



**8-C COMMUNICATIONS**

1. Town Engineer re Public forum request for Greenbranch Road, Larkwood Road, Woodmar Terrace and Cardinal Lane  
Motion by Supervisor Meegan, seconded by Councilman Rusinski, to conduct a public forum at the West Seneca Senior Citizens Center on Wednesday, April 17, 2013 at 7:00 PM to present plans for reconstruction of Greenbranch Road, Larkwood Road, Woodmar Terrace & Cardinal Lane, noting the scope of work will be presented and residents will have the opportunity to offer comments on the project.

On the question, Councilman Hart asked for clarification on how roads are selected for reconstruction.

Town Engineer Richard Henry responded that a rolling five year plan is in place. Each year he and Highway Supt. Matthew English compile information independently, rank streets based on surface condition and infrastructure underneath the road and a determination is then made. Mr. Henry stated that Heritage Farms and Hilltop Court are the next high priority projects and there are many more streets in need of reconstruction that follow them.

Supervisor Meegan commented on the impressive response at a previous public forum that was held and encouraged both councilmen to attend the April 17<sup>th</sup> forum and meet with residents.

Ayes: All

Noes: None

Motion Carried

2. Town Engineer re Bid date for reconstruction of Greenbranch Road, Larkwood Road, Woodmar Terrace and Cardinal Lane  
Motion by Supervisor Meegan, seconded by Councilman Rusinski, to set a bid date of Wednesday, May 8, 2013 at 10:00 A.M. for reconstruction of Greenbranch Road, Larkwood Road, Woodmar Terrace and Cardinal Lane, noting that this project consists of utility upgrades, full depth road reconstruction and sidewalk replacement.

Ayes: All

Noes: None

Motion Carried

3. Town Engineer re Approval of bond resolution for Greenbranch Road, Larkwood Road, Woodmar Terrace and Cardinal Lane  
Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the attached bond resolution in the amount of \$2,400,000 for the reconstruction of Greenbranch Road, Larkwood Road, Woodmar Terrace and Cardinal Lane.

Ayes: All

Noes: None

Motion Carried  
\*APPENDICES\*



**8-C COMMUNICATIONS**

7. Town Engineer re Bond resolution for recreation facilities construction & improvements
- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the attached bond resolution in the amount of \$300,000 for, but not limited to, the construction of restroom facilities and storage at the Burchfield Center as well as mold abatement and rehabilitation at the Metz house.

On the question, Councilman Rusinski stated he was opposed to bonding for this project and did not believe it to be a priority or imperative at this time.

Councilman Hart commented that it is unbelievable to have a park with no restroom facility and the town is currently renting port-a-potties at a cost of \$500 a month.

Supervisor Meegan stated the storage facility is long overdue and will house lawnmowers and equipment that are currently being kept across the street at the Metz house garages.

Ayes: (2) Supervisor Meegan, Councilman Hart

Noes: (1) Councilman Rusinski

Motion Carried

8. Highway Supt. re Bid date for brush chipper
- Motion by Supervisor Meegan, seconded by Councilman Rusinski, to set a bid date of April 16, 2013 at 10:15 A.M. for receipt of bids on the purchase of one (1) brush chipper for the Highway Department.

Ayes: All

Noes: None

Motion Carried

9. Highway Supt. re Bid date for bucket/aerial truck
- Motion by Supervisor Meegan, seconded by Councilman Hart, to set a bid date of April 16, 2013 at 10:00 A.M. for receipt of bids on the purchase of one (1) bucket/aerial truck for the Electrical Department.

On the question, Councilman Hart questioned if money for this purchase was coming out of reserve funds.

Highway Supt. Matthew English responded that money is coming out of the highway reserve fund and purchase of this equipment is part of a five year plan.

Ayes: All

Noes: None

Motion Carried

**8-C COMMUNICATIONS**

10. Highway Supt. re Bid award for two cube vans  
Motion by Councilman Rusinski, seconded by Councilman Hart, to award the bid for two (2) cube vans for the Highway Department to DeLacy Ford, 3061 Transit Road, Elma, NY 14059 at their low bid of \$59,774.

