

A public hearing was held by the Town Board of the Town of Moreau on May 11, 2010 in the Town of Moreau Office Building, 61 Hudson Street, South Glens Falls, New York, for the purpose of considering the establishment of Extension 2 to Water District 1.

Supervisor Jenkins opened the public hearing at 6:40 p.m.

Town Board Members Present

Bob Prendergast	Councilman
Preston Jenkins	Supervisor

Town Board Members Absent

Tom Cumm	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman

Also Present: Jeanne Fleury, Town Clerk; Jesse Fish, Water Superintendent; Martin D. Auffredou, Attorney for the Town; Garry Robinson, engineer representing Hal Leonelli, Developer

The following Order was published in the legal ad section of the Glens Falls Post Star Newspaper on April 29, 2010:

NOTICE IS HEREBY GIVEN, that a map, plan and report has been prepared in a manner and detail as determined by the Town Board of the Town of Moreau and Article 12 of the Town Law, regarding Extension No. 2 of Water District No. 1 in the Town of Moreau.

The map, plan and report was prepared by Garry R. Robinson, P.E., showing the boundaries of the proposed Extension No. 2 of Water District No. 1, the project justification and cost estimates.

The map, plan and report shows the boundaries of the proposed Extension No. 2 of Water District No. 1 and the locations of the property contained in the extension of the Water District. Extension No. 2 of Water District No. 1 is comprised of a 19.46 +/- acre parcel identified as 37.19-1-25 and, at the request of the Town Board a total of 42 parcels identified on the attached list. A description of the boundaries of the proposed Extension No. 2 of Water District No. 1 is annexed hereto and made a part hereof. The proposed Water District service extension area is located on the south side of Harrison Avenue and west of Sisson Road and as more particularly depicted in the map, plan and report.

The source of potable water for Extension No. 2 of Water District No. 1 is the Village of South Glens Falls. The Town of Moreau has a contract with the Village of South Glens Falls, whereby the Village supplies potable water to Water District No. 1. Harold Leonelli, the owner/developer of a proposed 144 unit apartment complex on parcel SBL 37.19-1-25 will incur all the costs for the creation/extension of the proposed water system. These costs would include the preparation of plans, the engineering report and construction of the water system and its appurtenances. According to the map, plan and report, the estimated cost to extend the district and install the water transmission mains and necessary water infrastructure is approximately \$230,000.

According to the map, plan and report, the estimated total yearly water usage cost for an average residential customer in the apartment complex will be approximately \$110.00. These costs will be added to the monthly rental fee for each rental unit of the apartment complex at SBL 37.19-1-25. The estimated total yearly water service cost for an average customer not in the apartment complex will be approximately \$110.00. In addition, each parcel wishing to connect to the Water District will be responsible for the connect costs. The costs are expected to be in the range of \$3,000.00 per parcel which includes \$700.00 to \$900.00 for a "tap fee" and approximately \$2,000.00 to extend the service lateral from the water system to a private residence.

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The map, plan and report describing the improvements and other detail is on file in the Town Clerk's Office and is available for public inspection.

The Town Board will conduct a public hearing for Extension No. 2 of Water District No. 1 on May 11, 2010 at 6:40 p.m. at the Moreau Town Hall, located at 61 Hudson Street, Town of Moreau, County of Saratoga, New York. All persons interested in this matter shall be heard at the said date and time.

This Order and Notice of Public Hearing was duly adopted by resolution of the Town Board of the Town of Moreau on April 13, 2010.

**WATER DISTRICT 1, EXTENSION 2
MULTIPLE PARCELS TO BE INCLUDED IN DISTRICT**

37.-1-10.121	37.-1-15.22	37.3-1-4	37.19-1-24.11	50.-2-8
37.-1-10.13	37.-1-17	37.3-1-6	37.19-1-24.12	50.-2-9
37.-1-10.14	37.-1-18	37.3-1-7	37.19-2-16	50.-2-10
37.-1-12	37.-1-19	37.3-1-17	37.19-2-24	50.-2-11
37.-1-13	37.-1-31.2	37.19-1-4	37.19-2-25	50.-2-12
37.-1-14	37.-1-34	37.19-1-5	37.19-2-26	50.-2-100.11
37.-1-15.3	37.-1-36.1	37.19-1-6	37.19-2-27	
37.-1-15.12	37.-1-36.2	37.19-1-7	37.19-2-29	
37.-1-15.212	37.3-1-1	37.19-1-8	37.19-2-30	

