

PUBLIC HEARING TOWN HALL 46 CO RT 11

MARCH 31, 2004 WEST MONROE, NY

Present: Supervisor Manchin, Councilors Timothy McCarthy, Michael Hickey, Gary Ross,

and Ned Green

Town Clerk Christine Shaw, Deputy Clerk Louise Herbert

Attorney Joseph Shields

Engineer Jon Franz and Charlie Ligget

Approximately 160 people

Proof of Publication having been submitted the Supervisor opened the Public hearing at 7:05PM for the purpose of hearing all comments either for or against the Proposed Central Water District.

Supervisor Manchin stated that at the informational meeting it seemed to the board that there were people for, against and undecided on the proposed water district, but one thing was clear that those people who would be affected by the proposed district wanted the chance to vote personally on the issue. The legal procedure for this to happen is for it to be passed subject to a permissive referendum and receiving 5% of the voters' signatures protesting against such resolution and request the taking of the referendum vote upon said resolution as provided for by statute. Mr. Manchin explained that the study was conducted in response to petitions asking for the town board to look into water. The February 25 Informational Meeting was called in order to inform people as to the outcome of the study and what the associated cost would be in the worst case. The outcome of that meeting gave the town board the strong feel that the people wanted to vote on the proposal. The board had no hidden agenda, the study was conducted because of the number of signatures interested in public water, and the town board didn't know the dollars and cents of the project until the study was completed. The project will only proceed if the voters determine that this is what they want. The board is presenting the information just so that the people are informed and the board has no feeling either way other than giving the people the information they need to make their decision.

Engineer Jon Franz presented the presentation that was given at the February meeting and included information that was submitted from David Miller, of USDA. It was explained that the presentation was put together so as to identify all factors (which may not be applicable to each and every household).

Mr. Franz explained that there would be grants available for low-income residents for the purpose of connecting the system to their home. Mr. Franz also stated that the interest rates vary and the board, if the water passes, would explore the possibility of lower interest rate home.

Mr. Heisselman, Gulf Bridge Rd., questioned why would a vacant lot be charged the ½ unit charge, especially if it was a substandard vacant lot.

Response: It is a benefited lot and there is a possibility that a variance

could be obtained.

Mary Morey, Morey Rd., asked how are the residents charged? She explained that every lot we use for pasture, wood lot, and according to the handout it says vacant lot; to her pasture is not a vacant lot. How do you charge them, the board said farms are charged different.

Response: An active farm property is exempt.

Ms. Morey expressed that was not fair that they would be exempt and every one else pays.

Jim Hollenbeck, Wheeler Rd. stated a cost of \$515 over a thirty-year period for uses of a well. With the public water it will cost that each year for thirty-nine years plus whatever the assessment goes up because they have water. He also questioned if water usage rates would stay the same over the 39-year period.

Response: Assessor has stated that he has no right to change assessments because a home has public water. Water rates will not stay the same for 30 years, and rates will change to cover costs of operation, per OCWA.

Debra Wingood, Dutch Rd., stated that she heard the assessor say that he would not increase the assessment because of water. However, when properties sell for more then she feels he would adjust the assessment.

Response: If the property sells for more then it is assessed for then the assessor has the right to increase the assessment to reflect fair market value

Ross LaCombe, Monroe Blvd. OCWA is a not-for-profit organization, are they exempt from paying taxes?

Response: OCWA is exempt from paying taxes

George Blair, Wedgewoth Point, private drives, how does the water come down there.

Response: the residents must put it down the private drives

Mr. Blair, what if the neighbors don't agree on bringing it down the private drive.

Response: all the residents have to pay the charge whether they hook up or not.

Rich Coffin, Wedgeworth Point, felt that the town board should be the ones to get the neighbors to agree to bring the water down the private roads

Response: the board can not force anyone to hook up to the water if it passes.

Alfred Gerisch, County Route 11, there is no well in the Town of West Monroe that is 200' deep. He feels that the report is over fabricated. The residents can not afford the taxes. Mr. Gerisch said he feels that the amount quoted in this study is incorrect and the project can not be completed for that amount.

Response: If the project is passed and the bids come in over the amount

presented to the residents if can not be installed.

Barbara Rainville, Breckheimer Rd., is not a resident in the proposed district but expressed that it is too expensive.

Bob Campbell, Toad Harbor questioned the cost of the fire hydrants.

