

**KENDALL TOWN BOARD
RECESSED MEETING**

Thursday, February 24, 2022, 7:00 p.m.

Kendall Town Hall – 1873 Kendall Road, Kendall, New York 14476

Supervisor Cammarata reconvened the meeting from February 15th at 7:17 p.m., and led the Pledge of Allegiance.

ROLL CALL

Councilwoman Flow	absent
Councilman Jennings	present
Councilman Martin	absent
Councilwoman Szozda	present
Supervisor Cammarata	present

Attorney for the Town Meier was also in attendance.

RESOLUTIONS

Councilman Jennings made the following motion, which was seconded by Councilwoman Szozda:

**RESOLUTION 52-0222 CALLING FOR A PUBLIC HEARING TO BE HELD ON
MARCH 30, 2022 ABOUT A PROPOSED SEWER DISTRICT FORMATION**

WHEREAS, the Town Board of the Town of Kendall (herein called “Town Board” and “Town” respectively), in the County of Orleans, New York, has heretofore caused the preparation of a general map, plan and report for the proposed construction of sanitary sewer improvements to collect and convey sanitary sewer flows from the an area of the town to the County of Monroe for treatment and disposal (hereinafter described as the “Sewer District”), including land or rights in land, original furnishings, mains, pipes, appurtenances, equipment, machinery, apparatus, all within the unincorporated area of the Town outside of any villages, as more particularly described in Schedule “A”, annexed hereto, (the “Benefited Area”), such improvements to involve the installation of approximately 70,000 linear feet of force main, 10,000 linear feet of gravity sewer, 301 grinder pumps and service laterals, three pump stations, 24 air valves, 45 cleanouts, three odor control systems, and 24 manholes along portion so the Town of Kendall shoreline (the “Sewer District No. 1 Area”), pursuant to Article 12-A of the

Town Law, and which map, plan and report have been heretofore duly filed in the Office of the Town Clerk for public examination; and

WHEREAS, such Sewer District will benefit the entire Benefited Area, said area being hereby designated as the benefited area pursuant to the Town Law; and

WHEREAS, the Town Board and the Town will comply in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Conservation Law prior to final authorization for this action; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer District is estimated to be \$16,324,812.00 and which is planned to be financed by the issuance of \$16,324,812.00 serial bonds to be offset by any funds received from federal, state, county, and/or local grants including, but not limited to, grant funds from Resiliency and Economic Development Initiative (REDI) in the amount of \$8,600,350.00, grant funds from New York State Environmental Facilities Corporation (NYSEFC) in the amount of \$3,089,785.00, and loan from the NYSEFC Clean Water State Revolving Fund (CWSRF) in the amount of \$4,634,677.00, the repayment of such loan to be provided by the levy and collection of special assessments from the several lots and parcels of land within the Benefited Area which the Town Board shall determine to be especially benefited by said Sewer District No. 1, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer District No. 1 shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, and

WHEREAS, the annual cost of operation and maintenance of said Sewer District No. 1 shall be paid with a charge upon the Benefited Area which shall be levied and collected in the same manner and at the same time as other Town charges or by water rents or rates; and

WHEREAS, the estimated total first year costs to the typical property and typical one or two family home is the sum of Six Hundred Sixty and 00/100 (\$660.00) Dollars, consisting entirely of long term bonding costs in like amount; and

WHEREAS, the cost of the district to a typical property and the cost of the district to a typical one or two family home (as defined in the Town Law) for the second year and beyond is

now estimated to be the sum of Six Hundred Sixty and 00/100 (\$660.00) Dollars per year, calculated as follows:

Repayment of Long Term Bond	
Parcel Charge	\$448.00
Operation and Maintenance	\$104.00
Annual Disposal Costs	<u>\$108.00</u>
	\$660.00 parcel/year

and that the Town Board has heretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and further that the cost of the construction of the Sewer District to such Typical Property is below the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts as computed by the State Comptroller and thus is a “low cost” district not requiring the approval of the State Comptroller,

NOW, THEREFORE, BE IT:

ORDERED, that the Town Board of the Town of Kendall meet and hold a further public hearing at the Kendall High School, 16887 Roosevelt Highway, Kendall, New York, on the 30th day of March, 2022, at 7:00 P.M. (Prevailing Time) to consider the construction of the said proposed facilities and improvements of the Sewer District, at which all persons interested in the subject thereof may be heard concerning the same, 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 “HAMLIN HERALD,” a newspaper having a general circulation in the Town of Kendall, and hereby designated as the official newspaper of the Town for such publication, and post conspicuously on the bulletin board in the Office of the Town Clerk, a copy of this Order, certified by the Town