Ayes: All                      Noes: None                      Motion Carried

11. Highway Supt. re Attendance at 2013 School for Highway Supts.  
Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Highway Supt. Matthew English and Deputy Highway Supt. Alan Kerner to attend the 2013 School for Highway Superintendents at Ithaca College, Ithaca, New York, June 3 – 5, 2013 at a cost not to exceed \$1500.

Ayes: All                      Noes: None                      Motion Carried

12. Highway Supt. re Attendance at Animal Control Seminar  
Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize Jeff Schwing and Ron Stacey to attend the 2013 Animal Control Seminar sponsored by the Town of Webster Animal Control Unit in cooperation with the NYS Department of Agriculture & Markets, April 23 – 24, 2013 at the West Webster Fire Station #1 at a cost not to exceed \$310 and noting that lodging is being paid by the CSEA Blue Collar Union.

On the question, Councilman Hart questioned if \$310 is the total cost and if the training is required.

Highway Supt. Matthew English responded that \$310 is the total cost and training is not required. Based on seniority, the top three employees in this position typically attend.

Supervisor Meegan stated only two employees are being sent.

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 7:15 P.M. to discuss a personnel matter.

Ayes: All                      Noes: None                      Motion Carried

The board members returned from Executive Session at 7:20 P.M.

On the original motion,

Ayes: All                      Noes: None                      Motion Carried

**8-C COMMUNICATIONS**

13. Town Justices re  
Appointment of Tammie  
Maurino as Clerk

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Tammie Maurino as Clerk to the Town Justice effective April 22, 2013 at an annual salary of \$38,804.08 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

14. Finance Office re Budgetary  
transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a budgetary transfer request of \$7000 from Contingency Acct. #1.1990.0480 to Pre-employment Screening Acct. #1.1989.0401 to establish an appropriation line for expenses related to new employee background and drug testing.

Ayes: All                      Noes: None                      Motion Carried

**8-D WARRANT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the vouchers submitted for audit, chargeable to the respective funds as follows:

General Fund - \$131,117.50; Highway Fund - \$86,748.27; Special Districts - \$552,682.07 (voucher #'s 77452 - 77955); Trust & Agency Fund - \$46,329.24 (voucher #'s 77911 - 77934); Capital Fund - \$72,072.74 (voucher #'s 77802 - 77872)

Ayes: All                      Noes: None                      Motion Carried

**CODE ENFORCEMENT OFFICE PRESENTATION**

Code Enforcement Officers John Gullo and Jeffrey Baksa gave a power point presentation on the duties and responsibilities of the Code Enforcement Office and the need for an additional part-time employee.

Councilman Hart acknowledged the current workload in the Code Enforcement Office and questioned what impact upcoming projects will have on the office.

Mr. Gullo responded that inspectors will be required to be on site for larger projects (i.e. construction of apartment complexes, etc.) and this takes them away from and delays their regular duties.

**CODE ENFORCEMENT OFFICE PRESENTATION** (continued)

Supervisor Meegan questioned if funds were available to hire a part-time person.

Mr. Gullo responded that money generated by the hiring of an additional part-time person will offset the salary.

**ISSUES OF THE PUBLIC**

**LOCAL REPRESENTATIVES**

Supervisor Meegan welcomed Erie County Legislator Joseph Lorigo and Mitch Martin from Senator Gallivan's office. Legislator Lorigo stated he was available to answer any questions relative to county government and Mr. Martin stated he was available to assist with any state related issues residents might have.

Beverly Leising referred to a previous discussion regarding ditch maintenance on Center Road and thanked Legislator Lorigo for his response to her concern.

**SIDEWALKS ON QUEENS DRIVE**

Beverly Leising questioned the procedure of the Code Enforcement Office when contacted about sidewalk conditions and referred to a call she had placed approximately two years ago regarding sidewalks on Queens Drive.

Code Enforcement Officer John Gullo responded that residents of Queens Drive were notified and most sidewalks were repaired. Sidewalk maintenance is the responsibility of the property owner and repair is less costly to residents if one quote is received vs. individual quotes.

**RECONSTRUCTION PROJECTS**

Beverly Leising questioned if residents of road reconstruction projects could be informed that in the past contractors have offered individual driveway/sidewalk repair to property owners at a significantly lower cost.

