

Legal Notice
Formation of Lake Road Redman Road
Water District

At a meeting of the Town Board of the Town of Sweden, Monroe County, New York held at the Town Hall in the said Town of Sweden, County of Monroe, State of New York on the 21st day of January 2020:

PRESENT: Supervisor Kevin G. Johnson, Councilperson Robert Muesebeck, Councilperson Patricia Hayles, Councilperson Randall Hoke, and Councilperson Rhonda Humby

In the matter of the Petition for the Establishment of the Lake Road / Redman Road Water District in the Town of Sweden, Monroe County, New York

WHEREAS, a petition for the creation of a water district to be known as the Lake Road Redman Road Water District, in the Town of Sweden, Monroe County New York, the said petition being dated December 10, 2019 was duly presented to this Town Board together with the necessary map and plan attached hereto; and

WHEREAS, the maximum amount proposed to be expended for the said improvement, as stated in the said petition, is the sum of four million, three hundred twenty seven thousand dollars (\$4,327,000), of which two million dollars (\$2,000,000) will be borne by the properties within the district on a benefits basis, and will be funded by a loan from USDA Rural Development, amortized over thirty-eight (38) years at an estimated interest rate of 2.125%. The balance of the costs of said improvements being two million, three hundred twenty-seven thousand dollars (\$2,327,000) will be provided as a capital contribution from the USDA Rural Development in the form of a grant; and

WHEREAS, the annual cost for debt service is to be financed by a benefits charge to be levied to all existing parcels within the proposed district. The benefits charge will include vacant parcels, provided they are not in an agricultural district. Commodity charges (for water used) will be made to all users on a quarterly schedule and based upon their individual metered consumption multiplied by the adopted rates of the Monroe County Water Authority. Initially the water rate is estimated to be in the range of \$3.26 per 1,000 gallons along with a base charge of approximately \$0.22 per day; and

WHEREAS, individual 1-inch water services may be charged a one-time connection charge estimated initially to be \$490 per establishment, inclusive of the meter, appurtenances and inspection charges which will cover the cost of installing a service from the water main to the right of way. A separate charge arrangement for larger size services will be based upon the actual

costs of upsized meter and appurtenances. In addition to this charge the individual property owner will be responsible for hiring a contractor to install the water service from the right of way to this residence or place of business, along with any reduced pressure zone devices and MCWA meter pit fees (if necessary). Additional development occurring after the creation of the proposed district extension will be charged at whatever the current Water Authority connection fee is at the time; and

WHEREAS, the cost of the district extension to the typical property shall be as follows:

Annual debt service	\$638
Commodity charge	<u>\$260</u>
Total estimated annual charge per occupied parcel	\$898

WHEREAS, an order was duly adopted by the Town Board of the Town of Sweden on December 30, 2019 calling for a Public Hearing to be held to consider the proposal of the Town of Sweden to establish the Lake Road Redman Road Water District and said order recited the filing of said map, plan and report, the improvements proposed, the boundaries of the proposed district, the fact that the map, plan and report described in said Order also contained the method of financing any improvements, and that said map, plan and report were on file in the Town Clerk's Office for public inspection, and stating all other matters required by law to be stated and specifying January 21, 2020 as the date, and 7:00 pm as the time and the Town Hall, 18 State Street, Brockport, New York as the place where the Town Board would meet for a Public Hearing to consider said map, plan and report, and to hear all persons interested in the subject thereof, concerning the same, and to take such action thereon as is required or authorized by law; and

WHEREAS, such Order was duly published on January 5, 2020 and January 19, 2020 for two (2) weeks in the Suburban News, the official legal newspaper for the Town, further said Order was duly posted from December 31, 2019 to January 21, 2020 on the official sign board which is kept for the posting of official notices and on the town website; both publication and posting was in full compliance with New York State Town Law Section 209-d; and

WHEREAS, pursuant to the New York State Environmental Quality Review Act ("SEQRA") a Full Environmental Assessment Form (the EAF) was prepared and filed in the office of the Town Clerk; and

