

Notice of Adoption of ORDER
Town of Milo
Yates County, New York

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Milo, Yates County, New York at a Special Meeting held on April 20, 2019 duly adopted, pursuant to New York State Town Law Section 209-d, the Order that is published herewith calling for a Public Hearing.

Dated: April 20, 2019

Patricia L. Christensen
Town of Milo Town Clerk

In the Matter
of
the establishment
of a Sewer District in the Town of Milo
Yates County, New York, to be known as
Town of Milo Sewer District No. 3

ORDER CALLING
PUBLIC HEARING

At a Special Meeting of the Town Board of the Town of Milo, in the County of Yates, New York, held at the Town of Milo Office at 137 Main Street, in said Town, on April 20, 2019 at 9:00 a.m. there were:

PRESENT: Leslie Church
Dale Hallings
James Harris
Gene Spanneut

ABSENT: Arden Sorensen

being all of the members of the town board.

Mr. Gene Spanneut, offered the following Resolution and moved its adoption:

WHEREAS, the Town Board of the Town of Milo, Yates County, New York, has duly caused to be prepared a map showing the boundaries of a proposed sewer district in said Town, to be known as Town of Milo Sewer District No. 3 (hereinafter, "Sewer District"), a general plan to serve said Sewer District, a report of the proposed method of operation thereof, and

WHEREAS, said Map, Plan and Report, including an estimate of the cost, were prepared by a competent engineer, duly licensed by the State of New York, and having 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 costs, and

WHEREAS, the boundaries of the proposed sewer district are as set forth in Exhibit "A" that is attached hereto and made a part hereof, and

WHEREAS, the improvements proposed for said Town of Milo Sewer District No. 3 consist of the purchase and installation of approximately 5,200 lineal feet of 8-inch PVC gravity sewer main, 40 feet of 4-inch PVC force main and a single pump station, as well as related

appurtenances, including all necessary fittings, valves and sewer services to be installed in conformance with Town of Milo standards for Wastewater Management and in accordance with 10-States Standards. Existing septic systems will be decommissioned, and new laterals will be installed from the proposed main to the existing building's laterals, upstream of the decommissioned septic tanks, all as more fully described in the Map, Plan and Report hereinbefore described, and

WHEREAS, the maximum estimated cost of said improvements is \$1,167,315, and

WHEREAS, the Town of Milo anticipates a State and Municipal Facilities Grant in the amount of \$450,000, as well as 2016 Airport Capital Grant from the NYSDOT Aviation Services Bureau in the amount of \$421,200. The balance of \$296,115 will be financed through the issuance of \$296,115 serial bonds of said Town maturing in annual installments over a period not exceeding 30 years, which will be payable in the first instance from the annual apportionment and assessment, based on the Equivalent Dwelling Units (EDUs) of property in said Town of Milo Sewer District No. 3, which the Town Board shall determine to be especially benefitted by the improvements, an amount sufficient to pay the principal and interest on said bonds as the same become due, and

WHEREAS, the estimated cost of hook-up fees to the typical property in said Sewer District is \$-0- and the estimated cost of hook-up fees to the typical one or two-family home in said District is \$-0-, and

WHEREAS, the estimated cost of said Sewer District to the typical property therein is \$840.00 in the first year in which operation, maintenance, and other charges and expenses are to be paid, and the estimated cost of said Sewer District to the typical one or two-family home therein is \$840.00 in the first year in which operation, maintenance, and other charges and expenses are to be paid, and

WHEREAS, a detailed explanation of the manner by which were computed said estimated costs of hook-up fees and first year costs to the typical property and typical one or two-family homes in said Sewer District, has been filed in the Office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject manner thereof, and

WHEREAS, said capital project for the Sewer District has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects, and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Town of Milo Sewer District No. 3 and the improvements proposed therefore, all pursuant to Section 209-d of the New York State Town Law.

