

TOWN OF MARCELLUS
TOWN BOARD MEETING MINUTES
October 12, 2006

A regular meeting of the Town Board of the Town of Marcellus, County of Onondaga, State of New York was held on October 12, 2006 at 7:00 P.M. in the Town Hall, 24 East Main Street, Marcellus, New York. Those present were:

Daniel J. Ross, Supervisor
Bernard L. Montgomery, Councilor
Thomas C. Lathrop, Councilor
James A. Sheridan, Councilor
Donald G. Sherman, Councilor

Also present: Karen R. Pollard, Town Clerk; Laurie Stevens, Deputy Town Clerk; Margaret Gerbsch, Accountant; Michael Cogswell, Counsel; Dick Clarke, Post Standard; Donald MacLachlan, Highway Superintendent; Chris Christensen, Member of ZBA and Planning Board; William Reagan, Codes Enforcement Officer; Jeffrey Rowe, Barton & Loguidice; Marion Ossit, Bill Manciocchi, Vincent Murphy, Joyce Potucek, Steve Potucek, Lynne Gregory, Katie Danielson, James Gascon, Nancy Scanlon, John Scanlon, William Burnette, Bob Dingman, Joe McVey, Chris Keegan, Greg Tierney, Chris Kaler, Ellis G. Guiles Jr., James Seeley, and Bob Beamish.

Supervisor Ross opened the meeting at 7 P.M. with the Pledge of Allegiance to the Flag.

Public Hearing –Proposed Limeledge (Marcellus) Water District:

Supervisor Ross opened the Public Hearing on the proposed Limeledge (Marcellus) Water District at 7:00pm. A legal notice was published in the Marcellus Observer on September 27, 2006 calling for the public hearing. The reading of the legal was waived. Supervisor Ross stated that the hearing has been called as a result of the project qualifying for a loan at zero percent interest and it is part of the process.

Supervisor Ross requested that anyone who wishes to speak in favor of the proposed Limeledge Water District please give their name and address to the Town Clerk for the record.

Vincent Murphy, 2259 Glover Road, asked if there was a time line for the project. Supervisor Ross explained that the project has to be submitted to and reviewed by the Comptroller's Office. A response would hopefully be received by March of 2007. Then the construction of the project needs to be put out to bid and once the bid is awarded the construction could begin in the summer or fall of 2007 for completion in 2008. There are many variables in this scenario and is subject to change.

Supervisor Ross requested that anyone who wishes to speak against the proposed Limeledge Water District please give their name and address to the Town Clerk for the record.

Joyce Potucek, 3832 South Street Road, voiced her concern over her property and several others along Lawrence Road being included in the proposed Limeledge Water District. Her property and the others are already being serviced by a water line from the Village of

Marcellus. Supervisor Ross advised Mrs. Potucek that the Town Board and the Village Board are aware of the problem and are working on a solution.

Councilor Montgomery questioned the length of time that would be needed for the construction of the water tank. Jeffrey Rowe of Barton & Loguidice explained that it could take as much as two construction seasons.

Councilor Montgomery made a motion seconded by Councilor Lathrop to close the public hearing on the proposed Limeledge (Marcellus) Water District at 7:05. All voted aye. Carried

The Public Hearing on the proposed Slate Hill Water Ext. No. 3 was scheduled for 8:00pm therefore the Board addressed the remainder of the agenda.

Copies of the minutes of the Town Board Meeting held on September 11, 2006 and the Workshop Meeting held on September 25, 2006 was given to the Board Members. Councilor Lathrop made a motion seconded by Councilor Montgomery to approve the minutes as presented. All voted aye. Carried.

The Abstract of Audited Vouchers was given to the Board Members as submitted by the Town Clerk, Abstract #48 as of October 10, 2006, Claims # 909 – 911 and 913 – 1019 and Highway Claims #173 – 190.

	<u>Expenses</u>
General Fund	\$22,070.35
General Fund – Part Town	1,014.76
Highway – Town Wide	10,919.61
Highway – Part Town	10,713.42
Fire	13,804.32
Hydrant	1,372.64
Ambulance Fund	45,450.00
Sewer	20.97
Water	6,824.65

Bills paid between meetings: NYSE&G: 24 E. Main Street (clm 909) \$256.71; Town Street Lighting (clm 910) \$1244.29 Check #19275, State Insurance Fund (911) \$174.34 Check no. 19276.

Board Members were given copies of the Activity Report as of October 10, 2006 and monthly statement of bank balances as of September 30 2006.

	<u>Total Revenue</u>	<u>Total Expense</u>
General Fund	\$ 2,223.07	\$ 79,433.35
General Fund – Part Town	1,685.00	7,146.46
Highway – Town Wide	-0-	114,681.17
Highway – Part Town	30,310.64	50,868.45
Fire	706.08	30,341.97

Councilor Lathrop made a motion seconded by Councilor Sheridan to approve and pay the bills, approve the monthly activity report as of October 10, 2006 and the monthly statement of bank balances as of September 30 2006. All voted aye. Carried.

OLD BUSINESS:

Sidewalk issue: Councilor Lathrop made a motion to rescind the sidewalk requirement in the Aquinnah Heights subdivision by not compelling the residents or the developer to install sidewalks. Councilor Montgomery seconded the motion. After a discussion Councilors Sheridan, Lathrop, Sherman and Montgomery voted aye. Supervisor Ross voted nay. Motion carried.

NEW BUSINESS:

Abounding Way – Request for Town to Take Over and Claim Ownership: A letter has been received from Pigliavento Builders requesting the Town of Marcellus to take over and claim ownership of Abounding Way located off Lathrop Drive. Councilor Montgomery made a motion seconded by Councilor Sheridan for the Town of Marcellus to take over and claim ownership of Abounding Way contingent upon Counsel Cogswell receiving the appropriate paperwork. All voted aye. Carried.

Resolution to Establish Town as Lead Agency for Proposed Slate Hill Water Ext. No. 3: Will be addressed after the public hearing.

SEQR for Proposed Slate Hill Water Ext. No. 3: Will be addressed after the public hearing.

Route 174 Water District Extension No.1: Councilor Sherman made a motion seconded by Councilor Lathrop to accept the Map, Plan and Report dated September 22, 2006 for the Proposed Route 174 Water District Extension No. 1. All voted aye. Carried.

Resolution #032-06 calling for a public hearing on the matter of the establishment of the proposed Route 174 Water District Extension No. 1 is as follows:

#032-06

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York on October 12, 2006

Present	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilor
	Donald G. Sherman	Councilor
	Thomas Lathrop	Councilor
	Bernard L. Montgomery	Councilor

IN THE MATTER OF THE ESTABLISHMENT OF
ROUTE 174 WATER DISTRICT EXTENSION NO 1, TOWN OF MARCELLUS,
COUNTY OF ONONDAGA AND STATE OF NEW YORK, PURSUANT TO
ARTICLE 12 OF THE TOWN LAW.