**DESCRIPTION OF THE AREA
OF THE PROPOSED EXTENSION #2
OF THE
TOWN OF MOREAU WATER DISTRICT #1**

All those certain tracts, pieces or parcels of land situate in the Town of Moreau, County of Saratoga, and State of New York lying east of the Village of South Glens Falls, Town of Moreau common boundary line and being further bounded and described as follows:

Parcel No. 1

Beginning at the point of intersection of the south line of Van Buren Street and the eastern boundary line of the Village of South Glens Falls. Thence from said point of beginning in an easterly direction along the southerly boundary of Van Buren Street to a point, which is the northeast corner of tax map parcel 37.3-1-6. Thence from that point which is on the southerly line of Van Buren Street in a westerly direction along a line that is parallel to and four hundred feet north of the northerly line of Harrison Avenue to the Village of South Glens Falls easterly boundary line. Thence northerly along that Village/Town boundary line to the point of beginning.

Parcel No. 1 intending to include the following tax map parcel numbers:

Remaining parts of 37.3-1-1, 37.3-1-4, 37.3-1-17, 37.1-31.2, 37.3-1-7 and 37.3-1-6

Parcel No. 2

Beginning at a point on the easterly boundary line of the Village of South Glens Falls, said point being 400 feet south of the south line of Harrison Avenue where it crosses the common boundary of the Village of South Glens Falls and Town of Moreau. Thence from said point of beginning in an easterly direction along a line parallel to the southern boundary of Harrison Avenue and 400 feet south of the southerly boundary of Harrison Avenue to a point which is the northwest corner of tax map parcel 39.19-1-4. Thence in an easterly direction along the common division line between tax map parcel number 37.19-1-3

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to the north and tax map parcel 37.19-1-4 to the south to a point on the westerly boundary of Sisson Road, said point being the southeast corner of tax map parcel number 37.19-1-4. Thence along the common division line of Sisson Road to the east and to the west tax map parcels 37.19-1-4, 37.19-1-5, 37.19-1-6, 37.19-1-7, 37.19-1-8, 37.19-1-24.11, 37.19-1-24.12, 37-1-13, 50-2-100.11, 50-2-9, 50-2-8 to a point on the western boundary of Sisson Road which is also the southeast corner of tax map parcel 50-2-8. Thence in a westerly direction along the common division line of tax map parcel 50-2-100.11 to the north and 50-2-2.1 to the south to the southwest corner of tax map parcel 50-2-100.11. Thence along the common division line of tax map parcel 50-2-100.11 to the east and tax map parcel 50-2-1.11 to the west in a northerly direction to a point being the northwest corner of tax map parcel 50-2-100.11 said point being on the common division line between tax map parcel 37-1-15.12 to the north and 50-2-100.11 to the south. Thence in a westerly direction along the common division line of tax map parcel 50-2-1.11 to the south and tax map parcels 37-1-15.12 and thence a portion of 37-1-14 to a point which is the northeast corner of tax map parcel 50-2-1.11. Thence in an easterly direction along the common division line between tax map parcel 37-1-14 to the north and tax map parcels 50-2-1.11 and 50-2-2.1 to the south to a point which is the southwest corner of tax map parcel 37-1-14. Thence in a northerly direction along the common division line between tax map parcel 37-1-14 to the east and tax map parcel 50-2-2.1 to the west to a point which is the northeast corner of tax map parcel 50-2-2.1. Thence along the common division line between the Town of Moreau and Village of South Glens Falls first in an easterly direction and then in a northerly direction to the point of beginning.

