

RESOLUTION NO. ____ – 2021

WHEREAS, the Westchester County Board of Legislators (the "Board of Legislators") duly established Water District No. 3 (the "District") in the County of Westchester, New York; and

WHEREAS, by Act No. _____-2021, which was duly adopted by this Honorable Board on _____, 2021, pursuant to the requirements of Section 268 of the New York County Law, this Board found that the proposed increase and improvement of facilities of Westchester County Water District No.3 (the "District") described as capital project WD309 – Water Storage Facilities and Maintenance Program as set forth in the report of the Department of Environmental Facilities dated January 5, 2021 (the "District Report"), is in the public interest, as it is necessary and desirable for the proper maintenance and service of District facilities and to ensure the District’s continued effective operation in order to provide a continuous, uninterrupted supply of drinking water in compliance with federal, state and local regulatory requirements; and

WHEREAS, pursuant to Article 5-A of the New York County Law, in order to proceed with the proposed increase and improvement of the facilities of the District, permission of the Comptroller of the State of New York (the “State Comptroller”) is required; and

WHEREAS, by Act No. _____-2021, the Chairman of the Board of Legislators or his authorized designee, was directed to make a petition to the State Comptroller for an order giving permission for the expenditure for the increase and improvement of District facilities, which is to be financed by the issuance of bonds in an amount not-to-exceed NINE MILLION EIGHT HUNDRED THOUSAND (\$9,800,000) DOLLARS; and

WHEREAS, the regulations of the State Comptroller require that additional determinations be made by this Board with respect to the Application to the State Comptroller.

NOW, THEREFORE, BE IT

RESOLVED, that by Act No. _____-2021, which was duly adopted by this Honorable Board on _____, 2021, this Honorable Board, directed the preparation of the Application to the State Comptroller; and it is further

RESOLVED, that this Honorable Board, believes that the contents of the Application to the State Comptroller, which has been submitted to this Board for review, are accurate; and it is further

RESOLVED, that this Honorable Board, having adopted Act No. _____-2021, which found that the improvements proposed in the District Report were in the public interest, and now, having reviewed the Application to the Comptroller, reaffirms its earlier determination and further finds that the proposed improvements will not constitute an undue burden on the property which will bear the cost thereof and to the extent that the cost of the proposed improvements will be assessed in whole or in part against benefited property, that all real property to be so assessed will be benefited by the proposed improvements and that no benefited property will be excluded; and be it further

RESOLVED, that this Resolution shall take effect immediately.