RESOLUTION CALLING FOR PUBLIC HEARING

WHEREAS, the Town Board of the Town of Marcellus (the "Town Board" and the "Town," respectively), in the County of Onondaga, New York, authorized the Supervisor of the Town of Marcellus to enter into an agreement with the engineering firm of Barton & Loguidice, P.C. for the preparation of a Map, Plan and Report for the Route 174 Water District Extension No. 1 and

WHEREAS, Barton & Loguidice, P.C. has submitted the Map, Plan & Report, dated September 22, 2006, titled Route 174 Water District Extension No. 1 and

WHEREAS, the proposed District is bounded and described as follows: Commencing at a point of beginning, said point being the intersection between the southern boundary of U. S. Route 20 (Cherry Valley Turnpike) and the eastern boundary of Parcel 02.0, as shown on Town of Marcellus Tax Map 020. -01; thence westerly along the southern boundary of Cherry Valley Turnpike to its intersection with the eastern boundary of Parcel 01.0 (not in proposed district), as shown on Town of Marcellus Tax Map 021. -01; thence southerly and westerly along the eastern and southern boundaries of Parcel 01.0 (not in proposed district) to a point on the eastern boundary of Sevier Road, said point also being on the boundary of the Route 174 Water District; thence northerly, westerly and southerly along said boundary of the Route 174 Water District to a point on the northern boundary of Parcel 08.0, as shown on Town of Marcellus Tax Map 021. -03; thence generally southwesterly along the northwestern boundary of Parcel 08.0 to a point on the eastern boundary of Parcel 04.0, said point also being on the boundary of the Route 174 Water District; thence continuing southwesterly along said boundary of the Route 174 Water District to a point on the western boundary of Parcel 04.0, said point also being on the western boundary of Parcel 08.0; thence generally southerly along the western boundary of Parcel 08.0 to a point on the western boundary of Parcel 04.0, said point also being on the boundary of the Route 174 Water District; thence generally southerly along said boundary of the Route 174 Water District to a point on the southern boundary of Parcel 08.0; thence easterly along the southern boundary of the Parcel 08.0 to a point on the western boundary of Sevier Road; thence northerly along the western boundary of Sevier Road to its intersection with the westerly projection of the southern boundary of Parcel 02.0, as shown on Town of Marcellus Tax Map 020.-01; thence easterly along westerly projection of the southern boundary of Parcel 02.0 to a point on the eastern boundary of Sevier Road, said point also being the southwestern corner of Parcel 02.0; thence easterly along the southern boundary of Parcel 02.0 to its southeastern corner; thence northerly, easterly and northerly along the eastern boundary of Parcel 02.0 to the point of beginning, excluding Parcel 21.0, as shown on Town of Marcellus Tax Map 021.-01-21.0.

The above described Route 174 Water District Extension No.1 is in accordance with the "Petition Plan" included as Figure 1, appendix 1 of the Map, Plan & Report for the Slate Hill Water Supply District Extension No.3, prepared by Barton & Loguidice, P.C., dated September 22,2006 and

WHEREAS, water supply for the proposed district will be provided by the Onondaga County Water Authority (hereinafter OCWA) under supplied from the existing water mains along Route 174 and Schuyler Road

WHEREAS, OCWA will extend a $\frac{1}{2}$ inch or 1-inch water service to the property or easement line of each property within the proposed extension district, and the cost will be approximately \$1,395 for $\frac{1}{2}$ inch and \$1,495.00 for 1-inch; and will be incurred as a one time charge to the homeowner, and

WHEREAS, the cost of district formation for the proposed Route 174 Water District Extension No.1, is \$2, 800. which will be shared equally by the owners of the two parcels within the proposed extension, and

WHEREAS. there is no encumbrance of public debt related to the formation of the extension, and

WHEREAS, there is no existing debt service for the Route 174 District.

There is an annual hydrant maintenance charge of approximately \$47.00 unit which will be reduced to approximately \$46.00 with the addition of the 2 proposed units, and

WHEREAS, it is estimated that the annual cost to water, based on OCWA Residential Rate Schedule of 73,000 gallons per year is \$176 annually. The quarterly water bill will be based upon actual water use; and

NOW ON MOTION OF Councilor Montgomery
SECONDED BY Councilor Lathrop

BE IT RESOLVED, that at a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York on November 9, 2006 at 7:00 p.m., this Board will consider the establishment of the proposed Route 174 Water District Extension No.1, herein referred to and the construction of such water system therein, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER RESOLVED that the Town Clerk publish at least once in the Marcellus Observer, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, a copy of this resolution, certified by said Town Clerk, the first publication thereof and said posting to be not less than 10 nor more than 20 days before the date of such public hearing; and

FURTHER RESOLVED, that the Town Clerk file a certified copy of this resolution with the Comptroller of the State of New York on or about the date of publication of a copy of this resolution; and

FURTHER RESOLVED that the Map, Plan and Report prepared by Barton & Loguidice dated September 22,2006 and having filed no. 265.062 is available at the Town Offices for review; and

FURTHER RESOLVED, that the resolution be posted on the Town of Marcellus website; and

FURTHER RESOLVED that this resolution be entered in the minutes of the meeting.

Voting:	Daniel J Ross, Supervisor	Aye
	James A. Sheridan	Aye
	Donald G Sherman	Aye
	Thomas Lathrop	Aye
	Bernard L. Montgomery	Aye

Resolution Carried.

Create Recreation Position per Onondaga County Personal: Due to changes in the Onondaga County Personnel there is a need to create a "Recreation Activity Specialist" position for the Recreation Department. This position is for instructors who will teach in specialized areas such as arts and crafts, theatre, music, etc. Philip Coccia, Recreation Leader, is requesting that fifteen positions be added to our Civil Service Roster.

Councilor Lathrop made a motion seconded by Councilor Sheridan to create fifteen positions titled "Recreation Activity Specialist" on the Civil Services Roster for the Recreation Department. All voted aye. Carried.

Inter-municipal Agreement for Highway Grant: Donald MacLachlan, Highway Superintendent, advised the Board that he is pursuing a grant to procure on state contract a tub grinder and C & D grinder. This would be shared with the Towns of Onondaga and Skaneateles. Councilor Lathrop made Resolution #033-06 seconded by Councilor Montgomery to authorize the filing of an application for a shared municipal services incentive grant from the NYS Department of State for the purchase of a tub grinder and C & D grinder to be shared with the Towns of Onondaga and Skaneateles.

Resolution #033-06 is as follows:

RESOLUTION

A resolution authorizing the filing of an application for a Shared Municipal Services Incentive Grant from the New York State Department of State for the procurement and shared use of a tub grinder and C & D grinder.

WHEREAS, the State of New York provides financial assistance in the form of shared municipal services incentives for certain joint municipal projects; and

WHEREAS, the Town of Marcellus desires to apply for the Shared Municipal Services Incentive with co-applicants the Town of Skaneateles and the Town of Onondaga with the Town of Skaneateles acting as the lead agency for purposes of the grant application; and

WHEREAS, the Town Board of the Town of Marcellus believes it would be in the best interests of the Town to apply for a grant for the procurement and shared use of a tub grinder and high torque shredder suitable for processing C&D debris by the Towns of Skaneateles, Marcellus and Onondaga;

NOW, THEREFORE, BE IT RESOLVED

1. That the Town Board hereby authorizes Supervisor Daniel Ross to act as the contact person on behalf of the Town of Marcellus to submit an application to the Shared Municipal Services Incentive Grant Program for the 2006-2007 program year and to act as the lead applicant contact person; and

2. That Supervisor Ross is authorized to execute all financial and/or administrative processes related to the Grant Program; and

3. That the project is for the procurement and shared use of a tub grinder and high torque shredder suitable for processing C&D debris by the Towns of Skaneateles, Marcellus and Onondaga; and

4. That the Town Board authorizes the application for a grant and the procurement of two (2) machines not to exceed the total cost of \$900,000.00 with the total local share for the Town of Marcellus not to exceed \$30,000.00. The funding source for the local share on behalf of the Town of Marcellus will be the Highway Department's equipment budget; and

5. That the three (3) municipalities being the Towns of Skaneateles, Marcellus and Onondaga would, based on usage, share in the cost of maintenance of the said machines; and

6. That this Resolution shall take effect immediately.

Voting:	Supervisor Daniel Ross	Aye
	Councilor James Sheridan	Aye

Councilor Thomas Lathrop	Aye
Councilor Donald Sherman	Aye
Councilor Bernard Montgomery	Aye

Resolution Carried.

