AGENDA
Public Hearing/ Special BOARD MEETING
TUESDAY, JULY 25, 2023, AT 6:30 P.M.

OPEN MEETING: Pledge to the Flag

OPEN PUBLIC HEARING FOR CUYLERVILLE WATER DISTRICT WATER TANK REPLACEMENT AND IMPROVEMENTS:

CLOSE PUBLIC HEARING:

DISCUSSION ON WIIA GRANT:

ADJOURNMENT:

Engineering Report

For the

Cuylerville Water District
Water Storage Tank Replacement

Leicester, New York

June 2023

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TABLE OF CONTENTS

LIST OF FIGURES

I. Introduction

The purpose of this engineering report is to facilitate proposed improvements to the Town of Leicester Cuylerville Water District (District), which supplies water to the property owners in the hamlet and Cuylerville and surrounding areas. The Town of Leicester (Town) has identified deficiencies with the water storage tank that serves the District including failure of the coating system and water quality concerns that have led to an EPA Consent Order in the past.

This report will provide a review of the existing water storage tank, along with a cost estimate and project description for the tank replacement. The report will then be submitted for funding agency considerations including the New York State Drinking Water State Revolving Fund Intended Use Plan (DWSRF IUP).

II. Project Area

The water storage tank is located on Caledonia Road at the western end of the District. A project location map is included at the end of this report. The District map is included in Appendix A, which outline the service area that is served by the water storage tank.

III. Existing Facilities

The existing water storage tank is a 250,000 gallons glass-lined steel standpipe that is located on Caledonia Road. Water is supplied to the tank through a water main that runs cross-lots from the west, with supply from the Town of York.

In 2018 the tank was inspected by Atlantic Underwater Services, Inc. The primary issue identified in the report included damage to the interior coating due to corrosion along the seams, which are composed of overlapping glass-lined steel panels that are bolted together. Through discussions with companies that construct and repair glass-lined tanks, the tank would need to be disassembled and shipped to a factory to have the panels re-glassed. This would result in the District being without water storage for up to 9 months.

It should be noted that the specific tank manufacturer that supplied the Town tank is no longer in business.

In 2017 the Town was issued an Order on Consent related to poor water quality in the system, related to elevated levels of disinfection-by-products (TTHM). Through testing it was discovered that the water in the tank contributed to these high levels due to stratification and low tank turnover, typical with a standpipe that only uses 10-20% of the depth for usage. This was pointed out in the 2018 inspection. While a TTHM removal system was added to the tank in 2021, the style of tank and single inlet/outlet still causes issues with water quality.

A copy of the 2018 inspection report is included in Appendix B.

IV. Project Description

The project includes the replacement of the existing 250,000-gallon standpipe with a new elevated tank. The water tank will be designed to sit on a steel or concrete column, that will be able to house the TTHM system and chlorine booster system.

The tank would be provided with a 30-foot sidewater depth versus the existing 75 foot, along with separate inlet and outlet piping. This will reduce stratification in the tank and improve water quality, resulting in lower TTHM levels in the water system.

A new TTHM removal system will be installed in the tank to address the potential for high levels in the hot summer months.

Site security will be increased with upgraded site fencing.

The estimated project cost is $1,560,000, with an anticipated WIIA grant through the NYSEFC in the among of $936,000. A detailed project cost estimate is included in Appendix C.

VI. Conclusions

The Town is committed to providing safe and reliable potable water supply and fire protection to its residents, while also encouraging growth and development in accordance with their comprehensive plan. This specific project will be instrumental in achieving that goal. The replacement of the existing water tank will make the public water system more reliable and safer. It will also make adequate process and emergency water available to the Town.

FIGURE 1

PROJECT LOCATION MAP

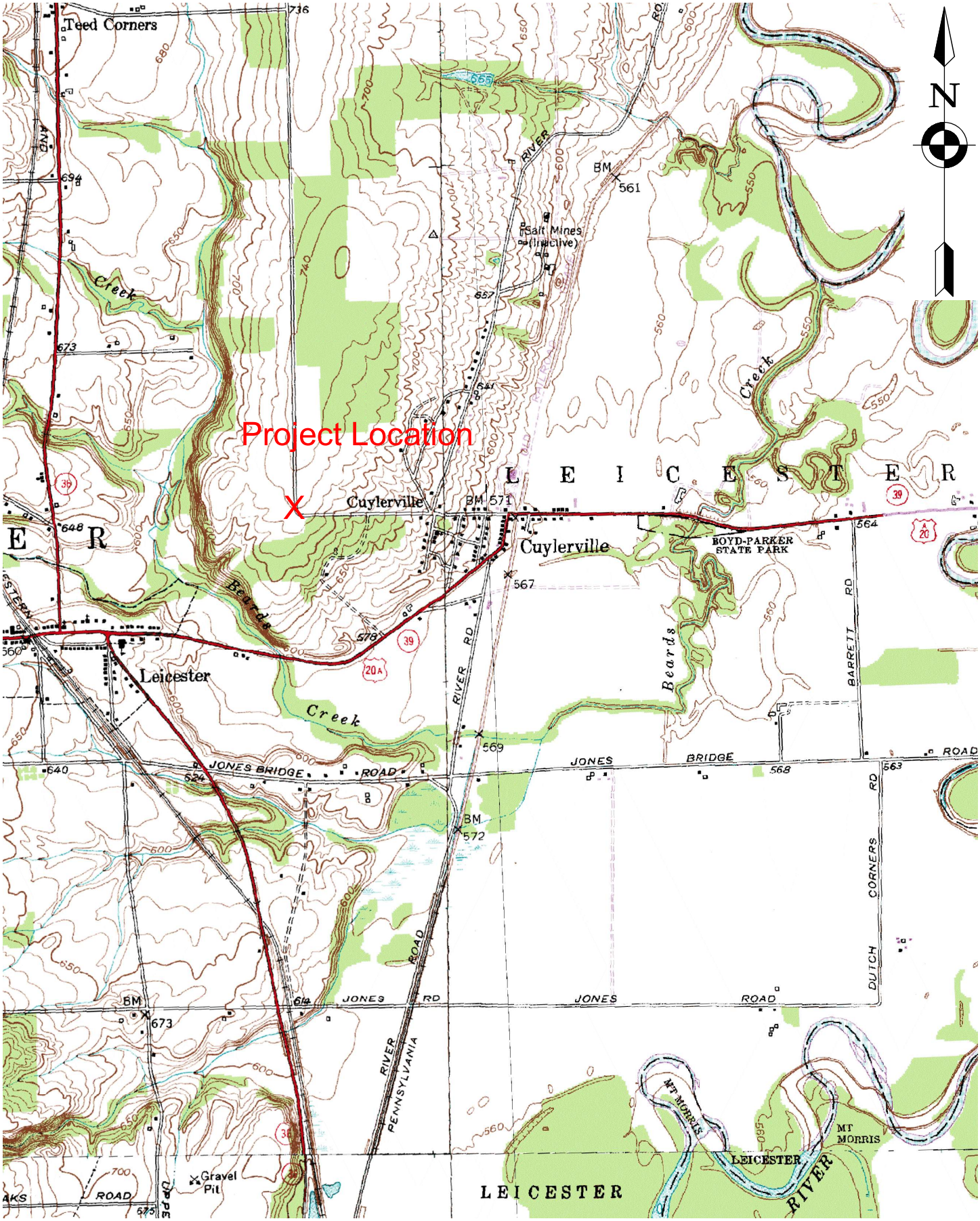

FIGURE #1

CLARK PATTERSON LEE
DESIGN PROFESSIONALS
205 ST. PAUL STREET, SUITE 500
ROCHESTER, NEW YORK 14604
TEL (800) 274-9000
FAX (585) 232-5836
www.clarkpatterson.com

