

JUNE 27, 2005

ENERGY & ENVIRONMENT COMMITTEE
REPORT NO. 8

ALL MEMBERS PRESENT EXCEPT LEGISLATORS RANZENHOFER AND CHASE. CHAIRMAN
HOLT PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, that the following items are hereby received and filed.
- a. COMM. 8M-3 (2004)
TOWN OF CHEEKTOWAGA COUNCILMAN JOHNSON: Letter to Legislator Dusza Re:
Various County Issues
(4-0)

b. COMM. 8M-16 (2004)
DEPEW/CHEEKTOWAGA TAXPAYERS ASSOCIATION: Copy of Letter to
Commissioner of DPW Re: Weight Limit Posting on Como Park Boulevard
(4-0)

c. COMM. 8M-17 (2004)
TOWN OF CHEEKTOWAGA COUNCILMAN JOHNSON: Copy of Letter to
Commissioner of DPW Re: Weight Limit Posting on Como Park Boulevard
(4-0)

d. INTRO 13-3
WEINSTEIN: Erie County Niagara Power Project Relicensing Settlement from the New York
Power Authority
(4-0)

2. COMM. 23E-30 (2004)
COUNTY EXECUTIVE

AS AMENDED

RESOLUTION NO. _____

RESOLUTION DATED _____, 2005.

A RESOLUTION CALLING A PUBLIC HEARING FOR THE PURPOSE OF
CONSIDERING THE ESTABLISHMENT OF ERIE COUNTY SEWER
DISTRICT NO. 8 IN THE COUNTY OF ERIE, NEW YORK.

(Introduced) _____, 2005.

(Adopted) _____, 2005

WHEREAS, a petition has been presented and executed on behalf of the Village of East Aurora
by the Mayor of said village requesting that all areas within such village be established as a County sewer
district; and

WHEREAS, a petition has been presented and executed on behalf of the Town of Aurora by the
Supervisor of said town requesting that certain areas within such town be established as a County sewer
district; and

WHEREAS, the County Legislature of the County of Erie, New York, has heretofore duly
directed that there be prepared a map, plan, report and estimate of cost by the County Engineers (Erie
County Department of Environment and Planning) relating to a proposed establishment of Erie County
Sewer District No. 8 (the “Proposed Sewer District”) which map, plan, report and estimate of cost have
been approved by the Erie County Department of Environment and Planning on June 15, 2005 and filed
with the County Legislature pursuant to Section 254 of the County Law; and

WHEREAS, said map, plan, report and estimate of cost contains (i) a description of the proposed
boundaries of the area which the Department in its judgment considers will be benefited by the Proposed
Sewer District, (ii) a description of the areas of the Proposed Sewer District to permit definite and
conclusive identification of all parcels of property included therein, (iii) the proposed location of facilities
of the Proposed Sewer District, and (iv) estimates of the cost of construction, reconstruction or
procurement and installation of facilities, all as more fully described in the map, plan, report and estimate
of cost hereinbefore referred to; and

WHEREAS, the maximum estimated cost of the establishment of the Proposed Sewer District is
\$10,000,000, to finance the costs of the acquisition of wastewater facilities and the improvements included
with the establishment of the Proposed Sewer District, to be assessed against a benefited area which
consists of the entire area of said Proposed Sewer District; and

WHEREAS, the consent of the State Comptroller must be obtained prior to the establishment of
the Proposed Sewer District if such expenditure is to be financed by the issuance of bonds or notes of the
County therefor, and the cost thereof to the Typical Property (as defined in the County Law), which is
\$480.80 for typical property located within the Village of East Aurora and \$582.77 for typical property
located within the Town of Aurora, is above the Average Estimated Cost of \$280.00 to the Typical
Properties for similar types of expenditures, as computed by the State Comptroller, in accordance with the
provisions of Section 254 of the County Law; and

WHEREAS, it is now desired to call a public hearing to consider said establishment of the Proposed Sewer District in accordance with the provisions of Section 254 of the County Law; NOW, THEREFORE, BE IT

RESOLVED, BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. A meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, in Buffalo, New York, in said County, on the 18th day of August, 2005, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon the aforesaid proposal to establish the Proposed Sewer District in said County, and for such other action on the part of said County Legislature in relation thereto as may be required by law or proper in the premises.