Authorize Purchase, under state contract, Zero Radius Lawn Mower for Use at North Street Cemetery: Councilor Sherman made a motion seconded by Councilor Lathrop to authorize the purchase of a zero radius lawn mower for use at the North Street Cemetery, which will be funded by monies presented to the Town from the Presbyterian Cemetery Fund. All voted aye. Carried.

Request from Court Clerks to Attend Seminar on Records Management for Courts: A request was received from the Court Clerks to attend a seminar on Records Management, which will be on October 17, 2006 in Rome. Councilor Sherman made a motion seconded by Councilor Sheridan to approve the request from the Court Clerks to attend the Records Management seminar to be held in Rome on October 17th with all reasonable expenses paid. All voted aye. Carried.

Authorize signature for Park Grant: The grant from New York State Office of Parks, Recreation and Historic Preservation has been awarded to the Town. The Supervisor is now required to enter into an agreement between the Office of Parks, Recreation and Historic Preservation and the Town. Councilor Sheridan made a motion seconded by Councilor Sherman to authorize the Supervisor to enter into an agreement with Office of Parks, Recreation and Historic Preservation for the grant to be used by the Friends of the Park for the playground project. All voted aye. Carried.

Inter-municipal Agreement for Southern Onondaga Water District (additional item): Counsel Cogswell presented to the Board a resolution for the Board regarding entering into an inter-municipal agreement approving financing application for the Southern Onondaga Water District. This is another step in the process that needs approval from the Board. Councilor Montgomery made Resolution #034-06 seconded by Councilor Lathrop. Resolution #034-06 is as follows:

#034-06

RESOLUTIONS OF THE TOWN BOARD OF THE TOWN OF MARCELLUS
REGARDING ENTERING INTO AN INTER-MUNICIPAL AGREEMENT AND
APPROVING THE NEW YORK DRINKING WATER STATE REVOLVING FUND
("DWSRF") FINANCING APPLICATION RELATIVE TO THE SOUTHERN
ONONDAGA AREA (MARCELLUS) WATER DISTRICT

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York on October 12, 2006

Present	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilor
	Donald G. Sherman	Councilor
	Thomas Lathrop	Councilor
	Bernard L. Montgomery	Councilor

WHEREAS, each Town Board of the Town of Otisco, Spafford and Marcellus has considered the benefit to each Town of entering into this Agreement to share the costs

associated with the construction, financing, operation and maintenance of the Project which will supply water to the Water Districts in each Town and believing it to be in the best interests of the taxpayers of the respective municipalities, do hereby authorize the inter-municipal cooperation and assistance with, and among each other for the conduct of the municipal improvement Project and services as described herein; and

WHEREAS, the above named Municipalities have undertaken to study the desirability and feasibility of providing municipal water service to the inhabitants of the Southern Onondaga area of the above named Municipalities; and

WHEREAS, the Municipalities, pursuant to the authority contained in Article 5G of the General Municipal Law of the State of New York and in Title 1-A of the Local Finance Law, and pursuant to the authority granted generally to municipalities and water districts, wish to cooperate with one another for the construction, financing, operation, and maintenance of the Project; and

WHEREAS, this Board has reviewed with counsel, the document titled, THE AGREEMENT OF MUNICIPAL COOPERATION FOR CONTRUCTION, FINANCING, OPERATION, AND MAINTENANCE OF AN INTER-TOWN WATER SYSTEM FOR THE SOUTHERN ONONDAGA AREA,

WHEREAS, counsel has advised the Town Supervisor the Bond Counsel for the Water District, Hiscock & Barclay, LLP, has recommended that in order to facilitate the financing, construction and operation of the Southern Onondaga Area Water District, that the Town of Marcellus, include a provision in its Bond Resolution which will allow the Town Supervisor to authorize amendments to the Inter-Municipal Agreement and that Bond Counsel recommends that the Towns of Otisco and Spafford also authorize their Town Supervisors to consider and approve amendments to the Inter-Municipal Agreement as they deem advisable; and

WHEREAS, counsel has advised the Town Supervisor, that he has been working with the attorneys for the Towns of Otisco and Spafford, with the Engineers for the Water District, Barton & Loguidice, P.C., and with Bond Counsel, Hiscock & Barclay, LLP in the preparation of the DWSRF Financing Application to be submitted by the Town of Spafford on behalf of the Southern Onondaga Area Water District; and

WHEREAS, counsel has advised the Town Supervisor that the DWSRF Financing Application must be submitted by October 26, 2006 and that he will be reviewing the final Application prior to its submission on the Town' behalf.

NOW, THEREFORE,

RESOLVED that the Town of Marcellus hereby authorizes the submission of the New York Drinking Water State Revolving Fund ("DWSRF) Financing Application by the Town of Spafford on behalf of the Southern Onondaga Area Water District subject to the review and approval of the final version of the SWSRF Application by the Attorney for the Town on behalf of the Town; and it is further

RESOLVED that the Town Supervisor, Daniel Ross, shall execute and provide to the Towns of Spafford and Otisco and to other appropriate parties and governmental agencies, the Inter-Municipal Agreement presented at this meeting; and it is further

RESOLVED that the Town of Marcellus Town Supervisor is hereby authorized and granted the authority to approve modifications to the Inter-Municipal Agreement that may become necessary from time to time.

Moved by Councilor Montgomery seconded by Councilor Lathrop.

Voting:	Supervisor Daniel Ross	Aye
	Councilor James Sheridan	Aye
	Councilor Thomas Lathrop	Aye
	Councilor Donald Sherman	Aye
	Councilor Bernard Montgomery	Aye

Resolution Carried.

Set Public Hearing on Budget – 11/10/05(additional item): Councilor Montgomery made a motion seconded by Councilor Sherman to schedule the public hearing on the 2007 Preliminary Budget on November 9, 2006 at 7:15 P.M. All voted aye. Carried.