DATE:	2/20/13
DRAWN:	GMS
CHECKED:	MEW
SCALE:	1"=1500'
PROJ. #:	12731.00

LOCATION MAP

CUYLERVILLE WATER MAIN

TOWN OF LEICESTER, NEW YORK

Referenced Drawings: USGS LEICESTER AND GENESEO NAD83
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Date last accessed: 11/18/2014 1:46 PM
Date last plotted: 12/15/2014 11:49 AM
Plotted By: Zach Anderson

APPENDIX A

WATER DISTRICT MAP

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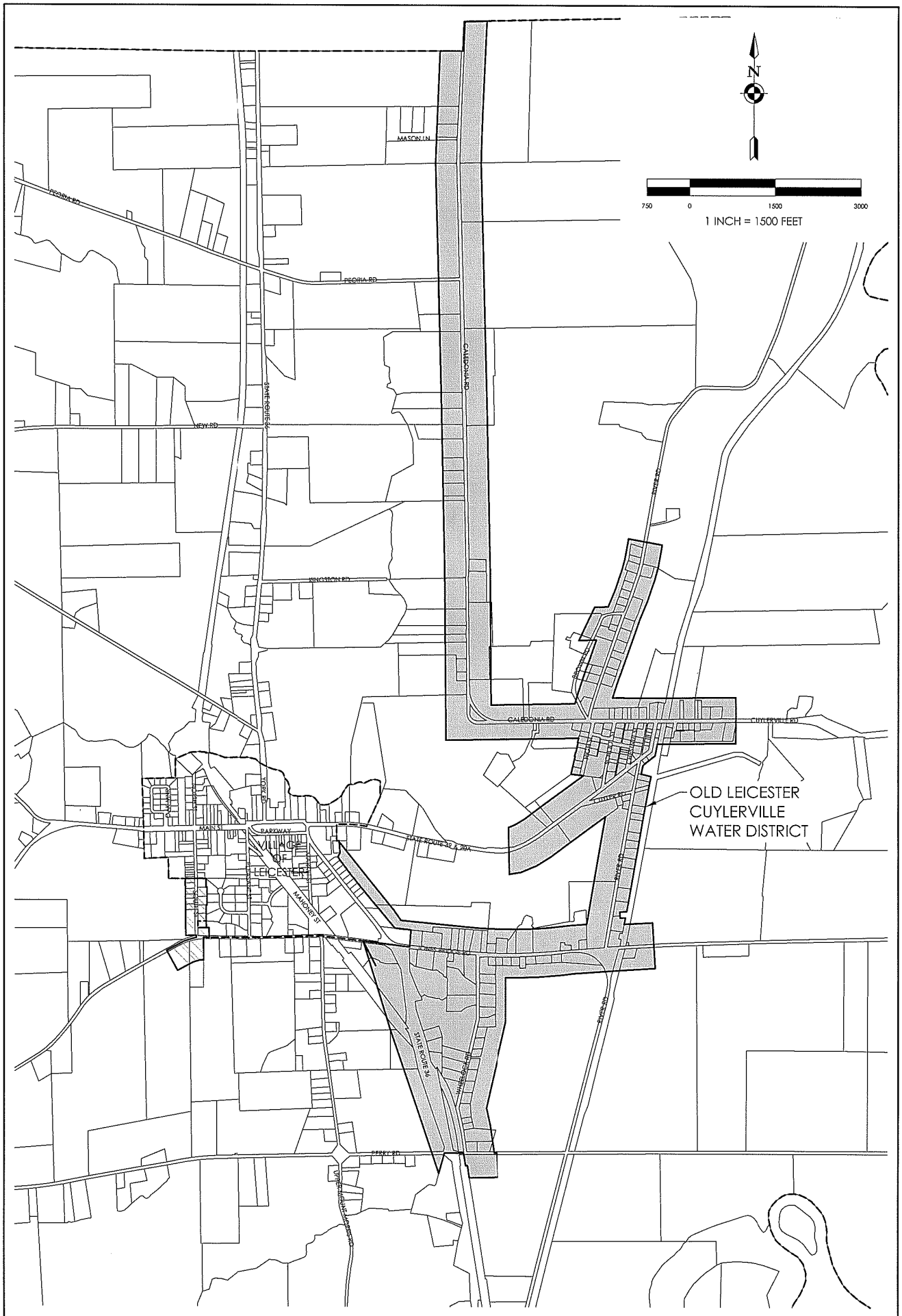

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DATE:	03/07/14
DRAWN:	MN
CHECKED:	ECW
SCALE:	1" = 1500'
PROJ. #:	

TOWN OF LEICESTER EXISTING WATER DISTRICT

OLD LEICESTER CUYLERVILLE WATER DISTRICT

TOWN OF LEICESTER, NEW YORK

APPENDIX B

TANK INSPECTION REPORT

Town of Leicester

Town Tank

250,000 Gallon Ground level Glass Lined Bolted Steel Tank

April 18, 2018

Prepared By:

Atlantic Underwater Services Inc.
2538 State Route 8
Lake Pleasant, NY 12108
(757)705-9081 / (518)514-1434 Fax
Atlanticunderwaterservices.com

ROV And Drained AWWA Potable Water Storage Tank,
NFPA Fire Water Storage Tank, & Pipeline Inspections

Declaration

This report was composed from the visual observations made during an inspection of this water storage facility. Portions of this report may also contain material or other information obtained from conversations with the utility personnel, the tank information plate, drawings, reports, etc. The information contained herein is believed to be as true and accurate as could be obtained from these observations and the information and material supplied to us. No other assurance or warranty is expressed or implied. We assume no responsibility for any errors or omissions in this report.

The time frames stated in the recommendations are estimates based on our years of experience with other storage facilities and paint installations, and discussions with corrosion engineers, paint manufacturer's representatives, tank constructors, painting contractors, etc. Although these estimates can be considered to be fairly reliable, many different factors affect the condition of the water storage facility over time and we can not be held responsible for the accuracy of these estimates. Since the condition of the storage facility will change over time, the accuracy of the condition of the storage facility described in this report will decrease according to the amount of time that has elapsed since the date of the inspection. Should three (3) or more years have elapsed since this inspection, this report should be considered to be null and void and the storage facility should be reinspected to determine the current condition.

