



Town of New Paltz
Town Clerk/Tax Collector
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April 15, 2016

Office of the State Comptroller
Division of Audit & Control
110 State Street
Albany, NY 12236

Re: In the Matter of the Establishment of Extension 1 of Water District No. 3
in the Town of New Paltz, County of Ulster, New York


To the Comptroller:

Enclosed for filing pursuant to Town Law, section 195 (1) are two (2) certified copies each of Order Establishing Extension 1 of Water District No. 3 in the Town of New Paltz adopted by the town board pursuant to Town Law, section 194 (2).

As the district formation does not fall within the criteria set forth in subdivision 6 of section 194, no application for approval of the district formation by the Comptroller is submitted with this filing.

Thank you.

Very truly yours,



Rosanna Mazzaccari, Town Clerk
Town of New Paltz

Cc: Neil Bettez, Supervisor
Daniel Michaud, DEP
David B. Clouser, P.E.
Joseph M. Moriello, Esq.

At a special meeting of the Town Board of the Town of New Paltz, in the County of Ulster, New York, held at the Town Community Center on April 14, 2016 at 7:30 P.M.

PRESENT: Supervisor Neil Bettez, Council Member Jeffrey Logan, Council Member Daniel Torres, Council Member Marty Irwin, Council Member Julie Seyfert-Lillis

-----X
In the Matter of the Establishment of Extension No. 1 of
Water District No. 3
in the Town of New Paltz,
in the County of Ulster, New York.
-----X
ORDER ESTABLISHING
DISTRICT

At a special meeting of the Town Board of the Town of New Paltz, Ulster County, New York, held at the town Community Center, in New Paltz, New York, in said Town on the 14th day of April, 2016 at 7:30 o'clock P.M., Prevailing time.

The meeting was called to order by Council Member Torres, and upon roll being called, the following roll was taken:

	<u>PRESENT</u>	<u>ABSENT</u>
Supervisor Neil Bettez	___ ✓ ___	_____
Council Member Jeffrey Logan	___ ✓ ___	_____
Council Member Daniel Torres	___ ✓ ___	_____
Council Member Marty Irwin	___ ✓ ___	_____
Council Member Julie Seyfert-Lillis	___ ✓ ___	_____

The following resolution was offered by Supervisor Bettez, who moved its adoption, seconded by Council Member Logan, to wit:

WHEREAS, a written petition dated as of March 24, 2016 has been presented to and filed with the Town Clerk of the Town of New Paltz, New York, requesting the creation of Extension No. 1 of Water District No. 3 in the Town of New Paltz with boundaries as hereinafter described; and

WHEREAS, on the 24th day of March, 2016 the Town Board of the Town of New Paltz, New York, duly adopted an order calling a public hearing to be held at the Community Center, in said Town, on the 14th day of April, 2016 at 7:00 o'clock P. M., to consider said petition and to hear all persons on the subject thereof concerning the same and for such action on the part of said Town Board with relation to said petition as may be authorized and required by law; and

WHEREAS, notice of such public hearing and of any subsequent continuations thereof was duly published and posted in the manner required by law; and

WHEREAS, after said public hearing and all continuations thereof and upon consideration, the evidence given thereat, said Town Board duly adopted an order on the 14th day of April, 2016 determining to create such extension and to construct the proposed water district improvements therein, all in accordance with said petition and the map and plan accompanying the same and the map, plan and report on file in the Office of the Town Clerk; and

WHEREAS, all construction work for the laying out and installing of the improvements within said proposed District extension as described on said Exhibit A will be paid for initially by the Town [district] but reimbursed by the City of New York Department of Environmental Protection ("DEP") pursuant to a separate intergovernmental agreement, so that no expenses occasioned by the creation of said District extension herein petitioned shall be levied and collected from the several lots and parcels of land within the said District extension by assessment or otherwise and any and all of such work will be done and completed by said DEP in accordance with the map and plan hereinafter described; and

WHEREAS, the Town intends to construct all improvements within said Water District extension as aforesaid and will accept title thereto in the name of the Town of New Paltz on behalf of the water district and assuring the right of benefitted properties within the proposed

district extension to access the improvements and obtain service therefrom in accordance with separate agreements between the town and the DEP; and

WHEREAS, prior to the conduct of the public hearing aforesaid, there has been filed with the town a Map, Plan and Report prepared by the engineering firm of David Clouser & Associates, duly licensed by the State of New York, showing the boundaries of the proposed district extension and a general plan of the proposed water system to be constructed therefor including all outlets and the terminus and course of each proposed main; and

WHEREAS, the maximum amount to be expended for the construction of the proposed water system is estimated to be \$2,134,045.00, and after reimbursement of all eligible expenses from DEP is \$0.00 dollars; and

