

NOTICE OF PUBLIC HEARING ON THE PETITION FOR ESTABLISHMENT OF THE TOWN OF ALEXANDER WATER DISTRICT NO. 7, Adopted July 8, 2024

WHEREAS, the Town Board of the Town of Alexander, New York, has 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 ($\frac{1}{2}$) 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 ($\frac{1}{2}$) of the assessed valuation of all of the taxable real property of the proposed Water District owned by residents, and

WHEREAS, the boundary of the proposed Town of Alexander Water District No. 7 shall have an exterior boundary described in **Appendix A**, attached hereto and incorporated herein by reference.

WHEREAS, the project area has been identified through public interest and the proposed Water District will obtain its water supply from the Town of Alexander Water District No. 2 along NYS Route 98 and the Town of Bethany Water District No. 4 along Creek Road and Old Creek Road. Each of the afore-mentioned Water Districts receive their water from the City of Batavia and the Monroe County Water Authority. Both the City of Batavia and the Monroe County Water Authority have ample capacity available to provide water for this project. 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 project will generally consist of installing approximately 125,300 linear feet of water main within existing rights-of-way along Old Creek Road, Creek Road, Hunn Road, Gilhooly Road, Brookville Road, Cook Road, Route 20 Broadway Road, Browns Mill Road, West Bethany Road, Molasses Hill Road, Dry Bridge Road, Spring Road, Chaddock Road, Sandpit Road, Stroh Road, and Maplewood Street, 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. The water main will serve approximately 184 units; and

WHEREAS, the water system will be designed to provide 164 gallons of water per household per day for domestic and commercial use and to provide fire protection meeting Insurance Services Office (ISO) Standards and will serve approximately 184 units, which may include single family houses, mobile

homes, vacant land, manufactured homes, or non-residential properties; and

WHEREAS, the debt service for the initial 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 Infrastructure (WIIA) program and/or other local state, 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; and

WHEREAS, a typical average household uses 60,000 gallons of water per year and water rates for that usage shall be as follows:

1. The Town of Batavia bills their customers quarterly. 2023 Rates include an effective rate of \$6.48 per 1,000 gallons ($6.48/1000 \times 60,000 = \underline{388.80}$); and the total cost to homeowners annually would be \$1,328 per year (rounded); 2024 Water Rates are \$6.67 per 1,000 gallons; and

WHEREAS, the total capital cost (estimated maximum amount) for the Town of Alexander Water District No. 7 is seventeen million, five hundred thirty-six thousand dollars (\$17,536,000.00), which amount is to be financed by the issuance of serial bonds in an aggregate amount not to exceed \$17,536,000.00 such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, a USDA Rural Development and/or New York Office of Community Renewal (OCR) and/or New York State Water Infrastructure (WIIA) program and/or other local state, federal funding programs grant in the approximate amount of \$13,152,000.00; and

WHEREAS, Net local project costs are anticipated to be approximately \$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 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 benefitted 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 total annual cost for an average homeowner including debt service and water bill would be estimated to be \$1,328 per year, per household; and

WHEREAS, the Town Board acknowledges that the total annual cost to the owner of the typical one- or two-family home is above the threshold for the Office of the State Comptroller's (OSC) approval and the Town Board will need to submit an application to the OSC for their approval of the Town of

Alexander Water District No. 7; and

WHEREAS, in addition each unit shall be responsible for several one-time costs, including cost to hookup and connect to the right-of-way to interior plumbing, (approximately \$12.00 – \$24.00 per linear foot) and well separation costs (approximately \$200.00 - \$600.00 per unit); and

WHEREAS, the map, plan and report describing such improvements is on file in the office of the Town Clerk of the Town of Alexander and available for public inspection.

NOW ON MOTION OF Councilperson Schmieder, which has been duly seconded by Councilperson Merrill, therefore, it is

ORDERED, that the Town Board of the Town of Alexander, New York, shall meet at the Alexander Town Office, located at 3350 Church Street, Alexander, New York on the 22nd day of July 2024, at 6:30 p.m. for the purpose of conducting a public hearing on the proposal to establish said Water District with the improvements specified herein, at which time and place all persons interested in the subject thereof may be heard concerning the same, and it is further

ORDERED, that the Town Clerk of the Town of Alexander is hereby authorized and directed to publish a copy of this Order in The Daily News, to post a copy of the same on the signboard of the Town of Alexander and to mail a copy to all owners of property located within the proposed Water District, in the time and manner required by law.

DATED: July 8, 2024

Shannon Tiede, Clerk
Town of Alexander

Approved on Roll Call as follows:

Supervisor	David Miller	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Laura Schmieder	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Ronald Merrill	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Jeffy Krupka	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent
Councilmember	Eric Wagner	<input checked="" type="checkbox"/> Aye	<input type="checkbox"/> Nay	<input type="checkbox"/> Abstain	<input type="checkbox"/> Absent

APPENDIX A

TOWN OF ALEXANDER PROPOSED WATER DISTRICT NO. 7

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,
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,
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 7/2023. The Town of Alexander, Proposed Water District No. 7, as described above, contains approximately 7,353 acres of land.