

Town of Henderson
Sewer District No. 1 - Project Decision Matrix

Aspects to Consider	Option 1	Option 2	Option 3A	Option 3B	Option 4	Option 5
	Do not proceed, suspend project	Form Sewer District with current design and project cost (\$40M)	Pursue additional Grant funding to reduce cost/EDU within NYS OSC limit	Technical review and design adjustment Concurrent with Option 3A to pursue more grant funds	Reduce District Size	Require all currently non-complying residents to individually comply with applicable regulations. Concurrent with Option 1.
Annual Cost to Sewer District Customers	\$250/EDU Annual cost over 25 years for project costs incurred *applies to all parcels within SD No. 1 regardless if project proceeds	\$1075/EDU Soft costs recoverable	\$635/EDU (2025 OSC limit) Soft costs recoverable	\$635/EDU (2025 OSC limit) Soft costs recoverable	\$635/EDU (2025 OSC limit) Soft costs recoverable	Cost of individual home sewer system construction, estimated up front cost of \$10,000/EDU minimum (only for affected non-complying) This cost is in addition to Option 1 \$250/EDU for all Sewer District customers
Additional Project Costs to Sewer District	None	Legal/admin: \$10K (to achieve OSC approval)	Pursue Funding: \$10K Eminent Domain: \$30K +\$6K/parcel	Pursue Funding: \$10K Engineering: \$100K *Reduced construction and Operation costs that are not yet quantifiable.	Engineering: \$50K Legal/admin: \$50K *Reduced construction and Operation costs that are not yet quantifiable.	
Impact on Grants		Earliest expiration date is 5/09/2026 (WQIP) Extension possible Town must close on EFC financing by Sept. 2026	Earliest expiration date is 5/09/2026 (WQIP) Extension possible Town must close on EFC financing by Sept. 2026	Earliest expiration date is 5/09/2026 (WQIP) Extension possible Town must close on EFC financing by Sept. 2026	Earliest expiration date is 5/09/2026 (WQIP) Extension possible Town must close on EFC financing by Sept. 2026	
Timeliness of Construction	Does not support construction	Bidding: Dec 2027 Construction: May 2028	Bidding: Dec 2026 Construction: May 2027	Bidding: Dec 2027 Construction: May 2028	Bidding: Dec 2027 Construction: May 2028	Time to enforce and then individual construction
Legal Considerations	Potential regulatory enforcement for current non-complying residents	OSC approval est. 12 months Eminent Domain proceedings (legal and administrative)	Eminent Domain proceedings (legal and administrative)	Eminent Domain proceedings (legal and administrative)	Requires special petition from Legal Counsel and legislative act passing by NYS Requires renegotiating grant terms since original residents that incurred debt no longer served.	Potential regulatory enforcement for current non-complying residents
Probability of Success	Does not support Sewer District Formation	HIGH but cost/EDU is beyond the limit set by the NYS Office of the State Comptroller (OSC)	High	High	Low Legal proceedings and legislative approval process could delay overall project timeline	Does not support Sewer District Formation

INTERIM DECISIONS MADE 03/11/2025:

- A. Conduct Survey to determine resident's acceptance of incurring additional debt with only potential probability of success in recouping debt costs
- B. Develop RFP for engineering services to assess existing design
- C. Develop RFP for engineering services to develop estimate of costs:
 1. Restore CR-123 pavement and road structure to normal standards
 2. Correct legacy drainage design deficiencies that currently degrade road structure.

FINAL DECISION MADE: more information needed to develop and evaluate other options

	Option 1	Option 2	Option 3A	Option 3B	Option 4	Option 5
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