

**Public Hearing
Church Road Water District #2
February 24, 2009**

A Public Hearing was held in the Hamlin Town Hall located at 1658 Lake Rd., Hamlin, New York, for creation of the Town of Hamlin Church Road Water District Number 2.

Present: Supervisor Dennis Roach, Councilperson Tom Breslawski, Councilperson Mike Marchetti, Councilperson Paul Rath, Councilperson David Rose excused. Also Present: Town Engineer J.P. Schepp, Building Inspector Charles Hungerford, and Planning Board Member Tom Jensen. Residents present: Annie Breslawski, Jim and Diane Wilcox, Kate Almeter, Marilyn Weitz, David & Marla Dudley, Brian & Teresa Rath, Sean Fitzgerald.

Supervisor Roach briefly explained the Public Hearing was for the creation of the Church Road Water District Extension Number 2. He introduced the Town Engineer and Town Highway Superintendent to those residents present.

Supervisor Roach went on to explain to those present:

This information Public Hearing is required by law to publicly review the proposed creation of a new water district to be called the Town of Hamlin Church Road Water District #2. Having received an informal petition signed by most of you, the Hamlin Town Board at its December 8, 2008 meeting unanimously approved Resolution number 254 to authorize the preparation of the map and the engineering report for the proposed Church Road Water District #2 located between Martin Road and Lake Road East Fork. The Town Engineer, Chatfield Engineers, completed the report; at that time our attorney prepared the formal petition, which came back with over 90% of property owner signatures. Based on that, the Town Board approved this Public Hearing. Supervisor Roach then asked the Town Clerk to provide proof of publication.

The primary purpose of the meeting is for the Town Board to hear any public statements, comments or opinions, pro or con, concerning the creation of the Church Road Water District #2. Supervisor Roach then commended the residents present on their initiative to pass the petition, come before the Town Board and being activists in having the water district created. He also commended Ed Marianetti, Executive Director from the Monroe County Water Authority for reviewing the potential water district need and giving approval for the Town of Hamlin to use the remaining subsidy money on this project. It was his decision that this water district would meet the mutual benefit requirements of that lease and also made it affordable by going with the eight-inch line.

Supervisor Roach then gave an overview of the project, its cost and what will happen if the water district is approved.

Supervisor Roach then introduced Town Engineer J.P. Schepp who briefly discussed formation of the water district to completion.

Supervisor Roach then opened the hearing for any public testimony, statements, comments and opinions.

Sean Fitzgerald 1553 Church Road. Mr. Fitzgerald inquired as to what side of the road the water main would be run. Supervisor Roach answered that they believe it will be the North side of the road, but that may change once the studies have been done.

Brian Rath 1628 Church Road. Mr. Rath asked if a property owner were to drop from two parcels to one, would that affect the current proposal. Supervisor Roach replied that it wouldn't affect the current proposal but it would affect the net result in the following years. It would also affect the proposal if parcels were added.

Dave Dudley 1675 Church Road. Mr. Dudley requested the Supervisor Roach please stop using the word 'subdivision'.

Jim Wilcox 1453 Church Road. Mr. Wilcox asked if there was the chance that the Comptroller wouldn't approve the water district. Supervisor Roach replied that yes, there is a chance, however since there is nearly 100% on the petition, it is unlikely that the Comptroller would go against the landowners who are agreeing to pay the amount for the water district.

Supervisor Roach requested all the residents write a letter or e-mail to him detailing how they will benefit and how bad the need is for the water district. These can be included in the packet for the Comptroller.

Mr. Wilcox thanked the Supervisor and Town Board for helping them with the water district.

Highway Superintendent Tom Ingraham explained to residents that just before construction begins on the water district, Monroe County Water Authority will be asking them if they plan to hook up to the water line and if they are, the Water Authority will be asking for an inspection fee at that time.

Supervisor Roach mentioned that Diane Norton was the Town's contact and the Town would be notifying her when approval has been granted.

Marla Dudley 1675 Church Road. Mrs. Dudley inquired as to the amount of property in Hamlin that does not have water. Supervisor Roach stated that there were 23 potential districts that the Town was considering when they were considering the Church Road District.

