

**Town of Murray Public Hearing and Work Meeting**  
May 3, 2017

Present: Supervisor John Morriss, Councilmen Lloyd Christ, Paul Hendel and Bob Miller, Attorney Jeff Martin, Water Superintendent Ed Morgan, Town Clerk Cindy Oliver, Paul Chatfield, Brian and Diane Speer, Barb Kurzowski, Pamela Knab, Art Knab, Ralf Kurzowski, Joe Kellenberger  
Absent: Councilman Ed Bower

Pledge to the flag.

The purpose of this public hearing is to discuss with property owners the details regarding the proposed Town of Murray Water District No. 3, extension No. 1 and to answer all questions from those present. This district covers portions of Hindsburg Road, West Kendall Road and Center Road. The proposed improvements, including construction costs, legal and engineering fees, administrative fees and all other expenses were discussed. Total project cost will not exceed \$825,000 which will be paid with \$369,000 in grant funds and \$456,000 in loan funds provided by the USDA, Rural Development Agency, with the loan portion to be evidenced by the issuance of serial bonds of the Town at an annual interest rate not to exceed 3%, maturing in annual installments over a term of 38 years. Questions regarding hook-up costs, internal plumbing changes, fire hydrants, bond repayment costs, operation and maintenance costs, water pressure, water usage were answered. Mr. Chatfield is hopeful that construction can begin in the fall and with this being a small project, it will take about 6-8 weeks to complete. After all questions and concerns were addressed Supervisor Morriss thanked those who carried the petitions.

Public Hearing was closed at 7:55 P.M.

**Town Board Work Meeting**

**RESOLUTION OF MURRAY TOWN BOARD APPROVING THE ESTABLISHMENT  
OF TOWN OF MURRAY WATER DISTRICT NO. 3, EXTENSION NO. 1**

A special meeting of the Town Board of the Town of Murray, Orleans County, New York was held at the Murray Town Hall in said Town on May 3, 2017 at 7:00 P.M. to consider the proposed establishment of an extension to Town of Murray Water District No. 3, to be known as Water District No. 3, Extension No. 1, in accordance with the provisions of Article 12 of the Town Law.

A map, plan and report relating to the proposed extension, prepared by Chatfield Engineers, P.C., and a competent engineer duly licensed by the State

of New York, in the manner and detail required by the Town Board, and was previously filed in the office of the Murray Town Clerk.

Petitions signed by owners and resident owners of taxable real property situate in the proposed water district extension, as shown on the latest completed assessment roll of the Town of Murray, were previously filed in the office of the Murray Town Clerk.

On April 11, 2017, an order was adopted by the Town Board reciting the filing of the map, plan and report, the boundaries of the proposed extension, the improvements proposed, the estimated cost of the improvements, the cost of the extension to the typical property in the proposed service areas, estimated hook-up charges, the method of assessment and the fact that the map, plan and report were on file in the Town Clerk's Office for public inspection, together with such other information required by law to be stated.

The order set May 3, 2017 at 7:00 P.M. at the Murray Town Hall as the date, time and place for a public hearing to consider the establishment of the proposed water district extension, to hear all persons interested in the matter and to take such further action as required by law.

Notice of adoption of the order was published in the April 22, 2017 edition of *The Batavia Daily News* and posted as required by law.

The public hearing was held on May 3, 2017 as scheduled, the proposed extension was discussed at length and all interested persons were heard.

Upon evidence given at the hearing, and upon a motion duly made, seconded and carried, the following resolution was adopted:

**IT IS HEREBY DETERMINED AND RESOLVED:**

- (a) The petitions comply with the requirements of §191 of the Town Law with respect to sufficiency of signers, describe the boundaries of the proposed water district extension in a manner sufficient to identify the lands included therein as in a deed of conveyance, are authenticated in the manner provided by the Election Law for authentication of nominating petitions and are otherwise legally sufficient.
- (b) The notice of hearing was published and posted as required by law, and is otherwise sufficient.

- (c) All the property and property owners within the proposed water district extension are benefitted thereby.
- (d) All the property and property owners benefitted are included within the limits of the proposed water district extension.
- (e) The extension of the water district is in the public interest.

**IT IS FURTHER RESOLVED** that the water district extension, as set forth in the map, plan and report, be approved and established, and that the requested improvements be constructed upon the required funds being made available and provided for.

