

June 12, 2017

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

Present: Supervisor Joseph Higley
Town Board: Roy Haller III, David Miller, Eric Wagner, Carol Wolfley
Town Clerk: Lisa L. Lyons
Guests: Brandon Snyder, Steve Mountain, Tim Baetzel, Linda Farnsworth, Jackie Lowe, Marshall Merle

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 and Mr. Hulshoff.

On motion by Councilperson Haller, seconded by Councilperson Wolfley, and carried, the minutes of the May 8, 2017 Regular meeting were adopted. 5 – Yes Higley, Miller, Wolfley, Haller, Wagner 0 – No Carried

Supervisor Higley opened the Public Hearing at 7:05p.m.

COMMUNICATIONS: June Genesee County for the Office of the Aging Newsletter, 20th Annual NYS Cyber Security Conference, April Mercy EMS Report, Association of Towns Planning/Zoning School

REPORTS:

INSURANCE: Lawley completed the renewal, with an increase of 1%.
BUILDING: Key Power Systems came to inspect and test the generator; downspouts have been fixed
FINANCIAL: Financial reports were distributed.
SENIOR CITIZEN: Buffalo River Cruise
GAM: June 15, 2017; Town of Bethany

Town Clerk and Town Justices' financial reports were read and filed.

Motion was made by David Miller to close the public hearing, Seconded by Carol Wolfley at 7:40 p.m.
5-Yes 0-No Carried

OLD BUSINESS:

1. Water District #4 – Date will be set for public hearing to establish the water district.
2. Water District #5 – Dave DiMatteo, Laura Schmieder, Joseph Higley, Lisa Lyons met to go over residents names to make sure the petition would be done correctly.
3. Scott Wessel and David Hodgins have both submitted a letter of interest for the Planning Board.
4. No information on the Self Insurance yet.
5. Received a quote for maintenance of the landscaping around the Town Hall building. See new business.
6. Estimate was received for the paving of the parking lot at the Town Hall. See new business
7. The contract for shared services with the school is still being worked on.

NEW BUSINESS:

RES. NO. 28: EXPEND MONIES FROM THE TOWNS BUILDING RESERVE FUND

On motion by Councilperson Haller, seconded by Councilperson Wagner and carried, the following:

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Alexander in the County of Genesee, State of New York has on the 12th of June, 2017 duly adopted, subject to permissive referendum, a resolution as follows:

WHEREAS, the Town Board of the Town of Alexander has determined that it is necessary to undertake capital improvements to its parking lot serving the Town's municipal building, including all necessary labor, equipment, materials, and all preliminary costs incidental thereto; and

WHEREAS, in recognition of these needs, \$10,000 of funds are available in the Town's Building Reserve Fund to assist in completing the improvements; and

NOW, THEREFORE, BE IT RESOLVED, that it is in the public interest to complete the parking lot improvements; and

BE IT FURTHER RESOLVED, that the Town Board is authorized to expend from the Building Reserve \$10,000 of available funds to be used to assist in paying costs associated with the proposed parking lot capital improvements, subject to permissive referendum, as permitted by law; and,

BE IT RESOLVED, that the Town Clerk is hereby authorized and directed to publish this resolution, or summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law in a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication.

4 – Yes Higley, Miller, Haller, Wagner 0 – No 1 – Absent Carried

RES. NO. 29: SEQR RESOLUTION – NEGATIVE DECLARATION FOR PROPOSED WATER DISTRICT NO. 5

WHERE AS, the project is generally described as follows: District formation and the installation of approximately 43,000 linear feet of waterline along portions of Broadway Road (Route 20), Old Buffalo Road (Route 238), Attica Road, Gillate Road, Bowen Road and Darien-Alexander Townline Road, a water storage tank and booster pump station in the Town of Alexander. The project will provide public water to properties that are currently dependent upon individual groundwater supplies that historically have produced very low yields of poor quality water,

NOW THEREFORE, BE IT RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Alexander has determined that the proposed action is a Type I action as defined under SEQR; and

BE IT FURTHER RESOLVED, the Town Board has commissioned Mountain Engineering, PLLC to prepare Parts 1, 2 and 3 of the Environmental Assessment Form regarding the project, and

BE IT FURTHER RESOLVED, that the Town Board hereby accepts the long form Environmental Assessment Parts 1, 2 and 3 that have been prepared for this project, and

