

**Town of Charlton
Saratoga County
Meeting of the Town Board**

PUBLIC HEARING

**PUBLIC HEARING ON ESTABLISHMENT OF EXTENSION NO. 6 FOR THE
TOWN OF CHARLTON WATER DISTRICT NO. 1
COUNTY OF SARATOGA, STATE OF NEW YORK, PURSUANT TO ARTICLE 12
OF THE TOWN LAW OF THE STATE OF NEW YORK**

**July 29, 2013
7:00 PM**

The Public Hearing for the proposed establishment of Extension No. 6 for the Town of Charlton Water District No. 1, County of Saratoga, State of New York, pursuant to article 12 of the Town Law of the State of New York was held at 7:00 pm at the Charlton Town Hall, and called to order by Supervisor Grattidge.

Present: Councilman Gardner, Councilman Lippiello, Councilman Salisbury, Councilman Verola, Supervisor Grattidge, Town Clerk Brenda Mills, Attorney Van Vranken, Water Superintendent John Morgan, Town Engineer Mike McNamara, Attorney Bill Ryan, Dean Durst.

Town Clerk Brenda Mills confirmed that the attached legal notice was published in the official newspaper, The Daily Gazette on Friday July 19th, 2013.

Attorney Bill Ryan verified that he received the Affidavit of Posting for the legal notice, and that the notice was also posted on the Town's bulletin board outside the Clerk's office as well as put on the Town's website.

Attorney Ryan said that the Extension is being created under Article 12, and the required map plan report has been filed with in the Town Clerk's Office. He stated that there will be 24 homes in the Heflin Durst subdivision and 8 parcels along Crooked Street that will be included in the Extension. The maximum cost to the developer to construct and install the project is \$360,000.00. None of the capital costs will be paid for by the homeowner, but rather the expense of the developer. The estimated annual cost to property owners will be \$205.00. The Town should have the developer sign an escrow agreement and have retainage held. The Water District Extension will have to be reviewed by DEC.

Mike McNamara, the Town Engineer, stated that his questions regarding the project have been answered.

Councilman Verola asked if the Department of Health needed to be notified. Attorney Ryan said that the Engineer for the developer will submit the project to the DEC and Department of Health.

PRIVILEGE OF THE FLOOR

Roberta Sarutto of Crooked Street, said that she is desperate to hook up to the water line and really hopes that this project will go through.

Councilman Lippiello asked what the next steps will be. Attorney Ryan said that he will prepare the resolution for the next meeting. After 10 days after it's approval, he will file it with the property description with the Saratoga County Clerk and Department of Audit and Control.

Supervisor Grattidge said that the Planning Board will need to review and approve the project before work can begin.

Councilman Gardner asked if the Town's current water storage capacity is enough to add more homes. Mike McNamara said that he feels that we have ample storage and adding 24 more homes should not be a problem.

RESOLUTION #107

Adjournment of Public Hearing

Motion by Councilman Verola

Seconded by Councilman Salisbury

Motion made to adjourn the Public Hearing at 7:23 p.m.

Vote: All Ayes, No Nays. **CARRIED**

Meeting Adjourned.

Respectfully submitted,

Brenda Mills
Town Clerk

NOTICE OF PUBLIC HEARING

COUNTY OF SARATOGA
TOWN OF CHARLTON
July 8, 2013

**ORDER FOR PUBLIC HEARING ON ESTABLISHMENT OF EXTENSION NO. 6 FOR THE
TOWN OF CHARLTON WATER DISTRICT NO. 1
COUNTY OF SARATOGA, STATE OF NEW YORK, PURSUANT TO ARTICLE 12
OF THE TOWN LAW OF THE STATE OF NEW YORK**

WHEREAS, a map, plan and report have been prepared in such manner and in such detail as is required by Article 12 of the Town Law of the State of New York and a petition pursuant to Article 12 of the Town Law of the State of New York relating to the establishment of Extension No. 6 for the Town of Charlton Water District No. 1, in the Town of Charlton, County of Saratoga, State of New York, has been filed in the Town Clerk's Office; and

