

November 13, 2017

**Alexander Town Board Regular Meeting with Public Hearing
Alexander Town Hall 7:00 p.m.**

Present: Supervisor Joseph Higley
Town Board: Roy Haller III, David Miller, Carol Wolfley, Eric Wagner
H'way Supt: Thomas Lowe
Town Clerk: Lisa L. Lyons
Guests: Brandon Snyder, John Volpe, Brian & Linda Farnsworth, Ashley Whitmore, Laura Schmieder, Mr. & Mrs. Brent Snyder

Supervisor Higley called the meeting to order at 7:00 p.m. with the Pledge of Allegiance and a moment of silence for our military serving around the world.

On motion by Councilman Miller, seconded by Councilman Haller, and carried, the Public Hearings for the Local Law to Override the 2% Tax Cap, the 2018 Town of Alexander Budget and the 2018 Fire Protection Contract, and the establishment of Water District No. 5, were opened concurrently at 7:00 p.m.

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, the minutes of the October 10, 2017 Regular Meeting were adopted as presented. 5 – Yes Higley, Miller, Haller, Wagner, Wolfley 0 – No Carried

COMMUNICATIONS: Mercy EMS Report for 9/2017, Genesee County Office for the Aging, Association of Towns letter.

REPORTS:

Building: Supervisor Higley had the lock on his office door checked as it was not working properly. Key Power Systems will be out for their contract maintenance call.
Financial: Financials were received from Mr. Batzel, Supervisor Higley presented Sales Tax Comparisons, the school has requested W9's from 28 different people.
GAM: 11/16/2017 in Oakfield
H'way Supt.: More water in the Town barns was removed after the last heavy rainfall, Tom has emailed the DEC to inquire about grant funding for fixing or moving the facilities, Joe has spoken to Municipal Solutions to see about grant funding and has called Ranzenhofer's office. As of 11/13/17 there have been no responses to either Tom or Joe. The Village has removed all of their items from the barns, and the department is getting ready for the winter.
Senior Citizen: Christmas party is scheduled for 12/2/2017 at the Alexander Recreation Hall

The Town Clerk and Town Justice financial reports were read and filed.

On motion by Councilperson Miller, seconded by councilperson Haller, and carried, the Public Hearing for the adoption of the 2018 Alexander Town Budget closed at 8:15 p.m.

On motion by Supervisor Higley, seconded by Councilperson Miller, and carried, the Public Hearing for the Approval of the 2018 Fire Protection Contract closed at 8:15 p.m.

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, the Public Hearing for the adoption of a Local Law to override the 2% Tax Cap closed at 8:15 p.m.

On motion by Supervisor Higley, seconded by Councilperson Wagner, and carried, the Public Hearing for the establishment of Water District No. 5 closed at 8:15 p.m.

OLD BUSINESS:

1. Carol Wolfley will set a meeting up with CPR and Millennial Computers with Supervisor Higley so that we may obtain more information about the maintenance of the Town Clerk's computers.
2. Lisa will be emailing the school to retrieve all personnel files, and information that must be kept in the vault.
3. The shared services contract with the Alexander Central School has been reviewed: see new business
4. The idea of a dropbox for the clerk's office is being considered again. We will obtain a quote for a free standing box, and a quote on cost to install one.

NEW BUSINESS:

RES. NO. 54: BUDGET AMENDMENTS

WHEREAS, these budget lines exceed the budget; A1110.4 is over by \$539.56, A1410.2 is over by \$39.95, and A1620.4 is over by \$1,295.71 because of the Town Hall driveway paving, and DB5112.2 by \$89,776.05, and DB9040.38 by \$264.00, and

WHEREAS, there are sufficient funds in other budget lines to offset these overages, therefore be it,

RESOLVED, A1110.1 be increased by \$540.00 to \$3,740.00, A1410.2 be increased by \$40.00, to \$790.00 and A1620.4 be increased by \$10,000.00 from the Building Reserve, to 22,500.00 and DB5112.2 be increased by \$89,777.00 to \$203,777.00 and DB5130.1 be increased by \$264.00 to \$21,420.00, and further be it,

RESOLVED, A1990.4, Contingency, be reduced by \$230.00 to \$4,611.00, and A1110.2 be reduced by \$350.00 to \$0.00, and DB5130.2 be reduced by \$56,075 to \$4,925.00 and reduce DB9060.8 by \$12,300.00 to \$34,298.00 and reduce DB9720.6 by \$16,041.00 to \$53,959.00 and DB9720.7 by \$5,625.00 to \$800.00.

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On motion by Councilperson Miller, seconded by Councilperson Haller, and carried the following: To approve the budget transfers as written:

5 – Yes Higley, Haller, Miller, Wagner, Wolfley 0 – No Carried

RES. NO. 55: ADOPTION OF THE 2018 TOWN OF ALEXANDER BUDGET

On motion by Supervisor Higley, seconded by Councilperson Miller and carried, the following resolution was adopted: **WHEREAS**, the Town Board has compiled a budget for the fiscal year beginning January 1, 2018 and ending December 31, 2018, making appropriations for the conduct of the Town of Alexander government and establishing the rates of compensation for officers and employees for such period, and **WHEREAS**, this Board has met at the time and place specified in the notice of public hearing on the preliminary budget and heard all persons desiring to be heard thereon; now therefore be it **RESOLVED**, that the preliminary budget as amended and revised and as hereinafter set forth is hereby adopted.

