

NOTICE OF ADOPTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Delaware, Sullivan County, New York, at a meeting held on the 9th day of May, 2018, duly adopted the resolution published herewith **subject to a permissive referendum**.

Dated: Hortonville, New York,
May 11, 2018.

_____ *Tess McBeath* _____
Town Clerk

RESOLUTION DATED MAY 9, 2018.

A RESOLUTION APPROVING THE ESTABLISHMENT OF HAMLET OF CALLICOON WATER DISTRICT AND THE IMPROVEMENTS IN CONNECTION THEREWITH.

WHEREAS, the Town Board of the Town of Delaware, Sullivan County, New York, has duly caused to be prepared a map showing the boundaries of a proposed Water District in said Town, to be known as Hamlet of Callicoon Water District, and a plan and report in connection therewith; and

WHEREAS, said map, plan and report were prepared by Delaware Engineering, D.P.C. competent engineers, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same is available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the estimated cost of said District to the typical property therein is \$585 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid; and

WHEREAS, a detailed explanation of the manner by which said estimated cost to the typical property was computed has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject manner thereof; and

WHEREAS, said capital project for said District and the establishment thereof has been determined to be a "Type I Action" pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act ("SEQRA"), the implementation of which as proposed, the Town Board has determined will not result in any significant adverse environmental effects, and a Full Environmental Assessment Form is available on file in the office of the Town Clerk where it may be inspected during normal business hours; and

WHEREAS, an order was duly adopted by said Town Board on April 11, 2018, reciting a description of the boundaries of said proposed the Hamlet of Callicoon Water District, the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed method of financing to be employed, the fact that said petition, map, plan and report were on file in the Town Clerk's office for public inspection and specifying the 9th day of May, 2018, at 6:30 o'clock P.M., local time, at the Town Hall, in Hortonville, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of said Hamlet of Callicoon Water District and said map, plan and report filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of publication and posting have been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place in said order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered said map, plan and report and the evidence given at said public hearing; and

WHEREAS, said Town Board has adopted a resolution on May 9, 2018, the date hereof, making the findings and determinations required pursuant to Section 209-e (1) of the Town Law;
NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Delaware, Sullivan County, New York, as follows:

Section 1. The establishment of Hamlet of Callicoon Water District in the Town of Delaware, Sullivan County, New York, to be bounded and described as hereafter set forth, and the improvements proposed therefor of the acquisition of the existing water supply, storage and distribution system from the Callicoon Water Company, and improvements thereto, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$4,202,672, is hereby approved. The method of financing the cost of said improvements shall be by the issuance of \$4,202,672 serial bonds of said Town (to be reduced by grants expected to be in the amount of \$2,456,940) maturing in annual installments over a period not exceeding forty years, which will be payable in the first instance by the annual apportionment and assessment upon the several lots and parcels of land within the District in an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Said District shall be bounded and described as set forth in Exhibit A attached hereto and hereby made a part hereof.

Section 3. The Town Clerk shall, within ten (10) days after this resolution takes effect, being the date thirty days from the date hereof should no petition for referendum be filed relating hereto, file certified copies of this resolution in duplicate in the office of the State Department of Audit and Control at Albany, New York.

Section 4. This resolution is adopted subject to permissive referendum in accordance with Section 209-e(3) of the Town Law, and establishment of said District is not subject to the approval of the State Comptroller pursuant to Section 209-f of the Town Law.

Exhibit A

Boundaries of Proposed
Hamlet of Callicoon Water District
in the Town of Delaware, Sullivan County, New York