@gmail.com)>

Good evening Mr. Amend,

From the description, I am assuming that this is a Road-by-Use, which is covered in Highway Law 189. This means that the portion of the road that has been in use for more than 10-years, regardless if it is within the confines of the private property, is considered a portion of the Town's roadway. If a road has been in use by the town in an excess of 10-years, it assumed the owner has given an undeclared permission. This access right would transfer from owner to owner. Within those 10-years, the town must have made some level of maintenance to the road, which could include the shoulders and the adjacent ditches. The limit of a Road-by-Use reaches to the extent that the town has maintained. This is further discussed in our Workshop manual "Powers & Duties of Local Highway Officials" (starts on page 8) which discusses its origin and its inclusion into Highway Law 189. The link to the manual is below, included below is another link that discusses "What is a Right Of Way".

If this is a road with a deeded right-of-way, and this is outside of the deeded right-of-way, this would not apply. To determine if this road has a deeded right-of-way, you would need to find documentation of its dedication at the town or county clerk's office. If there is no documentation to support a deeded right of way it is assumed to be a Road by Use.

Highway Law 319 also gives you some authority to remove 'obstructions' from the roadway, which sounds like what is happening in this case as well. This is further discussed in the Powers & Duties manual , that begins on page 38/39.

We would recommend that you review these sections and, if necessary, contact your town's attorney to provide legal support in response to the owner. Please reach out to us if you have additional questions.

Links mentioned above are found below

Powers & Duties link: <https://cornell.app.box.com/v/clrp-ws-pd>

A Quick Answer from our website: <https://cals.cornell.edu/nysltap-local-roads/what-width-road-right-way>

Respectfully,

Geoffrey

Geoffrey R. Scott, PE

Technical Assistance Engineer

NYS LTAP Center

Cornell Local Roads Program

Ph: 607-255-2806

FAX: 607-255 4080

[www.clrp.cornell.edu](http://www.clrp.cornell.edu)

**From:** Town Conesville <[coneshwy135@gmail.com](mailto:coneshwy135@gmail.com)>

**Sent:** Wednesday, May 4, 2022 9:15 AM

**To:** Geoffrey R. Scott <[grs78@cornell.edu](mailto:grs78@cornell.edu)>

**Subject:** Town equipment turnarounds

Good morning sir!

I'm the road super for the town of Conesville in Schoharie county. Currently I'm dealing with a homeowner who is obstructing a town equipment turnaround at the end of a dirt road which has been used by us for many years, at least 20, but a small part of it lies on the end of his property, in the woods. Thus his issue with obstructing "his part." He has further threatened to rent an excavator to "bring it back to spec" whatever that means. There is no urgent need for the town to do anything unless he excavates some portion of it, making it unsafe to turn our snow plows/trailers, etc. around. I would like some advice as to a way moving forward that retains the best interests of all involved. Thanks.

Bill Amend

201-414-1483

**TOWN OF CONESVILLE**  
**RESOLUTION NO. 36 of 2022**  
**Page 1 of 2**

**TITLE: RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM  
ALLOWING TOWN OF CONESVILLE TO ACQUIRE HOUSE, LANDS &  
IMPROVEMENTS KNOWN AS THE "COUCHMAN HOUSE" FROM THE  
COUNTY OF SCHOHARIE**

At a meeting of the Town Board of the Town of Conesville, held at the Town Hall in the Town of Conesville, Schoharie County, New York, on the 9th day of May, 2022, at 7:00 o'clock in the evening, there were

**PRESENT:**

WILLIAM FEDERICE, Town Supervisor	✓
ROBERT PROUDMAN, JR., Councilperson	✓
CARL FANCHER, Councilperson	✓
KELLY SMITH, Councilperson	✓
LAUREL MATTICE, Councilperson	✓

Kelly Smith offered the following resolution and moved its adoption

Robert Proudman seconded the following resolution.

**WHEREAS**, the Town Board has determined that there is a public need for acquisition of house and improvements known as the "Couchman House" on 1.26 acres of land more or less, identified by Schoharie County Tax Map #209.-3-18, and situate at 1279 State Route 990V in the Town of Conesville, Schoharie County, New York, from the County of Schoharie, hereinafter referred to as the County, said acquisition having been determined to be in the best interests of the Town, for many reasons, including but not limited to the following: house has historical significance to both the Town and County so preservation of this historical treasure will be of a great benefit to the community, said property being a site for locating of historic records and artifacts and location for other Town functions; and

**WHEREAS**, pursuant to agreement between the Town and County, the parties have determined that the cost for acquisition shall be no more than \$21,000.00. The source of funds for purchase will be from Town reserves, now, therefore, be it hereby

**RESOLVED AND DETERMINED**, that pursuant to the provisions of Sections 64(2), 90 and 91 of the Town Law, and all such other laws as are applicable to the purchase and acquisition of properties by a Town, the Town Board of the Town of Conesville does hereby determine that there is a need and purpose in the Town of Conesville for acquiring this property, which will promote the health, safety and welfare of the Town, it's citizens and the community. The Town Supervisor and/or his successors, are hereby authorized to acquire by deed said property from the County for a price not to