Supervisor Meegan responded that the town does not get involved in offering that information due to liability issues, but arrangements to have individual work done can be made between the property owner and the contractor.

Councilman Hart stated it is up to the contractor as to whether or not he offers his services to property owners for individual driveway/sidewalk repairs.

Town Attorney Shawn Martin advised the town cannot dictate that a private contractor repair private property.

**ISSUES OF THE PUBLIC**

**BURCHFIELD RESTROOM & STORAGE FACILITY**

Beverly Leising questioned if cameras will be installed to avert possible vandalism at the restroom/storage facility at Burchfield Center.

Highway Supt. Matthew English responded that a camera can be added at the direction of the Town Board.

**JOINT MEETING OF BOARDS**

Amy Carpenter questioned if a date has been established for a joint Zoning, Planning and Town Board Meeting and Supervisor Meegan responded it had not been scheduled.

**UNION CONTRACTS & SALARIES**

Amy Carpenter questioned if blue and white collar union contracts along with employee salaries are going to be available on line.

Supervisor Meegan responded union contracts are not available online and she will check on the status of employee salaries being posted.

**BUCKET/AERIAL TRUCK**

Amy Carpenter questioned if the bucket truck purchase is a new or replacement vehicle.

Highway Supt. Matthew English responded it is a replacement vehicle and it is frequently used to hang banners and repair street lights, traffic signals and fire company sirens.

**MASTER PLAN COMMITTEE**

Amy Carpenter questioned if the committee was set and if the town is going forward with the master plan review.

Supervisor Meegan responded there has not been any recent activity but they do have a list of names for the committee.

**TREE REPLACEMENT ON RECONSTRUCTED STREETS**

Karen Lucachik suggested the board members consider a law regarding mandatory tree replacement on reconstructed streets similar to the code used for trees in new build areas.

**ISSUES OF THE PUBLIC**

**STEPS AT BURCHFIELD CENTER**

Karen Lucachik requested steps be installed at the Burchfield Center and Supervisor Meegan stated this has been previously discussed and will be done.

**PORT-A-POTTIES AT SOCCER COMPLEX**

Karen Lucachik referred to the work session agenda and questioned why port-a-potties are necessary at the soccer complex when there is an adequate restroom facility.

Supervisor Meegan responded the request was not discussed at the work session because it was addressed prior to the meeting and there will be no port-a-potties at the soccer complex.

**SENIOR CITIZEN INFORMATION ON WEBSITE**

Karen Lucachik questioned why nothing has been recently posted on the website regarding the Senior Citizens Center.

Senior Recreation Therapist of Sr. Services Mary Josefiak responded there was an issue with the website that has since been resolved.

**AMERICORPS MEETING**

Karen Lucachik stated she hoped the earlier meeting with AmeriCorps is not an indication of any renegotiation of money owed to the town.

Supervisor Meegan responded everything possible is being done to recover the money owed.

**PUBLICATION OF POWER POINT PRESENTATION**

Johanna Guenther complimented Code Enforcement Officers John Gullo and Jeffrey Baksa on the power point presentation given earlier and suggested it be published in the West Seneca Bee.

**REPAVED STREETS**

Johanna Guenther questioned if the town receives any guarantee when streets are repaved and noted that streets in Vienna, Austria are guaranteed for 10 years.

Highway Supt. Matthew English responded some repaving work is done in house so there is no guarantee, but he believes there is a one year guarantee on capital projects.

**ISSUES OF THE PUBLIC**

**GARBAGE TOTES**

Johanna Guenther suggested while attending the upcoming Highway Supt's. conference, Highway Supt. Matthew English ask fellow Supts. how senior residents in their towns handle garbage totes.

**BIDDING PROCESS**

Bill Hanley referred to six agenda items involving bidding and questioned if there is a set of standards followed when bids are opened.

Town Clerk Jacqueline Felser responded she opens sealed bids in the presence of the department head, vendors and the general public.

**SOCCER COMPLEX**

John Domagala commented on after hour activity at the West Seneca Soccer Complex and expressed concern with people walking the path all hours of the night. He questioned if the gates once in place could be reinstalled.

Chief Gehen suggested Mr. Domagala contact the Police Department regarding any activity in the park after hours and they will respond.