ITEMS FROM THE BOARD: Councilor Montgomery made Resolution #035-06 seconded by Councilor Sheridan approving the petitions for the formation of the Limeledge (Marcellus) Water District. Resolution #035-06 is as follows:

#035-06

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York on October 12, 2006

PRESENT:	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilor
	Donald G. Sherman	Councilor
	Thomas Lathrop	Councilor
	Bernard L. Montgomery	Councilor

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MARCELLUS
APPROVING PETITION FOR THE FORMATION OF THE LIMELEDGE
(MARCELLUS) WATER DISTRICT

WHEREAS, the Town Board of the Town of Marcellus (the “Board” and the “Town,” respectively), has received petitions, acknowledged on October 14, October 16, October 17, November 14, November 23, November 28, November 29, November 30, December 5, December 9, December 30, 2005, pursuant to section 191 of the Town Law, for the establishment of the Limeledge (Marcellus) Water District, (the “District”), and

WHEREAS, at the direction of this Town Board a Map, Plan and Report was prepared by Barton & Loguidice, PC Consulting Engineers, dated January, 2004 (revised September, 2005) and having filed no. 265.053/9.05, and

WHEREAS, the proposed Limeledge (Marcellus) Water District project contemplates the formation of two separate water districts, one in the Town of Marcellus and one in the Town of Skaneateles, that separate petitions requesting district formation

will be circulated in each of the two towns and the construction of the water system is dependent upon the successful formation of both districts; and,

WHEREAS, this Board held a public hearing on the petitions on the 17th day of April, 2006 at 7:00 p.m and interested parties having appeared and been heard; and

WHEREAS, this Board took no action on the petitions as it was uncertain that financing the construction through the New York Drinking State Water Revolving Fund (DSWRF) would be available, and,

WHEREAS, this Board, in September 2006, received notification from the New York State Environmental Facilities Corporation that the joint Limeledge Water District project is eligible for a \$6,287, 000. interest free loan over the 30 years, and

WHEREAS, on September 11, 2006, this Board by resolution ordered a second public hearing at the Town Hall, Main Street, Marcellus, New York 13108 on October 12, 2006 at 7:00 p.m. and

WHEREAS, notice of the public hearing was duly published, posted and entered on the Town of Marcellus web site, on September 26, 2006 and a supplemental notice was published, posted, and placed in the Town of Marcellus web site, with the supplemental notice being published additionally in the Syracuse Post Standard, a newspaper with general circulation in the Town of Marcellus on October 2, 2006 and

WHEREAS, at the Town Hall , Main Street, Marcellus, New York 13108 on October 12 , 2006 at 7:00 p.m. interested parties have appeared and been heard; and

WHEREAS, the maximum amount proposed to be expended for the construction of the entire water system, including district formation costs and legal and engineering expense, is estimated to be Six Million Two Hundred Eighty Seven Thousand (\$6,287,000.00) Dollars, and

WHEREAS, the maximum amount proposed to be expended for the construction of the water improvements in the Limeledge (Marcellus), Water District including district formation costs and legal and engineering expense, is estimated to be Five Million Eight Hundred Two Thousand and 00/100 (\$5,802,000.00) Dollars; and

WHEREAS, it is anticipated that the Town of Marcellus will act as lead municipality for securing construction and permanent financing in the amount of Six Million Two Hundred Eighty Seven Thousand (\$6,287,000.00) Dollars, and will issue bonding for the amount of Six Million Two Hundred Eighty Seven Thousand (\$6,287,000.00) Dollars, as required by the New York State Environmental Facilities Corporation, administrator of the New York State Drinking Water State Revolving Fund, and

WHEREAS, it is anticipated that the Village of Marcellus will pay \$225,000. for a portion of the proposed water storage tank and the pumping facilities, the cost of construction of the remainder of the proposed facilities (\$6,027.000) would be shared between the Town of Marcellus and the Town of Skaneateles based on the actual number of units in each Town, and

WHEREAS it is proposed that the payment of this money will be made by collecting a special benefit assessment on all parcels served within the proposed Limeledge Water District on an Equivalent Dwelling Unit (EDU) basis. The benefit charge would be based on an Equivalent Dwelling Unit (EDU); and

WHEREAS, the estimated annual unit cost per single residential unit (including hydrant maintenance charge) would be \$567.00, with a water use charge of \$176.00 for a total of \$743.00. The annual cost per single residential unit would increase after ten (10) years from \$567.00 to \$705.00 for years 11 through 20, and for years 21 through 30 increase from \$705.00 to \$842.00. Water use charges by OCWA would be in addition; and

WHEREAS, It is further anticipated that the Town of Marcellus and the Village of Marcellus will enter into an agreement where the Village of Marcellus will contribute a portion of the projected capital costs in the construction of a water storage tank and pumping facilities to provide a water supply from OCWA to the residents of the Village of Marcellus, and

WHEREAS, the petitions submitted on October 14, October 16, October 17, November 14, November 23, November 28, November 29, November 30, December 5, December 9, December 30, 2005 were duly signed and acknowledged as required by law; and

WHEREAS, Lawrence E. Fitts, Town Assessor of the Town of Marcellus by affidavit sworn to on September 19, 2006, affirms that the petitions were signed by the owners of taxable real property situate in the proposed district owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed district as shown upon the latest completed assessment roll of the Town of Marcellus, and

WHEREAS, said Lawrence E. Fitts, also affirms, by affidavit sworn to on September 19, 2006 that the petitions are signed by resident owners owning taxable real property in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed district, owned by resident owners, as shown upon the latest completed assessment roll of the Town of Marcellus, and

WHEREAS, this project involves the installation of approximately 60,000 linear feet of water mains, a water storage tank and pumping station improvements. The proposed project is a joint project with the Towns of Marcellus and Skaneateles and the Village of Marcellus, and

WHEREAS, currently, the Village owns, operates and maintains an existing water system which provides water service to Village residents supplied from Rockwell springs which the New York State Department of Health (NYSDOH) has determined to be groundwater under the direct influence of surface water (GWUDI), and

WHEREAS, the NYSDOH is requiring that the Village must either provide filtration for this existing source of supply or secure an alternate source of supply, and

WHEREAS, a potential alternate source of supply is the Onondaga County Water Authority (OCWA). In order to purchase water directly from OCWA, it would be necessary for the Village to complete improvements to or replace an existing pump station. In addition, the Village must rehabilitate or replace its existing water storage tank, and

WHEREAS, the proposed joint project would meet the needs of both the Towns as well as the Village. The proposed water storage tank and pumping station improvements will be adequately sized to serve the proposed Limeledge Water District as well as the Village water system, and thereby eliminate the need in the Village of Marcellus for an expensive filtration process and provide compliance with the NYSDOH, and

WHEREAS, all the property and property owners within the proposed district are benefited thereby; and

WHEREAS, the formation of the proposed Limeledge (Marcellus) Water District is considered to be in the public interest for the following reasons:

- X the private ground water wells presently supplying the residents are reportedly unable to constantly provide supplies of sufficient quantity or satisfactory quality of water;
- X A public supply will provide safer and more reliable water to the residents; and

WHEREAS a letter from the Office of the State Comptroller listing the average estimated year 2005 cost threshold at \$575 for a typical residential property; and

WHEREAS, the proposed Limeledge (Marcellus) Water District will be subject to a detailed review and approval of the State Comptroller.

NOW ON MOTION OF Councilor Montgomery
SECONDED BY Councilor Sheridan, it is,

RESOLVED AND ORDERED that the said petitions dated, October 14, October 16, October 17, November 14, November 23, November 28, November 29, November 30, December 5, December 9, December 30, 2005, for the formation of the Limeledge (Marcellus) Water District, are signed, approved and acknowledged, as required by law, and is otherwise sufficient and complies with the provisions of Section 191 of the Town Law, and such other sections as are applicable thereto; and that there is annexed to said petition a map and plans showing the boundaries of the proposed Southern Onondaga Area (Marcellus) Water District, as follows: The Limeledge (Marcellus) Water District, situated in the Town of Marcellus, County of Onondaga, State of New York, being more particularly described as follows, in attachment "A", which is incorporated in and made part of this resolution.

