

NOTICE OF PUBLIC HEARING

At a meeting of the Town Board of the Town of Brunswick, held at the Town Hall, Brunswick, New York, on September 10, 2020, pursuant to a Resolution and Order, a copy of which is annexed as Schedule A, a petition was determined to be in due form and containing the required signatures, requesting the extension of the Brunswick Consolidated Water District in the Town as part of the Sharpe Road Subdivision project. The proposed district extension is bounded and described as follows:

Lands of Sharpe Road Development, LLC lying in the Town of Brunswick; ALL that certain lot, piece, or parcel of land situate in the Town of Brunswick, County of Rensselaer and State of New York, described as follows: Beginning at a point marked by a capped iron rod set on the southeasterly line of Sharpe Road (County Route 75) at the northwesterly corner of lands conveyed to Jean Hill by deed recorded in the Rensselaer County Clerk's Office in Book 240 of Deeds at page 1916 and by boundary line agreement recorded in the Rensselaer County Clerk's Office on July 23, 2009 as Instrument No. 2009-00334869 ; thence along said Lands of Hill the following two (2) courses: (1) South 41 degrees 38 minutes 14 seconds East, 321.51 feet to set capped iron rod; and (2) North 51 degrees 31 minutes 21 seconds East, 142.00 feet to a set capped iron rod; thence along lands of Eric J. & Laurie A. Willson and lands of Sara J. Neitzel South 28 degrees 32 minutes 40 seconds East, 682.65 feet more or less to a point on the division line between the Town of Brunswick to the north and the Town of North Greenbush to the south; thence along said division line North 83 degrees 13 minutes 10 seconds West, 1 076.66 feet to a point on the northeasterly line of lands now or formerly owned by Paul C. & Michele Ann Melius; thence along lands of Melius North 40 degrees 07 minutes 02 seconds West 98.64 feet to capped iron rod set on the southeasterly line of Sharpe Road; thence along said road the following three (3) courses: (1) northeasterly along a curve to the left, having a radius of 1,749.31 feet, a length of 182.28 feet and subtended by a chord of North 34 degrees 15 minutes 14 seconds East, 182.20 feet to a point of reverse curvature; then (2) along a curve to the right, having a radius of 1,059.85 feet a length of 312.69 feet and subtended by a chord of North 38 degrees 19 minutes 32 seconds East, 311.56 feet to a point of compound curvature; and (3) along a curve to the right, having a radius of 4,172.40 feet, a length of 241.50 feet and subtended by a chord of North 50 degrees 21 minutes 45 seconds East, 241.47 feet to the point of beginning. Containing 10.66 acres of land more or less. Together with all right title and interest in and to lands lying between the above described parcel and the center of Sharpe Road. Subject to the rights of the public in and to lands lying within the public right-of-way of said road. Subject to easements and restrictions of record. Being a portion of the premises conveyed by John M. Knauer to Sharpe Road Development, LLC by deed dated October 18, 2018 and recorded in the Rensselaer County Clerk's Office in Book 8677 of Deeds at page 209; Jean Hill # 242 Sharpe Road/ C.R. 75, Beginning at a point located in the South line of Sharpe Road (County Road 75) and at the division line between the lands of Ina A. S. Neitzel-Richards and Owen K. S. Neitzel (R-153/F-1588) on the East and the lands herein described on the West; thence proceeding in a Southerly direction and along the aforesaid lands of Neitzel, S-61°- 22"-00"-E 320.00' to a point, thence in a Westerly and Northerly direction along the lands of John M. Knauer (R-137/F-1514) and along an Agreed Upon Boundary Line as shown on a map entitled "Boundary Line Agreement" - Survey of Lands of Hill, #242 Sharpe Road - Brunswick, prepared by Frederick J. Metzger, L.S., dated August 9, 2005, last revised 09-23-05 and filed

in the Rensselaer County Clerks Office on Oct. 25, 2005 in Drawer-2005 as map #176, S-18°-42'-00"-W 142.00 and N-74°-27'-35"-W 321.51' to a point, thence in an Easterly direction and along the aforesaid South line of Sharpe Road, N-20°-15'-00"-E 215.00' to a point, said point being the point of beginning. Being a parcel of land irregular in shape and containing in all 56,825± Square Feet or 1.3045± Acres; Jean Hill John M. Knauer Boundary Line Agreement, #242 Sharpe Road/C.R. 75. Beginning at a point located in the South line of Sharpe Road (County Road 75), said point of beginning being S-20°-15'-00"-W 215.00' from the division line between the lands of Ina A. S. Neitzel-Richards and Owen K. S. Neitzel (R-153/F-1588 on the East and the lands of Jean Hill and Theresa Cote (R-240/F-1916) on the West; thence proceeding in a Southerly and Easterly direction and along the Agreed Upon Boundary Line, S-74°-27'-35"-E 321.51' and S-18°-42'-00"-W 38.11 to a point. All as shown on a map entitled "Boundary Line Agreement" - Survey of Lands of Hill, #242 Sharpe Road - Brunswick, prepared by Frederick J. Metzger, L.S., dated August 9, 2005, last revised 09-23-05 and filed in the Rensselaer County Clerks Office on Oct. 25, 2005 in Drawer-2005 as map# 176. Subject to Easements, Restrictions, Reservations and Rights of Way of Record.

