

20-C COMMUNICATIONS

1. Supervisor Meegan re Resignation of Jolynn Keane

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to accept the resignation of Jolynn Keane and terminate her as Youth Service Program Coordinator effective September 11, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

2. Supervisor Meegan re Title change for Faith Leone to Clerk part-time

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to terminate Faith Leone as Recreation Attendant part-time and appoint Faith Leone as Clerk part-time effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

3. Highway Supt. re Title change for Kevin Farrell to Highway Laborer

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Kevin Farrell as Highway Laborer-Caretaker and appoint Kevin Farrell as Highway Laborer, Group 1, Step 3, at a rate of \$25.28/HR effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

4. Highway Supt. re Title change for Donald Raczka to Highway Laborer-Caretaker

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Donald Raczka as Highway Motor Equipment Operator and appoint Donald Raczka as Highway Laborer-Caretaker, Group 1, Step 5, at a rate of \$25.94/HR effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

20-C COMMUNICATIONS

5. Highway Supt. re Title change for John Pangallo to Highway Heavy Motor Equipment Operator

Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate John Pangallo as Highway Motor Equipment Operator and appoint John Pangallo as Highway Heavy Motor Equipment Operator, Group 5, Step 5, at a rate of \$27.29/HR effective September 16, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

6. Highway Supt. re Status change for part-time seasonal buildings and grounds laborers to part-time

Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time seasonal laborers Rick Mingle & Harold Schwartz to part-time in the Buildings and Grounds Department at a rate of \$12/HR and Daniel Walsh at a rate of \$10/HR effective September 23, 2013; and further, change the status of the following part-time seasonal laborers in the Buildings and Grounds Department to part-time at a rate of \$9/HR effective September 23, 2013:

Steven Amoia Jr.	James Brady	Kerry Painter	Devin Reynolds
Andrew Balys	Kyle Dominczak	Michael Pauly	Ryan Schrader
Thomas Bebak	Jacob Hiam	John Radder	Thomas Yochum
Austin Boehm	Joseph Kropczynski		

and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart questioned why so many employees.

Highway Supt. Matthew English responded it is the same number of employees working the maximum of 19 hours a week.

Ayes: All Noes: None Motion Carried

7. Highway Supt. re Bid date for refuse trucks w/packer

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to set a bid date of October 2, 2013 at 10:00 A.M. for receipt of bids on the purchase of four (4) rear loading refuse trucks with packers for the Sanitation Department.

Ayes: All Noes: None Motion Carried

20-C COMMUNICATIONS

8. Highway Supt. re Bid date for retro-fitting refuse trucks w/packers
Motion by Supervisor Meegan, seconded by Councilman Hart, to set a bid date of October 2, 2013 at 10:05 A.M. for receipt of bids on the retrofitting of five (5) refuse trucks with packers for the Sanitation Department.
Ayes: All Noes: None Motion Carried
9. Senior Recreation Therapist of Sr. Services re Termination of William Falkner as Van Driver
Motion by Supervisor Meegan, seconded by Councilman Hart, to accept the retirement of William Falkner and terminate him as part-time van driver effective September 3, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
Ayes: All Noes: None Motion Carried
10. Senior Recreation Therapist of Sr. Services re Status change for Marirose Bless & Carol Kennedy to seasonal
Motion by Supervisor Meegan, seconded by Councilman Hart, to change the status of part-time Food Service Workers Marirose Bless & Carol Kennedy to part-time seasonal effective October 1 – November 29, 2013 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
Ayes: All Noes: None Motion Carried
11. Town Engineer re Bid award for East & West Road (Leydecker Phase) Sewer Rehabilitation Project
Motion by Supervisor Meegan, seconded by Councilman Hart, to award the East & West Road (Leydecker Phase) Sewer Rehabilitation Project to E & R General Construction, Inc. 38 St. David's Drive, West Seneca, NY 14224 at their low alternate bid amount of \$970,200.

On the question, Councilman Hart asked for an explanation of the alternate bid.

