

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Portland, in the

County of Chautauqua, New York

November 30, 2017

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A meeting of the Town Board of the Town of Portland, in the County of Chautauqua, New York, was held at the Town Hall, in said Town, on November 30, 2017 at 7:20 o'clock p.m. (Prevailing Time).

There were present: Daniel Schrantz, Supervisor; and

Councilpersons: Jerry Boltz, Patti Farrell and Rick Manzella

There were absent: Gary Miller

Also present: Roxane Sobecki-Town Clerk, Ann Belcher-Reporter, Joel Seachrist-Attorney, Eric Wies-Clark Patterson Lee, Drew Smith-Water Supervisor and Approximately 20 residents.

* * *

Resolution 95

The following resolution was offered by Council Boltz and seconded by Council

Farrell, to wit:

A meeting of the Town Board of the Town of Portland, in the County of Chautauqua, New York, was held at the Town Hall, in said Town, on November 30, 2017.

PRESENT:

Hon. Daniel Schrantz, Supervisor
Jerry Boltz, Councilperson
Rick Manzella, Councilperson
Patti Farrell, Councilperson

ABSENT:

Gary Miller, Councilperson

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In the Matter

of the

Establishment of the Town of Portland
Water District No. 8 in the Town of Portland,
County of Chautauqua, New York, pursuant to
Article 12-A of the Town Law.

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**RESOLUTION CREATING THE TOWN OF PORTLAND
WATER DISTRICT NO. 8 IN THE TOWN OF PORTLAND,
SUBJECT TO PERMISSIVE REFERENDUM**

WHEREAS, the Town Board of the Town of Portland (herein called “Town Board” and “Town”, respectively), in the County of Chautauqua, New York, has, pursuant to Town Law Article 12-A, caused Clark Patterson Lee, competent engineers duly licensed by the State of New York, to prepare a preliminary map, plan and report for the establishment of Water District No. 8 (the “District”); and

WHEREAS, such map, plan and report is on file at the office of the Town Clerk, and available for public inspection at said location; and

WHEREAS, such map, plan and report proposes the installation of approximately 23,200 linear feet of 8-inch water main along various roads in the Town, along with the installation of valves, hydrants and appurtenances, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, including all related right-of-way costs, new service installation, site work and other ancillary work, preliminary costs and other improvements and costs incidental thereto, and in connection with the financing thereof (collectively referred to herein as “Water Improvement”); and

WHEREAS, the Town anticipates the receipt of grant funds in the approximate amount of \$1,250,000 from the United States of America – Rural Development Agency; and

WHEREAS, the Town Board may establish water rents as provided in paragraph (d) of subdivision three of Town Law Section 198; and

WHEREAS, as stated in such map, plan and report, the project has an estimated maximum cost of \$1,844,000 which amount is to be financed by the issuance of serial bonds in an aggregate principal amount not to exceed \$1,844,000 such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grant funds in an approximate amount of \$1,250,000 expected to be received from the United States of America – Rural Development Agency, and unless paid from other sources or charges, the cost of the Water Improvement will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and

WHEREAS, the expected average annual cost to the Typical Property (as defined by Town Law) in the proposed District (which is a single family home) during the first year will be approximately \$825 (such amount includes construction financing costs (debt service) and estimated annual water usage costs); and

WHEREAS, each property will also have to provide for a service line and internal plumbing modifications (as applicable) to set a meter and valves at an estimated one-time cost of approximately \$1,000 (actual costs will vary depending on the actual length of the service line and the complexity of installation); and

WHEREAS, the Town Board has pursuant to an Order Calling for a Public Hearing, which Order was duly posted and published, held a public hearing on November 30, 2017 to consider the creation of the proposed District, at which hearing all members of the public were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF PORTLAND as follows:

The Board hereby determines:

1. That the notice of public hearing was duly published and posted as required by law, and is otherwise sufficient.
2. That all properties and property owners benefited by the improvements are included in the proposed District.
3. That all properties and property owners included in the proposed District are benefited thereby.

4. That it is in the public interest to establish the proposed District.

5. That in the opinion of the Town Board, none of the properties included in the proposed District will be unduly burdened by the creation of the District.

