

TOWN OF ALEXANDER
RESOLUTION AND ORDER FOR A PUBLIC HEARING
ON THE PETITION OF AN UPDATED MAP, PLAN AND REPORT
FOR THE TOWN OF ALEXANDER WATER DISTRICT NO. 7

Dated: June 9, 2025

WHEREAS, the Town Board of the Town of Alexander met at a regular board meeting at the Town Offices of the Town of Alexander in the Town of Alexander, New York on the 9th day of June, 2025, commencing at 6:00 P.M., at which time and place the following members were:

Present: Supervisor David Miller
Council Member Laura Schmieder
Council Member Eric Wagner
Council Member Jerry Krupka
Council Member Ronald Merrill
Absent: ; and

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and
WHEREAS, the Town Board of the Town of Alexander, New York, duly adopted a Resolution directing the Supervisor of the Town of Alexander to file a Map, Plan and Report for providing the facilities, improvements or services in a portion of the Town of Alexander, where a Water District is proposed to be established, and said Map, Plan and Report, dated May 2023, has

been filed in the office of the Town Clerk of the Town of Alexander on May 15, 2023; and

WHEREAS, a “Petition to Request Water District” was filed in the Alexander Town Clerk’s Office on June 6, 2024, signed by the required number of property owners within the proposed district, namely, pursuant to the latest completed assessment roll of the Town of Alexander, the owners of taxable real property located in the proposed Town of Alexander Water District No. 7 (also referred to herein as “Water District”) owning in the aggregate at least one-half

(½) of the assessed valuation of all of the taxable real property of the proposed Water District; and also constituting the signatures of resident owners who own taxable real property aggregating

at least one-half (½) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents; and

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WHEREAS, the Town Board adopted an “Order for a Public Hearing on the Petition for Establishment of the Town of Alexander Water District No. 7” on July 8, 2024 reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a Map, Plan and Report describing the same is on file in the Town Clerk’s Office for public inspection and specifying that said Town Board shall meet at the Town of Alexander Town Office

on the 22nd day of July, 2024 at 6:30 p.m. for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons

interested in the subject thereof concerning the same; and

WHEREAS, following the July 22, 2024 Public Hearing, which was held with the requisite publication and posting having been certified, the Town Board of the Town of Alexander

adopted an order to establish Water District No. 7 pursuant to receipt of approval from the New York State Comptroller's office on August 12, 2024; and

WHEREAS, a Resolution was adopted on September 9, 2024 by the Town Board to authorize the Town Attorney begin assembling and preparing an application to the Office of the State Comptroller for approval of the formation of Water District No. 7; and

WHEREAS, due to the lack of funding, an application was not submitted to the Office of the State Comptroller; and

WHEREAS, the Town Board of the Town of Alexander, New York, has received from licensed Engineer Mountain Engineering, PLLC, a revised draft Map, Plan and Report for the Town of Alexander Water District No. 7, under Town Law §209-h, on May 23, 2025; and

WHEREAS, the project area being identified through public interest, the proposed Water District shall connect to the existing Town of Alexander Water District No. 2 along NYS Route 98 and to the Town of Bethany Water District No. 4 along Creek Road and Old Creek Road. There will be connections to the existing Town of Alexander Water District No. 4 at US Route 20, Brookville Road and Sandpit Road; and

WHEREAS, the total water main project will include approximately 126,500 linear feet of new water main along Old Creek Rd., Creek Rd., Hunn Rd., Gilhooly Rd., Brookville Rd., Cook

Rd., Route 20 Broadway Rd., Browns Mill Rd., West Bethany Rd., Molasses Hill Rd., Dry Bridge

Rd., Sandpit Rd., Chaddock Rd., Spring Rd., Stroh Rd. and Maplewood St., including 5,650 linear

feet of transmission main along US Route 20 in the Town of Alexander and 4,250 linear feet of

transmission water mains in the Town of Bethany, which will serve approximately 184 units in the