RESOLVED AND ORDERED by the Town Board of the Town of Marcellus that it is in the public interest to grant the whole relief sought by said petition and that all of the property, property owners and interested persons within said proposed district benefit thereby, and that all property, or property owners who benefit are included therein and that no property or property owners or interested persons who would benefit thereby have been excluded therefore, and it is further,

RESOLVED AND ORDERED, that the attorney for the Town and Town Officials, as well as the Town Board shall proceed to prepare the appropriate application and documentation to be submitted to the New York State Comptroller's Office for approval for the establishment of the Limeledge(Marcellus) Water District

VOTING:	Daniel J. Ross	Aye
	James A. Sheridan	Aye
	Donald G. Sherman	Aye
	Thomas Lathrop	Aye
	Bernard L. Montgomery	Aye

Resolution Passed

ATTACHMENT "A"

**BOUNDARY DESCRIPTION
LIMELEDGE (MARCELLUS) WATER DISTRICT**

The Limeledge (Marcellus) Water District, situated in the Town of Marcellus, County of Onondaga, State of New York, as mapped and recorded by the Town as of March 1, 2002 being more particularly described as follows:

Commencing at a point of beginning, said point being the intersection between the eastern highway boundary of North West Town Line Road and the southern highway boundary of Stump Road; thence easterly along the southern boundary of Stump Road, to the intersection with the eastern boundary of Parcel 1.6, as shown on the Town of Marcellus Tax Map 13-01; thence southerly along the eastern boundary of Parcel 1.6 to the southeastern corner of Parcel 1.6; thence southerly, easterly, northerly, easterly, southerly and easterly along the eastern, northern, western, northern, eastern and northern boundaries of Parcel 1.1 to the intersection with the western boundary of Parcel 15, as shown on the Town of Marcellus Tax Map 13-01; thence northerly and easterly along the western and northern boundaries of Parcel 15 to the intersection with the western boundary of Parcel 12.0, as shown on the Town of Marcellus Tax Map 13-01; thence northerly and easterly along the western and northern boundary of Parcel 12.0, as shown on the Town of Marcellus Tax Map 13-01, to the intersection with the western boundary of Parcel 3.3, as shown on the Town of Marcellus Tax Map 13-01; thence northerly along the western boundaries of Parcels 3.3 and 3.6 to the intersection with the southern highway boundary of Stump Road; thence northerly along the northerly prolongation of the western boundary of Parcel 3.6 to the intersection with the northern highway boundary of Stump Road; thence westerly along the northern highway boundary of Stump Road to the intersection with the western boundary of Parcel 11.1 as shown on Town of Marcellus Tax Map 10-01; thence northerly along the western boundary of Parcel 6.4 to its northwest corner; thence easterly along the northern boundary of Parcel 6.4 to the intersection with the western boundary of Parcel 3.0, as shown on Town of Marcellus Tax Map 10-01; thence northerly along the western boundary of Parcel 3.0 to the northwestern corner of Parcel 3.0; thence easterly along the northern boundary of Parcel 3.0 to the intersection with the western boundary of Parcel 2.0, as shown on Town of Marcellus Tax Map 10-01; thence northerly along the western boundary of Parcel 2.0 to the northwestern corner of Parcel 2.0; thence easterly along the northern boundary of Parcel 2.0 to the intersection of the western boundary of Parcel 1.0, as shown on the Town of Marcellus Tax Map 10-01; thence northwesterly along the western boundary of Parcel 1.0, to the northwestern corner of Parcel 1.0, said corner also being along the boundary between the Town of Marcellus and the Town of Camillus; thence easterly along the Town boundary, to the intersection with the eastern boundary of Parcel 14.0, as shown on the Town of Marcellus Tax Map 10-02; thence southerly, easterly, southerly, and easterly along the eastern, northern, eastern and northern boundaries of Parcel 14.0,

to the intersection with the northwestern corner of Parcel 13.0, as shown on the Town of Marcellus Tax Map 10-02; thence easterly and southerly along the northern and eastern boundaries of Parcel 13.0 to the intersection with the northeastern corner of Parcel 11.0, as shown on the Town of Marcellus Tax Map 10-02; thence continuing southerly along the eastern boundary of Parcel 11.0, to the intersection with the northern highway boundary of Glover Road; thence southerly along the southerly prolongation of the eastern boundary of Parcel 11.0 to the intersection with the southern highway boundary of Glover Road; thence northeasterly along said southern highway boundary to the intersection with the eastern boundary of Parcel 39.0, as shown on the Town of Marcellus Tax Map 13-02; thence southerly, easterly, southerly, westerly and southerly along the eastern, northern, eastern, southern and eastern boundaries of Parcel 39.0 to the southeastern corner of Parcel 39.0; thence westerly along the southern boundary of Parcel 39.0 to the southeastern corner of Parcel 35.0, as shown on the Town of Marcellus Tax Map 13-02; thence westerly and southerly along the southern boundary of Parcel 35.0, to the northeast corner of Parcel 34.0, as shown on the Town of Marcellus Tax Map 13-02; thence southerly along the eastern boundary of Parcel 34.0, to the southeast corner of Parcel 34.0; thence westerly along the southern boundary of Parcel of 34.0 to the intersection with the eastern boundary of Parcel 33.0, as shown on the Town of Marcellus Tax Map 13-02, thence southerly along the eastern boundary of Parcel 33.0 to the southeast corner of Parcel 33.0, said corner being along the northern boundary of Parcel 30.1, as shown on the Town of Marcellus Tax Map 13-02; thence easterly along the northern boundary of Parcel 30.1 to the northeast corner of Parcel 30.1; thence southerly along the eastern boundary of Parcel 30.1 to the southeastern corner of Parcel 30.1; thence westerly along the southern boundary of Parcel 30.1 to the southwest corner of Parcel 30.1, said corner also being the northeastern corner of Parcel 29.0, as shown on the Town of Marcellus Tax Map 13-02; thence southerly along the eastern boundary of Parcel 29.0 to the southeastern corner of Parcel 29.0, said corner also being the northwestern corner of Parcel 25.1, as shown on the Town of Marcellus Tax Map 13-02; thence easterly along the northern boundary of Parcel 25.1 to the northeast corner of Parcel 25.1; thence southerly, westerly and southerly along the eastern, southern and eastern boundaries of Parcel 25.1 to the southeast corner of Parcel 25.1, said Parcel also being along the northern boundary of Parcel 25.5, as shown on the Town of Marcellus Tax Map 13-02; thence easterly along the northern boundary of Parcel 25.5 to the northeastern corner of Parcel 25.5; thence southerly along the eastern boundaries of Parcels 25.5 and 25.6, to the southeast corner of Parcel 25.6, as shown on the Town of Marcellus Tax Map 13-02; thence westerly along the southern boundary of Parcel 25.6 to the intersection with the northwestern corner of Parcel 5.0 (not in proposed district), as shown on the Town of Marcellus Tax Map 13-02; thence generally southerly along the western boundary of Parcel 5.0 to the intersection with the northern highway boundary of Old Seneca Turnpike; thence continuing southerly along the southern prolongation of the western boundary of Parcel 5.0 to the intersection with the southern highway boundary of Old Seneca Turnpike; thence easterly along said highway boundary to the intersection with the western highway boundary of County Highway 41; thence continuing across County Highway 41 along the easterly prolongation of the southern highway boundary of Old Seneca Turnpike to a point on the western boundary of Parcel 13.0, as shown on the Town of Marcellus Tax Map 14-03; thence generally easterly along the northern boundary of Parcel 13.0 to its southeastern corner; thence westerly and southerly along the southern and eastern boundaries of Parcel 13.0, to the intersection with the eastern boundary of Parcel 10.0, as shown on the Town of Marcellus Tax Map 14-03; thence southerly, westerly and southerly along the eastern boundary of Parcel 10.0, to the southeastern corner of Parcel 10.0; thence southerly along the eastern boundary of Parcel 9.0, as shown on the Town of Marcellus Tax Map 14-03, to the to the southeast corner of