Parcel No. 2 intending to include the following tax map parcel numbers:

All of 37.19-1-4, 37.19-1-5, 37.19-1-6, 37.19-1-7, 37.19-1-8, 37.19-1-24.1, 37.19-1-24.2, 37-1-13, 50-2-9, 50-2-8, 50-2-100.11, 37-1-15.212 and remaining parts of 37-1-14, 37-1-15.12, 37-1-15.22, 37-1-34, 37-1-15.3, 37-1-25, 37-1-19, 37-1-18, and 37-1-17

Parcel No. 3

Beginning at a point on the southerly line of Harrison Avenue said point being 400 feet easterly of the southeast corner of the intersection of Harrison Avenue and Sisson road. Thence from said point of beginning along the south line of Harrison Avenue in an easterly direction along the common division line of Harrison Avenue to the north and to the south tax map parcels 37.19-2-1, 37-1-25.2, 37-1-10.122, 37-1-10.121, 50-4-1.31, 37-1-10.13, 37-1-10.14 to a point where it intersects the western boundary of Water District #1. Thence in a southeasterly direction thru tax map parcel 37-1-10.14 and along the westerly boundary of Water District #1 to its intersection with the north line of Bluebird Road. Thence Westerly along the common division line of Bluebird Road to the North and tax map parcel 37-1-10.14 and 37-1-10.13 to the south to a point on Bluebird Road north line which point is the northeast corner of tax map parcel 50-4-1.31. Thence in a westerly direction along the common division line of tax map parcel 50-4-1.31 to the south and tax map parcels 37-1-10.121 and 37-1-25.2 to the north to a point which is in the southwest corner of tax map parcel 37-1-25.2. Thence in a northerly direction along the common division line of tax map parcel 37-1-25.2 to the east and tax map parcels 37.19-2-13, 37.19-2-12, 37.19-2-11, 37.19-2-10, 37.19-2-9, 37.19-2-8, 37.19-2-7, to the west to a point which is the north east corner of tax map parcel 37.19-2-7. Thence in a westerly direction along the common division line between tax map parcel 37.19-2-7 to the south and tax map parcel 37-1-25.2 to the north to a point which is the northwest corner of tax map parcel 37.19-2-7. Thence in a northerly direction along the common division line of tax map parcel 37.19-2-6 to the west and 37-1-25.2 to the east to a point which is the south east corner of tax map parcel 37.19-2-1. Thence in a westerly direction along the common division line of tax map parcel 37.19-2-6 to the south and tax map parcel 37.19-2-1 to the north to its intersection with the eastern boundary of Water District #1. Thence in a northerly direction along said water district boundary line to the point of beginning.

Parcel No. 3 intending to include the following tax map parcel numbers:

All of 37-1-25.2, 37-1-10.122, 37-1-10.121 and 37-1-10.13 and remaining parts of 37.19-2-1 and 37-1-10.14

