

A meeting of the Town Board of the Town of Batavia, in the County of Genesee, New York, was held at the Town Hall, in said Town, on April 6, 2022.

PRESENT:

Hon. Gregory H. Post, Supervisor
Hon. Daniel Underhill, Deputy Supervisor
Hon. Sharon White, Councilwoman
Hon. Patti Michalak, Councilwoman

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In the Matter

of the

Increase and Improvement of Facilities of the
Town of Batavia Consolidated Water District
in the Town of Batavia, County of Genesee, New York,
pursuant to Section 202-b of the Town Law.

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**PUBLIC HEARING TO BE HELD ON
APRIL 20, 2022**

WHEREAS, the Town Board of the Town of Batavia (herein called “Town Board” and “Town”, respectively), in the County of Genesee, New York, has, pursuant to Town Law, created the Town of Batavia Consolidated Water District (the “District”); and

WHEREAS, the Town Board has directed the Town Engineering Department, competent engineers licensed in New York, to prepare an Engineering Report (the “Map, Plan and Report”) for a water system capital improvements project within the District; and

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of approximately 2,000 water meters and radios that are compatible with fixed radio reading antennas and the associated meter reading/monitoring software, as well as other such improvements as more fully identified in (or contemplated by) the Map, Plan and Report, 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 “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board the Map, Plan and Report for the Increase and Improvement of Facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$979,200; with such cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$979,200, offset by any federal, state, county and/or local funds received.

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Batavia will be held at the Town Hall, 3833 West Main Street Road, Batavia, New York, on April 20, 2022 at 7:05 p.m. o'clock p.m. (prevailing Time) or shortly thereafter to consider said 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 increase and improvement of facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$979,200, said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection from the several lots and parcels of land within the District for such purpose in the same manner and at the same time as other Town charges to pay the principal of and interest on said bonds as the same shall become due and payable, except as otherwise provided by law; and be it

FURTHER ORDERED, that this resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse (to the extent permitted) the expenditures of said increase and improvement of facilities with the proceeds of bonds, notes or other obligations, as required by United States Treasury Regulations Section 1.150-2.

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 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: April 6, 2022

TOWN BOARD OF THE
TOWN OF BATAVIA

The adoption of the foregoing Order Calling for Public Hearing was duly put to a vote on roll call, which resulted as follows:

AYES: Councilwoman Michalak
Councilwoman White
Deputy Supervisor Underhill
Supervisor Post

NOES:

ABSENT: Councilman Zambito

The Order Calling for Public Hearing was declared adopted.