

Town of Milo  
Special Meeting  
March 5, 2018

Members Present: Leslie Church, Supervisor  
Dale Hallings, Councilperson  
James Harris, Councilperson  
Arden Sorensen, Councilperson  
Gene Spanneut, Councilperson

Others Present: Patricia L. Christensen, Town Clerk

Supervisor Church opened the special meeting at 10:00 AM at the Town of Milo Hall, 137 Main Street, Penn Yan, NY 14527.

**RESOLUTION #16 – 18**  
**YMCA DOT Permit, Hold Harmless**

Mr. Dale Hallings, offered the following Resolution and moved its adoption:

WHEREAS, pursuant to Resolution #62-17, which was adopted by this Board on October 16, 2017, this Board stated that it would accept ownership of an eight (8) inch watermain and hydrant tee upon the establishment of the Water Extension District that is being constructed by YMCA of Greater Rochester (hereinafter "YMCA") to serve its property on East Lake Road in the Town of Milo, and

WHEREAS, after further discussions and consultations with the town engineer, the town attorney, the town water and sewer operator, and a representative from the New York State Department of Health, and upon proof being provided by the YMCA, that should the Town of Milo be the Applicant, in regard to the Highway Permit Application (Form PERM 32) for the above noted work to be done, that there would be liability insurance coverage for this project that would be acceptable to the Town of Milo and that the town would be named as an Additional Insured on each insurance policy, and

WHEREAS, the YMCA has also prepared a Hold Harmless Agreement, in order to indemnify the Town of Milo against any and all claims or actions resulting from the acts or omissions of the YMCA, its officers, employees, contractors and/or agents, in regard to the construction and installation of the above noted eight (8) inch watermain, hydrant tee, and appurtenances thereto, and

WHEREAS, this Hold Harmless Agreement has been reviewed and approved by the town attorney.

NOW, THEREFORE BE IT

RESOLVED & ORDERED, that it is in the best interests of the Town of Milo that it be the Applicant in regard to the Highway Work Permit Application (Form PERM 32) for the installation and construction work in regard to the eight (8) inch watermain to serve the Water Extension District, as well as the hydrant tee and appurtenances, which will be installed as part of this

project, and

RESOLVED & ORDERED, that Town of Milo Supervisor is hereby authorized to sign the Highway Work Permit Application (Form PERM 32) on behalf of the Town of Milo as the Applicant, as well as the Hold Harmless Agreement on behalf of the Town of Milo, which Agreement indemnifies the Town of Milo for any acts or omissions of the YMCA, its officers, employees, contractors and/or agents, in regard to this project, and

RESOLVED & ORDERED, that Resolution #62-17 is hereby repealed and replaced, in its entirety, by this Resolution.

Seconded by Mr. James Harris and duly put to a vote with the following results:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

DATED: March 5, 2018

Patricia L. Christensen

Patricia L. Christensen  
Town Clerk  
Town of Milo

S E A L

Milo fld  
Camp Cory  
Reso re: revoke 62-17, auth super sign  
HH agmt and DOT permit

**RESOLUTION # 17 - 18  
YMCA DEC Application**

Mr. Gene Spanneut offered the following Resolution and moved its adoption:

WHEREAS, Section 209-c of the Town Law requires that as part of the establishment of a Sewer District or a Sewer Extension District that prior to the acceptance of the Map, Plan and Report by the municipality, which is prepared for the particular project, an Application must be made to the New York State Department of Environmental Conservation (hereinafter "DEC") (previously the Application was to be made to New York State Department of Health) for its review and approval of the proposed Map, Plan and Report, as well as certain other requested information that is required to be provided, and

WHEREAS, the Milo town attorney had previously requested clarification from the DEC, in regard to the procedure, to be followed and was advised that the Application should come from the property owner, being the Petitioner (for this Application, the YMCA of Greater Rochester) for the proposed Sewer Extension District, and

WHEREAS, the Town of Milo through its attorney previously communicated to the YMCA of Greater Rochester (hereinafter "YMCA") attorney that the process for establishing the proposed Sewer Extension District by the YMCA, in regard to the premises known as "Camp Cory" on East Lake Road in the Town of Milo, was on hold pending review and approval of the Application to be submitted by the YMCA to the DEC, and

WHEREAS, after discussions with the town engineer, who has recommended the Town of Milo should be the Applicant, the Town Board of the Town of Milo has decided that it will be the Applicant provided **all** required documentation to be submitted to DEC is prepared and provided by the YMCA.

NOW THEREFORE BE IT

RESOLVED & ORDERED, that upon the advice of the town attorney, the Town of Milo will agree to be the Applicant to DEC, in regard to the Application for Approval of Plans for a Wastewater Disposal System for the premises known as "Camp Cory" on East Lake Road, provided that all documentation that is required to be submitted with the Application will be prepared by the YMCA, its engineers or other agents. The documentation will clearly state that all documents have been prepared by or on behalf of the YMCA, and it is further

RESOLVED & ORDERED, that a complete copy of the documents that will be submitted with the Application will be provided to the Town of Milo at the time the same is submitted to DEC.

Seconded by Mr. Arden Sorensen and duly put to a vote with the following results:

AYES: Church, Hallings, Harris, Sorensen, Spanneut

NOES: none

ABSTENTIONS: none

DATED: March 5, 2018

Patricia L. Christensen \_\_\_\_\_  
Patricia L. Christensen  
Town Clerk  
Town of Milo

S E A L

Milo  
Camp Cory  
Reso re: DEC wastewater  
dispo system applic

Introduced by: Councilperson Harris  
Seconded by: Councilperson Hallings

To enter into executive session to discuss the employment history of a particular person, and to include, Town Clerk Patricia Christensen.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen, Spanneut

Noes: None

Abstentions: none

The board entered into executive session at 10:10 AM

Introduced by: Councilperson Harris

Seconded by: Councilperson Sorensen

To reconvene to regular session.

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen, Spanneut

Noes: None

Abstentions: none

The board reconvened at 10:40 AM.

There being no further business to come before the Town Board of the Town of Milo, a **Motion** was made by Councilperson Hallings to adjourn, seconded by Councilperson Spanneut

Motion Carried: Ayes: Church, Hallings, Harris, Sorensen, Spanneut

Noes: none

Abstentions: none

Meeting adjourned at 10:40 AM.

Respectfully submitted,

Patricia L. Christensen  
Town Clerk