Section 2. The notice of such public hearing shall be in substantially the following form, to-wit:
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a meeting of the County Legislature of the County of Erie, New York, shall be held at 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 18th day of August, 2005, at 1:30 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing upon a proposed establishment of Erie County Sewer District No. 8 (the "Proposed Sewer District") in said County.

The proposed establishment of the Proposed Sewer District comprises the area described as follows:

All that tract or parcel of land situate in the Town of Aurora and the Village of East Aurora, County of Erie, State of New York, and lying within Township 9, Range 6, Lots 14, 15, 16, 20, 21, 22, 24, 28, 29, 30, 31, 32, 38, 39 and 40 of the Holland Land Company's survey and being further described as follows:

BEGINNING at a point in the centerline of Buffalo Road (Seneca Street) as a 66 foot wide County right-of-way, said point being 521 feet northwesterly from the centerline of Bowen Road as measured along the centerline of said Buffalo Road, said point also being the northwest corner of SBL 164.00-1-31 as described in Liber 11065 page 58; thence easterly along the northerly line of said SBL 164.00-1-31 a distance of 250 feet to a point; thence southeasterly along the easterly line of said SBL 164.00-1-31 and continuing southeasterly on an extension thereof a distance of 241 feet to a point on the northerly line of SBL 164.00-1-33 as described in Liber 9286 page 635, said point being 250 feet east of the centerline of Buffalo Road as measured along said northerly line; thence easterly along said northerly line a distance of 157 feet to a point, said point being the most northerly corner of said SBL 164.00-1-33; thence southerly along the easterly line of said SBL 164.00-1-33 a distance of 280 feet to a point in the centerline of Bowen Road as a 66 foot wide County right-of-way, said point being the southeast corner of said SBL

164.00-1-33 and also being on the boundary line between the Town of Aurora and the Village of East Aurora, as annexed November 26, 1984; thence easterly along the said centerline of Bowen Road and said boundary line, the following (2) distances (1) 144.10 feet, (2) 259.07 feet to a point at the most northerly corner of SBL 164.65-1-1 as described in Liber 9417 page 651; thence continuing to follow said Town and Village boundary line the following (4) courses, (1) southeasterly 495± feet, (2) easterly 1013± feet to a point at the southwest corner of SBL 164.15-2-41.1 as described in Liber 10644 page 2, (3) north 298.35± to a point at the southwest corner of SBL 164.15-4-9 as described in Liber 10961 page 5005, (4) easterly 257.66± feet to a point at the southwest corner of SBL 164.15-4-11.12 as described in Liber 11010 page 4215; thence northerly along the west line of said SBL 164.15-4-11.12 a distance of 130.0± feet to a point at the northwest corner of said SBL 164.15-4-11.12; thence easterly along the north line of said SBL 164.15-4-11.12 a distance of 266.36± feet to a point on the centerline of Hamlin Avenue as a 50 foot wide Town right-of-way; thence northerly along the said centerline of Hamlin Avenue a distance of 51± feet to the point of intersection with the centerline of Beechwood Ave as a 50 foot wide Town right-of-way; thence easterly along said centerline of Beechwood Ave a distance of 327± feet to a point on the east right-of-way of Willow Street as a 50 foot wide right-of-way, said point being 25 feet south of the north right-of-way of Beechwood Ave; thence northerly along said east right-of-way of said Willow Street a distance of 25 feet to a point at the northwest corner of SBL 164.15-3-22 as described in Liber 10904 page 2706, said point also being on the north right-of-way of said Beechwood Ave; thence easterly along the north line of said SBL 164.15-3-22 a distance of 185.3± feet to a point at the northeast corner of said SBL 164.15-3-22; thence southerly along the east line of said SBL 164.15-3-22 a distance of 195.01± feet to a point at the southeast corner of said SBL 164.15-3-22; thence easterly a distance of 1166± feet to a point at the northeast corner of SBL 164.15-3-11 as described in Liber 10911 page 1701, said point also being on the centerline of Maple Road as a 60 foot wide County right-of-way; thence northerly along the said centerline of Maple Road a distance of 24± feet to a point at the southwest corner of SBL 164.16-4-41.1 as described in Liber 6645 page 589; thence easterly along the south line of said SBL 164.16-4-41.1 the following distances, 248.5 feet and 422.5± feet to a point at the most northeasterly corner of SBL 164.16-4-40.12 as described in Liber 10637 page 46; thence following the boundary line of said SBL 164.16-4-40.12 southerly a distance 40.2 feet and easterly a distance of 40± feet to a point at the northwest corner of SBL 164.16-4-36.1 as described in Liber 10960 page 3319; thence easterly along the north line of said SBL 164.16-4-36.1 a distance of 346.19± feet to a point on the centerline of Ruskin Ave as a 60 foot wide Town right-of-way; thence northerly along the said centerline of Ruskin Ave a distance of 136± feet to a point on the south line of Map Cover 2013; thence easterly along the south line of said Map Cover 2013 a distance of 825± feet to a point at the southeast corner of said Map Cover, said point also being the westerly line of lands of Conrail, (formerly Penn Central Railroad); thence southerly along said westerly line