APPROVAL TO CLOSE THE PUBLIC HEARING

Resolution #114 Motion was made by Councilperson Rath, seconded by Councilperson Marchetti to close the Public Hearing at 6:25 pm as all business was concluded.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL TO OPEN A SPECIAL TOWN BOARD MEETING

Resolution #115 Motion was made by Supervisor Roach, seconded by Councilperson Breslawski to open a Special Town Board Meeting. Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

APPROVAL TO CREATE THE CHURCH ROAD WATER DISTRICT NO. #2

Resolution #115a Motion was made by Councilperson Breslawski, seconded by Councilperson Rath to approve the creation of the Church Road Water District Extension #2. SEQRA was passed at the February 9, 2009 Town Board Meeting.

RESOLUTION APPROVING THE
ESTABLISHMENT OF THE
CHURCH ROAD WATER DISTRICT NO. 2

WHEREAS, a formal petition for the establishment of the Church Road Water District No. 2 dated February 3, 2009, was presented to the Town Board, and

WHEREAS, said petition met the requirements set forth in Section 191 of the Town Law, and

WHEREAS, a resolution was duly adopted by the Town Board on the 9th day of February, 2009 reciting the submission of said petition, the boundary description of the proposed district and the estimated amount proposed to be expended for the improvements and the estimated costs to typical single family residences, and specifying February 24, 2009 at 6:00 p.m. as the time and the Town Hall in the Town of Hamlin as the place where the said Board would meet to consider the petition and to hear all persons interested in the subject thereof, and

WHEREAS, such resolution was duly posted and published as required by law, and

WHEREAS, a public hearing in the matter was duly held by the Town Board on February 24, 2009 at 6:00 p.m. at the Town Hall, and discussion upon the matter having been had and all persons desiring to be heard having been duly heard,

NOW, upon evidence given upon such hearing and upon the motion of Councilperson Breslawski, and seconded by Councilperson Rath, it is

RESOLVED AND DETERMINED that the notice of hearing was published and posted as required by law, that the petition was signed and acknowledged as required by law and is otherwise sufficient, and that all the property and property owners within the

proposed district are benefited thereby, and all the property and property owners benefited are included within the limits of the district, and it is in the public interest to grant the relief requested in the petition by creating the Church Road Water District No. 2, and it is further

RESOLVED AND DETERMINED that the maximum amount to be expended for the establishment of said Water District, including the construction of the water system including the cost of land, engineering fees, legal fees and other expenses, shall be \$484,655.46 and shall be financed by a contribution from the Monroe County Water Authority of \$355,964.08 and the balance of \$128,691.38 by serial bonds with a maturity not to exceed thirty (30) years, with the cost of the system to be levied on a benefit basis, and it is further

RESOLVED that the cost per typical single family home after the first year is estimated to be \$491.93 per year for capital construction, operation and maintenance, and it is estimated that water consumption based upon current water rates, is \$200.00 per year and that the water meter charge of the Monroe County Water Authority for a water meter is \$43.80 per year, for a total projected annual cost per unit of \$735.73, and it is further

RESOLVED that the Town Clerk shall file a certified copy of this resolution, in duplicate, at the Office of the State Department of Audit and Control at Albany, New York, together with an application, in duplicate, for permission to create this district, which application shall be executed by the Supervisor of the Town.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti abstain, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

Supervisor Roach explained to the residents that Councilperson Marchetti had to abstain, not because he doesn't support the water district, but because he works for the Town Engineer and must abstain when money is involved with the Engineer.

AUTHORIZE THE HIGHWAY SUPERINTENDENT TO ADVERTISE FOR BIDS FOR A USED 1995 OR NEWER MEDIUM DUTY TRUCK

Resolution #116 Motion was made by Councilperson Marchetti, seconded by Councilperson Breslawski to authorize the Highway Superintendent to advertise for bids for a used 1995 or newer medium duty truck with a 1995 or newer truck mounted 1,600 gallon sewer jetter with an auxiliary engine. Bids to be opened March 6, 2009 at 11am at the Hamlin Town Hall.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti aye, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

ADJOURNMENT

A motion was made by Councilperson Breslawski seconded by Councilperson Marchetti to adjourn the meeting at 6:35 pm as all business has been concluded.

Members polled: Councilperson Breslawski aye, Councilperson Marchetti, Councilperson Rath aye, Supervisor Roach aye. Motion carried.

Respectfully,

Kathi A. Rickman, RMC/CMC
Hamlin Town Clerk