

TOWN OF STERLING  
PUBLIC HEARING/SPECIAL MEETING  
JUNE 5, 2017

A public hearing/special meeting of the Sterling Town Board, County of Cayuga and State of New York was held on the 5<sup>th</sup> day of June, 2017 at the Sterling Town Hall, 1290 State Rt. 104A, Sterling, NY 13156 at 7:00 pm.

PRESENT:	Randall Lawrence	Supervisor
	Leigh Shortslef	Councilperson
	Gus Taft	Councilperson
	June Smith	Councilperson
	Todd Seymour	Councilperson
	Lisa Cooper	Town Clerk
	Brian Soper	Highway Superintendent
	Bob Guminiak	c2ae
	Ian Yerdon	c2ae
	Allison Nelson Esq.	Attorney for the Town on Water District #3

AUDIENCE MEMBERS: Approximately 45 People

Ian Yerdon, c2ae gave a brief presentation on Water District #3. He reviewed the handout sheets he presented to the Board and audience members.

Allison Nelson, Attorney for the Town, discussed the voting rules to the audience members. She stated that NYS Town Law states only the owners of the properties in this district are the only ones that can vote. She stated the vote will be August 8, 2017 from noon to 7 pm. She also stated that the County does not facilitate the vote but the Town Clerk oversees the vote.

Bob Guminiak, c2ae, stated that if the water line is on the opposite side of your property, they will drill under the road which will not be an extra cost to the resident. He also stated Rural Development did offer the Town a grant for this water district.

Joan McIntyre, State Rt. 104A asked the following questions: if we do not hook up to the water, will we still be charged? Bob Guminiak stated yes, the base amount. Joan asked why should they pay if they are not hooking up? Bob stated that it is like school taxes, don't have children in school but you still have to pay. Joan asked about wetlands. Bob stated the Assessor has to determine that the property is wetlands. Joan also asked if Fair Haven has enough water for Sterling. Bob stated the well has been tested and there is enough water.

Dave McIntyre, State Rt. 104A asked if there is an impact study. Bob stated the village does an annual report and there is an engineering report.

Dave Mendenhall Sr.-State Rt. 104A asked if the property is vacant is there a charge? He also stated that he would rather replace his pumps for his well instead of paying for water. Ian stated 1 lot is 1 EDU. Vacant is 1/2 EDU.

TOWN OF STERLING  
PUBLIC HEARING/SPECIAL MEETING  
JUNE 5, 2017

Shirley Jones, State Rt. 104A asked why do they have to pay for other that have bad wells. She stated that they have a good well. Bob stated that Rural Development has offered the Town a grant for this project.

Clara Cooper, Center Rd., stated that she has had issues with water in the past and would like to see water to come to the area.

Ed Dodge, Curtis Co-Op Rd. stated his building is vacant (with no water) would it be ½ EDU? Is the meter pit paid by the Town? Bob stated yes, the meter pit is paid through this grant.

Pete VanWaes, State Rt. 104A asked the location of the taps? Bob stated a survey will go to every property owner and ask where they would like the tap located.

Shirley Jones, State Rt. 104A asked if they could guarantee the pipes won't break.

Linda Ahart-Sterling Station Rd., the owner of the property works out of town, how would he vote? Bob stated they would have to come in and vote personally.

Carol Mendenhall-State Rt. 104A, asked if it does pass and they decide not to hook up, do they have to pay for it? Ian stated they have to pay for the line.

John Johnson, Center Rd., stated that he had new septic tank put in and was not sure where the leach field is located. Ian stated he would have to find out and to make the connection.

Andy Joyce, State Rt. 104A asked if the loan was fixed or variable. Bob stated fixed.

Jim Creller-State Rt. 104A stated that Fair Haven doesn't have enough water for this project.

Councilperson Taft, asked the Mayor of Fair Haven if it was true there was not enough water for this project. Jim Basile, Mayor stated he has lived in Fair Haven since 2001 and there has never been a problem. He also asked if he could have a copy of the report from c2ae.

Paul Jones, State Rt. 104A asked who controls the bad wells? Bob stated the County Health Department.

Dave Mendenhall, State Rt. 104A stated he has large road frontage. Bob stated it was by parcel not how many feet of road frontage you have.

Linda Ahart-Sterling Station Rd., stated that RG&E hit their water line and it cost them \$4,700 to repair.

