

Special Town Board Meeting
June 29, 2017
1:00 p.m.

Present: Supervisor Gerald L. Deming, Councilmen: Norman Gates, Amos Smith and Frank Rose Jr.

Absent: Lynn Parnell

Others: James Campbell (Town Attorney) and Patricia Barefoot (Supervisor's Clerk)

Supervisor Deming opened the Special Town Board Meeting at 1:15 p.m.

Attorney Campbell gave a brief overview for the purpose of the Special Town Board Meeting and proposed upcoming Public Hearing. A hearing is required pursuant to New York State Town Law § 199 and § 202-b, to receive comment on the construction of additional water mains and other improvements in the Town of York Consolidated Water District.

PUBLIC HEARING

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates to set the Public Hearing date for Thursday, July 20th, 2017 at 7:00 p.m. at the York Town Hall. Voted on and approved, Yes-4, No-0.

** The following resolution will be appearing in the Livingston County News:

**TOWN BOARD
TOWN OF YORK
COUNTY OF LIVINGSTON**

RESOLUTION

At a special meeting of the Town Board of the Town of York, Livingston County, State of New York, held at the York Town Hall on the 29th day of June, 2017

Resolution of the Town Board of the Town of York, Livingston County, New York Calling for Public Hearing Pursuant to New York State Town Law §199 and §202-b to Receive Comment on the Construction of Additional Water Mains and Other Improvements in and to the Town of York Consolidated Water District

WHEREAS, the Town Board of the Town of York has determined that there is a need to make certain improvements for the benefit of the Town of York Consolidated Water District (the “Consolidated Water District”) that will allow for safe potable water to be provided to the residents of the Linwood Water Service Area and the Linwood Road North Extension and which will eliminate the public health risks associated with the quality and quantity of ground water in those areas and which will provide improvements to the delivery infrastructure for the entire Consolidated Water District; and

WHEREAS, in order to accomplish such need, the Town Board of the Town of York is proposing to construct approximately 8,500 linear foot water transmission main along Tuttle Road and Old State Road (the “Water Main Improvements”), and the acquisition, construction and installation of a 500,000 gallon water storage tank, improvements to the Flats Road pump station, water services to properties within the Linwood Water Service Area and Linwood Road North Extension, a new pump station at Tuttle Road, and pressure reducing vaults (collectively, the “Other Additional Improvements” and, together with the Water Main Improvements, the “Improvements”); and

WHEREAS, the Town Board has caused a Map, Plan and Report, dated April, 2017 of the proposed Improvements, together with an estimate of the cost thereof to be prepared by Clark Paterson Lee, a firm of competent engineers, duly licensed by the State of New York (the “Map, Plan and Report”), which Map, Plan and Report is on file in the Office of the York Town Clerk; and

WHEREAS, the Town Board is empowered to authorize the proposed Water Main Improvements subject to the provisions of New York State Town Law §199 and to authorize the proposed Other Additional Improvements subject to the provisions of New York State Town Law §202-b; and

NOW THEREFORE BE IT RESOLVED, that pursuant to New York State Town Law, a public hearing be held on the 20th day of July, 2017 at 7:00 p.m. at the Town Hall located at 2668 Main Street, York, New York, with respect to the construction of approximately 8,500 linear foot water transmission main along Tuttle Road and Old State Road (the “Water Main Improvements”), and the acquisition, construction and installation of a 500,000 gallon water storage tank, improvements to the Flats Road pump station, water services to properties within the Linwood Water Service Area and Linwood Road North

Extension, a new pump station at Tuttle Road, and pressure reducing vaults (collectively, the “Other Additional Improvements” and, together with the Water Main Improvements, the “Improvements”), all as more particularly described in the Map, Plan and Report, which said Improvements would take place within the Consolidated Water District or contiguous thereto; and be it further

RESOLVED, that the Water Main Improvements will benefit the entire area of the Consolidated Water District; and

