

Resolution and Order and Notice of Public Hearing:

Title: A resolution and order in relation to the consideration of a project whereby the Town of Cobleskill will acquire by gift a private road in the Town known as Oak Meadow Drive, and improve said road as set forth below and directing that a public hearing on such proposal be held at the time, place and date set forth below, with consideration of this project being in coordination of a simultaneous project in the Town of Middleburgh to acquire by gift an extension and continuation of the private road in that Town which is known as both Oak Meadow Drive and Red Oak Drive.

Offered By: Council Veith, who moved its adoption

Seconded By: Council Rubin , Councilman

Whereas, owners of some of the parcels that abut or front a private road in the Town of Cobleskill known as Oak Meadow Drive (hereafter referred to as the "road" or "Cobleskill Road") have petitioned the Town of Cobleskill requesting that it consider the acquisition and improvement of the "Cobleskill Road" pursuant to section 200 of the town law; and

Whereas, the Town of Cobleskill is informed that a similar petition has been filed with the Town of Middleburgh, by owners of some of the parcels that abut or front on an extension and continuation of the "Cobleskill Road" situate in the Town of Middleburgh, which road in that town is known as both Oak Meadow Drive and Red Oak Drive (hereafter referred to as the "Middleburgh Road") requesting that the Town of Middleburgh also consider the acquisition and improvement of the Middleburgh Road pursuant to section 200 of the town law; and

Whereas, the Town Board of Cobleskill finds that consideration of this request is warranted, and determination has been made that petition filed with the Town Clerk of Town of Cobleskill complies with requirements of Section 200 of the Town Law, both in content and signatures required.

Now, Therefore, in consideration of the foregoing, It Is Hereby Resolved That:

1. Pursuant to Town Law §200(1), the Town Board having received petition satisfying the requirements of that section of Town Law, will consider the acquisition of and improvement to a private road known as Oak Meadow Drive that extends in a general east-west direction for a distance of approximately 900 feet from the current terminus of a Town Road in the Town of Middleburgh known as Oak Meadow Drive, to a point where the private road then again enters the Town of Middleburgh.
2. The improvements to the Cobleskill Road shall consist of:
 - A. improvements to drainage and the installation of culverts;
 - B. clearing, grading, ditching and shoulder work;
 - C. addition and/or replacement and/or improvement of road base and road way surface with 4" crusher run and crushed stone to extent that entire road surface shall have a double surface seal.

The project would also include the acquisition of necessary real property rights to effectuate the project and to provide for a 3-rod wide roadway to be maintained by the Town(s). Oak Meadow Estates, Inc., the owner in fee of said real property encompassing the Cobleskill Road, which is more fully described in the petition, has offered to transfer the fee in said real property to the Town of Cobleskill for no consideration.

3. The maximum amount of the proposed improvement to the Cobleskill Road including costs of land acquisition if any is eighteen thousand dollars (\$18,000.00), exclusive of any interest charges.
4. In the event that the Cobleskill Road is acquired and improved, the total cost of the acquisition and improvement will be a charge against the properties that front or abut the Cobleskill Road, said charge to be assessed on a benefit basis.
5. Once acquired by the Town, the maintenance of the Cobleskill Road will be as a public highway under the applicable provisions of law and not as a charge against the real property that abuts or fronts the Road.
6. The area benefited is all those properties that abut or front on the Cobleskill Road known as Oak Meadow Drive. A complete list of such properties is attached to this resolution as Exhibit A.
7. If the project is approved, prior to any improvements, the Town will acquire the Cobleskill Road through gift, as more fully described above and in the petition filed.
8. This resolution will take effect immediately.

It is Further Ordered That:

The Town Board of the Town of Cobleskill will meet at the Cobleskill Firehouse, 610 East Main Street, Cobleskill, New York 12043, on the **8th day of July, 2013** at 7:30 PM to conduct a **public hearing** to consider the above resolution and to hear all persons interested in the subject thereof; and

The Town Clerk shall cause a certified copy of this resolution and order to be published in the Times Journal on or after June 19, 2013 and no later than June 29, 2013 and will cause a copy of the resolution and order to be posted on the official sign board for the Town and conspicuously in five public places along the "Cobleskill Road" known as Oak Meadow Drive on or after June 19, 2013 and no later than June 29, 2013.

Exhibit "A"

- A. Neil & Martha Sugermeier, Tax Map #70-2-7.1
- B. Reid A. & Sheila E. Black, Tax Map #70-2-15.12
- C. Albert & Maureen Nippert, Tax Map #70-2-16
- D. Jason S. & Traci A. Becker, Tax Map #70-2-15.2
- E. Richard & Marjorie J. Shaw, Tax Map #70-2-15.13
- F. Darren E.P. & Tara M. Keyser, Tax Map #70-2-15.113
- G. John A. DePasquale, Jr. & Dawn D. McLea, Tax Map #70-2-15.111

The following vote was taken and results were:

	Vote:
Supervisor Murray	yes
Councilperson Veith	yes
Councilperson Mcallister	absent
Councilperson Kelley	yes
Councilperson Rubin	yes

Dated and Filed: June 10, 2013.

Tina Ward Shuart

Town Clerk

CERTIFICATION OF TOWN CLERK

STATE OF NEW YORK)

COUNTY OF SCHOHARIE) SS:

TOWN OF COBLESKILL)

I, TINA WARD SHUART, the undersigned Clerk of the Town of Cobleskill, Schoharie County, New York, DO HEREBY CERTIFY:

That I have compared the foregoing copy of the minutes of the meeting of the Town Board of said Town, including the resolution and order contained therein, held on the 10th day of June, 2013, with the original thereof on file in my office, and that the same is a true and correct copy of said original and of the whole of said original so far as the same relates to the subject matters therein referred to.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this 14th day of June, 2013.

Tina Ward Shuart, Town Clerk