Highway Supt. Matthew English stated he will check to see if park closing signs are posted in the park.

**PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS**

**RETIREMENT OF POLICE CHIEF**

Chief Gehen announced his retirement after 32 years of service effective the end of April.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:25 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**



TOWN OF  
**WEST SENECA**  
"PROUD PAST - UNLIMITED FUTURE"

**Town of West Seneca Code Enforcement Office – Fee Schedule**

Fee Schedule for Building and Zoning Compliance Permits Extract from Executive Law, Article 18, and Section 383  
".....each municipality.....is expressly authorized and empowered to make, amend and repeal  
rules for the administration and enforcement and for the collection of reasonable fees in  
connection therewith...."

**BUILDING PERMITS:**

**Proposed**

**One and Two Family Homes**

\$ .25

Note: Floor area shall not include cellar, non-habitable basement,  
non-habitable attic or carport, but shall include an accessory garage.  
Floor area shall be based upon outside dimensions of the building.

**Multiple Dwellings**

\$ .25

**Building of Non-Residential Occupancy**

\$ .30

\$ 250.00 min.

**Repairs, Alterations & Decks - Residential**

Up to \$500

\$ 20.00

Over \$500 up to \$1,000

\$ 30.00

For each \$1,000 over the first \$1,000

\$ 5.00

**Re-Roofing and Siding**

\$ 40.00

**Additions – Residential**

\$ .35 sq/ft.

**Commercial Fee**

\$ 275.00 min.

Up to \$1,000

\$ 20.00

For each \$1,000 over the first \$1,000

\$ 10.00

**Demolition Work**

Up to \$1,000

\$ 50.00

Over \$1,000 up to \$5,000

\$ 70.00

For each \$1,000 over \$5,000

\$ 8.00

**Certificate of Occupancy - Commercial**

\$ 100.00

**Private Garages**

Unattached

\$ .15 sq/ft.

Attached

\$ .20 sq/ft.

**Accessory Structures**

Storage Sheds, Fences, Pools, etc.

For first \$1,000 estimated cost

\$ 18.00

For each additional \$1,000

\$ 8.00



TOWN OF  
**WEST SENECA**  
"PROUD PAST - UNLIMITED FUTURE"

Town of West Seneca Code Enforcement Office – Fee Schedule

<b><u>Emergency Generator Installation</u></b>	<b>\$ 15.00</b>
<b><u>Fireplaces &amp; Wood Stoves</u></b>	
Gas or Solid Fuel	<b>\$ 40.00</b>
<b><u>Parking Areas</u></b>	
Driveway for One or Two Family Homes	<b>\$ 15.00</b>
Commercial or Multiple Dwellings:	
First 1,000 sq ft	<b>\$ 50.00</b>
1,000 to 10,000 sq ft	<b>\$ 80.00</b>
Each 1,000 sq ft thereafter	<b>\$ 2.00</b>
<b><u>Fireworks</u></b>	<b>\$ 125.00</b>
<b><u>Sign Permits</u></b>	
Min. Fee up to 3 sq ft	<b>\$ 20.00</b>
Thereafter per sq ft	<b>\$ 1.75</b>
Temporary Signs	<b>\$ 70.00/60 days</b>
<b><u>Snow Removal Contractor License</u></b>	<b>\$ 25.00/vehicle</b>
<b><u>Tree Removal</u></b>	<b>No Fee</b>
<b><u>Recreation Fee</u></b>	
Single Family Dwelling or Building Lot	<b>\$ 225.00</b>
Two Family Dwelling	<b>\$ 325.00</b>
Multiple Dwellings – per unit	<b>\$ 100.00</b>
<b><u>Liquid Containers (Tank Installation)</u></b>	
Tank Capacity of 550 gallons up to 3,000 gallons	<b>\$ 100.00</b>
Sum of \$10.00 for each 1,000 gallons or fraction thereof in excess of 3,000 gallons	
<b><u>Tank Removal</u></b>	<b>\$ 100.00/tank</b>
<b><u>Moving a Structure</u></b>	<b>\$ 100.00</b>
Plus \$2.00 per \$1,000 of new construction cost	
<b><u>Re-Inspections</u></b>	<b>\$ 35.00</b>
<b><u>Permit Extension</u></b>	
After 6 month Extension	<b>\$ 15.00</b>
After 1 year Extension	<b>Permit Fee Issued</b>



