



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 southwesterly 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 5<sup>th</sup> 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

**Deputy Supervisor Heins:** At a recent meeting with Dawn Kuras at USDA, she stated that the engineer, administration and attorney fees for the Town of Byron water districts is enormous compared to other water districts USDA has done. Ms. Kuras stated the Town should be getting RFPs for services for the water districts to see if costs can be reduced. She suggested that the Town start with engineering costs, and would like to see the Town do an RFP to see what other companies would charge.

**RFP FOR WATER DISTRICT ENGINEERING**  
**RESOLUTION #48:**

Councilwoman Freeman offered the following resolution and moved for its adoption:

**RESOLVED:** That the Byron Town Board authorizes the Town of Byron Attorney, Paul Boylan, to draft a Request for Proposal (RFP) for all future Town of Byron water districts. The Town Board shall review all RFPs received at the April 14, 2010 Town Board meeting.

Councilman Redick seconded the resolution which was adopted by the following vote:

Vote:                   Ayes: 3                   Nays: 0

**ADJOURN:**

A motion was made by Councilman Ivison to adjourn the Special Meeting of the Byron Town Board at 3:25 p.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