

CERTIFICATION FORM

STATE OF NEW YORK)
) ss.:
COUNTY OF GENESEE)

I, the undersigned Clerk of the County Legislature of the County of Genesee, New York (the "Issuer"), DO HEREBY CERTIFY:

1. That a meeting of the Issuer was duly called, held and conducted on the 14 day of June, 2023.
2. That such meeting was a **special** regular (circle one) meeting.
3. That attached hereto is a proceeding of the Issuer which was duly adopted at such meeting by the Board of the Issuer.
4. That such attachment constitutes a true and correct copy of the entirety of such proceeding as so adopted by said Board.
5. That all members of the Board of the Issuer had due notice of said meeting.
6. That said meeting was open to the general public in accordance with Section 103 of the Public Officers Law, commonly referred to as the "Open Meetings Law".
7. That notice of said meeting (***the meeting at which the proceeding was adopted***) was caused to be given **PRIOR THERETO** in the following manner:

PUBLICATION (here insert newspaper(s) and date(s) of publication - should be a date or dates falling prior to the date set forth above in item 1)


The Daily News (Genesee County Publication) on Friday, June 9, 2023

POSTING (here insert place(s) and date(s) of posting- should be a date or dates falling prior to the date set forth above in item 1)

Bulletin Board Placement (Outside Legislative Office) at the Old Court House – 7 Main Street, Batavia, NY 14020

Website: www.co.genesee.ny.us going to Legislature Meetings to find posting. (Public Notice location too)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County Legislature this 15 day of June, 2023.



Lisa K. Casey
Clerk, County Legislature

(CORPORATE SEAL)

RESOLUTION NO. 247

**A RESOLUTION AUTHORIZING PHASE 3 OF THE
WATER SUPPLY PROJECT IN AND FOR THE COUNTY
OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM
ESTIMATED COST OF \$150,000,000 AND AUTHORIZING
THE ISSUANCE OF NOT EXCEEDING \$150,000,000
BONDS OF SAID COUNTY TO PAY COSTS THEREOF**

Legislator Clattenburg offered the following resolution:

WHEREAS, all conditions precedent to the financing of the capital project hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, the Committee on Ways and Means does recommend approval at this time. Now, therefore, be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Genesee, New York, as follows:

Section 1. Phase 3 of the water supply project is hereby authorized in and for the County of Genesee, New York, including pump stations, water storage tanks upgrades, transmission and distribution mains and incidental improvements and costs in connection therewith.

Section 2. The plan for the financing of the aforesaid purpose shall be by the issuance of \$150,000,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; provided, however, that the amount of bonds shall be reduced to the extent of grants and other funding sources.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Genesee, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the County Treasurer, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said County Treasurer, consistent with the provisions of the Local Finance Law.

Section 6. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the County Treasurer, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the County Treasurer shall determine consistent with the provisions of the Local Finance Law.

Section 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

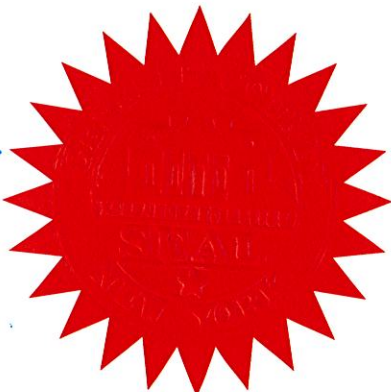
Section 8. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.


Legislator Maha seconded the resolution, which was adopted by 200 votes under the two-thirds majority, weighted voting plan of the Genesee County Legislature.

The adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

AYES:	9
NAYS:	0
ABSENT:	0
EXCUSED:	0



State of New York
County of Genesee
I hereby certify that the foregoing is a true and correct transcript of a resolution duly adopted by the Genesee County Legislature on the 14th day of June 2023. Dated, Batavia, New York.
June 15, 2023


Clerk of the Genesee County Legislature

BOND RESOLUTION

At a regular meeting of the County Legislature of the County of Genesee, New York, held at the Old Court House, in Batavia, New York, on the 14 day of June, 2023, at 5:30 o'clock P.M., Prevailing Time.

The meeting was called to order by Legislator Rochelle M. Stein, and upon roll being called, the following were:

PRESENT:

1. Rochelle M. Stein
2. Gary T. Maha
3. Marianne Clattenburg
4. Gregg Torrey
5. Brooks Hawley
6. Christian Yunker
7. Chad Klotzbach
8. John Deleo
9. Gordon Dibble

ABSENT:

The following resolution was offered by Legislator Clattenburg, who moved its adoption, seconded by Legislator Maha, to-wit:


LEGAL NOTICE OF ESTOPPEL

The bond resolution, a summary of which is published herewith, has been adopted on June 14, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the County of Genesee, New York, is not authorized to expend money, or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Batavia, New York,

June 20, 2023.



Lisa K. Casey
Clerk of the Legislature

BOND RESOLUTION DATED June 14, 2023.

A RESOLUTION AUTHORIZING PHASE 3 OF THE WATER SUPPLY PROJECT IN AND FOR THE COUNTY OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$150,000,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$150,000,000 BONDS OF SAID COUNTY TO PAY COSTS THEREOF.

Object or purpose:	Phase 3 of the water supply project, including pump stations, water storage tanks, transmission and distribution mains and incidental improvements and costs in connection therewith
Maximum Estimated Cost:	\$150,000,000
Period of probable usefulness:	Forty years
Amount of obligations to be issued:	\$150,000,000 bonds

**Sample News Group Batavia
Batavia Daily News**

Invoice #: 191817e2
Date: 06/15/2023

Bill To
Genesee County

Customer Email
lisa.casey@co.genesee.ny.us

Affidavits will be mailed or emailed (as ordered) 7 days AFTER THE
LAST INSERTION DATE.

Description	Publish Date	Amount
PUBLIC	06/20/2023	\$76.37
Affidavit(eMail) <i>Will arrive on 6/20/23</i>	1	\$25.00
Affidavit(Mail)	0	\$0.00

Total: \$101.37

Please remit checks payable to:

Sample News Group Batavia
PO Box 870

Balance:
\$101.37

Batavia, NY 14021

The invoice number MUST be included on your check to ensure that your payment is
applied correctly.

*Earliest publication is 6/20/23.
Entered it on 6/15/23.*

**GENESEE COUNTY
LEGAL NOTICE**

LEGAL NOTICE OF ESTOPPEL

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A complete copy of the resolution summarized herewith is available for public inspection during regular business hours at the Office of the Clerk of the Legislature for a period of twenty days from the date of publication of this Notice.

Dated: Batavia, New York, June 20, 2023. Lisa K. Casey
Clerk of the Legislature

BOND RESOLUTION DATED JUNE 14, 2023.

A RESOLUTION AUTHORIZING PHASE 3 OF THE WATER SUPPLY PROJECT IN AND FOR THE COUNTY OF GENESEE, NEW YORK, AT A TOTAL MAXIMUM ESTIMATED COST OF \$150,000,000, AND AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$150,000,000 BONDS OF SAID COUNTY TO PAY COSTS THEREOF.

Object or purpose: Phase 3 of the water supply project, including pump stations, water storage tanks, transmission and distribution mains and incidental improvements and costs in connection therewith

Maximum Estimated Cost: \$150,000,000

Period of probable usefulness: Forty years

Amount of obligations to be issued: \$150,000,000 bonds