

PUBLIC HEARING
December 2, 2020

Minutes of the Public Hearing of the Parish Town Board held on December 2, 2020 at 2938 E. Main Street, Parish, NY in the Village Gym and by Zoom. Supervisor Phillips called the Meeting to order at 6:30 pm.

Present:

John Dunham, Councilor
G.R. Horning, Councilor
Doug Jordan, Councilor
Gary Wood, Councilor-By Zoom
Mary Ann Phillips, Supervisor
Kelly Reader, Town Clerk

Also Present: Jack Rucynski, Sue Halbritter, Camden News; Reporter, Jim Bernys, CEO; Lynn Rhone, APW School Supt; Kathy Perkins, Village Mayor; Dave Welytok, Village Trustee; Marty Webster, OSHD President; Bob Prockup, Carolyn Prockup, Lori Grist, Stephanie Poel, and Paul Baxter, Tug Hill Rep.

Attendance by Zoom: Eleanor Kinney, Melanie Chapman, Carol Dwyer, Karen Oakes, Debbie and Chuck Patterson, Steve Ganetis, Village Attorney; Jackie Murphy, Village Trustee; Tom Louer, Village Trustee; Diane Spaziani, Lorraine Burrows, Jessika Valenzuela, Anna Coleman, Paul Gage, Robin Eaton-Novak, Deputy Supervisor; Kyle Buck, Preston, and Travis Poel.

The purpose of the Public Hearing was to hear all comments, concerns, and to answer any questions regarding the Parish Town Board's consideration of a proposed increase in the maximum amount to be extended for improvements within the Village/Town of Parish Water District No. 1 from \$9,200,000 to \$16,630,520. The proposed increase would go from \$639 to \$906.23 per EDU. Also, a consideration of EDU's (Equivalent Dwelling Unit) count from 429 to 552. These proposals are subject to a Mandatory Referendum.

Project Staff for Water District 1:

Carrie Tuttle, Project Manager-DANC
BC&A-Engineers, Architects & Land Surveyors-P.C.
Gregor Smith, Principal Engineer
Michael Altieri, Principal/Civil Engineer
Rachael Bernat, Senior Civil Engineer
Barclay Damon, LLP
Joseph Russell, Municipal Attorney for Water District One
Diane Collette, Paralegal

PUBLIC HEARING PRESENTATION:

BC&A Reviewed the Project History:

Original district formed in November 2018.

Bond Resolution completed for a total project cost of \$9,200.00 in February, 2020.

Total Equivalent Dwelling Units (EDUs) was 429.0

*A single family house is 1 EDU.

Anticipated first year cost for a typical single family residence was \$639.00.

Anticipated funding sources were two NYS Water Infrastructure Improvement Act Grants, the remainder financed in a loan.

Project Developments Since 2018:

Fast forward to 2020

Project budget was reviewed and updated.

EDU totals reviewed and updated.

Potential funding sources reviewed.

Updated Project Information:

Total Project Cost: \$16,630,520

EDUs increased to 552 based on funding agency guidance.

Typical single family house is 1 EDU

2 family house is 2 EDUs

3 family house is 3 EDUs

Apartment Buildings- 1EDU per apartment.

Commercial Properties-EDUs assigned based on water usage compared to a single family house (Ex. If twice the amount of a typical single family house, the property is assigned 2 EDUs).

Potential funding sources updated.

USDA Rural Developments, NYS Inter-municipal Grant and other sources.

Anticipated first year user cost for a single family residence is \$909 (approximately \$76 per month.

2020 NYS Comptroller statewide average for water districts is \$912.00.

Moving Forward:

A public vote will be held regarding the increase in the cost to the district.

Increase passes only if more than 50% of eligible voters vote.

The Town would work to get the funding, project only moves into construction if within the bond limit and meets the anticipated first year user cost.

If less than 50% of eligible voters vote in favor (project voted will not move forward.

Town may develop an alternate plan moving forward.

