

TOWN OF WEST SENECA



JOHN FENZ
TOWN ATTORNEY
jfenz@twyny.org

TOWN SUPERVISOR
SHEILA M. MEEGAN
TOWN COUNCIL
EUGENE P. HART
WILLIAM P. HANLEY, JR.

TO: The Honorable Town Board
FROM: John J. Fenz, Esq.
Town Attorney
DATE: April 16, 2015
RE: Scheduling of Public Hearing
Increase and Improvement of Facilities of
Water Districts 1,2, 3, 4, 6, 7 and 8

Kindly adopt the attached Resolution which calls for a Public Hearing at the Town Board's regularly scheduled meeting to be held at the Town Hall, 1250 Union Road, West Seneca New York 14224, on the 11th day of May, 2015, at 7:00 o'clock P.M.

The purpose of the Public Hearing is to consider the increase and improvement of facilities of the above-referenced Water Districts 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.

APR 20 2015

_____ offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. ____ -2015

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, NEW YORK, ADOPTED ON APRIL 20, 2015, CALLING FOR A PUBLIC HEARING TO BE HELD ON MAY 11, 2015, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF WATER DISTRICTS 1, 2, 3, 4, 6, 7, 8 AND 9, PURSUANT TO SECTION 202-b OF THE TOWN LAW

Recitals

WHEREAS, the Town Board has undertaken proceedings pursuant to Section 202-b of the Town Law for the joint increase and improvement of water system facilities of Water Districts 1, 2, 3, 4, 6, 7, 8 and 9 (herein called the “Districts”) in the Town of West Seneca (herein called the “Town”), in the County of Erie, New York, in preparation for the eventual conversion to a Direct Service contract with the Erie County Water Authority for the benefit of water system users in the Districts:

WHEREAS, such joint increase and improvement of facilities located throughout the Districts includes construction of improvements to approximately 43,000 linear feet of watermains and the water storage tank located off of East & West Road approximately 1000 feet west of Leydecker Road, and replacement of approximately 55 existing hydrants, all as more particularly described in the map, plan and report dated January 2014 prepared by Clark Patterson Lee, engineers duly licensed by the State of New York (herein called the “Engineer”), as supplemented by letter dated April 17, 2015 from the Engineer, and filed with the Town Clerk of the Town; and

WHEREAS, the estimated cost of the project is \$8,000,000, of which \$400,000 is to be funded from Local Government Efficiency Grant funds expected to be received by the Town on behalf of the Districts and \$7,600,000 is proposed to be financed through issuance of bonds by the Town of West Seneca on behalf of the Districts; and

WHEREAS, the Town Board, as lead agency, has given due consideration to the impact that the increase and improvement of the facilities of the Districts may have on the environment and the Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act (“SEQRA”), constituting Article 8 of the Environmental Conservation Law and the applicable documentation thereof has been filed in the office of the Town Clerk; and

WHEREAS, the Town Board has reviewed a Short Environmental Assessment Form prepared and signed by the Town Attorney and by resolution duly adopted on May 12, 2014 has determined that the proposed project is an unlisted action and will not have a significant impact on the environment;

Now, therefore

THE TOWN BOARD OF THE TOWN OF WEST SENECA, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of a majority of all the members of said Town Board) AS FOLLOWS:

Section 1. A meeting of the Town Board of the Town shall be held at the Town Hall, 1250 Union Road, West Seneca New York 14224, on the 11th day of May, 2015, at 7:00 o'clock P.M. (Prevailing Time) to consider the increase and improvement of facilities of the

Districts, as described in the Recitals hereto, 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.

Section 2. The Town Clerk is hereby authorized and directed to publish, or cause to be published, at least once in the "WEST SENECA BEE," a newspaper having a general circulation in the Town and hereby designated as the official newspaper for such publication, and to post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, in substantially the form attached hereto as Exhibit A, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Section 3. This resolution shall take effect immediately.

Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of West Seneca, in the County of Erie, State of New York, will meet at the Town Hall, 1250 Union Road, West Seneca New York 14224, on May 11, 2015, at 7:00 o'clock P.M. (Prevailing Time), for the purpose of conducting a public hearing in relation to the proposed increase and improvement of water system facilities of Water Districts 1, 2, 3, 4, 6, 7, 8 and 9 (herein called the "Districts") in the Town of West Seneca (herein called the "Town"), in the County of Erie, New York, in preparation for the eventual conversion to a Direct Service contract with the Erie County Water Authority for the benefit of water system users in the Districts. The current approved estimated maximum cost of the project is \$8,000,000, of which \$400,000 is to be funded from Local Government Efficiency Grant funds expected to be received by the Town on behalf of the Districts and \$7,600,000 is proposed to be financed through issuance of bonds by the Town of West Seneca on behalf of the Districts.

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF WEST SENECA

Dated: April __, 2015
West Seneca, New York

Jacqueline A. Felser
Town Clerk

CERTIFICATE

I, Jacqueline A. Felser, Town Clerk of the Town of West Seneca, in the County of Erie, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution Calling For a Public Hearing with the original thereof filed in my office on the ___ day of April, 2015, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town on this ___ day of April, 2015.

(SEAL)

Town Clerk