of said lands of Conrail a distance of 570± feet to a point on the north line of the boundary line between the Village of East Aurora on the south and the Town of Aurora on the north, said point also being the southeast corner of SBL 164.16-4-32.1 as described in Liber 10995 page 2135; thence along the boundary line between the Village of East Aurora and the Town of Aurora the following (15) courses: (1) easterly 127± feet, (2) northerly 122.6± feet, (3) northerly 446.57 feet, (4) easterly 20± feet, (5) northerly 1132.6± feet, (6) northerly 632.9± feet, (7) easterly 1643± feet to the west line of Farm Lot 16, (8) northerly 73.8± feet along the west line of said Farm Lot 16, (9) northeast 328.9± feet, (10) northeast 441.9± feet to the boundary line between the Town of Aurora and the Town of Elma, (11) easterly 229.5± feet along said boundary line, (12) southerly 974.9± feet, (13) westerly 102.59± feet, (14) southerly 813.8± feet, (15) westerly 706.8± feet to a point on the center line of Pine Street as a 66 foot wide County right-of-way; thence northerly along said center line a distance of 187± feet to a point at the northeast corner of SBL 165.13-3-1.2 as described in Liber 11073 page 6695; thence westerly along the north line of said SBL 165.13-3-1.2 also being the boundary line between the Village of East Aurora and the Town of Aurora a distance of 608.88 feet to a point; thence southerly continuing along said boundary line a distance of 1332.68 feet to a point; thence easterly along said boundary line a distance of 639.98 feet to the centerline of Pine Street as a 66 foot wide County right-of-way; thence southerly along said centerline of Pine Street a distance of 62± feet to a point; thence easterly along the boundary line between the Village of East Aurora and the Town of Aurora a distance of 731± feet to the centerline of Dorchester Road as a 49.5 foot wide Town right-of-way; thence northerly along the said centerline of Dorchester Road a distance of 100± feet to a point at the northwest corner of SBL 165.13-4-32 as described in Liber 7612 page 291; thence easterly along the north line of said SBL 165.13-4-32 a distance of 307.5± feet to a point at the northeast corner of said SBL; thence southerly along the east line of said SBL a distance of 100± feet to a point on the boundary line between the Village of East Aurora on the south and the Town of Aurora on the north; thence along said boundary line between the Village of East Aurora and the Town of Aurora the following (14) courses: (1) easterly 608± feet to the easterly line of SBL 165.17-3-1 as described in Liber 10458 page 59, (2) northeasterly 139± feet to the centerline of Martin Drive as a 50 foot wide Town right-of-way, (3) northwesterly along said centerline of Martin Drive 178± feet to its intersection with the centerline of Lawrence Avenue as a 49.5 foot wide Town right-of-way, (4) northeasterly along said centerline of Lawrence Avenue 95± feet to the southwest corner of SBL 165.14-4-7 as described in Liber 10374 page 484, (5) easterly 537.33± feet to the southeast corner of SBL 165.14-4-10 as described in Liber 10889 page 4001, (6) northerly 235.25 feet along said east line of said SBL 165.14-4-10, (7) easterly 1710.52± to the east line of Farm Lot 16 and also being the southeast corner of SBL 165.14-4-32 as described in Liber 10980 page 7866, (8) southerly 1776.0± feet along said east Farm Lot line to the southeast corner of sub lot 21 of Map Cover 2402 and also being the west line of the Aurora Expressway (Route 400), (9) southwesterly 271.49±