WHEREAS, said map, plan and report was prepared by Lansing Engineering, PC, competent engineers, duly licensed by the State of New York, showing boundaries of the proposed District, general plan of the District and an analysis showing the costs thereof and method of operation; and,

WHEREAS, said map, plan and report shows all facilities, including mains and transmission lines, together with the location and the general description of all public works required; and,

WHEREAS, the boundaries of the proposed district are as described in Exhibit "A" annexed hereto; and,

WHEREAS, the improvements proposed consist of the construction of the infrastructure for Extension No. 6 to Water District No. 1 including, but not limited to, mains, laterals and transmission lines, in accordance with the map, plan and report now on file in the Office of the Town Clerk of the said Town of Charlton; and,

WHEREAS, the maximum amount proposed to be expended for said improvements is the sum of Three Hundred Sixty Thousand (\$360,000.00) Dollars; and,

WHEREAS, approval of the New York State Comptroller will not be required for the formation of Extension No. 6 for Town of Charlton Water District No. 1 inasmuch as the costs for all utilities and improvements will be paid entirely by the project owner/developer of the Heflin Durst Residential Cluster Subdivision; and,

WHEREAS, said map, plan and report describing said improvements are on file in the Town Clerk's Office for public inspection; and,

WHEREAS, the first year cost for full operation for the typical property within the District is \$205.00 for the water use fee and in addition residents of Extension No. 6 will be subject to the Town of Charlton Water District service charges and fees as set forth at Appendix I within the map, plan and report.

NOW, THEREFORE, it is hereby **ORDERED**, that the Town Board of the Town of Charlton, shall meet and hold a public hearing at the Town of Charlton Town Hall, 758 Charlton Road, Charlton, New York 12019, in said Town, on the 29th day of July, 2013, at 7:00 p.m., local time, to consider said petition and the map, plan and report and to hear all persons interested in the subject thereof as is required or authorized by law.

The foregoing was moved by Councilman Verola, and seconded by Councilman Salisbury.

The adoption of the foregoing order was duly put to a vote, and upon roll call, the vote was as

follows:

Moved by	Councilman Verola	Voting:	Councilman Gardner	Aye
			Councilman Lippiello	Absent
Seconded by	Councilman Salisbury		Councilman Salisbury	Aye
			Councilman Verola	Aye
			Supervisor Grattidge	Aye

I certify that this is a true and exact copy of this original as passed by the Town Board of the Town of Charlton on

Dated: July 8, 2013

Brenda Mills, Town Clerk

“Exhibit A”
PROPOSED LEGAL DESCRIPTION
TOWN OF CHARLTON WATER DISTRICT #1
WATER DISTRICT EXTENSION #6
TOWN OF CHARLTON, SARATOGA COUNTY, NEW YORK
 (REVISED 06/17/13)

All that piece or parcel of land situate, lying and being in the Town of Charlton, County of Saratoga and State of New York, lying westerly of the existing Town of Charlton Water District No. 1, including certain properties, as described below, abutting Crooked Street between Swaggertown Road (Saratoga County Route 52) and the westerly boundary of said Town of Charlton Water District No. 1, Water District Extension No. 4, and certain properties abutting said Swaggertown Road within the 24 lot subdivision known as “Heflin-Durst development”, and being further bounded and described as follows:

Beginning at the point of intersection of the southerly line of Crooked Street and the westerly boundary of the Town of Charlton Water District No. 1, Water District Extension No. 4, said point being approximately 800 feet east of the intersection of said Crooked Street with Swaggertown Road and being the northeast corner of tax parcel 256.-1-75; thence running southerly along the easterly boundary of tax parcel 256.-1-75 a distance of approximately 660 feet to a point at the southeast corner thereof; thence westerly along the southerly boundary of tax parcels 256.-1-75 and 255.1-24.5 a distance of approximately 295 feet to a point at the southwest corner of said tax parcel 255.-1-24.5; thence northerly along the westerly boundary of tax parcel 255.-1-24.5 a distance of approximately 275 feet to a point at the southeast corner of tax parcel 255.-1-24.4; thence westerly along the southerly boundary of said tax parcel 255.-1-24.4 a distance of approximately 150 feet to a point; thence northerly along the westerly boundary of tax parcel 255.-1-24.4 a distance of approximately 270 feet to a point at the southeast corner of tax parcel 255.-1-24.1; thence westerly along the south boundary of said tax parcel 255.-1-24.1 a distance of approximately 340 feet to a point on the easterly line of Swaggertown Road; thence running southerly along said easterly line of Swaggertown Road a distance of approximately 110 feet to a point; thence westerly about 50 feet crossing said Swaggertown Road to a point on the westerly line thereof at the northeast corner of tax parcel 255.-1-42; thence westerly along the northerly bounds of said tax parcel 255.-1-42 a distance of approximately 225 feet to a point; thence southerly along the westerly boundary of tax parcels 255.-1-42 and 255.-1-40.2 a distance of approximately 70 feet to a point; thence easterly along the southerly boundary of said tax parcel 255.1-40.2 a distance of approximately 225 feet to a point on the westerly line of Swaggertown Road; thence running southerly along said westerly line of Swaggertown Road a distance of approximately 223 feet to a point at the northeast corner of tax parcel 255.1-40.3; thence westerly along the northerly

boundary of said tax parcel 255.1-40.3 a distance of approximately 469 feet to a point; thence northerly along the boundary of tax parcel 255.-1-40.3 a distance of approximately 93 feet to a point; thence westerly along the northerly boundary of tax parcel 255.-1-40.3 a distance of approximately 850 feet to a point; thence southerly along the westerly boundary of tax parcel 255.-1-40.3 a distance of approximately 293 feet to a point on the northerly boundary of tax parcel 255.-1-39.1; thence westerly along said northerly boundary of tax parcel 255.-1-39.1 a distance of approximately 1175 feet to a point on the easterly boundary of the County of Schenectady; thence running northerly along said easterly boundary of the County of Schenectady a distance of approximately 1,335 feet to a point at the southwest corner of tax parcel 255.-1-44; thence easterly along the southerly boundary of said tax parcel 255.-1-44 a distance of approximately 592 feet to a point; thence northerly along the easterly boundary of tax parcels 255.-1-44 and 255.-1-46.2 a distance of approximately 709 feet to a point; thence easterly along the southerly boundary of said tax parcel 255.-1-46.2 a distance of approximately 1,583 feet to a point at the northwest corner of tax parcel 255.-1-45; thence southerly along the westerly boundary of tax parcel 255.-1-45 a distance of approximately 315 feet to a point; thence easterly along the southerly boundary of tax parcel 255.-1-45 a distance of approximately 560 feet to a point on the westerly line of the aforementioned Swaggertown Road; thence running easterly about 50 feet crossing said Swaggertown Road to a point on the easterly line thereof; thence northerly along said easterly line of Swaggertown Road a distance of approximately 35 feet to a point at the northwest corner of tax parcel 255.-1-21; thence easterly along the northerly boundary of tax parcel 255.1-21 a distance of approximately 240 feet to a point on the westerly boundary of tax parcel 255.1-22; thence northerly along said westerly boundary of tax parcel 255.-1-22 a distance of approximately 190 feet to a point; thence easterly along the northerly boundary of tax parcel 255.-1-22 a distance of approximately 300 feet to a point ; thence southerly along the easterly boundary of tax parcel 255.-1-22 a distance of approximately 250 feet to a point at the northwest corner of tax parcel 255.-1-23.1; thence easterly along the northerly boundary of tax parcels 255.-1-23.1 and 255.-1-23.2 a distance of approximately 360 feet to a point on the westerly boundary of tax parcel 246.-3-99; thence southerly along said westerly boundary of tax parcel 246.-3-99 a distance of approximately 275 feet to a point on the northerly line of the aforementioned Crooked Street; thence southerly about 50 feet crossing said Crooked Street to the point and place of beginning.

The area included in this proposed extension of the district is approximately 100 acres.

Tax parcels numbers used in the above description are based on Saratoga County tax maps printed on March 22, 2012.