RESOLVED that the Town Board hereby approves the creation of The Town of Portland Water District No. 8 in the Town of Portland and shall be bounded and described as follows:

[LEGAL DESCRIPTION]

All that tract or parcel of land situate in the Town of Portland, County of Chautauqua, State of New York, being described as follows:

Beginning at the intersection of the southerly municipal boundary line of the Town of Portland/Village of Brocton and the center line of Highland Road (66 feet wide right-of-way); thence,

1. Easterly, along the southerly municipal boundary line of the Town of Portland/Village of Brocton, a distance of 1,058 feet, more or less, to the northeasterly corner of tax account number 162.00-1-6; thence,
2. Southerly, along an easterly line of tax account number 162.00-1-6, a distance of 809 feet, more or less, to the northeasterly corner of tax account number 162.13-1-5; thence,
3. Southwesterly, along the northerly line of tax account number 162.13-1-5, a distance of 150 feet, more or less, to the northwest corner of tax account number 162.13-1-5; thence,
4. Southerly, along the westerly line of tax account number 162.13-1-5, a distance of 94 feet, more or less, to a northeasterly corner of tax account number 162.13-1-4; thence,
5. Westerly, along a southerly line of tax account number 162.00-1-6, a distance of 441 feet, more or less, to a point 500 feet easterly of and parallel to the center line of Highland Road; thence,
6. Southerly, through the lands of tax account number 162.13-1-4, across Webster Road (66 feet wide right-of-way), and through the lands of tax account number 162.13-1-7, along a line 500 feet easterly of and parallel to the center line of Highland Road, a distance of 854 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Webster Road; thence,
7. Southwesterly, through the lands of tax account number 162.13-1-7, across Highland Road, and through the lands of tax account numbers 162.13-1-17, 162.13-1-15, and 162.13-1-14 an along the southerly line of tax account number 162.13-1-16, along a line 500 feet southerly of and parallel to the center line of Webster Road, a distance of 1,495 feet, more or less, to the westerly line of tax account number 162.00-1-28.1; thence,
8. Southeasterly, along the easterly line of tax account number 162.00-1-28.1, a distance of 140 feet, more or less, to the southeasterly corner of tax account number 162.00-1-28.1; thence,
9. Westerly, along the southerly line of tax account number 162.00-1-28.1, a distance of 617 feet, more or less, to the southwesterly corner of tax account number 162.00-1-28.1; thence,

10. Southerly, along the easterly line of tax account number 162.00-1-27, a distance of 420 feet, more or less to the southeasterly corner of tax account number 162.00-1-27; thence,
11. Westerly, along the southerly line of tax account number 162.00-1-27, a distance of 270 feet, more or less, to the southwesterly corner of tax account number 162.00-1-27; thence,
12. Northerly, along the westerly line of tax account number 162.00-1-27, a distance of 416 feet, more or less, to the southeasterly corner of tax account number 161.00-3-19; thence,
13. Southwesterly, along the southerly line of tax account number 161.00-3-19, a distance of 1,332 feet, more or less, to the southwesterly corner of tax account number 161.00-3-19; thence,
14. Southerly, along the easterly line of tax account number 161.00-3-24.2, a distance of 457 feet, more or less, to the southeasterly corner of tax account number 161.00-3-24.2; thence,
15. Westerly, along the southerly lines of tax account numbers 161.00-3-24.2 and 161.00-3-24.1, a distance of 818 feet, more or less, to the southwesterly corner of tax account number 161.00-3-24.1; thence,
16. Northerly, along the westerly line of tax account number 161.00-3-24.1, a distance of 920 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Webster Road; thence,
17. Westerly, through the lands of tax account number 161.00-3-25, along a line 500 feet southerly of and parallel to the center line of Webster Road, a distance of 913 feet, more or less, to the easterly line of tax account number 161.00-3-26; thence,
18. Southerly, along the easterly lines of tax account numbers 161.00-3-26 and 161.00-3-29, a distance of 1,844 feet, more or less, to a point on the easterly line of tax account number 161.00-3-29; thence,
19. Westerly, along the easterly extension of the northerly line of tax account number 161.00-3-31, the northerly lines tax account numbers 161.00-3-31, 161.00-3-32, and 161.00-3-33, a distance of 1,002 feet, more or less, to the northwesterly corner of tax account number 161.00-3-33; thence,
20. Northerly, along a easterly line of tax account numbers 161.00-3-33 and 161.00-3-35, a distance of 1,303 feet, more or less, to the northeasterly corner of tax account number 161.00-3-35; thence,
21. Westerly, along the southerly lines of tax account numbers 161.00-3-29 and 161.00-3-39, and the westerly extension of the southerly line of tax account number 161.00-3-39, a distance of 1,495 feet, more or less, to the center line of Fay Street (49.5 feet wide right-of-way); thence,
22. Southerly, along the center line of Fay Street, a distance of 258 feet, more or less, to the easterly extension of the southerly line of tax account number 161.00-2-34; thence,
23. Westerly, along the easterly extension of the southerly line of tax account number 161.00-2-34, and the southerly line of tax account number 161.00-2-34, a distance of 363 feet, more or less, to the southwesterly corner of tax account number 161.00-2-34; thence,
24. Northerly, along the westerly line of tax account number 161.00-2-34, a distance of 483 feet, more or less, to the northwesterly corner of tax account number 161.00-2-34; thence,

