

**July 10, 2017**

**Alexander Town Board Regular Meeting and Public Hearing**

**Alexander Town Hall 7:00 p.m.**

Present: Supervisor Joseph Higley  
Town Clerk: Lisa L. Lyons  
Town Board: David Miller, Eric Wagner  
H'way Supt: Tom Lowe  
Absent: Roy Haller, III, Carol Wolfley  
Guests: Steve Mountain, Troy Robbins, Bill Wagner, Brian & Linda Farnsworth, Matt Mahaney, Laura Schmieder, Brandon Snyder, Scott Wessel, Jenny Wall, Dave Hodgins, Paul Schmitt

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 Supervisor Higley, seconded by Councilperson Miller and carried, the Supervisor opened the Public Hearing. The Supervisor read the Proof of Publication. This Public Hearing is to hear comments from residents in regard to the establishment of the Town of Alexander's Water District #4.

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried, the minutes of the June 10, 2017 Regular meeting were adopted with a correction to Resolution #34. 3 – Yes Higley, Miller, Wagner 0 – No Carried

**COMMUNICATIONS:** Mercy EMS report for 5/2017; Parks & Recreation Newsletter

**REPORTS:**

**CEO/ZEO:** Matt Mahaney presented a written report which states that year to date there have been 32 permits give. Matt has expressed to the Board that it is time to update the fee schedule. He will work on this and present it at the next meeting. A complaint was received about a project taking place on Halstead Road, and Matt will look into it.

**Building:** The Village has mulched around the building. Joe has stated he contacted Springtyme for landscaping.

**Town Clerk:** No written report. The alarm has been set off a couple times from the door being left unlocked.

Everyone in the building was reminded to lock the doors when leaving; the office has been quiet.

**Supv. Financial:** Mortgage tax has been received. Financials from the school were passed out.

**H'way. Supt:** No written report. Parking lot at the town hall was completed, and Drybridge Road has been completed.

**GAM:** No meeting for July, next meeting is scheduled for September in Elba.

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

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried, the Public Hearing closed at 8:35 p.m.

**OLD BUSINESS:**

1. Water District #4 – Steve Mountain passed out information on the project.
2. Water District #5 – We will set a meeting with residents that have their own water district already to go over the plans for the new district. Mr. Volpe called and had many questions on what would happen.

**NEW BUSINESS:**

**RES. NO. 36: RESOLUTION AND ORDER FOR THE ESTABLISHMENT OF THE WATER DISTRICT NO. 4 - FOR A PORTION OF THE TOWN OF ALEXANDER**

**WHEREAS**, the Town Board of the Town of Alexander 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 as hereinafter described; and

**WHEREAS**, after said Supervisor duly filed the map, plan and report in the Office of the Town Clerk of the Town of Alexander on June 12, 2017 and duly adopted an "Order for a Public Hearing on the Petition for Establishment of the Town of Alexander Water District No. 4" 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 10th day of July, 2017 at 7:00 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 Town of Alexander Town Clerk's Office on June 12, 2017, which was signed by a number of owners within said district which was greater than the percentage required by law; and

**WHEREAS**, the improvements proposed are to provide a safe and reliable potable water supply and fire protection to certain residences located within the proposed water district. The overall project will consist of the construction and installation of approximately 4,300 linear feet of 12" diameter PVC water main along portions of Telephone Road, Broadway Road (U.S. Route 20) and Sandpit Road, together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, appurtenances and other improvements and costs incidental thereto and, in addition, a booster pump station to meet domestic pressure and peak daily demand with the inclusion of fire pumps to provide a minimum fire flow of 500 gallons per minute in addition to the peak hourly demands; and

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**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. 4” was duly published and posted 2 according to law, and said Town 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 evidence offered at such hearing requires that the Town Board make the determinations hereinafter made.

**ON MOTION OF** Councilperson Wagner, which was duly seconded by Councilperson Miller, **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.

(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. 4 and shall have an exterior boundary described as follows:

Beginning at a point, the northwest intersection of the Alexander Municipal Boundary and the intersection of the right-of-ways of Sandpit Road and Telephone Road; thence

1. Northeasterly, following the easterly Municipal Boundary line and the existing Village of Alexander Water District, along the southeasterly lines of Tax Parcel numbers 2-3-14.111, 2-3-14.112 and 2-3-14.2, a distance of 646 feet, more or less, to the southerly corner of Tax Parcel number 8-1-33.12; thence,

2. Westerly, following the northerly Municipal Boundary line and the existing Village of Alexander Water District, along the southerly line of Tax Parcel number 8-1-33.12, a distance of 236 feet, more or less to the westerly corner of Tax Parcel number 8-1-33.12; thence,

3. Northeasterly, along the northwesterly line of Tax Parcel number 8-1-33.12, a distance of 411 feet, more or less, to the northerly corner of Tax Parcel number 8-1-33.12; thence,