Dave McIntyre-State Rt. 104A stated are they going to put sewer in also? Bob stated no.

Tammy Sherman, State Rt. 104A stated that she was excited that water was coming to her area.

TOWN OF STERLING  
PUBLIC HEARING/SPECIAL MEETING  
JUNE 5, 2017

Jim Creller, State Rt. 104A asked about the survey of the water district. Ian stated 30% stated they did not want water and 60% did want water.

On motion made by Councilperson Smith, seconded by Councilperson Taft, to close the public hearing at 8:01 pm. Carried.

Supervisor Lawrence stated that the Board needed to open the special meeting. Time 8:05 pm.

(At this time, most of the audience members had left the building.)

**RESOLUTION 2017-096**

**RESOLUTION ESTABLISHING TOWN OF STERLING WATER DISTRICT NO. 3**

On motion made by Councilperson Taft, seconded by Councilperson Shortslef, the following resolution was

ADOPTED AYES 5  
NAYS 0

WHEREAS, the Town Board has been asked to consider the formation of a water district in the Town of Sterling to be known as the Town of Sterling Water District No. 3, pursuant to Article 12-A of the Town Law of the State of New York; and

WHEREAS, the Town Board of the Town of Sterling directed that C2AE, to prepare a Map, Plan and Report to consider all aspects of the proposed water district; and

WHEREAS, said Map, Plan and Report was duly filed with the Town Clerk for the Town of Sterling on the 26th day of April, 2017; and

WHEREAS, at a regular meeting of the Town Board for the Town of Sterling held the 1st day of May, 2017, the Town Board reviewed the Map, Plan and Report and directed the Town Clerk to publish an Order and Resolution/Notice of Public Hearing scheduling a public hearing on the proposed water district for the 5th day of June, 2017 at 7:00 p.m. at the Sterling Town Hall, 1290 State Route 104A, Sterling, New York, and to publish notice of same in the official newspaper for the Town all pursuant to Article 12-A, Section 209-d of the Town Law of the State of New York; and

WHEREAS, the Notice of the Public Hearing was published in the official newspaper of the Town, Lake Shore News, and posted on the Town bulletin board pursuant to Section 209-d of the Town Law of the State of New York; and

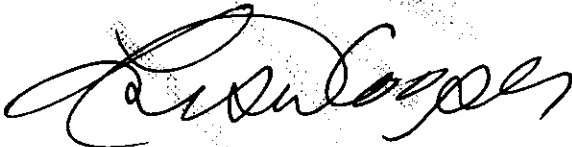
WHEREAS, said public hearing having been held June 5, 2016 at 7:00 p.m., after notice, with all interested persons having been heard on the proposed district; and

TOWN OF STERLING  
PUBLIC HEARING/SPECIAL MEETING  
JUNE 5, 2017

WHEREAS, the Town Board at this regular meeting following the public hearing, had a full discussion pertaining to the proposed Town of Sterling Water District No. 3, has heard the public comments, and has discussed same with the Consulting Engineers, C2AE, as well as with the Attorney to the Town Board, Allison J. Nelson, Esq.

1. That the notice of public hearing was published and posted as required by law and is otherwise sufficient;
2. That all of the property and property owners within the proposed district are benefitted thereby;
3. That all of the property and property owners benefitted are included within the limits of the proposed district;
4. That the formation of the proposed district is in the public interest;
5. That based upon 1-4 above, this Board does hereby approve the formation and establishment of the water district to be known as the Town of Sterling Water District No. 3 pursuant to the terms and boundaries as found in the Map, Plan and Report prepared by C2AE, Consulting Engineers, and filed with the Town Clerk the 15th day of December, 2015; and
6. The Town Board further determines that this Resolution shall be subject to a mandatory referendum, and that said referendum shall be held the 8<sup>th</sup> day of August, 2017, at the Sterling Town Hall from the hours of 12:00 p.m. through 7:00 p.m. All owners of real property located in the district as shown on the 2017 assessment rolls will be eligible to vote. A copy of the Map, Plan and Report as prepared by C2AE, Consulting Engineers, may be reviewed at the Town Clerk's Office, said Map, Plan and Report contains a map of the district showing the boundaries and the tax parcels therein.

There being no further business, on motion made by Councilperson Smith, seconded by Councilperson Seymour, the meeting adjourned. Time 8:11 pm. Carried.



Lisa Cooper, MMC  
Sterling Town Clerk