The vote has to be held no less than 60 days and no more than 75 days from December 17th, 2020, the date that the Board will consider adopting an order approving the maximum amount proposed to be expended for the improvements to be constructed with in the Town of Parish and Village of Parish Water District 1. and that the resolution adopted is subject to a Mandatory Referendum.

The vote is to ask the voters if they approve an increase charge from \$639 to \$909.32 per EDU.

PUBLIC HEARING OPEN TO THE PUBLIC:

Carrie Tuttle, Project Manager read a question on how is Industrial Property such as Railroad Property assessed EDU's.

It was discussed that unless the Railroad had water use they would be exempt and that they were exempt under the Railroad Law.

Lori Grist asked how the water cost is going to affect the property tax and is vacant property going to be charged half an EDU? If you choose not to hook up are you still going to be charged for an EDU?

One answer to the question on how much you would pay if you chose not to hook up, is that you would pay a portion of the EDU cost, however an exact figure was not given.

Vacant build-able lots would be charged .05 EDU.

Once the vote is held to move forward with the project, the Town Board will update their Bond Resolution for the increase amount of the project. This is called a Bond Anticipation Note. The Bond Anticipation Note allows the town to borrow funds to reimburse the borrowing that has been done to cover these costs so far. Those in the Water District would not have to make any payments during the construction phase of the project. The costs that the district had paid on their last year's tax bill will no longer be charged until the project is complete.

Supervisor Phillips responded that the \$20,000 that was paid last years was paid for through taxes and was spread out to everyone in the water district. That is done and repaid to the General Fund. It was borrowed from the General Fund and loaned to the Water Fund.

Anything we are paying now is for new expenses. All these new expenses that the Water District has now is for costs to complete requirements that are needed to apply for grants. The grants will offset and help fund the Water Project. Some of the requirements were completed, but not all them. This time the Board is making sure all the requirements are met providing that voters grant permission to move forward with the project. If the Board is willing to borrow \$16,630,250, then we move forward. Some of the loans are interest free and others are extremely low interest. There are multiple funding sources. If the Water District gets voted down, the expenses for the Water District that we have for this year has to be paid back, It is believed to be around \$35,000.00.

Jack Rucynski read a statement on the Water District: Mr. Rucynski had prepared a statement that several in attendance wanted to hear. Mr. Rucynski quoted several newspaper articles. He said, based on the articles and information that he had gathered, it would be a logical assumption that the town does not have a Water District 1. This would not happen until a vote by the public. It should be referred to as the proposed Water District. Thousand of dollars of town money have been spent on this project without any input from the public. This Public Hearing will not change how the town spends our money on a project we have not accepted. Though reviewing the proposed town budget, I thought that I would find some answers. However, the first 10 pages are missing. I have no idea what might be missing or what is being hidden. Once again, the residents of a proposed project will be assessed for money not approved by a vote of the residents. Deja Vu from last year. What is contained in the missing 10 pages of the Town Budget? Mr. Rucynski has little faith in this system. 2 to 1 in favor of the \$9.2 million dollar budget and then shot down by two councilors. A question was asked about how much money has the town spent to this point. The Supervisor responded \$30,000 or \$34,000. Mr. Rucynski added that the question should be revisited giving a more accurate account. The APW School District EDU's has been increased to 75 to 80 thousand dollars. This amount would be incorporated as

part of the entire APW School District. Therefore, this really becomes a minimal issue to the proposed water district.

He has reviewed the USDA Rural Development's information to identify how EDU's are assigned. The purpose of the information is to determine EDU's for RD Funding determinations only. It may or may not correlate with existing or proposed billing practices. For this purpose, an EDU is the level of service in gallons per day for an average residential dwelling. It appears that to determine the commercial, small businesses, office, and retail establishments, it could not be determined without an actual audit of each category that does not fall into a residential dwelling.

The entire list needs to be scrubbed by the assessor to determine how many ½ EDU's were added and if they meet the code requirements for building lots. If so, they need to be eliminated in all fairness to the property owner.