NOW, THEREFORE, BE IT:

ORDERED, by the Town Board of the Town of Milo, Yates County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Milo, Yates County, New York shall be held at the Town Office, 137 Main Street, Penn Yan, New York, in said Town, on May 9, 2019 at 7:00 p.m., for the purpose of holding a public hearing to consider the establishment of a Sewer District in said Town as described in the preamble hereof, to be known as the Town of Milo Sewer District No. 3, and the improvements proposed therefore, and to consider the Map, Plan and Report filed in relation thereto, and to hear all persons interest in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The Chronicle Express, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the New York State Town Law, not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Seconded by Dale Hallings and duly put to a vote as follows:

AYES: Church, Hallings, Harris, Spanneut

NOES: none

ABSTENTIONS: none

This Resolution and Order was thereupon adopted and shall take effect immediately.

DATED: April 20, 2019

Patricia L. Christensen
Patricia L. Christensen
Town Clerk
Town of Milo

S E A L

Exhibit "A"

Town of Milo Sewer District No. 3
Sewer District No. 3 Boundary Legal Description

The Town of Milo Sewer District No. 3 is established as the following described territory:

PARCEL #1

All the lands contained within the following described boundary:

Commencing at the point of intersection of the east line of New York State Route 54 with the north line of Hillcrest Drive, said point being the POINT OF BEGINNING; thence the following two courses along the east line of New York State Route 54:

1. N 7°46'22" E, a distance of 290.46' to a point; thence
2. N 11°39'10" E, a distance of 89.85' to a point; thence the following three courses along lands now or formerly of Donald R. Habberfield, Jr. and Yvonne M. Habberfield by deed recorded in the Yates County Clerk's Office at Liber 531 of Deeds at Page 216:
3. S 82°24'21" E, a distance of 177.51' to a point; thence
4. N 6°40'39" E, a distance of 158.92' to a point; thence
5. N 82°24'21" W, a distance of 178.49' to a point on the east line of New York State Route 54; thence the following two courses along the east line of New York State Route 54:
6. N 5°56'27" E, a distance of 251.60' to a point; thence
7. N 10°48'35" E, a distance of 262.20' to a point; thence
8. S 82°43'38" E, along a south line of lands now or formerly of Kenneth C. and Elberta C. Sisson by deed recorded in the Yates County Clerk's Office at Liber 233 of Deeds at Page 184 and through lands now or formerly of The David L. Genecco Family Wealth Trust by deed recorded in the Yates County Clerk's Office at Liber 624 of Deeds at Page 142, a distance of 289.98' to a point; thence the following two courses through said lands now or formerly of The David L. Genecco Family Wealth Trust:
9. S 7°19'04" W, a distance of 60.03' to a point; thence
10. S 2°22'16" E, a distance of 879.16' to a point on a north line of lands now or formerly of Gary and Linda Doty by deeds recorded in the Yates County Clerk's Office at Liber 356 of Deeds at Page 218, at Liber 356 of Deeds at Page 222 and at Liber 436 of Deeds at Page 89; thence the following two courses along lands of said Doty:
11. S 57°48'51" W, a distance of 77.22' to a point; thence

12. S 26°05'21" W, a distance of 70.15' to a point; thence
13. N 89°06'06" W, through said lands now or formerly of The David L. Genecco Family Wealth Trust, a distance of 198.09' to a point on the north line of Hillcrest Drive; thence the following three courses along the north line of Hillcrest Drive:
14. N 80°48'22" W, a distance of 15.28' to a point; thence
15. N 89°06'46" W, a distance of 6.39' to a point; thence
16. N 78°10'00" W, a distance of 154.05' to the POINT OF BEGINNING.

Intending to describe a parcel of land, containing 8.4 acres, more or less.

ALSO, ALL THE OTHER LANDS contained within the following described boundary:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Milo, County of Yates, State of New York, bounded and described as follows:

Commencing at a point in the centerline of East Lake Road, said point being approximately 789' southerly of the intersection of the centerline of East Lake Road with the centerline of South Avenue; thence S 75°43'00" E, a distance of 35.00' to the east line of East Lake Road, said point being the southwest corner of lands of the David L. Genecco Family Wealth Trust by deed recorded in the Yates County Clerk's Office at Liber 642 of Deeds at Page 142, said point being the TRUE POINT OF BEGINNING; thence the following three courses along said lands formerly of the David L. Genecco Family Wealth Trust, now or more recently of Keuka Shores, LLC:

1. S 75°43'00" E, a distance of 182.36'; thence
2. S 13°22'00" W, a distance of 158.92'; thence
3. N 75°43'00" W, a distance of 187.82' to the east line of East Lake Road; thence the following two courses along the east line of East Lake Road:
4. N 19°37'38" E, a distance of 39.59'; thence
5. N 13°55'00" E, a distance of 119.49' to the TRUE POINT OF BEGINNING.