feet along the west line of the Aurora Expressway to the southeast corner of Map Cover 2402, (10) westerly 675.59± feet to the northwest corner of SBL 165.18-4-2.11 as described in Liber 9007 page 453, (11) south 164.33 feet, (12) west 58.72 feet, (13) south 491.04± feet along the west line of said SBL 165.18-4-2.11 and an extension thereof to a point on the centerline of Main Street (Route 20A) as a 66 foot wide State right-of-way; (14) westerly 326± feet along said centerline of Main Street to a point, said point being the northwest corner of SBL 176.06-2-5 as described in Liber 10356 page 159; thence southerly leaving the said Town and Village boundary line along the west line of said SBL 176.06-2-5 a distance of 236± feet to a point at the southwest corner of said SBL; thence easterly a distance of 101.3± feet to a point at the southeast corner of said SBL 176.06-2-5, said point also being on the west line of SBL 176.06-2-6 as described in Liber 10929 page 8368; thence southerly along said west line a distance of 40± feet to the northwest corner of SBL 176.00-1-21.111 as described in Liber 11076 page 31; thence southerly following the west line of said SBL 176.00-1-21.11 the following (3) distances, (1) 235.50, (2) 719.65, (3) 1164.50 to a point at the northwest corner of SBL 176.10-3-50.11 as described in Liber 10964 page 1418 Schedule A; thence southerly along the west line of said SBL 176.10-3-50.11 a distance of 221.55 feet to a point on the north line of a parcel labeled “B” “exception to subdivision” on Map Cover 2588, said point described in Liber 10964 page 1401 and being part of said SBL 176.10-3-50.11; thence westerly following along said parcel “B”, a distance of 226.62 feet to the easterly right-of-way of Victoria Heights as a 60 foot wide road; thence southerly along said easterly right-of-way of said road a distance of 1.17 feet and 50.48 feet to a point at the southwest corner of said parcel “B”; thence easterly along said south line of Parcel “B” as distance of 278.93 feet; thence northerly 36.46 feet to a point at the northwest corner of sub lot 23 as shown on said Map Cover 2588; thence easterly along said north line of said Map Cover a distance of 509.26 feet to a point, said point being the northeast corner of sub lot 22 of said Map Cover 2588, said point also being on the west line of the Aurora Expressway (Rt. 400); thence southerly along the east line of said Map Cover 2588 and the west line of said Aurora Expressway a distance of 978.74 feet and 299.15 feet to a point on the north line of Farm Lot 14, said point also being the southeast corner of Map Cover 2588; thence westerly along the north line of said Farm Lot 14 a distance of 3428± feet to a point on the westerly line of lands of Conrail, (formerly Penn Central Railroad), said point also being on the east line of SBL 176.00-1-31.1 as described in Liber 10240 page 521; thence southeasterly along the westerly line of lands of Conrail a distance of 1460± feet to a point on the centerline of Lapham Road as a 66 foot wide County right-of-way; thence westerly along said centerline of Lapham Rd a distance of 668± feet to a point on the centerline of Olean Road (Route 16) as a 66 foot wide State right-of-way; thence southerly along the said centerline of Olean Road a distance of 44± feet to a point on the easterly extension of the southerly line of SBL 175.00-2-27.31 as described in Liber 11016 page 9368; thence westerly along said easterly extension and the southerly line of said SBL 175.00-2-27.31 the following (3) courses: (1) westerly 275± feet, (2)