Parcel 9.0; thence southerly along the western boundary of Parcel 7.1, as shown on the Town of Marcellus Tax Map 14-03, to the southeast corner of Parcel 7.1; thence southerly, easterly and southerly along the eastern, northern and eastern boundaries of Parcel 6.0, as shown on the Town of Marcellus Tax Map 14-03, to the southeastern corner of Parcel 6.0; thence westerly along the southern boundary of Parcel 6.0 to the intersection with the eastern border of Parcel 3.2, as shown on the Town of Marcellus Tax Map 14-03; thence southerly, easterly, and generally southwesterly along the eastern, northern and generally eastern boundaries of Parcel 3.2, to the intersection with the northeastern boundary of Parcel 1.1, as shown on the Town of Marcellus Tax Map 17-02; thence easterly along the northern boundary of Parcel 1.1 to the intersection with the western highway boundary of Bishop Hill Road; thence southerly along said western highway boundary to the intersection with the northerly prolongation of the eastern boundary of Parcel 16.0, as shown on the Town of Marcellus Tax Map 17-03; thence southerly along said northerly prolongation to the intersection with the eastern highway boundary of Bishop Hill Road; thence continuing southerly along the eastern boundary of Parcel 16.0 to the intersection with the northern boundary of Parcel 14, as shown on the Town of Marcellus Tax Map 17-03; thence easterly along the northern boundary of Parcels 14.0 and 13.0, as shown on the Town of Marcellus Tax Map 17-03, to the northeastern corner of Parcel 13.0; thence southerly along the eastern boundary of Parcel 13.0, to the intersection with the northern boundary of Parcel 12.0, as shown on the Town of Marcellus Tax Map 17-03; thence easterly along the northern boundary of Parcel 12.0, to the northeastern corner of Parcel 12.0; thence southerly along the eastern boundary of Parcel 12.0, to the southeast corner of Parcel 12.0, said corner being on the northern highway boundary of Lawrence Road; thence easterly along said northern highway boundary to the southwestern corner of Parcel 10.0, as shown on the Town of Marcellus Tax Map 17-03; thence northerly along the western boundaries of Parcels 10.0 and 7.1 to the northwestern corner of Parcel 7.1, as shown on the Town of Marcellus Tax Map 17-03; thence easterly along the northern boundary of Parcel 7.1 to the northeastern corner of Parcel 7.1; thence northerly along the western boundary of Parcel 20, as shown on the Town of Marcellus Tax Map 17-03, to the northwestern corner of Parcel 20; thence southeasterly and southwesterly along the eastern boundaries of Parcel 20 to the northwest corner of Parcel 8.0, as shown on the Town of Marcellus Tax Map 17-03; thence easterly along the northern boundary of Parcel 8.0 to the northeast corner of Parcel 8.0, said corner also being on the western highway boundary of County Route 175, Lee Mulroy Road; thence easterly along the eastern prolongation of the northern boundary of Parcel 8.0 to the intersection with the western highway boundary of County Route 175, Lee Mulroy Road, said intersection also being the northwester corner of Parcel 5.1, as shown on the Town of Marcellus Tax Map 17-05; thence easterly along the northern boundary of Parcel 5.1 to the northeastern corner of Parcel 5.1, said corner also being on the western highway boundary of New York State Route 174; thence southerly along said western highway boundary to the intersection with the westerly prolongation of the southern boundary of Parcel 23 (Parcel not included in district), as shown on the Town of Marcellus Tax Map 17-04; thence easterly along said westerly prolongation of the Parcel 23 to the eastern highway boundary of New York State Route 174; thence easterly, northerly and easterly along the northern and western boundaries of Parcel 19, as shown on the Town of Marcellus Tax Map 17-04, to the northeast corner of Parcel 19; thence southerly, westerly and southerly along the eastern and southern boundaries of Parcel 19 to the southeast corner of Parcel 19; thence westerly and northerly along the southern boundary of Parcel 19 to the southeast corner of Parcel 18, as shown on the Town of Marcellus Tax Map 17-04; thence westerly along the southern boundary of Parcel 18 to the western highway boundary of New York State Route 174; thence northerly along said western highway boundary to the intersection with the eastern prolongation of the

southern highway boundary of Lawrence Road; thence northwesterly along the southeasterly prolongation of said southern highway boundary to the western highway boundary of New York State Route 174; thence northwesterly along the southern highway boundary of Lawrence Road to the intersection with the southern highway boundary of County Route 175, Lee Mulroy Road; thence westerly along the westerly prolongation of the southern highway boundary of Lawrence Road to the intersection with the northern highway boundary of the County Route 175, Lee Mulroy Road, said intersection also being the northeastern corner of Parcel 5.0, as shown on the Town of Marcellus Tax Map 17-07; thence southwestwardly along the southeastern boundary of Parcel 5.0 to the southwestern corner of Parcel 5.0; thence northerly along the western boundary of Parcel 5.0 to the southern highway boundary of Lawrence Road; thence westerly along said southern highway boundary to the northeastern corner of Parcel 3.0, as shown on the Town of Marcellus Tax Map 17-07; thence southerly along the eastern boundaries of Parcels 3.0, 1.1 and 1.5, as shown on the Town of Marcellus Tax Map 17-07, to the southeastern corner of Parcel 1.5, said corner being on the northern highway boundary of County Route 175, Lee Mulroy Road; thence southwestwardly along said northeastern highway boundary to the southwestern corner of Parcel 1.5; thence northerly and westerly along the western and southern boundaries of Parcel 1.5, to the intersection with the northeastern corner of Parcel 1.2, as shown on the Town of Marcellus Tax Map 17-07; thence southerly along the eastern boundaries of Parcels 1.2, 1.4, 6.1 and 6.2, as shown on the Town of Marcellus Tax Map 17-07, to the southeast corner of Parcel 6.2, said corner being on the northern highway boundary of County Route 175, Lee Mulroy Road; thence southerly along the southern prolongation of the eastern boundary of Parcel 6.2 to the southern highway boundary of County Route 175, Lee Mulroy Road; thence northeasterly along the southern highway boundary of County Route 175, Lee Mulroy Road to the intersection with the northeast boundary of Parcel 1.0, as shown on the Town of Marcellus Tax Map 17-06; thence southeasterly and southerly along the northeastern and eastern boundaries of Parcel 1.0 to the southeastern corner of Parcel 1.0, said corner also being on the northern highway boundary of Masters Road; thence westerly along said northern highway boundary to the intersection with the northwesterly prolongation of the eastern boundary of Parcel 1.0, as shown on the Town of Marcellus Tax Map 18-02; thence southeasterly along the northwesterly prolongation of the eastern boundary of Parcel 1.0 to the intersection with the southern highway boundary of Masters Road, said intersection also being the northeastern corner of Parcel 1.0; thence southeasterly along the eastern boundary of Parcel 1.0 to the southeast corner of Parcel 1.0; thence westerly along the southern boundary of Parcel 1.0 to the southwestern corner of Parcel 1.0; thence northerly along the western boundary of Parcel 1.0 to the intersection with the easterly prolongation of the southern boundary of Parcel 6.0, as shown on the Town of Marcellus Tax Map 18-01; thence westerly along said easterly prolongation of Parcel 6.0 to the western highway boundary of Bishop Hill Road; thence westerly along the southern boundary of Parcels 6.0, 5.0 and 2.0, as shown on the Town of Marcellus Tax Map 18-01, to the southeastern corner of Parcel 2.0, said southeast corner also being on the western Town Boundary of Marcellus and also being the eastern Town Boundary of Skaneateles; thence northerly along the western boundary of the Town of Marcellus to the northwest corner of Parcel 1.0, as shown on the Town of Marcellus Tax Map 17-08; thence easterly along the northern boundary of Parcels 1.0 to the northeast corner of Parcel 1.0, said corner also being on the southern highway boundary of County Route 175, Lee Mulroy Road; thence northerly along the northerly prolongation of the western boundary of Parcel 2.0, as shown on the Town of Marcellus Tax Map 17-08, to the intersection with the northern highway boundary of County Route 175, Lee Mulroy Road, said point also being the southeast corner of Parcel 17.0, as shown on the Town of Marcellus Tax Map 17-09; thence northerly and westerly along the western and southern

