

A. CONVOCAATION:

1. The Canadice Town Board Informational Meeting/Public Hearing was held on August 20, 2016 at 10:00 am at the Honeoye Central Middle High School.

2. Roll call showed the following-

Present: Supervisor Kristine Singer
 Councilman John O'Connor
 Councilman William Hershey
 Councilman Mark Malmendier

Absent: Councilman Mark Statt

Others Present: One hundred eleven (111) guests/residents attended the meeting.

3. Salute to the Flag.

B. PUBLIC HEARING: Water District #1 Informational Meeting/Public Hearing.

Supervisor Singer indicated the purpose of the meeting today is informational to provide you with the project status and to conduct a public hearing pursuant to EDPL Article 2, Section 202 of New York State's Eminent Domain Procedure Law. We will start with Mr. Mike Schaffron from LaBella. Hold questions while he goes through his presentation. Then, questions anyone has in reference to the district as a whole will be taken. Any questions we are unable to answer, someone will contact you later. Lastly, any questions pertaining to your specific property or situation will not be answered during this meeting, but will be addressed later. Notaries are on-site if you wish to execute your easement, and an extra copy will be available for you to take today. Also good news was received this week. An announcement was made Tuesday that Canadice will receive a \$3M grant.

1. Mr. Mike Schaffron from LaBella Associates PC outlined the public purpose to be served by the proposed water district and the overview of the project to date.

Mr. Schaffron indicated he began working on this project a little over five years ago. The town board started the project to provide potable water for residents. Health concerns have been increasing with the documentation of blue-green algae in the lake that release toxins damaging to the liver and nervous system. Honeoye Lake is a direct water source for many residents with additional properties having near-shore wells. The Department of Health supported the project to change from near-shore wells or lake supplies to public water. Public water would be safer and also provide fire protection for the area.

A pump station and master meter will be set up at the town line; this is the point where the town will purchase water from Monroe County Water Authority through the Intermunicipal Agreement that was secured in 2014. Also, an emergency powered generator will be installed. There will be the ability to back feed the Town of Richmond in the event there is a break in the water main along the west side of County Road 36. A 193,000-gallon reservoir tank 39 feet in diameter and 24 feet high will be installed on a section of land currently owned by Dr. Kader. Water mains will be installed along County Road 36, the lake-front communities and Old West Lake Road. They will be interconnected at the pump station to the north, at Joe Bear Drive in the middle of the system and south of Bartholomew Drive. There will be 34,000 linear feet of water main installed, 8" diameter except for the main coming from the reservoir which will be a 12"

diameter main. There will be valves and hydrants throughout the system. Hydrants will be installed at a distance not exceeding 600 feet. Accessibility of the hydrants has been reviewed with the Fire Chief. The water will be re-chlorinated as it leaves the reservoir. Water pressure will be about 90 to 100 lbs. Along County Road 36 the pressure will typically be 70 to 80 lbs. Property owners will be required to install a pressure reducing valve on their home plumbing. The system is capable of providing fire flows along the lake-shore community of 1,000 gallons per minute and 750 gallons per minute along the west side of County Road 36. Services will be provided to any home that desires a connection. The fees are incorporated into the project costs. If connecting at a later date, there will be an additional fee to the homeowner. The connection from the right-of-way or easement line to the house is the homeowner's responsibility and that distance varies. Typical water service could cost \$1100 a year.

Construction will generally be open-cut installation; some areas will be directional drilling. County Road 36 crossings and several of the creek crossings are planned for directional drilling currently. Other areas may be changed to directional drilling depending on the area and where the budget is at that time.

Project Costs – Estimated at \$5M with secured funding from Rural Development including a grant for \$750,000 and a low-interest loan for the remainder of the project costs at 2.125% over a 38-year period. An estimated grant of \$3M for Canadice was just announced from the Governor's office as Supervisor Singer mentioned. Some strings or requirements will be attached to those funds. When the district was formed, we were projecting a \$452-per-year debt service, an improvement fee of \$60 per year from Richmond and O&M fee is estimated at \$25 per quarter plus \$7.80 per thousand gallons used (estimated usage is 56,000 gallons per year on average for a family of four); these fees were all part of the estimated costs.