northerly 125.26 feet, (3) westerly 231.75 feet to a point at the most westerly corner of said SBL 175.00-2-27.31, said point also being on the easterly line of SBL 175.00-2-27.12 as described in Liber 10956 page 1708; thence following along the boundary line of said SBL 175.00-2-27.12 the following (5) courses: (1) northeasterly 55.44 feet to a point at the southwest corner of SBL 175.00-2-19.2 as described in Liber 11068 page 1385 as parcel "D", (2) northerly 521.92 feet along the westerly line of said SBL 175.00-2-19.2 to a point at the northwest corner of said SBL 175.00-2-19.2, (3) easterly a distance of 472.02 feet to a point on the east line of Farm Lot 22, said point also being the northeast corner of SBL 175.00-2-19.1 as described in Liber 11068 page 1385 as Parcel "C" (4) northerly 60 feet along said Farm Lot line to the southeast corner of SBL 176.13-1-13.1 as described in Liber 11018 page 6833, (5) westerly 269.15 feet to the southeast corner of SBL 175.00-2-20.12 as described in Liber 8985 page 253; thence northerly along the east line of said SBL 175.00-2-20.12 a distance of 408.76 feet to a point at the northeast corner of said SBL; thence westerly along the north line of said SBL 175.00-2-20.12 and its extension westerly a distance of 791 feet to a point at the northwest corner of SBL 175.00-2-27.2 as described in Liber 10956 page 1719, said point also being the southwest corner of SBL 176.13-1-1 as described in Liber 11055 page 731; thence northerly along the west line of said SBL 176.13-1-1 a distance of 250.2 feet to a point on the north line of Farm Lot 22, said line is also the center line of South Street as a 49.5 foot wide right of way, said point is the northwest corner of said SBL 176.13-1-1; thence westerly along the north line of said Farm Lot 22 and the centerline of South Street a distance of 26 feet to a point, said point being the northeast corner of SBL 175.16-1-17.2 as described in Liber 10909 page 9530; thence southerly following the east line of said SBL 175.16-1-17.2 and its extension a distance of 695.17 feet to a point, said point being the southeast corner of sub lot No. 9 under Map Cover No. 2193; thence westerly along the south line of said sub lot No. 9 a distance of 160.08 feet to a point where the south line of sub lot No. 9 intersects the east line of sub lot No. 10 under said Map Cover No. 2193; thence southeasterly along said east line of sub lot No. 10 a distance of 238.16 feet to the southeast corner of said sub lot; thence westerly following the south line of Map Cover 2193 a distance of 786.22 feet to a point at the southwest corner of sub lot No. 16 of said Map Cover 2193, said point also being on the east line of sub lot No. 5 under Map Cover No. 2161; thence southerly along said east line of said sub lot No. 5 a distance of 128.31 feet to the southerly corner of said sub lot; thence westerly along the south line of said sub lot No. 5 a distance of 143.41 feet to a point, said point being on the west line of SBL 175.00-2-27.12; as described in Liber 10956 page 1708; thence southerly along the west line of said SBL 175.00-2-27.12 a distance of 355.04 feet to a point; thence easterly along said SBL a distance of 230.0 feet to a point in the centerline line of Cazenovia Creek, said point also being on the west line of said SBL 175.00-2-27.12, said point also being the northeast corner of SBL 175.00-2-18 as described in Liber 10957 page 6286; thence southerly along the east line of said SBL a distance of 939± feet to a point at the southeast corner of said SBL; thence westerly along the south line of said SBL 175.00-