Intending to convey a parcel of land, containing 0.670 acre, more or less.

PARCEL #2

All the lands contained within the following described boundary:

Commencing at the point of intersection of the east line of New York State Route 54 with the south line of Hillcrest Drive, said point being the POINT OF BEGINNING; thence the following two courses along the east line of New York State Route 54:

1. Thence, southerly across said Hillcrest Drive for a distance of 47-feet ± to the northwest corner of TMP# 061.50-1-18.1;

2. Thence, southerly along the western line of last said parcel for a distance of 111-feet ± to the northwest corner of TMP# 061.50-1-18.2;
3. Thence, southerly along the western line of last said parcel for a distance of 150-feet ± to the northwest corner of TMP# 061.50-1-3;
4. Thence, easterly along the northern line of last said parcel for a distance of 1,233-feet ± to the northeast corner thereof;
5. Thence, southerly along the eastern line of said parcel for a distance of 386-feet ± to the southeast corner thereof and intersection with TMP# 061.50-1-4;
6. Thence, easterly along the northern line of last said parcel for a distance of 598-feet ± to the northeast corner thereof;
7. Thence, southerly along the eastern line of said parcel for a distance of 406-feet ± to the southeast corner thereof;
8. Thence, westerly along the southern line of said parcel for a distance of 651-feet ± to an interior corner thereof;
9. Thence, westerly along the southern line of said parcel for a distance of 922-feet ± to the intersection with TMP# 061.58-1-1;
10. Thence, southerly along the eastern line of said parcel for a distance of 217-feet ± to the southeast corner thereof;
11. Thence, easterly into TMP# 061.58-1-2 for a distance of 95-feet ±;
12. Thence, southerly across TMP# 061.58-1-2 for a distance of 230-feet ± to the northern line of TMP# 061.04-1-1;
13. Thence, westerly along the northern line of last said parcel for a distance of 80-feet ± to the northeast corner of TMP# 061.58-1-3;
14. Thence, southerly along the eastern line of last said parcel for a distance of 210-feet ± to the southeast corner thereof;
15. Thence, westerly along the southern line of said parcel for a distance of 169-feet ± to the southwest corner thereof;
16. Thence, southerly along the eastern border of Bath Road (County Route 17) for a distance of 204-feet ± to the northwest corner of TMP# 061.66-1-1;
17. Thence, easterly along the northern line of last said parcel for a distance of 202-feet ± to the northeast corner thereof;
18. Thence, southerly along the eastern line of last said parcel for a distance of 119-feet ± to the southeast corner thereof and northeast corner of TMP #061.66-1-2;

19. Thence, southerly along the eastern line of last said parcel for a distance of 151-feet ± to the southeast corner thereof;
20. Thence, easterly into TMP# 061.04-1-1 for a distance of 688-feet ± to the northwest corner of TMP# 061.66-1-5;
21. Thence, easterly along the northern line of last said parcel for a distance of 300-feet ± to the northeast corner thereof and intersection with TMP# 061.66-1-6;
22. Thence, easterly along the northern line of last said parcel for a distance of 480-feet ± to the northeast corner thereof;
23. Thence, southerly along the eastern line of said parcel for a distance of 295-feet ± to the southeast corner thereof;
24. Thence, westerly along a southeastern line of said parcel for a distance of 340-feet ± to an interior corner thereof;
25. Thence, southerly along the southeastern line of said parcel for a distance of 140-feet ± to the southeastern corner thereof;
26. Thence, southerly across Airport Drive for a distance of 65-feet ± to the northern line of TMP# 061.04-1-8.111;
27. Thence, easterly along the northern line of said parcel for a distance of 431-feet ± to the northeast corner thereof;
28. Thence, southerly along the eastern line of said parcel for a distance of 798-feet ± to the southeast corner thereof;
29. Thence, westerly along the southern line of said parcel for a distance of 1,060-feet ± to the southwest corner thereof;
30. Thence, northerly along the western line of said parcel for a distance of 751-feet ± to an interior corner thereof;
31. Thence, northerly into TMP# 061.04-1-8.111 for a distance of 25-feet ± to the northern line of TMP# 061.04-1-8.111;
32. Thence, westerly along the northern line of said parcel for a distance of 671-feet ± to the northwestern corner thereof;
33. Thence, southerly along the western line of said parcel for a distance of 25-feet ± to the northwestern corner of TMP# 061.04-1-8.112;
34. Thence, northwesterly across Bath Road (County Route 17) for a distance of 57-feet ± to the southeastern corner of TMP# 061.65-1-12;
35. Thence, northerly along the western boundary of Bath Road (County Route 17) for a distance of 238-feet ± to the southeast corner of TMP# 061.65-1-1.11;