By:

Timothy Smith

Tank Information

The height to overflow is about:	**75’**
The tank height is about:	**81’**
The diameter of this tank is about:	**21’**
This tank was constructed at the present location in:	**?**
Does this tank have interior columns:	**NO**
Does this tank have magnesium bars for cathodic protection installed:	**NO**
This tank was previously inspected:	**?**

OSHA Regulations

Your tanks are not "grandfathered in" and you are required to bring your tanks into current OSHA Regulations whenever any work is done on your tanks, including, but not limited to, recoats, repairs, modifications, etc.

Item	Description	Yes	No	N/A
1.	Interior ladder has safety equipment that meets current OSHA standards:			X
2.	Interior ladders (if existing) meet 16" width requirement:			X
3.	Exterior ladder has protective cage safety equipment that is longer than 20' has balcony platforms with railings at maximum 20' intervals or has other safety equipment installed that meets current OSHA standards:	X		
4.	Exterior ladder meets 16" width requirement:	X		
5.	Tank with a sloped/domed roof has a walkway or anti-slip material and railings that extends from the sidewall/roof junction to near the center vent:	X		
6.	Cable fall protection systems installed on ladders have a large enough diameter to meet current standards and use currently available cable climb devices:			X
7.	The top edge height of all top rails, or equivalent guardrail system members, are 42 inches plus or minus 3 inches above the walking/working level, or when conditions warrant, the height of the top edge exceeds the 45-inch height, provided the guardrail system meets all other criteria of this paragraph as required by Section 1926.502(b)(1):	X		
8.	Utility owns and uses full body personal fall arrest systems and has eliminated the use of body belts after January 1, 1998 as per Section 1926.502(d):			X

OSHA Regulations (Cont.)

Item	Description	Yes	No	N/A
9.	Midrails, screens, mesh, intermediate vertical members, or equivalent intermediate structural members are installed between the top edge of the guardrail system and the walking/working surface when there is no wall or parapet wall at least 21 inches high. Midrails, if used, are installed at a height midway between the top edge of the guardrail system and the walking/working level. Screens and mesh, if used, extend from the top rail to the walking/working level and along the entire opening between top rail supports. Intermediate members such as balusters, additional midrails, or architectural panels, if used between posts, are installed such that there are no openings in the guardrail system that are more than 19 inches wide:	X		
10.	On tanks with sloped or domed roofs, the roof access hatch is installed in close proximity to the roof access ladder that this hatch can be safely accessed:	X		
11.	On tanks with a fall protection system installed, it is possible to remain connected, or to transfer between ladders or onto the roof with the use of a lanyard and safely access all parts of this tank:	X		
12..	Saf-T-Climb bars initially installed on the ladders have been replaced with safety cables due to the multiple recalls of these climbing brackets and the hazards of using these devices:			X

Glass Lined Bolted

Item	Description	OK	Problem	N/A
1.	Flowing or seeping leaks were not observed at the plate junctions or at any of the bolt holes:	X		
2.	An excessive amount of edge corrosion from the failure of the caulking material to adequately protect the edges of the plates was not observed throughout the tank interior:	X		
3.	No failures were observed on the additional layer of white titanium dioxide installed on the interior of each sidewall plate:			X
4.	No initial fused glass adhesion failures and no failures or corrosion were observed at the locations of glass coating failure or damage in the sidewall plates away from the edges which had previously occurred on the tank interior, possibly during the initial construction or thereafter, and which were repaired with the addition of Sikaflex or other material and this material is not losing adhesion to the plates:	X		
5.	The interior of each sidewall plate has been factory coated with a cobalt fused glass material. An excessive amount of fused glass adhesion failures in the plates away from the edges were not observed throughout the tank interior:	X		
6.	This tank interior has a sacrificial anode cathodic protection system installed on the tank bottom which did not appear to be deteriorated and appeared to be still functional:			X
7.	All of the bolt heads in the tank sidewall interior are covered with nylon covers. None of these are loose or missing.			X

Glass Lined Bolted (Cont.)

Item	Description	OK	Problem	N/A
8.	Almost all of the bolt heads in the tank sidewall interior have an adequate amount of caulking around the heads (i.e. complete donut) which are preventing corrosion from occurring on most of the bolt holes and this caulking is not excessively deteriorated and losing adhesion:	X		
9.	The tank bottom is constructed out of concrete which is not deteriorated and no extensive spalling or cracking was observed:			X
10.	The tank bottom is constructed out of plates which are bolted together. The interior of each bottom plate has been factory coated with a cobalt fused glass material. An excessive amount of fused glass adhesion failures in the plates away from the edges which were not already repaired, or an excessive amount of new adhesion failures were not observed throughout the tank bottom:	X		
11.	An excessive amount of failures were not observed on the additional layer of white titanium dioxide installed on the tank interior side of each bottom plate:			X
12.	The bolts that fasten the bottom plates together come up through the plates, with the heads below the tank bottom, and with the bolt threads and nuts above the bottom plates, These bolt threads and nuts are covered with nylon covers. Very few or none of these nylon covers are missing and the bolt threads and nuts are not corroding excessively:	X		
13.	Galvanized steel bolts, and not stainless steel bolts were used to construct this tank and no dissimilar metal corrosion was observed:	X		
14.	The exterior of each sidewall plate has been factory coated with a cobalt fused glass material and an excessive amount of fused glass adhesion failures or damage on these plates away from the plates edges that were not previously repaired were not observed:	X		

Glass Lined Bolted (Cont.)

Item	Description	OK	Problem	N/A
15.	The edges of the sidewall plate exteriors appear to have been sealed with a polyurethane caulking material An excessive amount of sections of failure of the caulking material to adequately protect the edges of the plates were not observed throughout the tank exterior:	X		
16.	The bolts that fasten the sidewall plates together are installed with the heads in the tank interior and with the bolt threads and nuts on the sidewall exterior. The exterior section of these bolt threads and nuts are covered with nylon covers. An excessive amount of these nylon covers are not missing and the bolt threads and nuts are not corroding:			X
17.	The bolts that fasten the sidewall plates together are installed with the heads in the tank interior and with the bolt threads and nuts on the sidewall exterior. Although the exterior section of these bolt threads and nuts are not covered with nylon covers and are protected only with caulking, an excessive amount of the bolt threads and nuts are not corroding:	X		
18.	The tank roof is constructed out of plates which are bolted together. The tank exterior and tank interior sides of each roof plate have been factory coated with a cobalt fused glass material. An excessive amount of fused glass adhesion failures in the plates away from the edges were not observed throughout the tank roof exterior and no problems or corrosion was observed at any failures which have previously been repaired:	X		
19.	An excessive amount of fused glass adhesion failures in the plates away from the edges were not observed throughout the tank roof interior and no problems or corrosion was observed at any failures which have previously been repaired:	X		
20.	An excessive amount of failures were not observed on the additional layer of white titanium dioxide installed on the tank interior side of each roof plate:	X		

Glass Lined Bolted (Cont.)

