

**ORDER FOR A PUBLIC HEARING
ON THE PETITION FOR ESTABLISHMENT OF THE
TOWN OF BETHANY WATER DISTRICT NO. 4**

WHEREAS, the Town Board of the Town of Bethany, New York, has duly adopted a resolution directing the Supervisor of the Town of Bethany to file a map, plan and report for providing the facilities, improvements or services in a portion of the Town of Bethany, where a Water District is proposed to be established; and said map, plan and report dated June, 2018; has been filed in the office of the Town Clerk of the Town of Bethany on August 8, 2018, and

WHEREAS, a “Petition to Request Water District” was filed in the Bethany Town Clerk’s Office on August 30th, 2018, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Bethany, the owners of taxable real property located in the proposed Town of Bethany Water District No. 4 (also referred to herein as “Water District”) owning in the aggregate at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

WHEREAS, the boundary of the proposed Town of Bethany Water District No. 4 shall have an exterior boundary described as follows:

Beginning at a point being the intersection of the center line of Putnam Road (49.5 feet wide right-of-way) and the northerly Municipal Boundary line of the Town of Bethany; thence,

1. Easterly, along the northerly Municipal Boundary line of the Town of Bethany and the northerly line of tax account number 1.-1-34, a distance of 688 feet, more or less, to a point 500 feet southeasterly of and parallel to the center line of Putnam Road; thence,
2. Southwesterly, through the lands of tax account number 1.-1-34, along a line 500 feet southeasterly of and parallel to the center line of Putnam Road, a distance of 427 feet, more or less, to the southerly line of tax account number 1.-1-34; thence,
3. Westerly, along the southerly line of tax account number 1.-1-34, a distance of 254 feet, more or less, to the northeasterly corner of tax account number 1.-1-32; thence,
4. Southerly, along the easterly line of tax account number 1.-1-32, a distance of 240 feet, more or less, to the northerly line of tax account number 1.-1-30; thence,
5. Easterly, along the northerly line of tax account number 1.-1-30, a distance of 21 feet, more or less, to a point 500 feet southeasterly of and parallel to the center line of Putnam Road; thence,

6. Southwesterly, through the lands of tax account numbers 1.-1-30 and 1.-1-28.1, along a line 500 feet southeasterly of and parallel to the center line of Putnam Road, a distance of 1,205 feet, more or less, to the southerly line of tax account number 1.-1-28.1; thence,
7. Westerly, along the southerly line of tax account number 1.-1-28.1, a distance of 101 feet, more or less, to the northeasterly corner of tax account number 1.-1-27.21; thence,
8. Southeasterly, along the easterly line of tax account number 1.-1-27.21, a distance of 1,638 feet, more or less, to the southeasterly corner of tax account number 1.-1-27.21; thence,
9. Westerly, along the southerly lines of tax account numbers 1.-1-27.21 and 1.-1-26.1, a distance of 1,731 feet, more or less, to a point 500 feet southeasterly of and parallel to the center line of Putnam Road; thence,
10. Southwesterly, through the lands of tax account number 1.-1-25, along a line 500 feet southeasterly of and parallel to the center line of Putnam Road, a distance of 1,475 feet, more or less, to the southerly line of tax account number 1.-1-25; thence,
11. Easterly, along the southerly line of tax account number 1.-1-25, a distance of 865 feet, more or less, to the northeasterly corner of tax account number 1.-1-58.2; thence,
12. Southerly, along the easterly lines of tax account numbers 1.-1-58.2 and 1.-1-73, a distance of 770 feet, more or less, to the southeasterly corner of tax account number 1.-1-73; thence,
13. Westerly, along the southerly line of tax account number 1.-1-73, a distance of 2,120 feet, more or less to the southeasterly corner of tax account number 1.-1-16; thence,
14. Southerly, along the easterly line of tax account number 1.-1-62, a distance of 402 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Putnam Road; thence,
15. Westerly, through the lands of tax account number 1.-1-62, along a line 500 feet southerly of and parallel to the center line of Putnam Road, a distance of 1,142 feet, more or less, to a point 500 feet southeasterly of and parallel to the center line of Creek Road (49.5 feet wide right-of-way); thence,
16. Southwesterly, through the lands of tax account number 1.-1-62, along a line 500 feet southeasterly of and parallel to the center line of Creek Road, a distance of 1,238 feet, more or less, to a point; thence,
17. Northwesterly, through the lands of tax account number 1.-1-62, across Creek Road, and through the lands of tax account number 1.-1-63.1, along a line perpendicular to the center line of Creek Road, a distance of 1,000 feet, more or less, to a point 500 feet northwesterly of and parallel to the center line of Creek Road; thence,
18. Northeasterly, through the lands of tax account number 1.-1-63.1, along a line 500 feet northwesterly of and parallel to the center line of Creek Road, a distance of 1,043 feet, more or less, to the northerly line of tax account number 1.-1-63.1; thence,
19. Westerly, along the northerly line of tax account number 1.-1-63.1, a distance of 2,073 feet, more or less, to a southwesterly corner of tax account number 1.-1-10.11; thence,
20. Northerly, along a westerly line of tax account number 1.-1-10.11, a distance of 2,168 feet, more or less, to a northwesterly corner of tax account number 1.-1-10.11; thence,
21. Easterly, along a northerly line of tax account number 1.-1-10.11, a distance of 1,748 feet, more or less to a southwesterly corner of tax account number 1.-1-10.11; thence,