25. Westerly, along the southerly lines of tax account numbers 161.00-2-33.1 and 161.00-2-33.2, a distance of 370 feet, more or less, to the southwesterly corner of tax account number 161.00-2-33.2; thence,
26. Southerly, along the easterly line of tax account number 161.00-2-38, a distance of 1,165 feet, more or less, to a southeasterly corner of tax account number 161.00-2-38; thence,
27. Southwesterly, along the southerly line of tax account number 161.00-2-38, a distance of 191 feet, more or less, to an angle point; thence,
28. Westerly, along the southerly line of tax account number 161.00-2-38, a distance of 595 feet, more or less, to a westerly line of tax account number 161.00-2-38; thence,
29. Northerly, along a westerly line of tax account number 161.00-2-38, a distance of 131 feet, more or less, to a southeasterly corner of tax account number 161.00-2-38; thence,
30. Westerly, along a southerly line of tax account number 161.00-2-38, a distance of 597 feet, more or less, to the northwesterly corner of tax account number 161.00-2-2-37, said point also being on the easterly line of tax account number 161.00-2-39.2; thence,
31. Southerly, along the easterly lines of tax account numbers 161.00-2-39.2 and 178.00-1-12, and the southerly extension of the easterly line of tax account number 178.00-1-12, a distance of 1,023 feet, more or less, to the center line of Ellicott Road (66 feet wide right-of-way); thence,
32. Southwesterly, along the center line of Ellicott Road, a distance of 11 feet, more or less, to the northerly extension of the easterly line of tax account number 178.00-1-17; thence,
33. Southerly, along the northerly extension of the easterly line of tax account number 178.00-1-17, and the easterly line of tax account number 178.00-1-17, a distance of 903 feet, more or less, to the southeasterly corner of tax account number 178.00-1-17; thence,
34. Westerly, along the southerly lines of tax account numbers 178.00-1-17 and 178.00-1-16, a distance of 574 feet, more or less, to the southwesterly corner of tax account number 178.00-1-16; thence,
35. Northerly, along the westerly line of tax account number 178.00-1-16, a distance of 387 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Ellicott Road; thence,
36. Westerly, through the lands of tax account number 178.00-1-13, across Campbell Road (49.5 feet wide right-of-way), through the lands of tax account number 178.00-1-46, along a line 500 feet southerly of and parallel to the center line of Ellicott Road, a distance of 1,192 feet, more or less, to the easterly line of tax account number 178.00-1-47; thence,
37. Southerly and westerly, along the easterly and southerly lines of tax account number 178.00-1-47, a distance of 608 feet, more or less, to the easterly line of tax account number 178.00-1-48; thence,
38. Southerly, along the easterly line of tax account number 178.00-1-48, a distance of 2,141 feet, more or less, to the southeasterly corner of tax account number 178.00-1-48; thence,
39. Westerly, along the southerly line of tax account number 178.00-1-48, a distance of 737 feet, more or less, to the southwesterly corner of tax account number 178.00-1-48; thence,