Town of Alexander within the proposed service area; and

WHEREAS, the Towns of Alexander and Bethany have proposed connecting water districts that will provide benefits to each municipality and these districts include the Town of Alexander Water District No. 7 and the Town of Bethany Water District No. 5., offering benefits to both communities which include, but are not limited to:

- Bethany WD#5 saves the cost of an 1180 zone water storage tank;
- Bethany WD#5 lessens the cost of the Ellicott Street Booster pump station;
- Bethany WD#5 eliminates the need for up to 5,500 feet of suction main;
- Bethany will have transmission mains available for future Bethany residents to potentially use;

- Alexander WD#7 saves the cost of a 1,330 zone pump station;

• Provides a loop and transmission to the Genesee County Water System along NYS Route 20/Broadway allow for better flow and water quality for the Bethany and Alexander 1180 and 1330 zones;

- Flushing of dead-end mains is reduced, saving significant amounts of water and labor savings;

• The two sources of supply from the 1060 zone provide redundancy of water supply to each of the districts; and

WHEREAS, cost sharing of these projects and improvements would benefit Alexander, Bethany and the Genesee County water system by providing much needed public water to that portion of the county and overall projects between the two towns would provide a transmission main to supply the Town of Bethany Water District No. 5; and

WHEREAS, the Towns of Alexander and Bethany water improvements projects would be built concurrently with each other, with both the Town of Alexander and the Town of Bethany's water improvements being built in three phases; and

WHEREAS, this proposed project includes the installation of approximately 5,650 linear feet of 12-inch transmission main from the existing Town of Alexander Water District No. 2 at the

intersection of NYS Route 98 and Route 20 to the Town of Alexander Water District No. 4, the installation of approximately 4,250 linear feet of 8-inch transmission mains in the Town of 4

Bethany to connect the existing Town of Bethany Water District No. 4 to the new water district, and the installation of approximately 126,500 linear feet of new water distribution main along Old

Creek Rd., Creek Rd., Hunn Rd., Gilhooly Rd., Brookville Rd., Cook Rd., Route 20 Broadway Rd., Browns Mill Rd., West Bethany Rd., Molasses Hill Rd., Dry Bridge Rd., Sandpit Rd., Chaddock Rd., Spring Rd., Stroh Rd. and Maplewood St. in the Town of Alexander; and

WHEREAS, this project would also involve the installation of a 12-inch transmission main of approximately 7,850 linear feet from the existing Town of Bethany Water District No. 5 point along Route 20 to the Bethany/Alexander Town lines, requiring the Town of Bethany to complete

this transmission main and the Town of Batavia to operate and maintain the Town of Bethany Water District No. 5 and all new and existing water districts in the town; and

WHEREAS, a booster pump station will be installed and paid for by the Town of Bethany Water District No. 5 project and if the Town of Bethany bids exceed their budget, the Town of Alexander would consequently include the booster pump station costs in the Water District No. 7 project; and

WHEREAS, pursuant to the direction of the Town of Alexander, Mountain Engineering, PLLC has completed and filed with the Town Board such Map, Plan and Report for the Town of Alexander, under Town Law §209-h, and has estimated the maximum cost thereof to be SIXTEEN

MILLION TWO HUNDERED NINETY THOUSAND (\$16,290,000.00); and said Map, Plan and

Report dated June 2025, and was filed in the office of the Town Clerk of the Town of Alexander on June 6, 2025; and

WHEREAS, a copy of the revised Map, Plan and Report describing the project is also available for review at the Town Clerk's Office during regular office hours; and

WHEREAS, the boundary of the Proposed Town of Alexander, Proposed Water District No. 7 includes all that tract or parcel of land situated in the Town of Alexander, County of Genesee,

State of New York, described as follows:

Beginning at a point, westerly property line Tax Parcel 11.-1-26.11, the intersection of the

shared Genesee County and Wyoming County Line; thence,

1. Northerly, along the westerly line of Tax Parcel 11.-1-26.11, 2,708 feet, more or less; to centerline of Maplewood Drive 49.5' wide right of way; thence,
2. Northerly, along the centerline of Maplewood Drive 49.5' wide right of way, 900 feet, more or less; to the intersection of centerline of Stroh Road 49.5' wide right of way; thence,
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3. Westerly along the centerline of Stroh Road, 46 feet, more or less; to the intersection centerline of Tonawanda Creek; thence,
4. Northerly along the centerline of Tonawanda Creek, 11,991 feet, more or less; to the intersection of the Village of Alexander and Town Alexander Municipal Boundary; thence,
5. Easterly, along the shared municipal line, 4,002 feet more or less; to the intersection of Town of Alexander Water District No. 4; thence,
6. Easterly, along the Town of Alexander Water District No. 4, 2,615 feet, more or less; to the intersection of the easterly line of Tax Parcel 9.-1-43; thence,
7. Southerly along Tax Parcels 9.-1-43, 9.-1-42, 9.-1-41 and 9.-1-44.11, 3,497 feet, more or less; to intersection of Town of Alexander Water District No. 4; thence,
8. Easterly, along Town of Alexander Water District No. 4 3,442 feet, more or less; to intersection of Tax Parcel 9.-1-47.2; thence,
9. Northerly, along Tax Parcels 9.-1-47.2, 9.-1-7, 9.-1-5.11, 9.-1-6.1 and 8.-1-29.1 6,660 feet, more or less; to the intersection of Town of Alexander Water District No. 4; thence,
10. Westerly, along Town of Alexander Water District No. 4 2,367 feet, more or less; to intersection shared municipal line of Village of Alexander and Town of Alexander; thence,
11. Westerly, along the shared municipal line, 3,858 feet, more or less; to the intersection of the centerline of Tonawanda Creek; thence,
12. Northerly, along the centerline of the Tonawanda Creek, 195 feet, more or less; to the intersection centerline of Broadway Road; thence,
13. Easterly, along the centerline of Broadway Road, 66' wide right of way, 2,117 feet, more or less; to perpendicular intersection of Tax Parcel 8.-1-28; thence,
14. Northerly along Tax Parcels 8.-1-28, 8.-1-17.1, 8.-1-23.11, 8.-1-18, 8.-1-82, 8.-1-79.1 and 8.-1-18, 4,680 feet, more or less; to centerline intersection of Tonawanda Creek; thence,
15. Northerly along the centerline of Tonawanda Creek, 5,166 feet, more or less; to the intersection of Tax Parcel 8.-1-18; thence,
16. Easterly along Tax Parcels 8.-1-18, 8.-1-79.1, 8.-1-82 and 6.-1-63.2, 2,524 feet, more or less; to intersection of centerline of Old Creek Road 49.5' right of way; thence,
17. Easterly along Tax Parcels 6.-1-62.22, 6.-1-62.211, 6.-1-62.114, 6.-1-60, 6.-1-81.1, 6.-1-59, 6.-1-78.2, 6.-1-78.1, 6.-1-77, 6.-1-66, 6.-1-69.12, 6.-1-69.11 and 6.-1-4.1, 13,676 feet, more or less; to intersection of centerline of Hunn Road 49.5' right of way; thence,
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18. Northerly from centerline of Hunn Road 49.5' right of way along Tax Parcels 6.-1-5, 6.-1-54.11, 6.-1-69.11, 6.-1-13.1, 6.-1-8, 15.-1-36.21, 15.-1-35, 15.-1-34, across Old Creek Road 49.5' right of way and 15.-1-33, 23,013 feet more or less; to intersection of Tonawanda Creek; thence,
19. Northerly, along the centerline of the Tonawanda Creek, 3,317 feet, more or less; to the intersection of Tax Parcel 15.-1-32.1; thence,
20. Easterly, along Tax Parcels 15.-1-32.1, 15.-1-32.2, 15.-1-28, across Cookson Road 49.5' right of way and 15.-1-27 4,313 feet, more or less, to the northeasterly Town of Alexander