It's estimated that the cost of water will go up about 3% per year. Many questions still need answers. The voters are asked to eventually approve a project costing \$16.6 million dollars without a single guarantee that any grants will be approved, a state that is billion of dollars in debt, and a pandemic which is devastating our financial foundation. He thinks not. The blame for the never-ending saga lies with the Bond Resolution that was voted down by two councilors. Otherwise, we would be laying pipe and getting water. In Mr. Rucynski's mind he cannot see a 7.4 million dollar increase and he hopes the residents feel the same and Vote No on this project.

A question was asked how did they come up with construction costs approximately 80% more in a two year period. The individual works in the construction industry and they can assure you that there has not been that kind of increase in the industry.

Carrie asked if someone from BC&A would discuss the basis in the increase in cost of construction with a little more detail.

Mike Alterieri answered that the bases in the increased construction cost was from looking at data from comparable projects that had just been bid in the area. The Town of Richland for example and constructionist data from an engineering firm that has done these kind of projects for numerous years. Once the costs were developed, the figures were reviewed by OCWA (Onondaga Water Authority). They have been involved with numerous projects. BC&A obtained updated quotes on items like Water tanks, pipes, meters and other related materials needed for the project. They looked at the project from a blank slate with a fresh look.

Rachel Bernat informed the public that updated information was used for Commercial Property, and School Property. They looked at how many gallons per day were used. The gallons per day used by the school was compared to what a typical 1 family house would use. They used an average for 12 months to see what their use would be. It was determined to be a little under 12,100 per day-typical 150 gallons. It was determined that the EDU's would be about 81 EDU's. The EDU's were looked at with a fresh set of eyes and with USDA guidance in mind.

WIIA Grants are funded by the State.

USDA is funded by Federal Funds and you must go by their guidelines to be eligible.

The cost of the project presented is based on a certain amount of grant funding. Additional funding may be received, but it's not a guarantee.

The cost that is presented is based on a scenario that is realistic. They cannot present a scenario that's the best. A scenario that is the most conservative is the one that needs to be presented to the people that will be voting on the project. The highest user cost is going to be presented based on the likely funding scenario and direction that the Board chose to go.

Information is being provided to the residents in the water district to allow them to make informed decisions when they vote for the project.

The question was asked what the cost to the taxpayers is for what has been spent on these surveys and studies that need to be paid regardless of approval.

Carrie responded that in order to apply for these grants, a sequence of requirements needed to be complete and boxes needed to be checked to continue.

The Project Budget had to be updated, an Environmental Review Process (SEQR) had to be completed, and the Board has to pass a Bond Resolution. All of these items have to be completed in order to move forward to apply for funding.

Miller Engineering had completed some of the items needed, but not all of them. The Preliminary Engineering Report was completed. The SEQR cost was incurred.

When the Bond Resolution had been voted down, Carrie was brought on Board to take a look at the project.

There had been so much time that had gone by since the original Engineering Report had been completed, the original cost estimate was no longer valid.

That's when the Town Board did a RFP (Request for Proposal). The Board selected BC&A to move forward. The cost estimate has to be a good number or applying for the grant funding is for nothing. If grant funding is not set appropriately, the whole project will fall apart.

The WIIA Grant Funding that had been mentioned wasn't even available this year due to the Pandemic. The grant cycling has to line up with when the grants can be applied for before you can actually go to

construction. Many of them are only offered one time a year and you need to be ready to submit your application.

All your boxes needed to be checked and requirements completed by that deadline. This drives the schedules for all the Water Projects we see completed throughout the state and country.

Mike Altieri commented that given a project of this size it will take several years to complete.

The Supervisor explained that the process that was followed back then was not quite the process that should have been followed. Prior statements were based on recommendations from legal counsel.

APW Superintendent, Lynn Rhone stated that she had many questions. She didn't understand how APW can go from less than \$1,000 to \$75,000 per year for water and how can they have a vote on this. That is a lot of money per year and the school is not going to use the water at around \$75,000 per year. She said that the residents of the school district should vote on this because the school taxes will increase because of it. The cost of the increase will be spread out to the entire district and all the taxpayers in the school district do not get to vote. The only residents that get to vote is those that live in the water district. The budget is not voted on until May.