TOWN OF  
**WEST SENECA**  
"PROUD PAST - UNLIMITED FUTURE"

Town of West Seneca Code Enforcement Office – Fee Schedule

**Tower Special Permit Fee – Application Fee** **\$2000.00**

Plus additional costs for outside consultants incurred by the Town for review of propagation Studies, search ring and analysis, co-location possibilities of any other review deemed by Town Officials

**New Tower**

(measure from grade to uppermost part of tower) **\$ 20.00/linear ft of height**

**Co-User of Existing Telecommunications Tower** **\$ 500.00/user/antenna**

**Located on Existing Structure, Other Than Existing Tower** **\$ 1000.00/user**

**Site Plan Review Fee** **\$ 3000.00**

**ZONING SPECIAL PERMITS & SPECIAL DEVELOPMENT PLANS**

This fee is presently \$75.00 per application, and the cost for processing, public hearing and required legal's has *substantially* increased. Recommended is the following schedule:

.5 acres or less	<b>\$ 175.00</b>
.6 acres to 2 acres	<b>\$ 300.00</b>
2.1 acres to 5 acres	<b>\$ 300.00</b>
[Plus \$50.00 for each acre over 2]	
5.1 to 10 acres	<b>\$ 475.00</b>
[Plus \$15.00 per acre over 5]	
10.0 acres or more	<b>\$ 525.00</b>
[Plus \$10.00 per acre over 10]	

**HOME OCCUPATION APPLICATION** **\$ 125.00**

**BOARD OF APPEALS APPLICATION** **\$ 150.00**



TOWN OF  
**WEST SENECA**  
"PROUD PAST - UNLIMITED FUTURE"

Town of West Seneca Code Enforcement Office – Fee Schedule

**PLUMBING FEES**

Filing Fee:

One and Two Family Dwellings	\$ 35.00
All Others	\$ 55.00
From 1 to 5 Fixtures	\$ 4.00 ea. fixture
From 6 to 10 Fixtures	\$ 2.50 ea. fixture
Over 10 Fixtures	\$ 2.00 ea. fixture
Hot Water Tanks	\$ 5.00 ea. fixture
Dishwashers	\$ 5.00 ea. fixture
Garbage Disposals	\$ 5.00 ea. fixture
Open Waste Fixtures	\$ 5.00 ea. fixture

**SEWER CONNECTION & INSPECTION FEES**

**ERIE COUNTY SEWER 1 & 3**

**WEST SENECA SEWER DISTRICTS**

<b>SINGLE FAMILY</b>	\$100.00	\$400.00
<b>DOUBLES/DUPLEX</b>	\$100.00 FIRST UNIT \$ 50.00 SECOND UNIT	\$400.00 FIRST UNIT \$300.00 SECOND UNIT
<b>MULTIPLE</b>	\$100.00 FIRST UNIT \$ 50.00 EACH ADDITIONAL	\$400.00 FIRST UNIT \$300.00 EACH ADDITIONAL
<b>MOTELS/HOTELS</b>	\$100.00 FIRST UNIT \$ 50.00 EACH ADDITIONAL	\$400.00 FIRST UNIT \$200.00 EACH ADDITIONAL
<b>COMMERCIAL</b>		
Industrial & Others	\$400.00 MINIMUM	
First 5 Fixtures	\$ 80.00 EACH ADDITIONAL FIXTURE	

<b>Sewer Lateral Replacement/Repair</b>	\$ 75.00
<b>Plumbing Exam Application Fee</b>	\$ 125.00
<b>Special Exam Fee</b>	\$ 200.00
<b>Sewer Contractor Exam Fee</b>	\$ 75.00
<b>Master Plumber License Renewal Fee (yearly)</b>	\$ 125.00
<b>Sewer Contractor License Renewal Fee (yearly)</b>	\$ 75.00

**TOWN OF WEST SENECA**  
**BOND RESOLUTION**  
*April 1*, 2013

**A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE THE CONSTRUCTION OF CERTAIN HIGHWAY IMPROVEMENTS AS DESCRIBED HEREIN.**

**WHEREAS**, the TOWN OF WEST SENECA, in the County of Erie, by its Town Council has determined it necessary for the Town to construct certain improvements to the Town highways, including but not limited to, the reconstruction of Greenbranch Road, Larkwood Road, Cardinal Lane, Woodmar Terrace, as well as additional highway repairs and improvements as necessary throughout the Town (the "Project").

