

A Special Meeting of the Town Board of the Town of Williamson was held in the Town Complex Court Room located at 6380 Route 21, Suite II, called to order at 7:00 PM on Tuesday, September 4, 2018, by Supervisor Verno. The following were

PRESENT: Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Abram Moll

ABSENT: Councilman Nancy Gowan

The undersigned Town Clerk was also present.

A notice having been published for a Public Hearing regarding the Bond Resolution for the Water Treatment Plant Upgrades. Supervisor Verno declared the Hearing open at 7:00 PM. Supervisor Verno explained the total cost for Water Treatment Plant Upgrade project is approximately nine million dollars and will be completed in the year 2021. The funding for the project is coming from the following: The Town has received a grant from the NYS Department of Health towards Phase I of the Water Treatment Plant upgrade project in the amount of \$505,540.00 for the fluoride portion. Also, the Town is submitting a grant for three million towards the project. The remaining amount of \$5,494,460.00 will need to be bonded. As no one was present to comment or ask questions, the Public Hearing was closed at 7:05 PM with a motion made by Councilman Moll, seconded by Councilman Bixby. The motion was carried.

Public Comment: No one was present to comment.

Supervisor Verno presented the following Resolution and moved its adoption. It was seconded by Councilman Moll.

WHEREAS: The Townwide Williamson Water Improvement Area is a water improvement area of the Town of Williamson, New York, duly established by the Town Board pursuant to the Town Law; and

WHEREAS: The estimated maximum aggregate cost of the Townwide Williamson Water Improvement Area improvements duly authorized by the Town pursuant to Article 12-C of the Town Law does not exceed the cost threshold that would require approval of the Office of the State Comptroller; and

WHEREAS: The Town, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on August 14, 2018, has duly determined and found the purpose to be a type II action which will not have a significant impact on the environment and is not subject to any further environmental review under SEQRA; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF WILLIAMSON, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Williamson shall undertake certain capital improvements consisting of the construction of water system capital improvements, to include water treatment plant improvements and upgrades, and the acquisition of original furnishings, equipment, machinery or apparatus and other incidental improvements that may be required in connection therewith for such construction and improvement area use (hereinafter referred to as “purpose”), and general obligation serial bonds in an aggregate principal amount not to exceed \$9,000,000 of the Town are hereby authorized to be issued to finance said purpose, and bond anticipation notes in anticipation thereof (and renewals thereof) of the Town are hereby authorized to be issued to finance said purpose.

Section 2. The estimated maximum aggregate cost to the Town of Williamson of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$9,000,000, and said amount is hereby appropriated therefor. The plan for financing of said purpose is to provide all of such maximum cost by issuance of bonds or bond anticipation notes as herein authorized, to be offset and reduced dollar for dollar by the amount of grants received, if any.

Section 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

Section 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes.

Section 5. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 6. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including, without limitation, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements,

if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by the Local Finance Law, and the power to contract and issue indebtedness pursuant to §169.00 of the Local Finance Law, if applicable, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Williamson.

Section 7. The faith and credit of the Town of Williamson, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. Such bonds and notes shall be payable from a levy on real property in such benefit area benefitted or user charges therefor, in the manner provided by law, but if not paid from such source, all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any, sufficient to pay the principal of and interest on said bonds and notes. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 8. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Williamson together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds or of any bond anticipation notes issued in anticipation of the sale of said bonds may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall take effect immediately upon its adoption. The motion having been duly seconded, it was adopted and the following votes were cast:

AYES: Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Abram Moll

NAYES: None

Councilman Moll presented the following Resolution and moved its adoption. It was seconded by Councilman Orbaker.

WHEREAS: The Town of Williamson hired MRB Engineering to perform a study to determine what upgrades and improvements are needed at the Water Treatment Plant and MRB has supplied the Town Board with copies of the report, and

WHEREAS: The Town Board has passed a resolution to apply to the New York State Department of Health/Environmental Facilities Corporation for a grant for the Water Treatment Plant upgrades in Williamson.

NOW, THEREFORE, BE IT RESOLVED: That the Town Board of the Town of Williamson approves and supports the recommended improvements and upgrades at the Williamson Water Treatment Plant.

Roll call vote on the Resolution was as follows:

AYES: Supervisor Anthony Verno
Councilman Gary Orbaker
Councilman Michael Bixby
Councilman Abram Moll

NAYES: None

The Resolution was declared adopted.

Supervisor Verno made a motion, seconded by Councilman Bixby, to enter into Executive Session to discuss union contract negotiations at 7:08 PM. The motion was carried.

Supervisor Verno made a motion, seconded by Councilman Bixby, to adjourn at 7:35 PM. The motion was carried.

Respectfully Submitted,



Marlene A. Gulick
Williamson Town Clerk