40. Northerly, along the westerly line of tax account number 178.00-1-48, a distance of 164 feet, more or less, to the southeasterly corner of tax account number 178.00-1-49; thence,
41. Westerly, along the southerly lines of tax account numbers 178.00-1-49 and 178.00-1-50, a distance of 914 feet, more or less, to the southwesterly corner of tax account number 178.00-1-50; thence,
42. Northerly, along the westerly line of tax account number 178.00-1-50, a distance of 1,911 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Ellicott Road; thence,
43. Southwesterly, through the lands of tax account number 177.00-2-31, along a line 500 feet southerly of and parallel to the center line of Ellicott Road, a distance of 700 feet, more or less, to the easterly line of tax account number 177.00-2-35; thence,
44. Southerly, along the easterly lines of tax account numbers 177.00-2-35, 177.00-2-36, and 177.00-2-35, a distance of 1,823 feet, more or less, to a southeasterly corner of tax account number 177.00-2-35; thence,
45. Westerly, along a southerly line of tax account number 177.00-2-35, a distance of 337 feet, more or less, to a southeasterly corner of tax account number 177.00-2-37; thence,
46. Northerly, along a westerly line of tax account number 177.00-2-35, a distance of 1,640 feet, more or less, to a southwesterly corner of tax account number 177.00-2-35; thence,
47. Westerly, along a southerly line of tax account number 177.00-2-35, a distance of 72 feet, more or less, to a southwesterly corner of tax account number 177.00-2-35; thence,
48. Northerly, along a westerly line of tax account number 177.00-2-35, a distance of 44 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Webster Road; thence,
49. Southwesterly, through the lands of tax account number 177.00-2-37, across Munson Road (33 feet wide right-of-way), and through the lands of tax account number 177.00-2-38, along a line 500 feet southerly of and parallel to the center line of Webster Road, a distance of 964 feet, more or less, to the easterly line of tax account number 177.00-2-39; thence,
50. Southerly, along the easterly line of tax account number 177.00-2-39, a distance of 159 feet, more or less, to the southeasterly corner of tax account number 177.00-2-39; thence,
51. Northwesterly, along the southerly line of tax account number 177.00-2-39, a distance of 146 feet, more or less, to a point 500 feet southerly of and parallel to the center line of Webster Road; thence,
52. Southwesterly, through the lands of tax account number 177.00-2-40, along a line 500 feet southerly of and parallel to the center line of Webster Road, a distance of 520 feet, more or less, to the easterly line of tax account number 177.00-2-41; thence,
53. Southerly, along the easterly line of tax account number 177.00-2-41, a distance of 459 feet, more or less, to the southeasterly corner of tax account number 177.00-2-41; thence,
54. Westerly, along the southerly line of tax account number 177.00-2-41, a distance of 147 feet, more or less, to the southwesterly corner of tax account number 177.00-2-41; thence,

