

**TOWN OF DARIEN, NEW YORK
NOTICE OF SPECIAL ELECTION**

NOTICE IS HEREBY GIVEN that a Special Election will be held on April 10, 2019, in the Town of Darien, in the County of Genesee, New York, at the Town Offices, located at 10569 Alleghany Road, Darien Center, NY 14040, and voting will be limited to owners of taxable real property situate in the District (Water District No. 6) as shown upon the latest completed assessment roll of the Town, including corporations and LLCs which for such purpose, shall be entitled to one vote to be cast by an officer or agent of said corporation, or such duly authorized person designated by an appropriate resolution of such corporation, and the polls shall remain open from 12:00 p.m. to 8:00 p.m., or for such longer period of time as may be necessary to enable voters then present to cast their ballots.

At said Special Election the following Proposition is to be voted upon:

PROPOSITION

SHALL the resolution entitled: “Town of Darien Resolution Approving the Establishment of Water District No. 6 in the Town of Darien, Subject To Mandatory Referendum,” BE APPROVED?

An abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: RECITING that a general map, plan and report for the proposed establishment of Water District No. 6, in the Town of Darien, in the County of Genesee, New York, consisting of installation of approximately 375,000 linear feet of 12-inch and 8-inch diameter water main, one water storage tank, and one new pump station, 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”); that an Order was duly adopted by said Town Board on December 3, 2018, reciting the filing of said map, plan, and report, the description of the boundaries of the District in a manner sufficient to identify the lands included therein, the maximum amount proposed to be expended for the construction of said Water Improvement, the Town’s proposed method of financing, and specifying the time and place of a public hearing to hear all persons interested in the subject thereof concerning the same, that a certified copy of such Order was duly published, posted and filed, that said public hearing was duly held on December 17, 2018, at the time and place specified;

SECOND: RESOLVING AND DETERMINING that (a) the Notice of Public Hearing was published, posted and filed as required by law, and is otherwise sufficient; (b) all the property and property owners included within the proposed establishment of the District are benefited thereby; (c) all the property and property owners benefited are included within the limits of said proposed establishment of the District; and (d) it is in the public interest to establish the District.

THIRD: APPROVING the establishment of the District and the construction of improvements therein as described; DESIGNATING the District as Water District No. 6 in the Town of Darien; and DESCRIBING the District in a manner sufficient to identify the lands included within;

FOURTH: RESOLVING that the maximum amount proposed to be expended for the construction of the Water Improvement is estimated to be \$25,250,000.00, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, grants funds in an approximate amount of \$10,820,000.00 expected to be received from the USDA [United States of America – Rural Development Agency], and unless paid from other sources or charges (including, but not limited to, water rents), 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;

FIFTH: FURTHER RESOLVING the permission of the State Comptroller is required with respect to the District as the estimated cost of the District to the Typical Property (as defined in the Town Law) is above the Average Estimated Cost to the Typical Properties for the establishment of similar types of Districts, as computed by the State Comptroller; and

SIXTH: STATING that this resolution shall be subject to a mandatory referendum; and

SEVENTH: STATING that said Proposition shall appear on ballots to be used for voting at said Special Election in substantially the same form:

PROPOSITION

YES

NO

SHALL the resolution entitled: “Town of Darien Resolution Approving the Establishment of Water District No. 6 in the Town of Darien, Subject To Mandatory Referendum,” BE APPROVED?

By order of the Town Board of the
Town of Darien
In the County of Genesee, New York

Dated: March 6, 2019

Alice Calmes
Town Clerk