

TOWN OF BOSTON



COPY

At a meeting of the Town Board of the Town of Boston, in the County of Erie, New York, held at the Town Hall, 8500 Boston State Road, Boston, New York, on the 3rd day of November, 2021.

PRESENT:

Hon. Jason A. Keding, Supervisor
Jennifer Lucachik, Councilwoman
Kathleen Selby, Councilwoman
Kelly Martin, Councilman

In the Matter

of the

Increase and Improvement of Facilities of
Water District Nos. 1 and 2, in the Town of Boston, in the County
of Erie, New York, pursuant to Section 202-b of the Town Law

Offered by: Jennifer Lucachik, Councilwoman

Seconded by: Kelly Martin, Councilwoman

TOWN OF BOSTON – RESOLUTION 2021-63

**RESOLUTION AND
ORDER AFTER PUBLIC
HEARING**

WHEREAS, the Town Board of the Town of Boston (herein called the “Town”),
in the County of Erie, New York, on behalf of the Town of Boston Water District Nos. 1 and 2,

****CONTINUED ON THE NEXT PAGE****

in the Town (herein referred to as the “Districts”), has caused CPL Engineers, engineers duly licensed by the State of New York (the “Engineer”) to prepare the Map, Plan and Report for the Town of Boston Water System Improvements to Water Districts No. 1 and 2, dated August 2020 and updated October 2021, for the increase and improvement of facilities of the Districts consisting of (i) Water Main Replacement and Pump Station Improvements serving properties located within Water District No. 1, at the estimated maximum cost of \$9,738,000; and (ii) Water Main Replacement Improvements serving properties located within Water District No. 2, at the estimated maximum cost of \$1,320,000; and

WHEREAS, the Engineer has estimated that the total estimated maximum cost of such increase and improvement of facilities shall be \$11,058,000 and said map, plan and report have been filed with the Town Board; and

WHEREAS, the Town Board adopted an Order describing in general terms the proposed increase and improvement of such facilities, specifying the estimated cost thereof, and stating the Town Board would meet to hear all persons interested in said increase and improvement of facilities on November 3, 2021 at 7:35 o’clock P.M. (Prevailing Time) at the Town Hall, 8500 Boston State Road, Boston, New York; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, such public hearing was duly held by the Town Board on the 3rd day of November, 2021 at 7:35 o’clock P.M. (Prevailing Time) at the Town Hall, 8500 Boston State Road, Boston, New York, with considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of such facilities; and

WHEREAS, the Town Board, as lead agency, has given due consideration to the impact that the projects described herein may have on the environment and has determined that each of the projects are Type II actions and require no further review pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617.5;

Now, therefore, be it

DETERMINED, that it is in the public interest to increase and improve the facilities of the Districts as hereinabove described, at the total estimated maximum cost of \$11,058,000 and in accordance with a lease agreement between the Erie County Water Authority ("ECWA") and the Town; and it is hereby

ORDERED, that the facilities of the Districts shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense of said increase and improvement of such facilities and, with the assistance of the Town Attorney, shall prepare a proposed contract for such increase and improvement of facilities of the Districts, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

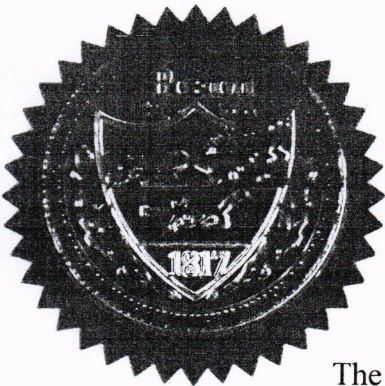
FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$11,058,000 bonds of the Town, and the cost of said increase and improvement of facilities, including payment of principal of and interest on said bonds, shall be paid by the assessment, levy and collection of assessments on real property in the Districts based on their respective assigned number of equivalent dwelling units ("EDU" each unit being equivalent to usage by a single family home), with the expectation that any grant funds received by the Town from the State of New York or the United States of America shall be

used to pay a part of the cost of the project or to pay debt service on bonds or notes issued to finance the project or shall be budgeted as an offset to such assessments to be levied and collected; and it is hereby

FURTHER ORDERED, that the Town Clerk record, or cause to be recorded, a certified copy of this Resolution and Order after Public Hearing in the office of the Clerk of Erie County within ten (10) days after adoption thereof.

DATED: November 3, 2021

TOWN BOARD OF THE TOWN OF BOSTON



The adoption of the foregoing Resolution and Order was duly put to a vote on roll call, which resulted as follows:

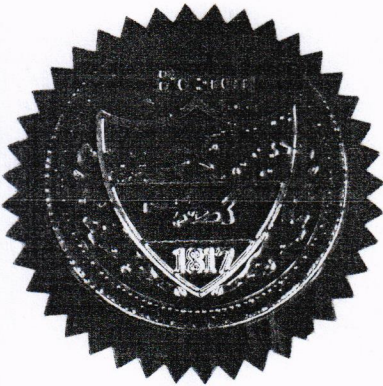
Supervisor Jason A. Keding, C.T.O.	voting	Yes
Councilman Michael Cartechine	voting	Absent
Councilwoman Jennifer Lucachik	voting	Yes
Councilwoman Kathleen Selby	voting	Yes
Councilwoman Kelly Martin	voting	Yes

The Resolution and Order was declared adopted.

CERTIFICATE

I, SANDRA QUINLAN, Town Clerk of the Town of Boston, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed resolution of the Town Board of said Town adopted at a meeting duly called and held on November 3rd, 2021, has been compared by me with the original resolution as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Boston this 3rd day of November, 2021.



Sandra L. Quinlan
SANDRA QUINLAN, Town Clerk
Town of Boston