

LEGAL NOTICE:

- (A) Consolidation Agreement and Plan for Consolidation of Various Water Districts Within the Town of Batavia.
- (B) Calling for a Public Hearing to be held on September 30, 2026, in Connection with such Proposed Consolidation.

NOTICE IS HEREBY GIVEN, that the Town Board of the Town of Batavia, a municipality of the State of New York (the “Town”) on August 19, 2026, duly authorized a resolution endorsing a proposed Consolidation Agreement and Plan for the consolidation of certain water districts of the Town, a descriptive summary of which follows.

Descriptive Summary of Consolidation Agreement and Plan

The Town proposes to consolidate the following water districts currently existing in the Town: South Main Street Road Improvement Area, Bennett Heights Water Improvement Area, Hartshorn, Hopkins, and Pearl Street Road Water District, Lover’s Lane Water District, Ellicott Street Road Water District, Alexander & Pike Road Water District, Rose Road Water District, Putnam & Shepard Road Water District, Pearl Street Road Water District, Wilkinson Road Water District, Wortendyke & Pike Road Water District, Pratt Road Water District, Creek & East Road Water District, Batavia North Water District, Oakwood Hills Water District, Batavia Southwest Water District, Batavia Bethany Townline Water District, and Batavia Northwest Water District (each an “Existing Water District” and collectively, the “Existing Water Districts”). The name of the proposed consolidated water district would be the Batavia Townwide Water District (herein referred to as the “BTWD”).

The rights, duties and obligations of the Existing Water Districts would become the rights, duties and obligations of the BTWD, including (but not limited to) undertaking capital projects, provision of water and operation and maintenance tasks in connection with the same. The territorial boundaries of the proposed BTWD can be generally described as the exterior boundaries of the Existing Water Districts with (and to the extent applicable) the interior boundaries removed. The proposed BTWD will be a water improvement district and will be operated and administered by the Town Board of the Town in the same fashion as improvement districts created under Articles 12 and/or 12-A of the Town Law. The Town Board currently functions as the governing body of each of the Existing Water Districts, and it will continue to function as the governing body of the BTWD. The employees of the Town who currently do work on behalf of the Existing Water Districts will continue to do such work once the BTWD is in place. As such, there will be no need for a special election and/or additional appointment of officials once the consolidation is complete.

The consolidation of the Existing Water Districts will also allow for administrative efficiencies, resulting in an estimated administrative cost savings of approximately \$1,220,634.

All assets currently owned by each of the Existing Water Districts will become the assets of the BTWD. The debt (if any) associated with each of the Existing Water Districts, as detailed further in the Consolidation Agreement and Plan, shall be consolidated and continued to be honored by the BTWD. On December 31, 2027, any remaining fund balance/surplus (or deficits) for each component Existing Water District will be transferred to the BTWD as of December 31, 2027, and thereafter such funds may be used by the BTWD in any manner as permitted by law. Future

improvements undertaken after December 31, 2027, within the BTWD will be financed in accordance with the New York Local Finance Law and/or the Town Law. Unless paid from other sources or charges, the costs of any capital improvement project undertaken after December 31, 2027 will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the BTWD, 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 any obligations as the same shall become due and payable, except as provided by law.

After consolidation, any local laws, ordinances, resolutions, orders and the like pertaining to the currently Existing Water Districts will continue to be administered and enforced with regard to the proposed BTWD by the Town Board of the Town as part of its duties as the governing body of the BTWD.

The proposed consolidation will take effect on December 31, 2027 (assuming adoption of the Consolidation Agreement and Plan after a public hearing has taken place).

NOTICE IS HERBY FURTHER GIVEN, that the Consolidation Agreement and Plan, along with a descriptive summary thereof, may be read at the office of the Town Clerk located in the Town Hall, Town of Batavia, 3833 West Main Street Road, Batavia, New York 14020. The Consolidation Agreement and Plan may also be accessed through the Town's website: <http://townofbatavia.com>.

NOTICE IS HEREBY FURTHER GIVEN, that a public hearing on this Joint Consolidation Agreement and Plan will be held on September 30, 2026, at 7:00 P.M. (or shortly thereafter) at the Town Court, Town of Batavia, 4120 West Main Street Road, Batavia, New York 14020.