

**TOWN OF KENDALL**  
**RECESSED TOWN BOARD MEETING**  
Tuesday, December 3, 2013, 7:30 P.M.

Supervisor Gaesser reconvened the meeting from November 19, 2013 at 7:38 p.m., and led the Pledge of Allegiance

**ROLL CALL**

Councilman Joseph	present
Councilman Schuth	present
Councilwoman Szozda	present
Supervisor Gaesser	present

Also present, Bruce Newell

**SUPERVISOR'S REMARKS**

- Outlined contents of packet, containing a letter from Hodgson/Russ, a draft map, plan and report from LaBella
- This extension will be completely paid for by the property owner. It will be a private extension, at no cost to taxpayers

**PUBLIC COMMENT**

Bruce Newell asked if this packet will be available to the public Monday. Supervisor answered affirmatively.

**RESOLUTIONS**

The following motion was made by Supervisor Gaesser, seconded by Councilman Joseph:

**RESOLUTION 81-1213 ORDER CALLING PUBLIC HEARING TO BE HELD ON DECEMBER 17,2013 REGARDING THE PROPOSED ESTABLISHMENT OF EXTENSION NO.1 TO THE TOWN OF KENDALL WATER DISTRICT NO. 5**

WHEREAS, the Town Board of the Town of Kendall (herein called "Town Board" and "Town", respectively), in the County of Orleans, New York, has previously created the Town of Kendall Water District No. 5 (the "District") in the Town; and

WHEREAS, the Town Board has received a petition, pursuant to Section 191 of the Town Law, for the establishment of Extension No. 1 to the District (the "Extension") as more specifically described in a report prepared by LaBella Associates, P.C.; and

WHEREAS, such petition was signed by the owners aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed Extension, as shown upon the latest completed assessment roll of the Town; and

WHEREAS, such petition was accompanied by a map, plan and report, dated, December 2, 2013, prepared by LaBella Associates, P.C., competent engineers duly licensed by the State of New York; and

WHEREAS, such map, plan and report is on file at the office of the Town Clerk, and available for public inspection at said location; and

WHEREAS, the proposed Extension is bounded and described as follows:

Town of Kendall  
Water District Ext. No. 1 Description

Beginning at a point in the centerline of Monroe Orleans County Line Road at the intersection of the division line between Tax Account Nos. 011.000-0001-014.0000000 to the north and 011.000-0001- 015.0000000 to the south, said division line being the southerly boundary of Water District No. 5, thence:

1) Westerly through the right-of-way of Monroe Orleans County Line Road a distance of 33 feet more or less to a point, said point being the intersection of western boundary line of the right- of-way of Monroe Orleans County Line Road and the northern property line of Tax Account No. 011.000-0001-015.0000000, thence;

2) Westerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 349 feet more or less to an angle point, thence;

3) Northerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 223 feet more or less to an angle point, thence;

4) Westerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 1236 feet more or less to an angle point, thence;

5) Northerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 307 feet more or less to an angle point, thence;

6) Westerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 56 feet more or less to an angle point, thence;

7) Northerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 25 feet more or less to an angle point, thence;

8) Westerly along the northern property line of Tax Account No. 011.000-0001-015.0000000, said line being the southern boundary of Water District No. 5, a distance of 1295 feet more or less a point, said point being on the western property line of Tax Account No. 011.000-0001- 015.0000000 and being the northwest corner of Tax Account No. 011.000-0001-015.0000000, thence;

9) Southerly along the western property line of Tax Account No. 011.000-0001-015.0000000 a distance of 1401feet more or less to a point, said point being on the southern boundary of Tax Account No. 011.000-0001-015.0000000 and being the southwest corner of Tax Account No. 011.000-0001-015.0000000, thence;

10) Easterly along the southern property line of Tax Account No. 011.000-0001-015.0000000 a distance of 2,935 feet more or less to a point, said point being the southeast corner of Tax Account No.011.000-0001-015.0000000, thence;

11) Easterly along a line drawn perpendicular to the centerline of Monroe Orleans County Line Road a distance of 50 feet more or less to a point, said point being on the centerline of Monroe Orleans County Line Road, thence;

12) Northerly along the centerline of Monroe Orleans County Line Road a distance of 392 feet more or less to the point of beginning.

WHEREAS, such map, plan and report includes a map that depicts planned outlets and the terminus and course of each proposed main water, together with the location and a general description of all other public works, if any, within such proposed Extension; and

WHEREAS, such project will generally include, but not be limited to, the installation of a network of 8-inch and 12-inch diameter private mains with isolation valves and hydrants and the connection to the District's water main, the installation of isolation valves, master meters and backflow prevention devices, as well as other such improvements as more fully identified in such map, plan and report referred to above or as required by the Town, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto (collectively the "Water Improvements"); and

WHEREAS, the construction cost for the Water Improvements will be financed privately; and

WHEREAS, the estimated cost to a typical property, being a unit in the Cottages development, will be \$231.75 per unit annually; and

WHEREAS, unless paid from other sources or charges, any future costs attributable to the Extension will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed Extension 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, except as provided by law.

NOW, THEREFORE BE IT

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, 1873 Kendall Road, Kendall, New York, on December 17, 2013, at 7:00 o'clock p.m. (Prevailing Time) to hear all persons interested in the Establishment of Extension No. 1 to the Town of Kendall Water District No. 5, and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the newspapers designated as the official newspapers of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

Supervisor Gaesser called for a roll call vote, with the following results:

Councilman Joseph	aye
Councilman Schuth	aye
Councilwoman Szozda	aye
Supervisor Gaesser	aye

Motion carried.

Copier has been ordered.

The bicentennial plaque has been hung.

With no further business being brought before the Board, Councilman Schuth motioned for adjournment, seconded by Councilwoman Szozda; all ayes. Supervisor Gaesser adjourned the meeting at 7:52 p.m.

Respectfully Submitted,

Amy K. Richardson  
Kendall Town Clerk