36. Thence, westerly along the southern line of last said parcel for a distance of 302-feet ± to the southwest corner thereof;
37. Thence, northerly along the western line of said parcel for a distance of 156-feet ± to the northwest corner thereof;
38. Thence, easterly along the northern line of said parcel for a distance of 300 feet ± to the northeast corner thereof;
39. Thence, northerly along the western boundary of Bath Road (County Route 17) for a distance of 713-feet ± to the southeast corner of TMP# 061.57-1-14.1;
40. Thence, westerly along the southern line of last said parcel for a distance of 469-feet ± to the southwest corner thereof;
41. Thence, northerly along the western line of said parcel for a distance of 159-feet ± to the northwest corner thereof and southwest corner of TMP #061.57-1-14.21;
42. Thence, northerly along the western line of last said parcel for a distance of 150-feet ± to the northwest corner thereof;
43. Thence, easterly along the northern line of said parcel for a distance of 443 feet ± to the northeast corner thereof;
44. Thence, northerly along the western boundary of Bath Road (County Route 17) for a distance of 999-feet ± to the intersection of the eastern boundary of East Lake Road (State Route 54);
45. Thence, northeasterly across Bath Road (County Route 17) for a distance of 135-feet ± to the southwest corner of TMP #061.42-1-6.1 and POINT OF BEGINNING;

Intending to describe a parcel of land, containing 75.0 Acres, more or less.

PARCEL #3

All the lands contained within the following described boundary:

Commencing at the point of intersection of the west line of New York State Route 54 with the south line of Country Estates Road, said point being the POINT OF BEGINNING;

1. Thence, southeasterly across Bath Road (County Route 17) for a distance of 411-feet ± to the northwestern corner of TMP# 061.04-1-7;
2. Thence, southeasterly along the north line of said parcel for a distance of 649-feet ± to the southeast corner thereof;
3. Thence, westerly along the south line of last said parcel for a distance of 263-feet ± to an interior corner thereof;

4. Thence, westerly along the south line of last said parcel for a distance of 168-feet ± to the southwest corner thereof;
5. Thence, westerly across Bath Road (County Route 17) for a distance of 52-feet ± to the eastern line of TMP #061.04-1-8.12;
6. Thence, southerly along the east line of said parcel for a distance of 330-feet ± to the southeast corner thereof;
7. Thence, westerly along the south line of said parcel for a distance of 585-feet ± to the southwest corner thereof;
8. Thence, northerly along the west line of said parcel for a distance of 1,172-feet ± to the northwest corner thereof;
9. Thence, easterly along the north line of said parcel for a distance of 502-feet ± to the northeast corner thereof and POINT OF BEGINNING;

Intending to describe a parcel of land, containing 18.1 Acres, more or less.

CERIFICATE OF THE TOWN CLERK

I, Patricia L. Christensen, Town Clerk of the Town of Milo, Yates County, New York, DO HEREBY CERTIFY, that I have compared the preceding ORDER, in regard to Town of Milo Sewer District No. 3, dated April 20, 2019 with the original thereof filed in my office at 137 Main Street, Penn Yan, New York on April 20, 2019 and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of said Town of Milo on April 22, 2019.

S E A L

Patricia L. Christensen
Town Clerk
Town of Benton
Yates County, New York