WHEREAS, the Town Board, as Lead Agency under SEQRA, reviewed the EAF and gave due consideration to the criteria for determining significant environmental impacts as set forth in Section 617.7(c) (1) of the Regulations under SEQRA, including but not limited to the information contained in Parts 1, 2, and 3 of the EAF; and

WHEREAS, after completion of its consideration of the information contained in the EAF on January 21, 2020, the Town Board adopted a Resolution (the SEQR Resolution) in which the Town Board determined that the creation of the District and construction of its related improvements would not result in any significant adverse environmental impacts; and

WHEREAS, by the SEQR Resolution, the Town Board accordingly made a determination of Non-Significance under SEQRA and directed the Town Supervisor to issue a Negative Declaration related thereto; and

WHEREAS, a Public Hearing was duly held by the Town Board on the aforesaid time and place at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the creation of the District and construction of related improvements; and

WHEREAS, the permission of the State Comptroller is not required pursuant to Town Law § 209-f.

NOW, THEREFORE BE IT RESOLVED:

Sec. 1. That the Town Board determines that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; and it is in the public interest to grant in whole the relief sought; and

Sec. 2. That the established of the water district be approved and become a part of the Town of Sweden Consolidated Water District and as more particularly illustrated in the map attached hereto and made a part hereof and described in the legal description below:

**Lake Road/ Redman Road
WATER DISTRICT**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Sweden, County of Monroe and State of New York, and as shown on a map entitled “District Map and Plan”, prepared by MRB/group and dated October 2019, designated as Parcel 1 and bounded and described as follows:

Beginning at the intersection of the existing easterly highway boundary of Redman Road with the existing southerly bounds of Water District SW401; thence

1. Easterly, along the last mentioned existing southerly boundary of Water District SW401 and through lands of Tax Parcels, 083.01-4-4, 083.01-4-2,

083.01-4-23, 083.01-4-24 and 083.01-25.1 to a point at its intersection with the existing easterly boundary of Tax Map Parcel 083.01-4-25.1; thence

2. Southwesterly and southerly, along the last mentioned easterly boundary and also along the existing easterly boundary of Tax Map Parcel 083.01-4-18 to a point at its intersection with the existing northerly boundary of Water District SW401, said point also being the existing southerly boundary of Tax Map Parcel 083.01-4-18; thence
3. Westerly, along the last mentioned existing northerly boundary of Water District SW401 and the existing southerly boundary of Tax Map Parcel 083.01-4-18 to a point at its intersection with the existing westerly boundary of Water District SW401 said point also being the existing easterly boundary of Tax Map Parcel 083.01-4-18; thence
4. Southerly, along the last mentioned boundary to a point at its intersection with the existing southerly boundary of Tax Map Parcel 083.01-1-18; thence
5. Westerly, along the last mentioned southerly boundary and also along the existing southerly boundary of Tax Map Parcels 083.01-4-19, and Tax Map Parcel 083.01-4-20 to a point said point being 50' easterly of as measured at right angles of the existing easterly highway boundary of Redman Road; thence
6. Southerly, running parallel to and 500' easterly of as measured at right angles of the existing easterly boundary of Redman road and through lands of Tax Map Parcels 083.03-1-25.11, 083.03-1-25.12, 083.03-1-25.13, 083.03-1-25.2 and 083.03-1-4 to an angle point in said line; thence
7. Southeasterly, running parallel to and 500' easterly of as measured at right angles of the existing easterly boundary of Redman road continuing through lands of Tax Map Parcel 083.03-1-9 and also through lands of Tax map parcel 083.03-1-13 to a point at its intersection with the existing westerly boundary of existing Water District SW401; thence
8. Southerly, along the last mentioned existing westerly boundary of existing Water District SW401 to a point at its intersection with the existing northeasterly highway boundary of Redman Road; thence
9. Southeasterly, along the last mentioned existing northeasterly highway boundary and also along the existing westerly boundary of existing Water District SW401 to an angle point in said boundary; thence