2-18 a distance of 1725.0± feet to a point at the northwest corner of SBL 175.04-1-19.13 as described in Liber 9496 page 225; thence southerly along the west line of said SBL 175.04-1-19.13 a distance of 471.74± feet to a point at the southwest corner of said SBL; thence easterly along the southerly line of said SBL 175.04-1-19.13 and its extension easterly a distance of 837.28 feet to a point at the northeast corner of SBL 175.04-1-19.2 as described in Liber 10420 page 98; thence southerly along the east line of said SBL 175.04-1-19.2 a distance of 445± feet to a point at the southeast corner of said SBL; thence westerly along the south line of said SBL 175.04-1-19.2 a distance of 519± feet to a point at the northwest corner of SBL 175.04-1-12 as described in Liber 10988 page 5132; thence southerly along the west line of said SBL 175.04-1-12 a distance of 228.39 feet to a point on the centerline of Hubbard Road as a 66 foot wide Town right-of-way, said point also being on the north line of Farm Lot 21; thence westerly along the said centerline of said Hubbard Road a distance of 217.7± feet to a point at the northwest corner of SBL 187.02-1-42 as described in Liber 10984 page 3353; thence southerly along the west line of said SBL 187.02-1-42 a distance of 582.8 feet to a point at the southwest corner of said SBL 187.02-1-42, said point also being the southeast corner of SBL 187.00-1-41.1 as described in Liber 8369 page 347; thence easterly along the south line of said SBL 187.02-1-42 a distance of 250± feet to a point at the southeast corner of said SBL, said point also being on the west line of SBL 187.02-1-40 as described in Liber 10970 page 9829; thence following along the property line of said SBL 187.02-1-40 the following (10) courses: (1) north 332.8± feet, (2) east 631.4± feet, (3) north 26.0± feet, (4) east 200.0± feet, (5) south 26.0± feet, (6) east 228.40± feet, (7) north 217.0± feet to the south right-of-way of said Hubbard Road, (8) east along said south right-of-way 60± feet, (9) south 217.0± feet, (10) east 250± feet to a point at the northeast corner of said SBL 187.02-1-40; thence southerly along east line of said SBL 187.02-1-40 and its continuation southerly a distance of 2905± feet to a point at the southeast corner of SBL 175.00-3-21.1 as described in Liber 10883 page 1208; thence westerly along the south line of said SBL 175.00-3-21.1 a distance of 1211.43± to a point at the southeast corner to SBL 175.00-3-21.21 as described in Liber 10892 page 470 and Liber 10873 page 7845; thence northerly along the easterly line of said SBL 175.00-3-21.21 a distance of 150 feet to a point at the northeast corner of said SBL 175.00-3-21.21; thence westerly along the north line of said SBL 175.00-3-21.21 a distance of 803 feet to a point on the centerline of Center Street as a 66 foot wide County right-of-way and also being on the west line of Farm Lot 21; thence southerly along said centerline and said Farm Lot line a distance of 52 feet to a point at the northwest corner of SBL 175.00-3-20.1 as described in Liber 7717 page 423; thence easterly along the north line of said SBL a distance of 250 feet to the northeast corner of said SBL 175.00-3-20.1; thence southerly on a line parallel with the west line of Farm Lot 21 a distance of 723.03 feet to a point at the southwest corner of SBL 175.00-3-19.21 as described in Liber 11044 page 9957, said point also being in the centerline of Sweet Road as a 66 foot wide County right-of-way and also being the south line of Farm Lot 21; thence westerly along said line a distance of 62.97 feet to a point,

said point being 187.03 feet east of the west line of Farm Lot 20, said line also being the centerline of Center Street; thence southerly parallel with the west line of Farm Lot 20 a distance of 273.03 feet to a point at the southwest corner of SBL 187.00-3-1.22 as described in Liber 11018 page 4011; thence easterly along the south line of said SBL a distance of 154 feet to a point at the southeast corner of said SBL 187.00-3-1.22; thence southerly parallel with the west line of Farm Lot 20 a distance of 551.32 feet to a point at the southwest corner of SBL 187.00-3-53.121 as described in Liber 10975 page 6862, said point also being on the northerly line of SBL 187.00-3-30 as described in Liber 7619 page 289; thence following along the boundary line of said SBL 187.00-3-30 the following (7) courses: (1) easterly 659± feet, (2) southerly 200 feet, (3) easterly 1100± feet, (4) southerly 795.78 feet, (5) westerly 232.86 feet, (6) southerly 14.12 feet, (7) westerly 1594.14± feet along the south property line of said SBL 187.00-3-30 to a point at the southeast corner of SBL 187.00-3-28 as described in Liber 9555 page 498, said point being 273 feet east of the west line of Farm Lot 20; thence northerly on a line parallel to the west line of Farm Lot 20 a distance of 250 feet to a point at the northeast corner of SBL 187.00-3-29 as described in Liber 8634 page 77; thence westerly along the north line of said SBL 187.00-3-29 a distance of 273 feet to a point on the centerline of Center Street as a 66 foot wide County right-of-way, said point also being on the west line of Farm Lot 20, and also being the northwest corner of said SBL 187.00-3-29; thence southerly along said centerline of Center Street and west line of Farm Lot 20 a distance of 870± feet to a point at the southeast corner of SBL 187.00-2-4 as described in Liber 7522 page 495; thence along the boundary line of said SBL 187.00-2-4 the following (8) courses: (1) westerly 460± feet to a point, said point being the northwest corner of SBL 187.00-2-5 as described in Liber 6512 page 417, (2) southerly 125± feet to a point at the southwest corner of said SBL 187.00-2-5, (3) westerly 1507± feet to a point at the southwest corner of said SBL 187.00-2-4, (4) northerly 1295± feet, (5) easterly 353.1± feet, (6) northerly 915± feet to a point at the southwest corner of SBL 187.00-2-3 as described in Liber 11009 page 2377, (7) easterly 490.69± feet, (8) northerly 450± feet to a point on the center line of Sweet Road as a 66 foot wide Town right-of-way, said point also being on the north line of Farm Lot 28 and also being the northeast corner of said SBL 187.00-2-3; thence easterly along said center line of Sweet Road a distance of 226± feet a point at the southeast corner of SBL 187.02-1-17.11 as described in Liber 10924 page 7578; thence northerly along the easterly line of said SBL 187.02-1-17.11 a distance of 1959.85± feet to a point at the northeast corner of said SBL; thence westerly along the north line of said SBL a distance of 425± feet to a point at the southwest corner of SBL 187.02-1-9 as described in Liber 10926 page 6868; thence northerly along the west line of said SBL a distance of 182± feet to the northwest corner of said SBL 187.02-1-9; thence easterly along the north line of said SBL 187.02-1-9 a distance of 920 feet to a point at the southeast corner of SBL 87.02-1-3.2 as described in Liber 9162 page 140; thence northerly along the east line of said SBL 187.02-1-3.2 a distance of 622.80 feet to a point on the south line of SBL 187.02-1-3.4 as described in Liber 9162 page 140; thence easterly along the