55. Northerly, along the westerly line of tax account number 177.00-2-41, and the northerly extension of the westerly line of tax account number 177.00-2-41, a distance of 906 feet, more or less, to the center line of Webster Road; thence,
56. Southwesterly, along the center line of Webster Road, a distance of 255 feet, more or less, to the southerly extension of a westerly line of tax account number 177.00-2-18.1; thence,
57. Northwesterly, along the southerly extension of a westerly line of tax account number 177.00-2- 18.1 and the westerly line of tax account number 177.00-2-18.1, a distance of 325 feet, more or less, to a northeasterly corner of tax account number 177.00-2-15; thence,
58. Westerly, along a northerly line of tax account number 177.00-2-15, a distance of 52 feet, more or less, to the northwesterly corner of tax account number 177.00-2-15; thence,
59. Northerly, along the westerly line of tax account number 177.00-2-18.2, a distance of 101 feet, more or less, to a point 500 feet northerly of and parallel to the center line of Webster Road; thence,
60. Northeasterly, through the lands of tax account numbers 177.00-2-18.2 and 177.00-2-17, across Munson Road (33 feet wide right-of-way), and through the lands of tax account number 177.00-2-22, along a line 500 feet northerly of and parallel to the center line of Webster Road, a distance of 2,296 feet, more or less, to the westerly line of tax account number 177.00-2-24; thence,
61. Northerly, along a westerly line of tax account number 177.00-2-24, a distance of 653 feet, more or less, to a northwesterly corner of tax account number 177.00-2-24; thence,
62. Southeasterly, along a northerly line of tax account number 177.00-2-24, a distance of 494 feet, more or less, to the northeasterly corner of tax account number 177.00-2-24; thence,
63. Northerly, along the westerly line of tax account number 177.00-2-25, a distance of 771 feet, more or less, to the northwesterly corner of tax account number 177.00-2-25; thence,
64. Easterly, along a northerly line of tax account number 177.00-2-25, a distance of 289 feet, more or less, to the northeasterly corner of tax account number 177.00-2-25; thence,
65. outhery, along the easterly line of tax account number 177.00-2-25, and the southerly extension of the easterly line of tax account number 177.00-2-25, a distance of 1,624 feet, more or less, to the center line of Webster Road; thence,
66. Northeasterly, along the center line of Webster Road, a distance of 2,550 feet, more or less, to a point 500 feet westerly of and parallel to the center line of Cemetery Road (49.5 feet wide right-of-way); thence,
67. Northerly, through the lands of tax account number 161.00-2-47, along a line 500 feet westerly of and parallel to the center line of Cemetery Road, a distance of 589 feet, more or less, to a point 500 feet northerly of and parallel to the center line of Webster Road; thence,
68. Northeasterly, through the lands of tax account number 161.00-2-47, across Cemetery Road (49.5 feet wide right-of-way), through the lands of tax account numbers 161.00-2-39.1, 161.00-2-42.2, and 161.00-2-24.2, along a line 500 feet northerly of and parallel to the center line of Webster Road, a distance of 4,167 feet, more or less to a southerly line of tax account number 161.00-2-24.1; thence,

69. Easterly, along a southerly line of tax account number 161.00-2-24.1, and the easterly extension of the southerly line of tax account number 161.00-2-24.1, a distance of 81 feet more or less, to the center line of Church Street (49.5 feet wide right-of-way); thence,
70. Northerly, along the center line of Church Street, a distance of 74 feet, more or less, to the westerly extension of the northerly line of tax account number 161.00-2-25; thence,
71. Easterly, along the westerly extension of the northerly line of tax account number 161.00-2-25, and the northerly line of tax account number 161.00-2-25, a distance of 127 feet, more or less, to the northeasterly corner of tax account number 161.00-2-25; thence,
72. Southerly, along the easterly line of tax account number 161.00-2-25, a distance of 342 feet, more or less, to the northwesterly corner of tax account number 161.00-2-30; thence,
73. Easterly, along the northerly line of tax account number 161.00-2-30, a distance of 254 feet, more or less, to the northeasterly corner of tax account number 161.00-2-30; thence,
74. Northerly, along the westerly lines of tax account numbers 161.00-2-31 and 161.00-2-28, a distance of 342 feet, more or less, to the northwesterly corner of tax account number 161.00-2-28; thence,
75. Westerly, along the southerly line of tax account number 161.00-2-27, a distance of 74 feet, more or less, to the southwest corner of tax account number 161.00-2-27; thence,
76. Northerly, along the westerly line of tax account number 161.00-2-27, a distance of 141 feet, more or less, to the northwesterly corner of tax account number 161.00-2-27; thence,
77. Easterly, along the northerly line of tax account number 161.00-2-27, a distance of 113 feet, more or less, to a point 250 feet westerly of and parallel to the center line of Fay Street; thence,
78. Northerly, through the lands of tax account number 161.00-2-26, along a line 250 feet westerly of and parallel to the center line of Fay Street, a distance of 398 feet, more or less, to the northerly line of tax account number 161.00-2-26, and a southerly line of the Existing Town of Portland Water District No. 1; thence,
79. Easterly, along the Existing Town of Portland Water District No. 1, and the northerly line of tax account number 161.00-2-26, and the easterly extension of the northerly line of tax account number 161.00-2-26, a distance of 250 feet, more or less, to the center line of Fay Street; thence,
80. Southerly, along the center line of Fay Street, and the Existing Town of Portland Water District No. 1, a distance of 89 feet, more or less, to the westerly extension of a northerly line of tax account number 161.00-3-1, and a southerly line of the Existing Town of Portland Water District No. 1; thence,
81. Easterly, along the Existing Town of Portland Water District No. 1, and the westerly extension of the southerly line of tax account number 161.10-2-57, and the southerly line of tax account number 161.10-2-57, a distance of 223 feet, more or less, to the southeasterly corner of tax account number 161-10-2-57 and the Existing Town of Portland Water District No. 1; thence,