BE IT FURTHER RESOLVED, the Town Board declares that, based on the Environmental Assessment which has been prepared in Parts 1, 2 and 3, the project will result in no significant impact to the environment. Therefore, the Town Board declares that a Negative Declaration under SEQR is therefore issued for this project; and,

BE IT FURTHER RESOLVED, that all appropriate notices and filings shall be completed. **Offered by: Eric Wagner Second by: Carol Wolfley Ayes: 5 APPROVED**

CERTIFICATION

STATE OF NEW YORK}
COUNTY OF GENESEE}

I, Lisa Lyons, Town Clerk of the Town of Alexander, County of Genesee, and State of New York, DO HEREBY CERTIFY that I have compared the aforementioned resolution duly adopted by the Town Board of the Town of Alexander, on the 12th day of June 2017 with the original now on file in my office, and the same is a correct and true copy of said resolution and of the whole thereof.

Dated: June 13, 2017

Lisa Lyons
Town Clerk

{ S E A L }

RES. NO. 30: APPROVAL OF SPRINGTYME LANDSCAPING QUOTE

On motion by Councilperson Miller, and Seconded by Supervisor Higley and carried, the following: To approve Springtyme Landscaping & Design, Inc. to complete Spring cleanup, including weeding beds, turning over mulch, trimming shrubs and maintaining beds for the 2017 season for \$265.00.

4 – Yes Higley, Miller, Haller, Wagner 0 – No Carried

RES. NO. 31: APPROVE PROPOSAL FOR NEW ASPHALT FOR TOWN BUILDING PARKING LOT

On motion by Supervisor Higley, seconded by Councilperson Miller, and carried the following: To approve the new asphalt, labor and other materials for the Town's parking lot at \$10,221.23 plus striping.

4 – Yes Higley, Miller, Haller, Wagner 0 – No Carried

RES. NO. 32: APPROVAL OF BOND COUNSEL SERVICES FROM HODGSON RUSS

On motion by Councilperson Haller and seconded by Councilperson Wagner, and carried, the following:

WHEREAS, John Alessi, a bond attorney with Hodson Russ LLP, has represented the Town of Alexander as bond council with two previous bond arrangements, and

WHEREAS, the fees of \$5,000.00 plus \$1.00 per thousand for the first \$3,000,000.00 borrowed and \$0.85 per thousand for \$3,000,000.00 to \$6,000,000.00 borrowed and \$0.70 per thousand for \$6,000,000.00 to \$12,000,000.00 borrowed, and

THEREFORE BE IT RESOLVED, the Town Board of the Town of Alexander accepts the proposal from Hodgson Russ for bond counsel for water district #4.

4 – Yes Higley, Miller, Haller, Wagner 0 – No Carried

RES. NO. 33: LIQUOR LICENSE 30 DAY WAIVER – HILLSIDE TAVERN, LLC

On motion by Supervisor Higley, seconded by Councilperson Miller, and carried, the following: Hillside Tavern, LLC in the Town of Alexander intends to file for a New York State Liquor License; and **WHEREAS**, pursuant to Alcohol Beverage Control Law, an applicant must give the municipality thirty days' notice of the pending liquor license application unless the municipality consents to waive this thirty day requirement; now therefore be it **RESOLVED**, that the Town Board of the Town of Alexander hereby waives the thirty days' notice period in regard to Hillside Tavern, LLC allowing an earlier submission of the liquor license application.

4 – Yes Higley, Miller, Haller, Wagner 0 – No Carried

RES. NO. 34: ORDER FOR A PUBLIC HEARING FOR ESTABLISHING WATER DISTRICT NO. 4

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 for providing the facilities, improvements or services in a portion of the Town of Alexander, where a Water District is proposed to be established; and said map, plan and report dated January 31, 2017; has been filed in the office of the Town Clerk of the Town of Alexander on June 12, 2017, and

WHEREAS, a "Petition to Request Water District" was filed in the Alexander Town Clerk's Office on June 12, 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. 4 (also referred to herein as "Water District") owning in the aggregate at least one-half (½) 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 (½) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

WHEREAS, the boundary of the proposed Town of Alexander Water District No. 4 shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference. **WHEREAS**, the project area has been identified through public interest and the proposed Water District will obtain its water supply from the Village of Alexander. The Village of Alexander has ample supply for this project; and