Municipal Line; thence,

21. Southerly along the northeasterly Town of Alexander and Bethany shared municipal line, 30,412 feet, more or less; to the southeasterly Town of Alexander Municipal Line; thence,

22. Westerly along the southerly Town of Alexander municipal line, 19,663 feet, more or less; to the point of beginning.

All as shown on a map prepared by the Mountain Engineering entitled, "Proposed Town of Alexander Water District No. 7 dated July 2023. The Town of Alexander, Proposed Water District

No. 7, as described above, contains approximately 7,353 acres of land; and

WHEREAS, as stated in such Map, Plan and Report from June 6 2025, the project has an estimated maximum cost of \$16,290,000.00, which is a decrease of \$1,246,000.00 compared to the original amount of \$17,536,000.00 that was determined and Ordered on August 12, 2024, due to connecting Water District No. 7 to Bethany District No. 5 which serves to lower the costs to district users and with the assistance of a contributing grant from Genesee County and a grant from

the Office of Community Renewal, overall unit costs for Alexander Phases 1 would be reduced to

\$1,101.00, whereas the original estimated annual unit cost, carried in the petition was \$1,328.00; and

WHEREAS, this significant reduction in costs for the Town of Alexander users, not only for Phase 1, but Phases 2 and 3 may be eligible for similar grants and loans and the addition of other funding sources would consequently reduce the USDA-RD loan amount from the original obligated; and

WHEREAS, the debt service for the 2025 project costs are based on equivalent dwelling units and the Town of Alexander anticipates securing grants from the USDA Rural Development and/or New York Office of Community Renewal (OCR) and/or New York State Water

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Infrastructure (WIIA) program and/or other local, state, or federal funding programs to partially fund the project through grant, while the remaining share will be paid for by a USDA Rural Development Loan in addition to all other local, state or federal funding, in the approximate amount of \$13,009,000.00, where the original 2023 project quoted the approximate amount of \$13,152,000.00 in grants and contributions; and

WHEREAS, a typical average household uses 60,000 gallons of water per year and water rates for that usage shall be in 2025 a rate of \$6.87 per thousand gallons of water used ($\$6.87 \times 60$

$= \$412.20$), therefore the average total cost to homeowners for water would be \$412.00 per year, where the 2023 average annual water cost were at a rate of \$6.48 per thousand gallons of water used ($\$6.48 \times 60 = \388.80), with an average total cost being \$389.00 per year; and

WHEREAS, the Net local debt project costs are anticipated to be approximately \$3,281,000.00 with an annual debt service including (38 years at 2.125 % interest) of \$126,711.00

and the estimated Debt Service per Unit of \$689.00, where the 2023 debt was estimated to be \$4,384,000.00 with an annual debt service including (38 years at 2.25% interest) of \$172,850.00 and the estimated Debt Service per Unit of \$939.00; and

WHEREAS, the total annual cost for an average homeowner in the Map, Plan and Report

from May 2025 including debt service and water bill is estimated at \$1,101.00, which is a decrease of \$227.00 compared to the original Map, Plan and Report from May 2023 including debt service

and water bill would be estimated to be \$1,328.00 per year, per household; and

WHEREAS, in addition each unit shall be responsible for several one-time costs, including service line costs and well abandonment costs estimated at \$12.00-24.00 per linear foot for service line installation, and well abandonment costs of \$200.00-\$600.00, of which costs have

consistently stayed the same; and

WHEREAS, the payment of debt service will be made by levy and collection of special assessments from the several lots and proceeds of lands within the District which for the Town Board shall determine and specify to be specifically benefited thereby, so much upon and from each as such shall be in just proportion of the amounts of benefit conferred upon the same, to pay the principal of and interest on said bonds, as same shall become due and payable; and