**WHEREAS**, the estimated maximum costs for the Project is \$2,400,000 plus the cost of issuance of the bonds or notes.

**BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Council of the Town of West Seneca, Erie County, New York, as follows:

**Section 1.** The Project constitutes a specific object or purpose defined by Section 11.00. (a) 20 of the New York State Local Finance Law (the "Local Finance Law").

**Section 2.** The Project is hereby authorized subject to the terms and conditions of this Resolution.

**Section 3.** The financing of the Project, is hereby authorized at a maximum estimated cost of \$2,400,000.00.

**Section 4.** The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Town in an aggregate principal amount not exceeding \$2,400,000.00 which are hereby authorized to be issued therefor pursuant to the Local Finance Law.

**Section 5.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to subparagraph 20 of Section 11.00.(a) of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will exceed five (5) years but will not be in excess of fifteen (15) years.

**Section 6.** The faith and credit of the Town of West Seneca, Erie County, New York, are hereby irrevocably 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 every year sufficient to pay the principal of and interest on such bonds

becoming due and payable in such year.

**Section 7.** 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 authorized as if by separate resolution and is delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Town Supervisor, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

**Section 8.** All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, as the chief fiscal officer of the Town. 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 Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

**Section 9.** 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 the Town 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 of the State of New York.

**Section 10.** 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 11.** This resolution is subject to permissive referendum pursuant to Article 7 of the Town Law and shall not become effective until the earlier of either (a) the expiration of 30 days or (b) its approval by the qualified voters of the Town in any special election held pursuant to a petition duly filed requesting such election.

**Section 12.** Upon the effective date as defined by Section 1.1 hereof, an abstract of this resolution shall be published in the West Seneca Bee, as the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form prescribed in Section 81.00 of the Local Finance Law.

\* \* \* \* \*

The foregoing resolution was moved by Supervisor Meegan and seconded by Councilperson Rusinski, and the vote thereon was as follows:

Supervisor Meegan voted	<u>Aye</u>
Councilman Rusinski voted	<u>Aye</u>
Councilman Hart voted	<u>Aye</u>

**TOWN OF WEST SENECA**  
**BOND RESOLUTION No. 2-2013**  
*April 1*, 2013

**A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE AN EXPANSION AND CERTAIN RENOVATIONS TO THE TOWN POLICE HEADQUARTERS AS DESCRIBED HEREIN.**

**WHEREAS**, the TOWN OF WEST SENECA, in the County of Erie, by its Town Council has determined it necessary for the Town to construct an addition to the Town Police Headquarters and to construct certain renovations to the existing portion of the Police Headquarters, located at the Town Hall, 1250 Union Road, West Seneca, New York (the "Project").

**WHEREAS**, the estimated maximum costs for the Project is \$2,000,000 plus the cost of issuance of the bonds or notes.

**BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Council of the Town of West Seneca, Erie County, New York, as follows:

**Section 1.** The Project constitutes a specific object or purpose defined by Section 11.00. (a) 12 of the New York State Local Finance Law (the "Local Finance Law").

**Section 2.** The Project is hereby authorized subject to the terms and conditions of this Resolution.

**Section 3.** The financing of the Project, is hereby authorized at a maximum estimated cost of \$2,000,000.

**Section 4.** The plan for the financing of such maximum estimated cost is by the expenditure of existing Town funds allocated for the Project, the expenditure of grant funds made available to the Town for the Project and the issuance of general obligation serial bonds of the Town in an aggregate principal amount not exceeding \$2,000,000 which are hereby authorized to be issued therefor pursuant to the Local Finance Law. PROVIDED, HOWEVER, that to the extent any monies from resources other than bond proceeds, including but not limited to, the aforementioned Town funds and grant funds, the amount of obligations authorized pursuant to this resolution shall be reduced in the same amount as such alternate monies.

