

**TOWN OF CONCORD  
ORDER CALLING PUBLIC  
HEARING TO BE HELD ON  
AUGUST 18, 2022**

WHEREAS, the Town Board of the Town of Concord (herein called "Town Board" and "Town", respectively), in the County of Erie, New York, has, pursuant to Town Law, created Sewer District No. 1 and Sewer District No. 2 (collectively, the "Districts"); and

WHEREAS, the Town Board has directed MDA Consulting Engineers, PLLC (the "Engineer"), competent engineers licensed in New York, to prepare a preliminary map, plan and report for a sewer system capital improvements project within the Districts; and

WHEREAS, such sewer system capital improvements project will generally consist of improvements to Sewer District No. 1 and Sewer District No. 2, such work to include, but not be limited to, the construction of a new combined wastewater treatment plant ("WWTP"), decommissioning of the existing WWTPs, construction of a sanitary sewer pump station and force main from Kissing Bridge to the new WWTP, and various improvements to the existing sanitary sewer system within the Craneridge subdivision, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the forgoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Sewer Improvement"); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such joint increase and improvement of facilities of the Districts and has estimated the total cost thereof to be an estimated maximum amount of \$6,700,000; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$6,700,000, offset by any federal, state, county and/or local funds received.

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Concord will be held at the Town Hall, 86 Franklin Street, Springville, New York, on August 18, 2022 at 6:30 p.m. o'clock. (prevailing time) or shortly thereafter to consider said joint increase and improvement of facilities of the Districts and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED that the expense of said joint increase and improvement of the facilities of the Districts shall be financed by the issuance of serial bonds of the Town in an aggregate amount not to exceed \$6,700,000, said amount to be offset by any federal, state, county and/or local funds received; and be it

FURTHER ORDERED that such costs will be annually apportioned among the Districts by the Town Board and, unless paid from other sources or charges, the costs of said joint increase and improvement of facilities of the Districts shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Districts, 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 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 ORDERED that that the Town Board may establish sewer rents as provided in paragraph (l) of subdivision one of Town Law Section 198; and be it

FURTHER ORDERED, that this resolution shall constitute the declaration (or reaffirmation) of the Town's "official intent" to reimburse (to the extent permitted) the expenditures of said increase and improvement of facilities with the proceeds of bonds, notes or other obligations, as required by United States Treasury Regulations Section 1.150-2; and be it

FURTHER ORDERED that the Town Clerk publish 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, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

DATED: July 28, 2022

TOWN BOARD OF THE  
TOWN OF CONCORD