

At a regular meeting of the Town Board of the Town of Geneseo, in the County of Livingston, New York, held at the Town Hall in said Town, on June 9, 2011.

P R E S E N T:

WILLIAM S. WADSWORTH, Supervisor
DAVID DWYER, Council Member
FELICISIMO L. MANAPOL, Council Member
ROBERTA IRWIN, Council Member
RICHARD TAYLOR, Council Member

**IN THE MATTER
OF THE
EXTENSION NO.7 OF WATER DISTRICT NO. 1 AND
CONSTRUCTION OF RELATED IMPROVEMENTS
IN THE TOWN OF GENESEO AND COUNTY OF
LIVINGSTON, STATE OF NEW YORK**

**ORDER
EXTENSION NO.7 TO
WATER DISTRICT NO. 1**

WHEREAS, an application has been made to the Town Council to extend the boundaries of Water District No.1 to include tax map parcel 89-1-9.2, to serve a residence at 5071 Route 63 (the "Extension"); and;

WHEREAS, a Public Hearing was duly scheduled by this Town Board for May 26, 2011, at 7:20 p.m. at the Town Hall, 4630 Millennium Drive, Geneseo, New York to hear all persons interested therein, and to take such action thereon as is required or authorized by law; and

WHEREAS, a notice of said public hearing was duly published for one (1) week in the Livingston County News, the official legal newspaper for the Town, further, said Order was duly posted on the official sign board which is kept for the posting of official notices; both Publication and Posting was in full compliance with New York State Town Law Section 209-d; and

WHEREAS, the Public Hearing on the Extension was duly held by the Town Board on May 26, 2011 at 7:20 p.m. on said day, in the Town Hall, 4630 Millennium, Geneseo, New York, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the requested extension of Water District No.1 and construction of related improvements, if any; and

WHEREAS, a Notice of Intent to approve the aforementioned Extension was referred to the Livingston County Agriculture and Farmland Protection Board; and

WHEREAS, by letter dated May 20, 2011, the Livingston County Agriculture and Farmland Protection Board recommended approval to the New York State Department of Agriculture and Markets; and

WHEREAS, the Extension is specifically defined by 6NYCRR Part 617.5 (b) (11) to be a TYPE II action under the State Environmental Quality Review Act ("SEQRA").

NOW, THEREFORE, upon the evidence adduced at said Public Hearing, and all evidence in the record before the Town Board it is hereby determined as follows:

FINDINGS OF FACT

1. The Boundaries of Water District No. 1 shall hereby be extended to include portion of tax map parcel 89-1-9.2, to solely serve a residence located at 5071 Route 63.

2. That said area shall be incorporated into and shall become part of the Town of the Town of Geneseo Water District No.1.

3. That the improvements to serve the Extension consists of water mains, distribution pipes, hydrants, related water works and facilities for the purposes of supplying residents or occupants of the Extension with pure and wholesome water. The remaining facilities serving the Extension are currently in existence as part of the distribution system for Water District No.1, and will require no additional construction or cost.

4. The cost of any improvements necessary to extend service from existing facilities of to the Extension will be financed entirely by the landowners of tax map parcel 89-1-9.2, and no public funds will be expended for that purpose.

5. The annual cost for debt service on capital improvements per typical equivalent unit throughout Water District No.1 and which will also be charged to the Petitioners are the sum of Two Hundred Twenty-Six (\$226.00) Dollars, and the estimated net annual cost for usage and commodity charges, operation and maintenance of the improvements which are levied upon each occupied equivalent unit is the sum of Two Hundred Fifty (\$250.00) Dollars and, therefore, the annual average cost to the Petitioners for the aforesaid usage, commodity, operation and maintenance and debt service on capital improvements is the combined sum of Four Hundred Seventy-Six (\$476.00) Dollars

6. The cost for connection or hookup to the supply facilities shall not exceed the sum of One Thousand Eight Hundred Dollars (\$1,800.00) per connection.