3 – Yes Higley, Haller, Miller 2 – No Wolfley, Wagner Carried

RES. NO. 56: APPROVE THE 2018 FIRE PROTECTION CONTRACT

On motion by Councilperson Wagner, seconded by Councilperson Miller, and carried, to approve the 2018 Fire Protection Contract with the Alexander Fire Department in the amount of \$134,450.00 with a onetime disbursement of \$39,810.00 after a meeting has been had with the Fire Department to establish a description on how the onetime payment will be spent.

5 – Yes Higley, Miller, Haller, Wolfley, Wagner 0 – No Carried

RES. NO. 57: AUTHORIZE DELINQUENT WATER BILLS TO BE RE-LEVIED ON TAX BILL

On motion by Supervisor Higley, seconded by Councilperson Miller, and carried, the following was adopted: **WHEREAS**, the Town Clerk has received a list of all property owners who owe for water rents in Water District #2 to the Town of Batavia as of October 25, 2017; and **WHEREAS**, Section 229-15 (c) of Town Law stipulates that such amounts owing shall be levied against the property to which the service is rendered; **NOW, THEREFORE, BE IT RESOLVED**, that the amount of \$392.38, or as may be amended before final submission to the Genesee County Treasurer, be and is hereby approved for levying against the individuals 2018 tax warrant.

5 – Yes Higley, Miller, Haller, Wolfley, Wagner 0 – No Carried

RES. NO. 58: ESTABLISHMENT OF WATER DISTRICT #5 FOR A PORTION OF THE TOWN OF ALEXANDER

WHEREAS, the Town Board of the Town of Alexander, New York, has duly adopted a Resolution directing the Supervisor of the Town of Alexander to file a map, plan and report as prepared by the Town's engineer for providing the facilities, improvements or services in a portion of the Town of Alexander wherein a water district is proposed to be established; and said map, plan, and report dated June 23, 2017 has been filed in the office of the Town Clerk of the Town of Alexander on September 11, 2017; and

WHEREAS, said Supervisor adopted an "Order for a Public Hearing on the Petition for Establishment of the Town of Alexander Water District No. 5" reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a map, plan and report describing the same is on file in the Town Clerk's Office for public inspection and specifying that said Town Board shall meet at the Town of Alexander Town Office on the 13th day of November, 2017 at 8:00 p.m. for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, a "Petition to Request Water District" was filed in the Alexander Town Clerk's Office on September 11, 2017, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Alexander, the owners of taxable real property located in the proposed Town of Alexander Water District No. 5 (also referred to herein as "Water District") owning in the aggregate at least one-half (1/2) 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 (1/2) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents; and

WHEREAS, the project area has been identified through public interest and the proposed Water District will obtain its water supply from the Town of Alexander Water District No. 2 supply point. The Town of Alexander Water District No. 2 receives its water from the City of Batavia and the Monroe County Water Authority. Both the City of Batavia and the Monroe County Water Authority have ample capacity available to provide water for this project; and

WHEREAS, copies of the aforesaid said "Order for a Public Hearing on the Petition for the Establishment

of the Town of Alexander Water District No. 5” was duly published and posted according to law, and said Town
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Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same, and

WHEREAS, the boundary of the proposed Town of Alexander Water District No. 5 shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference.

WHEREAS, the evidence offered at such hearing requires that the Town Board make the determinations hereinafter made.

ON MOTION OF Councilperson Roy Haller, which was duly seconded by Councilperson Eric Wagner,
NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Alexander, in the County of Genesee, duly convened, that it be and hereby is determined as follows:

- (1) The aforesaid “Petition to Request Water District” was signed and acknowledged or proved or authenticated, as required by law and is otherwise sufficient;
- (2) The Notice of Hearing was published and posted as required by law and is otherwise sufficient;
- (3) That all the property and property owners, within the proposed water district are benefited thereby;
- (4) That all of the property and property owners benefited are included within the proposed water district; and
- (5) It is in the public interest to establish the proposed water district as hereinafter described; and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a water district as hereinafter described to be known as the Town of Alexander Water District No. 5 and shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference; and be it

FURTHER RESOLVED, the project will generally consist of installing approximately 42,100 linear feet of 8” and 12” diameter PVC water main within existing right-of-ways along Broadway Road (Route 20), Gillate Road, Darien-Alexander Townline Road, Bowen Road, Old Buffalo Road (Route 238) and Attica Road. The water main will serve approximately 130 units; and be it

FURTHER RESOLVED, the project will require a Booster Pump Station (BPS) be installed in the Town of Alexander Water District No. 2 to meet domestic pressure and peak daily demands to provide a minimum fire flow of 1,041 gallons per minute in addition to peak hourly demands; and be it

FURTHER RESOLVED, the project will require a 300,000-gallon water storage tank be installed at a higher elevation to meet hydraulic demands at higher elevations; and be it