WHEREAS, based on the assumed average of 200 gallons per day water usage per single-family, 3-bedroom residence, the total annual cost for a typical, single-family residential dwelling is estimated to be \$252.00 per year; and

WHEREAS, based upon the annual water use for a commercial retail business having 10,000 square feet of floor area when applying the New York State Department of Environmental Conservation average daily water use rates of 1,000 gallons per day, the annual cost for water service for commercial retail business use is estimated to be \$1,278.00 per year; and

WHEREAS, the estimated cost of hook-up fees for a service connection to the typical residential and small commercial/office property is \$1,750.00; stubs will be left in the new water main at a minimum of two (2) locations for connection by the owner of the Wildberry Lodge LLC property; and

WHEREAS, the expense of operation and maintenance of said Extension No. 1 of Water

District No. 3 and shall be assessed, levied and collected from the several lots and parcels of land within the proposed Extension No. 1 of Water District No. 3 so much upon and from each as shall be in just proportion to the amount of benefit which the Town Board shall determine the improvement shall confer upon the same.

WHEREAS, based upon the foregoing, the approval of the Comptroller of the State of New York for the creation of said water district is not required;

NOW, THEREFORE, BE IT:

RESOLVED, by the Town Board of the Town of New Paltz, County of Ulster, State of New York, as follows:

Section 1. It is hereby determined:

(a) That said petition is signed, acknowledged or proved as required by law and is otherwise sufficient;

(b) That all the property and property owners within the proposed extension district are benefited thereby;

(c) That all the property and property owners benefited are included within the limitation of the proposed district extension; and

(d) That it is in the public interest to grant in whole the relief sought.

Section 2. That the water district extension as requested in said petition be and the same is hereby established and the boundaries of such water district extension as hereby established are hereby determined to be all those lands situated in the Town of New Paltz, County of Ulster, State of New York, bounded and described on “Attachment 1 (Exhibit A) – *Extension 1 to Water District No. 3 Boundary Map*” and “Attachment 2” (Exhibit B) – *Tax Map identification and*

Address of Properties to be Included Within the Proposed Extension 1 to Water District No. 3" attached hereto and made a part hereof; and

Section 3. The construction and maintenance of a water system in said water district extension with necessary manholes, connections and appurtenances in accordance with the map and plan submitted with said petition and with the map, plan and report on file in the office of the Town Clerk of said Town, at a cost and upon the plan for reimbursement as stated in said petition, is hereby authorized and approved.

Section 4. That a certified copy of this resolution be forthwith recorded in the Office of the Clerk of the County of Ulster.

Section 5. Said Town Board hereby delegates the conduct of all further proceedings in this matter pursuant to Article 12 in Sections 237, 238 and 239 of the Town Law to the Town Board of the Town of New Paltz, acting as the Commissioners of the Water District and any and all authorization of all funds for the payment of all cost of the same shall be done only by resolution of this Town Board.

Section 6. This order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll call which resulted as follows:

<u>VOTE</u>	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Supervisor Neil Bettez	___✓___	_____	_____
Council Member Jeffrey Logan	___✓___	_____	_____
Council Member Daniel Torres	___✓___	_____	_____
Council Member Marty Irwin	___✓___	_____	_____
Council Member Julie Seyfert-Lillis	___✓___	_____	_____

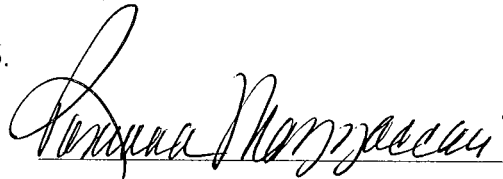
The order was thereupon declared duly adopted

I, ROSANNA MAZZACCARI, Clerk of the Town of New Paltz, County, New York, DO
HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of
said Town of New Paltz, New York, including the order contained therein, held on the
14th day of April, 2016 with the original thereof on file in my office and that
the same is a true and correct transcript therefrom and of the whole of said original so far as the
same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town this
15th day of April, 2016.

