

April 13, 2011
Alexander Town Board Special Meeting
Alexander Town Hall 6:00 p.m.

Present: Supervisor Ruth Hulshoff
Town Board: Emma Jean Grant, William Schmieder, Joseph Higley
H' way. Supt. Tom Lowe
Town Clerk: Laura Schmieder
Absent: William Hirsch
Guests: David DiMatteo, Town Attorney

The meeting was called to order at 6:10 p.m. by Supervisor Hulshoff. The Pledge of Allegiance was recited and a moment of silence for our servicemen and women serving around the world.

Town Attorney David DiMatteo was present to discuss the retail water supply agreement with the Town of Batavia for Water District #3-Pike Road. The Board was given the document prior to the meeting and had questions that were addressed by Mr. DiMatteo.

One issue the Town of Alexander needs to address per Town of Batavia's request is a procedure to enforce the collection of delinquent water bills.

RES. NO. 26: RETAIL WATER SUPPLY AGREEMENT WITH THE TOWN OF BATAVIA

WHEREAS, all Board Members, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by application; and

WHEREAS, the Town of Batavia has entered into agreements with Genesee County to be supplied with water and has developed a water distribution system of its own; and

WHEREAS, the Town of Batavia, by virtue of authority granted to it pursuant to the General Municipal Law of the State of New York and by its Municipal Code, Chapter 229, possesses the right to sell water from its distribution system to customers including other municipalities outside of the Town; and

WHEREAS, the Town of Batavia has determined that there is a surplus of water over and above the needs of its inhabitants and there is sufficient amount to fulfill the provisions of a Retail Water Supply Agreement drafted by and between the Town of Batavia and the Town of Alexander; and

WHEREAS, said Agreement has been reviewed by both Town's legal counsel, both of whom have no objections to the same; and

WHEREAS, the Town Board of the Town of Alexander finds it in the best interest of the Town of Alexander to enter into a Retail Water Supply Agreement by and between the Town of Batavia and the Town of Alexander.

NOW ON MOTION BY Councilman Higley which has been duly seconded by Councilwoman Grant, be it

RESOLVED, by the Town Board of the Town of Alexander to authorize the Supervisor of the Town of Alexander to execute the Retail Water Supply Agreement by and between the Town of Batavia and the Town of Alexander for Pike Road Water District No. 3. 4 – Yes Hulshoff, Grant, Schmieder, Higley
0 – No Motion carried by unanimous vote

On motion by Councilperson Higley, seconded by Councilperson Grant, and carried, the meeting adjourned at 6:30 p.m.

Respectfully submitted,

Laura Schmieder
Town Clerk