Answer: Two ways of doing it: OCWA could put in the hydrants and charge back the cost as rent for the hydrants. Or the town could put in the hydrants, (as already figured in the estimate of the project) and there would be no additional costs, as its already included in the \$525. Also the Supervisor explained that the Oswego County Health Dept. insisted that the hydrants be 500' apart for the West Side Water district and so that is the distance used for this project. The town board can, if this district passes, go to the Health Dept. and request perhaps 1000 distance, showing that our Fire Dept. carries enough hose to accommodate this distance. If the Health Dept. agrees, this could save the district a large sum of money. However, the board can not do this unless the district is passed.

Dave Kite, Co. Rt.: Who approved the cost of the study that cost \$10,000.

Answer: the town board approved the study.

June Claridge: Whig Hill Rd. 999 ETU's in the water system out of that how many of these people actually signed that petition requesting this study and should the town board inform the people as to the cost of the study before spending the money.

Answer: the petition requesting the board to look into water was signed by over 200 which is well over the number which the law describes needed for the town board to act.

Mel Drake, Whig Hill Rd., said that the board spent \$8,000 and section 209B states that this should have gone to a referendum so the board is in violation of this section.

Answer: A resolution to pay for this study was passed in December due to the receipt of the petitions with over 200 signatures

Norma Howard, Pinnacle Rd., asked who is paying the \$8,000 and does Mr. Miller have a well or public water.

Answer: the taxpayers are paying for the study. Mr. Miller put the study together for the entire state and some parts of the state have deeper wells. The only reason this was included was for residents to think about all the costs associated with the well.

Joe Winks, Gulf Bridge Rd. can the board vote this down or does it have to go to a referendum?

Answer: The board could vote this down now but the board received more signatures on the petition then the number of people (or equal to) present at this public hearing, it seems to the board that its only fair that the residents decide whether or not they want the water.

Tom Roll, West Rd. did this all come about due to this petition? How many of the names were legal on that petition.

Answer: Yes, due to the petition. The board knew there were some that are not legal but that does not make the petition illegal.

Diane Roll, West Rd., can this plan be modified to delete those who do not want the water?

Answer: To revise the study would constitute the spending of a substantial amount of money.

Ms. Roll, I mean to just take off the entire West Rd. There is no one on our road that wants it.

Answer: Any revisions would constitute the additional cost.

Ross LaCombe, Monroe Blvd. Read article 7 permissive referendum, section 93, the board has the right to repeal this referendum. So you can stop it right now.

Answer: Our attorney has made the board is aware of this section however taking into consideration all the comments from the residents, not just those present here they feel that it is best left up to the residents.

Mr. Horseman, Co. Rt. 84 stated his well has been working for 44 years and he expects it to be working well after he is gone.

David Hanson, Helinger Rd., questioned the cost of the project, steel pricing is rising every day, are we protected from the increase if this projects goes forward?

Answer: The proposal is the highest amount possible. If for whatever reason the amount of \$525 per unit will not cover the cost of the project it would have to be dropped and started from the beginning. The costs have not been given by any contractor, the engineer looked at the market place, figured in inflation and projected the cost. If the project passes and it goes out to bid and can not be done at that price, everything stops.

OCWA representative explained their bid process for stock and installation and that is what was given to the engineer for him to determine this project cost.

Jim Gallagher, Wedgeworth Rd., could the vote be in sections so that it can be approved in part or in whole.

Answer: the cost to do that would be overwhelming. The engineers would have to run cost and engineering studies for every scenario, as the project cost would differ if this section was not included etc.

Dorthea Smith, Smith Point Rd. how far down Toad Harbor Rd will the water go.

Answer: all the way down to the end of Shaw Rd.

Kim Grard, Co Rt 11, feels that the people who are in attendance are against the water district and those residents who are for it don't care enough to attend, so why is the board still trying to put this through.

Answer: the people who attended the Informational Meeting made it clear they

want this to go to referendum. The residents who attended the March town board meeting made it clear they want this to go to referendum and therefore that is what the board is trying to do, letting the people decide.

Cheryl McKittrick questioned what the charge was for OCWA to come out and hook a resident to the system.

Answer: The resident is responsible to run the line from the curb stop to their home. The connection fee for existing homes is included in the cost of the project therefore there is no additional charge for OCWA to connect your line to their line, however after the project is completed there will be a charge to do that.

Mel Drake, Whig Hill Rd., read section 209E

Answer: What Mr. Drake read was in relation to an "extension" of a water district and therefore does not pertain to what is happening here, this is a new project.

Jan Mallory, Lower Rd., what chemical is used to clean the water?

Answer: the water will be from Lake Ontario and treated with chlorine

Jan Mallory When would this go to vote?

Answer: June 8th

Al Gerisch, Co Rt 11, do residents who have more than 1 parcel get more than 1 vote?

