

TOWN OF STAFFORD Public Hearing MINUTES FOR July 24, 2006
Public Hearing to Consider establishment of Water district No. 3
For a portion of the Town of Stafford

PRESENT:

R. Clement -Supervisor
R Panek -Councilman
M. Mouery -Councilman
G. Call -Councilman

ABSENT:

D. Vicary -Councilman

OTHERS PRESENT:

Walter Kershenski -Town Clerk
Eric Wies - Clark Patterson Assoc.
Karen Clement
Harold Coller
Veola Coller

Public Hearing to Consider establishment of Water district No. 3 for a portion of the Town of Stafford

Supervisor Clement called the Public Hearing to order at 7:39 PM followed by the pledge of allegiance to the flag.

Supervisor Clement then summarized the officially posted 'Notice of Public Hearing by the Town board of the Town of Stafford, New York to Consider establishment of Water district No. 3 for a portion of the Town of Stafford as follows:

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT
OF WATER DISTRICT No. 3 FOR A PORTION
OF THE TOWN OF STAFFORD**

WHEREAS, the Town Board of the Town of Stafford, duly adopted a Resolution directing Robert S. Clement, Supervisor of the Town of Stafford, to file a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Stafford, where a water district is proposed to be established; said map, plan and report has been filed in the Office of the Town Clerk of the Town of Stafford, dated June, 2006, and

WHEREAS, a "Petition to Request Water District" was filed in the Stafford Town Clerk's Office on June 28, 2006, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Stafford, the owners of taxable real property located in the proposed Water District No. 3 owning in the aggregate at least one-half of the assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

WHEREAS, the boundaries of the proposed water district are as follows: See **EXHIBIT A** attached hereto, and

WHEREAS, the improvements proposed are as follows: a project to provide a safe and reliable potable water supply and fire protection to certain residences in the proposed Town of Stafford Water District No. 3 and the Town of Byron Water District No. 2. The overall project will involve approximately 37,550 linear feet of water main in the Towns of Stafford and Byron, which will serve 181 units. The Town of Stafford Water District No. 3 will account for 12,050 linear feet of water main and 19 of the overall served units. When completed, the District will connect the existing Town of Stafford Water District No. 2 and the existing Town of Byron Water District No. 1, and

WHEREAS, the Town of Byron will be responsible for all phases of the project, including funding, bidding and construction, and

WHEREAS, the Town of Byron has already established its proposed Water District No. 2, and the estimated cost of the total project in both the Town of Byron and the Town of Stafford is \$2.2 Million, and

WHEREAS, the Town of Byron has received commitments from the USDA Rural Development Agency for a grant of \$450,000.00, and a grant from the Small Cities program in the amount of \$400,000.00, and

WHEREAS, the Town of Byron will be obtaining a loan from the USDA Rural Development Agency in the amount of \$1,346,000.00, and

WHEREAS, the Town of Byron Water District No. 2 and the Town of Stafford Water District No. 3 will enter into an Inter-Municipal Agreement that will allow the residents of both Towns that are receiving water from this project to pay the same proportion of the debt service for the project, and

WHEREAS, the Town of Stafford will not be responsible for any funding, and shall not finance any of the cost thereof by the issuance of bonds, notes, certificates or other evidence of indebtedness of the Town, and

WHEREAS, the proportionate loan amount for the 19 units in the Town of Stafford would require these residents to be responsible for the sum of \$141,293.00 of the total loan amount, and the following computations apply:

Annual Construction Cost debt service based upon total net construction cost of Stafford's share of \$141,293.00 @ 4.125% for 38 years = \$7,426.00

Annual Construction Cost debt service Per Parcel (assuming 19 units) is \$389.00, and

Average annual water consumption cost per unit is \$245.00, and

Total estimated average annual unit cost is \$634.00.

