

I, THE UNDERSIGNED CLERK OF THE LEGISLATURE HEREBY CERTIFY THIS TO BE A TRUE AND COMPLETE COPY OF A RESOLUTION DULY ADOPTED BY THE LEGISLATURE OF CHAUTAUQUA COUNTY ON 12/16 2015 CLERK OF LEGISLATURE

SMA 11/21/15
KLC 11/25/15
SM 11/25/15
VWH 11/25/15

CHAUTAUQUA COUNTY
RESOLUTION NO. 260-15

TITLE: Determinations in Relation to the Establishment of a County District to be known as the North Chautauqua County Water District

BY: Public Facilities and Planning & Economic Development Committees:

AT THE REQUEST OF: County Executive Vincent W. Horrigan:

WHEREAS, the Chautauqua County Legislature adopted Resolution 217-15 calling a public hearing for the purpose of considering a proposal to establish a county water district known as the North Chautauqua County Water District; and

WHEREAS, notice of said public hearing was duly published and mailed as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York on December 16, 2015 at 6:45 o'clock PM, prevailing time; and

WHEREAS, the Legislature has duly considered the Map, Plan and Report filed with it by the County Water Agency dated November 12, 2015 (hereinafter referred to Map, Plan and Report) as well as the testimony and other information received by it at the public hearing and otherwise; and

WHEREAS, the permission of the State Comptroller is not required for the formation of the District under County Law §258 since the cost of the District to a typical property as stated in the Notice of Hearing is below the average estimated cost to the typical properties or homes for the establishment of similar types of districts as computed by the State Comptroller; now therefore be it

RESOLVED, upon the Map, Plan and Report and other data filed with it, the Legislature hereby determines:

1. The proposed facilities are satisfactory and sufficient.
2. All of the property and property owners within the proposed District are benefitted thereby.
3. All of the property and property owners benefitted are included within the limits of the proposed District.
4. It is in the public interest to establish the District.

and be it further

RESOLVED, That the establishment of a county water district to be known as the North Chautauqua County Water District to comprise an area in Chautauqua County consisting of parts of the towns of Portland, Pomfret, Sheridan and Hanover and all of the town of Dunkirk with boundaries as described in the Map, Plan and Report and in the Notice of Public Hearing and the constructions of the improvement described in the Map, Plan and Report for a maximum amount to be expended of \$11,750,000 is hereby approved; and be it further

RESOLVED, That to the extent that the cost of the improvement and the expense of operation and maintenance are not paid from the revenues of the District, they shall be assessed in proportion as nearly as may be to the benefit which each lot or parcel in the District will derive therefrom; and be it further

RESOLVED, That this resolution is subject to permissive referendum pursuant to County Law §§ 101, 102, 256 and 257 and the Clerk of the Legislature is directed to cause a notice to published at least once in the official newspapers of the County within ten (10) days after the adoption of this resolution and to prepare and have available for distribution proper forms for such petition.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive
Date 12/16/15

over