

**COUNTY OF GREENE  
TOWN OF NEW BALTIMORE  
SPECIAL MEETING FOR EXPANSION OF WATER DISTRICT #2  
OCTOBER 22, 2012- page 1**

**DRAFT**

**OPENING OF SPECIAL MEETING**

Supervisor called to order the Special Meeting at 7:22 pm. Attending: Councilwoman Benway, Councilman Norris, Deputy Town Clerks Loux and Jordan, and 26 members of the public who signed the attendance sheet. Absent: Councilwoman Finke, Councilman Meredith, Highway Superintendent Jordan, and Town Clerk Brooks.

**Supervisor moved to recess the Special Meeting and was seconded by Councilwoman Benway.** No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

<b>BENWAY-AYE</b>	<b>FINKE-AYE</b>	<b>MEREDITH-AYE</b>
	<b>NORRIS-AYE</b>	<b>O'RORKE-AYE</b>

**MOTION CARRIED**

The meeting was recessed at 7:23 pm.

**[ SEE PUBLIC HEARING FOR WATER DISTRICT NO. 2 EXPANSION ]**

**Supervisor moved to resume the Special Meeting and was seconded by Councilwoman Benway.** No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

<b>BENWAY-AYE</b>	<b>FINKE-AYE</b>	<b>MEREDITH-AYE</b>
	<b>NORRIS-AYE</b>	<b>O'RORKE-AYE</b>

**MOTION CARRIED**

The meeting was resumed at 7:32 pm.

Supervisor introduced Mary Beth Bianconi, Delaware Engineering.

Under the State Environmental Quality Review (SEQR), the Short Environmental Assessment Form for Unlisted Actions is to be completed:

The applicant is Town of New Baltimore, project name is Water District No. 2 Extension, location is Town of New Baltimore, Greene County; precise location is Parcels 40.02-1-15 and 40.02-1-16 at the south end of Roberts Hill Road near its intersection with Scheller Park Road; proposed action is Expansion; project is described, "The Town of New Baltimore Water District No. 2 Extension will extend the existing district to include two parcels on Roberts Hill Road."; amount of land affected 4.2 acres;

Will proposed action comply with existing zoning or other existing land use restrictions? Yes

What is present land use in vicinity of project? Residential and park/forest/open space

Does action involve a permit approval, or funding, now or ultimately from any other governmental agency? No

Does any aspect of the action have a currently valid permit or approval? Yes, NYSDEC Water Supply Permit WSA#6469

As a result of proposed action will existing permit/approval require modification? No

Does action exceed any type 1 threshold in 6 NYCRR, Part 617.4? No

Will action receive coordinated review as provided for unlisted actions in 6 NYCRR, Part 617.6?

No

Could action result in any adverse effects associated with the following? All no

Will the project have an impact on the environmental characteristics that caused the establishment of a critical environmental area? No

Is there, or is there likely to be, controversy related to potential adverse environmental impacts?

No

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**RESOLUTION  
OCTOBER 22, 2012**

**RESOLUTION DETERMINING SIGNIFICANCE OF THE WATER DISTRICT NO. 2  
EXTENSION**

**WHEREAS** the Town of New Baltimore adopted an order on April 29, 1974 establishing the Town of New Baltimore Water District No. 2 located at the eastern end of Scheller Park Road; and

**WHEREAS** the New Baltimore Town board (Town Board) authorized the preparation of a Map, Plan and Report extending the New Baltimore Water District No. 2 to include two parcels on Roberts Hill Road and such a report was prepared and provided to the Town by a Professional Engineer licensed to practice in the State of New York; and

**WHEREAS** the Town Board held a Public Hearing on the proposed Water District No. 2 Extension on October 22, 2012 and all persons were duly heard; and

**WHEREAS** extension of a Water District is an Unlisted Action under the State Environmental Quality Review Act (SEQRA); and

**WHEREAS** the Town Board has completed and reviewed Part 1 and 2 of the Short Environmental Assessment Form;

**NOW, THEREFORE, BE IT RESOLVED**

1. The Town Board is lead agency for this action in an uncoordinated SEQR review.
2. The Town Board determines that the action will not have a significant adverse impact on the environment based on the criteria contained in 6 NYCRR 617.7
3. The Town Supervisor shall sign the Short Environmental Assessment Form indicating thereon that this action will not result in any significant adverse environmental impacts.