10. Southerly continuing along the existing easterly highway boundary and along the existing westerly boundary of existing Water District SW401 of Redman Road to a point at its intersection with the existing northerly boundary of Tax Map Parcel 083.04-1-17.1 said point also being the existing southerly boundary of existing Water District SW401; thence
11. Easterly, along the last mentioned southerly boundary of existing Water District SW401 to a point said point being 500' easterly of as measured at right angles of the existing easterly highway boundary of Redman Road; thence
12. Southerly, running parallel to and 500' easterly of as measured at right angles of the existing easterly boundary of Redman road through lands of Tax Map Parcels 083.04.17.1, 083.04-1-17.2, 098.02-1-36.2, 098.02-1-36.111, 098.02-1-36.112, 098.02-1-35, 098.02-1-34, 098.02-1-33, 098.02-1-31 and 098.02-2-30.15 to a point at its intersection with the northerly boundary of existing Water District SW401; thence
13. Westerly, along the last mentioned existing northerly boundary crossing Redman Road to a point said point being 500' westerly of as measured at right angles of the existing westerly highway boundary of Redman Road; thence
14. Northerly, running parallel to and 500' westerly of as measured at right angles of the existing westerly boundary of Redman road through lands of Tax Map Parcels 098.01-1-9.21, 098.01-1-7.2, 098.01-1-7.3, 098.01-1-7.12, 098.01-1-7.11, 098.01-1-6, 083.03-1-16, 083.03-1-15 and 083.03-1-14.1 to and angle point in said line; thence
15. Northwesterly, running parallel to and 500' westerly of as measured at right angles of the existing westerly boundary of Redman road through lands of Tax Map Parcels 083.03-1-14.1, 098.01-1-4 and 083.03-1-2.1 to an angle point in said line; thence.
16. Northerly, running parallel to and 500' westerly of as measured at right angles of the existing westerly boundary of Redman road through lands of Tax Map Parcels 083.03-1-2.1, 083.03-1-24, 083.03-1-23, 083.03-1-22, 083.03-1-21, 083.03-1-20, 083.01-3-21.1 and 083.01-3-19 to a point at its intersection with the existing southerly boundary of existing Water District SW401; thence
17. Easterly, along the last mentioned existing southerly water district boundary to the point and place of beginning.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Sweden, County of Monroe and State of New York, and as shown on a map entitled "District Map

and Plan”, prepared by MRB/group and dated October 2019, designated as Parcel 2 and bounded and described as follows:

Beginning at the intersection of the existing easterly highway boundary of Lake Road (NYS Rte.19) with the existing municipal boundary between the County of Monroe on the north with the County of Genesee on the south; thence

1. Westerly, crossing Lake Road (NYS Rte. 19) and along the last mentioned existing municipal boundary to a point said point being 500’ westerly of as measured at right angles of the existing westerly highway boundary of Lake Road (NYS Rte. 19); thence
2. Northerly, running parallel to and 500’ westerly of as measured at right angles of the existing westerly boundary of Lake Road (NYS Rte. 19) and through lands of Tax Map Parcels 128.02-1-15 and 128.02-1-14 to a point at its intersection with the existing northerly boundary of Tax map Parcel 128.02-1-14; thence
3. Easterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly boundary of Tax Map Parcel 128.02-1-13.1; thence
4. Northerly, along the last mentioned existing westerly boundary and also along the existing westerly boundary of Tax Map Parcels 128.02-1-13.2, 128.02-1-13.3 and 128.02-1-13.4, crossing Reed Road to a point at its intersection with the existing Northerly highway boundary of Reed Road; thence
5. Westerly, along the last mentioned existing northerly highway boundary to a point said point being 500’ westerly of as measured at right angles of the existing westerly boundary of Lake Road (NYS Rte. 19); thence
6. Northerly, running parallel to and 500’ westerly of as measured at right angles of the existing westerly highway boundary of Lake Road (NYS Rte. 19) and through Tax Map Parcels 128.02-1-30, 128.02-1-29, 128.02-1-28, 128.02-1-27, 128.02-1-26, 113.04-1-8.1, 113.04-1-8.211, 113.04-8.22, 113.04-1-5.113, 113.04-1-5.112, 113.04-1-5.111, 113.04-1-5.114, 113.04-1-5.13 and 113.04-1-52. to a point at its intersection with existing southerly highway boundary of Ladue Road; thence
7. Easterly, along the last mentioned existing southerly highway boundary to a point at its intersection with the southerly prolongation of the existing westerly boundary of Tax Map Parcel 113.02-1-9; thence

