

A meeting of the Town Board of the Town of Alden, in the County of Erie, New York, was held at the Town Hall, 3311 Wende Road, Alden, New York, on the 16th day of June, 2025.

PRESENT:

Hon. Colleen Pautler, Supervisor
Gina Waiss, Boardmember
Randy Crist, Boardmember
John Cieszki, Boardmember

In the Matter
of the

Increase in the Maximum Amount to be Expended for the
Establishment of the Cayuga Creek Water District, in the
Town of Alden, in the County of Erie, New York,
pursuant to Section 209(h) of Article 12-A of the Town Law

**ORDER CALLING FOR A PUBLIC
HEARING TO BE HELD ON
July 7, 2025**

**WHEREAS, the Town Board of the Town of Alden (herein called the “Town”),
in the County of Erie, New York has received a petition, signed and acknowledged or proved
as required by law and in full compliance with the requirements of Section 191 of the Town
Law, for the establishment of a water district in a portion of the Town, as described therein
and herein; and**

WHEREAS, the Town has received and reviewed a map, plan and report dated
October 20, 2020 as updated on May 20, 2024, prepared by Metzger Civil Engineering, PLLC,
competent engineers duly licensed by the State of New York (the “Engineer”), for the proposed
establishment of the Cayuga Creek Water District (the “District”), in the Town, and the
construction of a water system therein, consisting of 8-inch waterlines along the streets in the new
district, fire hydrants and line valves and other work required in connection therewith, including

original equipment, assemblies, machinery, furnishings, valves, fittings, connections, fill, appurtenances and related site work and other ancillary work, as needed (referred to herein as the “Water Improvement”); and

WHEREAS, said map, plan and report dated October 27, 2020 and amended May 20, 2024 has been duly filed in the office of the Town Clerk of the Town for public inspection; and

WHEREAS, the proposed District is bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Alden, County of Erie and State of New York, being part of the tract of land called the Buffalo Creek Reservation, known and distinguished as part of Lot 66, in Township 10, Range 5, bounded and described as follows:

Commencing at a point on the center of Cayuga Creek Road (f/k/a West Alden Road) where said road intersects southerly boundary of Lot 66, thence east along the southerly boundary of Lot 66, 981.42 feet to the southeast corner of Lot 66, thence northerly 5,452.69 feet to the northeast corner of Lot 68, thence westerly along the north line of Lot 68, 2,289.30 feet to a point on the north line of lot 68.

Thence north to the north line of Lot 70, thence west along the north line of Lot 70 to a point 404 feet east from the centerline of Three Rod Road where the same meets the north line of Lot 71, also being the northwest corner of Zdrujewski at Liber 10963 Page 7963.

Thence south 121 feet, thence west 370.4 feet to a point in the centerline of Three Rod Road, thence southerly along the centerline of Three Rod Road a distance of 210 feet, thence westerly along the north line of Lot 71 a distance of 1,382.80 feet to a point in the northwest corner of Lot 71, then southerly a distance of 2,421.50 feet to the centerline of Cayuga Creek, then continuing along the centerline of Cayuga Creek a distance of 8,806.50 feet to the south line of Lot 66, thence easterly 80 feet to the centerline of Cayuga Creek Road (f/k/a/ West Alden Road) to the place of beginning.

WHEREAS, the Town, as lead agent, has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law, and the Town Board has reviewed a Long Environmental Assessment Form and has determined that the project will not result in any significant adverse environmental impacts and the Town Board has adopted a Negative Declaration; and

WHEREAS, the maximum amount proposed to be expended for the establishment of the District and the construction of a water system therein, as set forth in the notice of public hearing on the establishment of the District and in the resolution duly adopted on March 16, 2021, was originally estimated to be \$887,600; and

WHEREAS, due to the increased cost of labor and/or materials, and based upon the determination of the Engineer, the maximum amount now proposed to be expended for the establishment of the District and the construction of a water system therein, is \$1,306,400, which is planned to be financed by the issuance of not to exceed \$773,840 bonds of the Town to finance a part of said cost; and grant funds in the amount of \$532,560 are expected to be received in connection with the increase of the maximum amount to be expended for the District, and any such grant funds received are authorized to be used to pay a part of the cost of such project; and the method of financing includes the levy and collection of assessments from the several lots and parcels of land within the District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; provided, however, that grant funds have been or may be received to pay a part of such cost and any grant funds received from such sources and any other funds received from the United States of America and/or the State of New York in connection with the project described herein shall be applied towards the cost thereof or redemption of the Town's obligations issued therefor, or shall be budgeted as an offset to the taxes for the payment of the principal of and interest on said bonds, and the principal amount of bonds or notes issued to finance the project shall be reduced by the amount of grant funds received;

Now therefore, be it

DETERMINED AND STATED that the estimated cost of hook-up fees is \$1,500.00 to tap into the water line (a one-time cost) and \$2,000.00 to install the line from the house to the waterline (a one-time cost); and the estimated cost of the establishment of the District and the construction of the Water Improvement to the Typical Property (as defined in the Town Law) for the first year is \$1,794.60 (including \$1,454.60 (an annual cost) for capital/debt service and \$340 for operation and maintenance, water use and any other fees) (total of \$5,294.60, including hook-up fee); and that the Town Board has heretofore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and further that the cost of the establishment of the District and construction of the Water Improvement to such Typical Property is above the Average Estimated Cost to the Typical Properties for the establishment of similar types of districts, as computed by the State Comptroller; and be it

ORDERED, that a public hearing shall be held on July 7, 2025 at 6:05 o'clock P.M. (Prevailing Time) at a meeting of the Town Board to be held at the Town Hall, 3311 Wende Road, Alden, New York, to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in the "*Akron Bugle*," hereby designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing;

and that the Town Clerk shall mail, or cause to be mailed, by first class mail to each owner of taxable real property in the District, a copy of this Order; and be it

FURTHER ORDERED, that the Town Clerk file a copy of this Order with the State Comptroller on or about the date of the publication of a copy of this Order.

DATED: June 16, 2025

TOWN BOARD OF THE
TOWN OF ALDEN

(SEAL)