boundaries of Parcel 17 to the southeast corner of Parcel 1.5, as shown on the Town of Marcellus Tax Map 17-09; thence westerly along the southern boundary of Parcel 1.5 to the southwest corner of Parcel 1.5, said southeast corner also being on the western Town Boundary of Marcellus and also being the eastern Town Boundary of Skaneateles; thence northerly along the western boundary of the Town of Marcellus to the southwest corner of Parcel 7.0 (not in proposed district), as shown on the Town of Marcellus Tax Map 17-01; thence easterly along the southern boundary of Parcel 7.0 to the eastern corner of Parcel 7.0; thence westerly along the northern boundary of Parcel 7.0 to the northwestern corner of Parcel 7.0, said southeast corner also being on the western Town Boundary of Marcellus and also being the eastern Town Boundary of Skaneateles; thence northerly along the western boundary of the Town of Marcellus to the intersection with the southern highway boundary of Murphy Road; thence easterly along said southern highway boundary to the point of intersection with the southern prolongation of the eastern boundary of Parcel 16, as shown on the Town of Marcellus Tax Map 14-01; thence northerly along the southern prolongation of the western boundary of Parcel 16 to the intersection with the northern highway boundary of Murphy Road; thence northerly along the western boundary of Parcel 16 to the northwest corner of Parcel 16; thence westerly and southerly along the northern and western boundaries of Parcel 17.0 (not in proposed district), as shown on the Town of Marcellus Tax Map 17-01, to the southeastern corner of Parcel 5.0, as shown on the Town of Marcellus Tax Map 14-14; thence westerly along the southern boundaries of Parcels 5.0 and 6.0, as shown on the Town of Marcellus Tax Map 14-14, to the intersection with the eastern highway boundary of North West Town Line Road; thence northerly along said eastern highway boundary to the point of beginning.

The above described Parcel is in accordance with the map entitled "Petition Plan and Proposed Facilities", prepared by Barton & Loguidice, P.C., Consulting Engineers and included as Figure 1 of the Map, Plan & Report for the Town of Marcellus Limeledge (Marcellus) Water District, prepared by Barton & Loguidice, P.C., dated January 2004 (revised September, 2005) and having File No. 265.053-01F.

ITEMS FROM THE FLOOR:

Donald MacLachlan, Highway Superintendent, requested permission from the Board to trade in the present (2005) Bobcat skid steer on a newer model. Councilor Montgomery made a motion seconded by Councilor Sherman to grant permission to the Highway Superintendent to trade in the 2005 Bobcat skid steer on a newer model. All voted aye.
Carried.

Ellis Guiles, 4241 Browsing Lane, questioned the Board on the date the proposed Limeledge Water District paperwork will be submitted to the State Comptroller's office. Mr. Guiles was advised that the proposed Limeledge Water District is the first priority of the Board.

Executive Session: At 7:50 pm Councilor Montgomery made a motion seconded by Councilor Sheridan to adjourn to executive session to discuss a personnel matter. All voted aye.
Carried.

A motion was made by Councilor Lathrop seconded by Councilor Montgomery to call the meeting back to order at 8:08 pm. All voted aye.
Carried.

Councilor Sherman made a motion seconded by Councilor Sheridan to adjourn the meeting at 8:09 pm. All voted aye. Carried.

Public Hearing – Proposed Slate Hill Water Ext. No. 3:

Supervisor Ross opened the public hearing on the proposed Slate Hill Water Ext. No. 3 at 8:10pm. A legal notice was published in the Marcellus Observer on September 27, 2006 calling for the public hearing. The reading of the legal was waived. Supervisor Ross stated that there are three (3) properties that have petitioned for inclusion in the Slate Hill Water District. Two (2) of these properties are on Rockwell Road and one (1) is located on the corner of Pleasant Valley and Lee/Mulroy Roads.

Supervisor Ross requested that anyone who wishes to speak in favor or against the proposed Slate Hill Water Ext. No. 3 please give their name and address to the Town Clerk for the record.

Nancy Scanlon stated that they are in the process of building a house at 3964 Rockwell Road and questioned when the district would be formed. Supervisor Ross stated that the district would be formed tonight after the public hearing was closed.

Being no others requested to speak either for or against the proposed Slate Hill Water District Ext. No. 3, Supervisor Ross closed the public hearing at 8:10pm.

Councilor Lathrop made a motion seconded by Councilor Sheridan to reconvene the October 12th Town Board meeting at 8:10 pm. All voted aye. Carried.

Resolution to Establish Town as Lead Agency for Proposed Slate Hill Water Ext. No. 3:
The resolution to establish the Slate Hill Water District Ext. No. 3 is as follows:

#036-06

At a regular meeting of the Town Board of the Town of Marcellus, held at the Town Hall, 24 E. Main Street in the Town of Marcellus, County of Onondaga and State of New York on October 12, 2006

PRESENT:	Daniel J. Ross	Supervisor
	James A. Sheridan	Councilman
	Donald G. Sherman	Councilman
	Thomas Lathrop	Councilman
	Bernard L. Montgomery	Councilman

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MARCELLUS
APPROVING THE FORMATION OF THE SLATE HILL WATER SUPPLY
DISTRICT EXTENSION NO. 3

WHEREAS, three residents who are located adjacent to but not included in existing Slate Hill Water Supply District and have requested the Town of Marcellus Town Board, to extend the boundaries of said district to include the three residents, and

WHEREAS, a Map, Plan & Report was prepared by Barton & Loguidice, P.C. 290 Elwood Davis Road, titled Slate Hill Water Supply District Extension, No.3, dated September 7, 2006, file No. 265.061, at the direction of the Town Board of the Town of Marcellus, in compliance with Article 12, of the Town Law,

WHEREAS, water supply for the proposed district will be provided by the Onondaga County Water Authority(hereinafter OCWA) under contract through 12 –inch water mains along Lee Mulroy Road and Rockwell Road, and

WHEREAS, OCWA will extend a ¾ inch or 1-inch water service to the property or easement line of each property within the proposed extension district., and the cost will be approximately \$820.00 for ¾ inch and \$920.00 for 1-inch; and

WHEREAS, the maximum amount to be extended for the proposed water district extension is Two Thousand Nine Hundred Dollars (\$2,900.00). Each parcel within the extension will be assessed a one-time charge of approximately \$ 967.00, and

WHEREAS, it is estimated that the annual cost to water, based on OCWA Residential Rate Schedule of 73,000 gallons per year is \$176 annually. The quarterly water bill will be based upon actual water use; and