22. Northerly, along the westerly lines of tax account numbers 1.-1-10.11, 1.-1-10.12, 1.-1-10.2, and 1.-1-7, a distance of 2,967 feet, more or less, to the north westerly corner of tax account number 1.-1-7; thence,
23. Northeasterly, along the northerly line of tax account number 1.-1-7, a distance of 123 feet, more or less, to a point 500 feet southwesterly of and parallel to the center line of Creek Road; thence,
24. Northwesterly, through the lands of tax account number 1.-1-3, along a line 500 feet southwesterly of and parallel to the center line of Creek Road, a distance of 300 feet, more or less, to the center line of Old Creek Road (49.5 feet wide right-of-way); thence,
25. Southwesterly, along the center line of Old Creek Road, a distance of 54 feet, more or less, to the southerly extension of the westerly line of tax account number 1.-1-2; thence,
26. Northerly, along the southerly extension of the westerly line of tax account number 1.-1-2 and the westerly line of tax account number 1.-1-2, a distance of 605 feet, more or less, to the northwesterly corner of tax account number 1.-1-2; thence,
27. Easterly, along the northerly line of tax account number 1.-1-2, a distance of 36 feet, more or less, to a point 500 feet westerly of and parallel to the center line of Creek Road; thence,
28. Northeasterly, through the lands of tax account number 1.-1-1.1, along a line 500 feet northwesterly of and parallel to the center line of Creek Road, a distance of 467 feet, more or less, to the northerly line of tax account number 1.-1-1.1 and the northerly Municipal Boundary line of the Town of Bethany; thence,
29. Easterly, along the northerly Municipal Boundary line of the Town of Bethany and the northerly line of tax account number 1.-1-1.1, across Creek Road, and along the northerly lines of tax account numbers 1.-1-16.2, 1.-1-18, and 1.-1-17, a distance of 6,124 feet, more or less, to the center line of Putnam Road and the Point of Beginning.

; and

WHEREAS, the project area has been identified through public interest and the proposed Water District will obtain its water supply from the Town of Batavia who has ample capacity available to provide water for this project; and

WHEREAS, the water system will be designed to provide 180 gallons of water per person per day for domestic and commercial use and to provide fire protection meeting Insurance Services Office (ISO) Standards and will serve approximately 30 residential units; and

WHEREAS, the debt service for the initial project costs are based on equivalent dwelling units and the Town of Bethany anticipates securing grants-from the USDA Rural Development to partially fund the project through grant, while the remaining share will be paid for by a USDA Rural Development Loan; and

WHEREAS, the project will generally consist of installing approximately 13,600 linear feet of 8” or 12” diameter PVC water main, and 12” water main or 8” water main

along portions of Creek Road and Putnam Road and will serve approximately 30 units; and

WHEREAS, a typical average household uses 63,000 gallon of water per year and water rates for that usage shall be as follows:

1. 2018 Rates include an effective rate of \$5.36 per 1,000 gallons ($5.36 \times 63,000 = 337.68$); and

The total cost to homeowners for water would be \$750.00 per year; and

WHEREAS, the total Capital Cost for the Town of Bethany Water District No. 4 is \$1,177,000. It is projected that this project shall receive a USDA Rural Development grant in the amount of \$722,000; and

WHEREAS, Net local project costs are anticipated to be \$1,177,000 with an annual debt service including (38 years at 2.375% interest) of \$18,617 and the estimated Debt Service per Unit of \$409.16; and

WHEREAS, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the District which for the Town Board shall determine and specify to be specifically benefitted thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the principal of and interest on said bonds, as same shall become due and payable; and

WHEREAS, the total annual cost for an average homeowner including debt service and water bill would be estimated to be \$750.00 per year, per household; and

WHEREAS, in addition each unit shall be responsible for several one-time costs, including a one-time meter fee (\$125.00), cost to hookup and connect to the Right of Way to interior plumbing, (approximately \$10.00 per linear foot) with an average of fifty (50) linear feet (approximate total cost of \$500.00 per unit) for pipe installation and well separation costs (approximately \$500.00 per unit); and

WHEREAS, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Bethany and available for public inspection.

NOW ON MOTION OF Councilman Fluker which has been duly seconded by Councilman Street, therefore, it is

ORDERED, that the Town Board of the Town of Bethany, New York, shall meet at the Bethany Town Office, located at 10510 Bethany Center Rd, East Bethany, NY 14054 on the 10th day of October 2018, at 7:00 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements specified herein, at which time and place all persons interested in the subject thereof may be heard concerning

the same, and it is further

ORDERED, that the Town Clerk of the Town of Bethany is hereby authorized and directed to publish a copy of this Order in The Daily News, to post a copy of the same on the signboard of the Town of Bethany and to mail a copy to all owners of property located within the proposed Water District, in the time and manner required by law.

DATED: September 10, 2018

Town of Bethany Town Board