**IT IS FURTHER RESOLVED** that this water district extension shall be designated as Town of Murray Water District No. 3, Extension No. 1, and shall be bounded and described as follows:

#### **PART A – HINDBURG ROAD**

Town of Murray Water District No. 3 Extension No. 1, Part A, shall have an exterior boundary described as follows: BEGINNING at a point, said point being 500 feet more or less easterly of the centerline of Hindsburg Road (49.5' R.O.W.) and along the southerly boundary line of the Town of Murray Water District No. 3; thence (1) Southerly, 4,062 feet more or less, along a line parallel to and 500 feet easterly of the centerline of Hindsburg Road to a point, said point being along the centerline of East Transit Church Road (49.5' R.W.W.); thence (2) Westerly, 1,000 feet more or less, along the centerline of East Transit Church Road to a point; thence (3) Northerly, 3,989 feet more or less, along a line parallel to and 500 feet westerly of the centerline of Hindsburg Road to a point, said point being along the southerly boundary line of the Town of Murray Water District No. 3; thence (4) Easterly, 1,010 feet more or less, along the southerly boundary of the Town of Murray Water District No. 3 to a point, said point being the point of beginning.

#### **PART B – WEST KENDALL ROAD**

Town of Murray Water District No. 3 Extension No. 1, Part B, shall have an exterior boundary described as follows: BEGINNING at a point, said point being 500 feet more or less westerly of the centerline of West Kendall Road (49.5' R.W.W.) and along the northerly boundary line of the Town of Murray Water District No. 3; thence (1) Northerly, 5,585 feet more or less, along a line parallel to and 500 feet westerly of the centerline of West Kendall Road to a point, said point being along the Kendall and Murray Town line; thence (2) Easterly, 1,000 feet more or less, along the Kendall and Murray Town line;

thence (3) Southerly, 6,070 feet more or less, along a line parallel to and 500 feet easterly of the centerline of West Kendall Road to a point, said point being along the northerly boundary line of the Town of Murray Water District No. 3; thence (4) Westerly, 1,100 feet more or less, along the northerly boundary of the Town of Murray Water District No. 3 to a point, said point being the point of beginning.

### **PART C – CENTER ROAD**

Town of Murray Water District No. 3 Extension No. 1, Part C, shall have an exterior boundary described as follows: BEGINNING at a point, said point being 500 feet more or less westerly of the centerline of Center Road (66' R.O.W.) and along the northerly boundary line of the Town of Murray Water District No. 3; thence (1) Northerly, 3,416 feet more or less, along a line parallel to and 500 feet westerly of the centerline of West Kendall Road to a point, said point being along the Kendall and Murray Town line; thence (2) Easterly, 1,000 feet more or less, along the Kendall and Murray Town line; thence (3) Southerly, 3,735 feet more or less, along a line parallel to and 500 feet easterly of the centerline of West Kendall Road to a point, said point being along the northerly boundary line of the Town of Murray Water District No. 3; thence (4) Westerly, 1,047 feet more or less, along the northerly boundary of the Town of Murray Water District No. 3 to a point, said point being the point of beginning.

**IT IS FURTHER RESOLVED** that the proposed improvements, including construction costs, legal and engineering fees, administrative fees and all other expenses, not to exceed in the aggregate the sum of \$825,000, to be paid from \$369,000 in grant funds and \$456,000 in loan funds to be provided by the United States Department of Agriculture, Rural Development Agency, with the loan portion to be evidenced by the issuance of serial bonds of the Town at an annual interest rate not to exceed three percent (3%), maturing in annual installments over a term of 38 years.

**IT IS FURTHER RESOLVED** that the cost of establishing and constructing the Town of Murray Water District No. 3, Extension No. 1 shall be assessed by the Town Board in as close a proportion to the benefit to which each lot or parcel will derive from the improvement as is possible, it being the desire and intention of the Town Board to establish this water district extension on a benefit basis rather than on an ad valorem basis.

**IT IS FURTHER RESOLVED** that the Town Clerk be and she hereby is authorized and directed to file certified copies of this resolution to the Office of the County Clerk of Orleans County, New York, and the Office of the State

Comptroller, within then (10) days after adoption of this resolution, pursuant to the provisions of Section 195 of the Town Law.

Upon being put to a vote, the resolution was adopted.

Brief discussion regarding the insurance claims of damage from the storms.

A meeting with EFPR Associates and the Town Board regarding water fees will be scheduled.

Motion by Miller, Seconded by Christ to adjourn the meeting.

Meeting adjourned at 8:12 p.m.

Respectfully Submitted,

Cynthia L. Oliver