8. Northerly, along the last mentioned existing westerly boundary to a point at its intersection with the existing southerly boundary of Tax Map Parcel 113.02-1-17.1; thence
9. Westerly, along the last mentioned existing southerly boundary to a point said point being 500' westerly of as measured at right angles of the existing westerly highway boundary of Lake Road (NYS Rte. 19); thence
10. Northerly, running parallel to and 500' westerly of as measured at right angles of the existing westerly highway boundary of Lake Road (NYS Rte. 19) and through Tax Map Parcels 113.02-1-8, 113.02-1-17.1, 113.02-1-5.2, 113.02-1-5.1, 113.02-1-4.2, 113.02-1-4.1, 113.02-1-4.32, 113.02-1-4.31, 113.02-1-3.1, 113.02-1-3.2, 098.04-1-6.1 crossing Beadle Road and continuing through Tax Map Parcels 098.04-1-6.1, 098.04-1-4./BKPT, 098.04-1-3.1, 098.04-1-2.1, 098.02-2-26.1 and 098.02-2-27.1 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 098.02-2-27.1; thence
11. Easterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing westerly highway boundary of Lake Road (NYS Rte. 19); thence
12. Continuing Easterly, crossing Lake Road (NYS Rte. 19) to a point at its intersection with the existing easterly highway boundary with the existing northerly bounds of Tax Map Parcel 098.02-2-22; thence
13. Easterly, along the last mentioned existing northerly boundary to a point said point being 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19); thence
14. Southerly, running parallel to and 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19) and through Tax Map Parcels 098.02-2-22, crossing Swamp Road and continuing through Parcels 099.03-1-33, 099.03-1-32.2, 099-03-1-32.12, 098.03-1-32.11, 098.04-1-4./BKPT, 099.03-1-30.1 to a point at its intersection with the existing northerly highway boundary of Beadle Road; thence
15. Westerly, along the last mentioned existing northerly highway boundary to a point at its intersection with the northerly prolongation of the existing easterly boundary of Tax Map Parcel 114.01-1-1; thence
16. Southerly, along the last mentioned existing northerly prolongation crossing Beadle Road and along the easterly boundary of Tax Map Parcel 114.01-1-1 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 114.01-1-53; thence

17. Easterly, along the last mentioned existing northerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 114.01-1-53; thence
18. Southerly, along the last mentioned existing easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 114.01-1-53; thence
19. Easterly, along the last mentioned existing northerly boundary to a point said point being 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19); thence
20. Southerly, running parallel to and 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19) and through Tax Map Parcels 114.01-1-53, 114.01-1-54, 114.01-1-55, 114.01-1-56, 114.01-1-70, 114.01-1-69, 114.01-1-68, 114.01-1-67, 114.01-1-66, 114.01-1-62, 114.01-1-65, 114.01-1-63, 114.01-1-64, 114.01-1-47.1, 114.01-1-43.12, 114.01-1-48.21, 114.00-1-48.11, 114.01-1-42, 114.01-1-34.1, 114.01-1-41, 114.01-1-39, 114.01-1-38 to a point at its intersection with the exiting southerly boundary of Tax Map Parcel 114.01-1-38; thence
21. Southwesterly and Westerly, along the last mentioned existing southerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 114.03-1-36; thence
22. Southerly, along the last mentioned existing easterly boundary of Tax Map Parcel 114.03-1-36, crossing Covell Road and continuing southerly along said easterly boundary to a point at its intersection with the existing northerly boundary of Tax Map Parcel 114.03-1-35.1; thence
23. Easterly, along the last mentioned northerly boundary to a point said point being 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19); thence
24. Southerly, running parallel to and 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19) and through Tax Map Parcels 114.03-1-35.1 and Tax Map Parcel 114.03-1-34 to a point at its intersection with the easterly prolongation of the southerly boundary of Tax Map Parcel 114.03-1-34; thence
25. Westerly, along the last mentioned southerly boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 114.03-1-33; thence

