

**A. CONVOCAATION:**

1. The Canadice Special Town Board Meeting was held on April 23, 2018 at 7:00 pm at the Canadice Town Hall.

2. Roll call showed the following-

- Present: Supervisor Kristine Singer
- Councilman John O’Connor
- Councilman Mark Statt
- Councilman Mark Malmendier
- Councilman Teryl Gronwall

Others Present: One (1) guest/resident attended the Special Town Board Meeting.

**B. NEW BUSINESS:**

1. **Resolution Number 34 of 2018:** Resolution Of The Town Board Of The Town Of Canadice, Ontario County, New York (The “Town”), Amending The Bond Resolution Dated July 13, 2015, As Previously Amended By A Resolution Dated June 12, 2017, Relating To The Authorization And Issuance Of Serial Bonds Of The Town To Finance The Cost Of Acquiring And Constructing The Water System Improvements To Be Included In The Town Of Canadice Water District No. 1

\*Supervisor Singer briefly explained the purpose of holding this special meeting - the Board needed to adopt an amended bond resolution.

Councilman O’Connor motioned, Councilman Malmendier seconded, and it was unanimously carried to approve the resolution.

APPROVED           Ayes 5           Singer, O’Connor, Statt, Malmendier, Gronwall  
                              Nays 0

**WHEREAS**, the Town Board (the “Board”) of the Town of Canadice, Ontario County, New York (the “Town”) by bond resolution duly adopted by the Board on July 13, 2015 (the “Original Bond Resolution”), authorized, among other things, the issuance of \$5,000,000 in serial bonds of the Town to finance the cost of acquiring, constructing and equipping the improvements to be included in the Town of Canadice Water District No. 1 (the “District”), including the acquisition of land and/or easements or other rights therein, the construction of improvements consisting of water mains, lateral lines, valves, hydrants, pump stations, meters, a water storage reservoir, curb stops, original furnishings, equipment, machinery or apparatus, and all other appurtenant and incidental improvements necessary or appropriate to serve benefited properties within said water district, all engineering and other preliminary costs, legal expenses and other costs incidental to the financing thereof, at an estimated maximum cost of \$5,000,000 (the “Project”); and

**WHEREAS**, pursuant to resolutions dated May 9, 2011, June 13, 2011, November 14, 2011, January 9, 2012, and February 10, 2014, the Town Board of the Town: (i) declared itself lead agency for purposes of conducting an environmental review of undertaking the proposed improvements to be included in the District, in accordance with the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, “SEQRA”); (ii) determined that the undertaking of such improvements constituted a “Type I” action within the meaning of SEQRA; and (iii) determined that the actions to be taken in connection with the proposed improvements would not cause significant adverse impact on the environment and issued a “Negative Declaration” to such effect in accordance with the provisions of SEQRA; and

**WHEREAS**, by resolution of the Town Board of the of the Town, dated May 8, 2017, in accordance with

Section 209-h of the Town Law (the “2017 209-h Resolution”), the Town Board adopted an order increasing the maximum amount to be expended on the District from \$5,000,000 to \$6,000,000, said resolution being subject to a permissive referendum; and

**WHEREAS**, as set forth in a certificate of the Town Clerk dated June 7, 2017 and filed with the Ontario County Clerk’s Office, the period of time to file a qualifying petition to request a referendum under the 2017 209-h Resolution had expired and no such petition was filed with the Town Clerk; and

**WHEREAS**, the Board, by resolution dated June 12, 2017 (the “2017 Amending Resolution”), amended the Original Bond Resolution to (i) increase the estimated maximum cost of the Project (but not the authorized amount of the bonds to be issued for the Project) by \$1,000,000 from \$5,000,000 to \$6,000,000, (ii) appropriate such increased amount, and (iii) revise the plan of finance for the Project to include (a) the issuance of up to \$5,000,000 in serial bonds of the Town, or bond anticipation notes issued in anticipation thereof, to finance a portion of said appropriation, and (b) the partial repayment of such bonds or bond anticipation notes with, and/or the direct expenditure on Project costs of the proceeds of up to \$3,000,000 in grant monies expected to be received by the Town from the New York State Environmental Facilities Corporation with respect to the Project under the Clean Water State Revolving Fund Program; and

**WHEREAS**, by resolution of the Town Board of the of the Town, dated February 21, 2018, in accordance with Section 209-h of the Town Law (the “2018 209-h Resolution”), the Town Board adopted an order further increasing the maximum amount to be expended on the District from \$6,000,000 to \$6,200,000, said resolution being subject to a permissive referendum; and

**WHEREAS**, as set forth in a certificate of the Town Clerk dated April 11, 2018 and filed with the Ontario County Clerk’s Office, the period of time to file a qualifying petition to request a referendum under the 2018 209-h Resolution has expired and no such petition has been filed with the Town Clerk; and

**WHEREAS**, the Board now intends to amend the Original Resolution as previously amended by the 2017 Amending Resolution to (i) increase the estimated maximum cost of the Project (but not the authorized amount of the bonds to be issued for the Project) by \$200,000 from \$6,000,000 to \$6,200,000; and (ii) to revise the plan of finance for the Project to also include a \$200,000 grant expected to be received by the Town from the United States Department of Agriculture – Rural Development.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board (the “Town Board”) of the Town of Canadice, Ontario County, New York (the “Issuer” or the “Town”) (by the favorable vote of not less than two-thirds of all the members of such body), as follows:

SECTION 1. Section 2 of the Original Bond Resolution, as previously amended by the 2017 Amending Resolution, is hereby amended in its entirety to read as follows:

“SECTION 2. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$6,200,000, said amount is hereby appropriated therefor. The plan for the financing thereof shall consist of (i) the issuance of up to \$5,000,000 in serial bonds of the Town authorized to be issued pursuant to Section 1 of this resolution, and bond anticipation notes issued in anticipation thereof, (ii) the partial repayment of such bonds or bond anticipation notes with, and/or the direct expenditure on Project costs of the proceeds of up to \$3,000,000 in grant monies expected to be received by the Town from the New York State Environmental Facilities Corporation with respect to the Project (“EFC”) under the Clean Water State Revolving Fund Program and the up to \$200,000 in grant funds expected to be received by the Town from the United States Department of Agriculture – Rural Development, (iii) the assessment, levy and collection of assessments upon benefited properties within the District; and (iv) to the extent necessary, the levy

and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.”

SECTION 2. Except as specifically amended herein, all the terms and provisions of the Original Bond Resolution shall remain in full force and effect.

SECTION 3. This resolution shall take effect immediately.

The following vote was taken and recorded in the public or open session of said meeting:

	<u>AYE</u>	<u>NAY</u>
Supervisor Singer	X	
Councilman O’Connor	X	
Councilman Statt	X	
Councilman Malmendier	X	
Councilman Gronwall	X	

Date: April 23, 2018

**C. ADJOURNMENT:**

Councilman O’Connor motioned, Councilman Gronwall seconded, and it was unanimously carried to adjourn the meeting at 7:04 pm.

APPROVED	Ayes 5	Singer, O’Connor, Statt, Malmendier, Gronwall
	Nays 0	

Respectfully submitted, \_\_\_\_\_ Eileen Schaefer, Town Clerk