

Barton & Loguidice, D.P.C.

Memo To: Town of Sandy Creek

Date: January 30, 2017

From: Dustin Clark, P.E.

Project No.: 1001.0005.001

Subject: Water District # ³ – SEQR, District
Formation, IMA and Bond Resolution
Schedule

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- 1) SEQR
 - a) 2/8/17 – B&L completes EAF Part 1
 - b) 2/8/17 – SEQR Environmental Assessment Form (EAF) Part 1 prepared by B&L for Town Board review. After review, Town Board will need to pass a resolution declaring the Town of Richland’s intent to be Lead Agency for the proposed project. B&L and/or the Town’s attorney will prepare the resolution.
 - c) 2/9/17 – Town distributes EAF Part 1 to involved agencies and interested parties. B&L will provide an example cover letter and list of interested and involved agencies for which to distribute the EAF Part 1 to.
 - i) If after 30 days from the date of the Intent to Establish Lead Agency mailing to the involved/interested agencies, the Town does not receive any written objections to its intent to serve as Lead Agency for the project, the Town can assume Lead Agency status. Assuming distribution by 2/10/17, 30 day review period ends 3/12/17.
 - d) 4/12/17 – SEQR Environmental Assessment Form (EAF) Parts 2 and 3 prepared by B&L for Town Board review. After review, Town Board will need to pass a resolution to formally designate Town of Richland as Lead Agency. Additionally, a resolution by the lead agency determining the environmental significance of the project will be required. These resolutions can be combined into one. B&L and/or the Town’s attorney will prepare the resolution.



- i) The Town, as Lead Agency, must determine the significance of the proposed project (i.e., issue a Negative Declaration if it is found that the project will not have a significant adverse impact on the environment, or issue a Positive Declaration if the project may have a significant adverse impact on the environment) within 20 calendar days of its establishment as Lead Agency. 20 day period ends 5/2/17.
 - ii) If it is determined that the project will have no significant adverse impact, sign and date Part 3 of the EAF. B&L will submit the Type 1 Negative Declaration notice to the Environmental Notice Bulletin.
- 2) District Formation
- a) 5/10/17 – Town Board to approve Map Plan and Report (MPR), and file the MPR with the Town Clerk.
 - b) 5/10/17 – Schedule Public Hearing for District Formation for 6/14/17 board meeting.
 - i) Notice of public hearing must be published 10-20 prior to holding the public hearing (5/25/17 – 6/4/17).
 - c) 6/14/17 – Public hearing held. After public hearing, if there are no significant issues brought to the Town’s attention, the Town Board would pass a resolution for Water District Formation (Assuming under Article 12A, by order of the board). Town’s attorney will prepare the resolution.
 - d) 6/15/17 – Publish resolution, 30 day Permissive Referendum Period (expires 7/15/17)
 - e) 8/9/17 – Approve Final Order resolution establishing WD5 (this can be at a special meeting after the 30 day permissive referendum period expires)
- 3) Bond Resolution
- a) Public Hearing (May be able to use District Formation public hearing. Consult with local/bond counsel). This schedule assumes an additional public hearing will not be required.
 - b) 8/9/17 – Town Board passes Bond Resolution. Bond resolution will be prepared by bond counsel.
 - i)
 - c) 8/10/17 – Publish resolution, 20 day estoppel period (expires 8/30/17)

4) Inter-Municipal Agreement (IMA)

- a) 1/24/17 – 5/9/17 - IMA discussions will begin at the January 24, 2017 joint Richland/Sandy Creek meeting. IMA should be finalized on and approved by both Town Boards prior to approving the MPR's.

