

**LEGAL NOTICE OF SPECIAL MEETING AND PUBLIC HEARING  
TOWN OF EDEN, NEW YORK**

**NOTICE IS HEREBY GIVEN** of a Special Meeting of the Eden Town Board, as Town Board and as Commissioners of the Town of Eden Water Districts described herein, to be held at the Eden Town Hall, 2795 East Church Street, Eden, New York at 7:00 PM on the 18<sup>th</sup> Day of July, 2019. The purpose of said meeting is to hold a Public Hearing to consider the consolidation of the Consolidated Water District (“CWD”), the Master Water Improvement Area (“MWIA”) and Water Districts Nos. 4 and 5 of the Town of Eden to be designated as Consolidated Water District No. 2 (the “CWD2”) pursuant to Article 17-A of the General Municipal Law of the State of New York (GML Article 17-A).

A Descriptive Summary of the Joint Consolidation Agreement/Plan and other information required by General Municipal Law Section 754 (3) follows:

**Descriptive Summary of Consolidation Agreement/Plan**

**This plan is for the consolidation of the Consolidated Water District (“CWD”), the Master Water Improvement Area (“MWIA”) and Water Districts Nos. 4 and 5 of the Town of Eden to be designated as Consolidated Water District No. 2 (the “CWD2”) pursuant to Article 17-a of the General Municipal Law of the State of New York (GML Article 17-A).**

**The CWD2 will be under consideration for adoption of the Resolution following a Public Hearing to be held on July 18, 2019 at 7:00 p.m. The Consolidation Plan will incorporate the existing Water Districts, Water Extensions and Water Improvement Areas within the Town of Eden into one (1) Consolidated Water District to be designated as “Consolidated Water District No. 2.”**

**The proposed Consolidation Plan will be governed by the Town of Eden (“Town”).**

**The estimated costs for the consolidation include associated legal fees and publication costs for legal notices and are estimated not to exceed \$2,500.00.**

**The plan would consolidate all of the districts, extensions and water improvement areas into the CWD2. The existing liabilities and indebtedness of any of the districts, extensions and improvement areas shall continue to be assessed against the real property within the prior districts. Residents of the CWD2 will continue to receive water service following the consolidation, in accordance with agreements with the Erie County Water Authority (“ECWA”) prior to being transferred to a direct service arrangement with the ECWA.**

**Upon the formation by the Town Board of the CWD2, the Board will consider institution of proceedings under Town Law Section 198 (12) to sell and transfer all CWD2 property and facilities to ECWA in consideration for provision of Direct Service by ECWA, followed by dissolution proceedings for CWD2 as required by Town Law Section 198 (12).**

**The CWD2 does not have any local laws, rules or regulations independent of the Town. At the present time, the Town of Eden and the ECWA have a Lease-Management**

**Agreement for most of the water districts, extensions and improvement area within the Town. The Agreement provides for the ECWA to manage these districts, extensions and improvement areas. The Agreement is in place of management requirements by the Town. The Lease-Management Agreement also provides for the ECWA to maintain the water system with regard to regular maintenance and minor repairs. Major repairs and/or replacement of the infrastructure are the responsibility of existing Town Water Districts under Lease-Management but not under Direct Service.**

**The proposed consolidation of water districts, extensions and improvement areas is a preliminary requirement, that when adopted, would allow commencement of proceedings for a mandatory referendum pursuant to Town Law Section 198 (12) to approve the sale and transfer of the CWD2 water system assets to the ECWA in consideration of a transfer to Direct Service followed by the dissolution of the CWD2.**

**The CWD2 does not have a separate Board of Commissioners, and the CWD2 does not have any local laws, rules or regulations independent of the Town. Under operation of law, no agreement with the Town is necessary to carry out the consolidation. Residents within CWD will continue to receive water service with the understanding that the Lease-Managed districts and improvement areas and improvement areas may be transitioned to a Direct Service arrangement with the ECWA and then subject to dissolution.**

**This Descriptive Summary incorporates by reference all the items set forth in the Consolidated Resolution referenced herein.**

**The Consolidation Agreement/Plan and Descriptive Summary are available for public inspection at the following locations:**

**For Consolidated Water District, Water Districts #4 & #5: Eden Town Hall, Office of the Town Clerk, 2795 East Church St. Eden, New York 14057.**

**For Water District #5: Eden VFW Post 8265, 2551 March Rd., Eden, New York 14057**

Following the public hearing, the Eden Town Board, as Town Board and/or as Commissioners of the Town of Eden Water Districts described herein, will undertake such business as may be before it.

No meeting of the Eden Town Board will be held on July 24, 2019.

Dated: June 20, 2019

Emily Hawkins  
Town Clerk