Clerk, the first publication and said posting to be not less than ten (10) nor more than twenty days (20) days before the day designated herein for said public hearing as aforesaid; and mail by first class mail to each owner of the taxable real property in the District a notice of such public hearing in substantially the form attached hereto designated:

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 Kendall High School, 16887 Roosevelt Highway, Kendall, New York, at 7:00 o'clock P.M. on March 30th, 2022 for the purpose of conducting a Public Hearing to consider the construction of the facilities and improvements of proposed Sewer District No. 1 consisting of the installation of approximately 70,000 linear feet of force main, 10,000 linear feet of gravity sewer, 301 grinder pumps and service laterals, three pump stations, 24 air valves, 45 cleanouts, three odor control systems, and 24 manholes, 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 "Sewer District"), at the estimated maximum of cost of \$16,324,812.00 which is planned to be financed by the issuance of \$16,324,812.00 serial bonds offset by any funds received from the federal, state, county, and/or local grants, including, but not limited to grant and/or loan funds from the Resiliency and Economic Development Initiative (REDI) and New York State Environmental Facilities Corporation (NYSEFC), 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 \$660.00 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 \$660.00.

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.

Discussion: A full reading was dispensed with, and a summary was given by Attorney Meier. Supervisor Cammarata called for a vote, which resulted in all ayes, and declared the motion carried.

Councilwoman Szozda made the following motion, which was seconded by Councilman Jennings:

RESOLUTION 53-0222 CORRECTION TO ABSTRACT 2 PAYMENT OF CLAIMS

BE IT RESOLVED, to delete from Abstract 2, Voucher 76 in the Highway fund, in the amount of \$248.39, for George Swede Sales. Total Highway fund expenditures on abstract 2 will be \$61,716.68. Total Abstract 2 corrected amount is \$101,307.76.

Supervisor Cammarata called for a vote, which resulted in all ayes, and declared the motion carried.

Councilman Jennings made the following motion, which was seconded by Councilwoman Szozda:

RESOLUTION 54-0222 WATER DISTRICT EIGHT BUDGET MODIFICATION - ENGINEER

Whereas, the Town of Kendall developed the budget for the Water District No. 8 project based on estimates for the costs for various engineering services, and

Whereas, the Town has incurred additional engineering costs related to the close out of the original construction contract and preparation of a strategy to complete the project using Town forces and equipment, so then,

Be it resolved that the Town Board hereby authorizes an increase in the budget for the engineering services of \$14,369.50, as stipulated in the Amendment to Owner-Engineer Agreement No. 2 requested by LaBella Engineers, DPC, with a corresponding decrease in the Contingency.

Supervisor Cammarata called for a vote, which resulted in all ayes, and declared the motion carried.

Councilwoman Szozda made the following motion, which was seconded by Councilman Jennings:

RESOLUTION 55-0222 WATER DISTRICT TEN BUDGET MODIFICATION

Whereas, the Town of Kendall developed the budget for the Water District No. 10 project based on estimates for the costs for various engineering services, and

Whereas, the Town has incurred additional engineering costs related to the close out of the original construction contract and preparation of a strategy to complete the project using Town forces and equipment, so then,

Be it resolved that the Town Board hereby authorizes an increase in the budget for the engineering services of \$13,500.00, as stipulated in the Amendment to Owner-Engineer Agreement No. 2 requested by LaBella Engineers, DPC, with a corresponding decrease in the Contingency.

Supervisor Cammarata called for a vote, which resulted in all ayes, and declared the motion carried.

Councilman Jennings made the following motion, which was seconded by Councilwoman Szozda:

RESOLUTION 56-0222 WATER DISTRICT EIGHT BUDGET MODIFICATION – ATTORNEY

Resolved, that Supervisor Cammarata is hereby authorized to sign a letter of agreement with Andrew W. Meier, Attorney for the Town, to adjust the legal services for Water District Eight to a maximum amount of \$13,060, representing additional services provided in connection with a dispute with a contractor and reimbursable disbursements for recording of easements in connection with the property.

Supervisor Cammarata called for a vote, which resulted in all ayes, and declared the motion carried.

With no further business being brought forward, Councilwoman Szozda moved for adjournment. Second by Councilman Jennings; all ayes. Meeting adjourned at 7:27 p.m.

Respectfully Submitted,
Amy K. Richardson, Kendall Town Clerk