4. Southeasterly, along the northerly line of Tax Parcel number 8-1-33.12, a distance of 67 feet, more or less, to the northeasterly corner of Tax Parcel number 8-1-33.12; thence,

5. Southerly, along the easterly line of Tax Parcel number 8-1-33.12, a distance of 145 feet, more or less, to a point along the westerly right-of-way line of Sandpit Road; thence,

6. Northeasterly, along the westerly right-of-way line of Sandpit Road, across Broadway Road (99 feet wide right-of-way), a distance of 211 feet, more or less, to the intersection of the Broadway Road and Brookville Road right-of-ways; thence,

7. Southeasterly, across Brookville Road (66 feet right-of way), a distance of 71 feet, more or less, to the westerly corner of Tax Parcel number 8-1-30; thence,

8. Southwesterly, across Broadway Road (66 feet wide right-of-way), a distance of 36 feet, more or less, to a point on the centerline of Broadway Road; thence,

9. Easterly, along the centerline of Broadway Road, a distance of 1,170 feet, more or less, to point across and perpendicular to the southwesterly corner of Tax Parcel number 9-1-46; thence,

10. Northerly, across Broadway Road and continuing along the westerly line of Tax Parcel number 9-1-46, a distance of 225 feet, more or less, to the northwesterly corner of Tax Parcel number 9-1-46; thence,

11. Easterly, along the northerly line of Tax Parcel number 9-1-46, a distance of 160 feet, more or less, to the northeasterly corner of Tax Parcel number 9-1-46; thence,

12. Northerly, along the westerly line of Tax Parcel number 9-1-51, a distance of 20 feet, more or less, to the northwesterly corner of Tax Parcel number 9-1-51; thence,

13. Easterly, along the northerly line of Tax Parcel number 9-1-51, a distance of 162 feet, more or less, to the northwesterly corner of Tax Parcel number 9-1-47.121; thence,

14. Easterly, along the northerly line of Tax Parcel number 9-1-47.121, a distance of 162 feet, more or less, to the northwesterly corner of Tax Parcel number 9-1-47.112; thence,

15. Easterly, along the northerly line of Tax Parcel number 9-1-47.112, a distance of 50 feet, more or less, to the northwesterly corner of Tax Parcel number 9-1-47.111; thence,

16. Easterly, along the northerly line of Tax Parcel number 9-1-47.111, a distance of 210 feet, more or less, to the northeasterly corner of Tax Parcel number 9-1-47.111; thence,

17. Easterly, through the lands of Tax Parcel numbers 9-1-57 and 9-1-58.1, a distance of 2,442 feet, more or less, to a point along the easterly line of Tax Parcel number 9-1-58.1; thence,

18. Southerly, along the easterly line of Tax Parcel number 9-1-58.1, a distance of 175 feet, more or less, to the southeasterly corner of Tax Parcel number 9-1-58.1; thence,

19. Southerly, across Broadway Road (66 feet wide right-of-way), a distance of 33 feet, more or less, to a point on the centerline of Broadway Road; thence,

20. Easterly, along the centerline of Broadway Road, a distance of 311 feet, more or less, to point across and perpendicular to the northeasterly corner of Tax Parcel number 9-1-40.2; thence,

21. Southerly, across Broadway Road, a distance of 33 feet, more or less, to the northeasterly corner of Tax Parcel number 9-1-40.2; thence,

22. Southerly, along the easterly line of Tax Parcel number 9-1-40.2, a distance of 1,154 feet, more or less, to the southeasterly corner of Tax Parcel number 9-1-40.2; thence,

23. Westerly, along the southerly line of Tax Parcel number 9-1-40.2, a distance of 1,662 feet, more or less, to the southwesterly corner of Tax Parcel number 9-1-40.2; thence,

24. Westerly, through the lands of Tax Parcel numbers 9-1-40.1 and 9-1-44.12, a distance of 1,677 feet, more or less, to southeasterly corner of Tax Parcel number 9-1-44.2; thence,