WHEREAS, a typical household uses 60,000 gallons of water per year and the estimated commodity cost for the water to be purchased by the district's users is \$4.08 per 1,000 gallons; thereby, the average household can expect to additionally pay approximately \$245.00 per year for water purchase, and

WHEREAS, the estimated cost of hook up fees for installation of service from the water main to a residence is \$750.00 to be paid by the owner to connect from the main transmission line to an owner's residence; with no tap in charge if completed at the time of the water main installation, and

WHEREAS, a map, plan and report describing such improvements is on file in the Office of the Town Clerk of the Town of Stafford for public inspection, and

WHEREAS, pursuant to Section 194(6) of the Town Law, since the Town of Stafford shall not finance any of the cost thereof by the issuance of bonds, notes, certificates or other evidence of indebtedness of the Town, the proposed Water District No. 3 is not subject to approval by the State Comptroller, it is

ORDERED, that the Town Board of the Town of Stafford shall meet at the Town Hall, 8903 Route 237, Stafford, New York on the 24th day of July, 2006, at 7:30 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements specified above, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk of the Town of Stafford is hereby authorized and directed to publish a copy of this Order in **The Daily News** and post a copy of the same on the signboard of the Town of Stafford, and to mail a copy to each resident within the proposed Water District, no more than 20 days and not less than 10 days prior to the public hearing.

EXHIBIT A

TOWN OF STAFFORD WATER DISTRICT NO. 3

All that tract or parcel of land situate in the Town of Stafford, County of Genesee, State of New York, described as follows:

Beginning at the intersection of the centerline of Byron-Stafford Road (66 feet wide right-of-way) and Stafford/Byron Town line; thence,

1. Easterly, along the Stafford/Byron Town line, a distance 500 feet, to a point; thence,
2. Southerly, along a line 500 feet easterly of and parallel to the centerline of Byron-Stafford Road and through tax account number 2-2-2, a distance of 1,685 feet, more or less, to a point on the centerline of Griswold Road (49.5 feet wide right-of-way); thence,
3. Westerly, along the centerline of Griswold Road, a distance of 167 feet, more or less to a point; thence,
4. Southerly, along the easterly bounds of tax account number 2-2-18.112, a distance 225 feet, more or less, to the southeasterly corner of said lot; thence,
5. Easterly, through tax account number 2-2-17.11 a distance of 167 feet, more or less, to a point. Said point being 500 feet easterly of the centerline of Byron-Stafford Road; thence,
6. Southerly, along a line 500 feet easterly of and parallel to the centerline of Byron-Stafford Road and through tax account number 2-2-17.11, a distance of 296 feet, more or less, to a point; thence,
7. Westerly, continuing through the last mentioned tax account number a distance of 149 feet, more or less, to the northeasterly corner of tax account number 2-2-18.2; thence,
8. Southerly, along the easterly bounds of the last mentioned tax account number, a distance of 185 feet, more or less, to the southeasterly corner of said lot; thence,
9. Easterly, continuing through aforementioned tax account number 2-2-17.11 a distance of 148 feet, more or less, to a point 500 feet easterly of the centerline of Byron-Stafford Road; thence,
10. Southerly, along a line 500 feet easterly of and parallel to the centerline of Byron-Stafford Road and through tax account number 2-2-17.11, a distance of 908 feet, more or less, to a point in the centerline of Clinton Street Road (66 feet wide right-of-way); thence,
11. Southwesterly, along the centerline of Clinton Street Road, a distance of 70 feet, more or less, to a point; thence,
12. Southeasterly, along the easterly bounds of tax account number 4-1-3.1, a distance of 158 feet, more or less, to the southeasterly corner of said lot; thence,
13. Northeasterly, along the southerly bounds of tax account number 4-1-3.2, a distance of 10 feet, more or less, to a point. Said point being 500 feet easterly of the centerline of Byron-Stafford Road; thence,
14. Southerly, along a line 500 feet easterly of and parallel to the centerline of Byron-Stafford Road and through tax account numbers 4-1-2 and 4-1-24, and across the New York State Thruway a distance of 2,325 feet, more or less, to a point on the southerly bounds of the New York State Thruway Authority tax account number 4-1-37; thence,
15. Southwesterly, along the southerly bounds of aforementioned New York State Thruway, a distance of 241 feet, more or less, to the northeasterly corner of tax account number 4-1-25.112; thence,
16. Southeasterly, along the easterly bounds of aforementioned tax account number 25.112, a distance of 466 feet, more or less, to a point on the centerline of Thwing Road (49.5 feet wide right-of-way); thence,
17. Northeasterly, along the centerline of Thwing Road, a distance of 117 feet, more or less, to a point 500 feet easterly the centerline of Byron-Stafford Road; thence,
18. Southerly, along a line 500 feet easterly of and parallel to the centerline of Byron-Stafford Road and through tax account number 4-1-28, a distance of 1,036 feet, more or less to a point; thence,
19. Westerly, a distance of 220 feet, more or less, to the northeasterly corner of tax account number 4-1-26; thence,