Item	Description	OK	Problem	N/A
21.	The edges of the roof plate exteriors appear to have been sealed with a polyurethane caulking material An excessive amount of sections of failure of the caulking material to adequately protect the edges of the plates were not observed throughout the tank roof exterior:	X		
22.	The edges of the roof plate interiors appear to have been sealed with a polyurethane caulking material An excessive amount of sections of failure of the caulking material to adequately protect the edges of the plates were not observed throughout the tank roof interior:	X		
23.	The bolts that fasten the roof plates together are installed with the heads in the tank interior and with the bolt threads and nuts on the roof exterior. The exterior section of these bolt threads and nuts are covered with nylon covers. An excessive amount of these nylon covers are not missing and the bolt threads and nuts are not corroding:	X		
24.	The bolts that fasten the roof plates together are installed with the heads in the tank interior and with the bolt threads and nuts on the roof exterior. Although the exterior section of these bolt threads and nuts are not covered with nylon covers and are protected only with caulking, An excessive amount of the bolt threads and nuts are not corroding:	X		
25.	Angles are bolted to the roof plates for roof support. Both sides of each angle have been factory coated with a cobalt fused glass material. An excessive amount of fused glass adhesion failures in the angles were not observed throughout the tank roof interior and no problems or corrosion was observed at any failures which have previously been repaired:	X		
26.	The roof is constructed out of an aluminum dome. No problems or deterioration of the dome were observed.			X

Glass Lined Bolted (Cont.)

Item	Description	OK	Problem	N/A
27.	The adhesive anti-slip material installed on the tank roof so that the center vent can be safely accessed has not deteriorated and no sections are missing:			X
28.	Almost all of the bolts holding the exterior ladder to the sidewall, the protective cage together, the upper balcony railing together and to the roof, and the protective cage to the exterior ladder, are constructed out of galvanized steel instead of stainless steel and are corroded but appeared to be still structurally sound:			X
29.	The aluminum walkway and balcony railings that extend from near the tank sidewall to near the center vent appeared to still be structurally sound and no corrosion, deterioration, or other problems were observed:	X		
30.	The section of the concrete pad on the tank exterior is not excessively deteriorated and no deep or extensive cracks or spalling was observed:	X		

Water Stratification

PLEASE PAY SPECIAL ATTENTION TO THE DISPLAY ON THE BOTTOM LEFT OF THE INSPECTION VIDEO AND PHOTOS AND REFER TO THE PRINTED PHOTOS AT THE BACK OF THIS REPORT. THIS DISPLAY SHOWS THE DEPTH OF WATER AND THE WATER TEMPERATURE.

It is very important that you understand that water stratification can seriously affect the water quality. Water stratification is the difference in water temperature throughout your tank, including a temperature difference from top to bottom in the center of the tank and also near the sidewalls, and also a temperature difference at the top of the water and also the bottom of the tank from near the sidewalls to the center of the tank.

Warmer water rises and colder water sinks. Therefore, in warmer weather if you input colder water from your pumps, this new water will stay on the bottom and be withdrawn when the pumps stop and not mix with the warmer water already in the tank. As the disinfectant level in the older water drops to nothing over time it is susceptible to bacteriological contamination. Also, as the water sits in your tank without being withdrawn, the existing disinfectant can form an amount of byproducts that exceed EPA standards, putting your system in violation.

Item	Description	Yes	No
1.	**The water temperature was virtually the same at the water surface and at the tank bottom near the center of the tank and near the sidewalls and also at the water surface near the center of the tank and near the sidewalls and at the bottom near the center of the tank and near the sidewalls:**	X	

If this answer is "No", there is a problem with water stratification and water quality in your tank that should be addressed to prevent your system from having water contamination or being in violation of disinfectant byproduct levels.

Structural Condition

Component	Description	O.K.	Problem	N/A
Concrete Base	Concrete base or ring supporting sidewalls is not excessively deteriorated:	X		
Erosion/Settling	Ground at foundation or ring is not eroded or settled:	X		
Anchor Bolts	These bolts are not excessively corroded, all nuts are tight and not missing, and the structural integrity is not affected:	X		
Exterior Ladders	Structurally sound, safe for use, not excessively bent, dented, twisted, damaged, or excessively corroded:	X		
Ladder Guards	The lowermost exterior ladder has a ladder guard installed to prevent access to the tank roof and tank interior:	X		
Air Vent	Not excessively damaged, corroded, or deteriorated:	X		
Overflow Pipe	Structurally sound, not bent, twisted, deformed, otherwise damaged, excessively corroded:	X		
Level Indicator	Functional, float not flooded, guide wires not broken, wire to flag not broken, bottom bracket not excessive corroded or loose, float and flag move freely and are not binding:			X
Leaks	No indications of leakage observed:	X		
Handrails, Balconies	All balcony platforms and railings are structurally sound, safe for use, and not excessively corroded or damaged:	X		
Interior Ladder	Not excessively bent, dented, twisted, damaged, corroded:			X

Sanitary Condition

Component	Description	O.K.	Problem	N/A
Perimeter Fence	Has barbed wire on the top, is not damaged or deteriorated, has “No Trespassing” signs:		X	
Gates	Are not damaged and can be opened:	X		
Locks	Perimeter gate have locks:	X		
Overflow screen, flap, size	Is adequately screened or flap opens and closes and pipe is large enough:	X		
Vent Screen Material	Screen is metal, not damaged, not excessively corroded, or missing:	X		
Access hatch	Has no excessive corrosion, is not deteriorated or bent, structurally sound:	X		
Access Hatch Lock	Upper access hatch adequately locked:	X		
Evidence of Foreign Matter	No debris laying on tank bottom:	X		
Vandalism	No graffiti, litter, trash, or damage:	X		
Silt Stop	Silt stop is not missing or displaced	X		
Water Visibility	Visibility in water is at least 10’:	X		
Floating Surface Debris	No debris floating on water surface:	X		

Sediment:

Average Sediment Depth:	Less than ½”	Less than 1”:	1” to 5”	5” to 10” or more
	X			

Recommendations

General Recommendations

Item	Description	Yes	No	N/A
1.	Reinspect tank interior in 5 years:	X		
2.	Repair glass coating on tank interior plates:	X		
3.	Repair glass coating on tank exterior plates:		X	
4.	Repair glass coating on tank roof interior or exterior plates:		X	
5.	Replace existing ladders:		X	
6.	Modify or add safety equipment to exterior ladder(s):		X	
7.	Modify or add safety equipment to interior ladder(s):			X
8.	Repair or replace roof vent:		X	
9.	Install, repair, or modify access control fence:	X		
10.	Modify or repair damaged or distorted balcony railing(s) or to meet current OSHA regulations:		X	

Recommendations (Cont.)