WHEREAS, the Town Board acknowledges that the total annual cost to the owner of the typical one- or two-family home is below the threshold for the Office of the State Comptroller's 8

(OSC) approval and the Town Board will not need to submit an application to the OSC for their approval of the Town of Alexander Water District No. 7; and

WHEREAS, prior to approving the revised Map, Plan and Report for Water District No. 7 in the Town of Alexander, a Public Hearing must be ordered, the date and time of which, with description of the matter being considered, to be duly published and posted; and

NOW ON MOTION OF Town Supervisor David Miller which has been duly seconded by Councilperson Laura Schmieder, now, therefore,

RESOLVED, that in accordance with the provision of section 209-h and 196 of the Town Law, that the Town Board of the Town of Alexander shall meet at the Alexander Town Office, located at 3350 Church Street, Alexander, New York 14005 on the 30th day of June 2025, at 6:00 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements of facilities of the Water District No. 7 from:

2023 ESTIMATE

Total Estimated Capital Cost \$17,536,000.00

Grants/Contributions \$13,152,000.00

Total Debt \$4,384,000.00

Annual Debt Service (38 years, 2.25%) \$172,850.00

Estimated Debt Service/Unit (186 units) \$939.00

Estimated Yearly Water Cost/Unit \$389.00

(\$6.48/1,000 gallons @ 60,000 gal./year)

TOTAL ESTIMATED AVERAGE UNIT COST \$1,328 per year

First Year Cost to the typical single-family homeowner based on the May 2023 report:

Service Line \$12-\$24 per linear foot

Well Separation/Abandonment \$200.00-\$600.00

2025 ESTIMATE

Total Estimated Capital Cost \$16,290,000.00

Grants/Contributions \$13,009,000.00

Total Debt \$3,281,000.00

Annual Debt Service (38 years, 2.125%) \$126,711.00

Estimated Debt Service/Unit (184 units) \$689.00

Estimated Yearly Water Cost/Unit \$412.00

(\$6.87/1,000 gallons @ 60,000 gal./year)

TOTAL ESTIMATED AVERAGE UNIT COST \$1,101 per year

First Year Cost to the typical single-family homeowner based on the June 6 2025 report:

Service Line \$12-\$24 per linear foot

Well Separation/Abandonment \$200.00-\$600.00

and to hear all persons for or against said project shall be entitled to be heard; and it be further

RESOLVED, that the Town Board of the Town of Alexander shall hereby deem the Map, Plan and Report dated June 2025 prepared by Mountain Engineering, PLLC accepted; and it be further

RESOLVED, a copy of the Map, Plan and Report from June 2025 shall maintained on file and available for inspection by the public at the Town Clerk's Office; and be it further

RESOLVED, that the Town Clerk of the Town of Alexander is hereby authorized and directed to publish a Notice of this Order and Public Hearing in The Daily News, to post a copy of the same on the signboard not less than ten (10) days or more than twenty (20) days before the date of the public hearing; and be it further

RESOLVED, that the Town Clerk of the Town of Alexander shall also mail a copy of such Notice of Public Hearing to all owners of property located within the proposed Water District, in the time and manner required by law.

RESOLVED, by the Town Board of the Town of Alexander that this Water District shall be formed subject to permissive referendum under Section 12-A of Town Law.

DATED: June 9, 2025

Shannon Bartholomew

Shannon Bartholomew, Town Clerk

Town of Alexander

[SEAL]



Approved on Roll Call as follows:

Supervisor David Miller	X	Yes	___	No	___	Abstain	___	Absent
Councilmember Laura Schmieder	X	Yes	___	No	___	Abstain	___	Absent
Councilmember Eric Wagner	X	Yes	___	No	___	Abstain	___	Absent
Councilmember Jerry Krupka	X	Yes	___	No	___	Abstain	___	Absent
Councilmember Ronald Merrill	X	Yes	___	No	___	Abstain	___	Absent