

A public hearing was held by the Town Board of the Town of Moreau on March 8, 2016 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York regarding Sewer District 1, Extension 5

Supervisor Congdon called the public hearing to order at 6:30 p.m.

Town Board Members Present

Alan VanTassel	Councilman
Bob Prendergast	Councilman
Gina LeClair	Councilwoman
Todd Kusnierz	Councilman
Gardner Congdon	Supervisor

Town Board Members Absent

None

Also Present: Leeann McCabe, Town Clerk; Malcolm O’Hara, Attorney for the Town; Travis Mitchell, SRH-TJM, LLC; Jesse Fish, Water Superintendent; Paul Joseph, Highway Superintendent; Elizabeth Lanfear, Supervisor’s Secretary; Sandy Mahoney, Recreation Program Director; Kathleen Moore, Post Star Reporter; Hal Leonelli; Drake Hewitt; Town Resident’s: Kevin Elms, Andrew Belair, Virginia Livsey, Bruce Flayer, Rich Morris, Reed Antis, Leo Bonneau Sr., Jim Rando, Maria Jennings, Mike Shaver, Terry Clark, Mary Jenkins, Kathie Spangler, Stevee Vittengl, Angela Wadsworth, Will Congdon, Jim Aiken; Village Resident’s: Charlie Granger, Chris Music, Brigid Martin, Linda Flood, Margaret Centerbar and Ann Celeste

The following Notice of Public Hearing appeared in the Legal Ad section of the Post Star newspaper on February 27, 2016

**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 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 Environmental Design Partnership, 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. A description of the boundaries of the proposed Extension No. 5 of Sewer District No. 1 and a list of the tax map parcels are annexed hereto and made a part hereof.

WHEREAS, said Map, Plan and Report, including an estimate of the cost, were prepared by Environmental Design Partnership (“EDP”), competent engineers duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said Extension No. 5 are described in **Exhibit A** attached hereto and incorporated herein; and

WHEREAS, the improvements proposed for said Extension No. 5 are as follows:

a. Winterberry Woods Subdivision: an 8 inch gravity collection system discharging to a new pump station to be constructed, approximately 1,300 feet of 4 inch force main, transition to 6 inch, any

A public hearing was held by the Town Board of the Town of Moreau on March 8, 2016 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York regarding Sewer District 1, Extension 5

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.

b. Arrowhead Meadows Subdivision: an 8 inch gravity collection system discharging to a new pump station to be constructed, 6 inch force main, any 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; and

WHEREAS, the Town Board has reviewed the Map, Plan and Report and has further determined that it is appropriate to schedule a public hearing on the formation of Extension No. 5;

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 March 8, 2016 at 6:30 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 January 19, 2016.

Dated: February 27, 2016

Gardner Congdon, Supervisor

The Supervisor welcomed everyone to the public hearing and introduced Travis Mitchell.

Mr. Mitchell gave a brief overview of his plan for the creation of Sewer District 1, Extension 5. The map, plan and report had been submitted last fall for Winterberry Woods and Arrowhead Meadows subdivisions. Winterberry Woods, a 66 lot subdivision, to be located within the southwest quadrant of the Bluebird Road/Fort Edward Road intersection and Arrowhead Meadows, a 84 lot subdivision, to be located within the southeast quadrant of the Bluebird Road/Gansevoort Road intersection. He stated that both of these properties are already within the water district and that he's submitted all the proper paperwork. He then asked if there were any questions.

Supervisor Congdon asked what the difference in density would be if the sewer district weren't extended. Mr. Mitchell stated that he would have to look at that. He stated that the plans right now are for 1/2 acre lots.

Supervisor Congdon asked Mr. Mitchell, that with regard to his map, plan and report, if he had reviewed the existing force main at the Industrial Park for its use. Mr. Mitchell stated that he didn't understand the question. Supervisor Congdon stated that a local law had been passed by a previous Town Board that set up the force main and the purpose for the use and legislation led to the construction of the force main. Mr. Mitchell stated that he did not review that. Supervisor Congdon asked if he had legal counsel and if they had received any advice for the mechanics of the plan. Mr. Mitchell stated that he had done sewer extensions before. He hadn't run into any issues in the past with the legality of the extensions. The Supervisor asked the Attorney for the Town if he had any information and Mr. O'Hara stated that they had a meeting and that a memo was to be put together before the March 22, 2016 meeting that will address some of these issues. The Supervisor stated that he had questions relating to the Bonds and the \$1,000,000.00 Grant and also the payment back to the General Fund for monies that were spent.