The Supervisor responded that one person from the school district gets to vote on behalf of the school. Mr. Russell, Attorney for the Water Project responded that it impacts the school district budget and the district taxpayers. As a matter of Municipal Law, it must be spread out to the APW taxpayers through the school budget.

Sup't Rhone responded that if the school vote is voted down, the school will not have the money to pay the \$75,000 to the water district.

It was determined that there would be around a 1 1/2 % increase in the school budget due to the cost for the Water Project. and the town does not ability to change that. This is how the water district is formed in NYS.

There will be absentee ballots available through the Town Clerk's Office providing that the Town Board moves forward. Absentee ballots are not required for a Special District Election. However, the Town Board can make provisions to allow voting by absentee ballots which they have done.

There was a comment regarding the affordability of the Water Project making reference to the poor condition that the Village Gym is in.

Stephanie Poel asked if you would have to pay if you don't hook up?

Carrie Tuttle responded that if you choose not to hookup, you pay less than the \$909.00 per year. You would pay \$909.00-\$336.00=\$573.00. 1 EDU would pay only the debt and not the operation and maintenance cost.

Another question was asked if 150 gallons per day is assessed, what if you use more. Do you get charged more per EDU?

Carrie Tuttle responded that it depends on how the town bills the water district resident. Each town does it a little differently.

The 9.2 million dollar Bond Resolution did not pass the first time as it has to be passed by a Super Majority, 4 out of 5.

The second time it passed by a different Board in February of 2020.

The question of EDU's was brought up regarding 1 family homes and vacant property.

Councilor Dunham responded that if you have a single family home, it is assessed at 1 EDU whether you hook up or not. If you have a vacant build able lot, you are assessed at .5 EDU.

Non-buildable lots are not assessed anything and may be merged with another property.

The Board must approve the increase in the EDUs.

The over all costs to the Town and Village taxes were discussed.

Tuttle will get that information and make it available.

The cost of the initial hookup was discussed. Carrie can get the information for the cost of the hookups.

Jim Bernays, CEO asked if there are five people listed on a deed, do they all get to vote? The answer was yes.

However, if someone owns ten homes, they only get one vote and he did not feel that was fair.

Attorney Russell responded that was state law over which they have no control.

Mary Webster of Oswego County Housing Development Council spoke in regards to concerns that a vacant property in the village was listed as .5 EDU and was changed to 0. CEO Bernays stated it was a build able lot and may be tax exempt, but they are not. Mr. Webster wants the Housing Council to have the right to pay for water and the ability to hook up to the water. Mr. Webster has found at least 8 more

EDUs that could pay \$909.00 per EDU and cut the cost down. Mr. Webster said he knows of at least 12 deeds that have been filed with the county clerk since the EDU listing was created on Sept 9th. Russell said if the EDU's change, the Board should know because they will be voting on the change in EDUs on December 17, 2020.

Sup't Rhone questioned the correct number of EDU's

The number of EDU's will constantly change. The cost per EDU could decrease as the number of EDUs increase.

Lateral hook-up was discussed.

Gregor Smith responded that he has seen groups of residents use the same contractor for lateral work to reduce the cost through volume of work.

In some communities Block Grants assist with the costs. Regarding material to be used, they were told a certain length needs to be copper, then PVC can be used. It is based on OCWA guidance.

Diane Spaniard read a prepared statement in support of water and urged the residents in Water District 1 to vote yes..

Additional water districts were discussed. There was a discussion on how many more were proposed.

Clerk Reader responded that according to the Water District Map, there is 9 proposed water districts.

PUBLIC HEARING CLOSED TO THE PUBLIC at 8:44 pm.

A vote will be held at the December 17th, 2020 meeting for the Board to consider moving forward with a water vote. A date for the water vote will be set providing the Boards votes to move forward.

A motion was made by Councilor Dunham, seconded by Councilor Horning to adjourn at 8:44 pm. Roll taken...motion carried.

Respectfully submitted,

Kelly Reader
Parish Town Clerk