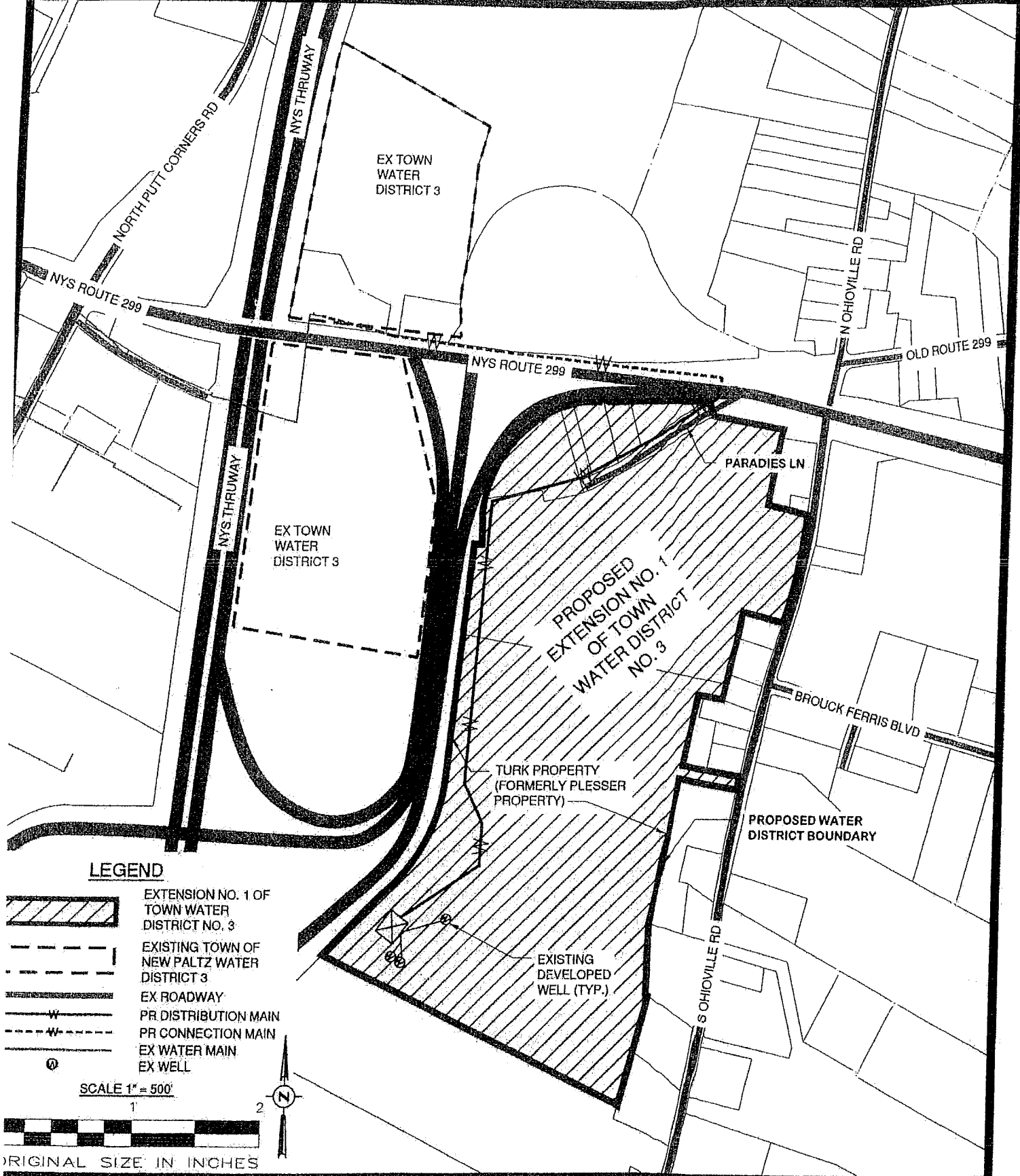


Rosanna Mazzaccari, Town Clerk

[Seal]

Attachment 1 –

EXHIBIT A – *Extension 1 to Water District No. 3 Boundary Map*



**PROPOSED EXTENSION NO. 1 OF
WATER DISTRICT NO.3**

WATER DISTRICT BOUNDARY MAP

TOWN OF NEW PALTZ
ULSTER COUNTY, NEW YORK

DATE	DRAWN BY
02/26/16	MLT
PROJECT NO.	
55008	
SHEET NO.	
EXHIBIT-A	

Attachment 2 –

*EXHIBIT B -Tax Map Identification and Address of Properties to be
Included Within the Proposed Extension 1 to Water District No. 3*

Extension No. 1 to Water District No. 3 Property List

Tax ID	Property Street Address	Post Office
86.12-5-12.310	South Ohioville Road	New Paltz, NY 12561
86.12-5-12.320	South Ohioville Road	New Paltz, NY 12561
86.12-5-6	9 Paradies Lane	New Paltz, NY 12561
86.12-5-7	7 Paradies Lane	New Paltz, NY 12561
86.12-5-8	5-6 Paradies Lane	New Paltz, NY 12561
86.12-5-9	3 Paradies Lane	New Paltz, NY 12561
86.12-5-10	1 Paradies Lane	New Paltz, NY 12561