Through the State Environmental Quality Review, the Town Board determined there is a negative declaration to this project and will not have a significant impact to the environment.

Since Federal funding is involved, the project is subject to the National Environmental Policy Act. Therefore an Archeological Investigation took place and nothing was found that would deter construction. The investigation was coordinated with the Seneca Nation, Tonawanda Seneca Nation, NYS Forest Service, US Fish and Wildlife, NYS Department of Environmental Conservation, NYS Ag & Markets, US Army Corps of Engineers for potential impacts to wetlands and water courses, and NYSDEC for Water Supply & Wetlands.

Construction through pavement, gravel, or grass will be replaced with in-kind restoration. There will be erosion control measures used. The project is still scheduled to go to bid the spring of 2017.

2. General questions were addressed to Sheila Chalifoux the Attorney for the Town, the Town Board and Mike Schaffron as the engineer for the project.

*Mr. George Emens, 5631 Poplar Cove – Is there a financial advisor or group used on projects this size? Supervisor Singer indicated Bernard P. Donegan Inc. is the financial advisor and Bond Counsel is Harris Beach. His second question pertains to public safety and if the fire department had a chance to review hydrant placement; are there hydrant markers being installed at the time of construction? Mr. Schaffron indicated hydrant markers will be placed during construction.

*Mr. Kevin Murphy, 5966 Pickerel Point – He prefers more directional drilling and feels it should not be left to the discretion of the contractor to choose the areas that directional drilling will take place. His second

comment relates to the contract executed with the City of Rochester for operation and maintenance of the system. Now that the Town of Richmond contracts with Monroe County Water Authority, would Canadice look at that option? Supervisor Singer indicated we did negotiate with Monroe County Water Authority and the City of Rochester Water Authority back when the Town of Richmond decided to eliminate their water department. It was determined the requirements for materials by MCWA would increase the cost of the project significantly. In addition, the response time for MCWA if there an issue arose was greater as opposed to City of Rochester Water Authority staff coming out of Hemlock.

*Mr. Paul Smith, 6047 Bartholomew Drive – Why not stay on the main road for their easement? There are a lot of hidden costs, such as draining the system in the winter, why are they not available? Mr. Schaffron indicated the main reason for the location of the proposed water main is they have to stay ten feet from the sewer system plus minimize disturbance of vegetation and roads. He will meet with the Smiths after the meeting to look at their specific location. As far as the additional unknown costs - the Board still has to develop the guidelines for some of those items. Turning off the water service at the easement line or right-of-way line most likely will incur a fee.

*Mr. Tim Arlington, 5468 County Road 36 – The water main is planned for the east side of County Road 36; they are located on the west side of County Road 36 and the topography on their property seems a better location for the water main. Mr. Schaffron indicated the water main connection from the Town of Richmond which Canadice will hook into is on the east side of County Road 36. In addition, it's approximately \$25k to \$30K extra each time the water main crosses under the road. He would be happy to look at that specific area again.

*Mr. Mike Ohlweiler, 5409 Rainbow Lane- Mr. Ohlweiler questioned the location of the pump house and electrical back-up. Is that the only place in terms of engineering they can be located? Mr. Schaffron indicated they do have to be fairly close to the pipe Canadice will be hooking into at the town line. Mr. Ohlweiler indicated his experience with the easement process hasn't gone well. With all the emotion involved he wanted to make sure the Town Board was aware and thoughtful. Could the Board have more positive dialogue? Supervisor Singer indicated they have been trying to do that. The attorney is here and can meet with residents after this meeting or set up another time. Mr. Ohlweiler was not happy this meeting was scheduled before they had an opportunity to meet with anyone. Supervisor Singer indicated the meeting was scheduled as soon as it was in order to hold the public hearing before Labor Day and residents start to leave town. To keep this project going, we have handled some of the pieces out of order or overlapping. Such as the permanent easements, and the temporary easements and the release from DEC for stream crossings. There are still a few revisions being handled with residents, and we have to meet all the criteria from the Department of Health, DEC, and NYS.