20. Southerly, along the easterly bounds of the aforementioned tax account number 26 and tax account 4-1-27, a distance of 200 feet, more or less, to the southeasterly corner of said lot 27; thence,
21. Easterly, continuing through aforementioned tax account number 4-1-28 a distance of 220 feet, more or less, to a point 500 feet from the centerline of Byron-Stafford Road; thence,
22. Southerly, along a line 500 feet easterly of and parallel to the centerline of Byron-Stafford Road and through tax account numbers 4-1-28 and 4-1-30.1, a distance of 1,912 feet, more or less, to a point; thence,
23. Westerly, continuing through the last mentioned tax account number a distance of 204 feet, more or less, to the northeasterly corner of tax account number 4-1-30.2; thence,
24. Southerly, along the easterly bounds of aforementioned tax account number 30.2, a distance of 445 feet, more or less, to a point on the centerline of Britt Road (49.5 feet wide right-of-way); thence,
25. Easterly, along the centerline of Britt Road, a distance of 240 feet, more or less, to a point 500 feet from the centerline of Bryon-Stafford Road; thence,
26. Southerly, along a line 500 feet easterly of and parallel to the centerline of a portion of Byron-Stafford Road and Richmond Road and through tax account number 7-1-7.111, a distance of 1,670 feet, more or less, to a point on the centerline of Randall Road (49.5 feet wide right-of-way); thence,
27. Westerly, along the centerline of Randall Road, a distance of 500 feet, to a point said point being the centerline of Randall Road and the aforementioned Richmond Road; thence,
28. Northerly, along the centerline of Richmond Road, a distance of 332 feet, more or less, to a point; thence,
29. Westerly, along the southerly bounds of tax account number 7-1-6, a distance of 602 feet, more or less, to the centerline of Byron-Stafford Road; thence,
30. Northeasterly, along the centerline of Byron-Stafford Road, a distance 1,736 feet, more or less, to a point; thence,
31. Westerly, along the southerly bounds of tax account number 4-1-31.2, a distance of 235 feet, more or less, to a the southwesterly corner of said lot; thence,
32. Northerly, along the westerly bounds of aforementioned tax account number 31.2, a distance of 200 feet, more or less, to the northwesterly corner of said lot; thence,
33. Westerly, through tax account number 4-1-31.1 a distance of 265 feet, more or less, to a point 500 feet westerly of the centerline of Byron-Stafford Road; thence,
34. Northerly, along a line 500 feet westerly of and parallel to the centerline of Byron-Stafford Road and through tax account numbers 4-1-31.1 and 4-1-32, a distance of 2,062 feet, more or less, to a point on the northerly bounds of said lot 32; thence,
35. Easterly, along the northerly bounds of aforementioned tax account number 32, a distance of 56 feet, more or less, to the southwesterly corner of tax account number 4-1-33; thence,
36. Northerly, along the westerly bounds of aforementioned tax account number 33, a distance of 100 feet, more or less, to the northwesterly corner of said lot; thence,
37. Westerly, a distance of 56 feet, more or less, to a point 500 feet westerly of the centerline of Byron-Stafford Road; thence,
38. Northerly, along a line 500 feet westerly of and parallel to the centerline of Byron-Stafford Road and through tax account number 4-1-34.1, a distance of 270 feet, more or less, to a point; thence,
39. Easterly, continuing through the last mentioned tax account number a distance of 55 feet, more or less, to the southwesterly corner of tax account number 4-1-34.21; thence,
40. Northerly, along the westerly bounds of aforementioned tax account number 34.21 and tax account number 4-1-34.22, a distance of 533 feet, more or less, to an angle point on the westerly bounds of said lot 34.22; thence,
41. Southwesterly, along the southerly bounds of aforementioned tax account number 34.22, a distance of 139 feet, more or less, to a point; thence,
42. Northerly, along the westerly bounds of aforementioned tax account number 34.22 crossing over the aforementioned N.Y.S. Thruway and along the westerly bounds of the tax account number 4-1-35.2 a distance of 1,659 feet, more or less, to a point on the southerly bounds of tax account number 4-1-1.12; thence,