Recommendations Unique and Specific To This Tank

Item	Description
1.	**The items listed as NO in the OSHA Section, PROBLEM in the Glass Lined Bolted Section, PROBLEM in the STRUCTURAL and SANITARY Sections and listed as YES in the GENERAL RECOMMENDATIONS should be installed, modified, or repaired as indicated.**
2.	**Although some incidences of corrosion are occurring throughout the tank interior on the sidewall and bottom plate edges and on some of the sidewall and bottom bolts, these are still too few, and the corrosion is not excessive enough that the tank interior requires resealing at this time. This will probably occur in from 5 to 10 years from now and the routine 5 year inspections will determine the timing of this.**
3.	**Although some incidences of corrosion are occurring throughout the tank exterior on the sidewall and roof plate edges and on some of the sidewall and roof bolts and nuts, these are still too few, and the corrosion is not excessive enough that corrective actions are recommended at this time. This will probably occur in 10 or more years from now and the routine 5 year inspections will determine the timing of this.**
4.	**Repair a leak at the 20' water line from the surface**
5.	

Please contact us if you have any questions about our inspection or the recommendations or conclusions of this inspection report.

Photo Identification

Note: **You also receive a photo disc with digital copies of all the photos taken during the inspection, an electronic copy of this complete report including photos as an Adobe Portable Document File (.pdf) document, and the interior video as a Windows Media File (.wmv) that you can copy to and play on your computer.**

NOTE: THERE IS AN EXTENSIVE AMOUNT OF INTERIOR AND EXTERIOR PHOTOS THAT WERE TAKEN AS PART OF THIS INSPECTION WHICH ARE ON THE PHOTO DISC THAT YOU RECEIVE ALONG WITH THIS INSPECTION REPORT. THE PHOTOS PRINTED IN THIS REPORT ARE JUST A REPRESENTATION AND YOU SHOULD REVIEW THE ENTIRE PHOTO COLLECTION ON THE DISC.

Pictures

Pictures (Cont.)

Leak in the tank

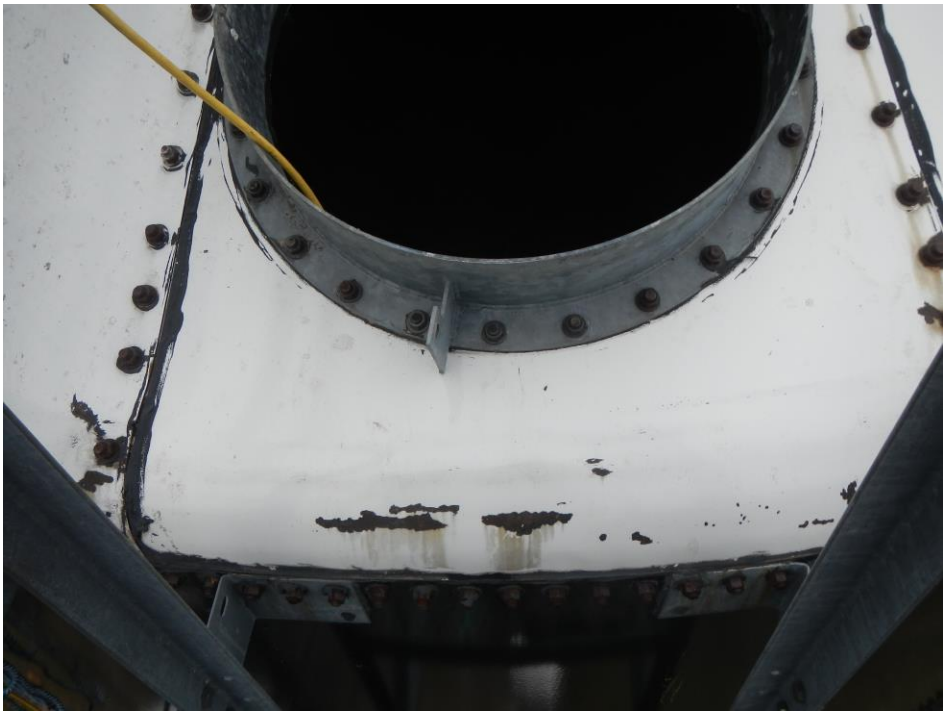
Pictures (Cont.)

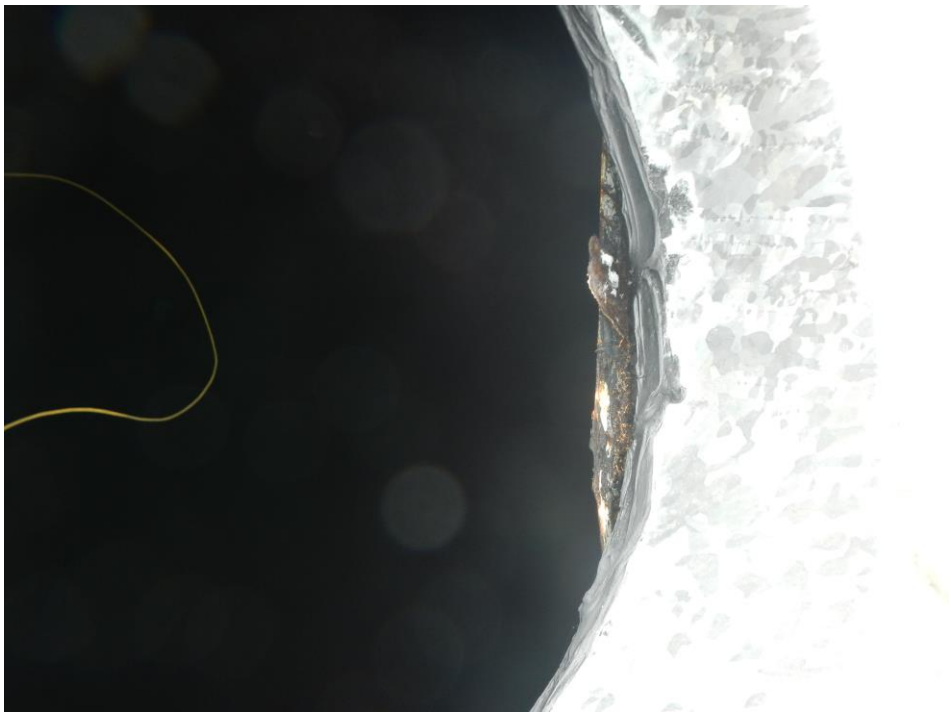
Pictures (Cont.)

Pictures (Cont.)

Pictures (Cont.)

Pictures (Cont.)