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25. Westerly, along the southerly line of Tax Parcel number 9-1-44.2, a distance of 160 feet, more or less, to the southwesterly corner of Tax Parcel number 9-1-44.2; thence,  
26. Westerly, through the lands of Tax Parcel number 9-1-43, a distance of 81 feet, more or less, to a point along the westerly line of Tax Parcel number 9-1-43; thence,  
27. Northerly, along the westerly line of Tax Parcel number 9-1-43, a distance of 536 feet, more or less, to a point across and perpendicular to the southeasterly corner Tax 5 Parcel number 8-1-39.121; thence,  
28. Westerly, through the lands of Tax Parcel number 8-1-39.113, a distance of 535 feet, more or less, to the southeasterly corner of Tax Parcel number 8-1-39.121; thence,  
29. Westerly, along the southerly line of Tax Parcel number 8-1-39.121, a distance of 163 feet, more or less, to the southwesterly corner of Tax Parcel number 8-1-39.121; thence,  
30. Westerly, through the lands of Tax Parcel number 8-1-39.113, a distance of 1,039 feet, more or less, to the southeasterly corner of Tax Parcel number 8-1-86; thence,  
31. Westerly, along the southerly line of Tax Parcel number 8-1-86, a distance of 260 feet, more or less, to the southwesterly corner of Tax Parcel number 8-1-86; thence,  
32. Westerly, across Sandpit Road (49.5 feet wide right-of-way) a distance of 49.5 feet, more or less, to a point along the westerly line of the Sandpit Road right-of-way; thence,  
33. Northerly, following the existing Alexander Water District and along the westerly Sandpit Road right-of-way, a distance 212 feet, more or less, to the point of beginning.  
34. Northeasterly, following the existing Village of Alexander Water District and across Telephone Road (66 feet wide right-of-way), a distance of 124 feet, more or less, to the point of beginning.  
All as shown on the maps prepared by the Town of Alexander entitled, "Alexander Water District No. 4" dated January 2017. The Town of Alexander Water District No. 4, as described above, contains approximately 132 acres of land.

**AND BE IT FURTHER RESOLVED**, the total capital project cost for the Town of Alexander Water District No. 4 is \$440,000.00 which will be offset by a minimum USDA Rural Development grant of approximately \$198,000.00 leaving a total debt (net local share) of approximately \$242,000.00 to be financed through a Rural Development loan for a thirty-eight (38) year term at 3.0% interest, thereby creating a yearly debt service of approximately \$10,759.00 and assuming this annual debt is shared by 13.0 billable units in the proposed water district, the annual cost of debt service will be approximately \$828.00 per typical property user in the proposed district, which is a single family home; and be it

**FURTHER RESOLVED**, a typical household uses 60,000 gallons of water per year and the 6 estimated cost of the water to be purchased by users within the water district is \$5.85 per 1,000 gallons used. Thereby the average household can expect to pay, above and beyond the debt service, approximately \$351.00 per year for water purchased; and be it

**FURTHER RESOLVED**, that based upon the foregoing estimates, the total annual cost of the typical property in the proposed district will be \$1,179.00 per year; and be it

**FURTHER RESOLVED**, that as stated in such map, plan and report, the project has an estimated maximum cost of \$440,000.00, which amount is to be financed by the issuance of serial bonds in an aggregate amount not to exceed \$440,000.00, such amount to be offset by any federal, state, county and/or local funds received, and unless paid from other sources or charges, the cost of the project will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed water district which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

**FURTHER RESOLVED**, that each property will also have to pay for service from their home to the road right-of-way, incurring an estimated one time cost for the installation of approximately 75 linear feet of pipe at \$10.00 per linear feet which totals \$750.00, as well as, any internal plumbing charges calculated at approximately \$200.00 - \$600.00 per unit which includes well abandonment; and be it

**FURTHER RESOLVED**, that this Resolution and Order is not subject to permissive referendum; and be it

**FURTHER RESOLVED**, that the total annual cost to a typical property in the water district exceeds the maximum amount of \$966.00 of the average estimated costs applied to town special district establishments, extensions or increases to be expended as published by the State of New York Office of the State Comptroller in December 2016 for January 1, 2017 through December 31, 2017; 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: July 10, 2017

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Lisa Lyons, Clerk

[SEAL] Town of Alexander

Approved on Roll Call as follows:

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

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**RES. NO. 37: EXECUTIVE SESSION AT 8:52PM**

On motion by Supervisor Higley, seconded by Councilperson Miller, and carried, to discuss the interested candidates for the Planning Board.

**RES. NO. 38: EXECUTIVE SESSION CLOSED AT 9:00PM**

On Motion by Supervisor Higley, seconded by Councilperson Wagner, and carried, the executive session closed at 9:00PM.

**RES. NO. 39: APPOINT NEW PLANNING BOARD MEMBER**

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried the following: the Town Board appoints Jennifer Wall as the new Planning Board Member effective July 11, 2017

3 – Yes Higley, Miller, Wagner 0 – No 2 – Absent Haller, Wolfley Carried

**DISCUSSION:**

1. JCAP – monies were received in the amount of 2420.00. Discussion was had as to have the Town and the Village help with monies to purchase a commercial shredder.

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried to pay the bills for Abstract #7

General Fund A	Vouchers	162 -186	\$19,287.41
General Fund B	Vouchers	13 -15	664.65
Highway Fund A	Voucher	9-9	1,695.62
Highway Fund B	Vouchers	85 -101	215,952.24
Trust & Agency	Voucher	2	2833.35

On motion by Councilperson Miller, seconded by Councilperson Wagner, and carried, the meeting adjourned at 9:05 pm.

Respectfully submitted,

Lisa L. Lyons  
Town Clerk