

**PUBLIC HEARING
AUGUST 22, 2007**

**46 COUNTY ROUTE 11
WEST MONROE, NY**

Present: Supervisor Gary Ross, Town Board members Tim McCarthy, Kelley Davis,
Debra Macdougall and Michael Hickey
Highway Superintendent Randall Shaw
Christine Shaw, Town Clerk; Deputy Town Clerk Louise Herbert
Eric Pond, representative from Barton & Loguidice, PC
Approximately 82 people in attendance

Proof of publication have been submitted, Supervisor Gary Ross called the Public Hearing to order at 7:10PM and explained the procedure and time frame in the formation of a water district. Mr. Ross explained what has happened to get to the point the Town of West Monroe is now and results of the petitions. Then Mr. Ross opened the floor to anyone wishing to speak.

David Hanson, President of the West Monroe Fire Dept. asked if the Fire Department was going to get water as they were previously told. Mr. Ross explained that since all the documents were already submitted for grants and financing prior to the Town Boards decision to bring the water to the fire hall, water will not be going up County Route 11 in this first phase. Mr. Hanson expressed big disappointment of his department but stressed what benefit public water will be to those residents included in this Toad Harbor Water District. He reminded everyone present that insurance rates are usually reduced when public water is available.

Mr. Pratt, who owns a business on State Route 49 and a home on Wedgeworth Point, stated that public water is a great opportunity for the residence as the no interest loans will help to keep this project more affordable for the residents.

No one else wished to speak on the formation of the Toad Harbor Water District therefore the meeting was closed at 7:20 PM

SPECIAL MEETING

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The Special Meeting was opened at 7:23PM with Mr. Ross asking Eric Pond to explain the next step which is the Confirming Lead Agency and Adopting Negative Declaration

Supervisor Gary Ross made a motion to adopt the following Resolution

RESOLUTION CONFIRMING LEAD AGENCY AND ADOPTING NEGATIVE DECLARATION

WHEREAS, the Town of West Monroe (the "Town") seeks to create the Toad Harbor Water District ("Project"); and

WHEREAS, the project is an "action" as defined by the State Environmental Quality Review Act ("SEQRA") and the State Environmental Review Process (SERP); and

WHEREAS, the SEQRA and the regulations thereunder requires a Lead Agency to undertake a review of the potential environmental impacts, if any, associated with the Project before approving same; and

WHEREAS, this project is a Type I Action within the meaning of SEQRA; and

WHEREAS, on August 2, 2007, Part 1 of the Full Environmental Assessment Form was transmitted to all involved agencies together with notification of the Town Boards desire to act as lead agency with respect to the environmental review of the Project; and

WHEREAS, all involved agencies have consented to the designation of the Town Board as lead agency with respect to the environmental review of the Project; and

WHEREAS, 6 NYCRR Section 617.7 requires a lead agency to issue a written determination of significance with respect to any proposed Type I action;

WHEREAS, the Town Board has carefully considered the nature and scope of the proposed Project, as set forth in the Full Environmental Assessment Form prepared with respect to such action, and makes the following determinations:

1. The proposed action is classified under SEQRA as a Type I action within the meaning of 6 NYCRR ' 617.2(ai).

2. Upon consideration of the action, review of the Full Environmental Assessment Form, the criteria contained in 6 NYCRR ' 617.7(c), and all other supporting information, the Board identifies the following relevant areas of environmental concern, as set forth hereafter, and analyzes whether the proposed action may have a significant adverse impact on the environment.

3. The project will not result in an adverse substantial physical change of the project site. NYSDEC requirements for SPDES Phase II water quantity and water quality will be designed for, during construction for site disturbed project areas.

4. The project will not adversely affect any unusual land forms.

5. The project will not adversely affect any body of water designated as protected under the Environmental Conservation Law.

6. The project will not adversely affect any non-protected existing or new body of water.

7. The project will not result in an adverse affect to surface or ground water quality or quantity.

8. The project will not alter drainage, stormwater or surface water runoff.

9. The project will not adversely affect air quality.

10. The project will not will not adversely affect any threatened or endangered species.

11. The project will not adversely affect non-threatened or non-endangered species.

12. The project will not adversely affect agricultural land resources.

13. The project will not adversely affect aesthetic resources.

14. The project will not adversely affect any site or structure of both historical, pre-historic or paleontological importance.

