

Town of Canandaigua

5440 Routes 5 & 20 West
Canandaigua, NY 14424
(585) 394-1120
Fax: (585) 394-9476

Established 1789

The following resolution was adopted by the Canandaigua Town Board on January 9, 2017.

RESOLUTION NO. 2017-053: IN THE MATTER OF THE ESTABLISHMENT OF EXTENSION 41 TO THE CANANDAIGUA CONSOLIDATED WATER DISTRICT, AND SEQR INTENT TO DECLARE LEAD AGENCY

WHEREAS, the Town Board of the Town of Canandaigua, ("Board"), Ontario County, New York in relation to the establishment of a proposed water district extension to be known as the "County Road #32 Water Extension #41 to the Canandaigua Consolidated Water District", ("Extension"), pursuant to article 12 of the Town Law, has received a petition purporting to be executed by more than fifty-percent (50%) of all owners of taxable real property within the proposed Extension and executed by more than fifty-percent (50%) of all resident owners of taxable real property within the proposed Extension, a copy of which petition is on file in the Town Clerk's Office, and

WHEREAS, the Town Board has appropriated money from the General Funds of said Town to compensate the Town Engineer for preparation of a report, plan and map outlining the Extension, and

WHEREAS, the Town Board intends to declare itself as Lead Agency for the purposes of SEQR, and

WHEREAS, said map, plan and report, including an estimate of cost, were duly prepared by MRB Group, P.C., engineers duly licensed under the laws of the State of New York, and

WHEREAS, said map, plan and report has been filed in the Office of the Town Clerk of the Town of Canandaigua where the same is available for inspection during regular business hours, and

WHEREAS, the Extension shall be bounded and described as set forth in the copy that has been presented to the Town Board for consideration and is included with this resolution and is identified as Attachment 19 to the agenda; this information is also available for review on the Town's website and is on file with the Town Clerk's office; and

WHEREAS, the improvements proposed for the Extension are extending an existing water main located on County Road #32 from the intersection with Hopkins Road approximately 3,200 linear feet southwest along County Road #32, and consisting of the installation of an 8-inch water main, valves, hydrants, and appurtenances, and

WHEREAS, the maximum amount proposed to be expended for said improvements is **\$158,400.00** and the method of financing the cost of said improvements shall be the issuance of serial bonds of the Town of Canandaigua maturing in annual installments over a period not exceeding 30 years, such bonds to be payable from the assessment levied upon all the taxable real property in the extension, assessed upon all the taxable real property within the Extension at the same time and in the same manner as other Town Charges, in an amount sufficient to pay the principle and interest on said bonds as the same become due, but if not paid by such source, all the taxable real property in the Town of Canandaigua shall be subject to the levy of ad valorem taxes without limitation as to the rate or amount sufficient to pay the principle and interest on said bonds as the same shall become due, and

WHEREAS, the establishment of said Extension as proposed has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, and the Board having determined that the proposed action will not result in any significant environmental impacts, and

WHEREAS, the estimated cost of hookup fees to the typical property in the Extension is **\$1,655.00** and the estimated cost of hookup fees to the typical one or two family home in the Extension is **\$1,655.00**, and

WHEREAS, the annual estimated cost of the Extension to the typical property therein is **\$1,547.77** for operation, maintenance and other charges and expenses to be paid, and the annual estimated cost of the Extension to the typical one or two family home therein is **\$1,547.77** for operation, maintenance, and other charges and expenses to be paid, and

WHEREAS, an explanation of the manner by which were computed said estimated costs of hookup fees and annual cost to the typical property and the typical one or two family home in said Extension has been duly filed in the Office of the Town Clerk where the same is available during regular office hours for examination by any person interested in the subject matter thereof, and

WHEREAS, the Extension will require the approval of the New York State Comptroller prior to construction of the improvements as the annual estimated charge of the Extension, under either financing proposal, exceeds the maximum average annual cost allowance established by the New York State Department of Audit and Control, and

WHEREAS, the Board intends to call a public hearing upon the proposed Extension pursuant to Town Law, and

WHEREAS, a copy of the Full Environmental Assessment Form presented to the Town Board for consideration is included with this resolution and is identified as Attachment 19 to the agenda; this information is also available for review on the Town's website and is on file with the Town Clerk's office; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Canandaigua has scheduled a public hearing at the Canandaigua Town Hall, 5440 Route 5 & 20 West, Canandaigua, New York, on February 13, 2017 at 6:00, P.M. for the purpose of holding a public hearing to consider the establishment of the proposed extension in said Town as described in the preambles hereof, and to consider the map, plan and report, including the estimate of cost filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Board as may be required by law or shall be proper under the circumstances, and

BE IT FURTHER RESOLVED, the Town Board intends to declare itself as Lead Agency for the purposes of SEQR, and

BE IT FINALLY RESOLVED, the Town Clerk of the Town of Canandaigua is hereby authorized and directed to cause a copy of this order to be published once in the official newspaper of the Town of Canandaigua, the first publication thereof to be not less than 10 nor more than 20 days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law not less than 10 nor more than 20 days before the day set for the hearing as aforesaid. The Town Clerk is further directed to mail a copy of this order to each property owner within the proposed Extension as set forth on the latest tax assessment rolls for the Town.

