

In the Matter
of the
Petition for an Increase in Maximum Amount to be
Expended in Water District No. 4 (Cockram Road)
in the Town of Byron in Genesee County, New York
pursuant to Town Law §202-d.

ORDER CALLING
PUBLIC HEARING

WHEREAS, a written Petition, dated February 12, 2010 in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Byron, Genesee County, New York, for an increase in the maximum amount to be expended in Water District No. 4, in the said Town, which is bounded and described as follows:

All that tract or parcel of land situated in the Town of Byron, County of Genesee, State of New York, described as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Byron, County of Genesee, State of New York, described as follows:

Beginning at a point at the intersection of the centerlines of Cockram Road (49.5 feet wide right-of-way) and Caswell Road (49.5 feet wide right-of-way); thence,

1. Northerly, along the centerline of Caswell Road, a distance of 705 feet, more or less, to a point; thence,
2. Easterly, along the northerly lines of tax account numbers 7-1-93, 7-1-94, and 7-1-95.2, a distance of 1225 feet, more or less, to the northeasterly corner of tax account number 7-1-95.2; thence,
3. Northerly, along the westerly line of tax account number 7-1-86.121, a distance of 600 feet, to the northwesterly corner of tax account number 7-1-86.121; thence,
4. Easterly, along the northerly line of tax account number 7-1-86.121, a distance of 795.69 feet, to the northeasterly corner of tax account number 7-1-86.121 and a westerly line of the Town of Byron Existing Water District No. 2 (the existing water district); thence,
5. Southeasterly, along the easterly line of tax account number 7-1-86.121, and a westerly line of the existing water district, a distance of 1070.81 feet, to the northerly line of tax account number 7-1-86.111 and a northeasterly corner of the existing water district; thence,

6. Westerly, along the northerly line of tax account number 7-1-86.111 and the existing water district, a distance of 73.59 feet, to the northwesterly corner of tax account number 7-1-86.111 and the existing water district; thence,
7. Southerly, along the westerly line of tax account number 7-1-86.111 and the existing water district, a distance of 440 feet, more or less, to a point on the centerline of Cockram Road and the existing water district; thence,
8. Easterly, along the centerline of Cockram Road and the existing water district, a distance of 8 feet, more or less, to a point on the centerline of Cockram Road and the existing water district at the intersection of the northerly extension of the westerly line of tax account number 7-1-83; thence,
9. Southerly, along the westerly line of tax account numbers 7-1-83 and through the lands of tax account number 7-1-76.1, a distance of 500 feet, more or less, to a point 500 feet southerly of the centerline of Cockram Road; thence,
10. Westerly, along a line 500 feet southerly of and parallel to the centerline of Cockram Road, through the lands of tax account number 7-1-76.1, a distance of 750 feet, to the point of intersection with the southerly extension of the easterly line of tax account number 7-1-77; thence,
11. Northerly, along the southerly extension of the easterly line of tax account number 7-1-77, through the lands of tax account number 7-1-76.1, a distance of 270 feet, more or less, to the southeasterly corner of tax account number 7-1-77; thence,
12. Westerly, along the southerly line of tax account number 7-1-77, a distance of 109.7 feet, to the southwest corner of tax account number 7-1-77; thence,
13. Southerly, along the southerly extension of the westerly line of tax account number 7-1-77, through the lands of tax account number 7-1-76.1, a distance of 270 feet, more or less, to a point 500 feet southerly of the centerline of Cockram Road; thence,
14. Westerly, along a line 500 feet southerly of and parallel to the centerline of Cockram Road, through the lands of tax account number 7-1-76.1, a distance of 1324 feet, more or less, to the centerline of Caswell Road; thence,
15. Northerly, along the centerline of Caswell Road, a distance of 500 feet, more or less, to the intersection of the centerlines of Cockram Road and Caswell Road, and the point of beginning.

All as shown on a map prepared by Clark Patterson Lee entitled, "Town of Byron Water District Map, Cockram Road Water District", Drawing Number WD-01, dated May 29, 2007.

Water District as described above contains approximately 71.17 acres of land.

WHEREAS, the said Petition requests that the maximum amount to be expended be increased for the construction of a water system including water mains, hydrants, and other structures from \$156,000 to \$183,500, the source of such funds will be a grant from the United States Department of Agriculture, Rural Development in the amount of \$59,800 and a loan from the same Department in the amount of \$121,000, which loan will bear interest at an estimated rate of 4.375%; and

WHEREAS, the annual cost to a typical resident for debt service, operation, maintenance and water use is estimated to be \$723.00, and

WHEREAS, the cost to hook up to the water system is estimated between \$10 and \$15 per lineal foot of pipe to be installed from the highway right of way to the basement wall, plus the cost of any interior plumbing the owner wishes to install, it is hereby

ORDERED, that in accordance with the provisions of Section 202-d of the Town Law, a public hearing before the Town Board of the Town of Byron shall be held at the Town Hall in the Town of Byron, New York on the 8th day of March, 2010 at 3:00 p.m. to consider an increase in the maximum amount to be expended for said improvement of facilities of the District as set forth above, and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of said Town Board with relation thereto as may be required by law, and it is

FURTHER ORDERED, that the Town Clerk publish at least once in The Daily News, a newspaper published in Batavia, New York, and hereby designated as the official newspaper of the Town for such publication, and posted on the sign board of the Town maintained pursuant to subdivision 6 of section 30 of the Town Law, a copy of this order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Vote:	Councilwoman Freeman	Aye
	Councilman Ivison	Aye
	Councilman Redick	Aye

ADJOURN:

A motion was made by Councilman Ivison to adjourn the Special Meeting of the Byron Town Board at 11:35 a.m. The motion was seconded by Councilman Redick and carried with the following vote:

Vote:

Ayes: 3

Nays: 0

Respectfully Submitted,

Debra M. Buck-Leaton
Byron Town Clerk