82. Northerly, along the easterly line of tax account number 161.10-2-57, and an easterly line of the Existing Town of Portland Water District No. 1, a distance of 110 feet, more or less to the northeasterly corner of tax account number 161.10-2-57, and a northeasterly corner of the Existing Town of Portland Water District No. 1; thence,
83. Easterly, along a southerly line of the Existing Town of Portland Water District No. 1, and the northerly lines of tax account numbers 161.00-3-1 and 161.00-3-29, a distance of 266 feet, more or less, to a point 500 feet easterly of and parallel to the center line of Fay Street; thence,
84. Southerly, through the lands of tax account number 161.00-3-29, along a line 500 feet easterly of and parallel to the center line of Fay Street, a distance of 474 feet, more or less, to a point 500 feet northerly of and parallel to the center line of Webster Road; thence,
85. Easterly, through the lands of tax account number 161.00-3-29, along a line 500 feet northerly of and parallel to the center line of Webster Road, a distance of 563 feet, more or less, to an easterly line of tax account number 161.00-3-29; thence,
86. Southerly, along an easterly line of tax account number 161.00-3-29, a distance of 321 feet, more or less, to the northwest corner of tax account number 161.00-3-3; thence,
87. Easterly, along the northerly line of tax account number 161.00-3-3, a distance of 191 feet, more or less, to the northeast corner of tax account number 161.00-3-3; thence,
88. Northerly, along the westerly line of tax account number 161.00-3-5, a distance of 169 feet, more or less, to the northwesterly corner of tax account number 161.00-3-5; thence,
89. Easterly, along the northerly lines of tax account numbers 161.00-3-5 and 161.00-3-7, a distance of 487 feet, more or less, to the northwesterly corner of tax account number 161.00-3-8; thence,
90. Northerly, along the westerly line of tax account number 161.00-3-9, a distance of 498 feet, more or less, to the northwesterly corner of tax account number 161.00-3-9; thence,
91. Easterly, along the northerly lines of tax account numbers 161.00-3-9 and 161.00-3-10, a distance of 536 feet, more or less, to the northeasterly corner of tax account number 161.00-3-10; thence,
92. Northerly, along the westerly line of tax account number 161.00-3-11, a distance of 898 feet, more or less, to the northwesterly corner of tax account number 161.00-3-11, and a southerly line of the Existing Town of Portland Water District No. 1; thence,
93. Easterly, along a southerly line of the Existing Town of Portland Water District No. 1, and the northerly lines of tax account numbers 161.00-3-11, 161.00-3-12, and 161.00-3-13, a distance of 987 feet, more or less, to the northeasterly corner of tax account number 161.00-3-13, and a southeasterly corner of the Existing Town of Portland Water District No. 1; thence,
94. Northerly, along an easterly line of the Existing Town of Portland Water District No. 1, and the westerly line of tax account number 161.00-3-14, a distance of 661 feet, more or less to the northwesterly corner of tax account number 161.00-3-14, and the southwest corner of the municipal boundary line of the Town of Portland/Village of Brocton; thence,