A public hearing was held by the Town Board of the Town of Moreau on March 8, 2016 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York regarding Sewer District 1, Extension 5

The Supervisor stated that the hearing can remain open but didn't feel that it should be continued until they can devise a way that's equitable to the taxpayers. He stated that laws were passed for a specific purpose with a mechanism by which taxpayers could be reimbursed if the use is changed. He doesn't have a problem changing the use if the majority of the Board chooses to do that but until there are answers, there is no need to continue the hearing.

Councilman Prendergast stated that this meeting was advertised as a Public Hearing and there may be members of the public that may want to comment.

Mr. Morris asked what the capacity is, how much has been used up and how much is left for the Industrial Park. He asked, if we have buyers and the capacity is used up, what the Town will do.

Mr. Mitchell stated that there is an 8" force main that will pump 1,100 gallons per minute and with all the existing and proposed projects, we're at 1/2 the capacity right now.

Mr. Morris stated that we need to find out if this is legal based upon the money that was given to the Town from the Federal Government. Mr. O'Hara stated that his partner is doing the research on this and will have answers by the next Town Board meeting.

Mr. Morris asked how the taxpayers will get reimbursed from the investment of the force main. He stated that the lots, once sold, will pay back the taxpayers, for the investment of the construction of the roads and the sewer. The Supervisor stated that the public approved this expenditure under those conditions.

Kevin Elms asked what the allowed capacity to the City of Glens Falls is.

Mr. Mitchell stated that with the contract the Town has with the City right now, it's 190,000 gallons per day. He stated that we're at 63,500 gallons per day right now and with the anticipated new projects the flow would be at 126,000 gallons per day. Jesse Fish stated, that according to his information, the usage right now is higher than these figures. Councilman VanTassel asked Mr. Mitchell about the contracted gallons per day and Mr. Mitchell replied, that it was his understanding, the Town originally contracted for 150,000 gallons per day and then contracted for an additional 40,000. This is not a limit of the infrastructure but more a limit of the treatment capacity contract with the city. He stated that additional capacity could be purchased. Councilman VanTassel asked what the capacity of the infrastructure was and Mr. Mitchell replied that it was 1,100 per minute. He also stated that with the numbers he has, the Town is at 1/2 of that but that he would go over his figures with the Water Superintendent.

The Supervisor stated that with this new development, the Town will be close to capacity.

Mr. Morris asked if the City of Glens Falls can expand their capacity. He had heard that they were at maximum capacity, so the Town would need to know if they would be able to contract for more capacity and if the City could handle it. He stated that once the Town gets the answer from the Attorney as to the legality issues they need to look at the capacity with the City and if they can handle more. He asked Mr. Mitchell if he had looked at all this information. Mr. Mitchell replied that when they submitted the plans, an engineer for the Town had looked at all of the figures.

Councilwoman LeClair asked if the main we have now will allow for additional capacity. Mr. Mitchell stated that he would get together with the Water Superintendent and go over his figures.

Councilwoman LeClair stated that the taxpayers put in \$1,000,000.00 for this sewer infrastructure. She asked how much we can afford to give away and how much do we maintain so that we can bring in industry.

Mr. Morris asked if this project could move forward with regular septic systems. Mr. Mitchell replied that it could but as a community, if sewer is available it would be better.

A public hearing was held by the Town Board of the Town of Moreau on March 8, 2016 in the Town of Moreau Municipal Building, 351 Reynolds Road, Moreau, New York regarding Sewer District 1, Extension 5

Kevin Elms stated that the Town just gave money back to Rich Schermerhorn and it was his understanding that part of that money was for buy-in capacity. He stated that the Town needs to look at this.

Councilman Prendergast stated that there was a similar situation years ago but regarding the capacity for water. Burley and Guminiak looked at what was approved, what was not approved and what was in the works, to determine if there would be enough capacity.

Reed Antis asked if there was a 6” main to go along with the 8”. Mr. Mitchell replied “yes”. The 6” is for immediate flows and the 8” is for future flows.

Mr. Morris stated that when you centralize sewers, all the sewage that goes to the City of Glens Falls gets treated but then goes back into the river. The more we send to Glens Falls, the more gets dumped into the river. He stated that to spread it out is ok. By using septic it would be taking care of the waste in a natural way and it wouldn't kill his project. The density would remain the same because they wouldn't require wells.

The public hearing was not closed and will remain open until the next regular meeting to be held on March 22, 2016.

The meeting adjourned for the evening at 7:15 p.m.

Respectfully submitted,

Leeann McCabe
Town Clerk

The above minutes are not intended to be a complete transcript, only a summary. To hear the full audio of the meeting, please visit the Town's website at: www.townofmoreau.org