

A public hearing was held by the Town Board of the Town of Moreau on May 16, 2018 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York for the purpose of hearing public comment on the proposed Sewer District 1 Extension 5.

The Supervisor called the public hearing to order at 7:04 p.m.

Town Board Members Present

John Hogan	Councilman
Alan VanTassel	Councilman
Gina LeClair	Councilwoman
Kyle Noonan	Councilman
Theodore T. Kusnierz, Jr.	Supervisor

Town Board Members Absent

None

Also present: Leeann McCabe, Town Clerk; Karla Buettner, Attorney for the Town; Don Rhodes & Ron Laberge, Laberge Group; Lisa Sperry, Supervisor’s Confidential Secretary; Jill Bennett, Deputy Town Clerk; Kathleen Moore, Post Star Reporter; Town Residents and Property Owners: Amy Noonan, Eileen Jensen-Burnham, Sam Wahnon, Tom Moffitt, Reed Antis, Greg Hewlett, Mandi Strassburg, Nathaniel Smythe, Mary Sutphin Strassburg, Susan Villano, Steve Bhatti, Michael Pugh, Cheryl Cross, Ellen Bombard, Jane Flagler, Barbara & John Schaffer, Rusty Saunders, Lance Hillman, Harry Gutheil, Nicholas Quinn, Ronald Quinn Sr., Anne Kusnierz, Rachel Zimmerman, Ron Zimmerman, Will Zimmerman, Mark Sassone, John Kilmer, Robert Peck, Alan Oppenheim, Howard Cross, John & Mike Munter, David & Elaine Kramer, Madeline Roland, Rosalie Sutphin, Ken Buhrmaster, Floyd Smith, Virginia Livsey, Bruce Flayer, Edward Petrush, Brian McKenzie, Preston Jenkins, David Rogge, John Holz, David Carson, Eric Fitzgerald, Gardner Congdon, Paul Peck, Chris Abrams; Village Residents: Brigid Martin, Kevin Varmette; Others: John Naja

The Supervisor welcomed everyone to the public hearing and then asked the Town Clerk to read the Notice of Public Hearing aloud.

The following Notice of Public Hearing was posted in the Post Star Newspaper on May 3, 2018. The Town Clerk read the notice aloud:

**TOWN OF MOREAU
ORDER OF TOWN BOARD SCHEDULING PUBLIC HEARING ON EXTENSION
NO. 5 OF SEWER DISTRICT NO. 1 IN THE TOWN OF MOREAU**

NOTICE IS HEREBY GIVEN that a Map, Plan and Report has been prepared in a manner and detail as determined by the Town Board of the Town of Moreau and Article 12-A of the Town Law, regarding Extension No. 5 of Sewer District No. 1 in the Town of Moreau.

The Map, Plan and Report were prepared by Laberge Group, showing the boundaries of the proposed Extension No. 5 of Sewer District No. 1, the project justification and cost estimates.

The Map, Plan and Report shows the boundaries of the proposed Extension No. 5 of Sewer District No. 1 and the locations of the property contained in the extension of the sewer district. Extension No. 5 of Sewer District No. 1 is comprised of 553 acres consisting of 96 parcels.

The improvements proposed for said Extension No. 5 consist of the construction of sewer facilities, including furnishing equipment, machinery, apparatus, appurtenances and incidental improvements and expenses in connection therewith, all as more fully described in the Map, Plan and Report hereinbefore described. The estimated cost to extend Sewer District No. 1 and install the necessary infrastructure is \$16,000,000.

The proposed method of financing the cost of said improvements consists of the issuance of \$12,000,000 in serial bonds from the New York State Environmental Facilities Corporation (“EFC”)

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maturing in annual installments over a period not exceeding thirty (30) years and grant funding through the NYS Water Infrastructure Improvement Act Grant Program in the amount of \$4,000,000.

The estimated total yearly cost for each property in the proposed district is identified in Appendix M of the Map, Plan and Report and is broken down into debt service and operation maintenance cost components.

The Map, Plan and Report describing the improvements is on file in the Town Clerk's Office and is available for public inspection.

The Town Board will conduct a public hearing for Extension No. 5 of Sewer District No. 1 on May 16, 2018 at 7:00 p.m. at the Moreau Town Hall, located at 351 Reynolds Road, Town of Moreau, County of Saratoga, New York. All persons interested in this matter shall be heard at the said date and time.

This Order and Notice of Public Hearing was duly adopted by resolution of the Town Board of the Town of Moreau on May 1, 2018.

Dated: May 1, 2018

Theodore T. Kusnierz, Supervisor

The Supervisor welcomed everyone to the meeting and gave a brief overview of the proposed sewer project. He stated that the Town Board is committed to advancing affordable sewer and a structured plan that focuses on economic development along the Route 9 corridor. Doing so, the Board wants to make sure the plan has broad public support, especially by those who would be funding the project. The process started in late 2017, and this year there have been 5 separate meetings that involved discussion on sewer infrastructure along the Route 9 corridor. Most recently on May 1, 2018, there was a workshop where they had detailed engagement with the engineer and Town Board, and which was also opened up to members of the public to ask questions. He stated that he had also sent 2 letters to property owners within the proposed district, one on March 19th and another on May 10th, which updated property owners as to where the project is in putting the sewer district together. He explained that this is a formal public hearing, which is required by Article 12A of the Town Law. He stated that this is an opportunity for the public to give comment but also stated that it's not a workshop and there won't be any back and forth conversation. The Town Board will take all comments under consideration. He explained the rules of the public hearing, which would allow those who own property within the proposed district to speak first and then those who reside outside the district would speak second. Each person wishing to be heard will have 5 minutes to speak, and after everyone is heard, those who would like additional time, may speak for an additional 5 minutes. He introduced Don Rhodes and Ron Laberge from Laberge Group and then turned the meeting over to Don Rhodes.

