

A. CONVOCAATION:

1. The Canadice Town Board Special Meeting was held on February 21, 2018 at 7:00 pm at the Canadice Town Hall.

2. Roll call showed the following-

- Present: Supervisor Kristine Singer
- Councilman Mark Statt
- Councilman Mark Malmendier
- Councilman Teryl Gronwall

Absent: Councilman John O’Connor

Others Present: Three (3) guests/residents attended the Town Board Special Meeting.

3. Salute to the Flag.

B. WATER DISTRICT PUBLIC HEARING:

1. Supervisor Singer opened the public hearing and asked if there were comments on increasing the maximum amount to be expended on Canadice Water District No. 1 from \$6,000,000 to \$6,200,000.

*Councilman Malmendier had received a couple of emails with questions he responded to and Supervisor Singer answered a few questions in advance of the meeting.

*Councilman Gronwall asked if the timeline for construction starting the beginning of May is still set and if a location has been chosen for storing equipment and construction materials. Mr. Mike Schaffron indicated the schedule shouldn’t shift more than a couple of weeks. There are a few options for storage of materials and equipment, however nothing has been chosen yet for a location. Councilman Malmendier thought the old dumpsite might be used.

*Councilman Statt asked what the status of the MWBE requirement is. Mr. Schaffron indicated all of the paperwork is in for the MWBE source. They will sign the paperwork after the contractor has officially been awarded the project.

*Mr. Mike Schaffron was thanked for attending.

Councilman Malmendier motioned, Councilman Statt seconded, and it was unanimously carried to close the public hearing.

APPROVED Ayes 4 Singer, Statt, Malmendier, Gronwall
 Nays 0

a. Resolution Number 17 of 2018: Resolution And Order Of The Town Board Of The Town Of Canadice To Increase The Maximum Amount To Be Expended On Improvements In Canadice Water District No. 1

Councilman Malmendier motioned, Councilman Statt seconded, and it was unanimously carried to approve the resolution.

APPROVED Ayes 4 Singer, Statt, Malmendier, Gronwall
 Nays 0

WHEREAS, a Public Hearing was held on February 21, 2018, pursuant to Town Law section §209-d and section §209-h, and the Town Board heard public comments on whether it is in the public’s interest to increase the maximum amount to be expended on Canadice Water District No. 1 from \$6,000,000 to \$6,200,000; and

WHEREAS, the Notice of Public Hearing was published and posted as required by law; and
WHEREAS, on July 13, 2015, pursuant to Article 12-A of New York's Town Law, the Town of Canadice ("Town") duly adopted and properly formed the Canadice Water District No. 1 ("District") and a Map, Plan and Report dated May, 27, 2014 ("2014 Report") delineating the boundaries of the District, the improvements and project cost was prepared by the Engineer for the Town, LaBella Associates, D.P.C., filed in the Town Clerk's Office and this Report, and amendments thereto, remain available for public inspection; and

WHEREAS, the original Map, Plan and Report estimated that the total cost of the District improvements, including the construction and maintenance of the distribution mains and associated appurtenances, machinery, apparatus and incidental improvements ("Project"), would be \$5,000,000 and estimated the annual cost to the "typical property" to be \$1,049.00; and

WHEREAS, Project costs increased due to scheduling delays and design improvements and the Town was also awarded a New York State Environmental Facilities Corporation ("EFC") grant in the amount of \$3,000,000. An Amended Map, Plan and Report dated April 8, 2017 ("2017 Report") was prepared to evaluate the impact of these changes and the Report concluded that the maximum amount necessary to complete the Project needed to be increased from \$5,000,000 to \$6,000,000 and concluded that, considering both the increased costs and the impact of the EFC grant, the estimated revised annual cost to the "typical property" would be \$889.00, which was less than the original estimated annual cost to the "typical property" set forth in the 2014 Report; and

WHEREAS, on May 8, 2017, following a duly noticed Public Hearing, the Town adopted a Resolution and Order determining that it was in the public's interest to increase the maximum amount proposed to be expended for the District Project from \$5,000,000 to \$6,000,000; and

WHEREAS, on January 12, 2018 the bids for the Project were opened, and all of the bids were in excess of the maximum construction costs set forth in each Map, Plan and Report and, accordingly, an Amended Map, Plan and Report dated January 30, 2018 ("2018 Report") was prepared to evaluate the impact of the higher cost and this Report concluded that the revised amount necessary to complete the District Project and retain sufficient contingency funds is \$6,200,000; and

WHEREAS, the 2018 Report also concluded that the estimated revised annual cost to the "typical property" is \$862.00, which is less than amount projected in the 2017 Report, less than the amount previously approved by the New York State Comptroller and less than the amount that was approved by a majority of the property owners in the District at a referendum in August of 2011; and

WHEREAS, the method of funding the Project is an EFC grant in the amount of \$3,000,000 and low-interest loans from the USDA Rural Development in the amount of \$3,200,000 being financed at 2.125% for 38 years which, when divided among the Equivalent Dwelling Units, results in an annual debt service cost of approximately \$308.00 per unit and an annual cost of approximately \$554.00 per unit for water, operation and maintenance and surcharges per unit totaling \$862.00.