The extension of the District will allow the construction of new water lines and their connection to existing water mains to service property within the District. The maximum amount proposed to be expended is One Dollar (\$1.00). All capital costs of improvements within the District will be borne by the Sharpe Road Subdivision developer. The cost to the typical property (one family home or equivalent in flow) is estimated to be Seven Hundred Fifty Nine Dollars and Sixty Four Cents (\$759.64) per year, plus consolidated water district costs of Two Dollars and Seventeen Cents (\$2.17) per One Thousand Dollars (\$1,000.00) of assessed valuation. A meeting of the Town Board will be held at the Brunswick Town Hall, 336 Town Office Road, in the Town of Brunswick on October 8, 2020 at 6:45pm to consider the petition and to hear all persons interested in the subject of the extension of the Brunswick Consolidated Water District and for any other action concerning the petition and the vote of the Town Board thereon.

Dated: Brunswick, New York
September 24, 2020

THE TOWN OF BRUNSWICK TOWN BOARD
By: Philip H. Herrington, Supervisor

Schedule A

RESOLUTION AND ORDER NO. 58, 2020

**TOWN OF BRUNSWICK
REGULAR MEETING**

September 10, 2020

**RESOLUTION AND ORDER ACCEPTING PETITION FOR EXTENSION
OF TOWN OF BRUNSWICK CONSOLIDATED WATER DISTRICT
AND SCHEDULING PUBLIC HEARING**

WHEREAS, the Town Board of the Town of Brunswick is in receipt of a petition requesting an extension of the Town of Brunswick Consolidated Water District, together with a Map, Plan and Report for such proposed extension of the Consolidated Water District, including a map showing the boundaries of the proposed extension to the Consolidated Water District, a general plan to serve the proposed extension to the Consolidated Water District, and a report on the proposed method of operation thereof, all in relation to the Sharpe Road Subdivision; and

WHEREAS, said Map, Plan and Report, including estimates of costs, was prepared by Bergmann Associates, Inc., a professional engineering firm in the State of New York, and has been filed in the office of the Town Clerk of the Town of Brunswick, where the same is available during regular business hours for examination by any person interested in the subject matter; and

WHEREAS, the boundaries of the proposed extension to the Town of Brunswick Consolidated Water District are identified in Schedule A attached hereto; and

WHEREAS, such extension to Town of Brunswick Consolidated Water District is being proposed by Petitioners in connection with the Sharpe Road Subdivision, which has been previously approved by the Planning Board of the Town of Brunswick; and

WHEREAS, a condition of the Planning Board approval was the establishment of a public water district, or extension, to service the Sharpe Road Subdivision project; and

WHEREAS, the proposed extension of Town of Brunswick Consolidated Water District, is depicted on the map attached hereto as Schedule B; and

WHEREAS, the improvements proposed for the extension of Town of Brunswick Consolidated Water District are set forth in the Map, Plan and Report filed with said Petition requesting such extension to Town of Brunswick Consolidated Water District;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Town Board of the Town of Brunswick in regular session duly convened as follows:

1. The Petition requesting the extension of the Town of Brunswick Consolidated Water District is in due form and contains the required signatures on behalf of the requisite property owners.
2. The proposed extension of the Town of Brunswick Consolidated Water District is depicted on the map attached hereto as Schedule B, and further described in Schedule A hereto.
3. The extension of the Town of Brunswick Consolidated Water District will allow the construction of new waterlines to service properties within the proposed district extension.
4. All capital costs of the improvements within the extension of the Town of Brunswick Consolidated Water District will be borne by the site development project sponsor, and at no cost to the Town of Brunswick.
5. The yearly operation and maintenance costs of the water system in the proposed extension of the Town of Brunswick Consolidated Water District will be funded by water use rates and ad valorem charges. The current water use rate for the Town of Brunswick Consolidated Water District is \$4.73 per 1,000 gallons. The Map, Plan and Report provides that, based on the current user rate of \$4.73 per 1,000 gallons and an estimated total annual usage per house of 160,600 gallons per year, the total annual user cost per house is estimated at \$759.64. An annual operation and maintenance and supply fee will be charged, with the current fee equal to 2.166598/\$1000 assessed valuation.
6. A public hearing will be held by the Town Board of the Town of Brunswick at the Town of Brunswick Town Hall, located at 336 Town Office Road, Brunswick, New York, on October 8, 2020, at 6:45 pm, to consider the Petition and to hear all interested persons on the subject of the extension of the Town of Brunswick Consolidated Water District, and for such other action on the part of said Town Board with relation to said district extension as may be required by law.
7. The Town Clerk of the Town of Brunswick is hereby directed to publish a Notice of Public Hearing at least once in the official newspaper of the Town of Brunswick, to be not less than ten (10) days and no more than twenty (20) days before the public hearing as set forth above; and the Brunswick Town Clerk shall also post a Notice of Public Hearing on the signboard of the Town of Brunswick not less than ten (10) days and no more than twenty (20) days prior to the date of the public hearing as set forth above; and further that Notice of Public hearing shall be posted on the website of the Town of Brunswick not less than ten (10) days and no more than twenty (20) days prior to the date of the public hearing as set forth above.
8. A copy of the Petition and Map, Plan and Report as described herein shall be maintained on file in the office of the Town of Brunswick Town Clerk, and remain available for public inspection during regular business hours.

The foregoing Resolution and Order, offered by Councilman Sullivan and seconded by Councilman Cipperly was duly put to a roll call vote as follows:

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| COUNCILMAN CHRISTIAN | VOTING | <u>ABSENT</u> |
| COUNCILMAN SULLIVAN | VOTING | <u>AYE</u> |
| COUNCILMAN BALISTRERI | VOTING | <u>AYE</u> |
| COUNCILMAN CIPPERLY | VOTING | <u>AYE</u> |
| SUPERVISOR HERRINGTON | VOTING | <u>AYE</u> |

The foregoing Resolution and Order was thereupon declared duly adopted.

September 10, 2020