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Parcel No. 4

Beginning at the point of intersection of the southerly line of Appletree Lane and the easterly line of Sisson Road said point being the northwest corner of tax map parcel 37.19-2-24. Thence in an easterly direction along the common division line between Appletree Lane to the North and tax map parcel 37.19-2-24 to the south to the northeast corner of tax map parcel 37.19-2-24. Thence southerly along the common division line between tax map parcel 37.19-2-23 to the east and tax map parcel 37.19-2-24 to the west to the southeast corner of tax map lot 37.19-2-24. Thence easterly along the common division line between 37.19-2-23 to the north and 37.19-2-25 to the south to a point, which is the northeast corner of 37.19-2-25. Thence southerly along the common division line between 37.19-2-25 and 37.19-2-26 to the west and 37.19-2-21 and 37.19-2-20 to the east to a point, which is the southeast corner of 37.19-2-26. Thence in a westerly direction along the common division line between tax map parcel 37.19-2-26 to the north and tax map parcel 37.19-2-28 to the south to a point which is the north east corner of tax map parcel 37.19-2-27. Thence in a southerly direction along the common division line between tax map parcel 37.19-2-27 to the west and tax map parcel 37.19-2-28 to the east to a point on the north line of Peachtree lane and then again along the common division line between tax map parcel 37.19-2-16 to the west and 37.19-2-17 to the east to a point which is the southeast corner of tax map parcel 37.19-2-16. Thence in an easterly direction along the common division line between 37.19-2-17 to the north and 37.19-2-29 to the south to a point, which is the northeast corner of tax map parcel 37.19-2-29. Thence the following two courses along the common division line of 37.19-2-29 and 37.19-2-14 south and then east to a point in the cul-de-sac of Appletree Lane. Thence easterly along the common division line between Appletree Lane to the north and tax map parcel 37.19-2-29 to the south to a point which is the intersection of the common division line between tax map parcel 37.19-2-29 to the west and tax map parcel 37.19-2-13 to the east. Thence southerly along aforementioned common division line to a point, which is the southeast corner of tax map parcel 37.19-2-29. Thence westerly along the common division line between tax map parcel 37.19-2-29 and 37.19-2-30 to the north and tax map parcel 50-2-100.5 and 50-2-100.4 to the south and 37.19-2-30 to a point which is the northeast corner of tax map parcel 37-1-12. Thence southerly along the common division line between tax map parcel 37-1-12 to the west of 50-2-100.4, 50-2-102 to the east to a point which is the southeast corner of tax map parcel 37-1-12. Thence westerly along the common division line of the aforementioned parcels to point, which is the northeast corner of tax map parcel 50-2-10. Thence in a southerly direction along the common division line between tax map parcel 50-2-102 to the east and tax map parcel 50-2-10, 50-2-11 and 50-2-12 to the west to a point which is the southeast corner of tax map parcel 50-2-12. Thence in a westerly direction along the common division line between tax map parcel 50-2-12 to the north and tax map parcel 50-2-2.1 to the south to a point on the east line of Sisson Road, said point being the southwest corner of tax map parcel 50-2-12. Thence in a northerly direction along the east line of Sisson Road to the point of beginning.

Parcel No. 4 intended to include the following tax map parcel numbers:

All of 37-1-10.122, 37-1-25.2, 37-1-10.121, 37-1-10.13, 37.19-2-24, 37.19-2-25, 37.19-2-26, 37.19-2-27, 37.19-2-16, 37.19-2-29, 37.19-2-30, 37-1-12, 50-2-10, 50-2-11, 50-2-12 and remaining parts of 37-1-10.14 and 37.19-2-1

Garry Robinson explained that Hal Leonelli owns a piece of property near the center of the district extension as proposed and has been approved by the Town Planning Board for a 144 unit apartment complex. The Town wants to add some parcels to the extension for the following reasons:

When Water District 1 was created the first 75 feet in depth of all properties within the boundaries of the proposed water district at that time were included in the district and the rear of the properties were not included in the district. The Town wants to make these parcels wholly within the district so that if somebody wants to put a house on a parcel in the rear they could and they would be part of the water district.

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Secondly, there were many parcels on Sisson Road that are being serviced with public water, but aren't part of the water district and now they would be included in this extension.

Also, there is a water line that runs from Bluebird Road down Sisson Road to Harrison Avenue and there are properties that front on Sisson Road that the Town wants to make part of the district.

There is also a parcel of property on Harrison Avenue Extension that is owned by Glens Falls National and they want to be included in the extension.

Finally, there is a small piece of property on Van Buren that isn't wholly in the district and should be.

Garry Robinson further stated that there is a SEQRA long form that has been completed and included in the map, plan and report, DEC applications have been completed, and there is information in the map, plan and report about expected water usage, current water usage, water conservation form as required by DEC, etc.

Supervisor Jenkins stated that he would ask to keep the public hearing open until May 25th. A full board should be present, if possible, to act on this.

Garry Robinson noted that there won't be any change to the people who are currently served water by Water District 1 and they won't bear any cost in this district extension. Also, people who aren't currently connected to Water District 1 will not be required to connect.

Attorney Auffredou advised that normally this proposed extension would be done under Article 12 of the Town Law and in this case it is going to be created under Article 12A of the Town Law, because the Town wants to add the additional parcels. Under Article 12A a resolution creating the district will be subject to a permissive referendum. The Town Board can continue the public hearing on May 25th and assuming the board closes the public hearing on May 25th the board can do the SEQRA review then and move into the determination phase.

Supervisor Jenkins stated the board would keep the public hearing open until May 25th at 6:00 p.m. when it would be reconvened.

Respectfully submitted,

Jeanne Fleury
Town Clerk