Motion made by Councilman Fennelly, seconded by Councilman Reynolds

4 Ayes: Cutri, Fennelly, Reynolds, Westbrook

STATE OF NEW YORK}
County of Ontario}
Town of Canandaigua}

I DO HEREBY CERTIFY that I have compared the preceding with the original thereof, on file and on record in the Town Clerk's office, and that the same is a correct copy and transcript therefrom and of the whole of said original; and that said original was duly adopted at a meeting of the Town Board held at Canandaigua, New York, on January 9, 2017.

SEAL

Given under my hand and the official seal of said Town, at Canandaigua NY, in said county, on the January 12, 2017.



At a meeting of the Town Board of
the Town of Canandaigua held at the
Canandaigua Town Hall, 5440
Routes 5 & 20 West, Canandaigua,
NY 14424, on November 21, 2016 at
6:00 p.m.

STATE OF NEW YORK COUNTY OF ONTARIO
TOWN OF CANANDAIGUA

**IN THE MATTER OF THE ESTABLISHMENT
OF EXTENSION 41 TO THE CANANDAIGUA
CONSOLIDATED WATER DISTRICT IN THE
TOWN OF CANANDAIGUA, COUNTY OF
ONTARIO AND STATE OF NEW YORK**

**ORDER CALLING
PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Canandaigua, ("Board"), Ontario County, New York in relation to the establishment of a proposed water district extension to be known as the "County Road #32 Water Extension #41 to the Canandaigua Consolidated Water District", ("Extension"), pursuant to article 12 of the Town Law, has received a petition purporting to be executed by more than fifty-percent (50%) of all owners of taxable real property within the proposed Extension and executed by more than fifty-percent (50%) of all resident owners of taxable real property within the proposed Extension, a copy of which petition is on file in the Town Clerk's Office, and

WHEREAS, the Town Board has appropriated money from the General Funds of said Town to compensate the Town Engineer for preparation of a report, plan and map outlining the Extension, and

WHEREAS, said map, plan and report, including an estimate of cost, were duly prepared by MRB Group, P.C., engineers duly licensed under the laws of the State of New York, and

WHEREAS, said map, plan and report has been filed in the Office of the Town Clerk of the Town of Canandaigua where the same is available for inspection during regular business hours, and

WHEREAS, the Extension shall be bounded and described as set forth in the attached schedule "A", and

WHEREAS, the improvements proposed for the Extension are extending an existing water main located on County Road #32 from the intersection with Hopkins Road approximately 3,200

linear feet southwest along County Road #32, and consisting of the installation of an 8-inch water main, valves, hydrants, and appurtenances, and

WHEREAS, the maximum amount proposed to be expended for said improvements is **\$158,400.00** and the method of financing the cost of said improvements shall be the issuance of serial bonds of the Town of Canandaigua maturing in annual installments over a period not exceeding 30 years, such bonds to be payable from the assessment levied upon all the taxable real property in the extension, assessed upon all the taxable real property within the Extension at the same time and in the same manner as other Town Charges, in an amount sufficient to pay the principle and interest on said bonds as the same become due, but if not paid by such source, all the taxable real property in the Town of Canandaigua shall be subject to the levy of ad valorem taxes without limitation as to the rate or amount sufficient to pay the principle and interest on said bonds as the same shall become due, and

WHEREAS, the establishment of said Extension as proposed has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, and the Board having determined that the proposed action will not result in any significant environmental impacts, and

WHEREAS, the estimated cost of hookup fees to the typical property in the Extension is **\$1,655.00** and the estimated cost of hookup fees to the typical one or two family home in the Extension is **\$1,655.00**, and

WHEREAS, the annual estimated cost of the Extension to the typical property therein is **\$1,547.77** for operation, maintenance and other charges and expenses to be paid, and the annual estimated cost of the Extension to the typical one or two family home therein is **\$1,547.77** for operation, maintenance, and other charges and expenses to be paid, and

WHEREAS, an explanation of the manner by which were computed said estimated costs of hookup fees and annual cost to the typical property and the typical one or two family home in said Extension has been duly filed in the Office of the Town Clerk where the same is available during regular office hours for examination by any person interested in the subject matter thereof, and

WHEREAS, the Extension will require the approval of the New York State Comptroller prior to construction of the improvements as the annual estimated charge of the Extension, under either financing proposal, exceeds the maximum average annual cost allowance established by the New York State Department of Audit and Control, and

WHEREAS, the Board intends to call a public hearing upon the proposed Extension pursuant to Town Law,