15. The project will not adversely affect the quality or quantity of existing or future open spaces or recreational opportunities.

16. The project will not adversely affect exceptional or unique characteristics of a Critical Environmental Area.

17. The project will not adversely affect existing transportation systems.

18. The project will not adversely affect existing community resources of fuel or energy supply.

19. The project will not result in any objectionable odors, noise or vibration.
20. The project will not adversely affect public health and safety.
21. The project will not adversely affect the characteristics of the existing community.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board finds and concludes that the proposed action is an Type I Action within the meaning of 6 NYCRR 617.2(ai); and it is further

RESOLVED that the Town Board hereby declares itself lead agency with respect to the SEQRA and SERP review of the proposed project; and it is further

RESOLVED, that upon consideration of the foregoing, the Town Board finds and concludes that the proposed action will not result in any significant adverse impacts to the environment; and it is further

RESOLVED, that the Town Board hereby adopts the Negative Declaration annexed hereto with respect to the proposed action; and it is further

RESOLVED, that the legal counsel of the Town and/or Town Engineers are hereby instructed to publish and circulate the attached Negative Declaration in accordance with appropriate laws and regulations, and it is further

RESOLVED, that the Supervisor, together with counsel for the Town and the Town Engineers are hereby authorized and directed to take all actions, serve all notices and complete all documents in order to give full force and effect of this determination.

Town Board Member Michael Hickey seconded the motion with the VOTE: 5 ayes, 0 nays.

Next Mr. Ross then made the motion to approve the following resolution:

RESOLUTION TO ESTABLISH TOAD HARBOR WATER DISTRICT

WHEREAS, a petition seeking the creation of a Water District has been filed by residents living within the proposed Water District; and

WHEREAS, on July 25, 2007, the Town Board of the Town of West Monroe, New York (the "Town") duly adopted a resolution directing Barton & Loguidice, P.C., the Engineer of the Town to supervise the preparation of a map, plan and report for providing the facilities, improvements or services in a portion of the Town, wherein a water district was proposed to be established, as hereinafter described; and

WHEREAS, after the said Town Engineer duly filed said map, plan and report in the office of the Town Clerk of the Town of West Monroe, the said Town Board did on December 13, 2006, duly adopt an order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the

fact that a plan, map and report describing the same are on file in the Town Clerk's office for public inspection; and

WHEREAS, the Town Board did on July 11, 2007, duly adopt an order specifying that said Town Board shall meet at the West Monroe Highway Garage at 46 County Route 11 on August 22, 2007 at 7:00 p.m., for the purpose of conducting a public hearing on such proposal to establish the water district and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determination hereinafter made;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, in the County of Oswego, that it be and hereby is determined as follows:

- (1) The notice of hearing was published and posted as required by law and is otherwise sufficient.
- (2) That all of the property and property owners, within the proposed Water District are benefited thereby.
- (3) That all of the property and property owners benefited are included within the proposed Water District.
- (4) It is in the public interest to establish the proposed Water District as hereinafter described, and be it

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Water District as hereinafter described to be known as Toad Harbor Water District described as follows:

Beginning at a Point of Beginning, said point being the intersection between the southern highway boundary of New York State Route 49 and the western boundary of Parcel 277.00-04-07; thence southerly along the western boundary of said parcel to its southwestern corner; thence easterly along the southern boundary of said parcel to its southeastern corner; thence northerly along the eastern boundary of said parcel to its intersection with the southern boundary of Parcel 277.00-02-34.01; thence easterly along the southern boundaries of said parcel and Parcels 277.00-02-34, 277.00-02-23 and easterly extension thereof, and Parcel 277.00-02-24 to its intersection with the western boundary of Parcel 277.00-02-32.01; thence southerly along the western boundaries of said parcel and southerly extension thereof, and Parcels 277.00-03-07.11, 277.00-03-07.2, 277.00-03-08, 277.00-03-09, 277.00-03-11 to its intersection with the northern boundary of Parcel 294.00-01-24; thence westerly and southerly along the northern and western boundaries of said parcel to its intersection with the northern boundary of Parcel 294.00-01-24.01; thence southerly along the western boundaries of said parcel and