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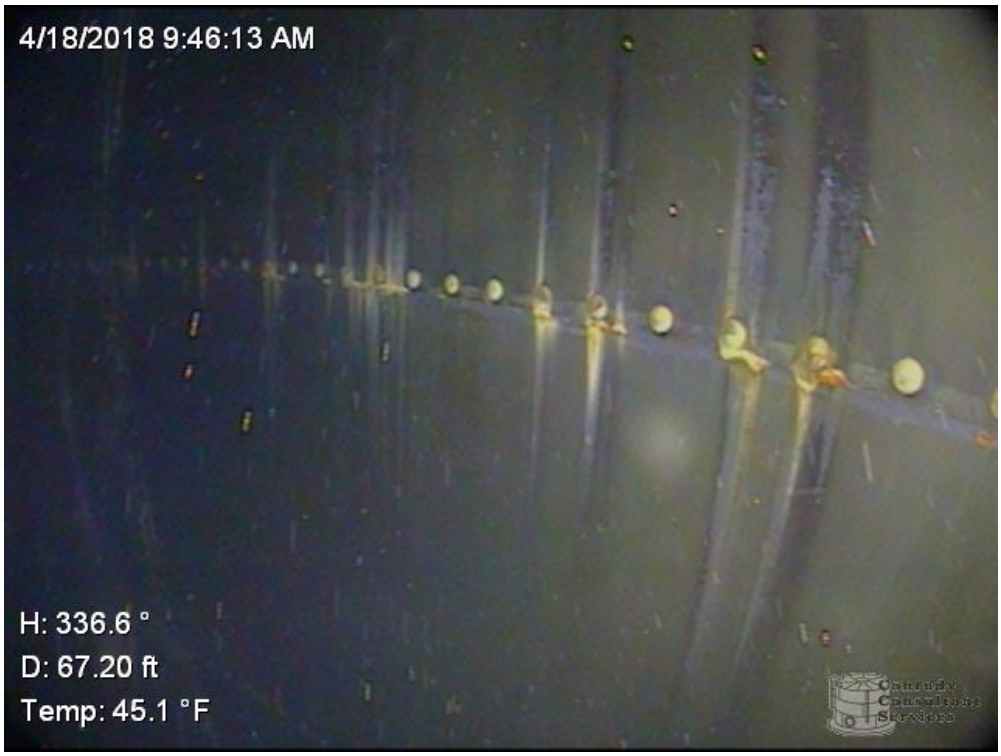

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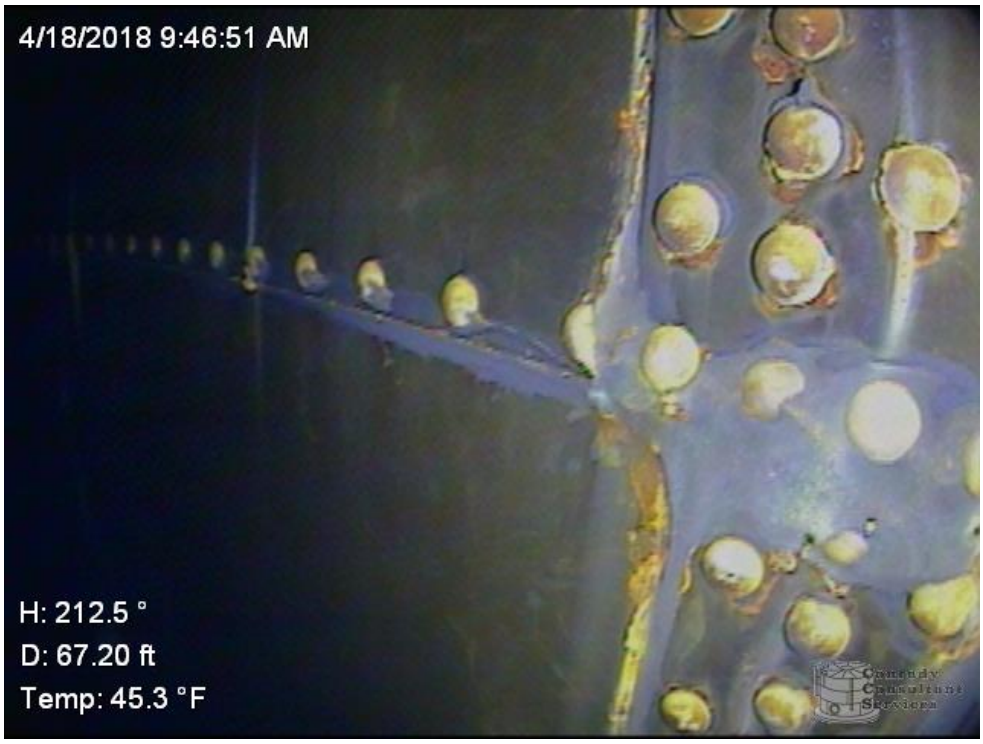

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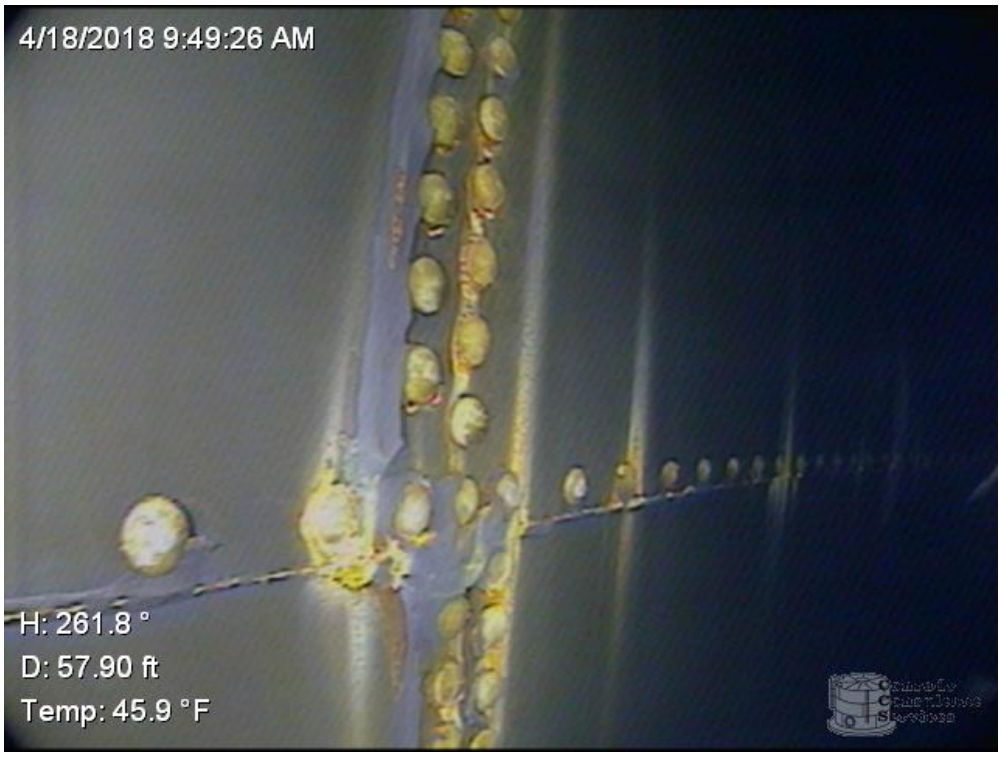