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

1. A meeting of the Board shall be held at the Canandaigua Town Hall, 5440 Route 5 & 20 West, Canandaigua, New York, on December 19, 2016 at 6:00, P.M. for the purpose of holding a public hearing to consider the establishment of the proposed extension in said Town as described in the preambles hereof, and to consider the map, plan and report, including the estimate of cost filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Board as may be required by law or shall be proper under the circumstances.
2. The Town Clerk of the Town of Canandaigua is hereby authorized and directed to cause a copy of this order to be published once in the official newspaper of the Town of Canandaigua, the first publication thereof to be not less than 10 nor more than 20 days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the signboard of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law not less than 10 nor more than 20 days before the day set for the hearing as aforesaid. The Town Clerk is further directed to mail a copy of this order to each property owner within the proposed Extension as set forth on the latest tax assessment rolls for the Town.
3. This order shall take effect immediately.

By order of the Town Board of the Town of Canandaigua

Dated: November 21, 2016

Jean Chrisman, Canandaigua Town Clerk

(Town seal)

SCHEDULE
COUNTY ROAD 32 WATER DISTRICT EXTENSION NO 41
TOWN OF CANANDAIGUA

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Canandaigua, County of Ontario and State of New York, and as shown on a map entitled "Map and Plan" prepared by MRB/Group dated Oct., 2016, and bounded and described as follows:

Beginning at the intersection of the northwesterly corner of TMP 96.00-1-39.211 with the easterly highway boundary of County Road 32; thence

1. Easterly, along the northerly boundary of the last mentioned TMP, a distance of 1421.16'± to a point; thence
2. Southerly, along the easterly boundary of the last mentioned TMP, a distance of 1833.49'± to a point; thence
3. Westerly, along the southerly boundary of the last mentioned TMP, a distance of 1109.11'± to a point; thence
4. Southerly, along the easterly boundary of the last mentioned TMP, a distance of 538.77' to the southeasterly corner of the last mentioned TMP; thence
5. Southerly, along the easterly boundary of TMP 96.00-1-39.111 a distance of 1467.97'± to the southeasterly boundary of the last mentioned TMP; thence
6. Westerly, along the southerly boundary of the last mentioned TMP a distance of 1186.35'± to a point; thence
7. Northerly, along the westerly boundary of the last mentioned TMP a distance of 780.14'± to a point; thence
8. Westerly, along the southerly boundary of the last mentioned TMP a distance of 566.59'± to a point being the intersection with the southeasterly boundary of TMP 96.00-1-39.120; thence
9. Westerly, along the southerly boundary of TMP 96.00-1-39.120 a distance of 630.20'± to a point; thence
10. Southerly, along the easterly boundary of TMP 111.00-1-7.000 a distance of 600.00'± to a point' thence
11. Easterly, along the northerly boundary of the last mentioned TMP a distance of 1049.16'± to a point; thence

12. Southerly, along the easterly boundary of the last mentioned TMP a distance of 2259.77'± to a point; thence
13. Westerly, along the southerly boundary of the last mentioned TMP a distance of 2179.99'± to a point; thence
14. Northerly, along the westerly boundary of the last mentioned TMP a distance of 2873.68'± to a point being the southerly bounds of the existing County Road 32 right-of-way; thence
15. Northerly, along the last mentioned existing highway boundary a distance of 32.66'± to a point; thence
16. Northerly, along the last mentioned existing highway boundary a distance of 264.28'± to a point; thence
17. Westerly, crossing the last mentioned highway boundary a distance of 70.42'± to a point being the intersection of the southerly boundary of TMP 96.00-1-29.200 and the northerly highway boundary of County Road 32; thence
18. Northerly, along the westerly boundary of the last mentioned TMP a distance of 551.18'± to a point; thence
19. Easterly, along the northerly boundary of the last mentioned TMP a distance of 305.78'± to a point; thence
20. Northerly, along the westerly boundary of TMP 96.00-1-28.100 a distance of 487.38'± to a point; thence
21. Northerly, along the westerly boundary of the last mentioned TMP a distance of 223.63'± to a point; thence
22. Easterly, along the southerly boundary of the last mentioned TMP a distance of 1018.57'± to a point; thence
23. Northerly, along the westerly boundary of TMP 96.00-1-27.211 a distance of 232.50'± to a point; thence
24. Northerly, along the westerly boundary of TMP 96.00-1-27.212 a distance of 225.00'± to a point; thence
25. Northerly, along the westerly boundary of TMP 96.00-1-27.112 a distance of 931.59'± to a point
26. Easterly, along the northerly boundary of the last mentioned TMP a distance of 696.50'± to a point; thence

27. Northerly, along the westerly bounds of County Road 32 a distance of 344.51'± to a point; thence
28. Northerly, along the westerly bounds of County Road 32 a distance of 219.20'± to a point; thence
29. Southerly, perpendicular to the last mentioned westerly highway bounds to a point and place of beginning.