I own more than one parcel do I get only one vote even though I have to the pay the EMU for each parcel.

Answer: Only one vote. The State laws says people who are entitle to vote are real property owners with the proposed area and the owners of record (on deed) get one vote each. Corporations get one vote; multiple parcel owners get one vote. Those parcels owned with "life use", the person having life use gets to vote, and not beneficiaries.

Al Gerisch stated that if this passes, the law states the residents who abandon their well must hire a licensed person to close their well.

Mary Morey stated that a petition, which was distributed at a local pancake breakfast, brought about this proposal, why was the entire community not given the opportunity to decide. The board could have taken the time and money to canvas the town to see if they people really want this. She was never asked for her opinion.

Answer: as a property owner you do have a vote, this decision will be given to the property

owners when they cast their vote.

Mary Morey, said she does not get a vote because she is not on the deed.

Answer: this is an advolurum tax and therefore by law only those on the property deed within the district can vote.

David Hanson, Helinger Rd., stated that he had seen the petition at the pancake breakfast and at the gas station.

Answer: The original petition requesting the town board look into water for the Town of West Monroe was not done by the town board.

John Armani, Toad Harbor Rd., this was all brought to the town board, and no one attends the town board meeting so it will have to go to vote maybe residents should attend more of the town board meetings. What will be lot sizes be if the water does through?

Answer: There will be no change in required lot sizes do to the water passing.

Debra Wingood, Dutch Rd., some of the people in the room did not get information about the meeting. Will the board be sure that everyone within the district is notified of the vote?

Answer: Yes, who ever did not receive a notification, please call the town clerk office and let us know you did not get one and give your correct address so that we can be sure to send correctly.

Marilyn Loveless, Co Rt 84, do I get a vote even though I live in Sandy Creek?

Answer: Yes if you own property within the proposed district.

Marilyn Loveless how about the trailer parks

Answer: They get one vote, (corporations get one vote).

Heidi Freeman, Dutch Rd double check the mailing addresses because not all residents are delivered from West Monroe Post Office

Patricia Baramio, Pinnacle Rd I live about 500 yards from the road do I have run the pipe all the way from the road?

Answer: Yes

Patricia Baramio stated she was not interested in water.

William Tyrell, Co. Rt. 11 Did the board check every one of the names which were on the petition received by the board.

Answer: Due to the number of signatures received on the petition the board felt that there was more than necessary for the board to take the action that they did, (even if several of the signatures were invalid). The original petition that was file before the December meeting is not part of the evolution in the creation of the water district. That is what the board reacted to, they had what ever number on this petition, listen to the people, approved a study, held the informational meeting February 25th, now hold the Public Hearing as described by law. The petition is not part of the legal requirements for starting the district, it was more the reason for starting the process of "does this town want water?" As part of this process, if the

board adopts a resolution to create the district there is a petition that the board instructed the attorney to prepared because the people wanted to have a vote. And if there is no petition signed and submitted with enough signatures on it, than the board resolution after 31 days would become law and the district would be created. The board did not want that to happen so they wanted to insure this petition was available tonight for the people so the people get their vote. That petition is a legal document.

Ross LaCombe, Monroe Blvd., If the board really wanted to make the hard decision, they would delay this project until the true costs were determined.

Answer: The amount quoted are the true dollars to make the decision on, if the project comes in lower so be it, but residents should make their decision on \$525

David Hanson, Helinger Rd., I'm still not sure how I feel about public water, but if I along with 200 other taxpayers signed a petition asking the board to look into water for the Town of West Monroe, I would sure be just as upset if the board had not acted on that as most people here are. I appreciate what the town board has done.

Marilyn Morey, Co. Rt. 37 questioned whether the board has put this project out to bid?

Answer: Can not do that until the district is formed.

Debra McDougal, Co. Rt. 84, felt that the town board handled informing the residents incorrectly. She felt that the board should have checked with the residents in the complete area before going ahead and spending the \$8,000 for the study.

Answer: When the board received the petition, which had signatures from residents from many areas of the town the study was approved. There were no facts to give the people until the study was completed. As soon as the results of the study were received the board held an informational meeting. At that time the towns' people in attendance there made it clear to the board they wanted this to go to a vote.

Alida Corsette Co. Rt. 37, asked if someone else could install the line from the home to the main line other then a contractor or OCWA.

Answer: Yes you can do that yourself however OCWA has to do the hook up to the main line (which will be at no additional cost to the resident).

Herman Horseman, co. Rt. 84 questioned if the interest rates included in the study are guaranteed.

Answer: Yes, the interest rate can not go higher but they could go lower.

The public hearing was closed at 9:10 PM