Parcel 294.00-01-06.2 to its southwestern corner; thence easterly along the southern boundary of said parcel and easterly projection thereof to its intersection with the western boundary of Parcel 294.00-02-11; thence southerly along the western boundary of said parcel to its southwestern corner; thence easterly along the southern boundary of said parcel to its intersection with the western boundary of Parcel 294.00-02-08.2; thence southerly along the western boundary of said parcel to its southwestern corner; thence easterly along the southern boundaries of said parcel and parcels 294.00-02-12, and 294.00-02-12.03 to its intersection with the western boundary of Parcel 308.00-01-2.2; thence southerly along the western boundaries of said parcel and Parcel 308.00-01-33 to its intersection with the northwestern boundary of Parcel 308.02-01-14; thence southwesterly along the northwestern boundary of said parcel to its intersection with the northeastern boundary of Parcel 308.02-01-19; thence northwesterly along the northeastern boundaries of said parcel and Parcel 308.02-01-20, 308.02-01-22, 308.02-01-23.01, 308.02-01-23, 308.02-01-24, 308.02-01-25, 308.02-01-26, 308.02-01-27, 308.02-01-28, 309.01-01-29, and 309.01-01-30 to its intersection with the northern boundary of Oneida Lake; thence generally easterly along the northern boundary of Oneida Lake to its intersection with the eastern boundary of Parcel 309.01-01-04; thence northerly along the eastern boundaries of said parcel and northerly extension thereof, Parcel 309.01-01-03, and Parcel 309.00-01-01 to its northeastern corner; thence westerly along the northern boundaries of said parcel and parcel 294.00-02-01 to its intersection with the eastern boundary of Parcel 294.00-02-01; thence northerly along the eastern boundary of said parcel to its intersection with the southern boundary of Parcel 294.00-02-01; thence easterly along the southern boundary of said parcel to its southeastern corner; thence generally northerly and westerly along the eastern and northern boundaries of said parcel to its intersection with the eastern boundary of Parcel 294.00-02-01; thence westerly along the northern boundary of said parcel to its intersection with the southerly extension of the eastern boundary of Parcel 277.00-02-31; thence northerly along the eastern boundary and southerly extension thereof of said parcel to its intersection with the southern boundary of Parcel 278.00-06-13.02; thence generally easterly and northerly along the southern and eastern boundaries of said parcel to its intersection with the southern boundary of Parcel 278.00-06-12; thence easterly along the southern boundary of said parcel to its southeastern corner; thence northerly along the eastern boundary of said parcel to its intersection with the southern boundary of parcel 278.00-06-05, thence easterly along the southern boundary of said parcel to its southeastern corner; thence northerly along the eastern boundary of said parcel to the southern highway boundary of New York State Route 49; thence easterly along the southern highway boundary of New York State Route 49 to its intersection with the western boundary of Parcel 278.00-05-06.12; thence generally southerly and easterly along the western and southern boundaries of said parcel to its intersection with the western boundary of Parcel 278.00-05-05; thence easterly along the southern boundary of said parcel to its southeastern corner; thence northerly along the eastern boundary of said parcel to its intersection with the southern boundary of Parcel 278.00-05-05.01; thence easterly along the southern boundaries of said parcel, Parcel 278.00-05-17, and Parcel 278.00-05-18 to its intersection with the western boundary of Parcel 278.00-05-20; thence southerly along the western boundary of said parcel to its southwestern corner; thence easterly along the southern boundary of said parcel to its southeastern corner; thence generally northerly along the eastern boundary of said parcel to its intersection with the southern highway boundary of New York State Route 49; thence easterly along the southern highway boundary of New York State Route 49 to its intersection with the western boundary of Parcel 278.00-04-15.12; thence generally southerly and easterly along the western and southern boundaries of said parcel to its intersection with the western boundary of Parcel 278.00-02-07.2; thence easterly along the southern boundaries of said parcel and Parcel 278.00-04-01 to its intersection with the western boundary of Parcel 278.00-04-09; thence