26. Southerly, along the last mentioned existing easterly boundary crossing Reed road to a point at its intersection with the existing southerly highway boundary of Reed road; thence
27. Easterly, along the last mentioned southerly highway boundary to a point at its intersection with the existing easterly boundary of Tax Map Parcel 129.01-1-1.12; thence
28. Southerly, along the last mentioned existing easterly boundary and also along the existing easterly boundary of Tax Map Parcel 129.01-1-1.21 to a point at its intersection with the existing northerly boundary of Tax Map Parcel 129.01-1-1.21; thence
29. Easterly, along the last mentioned existing northerly boundary to a point said point being 500' easterly of as measured at right angles of the existing easterly highway boundary of Lake Road (NYS Rte. 19); thence
30. Southerly, through lands of Tax Map Parcel 129.01-1-1.21 to a point at its intersection with the first mentioned existing municipal boundary between the County of Monroe and County of Genesee; thence
31. Westerly, along the last mentioned existing municipal boundary to a point at its intersection with the existing easterly highway boundary of Lake Road (NYS Rte. 19) said point also being the point and place of beginning of parcel 2

Sec. 3. That the maximum amount proposed to be expended for the said improvement, as stated in the said petition, is the sum of four million, three hundred twenty seven thousand dollars (\$4,327,000), of which two million dollars (\$2,000,000) will be borne by the properties within the district on a benefits basis, and will be funded by a loan from USDA Rural Development, amortized over thirty-eight (38) years at an estimated interest rate of 2.125%. The balance of the costs of said improvements being two million, three hundred twenty-seven thousand dollars (\$2,327,000) will be provided as a capital contribution from the USDA Rural Development in the form of a grant.

Sect. 4. That the annual cost for debt service is to be financed by a benefits charge to be levied to all existing parcels within the proposed district. The benefits charge will include vacant parcels, provided they are not in an agricultural district. Commodity charges (for water used) will be made to all users on a quarterly schedule and based upon their individual metered consumption multiplied by the adopted rates of the Monroe County Water Authority. Initially the water rate is estimated to be in the range of \$3.26

per 1,000 gallons along with a base charge of approximately \$0.22 per day.

Sect. 5. That individual 1-inch water services may be charged a one-time connection charge estimated initially to be \$490 per establishment, inclusive of the meter, appurtenances and inspection charges which will cover the cost of installing a service from the water main to the right of way. A separate charge arrangement for larger size services will be based upon the actual costs of upsized meter and appurtenances. In addition to this charge the individual property owner will be responsible for hiring a contractor to install the water service from the right of way to this residence or place of business, along with any reduced pressure zone devices and MCWA meter pit fees (if necessary). Additional development occurring after the creation of the proposed district extension will be charged at whatever the current Water Authority connection fee is at the time.

Sect. 6. That the cost of the district extension to the typical property shall be as follows:

Annual debt service	\$638
Commodity charge	<u>\$260</u>
Total estimated annual charge per occupied parcel	\$898

Sect. 7. That any new tax parcels created in the future within the boundaries of this district will share in the same manner the annual debt service charged to all district property owners.

Sect. 8. That the Town Clerk is hereby authorized and directed to file a certified copy of this resolution in the Monroe County Clerk's Office and in the New York State Department of Audit and Control within ten (10) days after the adoption of this resolution pursuant to Town Law § 195.

Dated: January 22, 2020

By Order of the Town Board
Town of Sweden, Monroe County
Karen M. Sweeting, Town Clerk