WHEREAS, the water system will be designed to provide 60 gallons of water per person per day for domestic and commercial use and to provide fire protection meeting Insurance Services Office (ISO) Standards and will serve approximately 13 units, 12 of which are residential and 1 business; and

WHEREAS, 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; and

WHEREAS, the project will generally consist of installing approximately 4,300 linear feet of 8” or 12” diameter PVC water main, and 2” water main or 8” water main along Sandpit Road. The water main will be installed along Telephone Road, Broadway Road (Route 20) and Sandpit Road and serve approximately 13 units as shown in **Appendix B**, attached hereto and incorporated herein by reference; and

WHEREAS, a typical average household uses 60,000 gallon of water per year and water rates for that usage shall be as follows: Village of Alexander bills their customer quarterly. 2017 Rates include an effective rate of \$5.85 per 1,000 gallons ($5.85 \times 60,000 = \underline{351.00}$); and the total cost to homeowners for water would be \$351.00 per year; and

WHEREAS, the total Capital Cost for the Town of Alexander Water District No. 4 is \$440,000.00. It is projected that this project shall receive a USDA Rural Development grant in the amount of \$198,000; and

WHEREAS, Net local project costs are anticipated to be \$242,000.00 with an annual debt service including (38 years at 3.000% interest) of \$10,759.00 and the estimated Debt Service per Unit of \$828.00; and

WHEREAS, 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

WHEREAS, the total annual cost for an average homeowner including debt service and water bill would be estimated to be \$1,179.00 per year, per household; and

WHEREAS, 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) with an average of seventy five (75) linear feet (approximate total cost of \$750.00 per unit) for pipe installation and well separation costs (approximately \$200.00 - \$600.00 per unit); and

WHEREAS, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Alexander and available for public inspection. **NOW ON MOTION BY** Councilperson Wagner which has been duly seconded by Councilperson Haller, therefore, **IT IS ORDERED**, that the Town Board of the Town of Alexander, New York, shall meet at the Alexander Town Office, located at 3350 Church Street, Alexander, New York on the 10th day of July 2017, at 7:00 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements specified herein, 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 Alexander is hereby authorized and directed to publish a copy of this Order in The Daily News, to post a copy of the same on the signboard of the Town of Alexander and to mail a copy to all owners of property located within the proposed Water District, in the time and manner required by law.

4 – Yes Higley, Miller, Haller, Wagner 0 – No 1 – Absent Wolfley Carried

DATED: June 13, 2017

[SEAL]

Lisa Lyons, Clerk
Town of Alexander

RES. NO. 35: BUDGET AMENDMENTS AND TRANSFERS

On motion by Councilperson Haller, seconded by Councilperson Miller, and carried, the following:

WHEREAS, budget line A1450.4 is over \$0.09 and A1310.1 is under by more than \$0.09; and A1440.4 is over by \$818.00, and A1990.4 is under by more than \$818.00; and DA5130.2 is over budget by \$15,087.49 and DA5142.2 is under by more than \$15,088.00; and DB56142.1 is over budget by \$10,653.20 and DB5142.4 is under by more than \$10,654.00, and

THEREFORE BE IT RESOLVED, A1310.1 will be reduced by \$0.09 and A1450.4 will be increased by \$0.09; A1990.4 will be reduced by \$818.00 and A1440.4 will be increased by \$1000.00; DA5142.2 will be reduced by \$15,088 and 5130.2 will be increased by \$15,087.49; and DB5142.4 will be decreased by \$10,654.00 and DB5142.1 will be increased by \$10,653.20.

4 – Yes Higley, Miller, Haller, Wagner 0 – No Carried

DISCUSSION:

1. Coverages from NYMIR, and reviewing the bonded amounts.
2. Liquor License for Hillside Tavern
3. Shredder / JCAP – the court feels as if the town and the village should be helping with the cost of the new shredder.

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, to pay the bills on Abstract #6 as follows:

General Fund A	Vouchers	126-161	\$23,547.29
General Fund B	Vouchers	9-12	\$37,835.11
Highway Fund A	Vouchers	7-8	\$1,655.20
Highway Fund B	Vouchers	68-84	\$9,215.01

On motion by Councilperson Miller, seconded by Councilperson Haller, and carried, the meeting adjourned at 9:11pm.

Respectfully submitted,

Lisa L. Lyons
Town Clerk