



Town of Concord

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A meeting of the Town Board of the Town of Concord, in the County of Erie, New York, was held at the Town Hall, in said Town, on July 11, 2024.

PRESENT:

- Hon. Philip Drozd, Supervisor
- Clyde M. Drake, Council Member
- Kenneth D. Zittel, Council Member
- Kimberly S. Krzemien, Council Member
- Kenneth W. Kassel, Council Member

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In the Matter

of the

Joint Increase and Improvement of Facilities of the
Town of Concord Sewer District No. 1 and
Sewer District No. 2 in the Town of Concord,
County of Erie, New York,
pursuant to Section 202-b of the Town Law.

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**ORDER CALLING
PUBLIC HEARING TO BE HELD ON
Monday, July 29, 2024**

WHEREAS, the Town Board of the Town of Concord (herein called "Town Board" and "Town," respectively), in the County of Erie, New York, has, pursuant to Town Law, created

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the Town of Concord Sewer District No. 1 and Sewer District No. 2 (collectively, the “Districts”); and

WHEREAS, the Town Board has directed MDA Consulting Engineers, PLLC, competent engineers licensed in New York, to prepare a preliminary map, plan and report (dated March 8, 2017 and updated August 3, 2017 and June 17, 2022) for the Districts’ sewer system improvements project; and

WHEREAS, in July and August of 2022, the Town approved the original capital improvements project, through Town Law Section 202-b proceedings and other resolutions and adopted a bond resolution on August 18, 2022; and

WHEREAS, the cost of the such project has increased due to an increase in the cost of construction materials and labor for the project; and

WHEREAS, the Town has directed MDA Consulting Engineers, PLLC, competent engineers licensed in New York, to prepare an amendment to the map, plan and report (dated June, 2024) to reflect the revised cost of the project; and

WHEREAS, such amendment to the map, plan and report amends a certain prior map, plan and report (dated March 8, 2017 and updated August 3, 2017 and June 17, 2022) for the purposes of (a) increasing the estimated maximum cost of such project and (b) increasing the amount of bonds (and notes) for such project; and

WHEREAS, such sewer system capital improvements project will generally consist of improvements to Sewer District No. 1 and Sewer District No. 2, such work to include, but not be limited to, the construction of a new combined wastewater treatment plant (“WWTP”), decommissioning of the existing WWTPs, construction of a sanitary sewer pump station and force main from Kissing Bridge to the new WWTP, and various improvements to the existing sanitary sewer system within the Craneridge subdivision, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “Sewer Improvement”); and

WHEREAS, the June 2024 amendment to the map, plan and report: (a) increases the estimated maximum cost of the project from \$6,700,000 to \$8,200,000 and (b) increases the aggregate principal amount of bonds from \$6,700,000 to \$8,200,000; and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such amendment to the map, plan and report for such joint increase and improvement of facilities of the District and has estimated the total cost thereof to be an increased estimated maximum amount of \$8,200,000; said cost to be financed by the issuance of serial bonds of the Town in an increased aggregate principal amount not to exceed \$8,200,000, such amount to be offset by any federal, state, county and/or local funds received; and

WHEREAS, such amendment to the map, plan and report (hereinafter referred to as map, plan and report) has not been modified in any material respect other than as described above;

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Concord will be held at the Town Hall, 86 Franklin Street, Springville, New York, on Monday, July 29, 2024 at 9:00 o'clock A.M. or shortly thereafter (prevailing Time) to consider said joint increase and improvement of facilities of the District and 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 expense of said joint increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$8,200,000, said amount to be offset by any federal, state, county and/or local funds received,

FURTHER ORDERED that such costs will be annually apportioned among the Districts by the Town Board and, unless paid from other sources or charges, the costs of said joint increase and improvement of facilities of the Districts shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Districts, 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, except as provided by law; and be it

FURTHER ORDERED that that the Town Board may establish sewer rents as provided in paragraph (l) of subdivision one of Town Law Section 198; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board, including any electronic or online version of 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 nor more than 20 days before the date of such public hearing.

DATED: July 11, 2024

TOWN BOARD OF THE
TOWN OF CONCORD