generally southerly and easterly along the western and southern boundaries of said parcel to its southeast corner; thence northerly along the eastern boundary of said parcel and northerly extension thereof to its intersection with the northern highway boundary of New York State Route 49; thence northerly along the eastern boundary of Parcel 278.00-03-07 to its northeast corner; thence westerly along the northern boundary of said parcel to its northwestern corner; thence generally southerly along the western boundary of said parcel to its intersection with the northern boundary of Parcel 278.00-03-10; thence westerly along the northern boundary of said parcel to its northwestern corner; thence southerly along the western boundary of said parcel to its intersection with the northern highway boundary of New York State Route 49; thence westerly along the northern highway boundary of New York State Route 49 to its intersection with the eastern boundary of Parcel 278.00-02-27.02; thence northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly along the northern boundary of said parcel to its intersection with the eastern boundary of Parcel 278.00-02-27; thence northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly along the northern boundary of said parcel to its intersection with the eastern boundary of Parcel 278.00-02-27.01; thence northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly along northern boundary of said parcel to intersection with the western boundary of Parcel 278.00-02-07.12; thence northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly along the northern boundaries of said parcel, Parcel 278.00-02-08, 278.00-02-09.2, and 278.00-02-26 to its northwestern corner; thence generally southerly along the western boundary of said parcel to its intersection with the northern boundary of Parcel 278.00-02-11; thence westerly along the northern boundary of said parcel to its intersection with the eastern boundary of Parcel 278.00-02-13; thence northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly along the northern boundary of said parcel to its northwestern corner; thence southerly along the western boundary of said parcel to its intersection with the northern boundary of Parcel 278.00-02-14; thence southerly along the western boundary of said parcel to its intersection with the northern highway boundary of New York State Route 49; thence westerly along the northern highway boundary of New York State Route 49 to its intersection with the eastern boundary of Parcel 278.00-06-03; thence northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly along the northern boundary of said parcel to its intersection with the eastern boundary of Parcel 277.00-02-32; thence generally northerly along the eastern boundary of said parcel to its northeastern corner; thence westerly and northerly along the northern and eastern boundaries of said parcel to its northwestern corner; thence generally southerly along the western boundary of said parcel to its intersection with the northern highway boundary of New York State Route 49; thence westerly along the northern highway boundary of New York State Route 49 to its intersection with the eastern boundary of Parcel 277.00-02-32; thence generally northerly along the eastern boundary of said parcel to its northeastern corner; thence generally westerly and southerly along the northern and western boundaries of said parcel to its intersection with the northern boundary of Helinger Road; thence generally southerly and easterly along the western boundary of Parcel 277.00-03-32 to its intersection with the western boundary of Parcel 277.00-02-24; thence generally southerly along the western boundary of said parcel to its intersection with the northern highway boundary of New York State Route 49; thence westerly along the northern highway boundary of New York State Route 49 to its intersection with the eastern boundary of Parcel 277.00-02-24; thence generally northerly along the eastern boundary of said parcel to its intersection with the southern boundary of Parcel 277.00-02-32; thence northwesterly along the northeastern boundary of said parcel to its northern corner; thence southerly along the western boundary of said parcel to its intersection with the northern boundary of Parcel 277.02-24; thence westerly along the northern boundary of said parcel to its intersection with the

eastern boundary of Parcel 277.00-01-03; thence generally northwesterly along the eastern and northern boundary of said parcel to its northwestern corner; thence generally southerly along the western boundary of said parcel to its intersection with the western boundary of Parcel 277.00-01.05.2; thence southerly along the western boundary of said parcel to its intersection with the northern highway boundary of New York State Route 49; thence southerly along the southerly extension of said western boundary of said parcel to the Point of Beginning.

The above-described parcel is in accordance with the Map, Plan & Report entitled "Toad Harbor Water District", prepared by Barton & Loguidice, P.C., dated December 2006 and having the Project No. 221.003; and be it

FURTHER RESOLVED, that the improvements in said district be constructed upon the required funds being made available or provided for the Toad Harbor Water District; and be it

FURTHER RESOLVED, that the improvements, shall be financed through the New York Drinking Water State Revolving Fund (DWSRF). The Town of Constantia shall act as lead municipality for securing permanent financing for the project. The Town of Constantia shall pay the annual costs for this project and be reimbursed by the Town of West Monroe for the Toad Harbor Water District portion of the incurred costs, pursuant to a duly executed municipal cooperation agreement; and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate in the office of the State Department of Audit and Control, at Albany, New York, within ten days after the adoption of this resolution; and be it

FURTHER RESOLVED, that the Town Clerk be and she hereby is authorized and directed to file a certified copy of this resolution, in duplicate in the office of the State Comptroller, at Albany, New York, within ten days after the adoption of this resolution.

Motion by Supervisor Ross, second by Councilmember McCarthy;

VOTE: 5 ayes, 0 nays.

The special meeting was closed at 7:51PM.