**TOWN OF CONESVILLE**  
**RESOLUTION NO. 36 of 2022**  
**Page 2 of 2**

exceed \$21,000.00, and upon such other terms and conditions as the Town Attorney and the Town Board determine to be reasonable and necessary; and be it further

**RESOLVED AND DETERMINED**, that pursuant to Sections 81, 82 and 90 of the Town Law, that within ten (10) days from the date of passage of this resolution, the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of this resolution, shall contain an abstract of such resolution concisely setting forth the purpose and effect thereof, shall specify that this resolution was adopted subject to permissive referendum; and shall publish such notice in the official town newspaper, to wit: The Mountain Eagle, a newspaper published in Schoharie County, and/or having general circulation in the Town of Conesville, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the Town of Conesville, a copy of such notice within ten (10) days after the date of the adoption of this resolution.

	YAY	NAY	ABSTAIN
WILLIAM FEDERICE, Town Supervisor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ROBERT PROUDMAN, JR., Councilperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CARL FANCHER, Councilperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KELLY SMITH, Councilperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LAUREL MATTICE, Councilperson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Dated/Filed: May 9, 2022

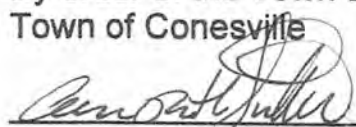
  
 \_\_\_\_\_  
 Town Clerk 9 May 2022

NOTICE OF RESOLUTION INITIATING PERMISSIVE REFERENDUM

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Conesville, Schoharie County, New York at a regular meeting of the Town Board held on the 9th day of May, 2022, duly adopted a resolution, an abstract of which is as follows: A resolution providing that subject to a permissive referendum, the Town of Conesville intends to purchase a house and lands with all improvements known as the "Couchman House", situate at 1279 State Route 990V, in the Town of Conesville, Schoharie County, New York, from the County of Schoharie for a purchase price not to exceed \$21,000.00. The full text of this resolution may be procured by contracting the Town Clerk at her office set forth herein.

Dated: May 9, 2022.

By order of the Town Board of the  
Town of Conesville

  
Carrie Sutton, Town Clerk  
1306 State Route 990V  
Gilboa, New York 12076  
[607] 588-7211

9 May 2022

**RESOLUTION 37 OF 2022**

**-THE CONESVILLE TOWN BOARD APPROVING AN APPLICATION TO ALLOW A NEW CONNECTION TO THE WEST CONESVILLE SEWER DISTRICT**

**WHEREAS**, pursuant to Article 13, Section 1301A of the Town of Conesville's Sewer Use Law ("SUL"), the Town Board is responsible for approval of allocation of sewage capacity for any new or expended connections; and

**WHEREAS**, the Town Board has received an application for sewage capacity for a home located at Tax Lot 209.-1-10.23 ("Applicant's Property"); and

**WHEREAS**, Section 1301 A of the SUL requires applicants for new sewer connections to obtain an allocation of sewer capacity from the Town Board; and

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Town Board of the Town of Conesville hereby provides approval of the allocation of sewage capacity for the Applicant's Property pursuant to Article 13 of the Town of Conesville Sewer Use Law; and
2. The applicant must obtain all other approvals for the contemplated single-family home; and
3. The approval is contingent upon the Applicant timely submitting a special benefit assessment fee of \$2500 and agreeing to the payment of any actual expenses incurred by the West Conesville Sewer District for labor and materials related to the approved application.
4. This approval is based upon the criteria in SUL Section 1301 B and the following findings:
  - a. Based upon the Town's review of the sewer flow records (SUL section 1301 D), the Town has adequate capacity at the community septic system; and
  - b. The Applicant's Property is an existing parcel within the Conesville Sewer District.

RESOLUTION 37 OF 2022

**-THE CONESVILLE TOWN BOARD APPROVING AN APPLICATION TO ALLOW A NEW CONNECTION TO THE WEST CONESVILLE SEWER DISTRICT**

A motion to adopt this resolution was made by Councilperson ROBERT PROUDMAN and seconded by Councilperson LAWRIE MATTICE

In Favor 5 Opposed \_\_\_\_\_ Absent \_\_\_\_\_

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Supervisor Federice	<u>✓</u>	_____	_____
Councilperson Fancher	<u>✓</u>	_____	_____
Councilperson Mattice	<u>✓</u>	_____	_____
Councilperson Proudman	<u>✓</u>	_____	_____
Councilperson Smith	<u>✓</u>	_____	_____

Signed this 9<sup>th</sup> day of May, 2022 [Signature] Town Clerk

STATE OF NEW YORK        }  
COUNTY OF SCHOHARIE    }  
TOWN OF CONESVILLE     }

I have compared the preceding copy with the original Resolution on file in this office adopted by the Town Board of Conesville at a regular meeting held and I DO HEREBY CERTIFY the same to be a correct transcript therefrom and of the whole of the original. I further certify the vote thereon was as follows:

Witness my hand and the seal of the Town of Conesville, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
TOWN CLERK  
TOWN OF CONESVILLE