

At a special meeting of the Town Board of the
Town of Kendall in the County of Orleans, New
York, held in the Town on the 21st day of February,
2017.

PRESENT: Anthony Cammarato, Supervisor
Barbara Flow, Councilperson
Bruce Newell, Councilperson
M. Lynn Szozda., Councilperson
Wayne Martin, Councilperson

In the Matter of Water District No. 9
in the Town of Kendall, County of Orleans, New York,
pursuant to Article 12-A of the Town Law

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT OF
WATER DISTRICT NO. 9
FOR A PORTION OF THE TOWN OF KENDALL**

WHEREAS, the Town Board of the Town of Kendall, New York, has duly adopted a Resolution directing the Supervisor of the Town of Oakfield to file a Map, Plan and Report for providing the facilities, improvements or services in a portion of the Town of Kendall, where a water district is proposed to be established; and said Map, Plan and Report has been filed in the office of the Town Clerk of the Town of Kendall on February 21, 2017; and

WHEREAS, a "Petition to Request Water District" was filed in the Kendall Town Clerk's Office on February 21, 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 Kendall, the owners of taxable real property located in the proposed Water District No. 9 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.

WHEREAS, the improvements proposed consists of the construction and installation of approximately 2,525 linear feet of eight (8) inch water main along portions of Creek Road; together with all related right-of-way costs, site work and other ancillary work, including hydrants, valves, apparatus, and other improvements and costs incidental thereto (referred to herein as "water improvement"), and

WHEREAS, the maximum amount proposed to be expended for such water improvement is \$215,000.00, which is planned to be financed through bonded indebtedness at an interest rate of 3.5% for a 30 year term in an amount not to exceed \$65,000.00, offset by any funds received from the United States of America, and/or the State of New York, and/or the county of Orleans, and/or local grants; including, but not limited to, grant of approximately \$150,000.00.

WHEREAS, the proposed annual debt service (assuming 6 units) is estimated to be approximately \$589.00 per typical property user in the proposed district, which is a single family home, and

WHEREAS, a typical household uses 66.42/1000 gallons of water per year and the estimated cost of the water to be purchased by the water district's users is a total of 2.84 per 1,000 gallons used, plus an annual maintenance reserve fee of \$50.00; thereby the average household can expect to additionally pay approximately \$267.10 per year for water purchase above and beyond the debt service, and

WHEREAS, based upon the foregoing estimates, the total annual cost of the typical property in the proposed district is estimated to be \$856.10 per year, and

WHEREAS, payment of the debt service will be made by levy and collection of special assessments from the several lots and parcels of lands within the water district, which the Town Board shall determine and specify to be specially benefited thereby, so much upon and from each as such shall be in just proportion of the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds, as the same shall become due and payable, and

WHEREAS, each property will also have to pay for service from their home to the road right-of-way, incurring estimated one-time costs of approximately \$10.00 per linear feet of pipe for a service line; plus potential well abandonment or separation charges; as well as any internal plumbing charges, and

WHEREAS, the Map, Plan and Report describing such improvements is on file in the office of the Town Clerk of the Town of Kendall and available for public inspection, and it is

ORDERED, that the Town Board of the Town of Kendall, New York, shall meet at the Town Hall, located at 1873 Kendall Road, Kendall, New York on the 21st day of March, 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 Kendall is hereby authorized and directed to publish a copy of this Order in The Hamlin Herald, to post a copy of the same on the signboard of the Town of Kendall, and to mail a copy to all owners of property located within the proposed water district, in the time and manner required by law.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Kendall, Orleans County, New York, will meet at the Town Hall, 1873 Kendall Road, in the Town of Kendall, at 7:00 o'clock P.M. on March 21, 2017 for the purpose of conducting a Public Hearing to consider the construction of the facilities and improvements of proposed Water District No. 9 consisting of the installation of approximately 2,525 linear feet of 8" diameter water main along a portion of Creek Road within the Town, all of the foregoing to include land or rights in land, original equipment, machinery, furnishings, valves, fittings, connections, fill, appurtenances and related site work and other ancillary work (referred to herein as the "Water District") in the Town, at the estimated maximum of cost of \$215,000.00 which is planned to be financed by the issuance of \$65,000.00 serial bonds offset by any funds received from the federal, state, county, and/or local grants, said balance of costs to be provided by the levy and collection of special assessments from the parcels within the Benefited Area; total estimated first year costs to a typical property and to a typical one or two family home (as defined in Town Law) in the amount of \$1,240.00 and total estimated second year and beyond costs to a typical property and to a typical one or two family home in the amount of \$856.10.

At such public hearing, the Town Board will hear all persons interested in said subject matter thereof.

BY ORDER OF THE TOWN BOARD OF THE TOWN
OF KENDALL, ORLEANS COUNTY, NEW YORK

and be it

FURTHER ORDERED, that the Town Clerk file a certified copy of this Order with the Comptroller of the State of New York on or about the date of publication of a copy of this Order.

DATED: February 21, 2017 TOWN BOARD OF THE TOWN OF KENDALL

OFFERED BY: Councilwoman Szozda

SECONDED BY: Councilman Martin

Approved on Roll Call as follows:

Supervisor Cammarata	Yes
Councilman Martin	Yes
Councilwoman Szozda	Yes
Councilman Newell	Absent
Councilwoman Flow	Absent

Members of the Town Board of the Town of Kendall, in the County of Orleans, New York

CERTIFICATE

I, Amy Richardson, Town Clerk of the Town of Kendall, in the County of Orleans, State of New York, HEREBY CERTIFY that the foregoing annexed Order Calling Public Hearing from the minutes of a meeting of the Town Board of said Town, duly called and held on March 21, 2017, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this _____ day of _____, 2017.

(SEAL)

Amy Richardson, Town Clerk
Town of Kendall