95. Easterly, along the southerly municipal boundary line of the Town of Portland/Village of Brocton, and the northerly line of tax account number 161.00-3-14, a distance of 865 feet, more or less, to the northeasterly corner of tax account number 161.00-3-14; thence,
96. Southerly, along the easterly line of tax account number 161.00-3-14, a distance of 300 feet, more or less, to the northwesterly corner of tax account number 161.00-3-15.1; thence,
97. Easterly, along the northerly line of tax account number 161.00-3-15.1, a distance of 892 feet, more or less to the northeasterly corner of tax account number 161.00-3-15.1; thence,
98. Southerly, along the easterly line of tax account number 161.00-3-15.1, a distance of 539 feet, more or less, to the southwesterly corner of tax account number 161.00-3-16; thence,
99. Easterly, along a southerly line of tax account number 161.00-3-16, a distance of 630 feet, more or less, to the southeasterly corner of tax account number 161.00-3-16; thence,
100. Northerly, along the easterly line of tax account number 161.00-3-16, a distance of 828 feet, more or less, to the southerly municipal boundary line of the Town of Portland/Village of Brocton, and the northeasterly corner of tax account number 161.00-3-16; thence
101. Easterly, along the southerly municipal boundary line of the Town of Portland/Village of Brocton, and the northerly lines of tax account numbers 161.00-3-17, 161.00-1-1, and 161.00-1-3, and the easterly extension of the northerly line of tax account number 161.00-1-3, a distance of 1,553 feet, more or less, to the center line of Highland Road and the point of beginning.

Water District No. 8, as described above, contains approximately 903.65 acres of land.

All as shown on a map prepared by Clark Patterson Lee, entitled "2015 ECWAG – Proposed Water District No. 8", dated June 16, 2016.

AND BE IT FURTHER RESOLVED, that the estimated maximum amount proposed to be expended for such Water Improvement is \$1,844,000 which amount is to be financed by the issuance of serial bonds in an aggregate principal amount not to exceed \$1,844,000 such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grant funds in an approximate amount of \$1,250,000 expected to be received from the United States of America – Rural Development Agency, and unless paid from other sources or charges, the cost of the Water Improvement will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed District which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHER RESOLVED that this resolution is subject to a permissive referendum; and be it

FURTHER RESOLVED, that the Town Clerk shall, within ten days after the adoption of this Resolution, publish a public notice at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town

maintained pursuant to subdivision 6 of Section 30 of the Town Law, in the form of Exhibit A to this Resolution, stating the adoption of this Resolution subject to permissive referendum, and the Town Clerk shall cause to be prepared and have available for distribution proper forms for the petition requesting a referendum and shall distribute a supply to any person requesting same; and be it

FURTHER ORDERED, that if the time for filing a petition requesting that the matter be submitted to a referendum of the property owners expires without such a petition be filed, the Town Clerk shall file a certificate stating such fact in the office of the county clerk; and be it

FURTHER ORDERED, that if such petition is filed, after such referendum is held the Town Clerk shall file a certificate stating that a petition was filed and a referendum held and certifying the results of the vote on the proposition submitted at such referendum in the office of the county clerk.

DATED: November 30, 2017

TOWN BOARD OF THE
TOWN OF PORTLAND

The question of the adoption of the foregoing resolution (creating the Town of Portland Water District No. 8, subject to permissive referendum) was duly put to vote on a roll call, which resulted as follows:

AYES:	Supervisor Schrantz	Aye
	Council Farrell	Aye
	Council Manzella	Aye
	Council Boltz	Aye

ABSENT: Council Miller

The foregoing resolution was thereupon declared duly adopted.

USDA LOAN

11-96

On a motion of Council Boltz, seconded by Council Farrell the following resolution was

ADOPTED Ayes 5 Schrantz, Boltz, Farrell, Manzella

Absent 1 Miller

Nays 0

RESOLVED The Portland Town Board authorizes the Supervisor to sign the Loan Resolution with the United States Department of Agriculture (USDA) in the principal amount of Five Hundred Ninety-Four Thousand and 00/100 (\$594,000) and the acceptance of a grant in the amount not to exceed \$1,250,000.00.

With no further business, on a motion of Council Boltz, seconded by Council Farrell the meeting adjourned at 7:30p.m. Carried unanimously.

Respectfully Submitted by,

Roxane Sobecki-Town Clerk