WHEREAS, the property owners in the District desiring to obtain water services will also be responsible for a hook-up fee in the amount of \$100.00 and this fee is comprised of a \$25.00 account initiation fee and a \$75.00 water service and meter inspection fee; and

WHEREAS, property owners in the District desiring to obtain water services will also be responsible for the cost of extending the water service from the right of way to each structure and the cost of doing so is estimated to cost approximately \$600.00 (\$10/lineal foot x 60.00 feet) and will vary based on distance and topography and property owners will also be responsible for the cost of disconnecting current water sources

(well or lake supply) and making internal plumbing modifications which are estimated to be approximately \$450.00 and may also vary based on the particular property; and

WHEREAS, the costs to the “typical user” will not exceed the State Comptroller’s Office’s 2018 threshold for low-cost town water districts of \$904.00 for the average estimated cost of a “typical user;” and

WHEREAS, all Map, Plan and Report documents have been filed in the Town Clerk’s Office and are available for public inspection; now, therefore, it is

RESOLVED, that the Town Board determines that the Notice of Hearing was published and posted as required by law and was sufficient; and, it is further

RESOLVED, it is in the public’s interest to increase the maximum amount to be expended for Canadice Water District No. 1 from \$6,000,000 to \$6,200,000; and, it is further

FURTHER RESOLVED, that pursuant to Town Law §209-d and §209-h, the Town Board adopts the ORDER set forth below and hereby directs the Town Clerk to:

a. Enter the Order into the Town Board minutes, and

b. Within ten days after the adoption post and publish, in the same manner as provided for notice of a special election, a Notice that sets forth the date of the adoption of the Resolution, the purpose and effect thereof and specifies that such Resolution was adopted subject to a permissive referendum.

c. Cause a certified copy of the Order to be duly recorded in the Ontario County Clerk’s Office within ten (10) days of the adoption pursuant to Town Law §209-g; and, it is further

RESOLVED, that this Resolution shall be subject to a permissive referendum pursuant to Town Law §209-h; and, it is further

RESOLVED, that if, after the expiration of the time for filing a Petition requesting that the matter be submitted to a referendum of the property owners of the District, no such Petition has been filed with the Town Clerk, the Town Clerk is directed to file a Certificate stating such fact in the office of the Ontario County Clerk.

ORDER AUTHORIZING INCREASE IN THE MAXIMUM AMOUNT TO BE EXPENDED ON IMPROVEMENTS CANADICE WATER DISTRICT NO. 1

1. The Town Board of the Town of Canadice (“Town”) held a public hearing on February 21, 2018, at 7:00 p.m. at the Town Hall, 5949 County Road 37, Springwater, New York 14560 to consider whether it is in the public interest to authorize an increase in the proposed maximum amount to be expended on Canadice Water District No. 1 from \$6,000,000 to \$6,200,000.

2. On January 12, 2018 the Town opened the bids submitted and all bids were in excess of the maximum construction costs set forth in each Map, Plan and Report. An Amended Map, Plan and Report dated January 30, 2018 (“2018 Report”) was prepared to evaluate the impact of these changes and this Report concluded that the revised amount necessary to complete the District Project and retain sufficient contingency funds is \$6,200,000.

3. After the hearing and due deliberation, the Town adopted a Resolution determining that it is in the public’s interest to increase the maximum amount proposed to be expended for Canadice Water District No. 1 from \$6,000,000 to \$6,200,000.

4. The estimated revised annual cost to the “typical property” is \$862.00 per unit and estimated fees associated with connecting to the system are estimated to total \$700 in addition to the cost of disconnecting current water sources (well or lake supply) and making internal plumbing modifications which are estimated to be \$450 and may also vary based on the particular property. Due to a grant awarded to the Town, the

estimated revised annual cost is less than the amounts approved by the State Comptroller’s Office in June of 2015 and approved by the property owners in a prior referendum.

5. The method of funding the \$6,200,000 in District improvements is an EFC grant in the amount of \$3,000,000 and low-interest loans from the USDA Rural Development in the amount of \$3,200,000 being financed at 2.125% for 38 years which, when divided among the Equivalent Dwelling Units, results in an annual debt service cost of approximately \$308.00 per unit and an annual cost of approximately \$554.00 per unit for water, operation and maintenance and surcharges per unit totaling \$862.00.

6. Pursuant to Town Law §209-h, this resolution authorizing this increase is subject to permissive referendum.

7. The boundaries of the District have not changed and are shown in the 2014, 2017 and 2018 Map, Plan and Report documents on file with the Town Clerk’s Office.

C. NEW BUSINESS:

1. Highway Superintendent- Mr. Mike Virgil.

a. After some discussion a motion was presented authorizing the Highway Superintendent to purchase a Forklift not to exceed \$3,000.

Councilman Malmendier motioned, Councilman Gronwall seconded, and it was unanimously carried to approve the motion.

APPROVED Ayes 4 Singer, Statt, Malmendier, Gronwall
 Nays 0

D. ADJOURNMENT:

Councilman Statt motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the meeting at 7:16 pm.

APPROVED Ayes 4 Singer, Statt, Malmendier, Gronwall
 Nays 0

Respectfully submitted, _____ Eileen Schaefer, Town Clerk