**Supervisor moved and was seconded by Councilman Norris.** No further discussion. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

<b>BENWAY-AYE</b>	<b>FINKE-Absent</b>	<b>MEREDITH-Absent</b>
	<b>NORRIS-AYE</b>	<b>O'RORKE-AYE</b>

**ADOPTED**

**RESOLUTION  
OCTOBER 22, 2012**

**RESOLUTION AUTHORIZING WATER DISTRICT NO. 2 EXTENSION**

**WHEREAS** the Town of New Baltimore adopted an order on April 29, 1974 establishing the Town of New Baltimore Water District No. 2 located at the eastern end of Scheller Park Road; and

**WHEREAS** the Town of New Baltimore and the Village of Cocksackie entered into a thirty (30) year intermunicipal agreement on May 14, 1974, which states that the Village will provide water through existing mains to users in the Town of New Baltimore Water District No. 2, and to such other users as may from time to time be added by extension of mains; and

**WHEREAS** the Town of New Baltimore and the Village of Cocksackie renewed this agreement on March 16, 2005 for an additional thirty (30) years ending on May 15, 2034; and

**WHEREAS** the New Baltimore Town Board (Town Board) authorized the preparation of a Map, Plan and Report extending the New Baltimore Water district No. 2 to include two parcels

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on Roberts Hill Road and such a report was prepared and provided to the Town by a Professional Engineer licensed to practice in the State of New York; and

**WHEREAS** the boundaries of the proposed Water District No. 2 are shown on Attachment A and include the addition of Tax Parcels 40.02-1-15 and 40.02-1-16 on Roberts Hill Road; and

**WHEREAS** proposed Water District No. 2 is comprised of 45 parcels which include 34 residential parcels, 1 commercial parcel and 10 vacant parcels, of which 27 parcels are currently connected to the water system; and

**WHEREAS** Water Supply Permit WSA #6469 for Water District No. 2, issued by NYSDEC on September 17, 1974, authorizes the taking of up to 17,100 gallons per day to serve up to 38 homes, and will therefore not require modification; and

**WHEREAS** this cost of this extension will be borne by one of the property owners in the proposed extension at no cost to the Town of New Baltimore; and

**WHEREAS** the typical cost to single family property owners in Water District No. 2 will not increase and will be approximately Two Hundred Ninety-Three dollars (\$293) per year; and

**WHEREAS** an order was adopted by the Town Board on October 8, 2012 reciting the filing of said Map, Plan and Report, identifying the area of the proposed Water District No. 2 Extension, describing the improvements proposed, the maximum amount proposed to be expended by the Town for the improvements, the estimated cost for typical properties, and specifying October 22, 2012 at 7:15 pm in the New Baltimore Town Hall as the time and place for a public hearing on the proposed extension; and

**WHEREAS** such order was duly posted and published as required by law; and

**WHEREAS** a hearing in the matter was duly held by the Town Board on the 22<sup>nd</sup> day of October, 2012 commencing at 7:15 pm at the New Baltimore Town Hall and all persons desiring to be heard on the subject of the proposed water district extension have been heard; and

**WHEREAS** the Town Board has given due deliberation to the hearing and the testimony and allegations presented concerning the same; and

**WHEREAS** the Town Board has completed the SEQR review of this action and issued a Negative Declaration;

**BE IT HEREBY RESOLVED AND DETERMINED:**

The New Baltimore Town Board finds:

1. The notice of public hearing was published and posted as required by law, and is otherwise sufficient;
2. All the property and owners within the proposed district extension are benefited thereby;
3. All property and property owners benefited are included within the limits of the proposed extension; and
4. The extension of Water District No. 2 is in the public interest.
5. The New Baltimore Town Board approves the Water District No. 2 Extension as described in Attachment A.
6. The Town of New Baltimore Clerk shall file certified copies of this resolution and the Final Order Establishing the Water District No. 2 Extension with the Office of the Greene County Clerk and the Office of the New York State Department of Audit and Control within ten days as required by law.

**Supervisor moved to adopt the Resolution and was seconded by Councilwoman Benway.**  
Regarding the WHEREAS including the typical cost, page 1, approximately \$293, Councilman

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Norris asked is that for every year going forward; Mary Beth answered that is for this year, required by law, showing the first year. Supervisor said the law requires that we state the current fee. Councilman Norris clarified that it is not an interpretation that it will stay at \$293 going forward. Supervisor added that it is influenced by usage as well. Supervisor added that there were no comments by the public at the public hearing, able to connect someone who really needs the water, at no cost to the rest of the district's users. The owner will pay for cost of putting in line to his home. Councilman Norris thanked Supervisor O'Rorke and Mary Beth Bianconi for all the time and work they've put into this, resolving a problem with minimal cost to the Town, and expanding the district, too. The adoption of the foregoing Resolution was duly put to a vote, and upon roll call, the vote was as follows:

<b>BENWAY-AYE</b>	<b>FINKE-Absent</b>	<b>MEREDITH-Absent</b>
	<b>NORRIS-AYE</b>	<b>O'RORKE-AYE</b>

**ADOPTED**

With that, Supervisor moved to adjourn the Special Meeting and was seconded by Councilman Norris. No discussion. The adoption of the foregoing Motion was duly put to a vote, and upon roll call, the vote was as follows:

<b>BENWAY-AYE</b>	<b>FINKE-AYE</b>	<b>MEREDITH-Absent</b>
	<b>NORRIS-AYE</b>	<b>O'RORKE-AYE</b>

**MOTION CARRIED**

The public hearing was closed at 7:32pm.

Respectfully,

Janet A. Brooks  
Town Clerk