south line of said SBL 187.02-1-3.4 a distance of 400 feet to a point on the centerline of Center Street as a 66 foot wide County right-of-way, said line also being the east line of Farm Lot 29; thence northerly along said line a distance of 40 feet to the northeast corner of said SBL 187.02-1-3.4; thence westerly a distance of 1320 feet to a point at the northwest corner of SBL 187.02-1-3.3 as described in Liber 9162 page 138; thence northerly a distance of 990± feet to a point on the north line of Farm Lot 29, said point being 1330 feet west of the northeast corner of said Farm Lot 29; thence easterly along said Farm Lot 29 a distance of 34± feet to the southwest corner of SBL 175.00-2-12 as described in Liber 7945 page 315; thence northerly along the west line of said SBL 175.00-2-12 a distance of 366.3± feet to the northwest corner of said SBL; thence easterly along the north line of said SBL 175.00-2-12 a distance of 630.0± feet to a point at the southwest corner of SBL 175.00-2-10.122 as described in Liber 10985 page 7857; thence northerly along the west line of said SBL 175.00-2-10.122 a distance of 1244± feet to a point at the northwest corner of said SBL, said point also being on the south line of SBL 175.00-2-29.1 as described in Liber 9064 page 656; thence westerly along the south line of said SBL 175.00-2-29.1 a distance of 167.0± feet to a point at the southwest corner of said SBL; thence northerly along the west line of said SBL 175.00-2-29.1 a distance of 273.06 feet to a point at the southeast corner of SBL 175.00-2-10.2 as described in Liber 10904 page 5996; thence northerly along the east line of said SBL 175.00-2-10.2 a distance of 876.38± feet to the northeast corner of said SBL; thence westerly along the north line of said SBL a distance of 247± feet to a point at the southwest corner of SBL 175.00-2-8 as described in Liber 11033 page 8281; thence northerly along the west line of said SBL 175.00-2-8 a distance of 791.9± feet to a point on the centerline of Mill Street as a 66 foot wide right-of-way, said line also being the north line of Farm Lot 30, said point being the northwest corner of SBL 175.00-2-8 and also being the boundary line between the Town of Aurora on the south and the Village of East Aurora on the north; thence westerly along the said north line of Farm Lot 30 a distance of 600± to a point where the Farm Lot intersects the centerline of the section of Mill road that runs north and south; thence southerly along said centerline of Mill Road a distance of 526± feet to a point at the southeast corner of SBL 175.11-3-1 as described in Liber 10893 page 2013, said point also being the boundary line between the Town of Aurora and the Village of East Aurora; thence along the said boundary line the following (6) courses: (1) westerly 840.0 feet, (2) northerly 260 feet, (3) northwesterly 160 feet, (4) westerly 355 feet, (5) northwesterly 118± feet to a point on the north line of Farm Lot 30, (6) westerly 211± feet along said Farm Lot line to a point on the top of bank on the north side of Cazenovia Creek, said point being the southeast corner of a portion of land annexed to the Village of East Aurora in Liber 9775 page 34; thence along the said annexed land the following (5) courses: (1) southwest 711± feet to a point on the west line of Farm Lot 30, said point being 486.42 feet southerly from the northwest corner of said Farm Lot 30, (2) west 73.26 feet, (3) northwest 1723.14 feet to the southwest corner of SBL 175.00-1-4 as described in Liber 10869 page 8168, (4) northeast 150± feet to southeast corner of said SBL