*Sheila Chalifoux, Attorney for the Town introduced herself. She has been doing this for 25 years and understands the emotion involved in this process. But she has a job to do and will be glad to meet with residents anywhere. The project has to move forward and she will try to make it as easy as possible. It would be preferable not to go to court, but we may have to in order to complete the easement process. She will be in the back after the meeting to answer questions.

*Mr. William Bouwens, 6087 Southwest Shores – Understands there is new paperwork to review. Supervisor Singer indicated the updated paperwork is in the back and can be reviewed after the meeting.

*Mr. Dave Kesselring, 5649 Poplar Cove – Received a letter in May dated March and doesn't understand why he is giving 37 feet of his lake-front property to the Town for an 8-inch pipe. Also if there is an existing well, can that be used for watering plants or lawns instead of paying for water? Mr. Schaffron indicated the well can be used, but needs to go through a process to make sure the public water supply is protected and always separate. The easement includes space for the construction to take place. In many cases they are also including the right to use the private roadway. Mrs. Chalifoux mentioned they are asking for a wider easement if you own the actual roadway.

*Mr. Harold Lauer, 5501 Francis Shores – Will the survey markers that are moved during construction be put back in the correct location and do property owners need to be present when the water is turned off for the winter or turned back on in the spring? Mr. Schaffron indicated if the survey markers are disturbed they will be reset by a licensed surveyor. Where they have already been located, the markers are documented on the maps. If you know of others, please let us know. As far as the water being turned on and off; in general you would call the Town with the dates and the Water Bureau would be provided that information. When the representative comes to take the meter out and take the final reading, it would have to be stored somewhere. The district may require you to be there. You might want to do some other things inside such as draining the lines.

*Mr. Dan Nolan, 5801 West Shore Cove - He has been a resident for 44 years. Two water supplies, one a shallow well and one the lake water and they drink neither source. As far as the disconnection of the water supply currently used – what do we have to do to continue using one of those water supplies? Mr. Schaffron indicated a backflow prevention device would have to be installed on your water supply. Mr. Nolan questioned if a physical disconnection would work and Mr. Schaffron indicated the backflow prevention device may be required. Mr. Nolan questioned if all of the piping would have to be removed from the existing water supply. Supervisor Singer indicated we haven't reached the point of how that question will be addressed yet. Mrs. Chalifoux mentioned there will be a public hearing when that process is being developed. Mr. Nolan questioned how deep the pipe will be constructed. Mr. Schaffron indicated they will go below gulleys. If they cannot achieve the required separation from the sewer, a variance will be requested from the Department of Health and will only be granted as a last resort. Mr. Nolan questioned the \$25K or \$30K to cross under the road. Mr. Schaffron indicated that is for the County Road not driveways.

*Mr. Phil Reifsteck, 5725 Sunset Drive – Why do the meters have to be removed each year from the seasonal-use cottages and does the backflow device have to be checked? Mr. Schaffron indicated they don't like to remove the meters if it isn't necessary. The meter pit is fairly deep, but part of that answer is dependent on what the property owner has for a plumbing system from the meter to the house. The meter pit will be purchased from the district and owned by the property owner. Mr. Schaffron also indicated the backflow device would have to be checked regularly and probably by the Water Bureau at the homeowner's expense.

*Mr. Don Cook, 6185 County Road 36 – With the revisions that are taking place for easements, will there be new maps provided and new easements to sign? Supervisor Singer indicated there are updated easements already prepared and some are still being processed. Mr. Schaffron indicated normally those revisions would have all been taken care of at once, but since we have been processing easements as they are ready to keep the project moving forward the project order is a little different.

*Mr. Frank Reitano, 6247 Southwest Shores – Natural gas is very important to many of the property owners since it will offset some of the cost of the water project. He had heard a rumor the Public Service

Commission is requiring a fee that will make the project cost prohibitive. Councilman Malmendier has been working on the possibility of natural gas for that area. The rumor is not exactly correct. National Fuel Gas does not have to acquire any property, but there may be easements. There are still some regulatory items to be resolved with the Public Service Commission. National Fuel Gas also needs to decide if it is worth the costs involved to move forward. Gas service is still a possibility, but it would not be installed at the same time as the water. Mr. Reitano questioned if there is anything property owners can do to help. Councilman Malmendier indicated there is a section on the Canadice website for the water district that should have some links that would be helpful.