FURTHER RESOLVED, the water system will be designed to provide 165 gallons of water per household per day for domestic and commercial use and to provide fire protection meeting Insurance Services Office (ISO) Standards and will serve approximately 130 units, which may include single family houses, mobile homes, vacant land, manufactured homes, or non-residential properties; and be it

FURTHER RESOLVED, the debt service for the initial project costs are based on equivalent dwelling units and the Town of Alexander anticipates securing grants from the USDA Rural Development to partially fund the project through grant, while the remaining share will be paid for by a USDA Rural Development Loan in addition to all other local, state or federal funding; and be it

FURTHER RESOLVED, a typical average household uses 60,000 gallons of water per year and water rates for that usage shall be as follows:

1. Village of Alexander bills their customer quarterly. 2017 Rates include an effective rate of \$5.10 per 1,000 gallons ($5.10/1000 \times 60,000 = \underline{306.00}$); and
the total cost to homeowners for water would be \$306.00 per year; and be it

FURTHER RESOLVED, the total capital cost (estimated maximum amount) for the Town of Alexander Water District No. 5 is \$4,940,000 which amount is to be financed by the issuance of serial bonds in an aggregate amount not to exceed \$4,940,000, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, a USDA Rural Development grant in the approximate amount of \$2,223,000; and be it

FURTHER RESOLVED, Net local project costs are anticipated to be approximately \$2,717,000.00 with

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an annual debt service including (38 years at 3.00 % interest) of \$120,796.00 and the estimated Debt Service per Unit of \$929.00; and be it

FURTHER RESOLVED, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the District which for the Town Board shall determine and specify to be specifically benefitted thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the principal of and interest on said bonds, as same shall become due and payable; and be it

FURTHER RESOLVED, the total annual cost for an average homeowner including debt service and water bill would be estimated to be \$1,235.00 per year, per household; and be it

FURTHER RESOLVED, in addition each unit shall be responsible for several one-time costs, including cost to hookup and connect to the right-of-way to interior plumbing, (approximately \$8.00 – \$20.00 per linear foot) and well separation costs (approximately \$200.00 - \$600.00 per unit); and be it

FURTHER RESOLVED, that this Resolution and Order is subject to the approval of the Office of the State Comptroller, Department of Audit and Control and the Town Supervisor, assisted by the Town Attorney, will prepare an application to the Office of the State Comptroller, Department of Audit and Control for approval of the formation of this water district; and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed, within ten (10) days hereof, to record a certified copy of this Resolution and Order with the Genesee County Clerk’s Office and submit duplicate certified copies of this Resolution and Order with the Office of the State Department of Audit and Control, together with an application, in duplicate, executed and verified by the Supervisor of the Town of Alexander for permission to create such district.

DATED: November 14, 2017

[SEAL]

Lisa L. Lyons, Clerk
Town of Alexander

Approved on Roll Call as follows:

Supervisor	Joseph Higley	☺ Yes
Councilmember	Roy Haller, III	☺ Yes
Councilmember	David Miller	☺ Yes
Councilmember	Eric Wagner	☺ Yes
Councilmember	Carol Wolfley	☺ Yes

RES. NO. 59: APPROVAL TO SELL THE OLD SHREDDER:

On motion by Councilperson Miller, seconded by Councilperson Wolfley, and carried, the following: The Town board has agreed to sell the old shredder to the Village for \$1.

5 – Yes Higley, Haller, Miller, Wagner, Wolfley 0 – No Carried

RES. NO. 60: APPROVE CONTRACT WITH MUNICIPAL SOLUTIONS:

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried, to approve the agreement for fiscal services for the water BAN.

5 – Yes Higley, Haller, Miller, Wagner, Wolfley 0 – No Carried

RES. NO. 61: APPROVE SHARED SERVICES CONTRACT WITH ALEXANDER CENTRAL SCHOOL:

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried, to approve the agreement for shared services with the Alexander Central School Business office for bookkeeping.

5 – Yes Higley, Haller, Miller, Wolfley, Wagner 0 – No Carried

DISCUSSION:

1. Deputy Clerk – personal services on the budget were discussed. At up to 10 hours per week at 52 weeks per year, the compensation would be \$5980.00. Clerk vacation and time off would be figured within this budgeted amount.
2. Water District #5 – A letter was sent to Rural Development on the borrowing of more funds since the grant funds were short \$700,000.00. If the funds are not available, we would need to circulate new petitions, with new petitioners for the different amount.
3. Water District #4 – We have the commitment of funds at 2.65%. We are still waiting on the Comptroller’s office on the confirming of numbers.

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On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, to pay the bills on Abstract #11 as follows:

General Fund A	Vouchers	263-292	\$20727.06
General Fund B	Vouchers	26-27	\$508.04
Highway Fund A	Voucher	18-18	\$1835.99
Highway Fund B	Vouchers	141-163	\$69141.11

On motion by Councilperson Haller, seconded by Supervisor Higley, and carried, the meeting adjourned at 8:53 p.m.

Respectfully submitted,

Lisa L. Lyons
Town Clerk