175.00-1-4, (5) northwest 375± feet to a point on the centerline of Quaker Road, as a State right-of-way with width varying, said point also being the northwest corner of said annexed land and also being the northeast corner of said SBL 175.00-1-4; thence northeasterly along the centerline of said Quaker Road a distance of 419± feet to a point at the southwest corner of SBL 164.00-2-31 as described in Liber 10903 page 9021; thence northwesterly along the west line of said SBL 164.00-2-31 a distance of 1490.50 feet to a point at the northwest corner of said SBL; thence easterly along the north line of said SBL 164.00-2-31 and its extension easterly a distance of 949± feet to a point on the boundary line between the Town of Aurora on the west and the Village of East Aurora on the east, said point being the northeast corner of SBL 175.06-1-4 as described in Liber 5159 page 115 and also being on the west line of Farm Lot 31; thence northerly along the said boundary line a distance of 2825± feet to a point at the northwest corner of the Village of East Aurora, said point also being the northwest corner of SBL 164.19-1-1; thence easterly along the said boundary line between the Town of Aurora on the north and the Village of East Aurora on the south a distance of 126± feet to a point on the centerline of Buffalo Road (Seneca Street) as a 66 foot wide County right-of-way; thence northwesterly following along said centerline of Buffalo Road a distance of 309± feet to the point or place of beginning.

The establishment of the Proposed Sewer District includes the acquisition of the Village of East Aurora and Town of Aurora wastewater systems and the construction of planned and ongoing capital construction of the sanitary sewer systems, all as more fully described in the map, plan, report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning) which has been filed with the County Legislature and which has been approved by the Erie County Department of Environment and Planning on June 15, 2005.

The maximum estimated cost of the aforesaid establishment of the Proposed Sewer District is \$10,000,000, to be apportioned among real properties in the District in accordance with (i) their respective proportionate shares of sewered units in the Proposed District, (ii) applicable flat charges, and (iii) assessments against a benefited area which consists of the entire area of the Proposed Sewer District.

The expenditures for such establishment of the Proposed Sewer District will not cause additional costs for property owners in the Proposed Sewer District for hook-up fees, and the annual cost of such expenditures to the Typical Property (as defined in the County Law) is \$480.80 for those typical properties located in the Village of East Aurora and \$582.77 for those typical properties located in the Town of Aurora. Currently Erie County Sewer districts charge \$200 per home inspection for county-built sewers, \$400 per home inspection for subdivisions or privately built sewers, and a \$2 permit fee at the time of connection.

The County Legislature has heretofore caused to be prepared and filed for public inspection with the Clerk of the Erie County Legislature, a detailed explanation of how such costs were computed, as incorporated in said report and estimate of cost prepared by the County Engineers (Erie County Department of Environment and Planning).

Dated: Buffalo, New York,
_____, 2005.

BY ORDER OF THE COUNTY
LEGISLATURE OF THE COUNTY OF
ERIE, NEW YORK

By _____
Clerk, County Legislature

Section 3. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be published once in Amherst Bee and in The Front Page, the official newspapers of said County, not less than ten nor more than twenty days before the date set herein for said public hearing.

Section 4. The Clerk of said County Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing as set forth in Section 2 hereof to be mailed by first class mail to each owner of the taxable real property in the District.

Section 5. This resolution shall take effect immediately.

(4-0)

RAYMOND K. DUSZA
CHAIRMAN