*Mr. Rick Mitchell, 5844 Sleepy Hollow Lane – Received easement papers asking for a 44-foot easement and has a 35-foot right-of-way. It is already being reviewed to possibly reduce the easement size. He works in the architect/construction business and is used to seeing a ten-foot wide easement. A temporary construction easement would seem to be better and wants to know why that isn't being used. Supervisor Singer indicated since that is site specific it will be recorded and Mr. Schaffron or Mrs. Chalifoux will address the question.

*Mr. Chris Costanza, 7 Ranch Road – As costs increase on the project, has anyone looked at drilling new wells and installing reverse osmosis systems plus fixing the bad water source as opposed to installing public water? Mr. Schaffron indicated we had to look at alternative sources of public water supply when applying for Rural Development funding. The reverse osmosis systems would not be subject to public funding. Early on the Town took a survey and residents felt the water quality had degraded significantly in recent years. Not every property owner would have the funds to install a reverse osmosis system. Supervisor Singer indicated back around 1998 a potential joint water system with the Town of Richmond was investigated. That didn't happen, but installing a Town well was researched. There were not a lot of locations that would supply enough volume and quality. When the Town of Richmond switched from Town wells to the public water supply, the opportunity to investigate public water for Canadice presented itself.

*Ms. Kim Malcom, 5545 Twin Bay Drive – The water main needs to maintain a required distance from the sewer line and their sewer line goes up the middle of the road. How will the water line be constructed from across the street to their property? What are the restrictions for crossing a sewer line? Mr. Schaffron indicated a preference will be given to going over the top of the sewer instead of under and will maintain 18 inches of vertical separation between the sewer and water mains. No joints are allowed between the two services. Ms. Malcom mentioned it's a long water line being installed; will people connect as it's constructed or when it's finished? Mr. Schaffron indicated typically the key components will have to be in place. The meter pit, pump station and the reservoir before any services start. Authorization for use of the main must be secured from the Department of Health. So it might happen in phases.

*Ms. Carla Collichio, 6063 Bartholomew Drive – Commented there is always conflict with eminent domain and private property, but the evidence for public water is overwhelming. She has spent thousands on materials for her water supply source over the years. The only thing she has had to do is show up to the public meetings and wants to thank everyone for all the work that has gone into the project over the years.

*Mr. Gregory Goodridge, 5856 Joe Bear Drive – Will there be a meeting when contractors go over the details for each area? There are some private power lines that might need to be discussed. Some issues with property pitch and tree replacement created problems when the sewer lines were constructed. Mr. Schaffron indicated the point of contact will be the construction inspector. This is a good point, as there are many private utilities that only the property owner is aware of. Any dialogue between homeowners and the

construction inspector would be helpful. Councilman Malmendier has already received sketches from several people that have been forwarded to LaBella.

*Mr. John DeMaria, 5822 Sweet Pea Lane – He needs more specific information in relationship to his property and isn't sure which person to contact. It was determined Councilman Malmendier will be the initial contact.

*Mrs. Chalifoux indicated this hearing is not just for questions. If anyone has further objections or comments, they should be brought up now. The record is also open for seven days if you think of any other comments, objections or questions; please send them in to the Town. Mrs. Chalifoux will also be entering into the record the SEQR documents, maps of outstanding properties and related environmental documents. There will be a period of 90 days to review the record at the Town Clerk's office and at the County Clerk's office before we go forward with the eminent domain process. As far as after the meeting today; if there is a question on the route of the water service it should be addressed to Mr. Schaffron, easement questions of any kind can also be addressed to Mr. Tom Peaslee from my office; we will all be around after the meeting.

*As there were no more questions, comments or objections at this point, Supervisor Singer thanked everyone for coming.

C. ADJOURNMENT:

Councilman O'Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to adjourn the meeting at 11:24 am.

APPROVED Ayes 4 Singer, O'Connor, Hershey, Malmendier
 Nays 0

Respectfully submitted, _____ Eileen Schaefer, Town Clerk