43. Westerly, along the southerly bounds of aforementioned tax account number 1.12, a distance of 748 feet, more or less, to the southwesterly corner of said lot; thence,
44. Northerly, along the westerly bounds of aforementioned tax account number 1.12 and tax account number 4-1-1.112, a distance of 650 feet, more or less, to the northwesterly corner of said lot 1.112; thence,
45. Easterly, along the northerly bounds of aforementioned tax account number 1.112, a distance of 304 feet, more or less, to an angle point on the northerly bounds of said lot; thence,
46. Northerly, along the westerly bounds of aforementioned tax account number 1.112 and tax account number 4-1-1.114, a distance of 556 feet, more or less, to the centerline of Clinton Street Road; thence,
47. Northeasterly, along the centerline of Clinton Street Road, a distance of 629 feet, more or less, to a point; thence,
48. Northerly, along the westerly bounds of tax account number 2-2-21, a distance of 433 feet, more or less, to the northwesterly corner of said lot; thence,
49. Westerly, along the southerly bounds of tax account number 2-2-20.12, a distance of 350 feet, more or less, to the southwesterly corner of said lot; thence,
50. Northerly, along the westerly bounds of aforementioned tax account number 20.12, a distance of 840 feet, more or less, to the northwesterly corner of said lot; thence,
51. Easterly, along the northerly bounds of aforementioned tax account number 20.12, a distance of 258 feet, more or less, to a point 500 feet from the centerline of Byron-Stafford Road; thence,
52. Northerly, along a line 500 feet westerly of and parallel to the centerline of Byron-Stafford Road and through tax account numbers 2-2-20.111 and 2-2-1.114, a distance of 1,264 feet, more or less to a point. Said line crosses over Griswold Road; thence,
53. Easterly, a distance of 17 feet, more or less, to the southwesterly corner of tax account number 2-2-1.21; thence,
54. Northerly, along the westerly bounds of aforementioned tax account number 1.21, a distance of 502 feet, more or less, to the northwesterly corner of said lot; thence,
55. Westerly, along the southerly bounds of tax account number 2-2-1.221, a distance of 479 feet, more or less, to the southwesterly corner of said lot; thence,
56. Northerly, along the westerly bounds of aforementioned tax account number 1.221 and tax account number 2-2-1.12, a distance of 650 feet, more or less, to the northwesterly corner of said lot 1.12 and the aforementioned Stafford-Byron town line; thence,
57. Easterly, along the northerly bounds of aforementioned tax account number 1.12 and Byron/Stafford Town line, a distance of 950 feet, more or less, to the point of beginning.

Town of Stafford Water District No. 3, as described above contains approximately 275.1 acres of land.

Supervisor Clement then called upon people present to speak on the topic of Establishment of Water District 3. One person spoke in favor of the Water District 3 formation. Councilman Panek asked if the formation of Water District 3 would hinder formation of any adjacent Water Districts in the Town of Stafford. Supervisor Clement answered no. Also Councilman Panek inquired about the installation of a Fire Hydrant on the corner of Thwing Road and Rt. 237. Eric Wies of Clark Paterson Associates stated that a Fire Hydrant would be installed at this intersection. No more questions or comments were made.

Supervisor Clement made a **Motion**, seconded by Councilman Pacer to adjourn the Public Hearing at 7:45 PM. **Motion** was carried. Supervisor Clement thanked all for attending and the Public Hearing meeting was thus adjourned.

Dated July 24, 2006
Approved at Aug. 14, 2006
Town Board Meeting

Walter Kershenski, Town Clerk