RESOLVED, that the maximum amount proposed to be expended for the Improvements is \$2,240,000, of which the maximum amount proposed to be expended on the Water Main Improvements is \$300,000, and the maximum amount proposed to be expended on the Other Additional Improvements is \$1,940,000 ; and be it further

RESOLVED, that the anticipated cost for the Water Main Improvements shall be shared by all of the properties within the Consolidated Water District as a whole as set forth in the Map, Plan and Report and in proportion to the amount of benefit which the Water Main Improvements confers upon such properties; and it is further

RESOLVED, that the anticipated cost of a portion of the Other Additional Improvements, in the estimated amount of \$780,000, shall be shared by and between the Linwood Road North Extension and the Linwood Water Service Area of the Consolidated Water District as set forth in the Map, Plan and Report and in proportion to the amount of benefit which such portion of the Other Additional Improvements will confer upon the same; and be it further

RESOLVED, that the anticipated cost of a portion of the Other Additional Improvements, in the estimated amount of \$1,460,000, shall be shared by all of the properties within the Consolidated Water District as a whole as set forth in the Map, Plan and Report and in proportion to the amount of benefit which the Water Main Improvements confers upon such properties; and

RESOLVED, that a copy of the Map, Plan and Report describing the proposed Improvements to be acquired, constructed and installed therein shall be available for the public inspection at the York Town Clerk’s Office; and be it further

RESOLVED, that the ORDER attached hereto as Exhibit A, calling for a public hearing in accordance with Town Law §§199 and 202-b, is hereby adopted; and it is further

RESOLVED, that the Town Clerk is hereby authorized and directed to cause such Order to be published and posted in accordance with the requirements of Town Law §193, and it is further

RESOLVED, that at the time and date aforementioned, all interested parties may be heard concerning the proposed Improvements to the Consolidated Water District as noted above and described in more detail in the Map, Plan and Report.

EXHIBIT A

Order of the Town Board of the Town of York, Livingston County, New York Calling for Public Hearing Pursuant to New York State Town Law §199 and §202-b to Receive Comment on the Construction and Installation of Additional Water Mains and Other Improvements in and to the Town of York Consolidated Water District

WHEREAS, the Town Board of the Town of York has determined that there is a need to make certain improvements for the benefit of the Town of York Consolidated Water District (the “Consolidated Water District”) that will allow for safe potable water to be provided to the residents of the Linwood Water Service Area and the Linwood Road North Extension and which will eliminate the public health risks associated with the quality and quantity of ground water in those areas and which will provide improvements to the delivery infrastructure for the entire Consolidated Water District; and

WHEREAS, in order to accomplish such need, the Town Board of the Town of York is proposing to construct approximately 8,500 linear foot water transmission main along Tuttle Road and Old State (collectively the “Water Main Improvements”), and the acquisition, construction and installation of a 500,000 gallon water storage tank, improvements to the Flats Road pump station, water services to properties within the Linwood Water Service Area and Linwood Road North Extension, a new pump station at Tuttle Road, and pressure reducing vaults (collectively, the “Other Additional Improvements” and, together with the Water Main Improvements, the “Improvements”); and

WHEREAS, the Town Board has caused a Map, Plan and Report, dated April, 2017 of the proposed Improvements, together with an estimate of the cost thereof to be prepared by Clark Paterson Lee, a firm of competent engineers, duly licensed by the State of New York (the “Map, Plan and Report”), which Map, Plan and Report is on file in the Office of the York Town Clerk; and

WHEREAS, the Town Board is empowered to authorize the proposed Water Main Improvements subject to the provisions of New York State Town Law §199 and to authorize the proposed Other Additional Improvements subject to the provisions of New York State Town Law §202-b; and

WHEREAS, by resolution adopted on June 29, 2017, the Town Board determined there is a need to undertake the Improvements, and to call for a public hearing with respect thereto, in accordance with New York State Town Law §§199 and 202-b; and

NOW THEREFORE IT IS ORDERED, that pursuant to New York State Town Law, a public hearing be held on the 20th day of July, 2017 at 7:00 p.m. at the Town Hall located at 2668 Main Street, York, New York, with respect to the construction of approximately 8,500 linear foot water transmission main along Tuttle Road and Old State Road (collectively the “Water Main Improvements”), and the acquisition, construction and installation of a 500,000 gallon water storage tank, improvements to the Flats Road pump station, water services to properties within the Linwood Water Service Area and Linwood Road North Extension, a new pump station at Tuttle Road, and pressure reducing vaults (collectively, the “Other Additional Improvements” and, together with the Water Main Improvements, the “Improvements”), all as more particularly described in the Map, Plan and Report, which said Improvements would take place within the Consolidated Water District or contiguous thereto.