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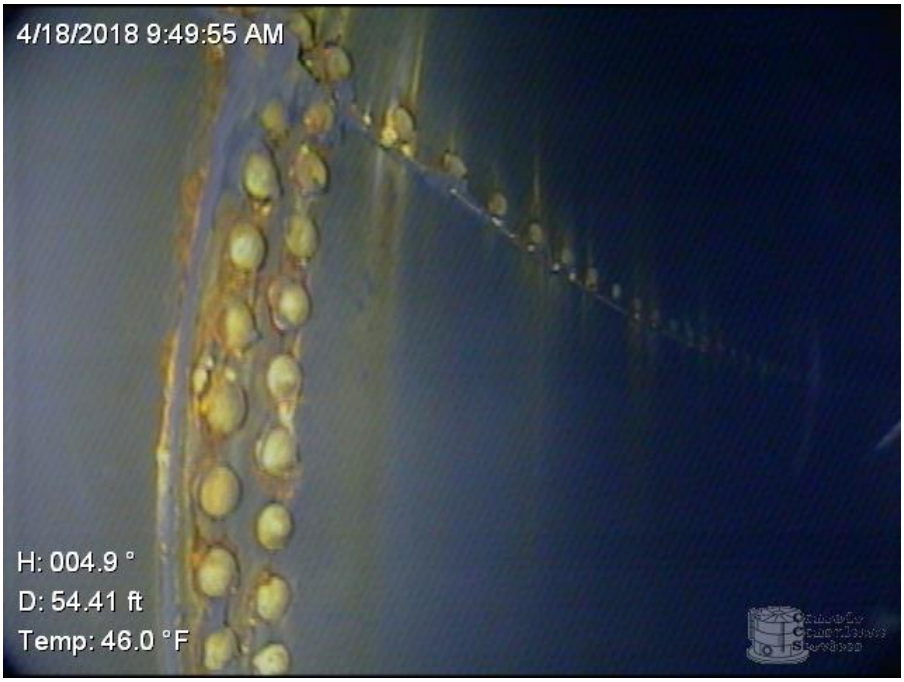

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Pictures (Cont.)

LEAK ON PLATE JOINT

Pictures (Cont.)

Pictures (Cont.)

Pictures (Cont.)

APPENDIX C

COST ESTIMATE

Town of Leicester *Water Storage Estimate*		
General Contract		
Mobilization	$	20,000
Allowance	$	20,000
Existing Tank Demolition	$	45,000
Site Work & Piping	$	109,000
New Elevated Water Storage Tank	$	920,000
Sub Total	$	1,114,000
Contingency (20%)	$	222,800
Engineering, Legal, & Admin (20%)	$	222,800
Grand Total (Rounded)	**$**	**1,560,000**

TOWN OF LEICESTER

132 Main Street, Leicester NY 14481

Resolution calling for a Public Hearing to Receive Comment on the Town of Leicester, Cuylerville Water District Water Tank Replacement and Improvements Pursuant to New York State Town Law §§202-b, followed by a special meeting of the Town Board of the town of Leicester.

WHEREAS, the Town Board of the Town of Leicester has determined that it is necessary to make significant replacements, improvements, rehabilitation and repairs to the Water Tank within the Town of Leicester Cuylerville Water District; and

WHEREAS, the Town Board of the Town of Leicester recognizes there is a need to provide safe and effective public water service to its customers within the Town of Leicester and that appropriate improvements to the existing drinking water delivery facilities will mitigate the public health risks associated with the potential for inadequate ability to deliver potable water within the Town; and

WHEREAS, in order to accomplish such needs, the Town Board of the Town of Leicester is proposing the following improvements to the Water Tank within the Town of Leicester Cuylerville Water District: The replacement of the existing Cuylerville Water District Water Tank, which has structural and coating issues that cannot be repaired. The project will also include the installation of by-pass pumping connections that will enable the water system to function during construction; and

WHEREAS, the Town Board is empowered to authorized such improvements subject to the provisions of New York State Town Law §202-b; and

WHEREAS, this Public Hearing Notice is made pursuant to and in compliance with New York State Town Law §§202-b and 193; and

NOW THEREFORE BE IT RESOLVED, that pursuant to New York State Town Law, a public hearing be held on the 25th day of July, 2023 at 6:30 p.m. at the Town Hall located at 132 Main Street, Leicester, New York, with respect to the replacement of the Cuylerville Water District Water Tank as more particularly described in the Engineering Report last dated June, 2023, prepared by Clark Patterson Lee, which said report is on file in the Leicester Town Clerk's office; and be it further

RESOLVED, that the maximum amount proposed to be expended for the improvements is $1,560,000.00 of which it is expected that $936,000.00 will be funded from a NYS EFC Water Infrastructure Improvement Act (WIIA) Grant and the local share of $624,000.00 will be financed through long term financing through either the New York State Environmental Facilities Corporation or through long term bonding; and be it further

RESOLVED, that the anticipated cost for such improvements shall be borne by the Town of Leicester Cuylerville Water District; and be it further

RESOLVED, that a copy of Engineering Report dated June, 2023, prepared by Clark Patterson Lee, describing the proposed improvements to be constructed therein shall be available for the public inspection at the Leicester Town Clerk's Office; and be it further

RESOLVED, that at the time and date aforementioned, all interested parties may be heard concerning the proposed improvements to the Town of Leicester Cuylerville Water District Water Tank as noted above and described in more detail in the Engineering Report; and be it further

RESOLVED, that immediately following the conclusion of the public hearing, the Town of Leicester Town Board will conduct a special meeting of the Town Board, at which it may conduct any and all business, including but not limited to the adoption of a resolution authorizing the Cuylerville Water District Water Tank project and the consideration and possible adoption of a bond resolution relating to the financing thereof.

Dated: June 23, 2023
Published: ___July 13, 2023__

By order of the Town Board
Amy Neumann, Town Clerk

TOWN BOARD
TOWN OF LEICESTER
COUNTY OF LIVINGSTON

RESOLUTION AUTHORIZING WIIA GRANT APPLICATION
FOR THE
TOWN OF LEICESTER CUYLERVILLE WATER TANK REPLACEMENT

At a special meeting of the Town Board of the Town of Leicester, Livingston County, State of New York, held at the Leicester Town Hall on the 25th day of July, 2023.