Mr. Rhodes gave a brief synopsis of the project. He stated that the Town has considered sewer in this district in the past. In December of 2016 a public hearing was held for a \$23,000,000.00 project, which was withdrawn due to public controversy. The Town Board then hired Laberge Group to look at an alternative plan, which would be more broadly supported. There have been several meetings to discuss alternatives and after having done so, the Town Board asked that they move forward with the map, plan and report. He stated that the current proposal is predominantly north of Exit 17. The line will run north and down Bluebird Road, where it will connect to the force main near Sisson Road. In the past, it was based on Equivalent Dwelling Units (EDU's). He commented that it wasn't well received. The formula this time is based on Assessment and Acreage. He stated that there would also be a usage rate. Mr. Rhodes stated that this project would cost \$16,000,000.00 with an assumed \$4,000,000.00 in grant funds and with 0% financing on \$12,000,000.00. He went over the costs that would be involved with the debt, operation & maintenance and usage. He stated that the estimated costs were on appendix M of the map, plan and report. He explained that if growth were to occur, for each \$10,000,000 in assessed value, the ad valorem tax rate for debt would drop by \$1.00/\$1,000 for operation & maintenance. The next step will be for the Town Board to receive public comment at this public hearing followed by SEQRA resolution and

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then to decide whether or not to move forward with the project. If the Town Board doesn't move forward with the project, it doesn't advance. Mr. Rhodes stated that there have been questions as to when charges would come due if the project were to proceed. He stated that it would take about a year for construction to start and a year after for completion and therefore it would be approximately 3 years before fees would be due.

The Supervisor stated that this is exclusively the public's chance to be heard. He stated that the Town Board wouldn't be taking any action this evening. He asked that all comments be specific to the map, plan and report. He called on the first individual for comment.

Mr. John Munter introduced himself and his brother Mike Munter, owners of 1265 Route 9. They were both in favor of the proposed project.

Greg Hewlett was called upon and declined to speak.

Mandi Strassburg, owner 1337 Route 9. Not against having a sewer system but was opposed to this proposed project due to the costs involved.

Mary Sutphin Strassburg, mother (Rosalie Sutphin) owns Nassau Apartments 1333 Route 9. She stated that she was not against having a sewer system but was opposed to this proposed project due to the costs involved.

Steve Bhatti was called upon and declined to speak. The Supervisor asked if he would like to comment on whether he was in favor of the project or not. Mr. Bhatti stated that the line would go all the way down Bluebird Road and questioned if more people connected, would the costs go down. The Supervisor stated that he would get an answer to him but tonight's public hearing is just for comments.

Susan Villano, owner 1276 Route 9, was not in favor of the proposed sewer project at all.

Alan Oppenheim, owner 1442 Route 9, was in favor of the proposed project.

Barbara & John Schaffer, owner 1 Jamaica Avenue, declined to speak.

Harry Gutheil, owner of 3 parcels within the proposed district, not opposed to having sewer but is opposed to this proposed project. Mr. Gutheil had a prepared statement and ran out of time before he read it in its entirety. The Supervisor stated that the letter would be made a part of the record if he had a copy available for the Town Clerk. He also stated that once everyone else has had a chance to speak, he would give another opportunity to speak.

Jane Flagler, owner 1269 Route 9, was against the proposed project.

Lance Hillman, owner Hillman Properties, was in favor of having sewer but was opposed to this proposed project due to costs involved.

Preston Jenkins, 1446 Route 9, was in favor of having the sewer system but was opposed to this proposed project due to the affordability.

Cheryl Cross, owner 1411 Route 9, was in favor of having a sewer system but was opposed to this proposed project due to the costs involved.

The Supervisor called on individuals who did not own property within the proposed district.

Brigid Martin was in favor of the proposed project.

Reed Antis, Paris Road, listed several concerns he had regarding the project and didn't state whether he was for or against the project.

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Gardner Congdon, Congdon Road, made several comments about the plan itself but didn't state whether he was for or against the project.

John Kilmer, 45 Spier Falls Road, made several comments about the plan and had some suggestions but didn't say whether he was for or against the proposed project.

John Holz, 20 Oak View Drive, was opposed to the project.

The Supervisor went back around to those who wished to comment who are in the proposed district.

Jane Burnham, 1408 route 9, was against the project.

Greg Hewlett, 1429 Route 9, was for the project.

Chris Abrams, representing his father who owns property within the district, was for the project.

John Munter presented before the Board a second time with a question about those outside the district who may want to connect and if it would reduce the cost.

Harry Gutheil finished reading his prepared statement, which will be made a part of this record.

Sam Wahnnon, Route 9 property owner, was in favor of the project.

Preston Jenkins, property owner Route 9, spoke a second time.

Brigid Martin spoke a second time.

John Holz spoke a second time.

Mike Pugh, 1582 Route 9, not opposed to having a sewer system but suggested that those outside the district share the burden of the cost.

Madeline Roland, 1293 Route 9, not opposed to having a sewer system but suggested that the traffic conditions wouldn't allow for the growth.

Brigid Martin spoke a third time.

Reed Antis spoke a second time.

John Naja, former property owner Route 9, was against this proposed project.

There were no other comments from the public.

Supervisor Kusnierz thanked his Confidential Secretary, Lisa Sperry and Deputy Town Clerk, Jill Bennett for helping at the sign in table. The Supervisor asked, with no objection from the Town Board, he would like to close the public hearing.

Councilman VanTassel made a motion to close the public hearing but the Supervisor commented that a motion wasn't necessary if all in favor. He closed the public hearing at 8:21 p.m.

Respectfully submitted,

Leeann McCabe
Town Clerk

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