The Water Main Improvements will benefit the entire area of the Consolidated Water District.

That the maximum amount proposed to be expended for the Improvements is \$2,240,000, of which the maximum amount proposed to be expended on the Water Main Improvements is \$300,000, and the maximum amount proposed to be expended on the Other Additional Improvements is \$1,940,000.

The anticipated cost for the Water Main Improvements shall be shared by all of the properties within the Consolidated Water District as a whole as set forth in the Map, Plan and Report and in proportion to the amount of benefit which the Water Main Improvements confers upon such properties.

The anticipated cost of a portion of the Other Additional Improvements, in the estimated amount of \$780,000, shall be shared by and between the Linwood Road North Extension and the Linwood Water Service Area of the Consolidated Water District as set forth in the Map, Plan and Report and in proportion to the amount of benefit which such portion of the Other Additional Improvements will confer upon the same.

The anticipated cost of a portion of the Other Additional Improvements, in the estimated amount of \$1,460,000, shall be shared by all of the properties within the Consolidated Water District as a whole as set forth in the Map, Plan and Report and in proportion to the amount of benefit which the Water Main Improvements confers upon such properties.

A copy of the Map, Plan and Report describing the proposed Improvements to be acquired, constructed and installed therein shall be available for the public inspection at the York Town Clerk's Office.

At the time and date aforementioned, all interested parties may be heard concerning the proposed Improvements to the Consolidated Water District as noted above and described in more detail in the Map, Plan and Report.

Dated: June 29, 2017

Published: Livingston County News

By order of the Town Board
Christine Harris, Town Clerk

The question of the adoption of the foregoing Resolution was duly submitted for approval by vote of the York Town Board on Thursday, June 29, 2017 recorded as follows:

Vote of the Board:

Councilperson Gates	Aye
Councilperson Rose	Aye
Councilperson Smith	Aye
Deputy Supervisor Parnell	Absent
Supervisor Deming	Aye

This is to certify that I, the undersigned, Clerk of the Board of the Town of York of the County of Livingston, was duly adopted by the York Town Board of said Town on date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 29th day of June, 2017.

Christine M. Harris

Christine Harris, Town Clerk

Mr. Campbell stated if the Board wants to further schedule a Special Town Board Meeting after the Public Hearing, they will be able to approve the Bond Resolution and splitting of responsibility.

Councilman Rose asked if this project will be going out to bid, which Supervisor Deming and Attorney Campbell replied it will.

Mr. Campbell informed the Board that he has spoken with the New York State Comptroller's office throughout the draft preparation of this document, so they are well aware of how it is written and are satisfied with it.

BID SPECIFICATIONS

RESOLUTION offered by Mr. Rose and seconded by Mr. Gates authorizing Clark Patterson Lee permission to prepare the necessary bid specifications. Voted on and approved, Yes-4, No-0.

SPECIAL MEETING

RESOLUTION offered by Mr. Smith and seconded by Mr. Rose to schedule a Special Town Board Meeting for Thursday, July 20, 2017 at 7:30 p.m. to render a decision on the matter to be discussed earlier that evening pertaining to construction of additional water mains and other improvements to the district. Voted on and approved, Yes-4, No-0.

ADJOURNMENT

RESOLUTION offered by Mr. Smith and seconded by Mr. Gates to adjourn the Special Town Board Meeting at 1:30 p.m. Voted on and approved, Yes-4, No-0.

Respectfully Submitted,

Christine M. Harris, Clerk