**Section 5.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty-five (25) years, pursuant to subparagraph 11 of Section 11.00.(a) of the Local Finance Law. It is hereby further determined that

the maximum maturity of the bonds herein authorized will not be in excess of fifteen (15) years.

**Section 6.** The faith and credit of the Town of West Seneca, Erie County, New York, are hereby irrevocably 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 every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

**Section 7.** 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 authorized as if by separate resolution and is delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Town Supervisor, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

**Section 8.** All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, as the chief fiscal officer of the Town. 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 Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

**Section 9.** 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 the Town 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 of the State of New York.

**Section 10.** 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 11.** This resolution is subject to permissive referendum pursuant to Article 7 of the Town Law and shall not become effective until the earlier of either (a) the expiration of 30 days or (b) its approval by the qualified voters of the town in any special election held pursuant to a petition duly filed requesting such election.

**Section 12.** Upon the effective date as defined by Section 1.1 hereof, an abstract of this resolution shall be published in the West Seneca Bee, as the official newspaper of the town for such purpose, together with a notice of the Town Clerk in substantially the form prescribed in Section 81.00 of the Local Finance Law.

**Section 13.** Any residual bonded dollars remaining from the Town Hall renovation project, as described in the published project costs, and in consideration of any grant money received, will be prohibited for use toward any additional renovations or utilized for any other project or initiative.

\* \* \* \* \*

The foregoing resolution was moved by Supervisor Meegan and seconded by Councilperson Hart, and the vote thereon was as follows:

Supervisor Meegan voted   Aye    
Councilman Rusinski voted   Aye    
Councilman Hart voted   Aye

**BOND RESOLUTION**

*April 1, 2013*

**A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, TO FINANCE IMPROVEMENTS TO CERTAIN TOWN OWNED RECREATIONAL FACILITIES AS HEREINAFTER DESCRIBED**

**WHEREAS**, the TOWN OF WEST SENECA (the "Town"), in the County of Erie, by its Town Council has determined it necessary for the Town to construct a restroom and storage facility at Burchfield Park ("Burchfield Improvements"), to undertake certain rehabilitation and mold abatement at Metz House ("Metz Improvements") and to undertake general improvement as needed at any or all other Town recreational facilities ("General Improvements") in the Town (collectively the "Project"), and

**WHEREAS**, the estimated maximum cost of the Project is Three Hundred Thousand Dollars (\$300,000.00).

**BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Council of the Town of West Seneca, Erie County, New York, as follows:

Section 1. The Project constitutes a specific object or purpose defined by Section 11. (a) 19 of the New York State Local Finance Law (the "Local Finance Law").

Section 2. The Project is hereby authorized subject to the terms and conditions of this Resolution.

Section 3. The financing of the Project (the "specific object or purpose"), is hereby authorized at a maximum estimated cost of \$300,000.00.

Section 4. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Town in an aggregate principal amount not exceeding \$300,000.00 which are hereby authorized to be issued therefor pursuant to the Local Finance Law.

Section 5. It is hereby determined that the period of probable usefulness of the aforesaid Burchfield Improvements and the General Improvements is thirty (30) years, pursuant to subparagraph, 11(a)(1) of Section 11.(a) of the Local Finance Law. The period of probable usefulness of the Metz Improvements is ten (10) years pursuant to subparagraph 12-a of Section 11. (a) of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will be in excess of five (5) years.

Section 6. The faith and credit of the Town of West Seneca, Erie County, New York, are hereby irrevocably 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 every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 7. 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 authorized as if by separate resolution and is delegated to the Town Supervisor, the Chief Fiscal Officer of the Town. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Town Supervisor, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

Section 8. All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Town Supervisor, as the chief fiscal officer of the Town. 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 Town Supervisor shall determine consistent with the provisions of the Local Finance Law.

Section 9. 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 the Town 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 of the State of New York.

Section 10. 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 11. This resolution shall be published in full in the official newspaper of the Town, which is hereby designated as the official newspaper of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is subject to permissive referendum and shall not become effective until either approved by the qualified voters of the Town pursuant to a petition being filed or 30 days shall have expired without a petition being filed.

\* \* \* \* \*