7. The Extension is defined by 6NYCRR Part 617.5(b) (11) to be a TYPE II Action under SEQRA which by Regulation has been determined not to have a significant impact on the environment.

Based upon the foregoing, it is hereby

RESOLVED AND DETERMINED:

a) That the Notice of the Public Hearing was published and posted, and is otherwise sufficient;

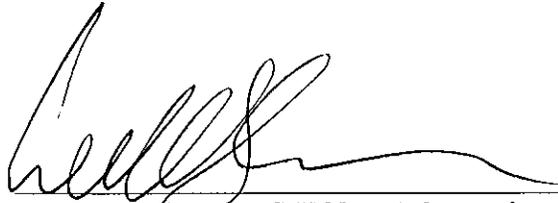
b) That the residence located at 5071 Route 63 is the only property to be included within the Extension and is the only property to be benefited by the Extension and no further connections will be permitted within the Extension;

c) That it is in the public interest to approve the Extension; and be it further

RESOLVED AND DETERMINED that Extension No.7 of Water District No.1 as described on Schedule A be approved; that the improvements, if any, are to be constructed, be accepted for public dedication only upon the approval of the Town of Geneseo Consulting Engineers, the Town of Geneseo Highway Superintendent, the New York State Department of Environmental Conservation and the Livingston County Department of; and it is further

RESOLVED AND DETERMINED that this Order is subject to a Permissive Referendum as provided in Section 209e of the Town Law. Petitions for the requesting of said Permissive Referendum are available at the office of the Town Clerk. Said Petitions must be completed and filed in the office of the Town Clerk, 4630 Millennium Drive, Geneseo, New York 14454 within thirty (30) days of the filing of this Order with the Town Clerk.

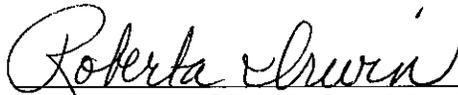
Dated: June 9, 2011



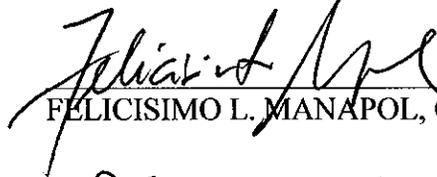
WILLIAM S. WADSWORTH, Supervisor



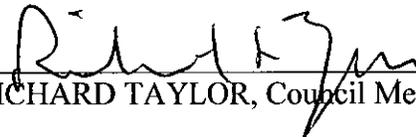
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RICHARD TAYLOR, Council Member

SCHEDULE A
**EXTENSION TO WATER DISTRICT #1, SEGMENT #3
TOWN OF GENESEO**

All that tract, or parcel of land, situate in the Town of Geneseo, County of Livingston, State of New York, as shown on a map entitled "Extension #7 to Water District #1, Segment #3, Town of Geneseo, New York", prepared by MRB Group, P.C., dated 05/ 2011, and more particularly bound and described as follows:

Commencing at a point said point on the centerline of New York State Route 63, S.H No. 622, said point being centerline station 219+75.88, said point also being north 2822.6 feet following the centerline of the road from the intersection of Jones Bridge RD and Route 63; thence

1. South 65° 19' 17" East for a distance of 33.01 feet to a point on the assumed easterly highway line of Route 63, said point of true beginning of the parcel to be described: thence
2. South 65° 19' 17" East for a distance of 240.41 feet to a point; thence
3. South 24° 40' 43" West for a distance of 82.18 feet to a point; thence
4. North 64° 09' 49" West for a distance of 238.62 feet to a point on the assumed easterly highway line of Route 63; thence
5. Northerly and along the assumed easterly highway line of Route 63 being on a curve to the right having a radius of 2831.79 feet for an arc length of 11.04 feet, said curve having a chord bearing of North 23° 13' 22" East for a distance of 11.04 feet to a point of tangency; thence
6. North 23° 20' 05" East and continuing along the assumed easterly highway line of Route 63 for a distance of 66.34 feet to the point of beginning. All intending to describe a district encompassing the existing house #5071 only.