WHEREAS, the Town of Leicester (Town), is seeking a grant for the Town of Leicester Cuylerville Water Tank Replacement (Project) and intends to submit via the Environmental Facilities Corporation for funding to the New York Water Infrastructure Improvement Act (WIIA); and

WHEREAS, the Town project cost estimate for the Project is $1,560,000.00; and

WHEREAS, the WIIA through NYS Environmental Facilities Corporation (NYSEFC) is authorized to fund up to 60% of the project cost in the amount of $936,000.00; and

WHEREAS, CPL is authorized to prepare a grant application on behalf of the Town via the Environmental Facilities Corporation (EFC) to the NYS Water Infrastructure Improvement Act (WIIA); and

WHEREAS, the Supervisor is required to sign the grant application on behalf of the Town as well as a Grant Agreement with the NYSEFC and any and all other contracts, documents and instruments necessary to bring about the Project if a grant is awarded; now, therefore be it

RESOLVED, that the Town authorizes and appropriates a minimum of 40% local match as required by the Water Infrastructure Improvement Act (WIIA). Under the WIIA, this local match must be at least 40% of total project of $1,560,000.00 for a total share of $624,000.00. The maximum local share appropriated subject to any changes agreed to by the Town shall not exceed $624,000.00 subject to receipt of a WIIA grant and available funding. The total estimated maximum grant is $936,000.00. The Town may increase this local match through the use of in-kind services without further approval from the Town; and be it further

RESOLVED, that the Supervisor is authorized to sign a grant application on behalf of the Town via the NYSEFC to the Water Infrastructure Improvement Act (WIIA); and be it further

RESOLVED, that should a WIIA grant be awarded to the Town, the Supervisor is authorized to execute a Grant Agreement with the NYSEFC and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town's obligations under the WIIA Program through NYSEFC.

The question of the adoption of the foregoing Resolution and Order was duly submitted for approval by vote of the Leicester Town Board on Tuesday, July 25, 2023 recorded as follows:

Vote of the Board:

Dave Fanaro, Supervisor	_____
Matt Durbin	_____
Gerald Hull	_____
Karen Roffe	_____
Jason Yasso	_____

This is to certify that I, the undersigned, Clerk of the Board of the Town of Leicester of the County of Livingston, was duly adopted by the Leicester Town Board of said Town on the date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 25th day of July, 2023.

_____

Amy Neumann, Town Clerk

EXTRACT OF MINUTES OF MEETING OF THE TOWN BOARD
ADOPTING BOND RESOLUTION

At a meeting of the Town Board of the Town of Leicester, Livingston County, New York, held at the Town Offices in Leicester, New York, on the 25th day of July, 2023:

PRESENT:

ABSENT:

_____ presented the following resolution and duly moved that it be adopted and was seconded by _____:

BOND RESOLUTION DATED JULY 25, 2023 OF THE TOWN BOARD OF THE TOWN OF LEICESTER, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE WATER SYSTEM CAPITAL IMPROVEMENTS WITHIN THE TOWN, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, the Town of Leicester Cuylerville Water District is a water District of the Town of Leicester, New York, duly established by the Town Board pursuant to the Town Law and, pursuant to a resolution adopted on July 25, 2023, the Town has duly authorized additional facilities therein pursuant to §202-b of the Town Law; and

WHEREAS, the Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on July 25, 2023, has duly determined and found the purpose to be a type II action which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA; now therefor, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF LEICESTER, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Leicester shall undertake certain capital improvements consisting of the acquisition and construction of water improvements for the Town of

Leicester Cuylerville Water District, duly authorized pursuant to Section 202-b of the Town Law, consisting of the replacement of the existing Cuylerville Water District Water Tank, including the installation of by-pass pumping connections that will enable the water system to function during construction, and the acquisition of land or rights in land necessary therefor, if any, and the acquisition of original furnishings, equipment, machinery or apparatus, or the replacement of such equipment, machinery or apparatus, and other incidental improvements that may be required in connection therewith for such construction and district use (hereinafter referred to as "purpose"), and general obligation serial bonds in an aggregate principal amount not to exceed $1,560,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Leicester of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be $1,560,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, currently expected to be $936,000 from a NYS EFC Water Infrastructure Improvement Act (WIIA) Grant.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the

purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, and the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Leicester.

Section 7. The faith and credit of the Town of Leicester, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such district benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Leicester together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption.

The motion having been duly seconded, it was adopted and the following votes were cast:

AYES	NAYS

NOTICE PURSUANT TO LOCAL FINANCE LAW SECTION 81.00

The bond resolution published herewith was adopted on July 25, 2023, and the validity of the obligations authorized by such bond resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Leicester is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Amy Neumann, Town Clerk
Town of Leicester, New York

STATE OF NEW YORK }
} ss:
COUNTY OF LIVINGSTON }

I, the undersigned clerk of the Town of Leicester, DO HEREBY CERTIFY as follows:

1. A meeting of the Town Board of the Town of Leicester, Livingston County, State of New York, was held on July 25, 2023, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Town Board.

2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extract.

3. Said Minutes correctly state the time and place when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Town Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

5. IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of Leicester this ___ day of _____, 2023.

{SEAL}

_____
Town Clerk
Town of Leicester

RESOLUTION NO._____ CLASSIFYING THE CUYLERVILLE WATER STORAGE TANK REPLACEMENT AS A TYPE II ACTION.

Council Member _____ presented the following resolution and moved that it be adopted, and it was seconded by Council Member _____.

BE IT RESOLVED BY THE BOARD OF THE TOWN OF LEICESTER AS FOLLOWS:

WHEREAS, the Town of Leicester Board ("Town") has determined that it is appropriate to apply for grant funding to assist in the financing of the various capital improvement projects; and

WHEREAS, the capital improvements, known as the ("Project"), being considered includes the replacement of the existing Cuylerville Water Storage Tank; and

WHEREAS, pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA"), the Town must consider pursuant to criteria set forth in SEQRA the environmental implications of the Project; and

WHEREAS, certain actions are classified under SEQRA as Type II actions; and

WHEREAS, Type II actions are those actions, or classes of actions, which have been found categorically to not have significant adverse impacts on the environment, or actions that have been statutorily exempted from SEQRA review, and Type II actions do not require preparation of an Environmental Assessment Form, a negative or positive declaration, or an Environmental Impact Statement; and

WHEREAS, Type II actions do not require any further SEQRA review; and

WHEREAS, the Town has considered under SEQRA the environmental impact of which will be separately considered, and finds that each of the actions meets the requirement for a Type II action; and

WHEREAS, pursuant to 6 NYCRR Section 617.5 (c), the Project is determined to be Type II actions because they involve the following requiring no further review by the Town:

617.5 (c) (1) maintenance or repair involving no substantial changes in an existing structure or facility;

617.5 (c) (2) replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in section 617.4;

617.5 (c) (9) construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;

617.5 (c) (13) extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list;

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF YORK, NEW YORK AS FOLLOWS:

1. The Project discussed above hereby is determined to constitute SEQRA Type II Actions as defined under said regulation and do not require an environmental impact statement or any other determination or procedure.

This resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution and Order was duly submitted for approval by vote of the Leicester Town Board on Tuesday, July 25, 2023 recorded as follows:

Vote of the Board:

Dave Fanaro, Supervisor	_____
Matt Durbin	_____
Gerald Hull	_____
Karen Roffe	_____
Jason Yasso	_____

This is to certify that I, the undersigned, Clerk of the Board of the Town of Leicester of the County of Livingston, was duly adopted by the Leicester Town Board of said Town on the date above, and that the same is a true and correct transcript of said resolution.

In witness where of I have hereunto set my hand and the official seal of the Town Clerk this 25th day of July, 2023.

_____

Amy Neumann, Town Clerk