WHEREAS, the existing debt service including hydrant maintenance charge for Slate Hill Water Supply District is \$34,136.00 and the annual unit charge based on 91 units is \$375.00 per unit the inclusion of the three units will reduce the annual charge to approximately \$363.00, and

WHEREAS, at a public hearing before this Board on this date, upon notice duly published, posted and placed on the Town of Marcellus web site, that the Board will consider the establishment of the proposed Slate Hill Water Supply District Extension No.3, herein referred all persons present had opportunity to comment thereon, and

WHEREAS, all the property and property owners within the proposed district are benefited thereby; and

WHEREAS, the formation of the proposed Slate Hill Water Supply District Extension No. 3 is considered to be in the public interest for the following reasons:

- X the private ground water wells presently supplying the residents are reportedly unable to constantly provide supplies of sufficient quantity or satisfactory quality of water
- X the private ground water wells presently supplying the residents are reportedly unable to constantly provide supplies of sufficient quantity or satisfactory quality of water,

NOW ON MOTION OF Councilor Lathrop
SECONDED BY Councilor Sheridan, it is hereby

RESOLVED AND ORDERED by the Town Board of the Town of Marcellus that it is in the public interest to grant the whole relief sought and that all of the property, property owners and interested persons within said proposed district benefit thereby, and that all property, or property owners that benefit are included therein and that no property or property owners or interested persons who would benefit thereby have been excluded therefore, and it is further,

RESOLVED AND ORDERED, that the Slate Hill Water Supply District No. 3 as described in the Map, Plan and Report is hereby created and approved and is to be known as the Slate Hill Water Supply District No 3; and it is

RESOLVED AND ORDERED, that the total capital project cost and maximum amount to be expended by the Slate Hill Water Supply District No 3, including rights of way, contingencies, district formation costs, engineering, legal and administrative expenses for the construction of the proposed water system is Two Thousand Nine Hundred Dollars (\$2,900.00). Each parcel within the extension will be assessed a one-time charge of approximately \$ 967., and

FURTHER RESOLVED, that the real property to be encompassed within the Slate Hill Water Supply District No 3, shall be bounded and described as follows:

Commencing at a point of beginning, said point being the intersection between the centerline of Lee-Mulroy Road and the centerline of Pleasant Valley Road; thence northerly along the centerline of Lee-Mulroy Road to a point corresponding to the westerly projection of the northern boundary of Parcel 3.0, as shown on Town of Marcellus Tax Map 014.-10; thence easterly along the westerly projection of the northern boundary of Parcel 3.0 to the northwestern corner of Parcel 3.0; thence easterly along the northern boundary of Parcel 3.0 to the northeastern corner of Parcel 3.0; thence southerly along the eastern boundary of Parcel 3.0 to the southeastern corner of Parcel 3.0; thence southerly along the southerly projection of the eastern boundary of Parcel 3.0 to the centerline of Pleasant Valley Road; thence westerly along the centerline of Pleasant Valley Road to the point of beginning.

Commencing at a point of beginning, said point being the southwestern corner of Parcel 10.4 as shown on Town of Marcellus Tax Map 016.-01; thence northerly along the western boundary of Parcel 10.4 to the northwestern corner of Parcel 10.4 thence easterly along the northern boundary of Parcel 10.4 to the northeastern corner of Parcel 10.4 thence southerly along the eastern boundary of Parcel 10.4 to the southeastern corner of Parcel 10.4 thence westerly along the southern boundary of Parcel 10.4 to the point of beginning.

Commencing at a point of beginning, said point being the southwestern corner of Parcel 10.3, as shown on Town of Marcellus Tax Map 016.-01; thence northerly along the western boundary of Parcel 10.3 to the northwestern corner of Parcel 10.3; thence easterly along the northern boundary of Parcel 10.3 to the northeastern corner of Parcel 10.3; thence southerly along the eastern boundary of Parcel 10.3 to the southeastern corner of Parcel 10.3; thence westerly along the southern boundary of Parcel 10.3 to the point of beginning, and

FURTHER RESOLVED, that an original and one copy of this Resolution be filed with Office of the State Comptroller and an original shall be filed in the Onondaga County Clerk's Office within ten (10) days of the date hereof

VOTING:	Daniel J. Ross	Aye
	James A. Sheridan	Aye
	Donald G. Sherman	Aye
	Thomas Lathrop	Aye
	Bernard L. Montgomery	Aye

Resolution Carried.

Council Cogswell led the Board through the short environmental assessment review as prepared by the Michael Parker of Barton and Loguidice.

Councilor Lathrop made Resolution #037-06 seconded by Councilor Montgomery to declare the Town of Marcellus as lead agency for the Slate Hill Water District Ext. No. 3 and that the project will not have a significant adverse environmental impact.

Resolution #036-06 is as follows:

#037-06

RESOLUTION ESTABLISHING TOWN OF MARCELLUS TOWN BOARD AS LEAD AGENCY AND DETERMING THAT ACTION TO FORM SLATE HILL WATER SUPPLY DISTRICT EXTENSION NO. 3 IS AN UNLISTED ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Town of Marcellus (the “Town”) is proposing formation of the Slate Hill Water District Extension No. 3 (the “Project”) that would allow property owners within the district extension to connect to existing water mains along Lee Mulroy Road and Rockwell Road; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6NYCRR Part 617 (the “Regulations”), the Town desires to comply with SEQRA and the Regulation with respect to the Project; and

WHEREAS. On September 13, 2006, the Town caused a phone correspondence to NYSDEC which is the potentially “involved agency” and “interested agency” (as these quoted terms are defined in the Regulations), indicating the Town of Marcellus Town Board’s (“Town Board”) desire to serve as “lead agency” (as this quoted term is defined in the Regulations) for a coordinated review under SEQRA of the Project; and

WHEREAS. The involved agency has agreed to or raised no objections to the Town Board serving as lead agency for a coordinated review under SEQRA of the Project; and

WHEREAS. Pursuant to the Regulations, the town Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the EAF for the Project, including the facts and conclusions in Parts 1 and 2 of the EAF together with other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the areas of relevant environmental concern:

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board hereby establishes itself as lead agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the EAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Town Board’s knowledge of the area surrounding the Project and such further investigations of the Project and its potential environmental impact as the Town Board has deemed appropriate, the Town Board makes the following findings and determinations: the

Project constitutes and “Unlisted action” (as the quoted term is defined in the Regulations); and no significant environmental impacts are noted in the EAF for the Project and none are known to the Town Board. Therefore, the Town Board hereby determines that the Project will not have a significant adverse environmental impact and will not require the preparation of a Draft Environmental Impact Statement with respect to the Project; and

BE IT FURTHER RESOLVED, that as a consequence of such determination and in compliance with the requirements of SEQRA and the Regulations, the Town Board directs the Town Supervisor to prepare a Negative Declaration in accordance with 6 NYCRR 617.12; and

BE IT FURTHER RESOLVED, that the Town Board directs the Town Supervisor to publish notice of the and file a copy of the Negative Declaration for the Project in accordance with the Regulations; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

VOTING:

Daniel J. Ross	Aye
James A. Sheridan	Aye
Donald G. Sherman	Aye
Thomas Lathrop	Aye
Bernard L. Montgomery	Aye

Resolution Carried.

Councilor Sheridan made a motion seconded by Councilor Sherman to adjourn the meeting at 8:17 P.M. All voted aye. Carried.

Respectfully submitted,

Karen R. Pollard, Town Clerk