Town Engineer Jason Foote responded the alternate bid is for replacement of 21 sanitary sewer laterals in an area that was going to be relined.

Ayes: All Noes: None Motion Carried

12. Councilman Hart re Resolution opposing the closing of the Children's Psychiatric Center
Motion by Councilman Hart, seconded by Councilman Rusinski, to adopt the attached resolution opposing the closing of the Children's Psychiatric Center located in West Seneca NY.

20-C COMMUNICATIONS

12. (continued)

On the question, Supervisor Meegan stated a letter was sent to Governor Cuomo's office two weeks ago opposing the closing of the Children's Psychiatric Center.

Councilman Rusinski commented on the number of caregivers in attendance at the meeting and Councilman Hart requested the regular meeting rules be suspended to invite the public to comment.

Family and community members along with caregivers expressed their concern and voiced their opposition to closing the Children's Psychiatric Center (CPC), stating early intervention is imperative in providing hope for children. Many personal experiences were shared and comments made that the amount of services and facilities should be increasing instead of being eliminated.

Bob McClellan, a representative from Senator Tim Kennedy's office, spoke on behalf of the Senator stating he is in full support of keeping the Children's Psychiatric Center open. He has written to the acting commissioner of mental health and will continue to do what he can to ensure the facility remains open.

Assemblyman Michael Kearns commended the Town Board for sponsoring this resolution and stated his support for keeping the facility open in West Seneca. He commented that over the years West Seneca has done a great job working with the State of New York and the Developmental Center and the state now needs to give back and help the town. Assemblyman Kearns stated it is essential that a safe and healthy environment continue to be provided for children with disabilities.

Councilman Hart questioned if the legislature or senate has had any input or scheduled any hearings regarding this issue.

Assemblyman Kearns responded that hearings have been scheduled but not in Western New York. He has contacted the assembly chairman for mental health and requested hearings be held locally in order to provide the public an opportunity to express their feelings.

Councilman Hart referred to a waiting list he had heard about for available beds at the Buffalo Psychiatric Center and how that number may be reduced. He questioned how many children are on that list and in need of services.

Assemblyman Kearns responded that he doesn't have an exact number, but it is unacceptable that the amount of available beds is decreasing at a time when New York State should be protecting children who are most vulnerable.

20-C COMMUNICATIONS

12. (continued)

Councilman Rusinski stated he is appalled at the proposed change and thanked Assemblyman Kearns for his support.

Councilman Hart thanked everyone for taking time to share their stories and show their support and suggested they contact the Governor's office and the state. He further stated he understands the importance of this issue since he has a family member who has been in the care of the State of New York.

Supervisor Meegan thanked everyone for coming to the meeting and stated the board will continue to have conversations and support this issue.

Ayes: All

Noes: None

Motion Carried
APPENDICES

13. Councilman Hart re Part-Time Clerk Typist for Environmental Commission

Received and filed.

14. Town Attorney re Bond resolution for refuse trucks, garbage totes & retrofitting equipment

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the attached bond resolution in the amount of \$2,500,000 to finance the purchase of four refuse trucks, garbage totes and equipment for the retrofitting of current trucks.

On the question, Councilman Hart stated this will be discussed and reviewed closer and passing of this resolution does not mean that all the money will be spent.

Ayes: All

Noes: None

Motion Carried
APPENDICES

15. Town Engineer re Bid award for Senior Center Parking Lot Improvements Project

Motion by Supervisor Meegan, seconded by Councilman Hart, to award the Senior Center Parking Lot Improvements Project to Northeast Diversification, Inc., 2 Cadby Industrial Park, Lancaster, NY at their low bid amount of \$27,970.

20-C COMMUNICATIONS

15. (continued)

On the question, Councilman Hart questioned receiving only one bid.

Town Engineer Jason Foote responded the reason only one bid was received is because they are bidding late in the season and due to the federal requirements of Minority and Women Business Enterprise (MWBE). The sole bidder is within the engineer's estimate and performed work for the town in the past. Work will commence in two or three weeks after all the required paperwork is received.

Ayes: All

Noes: None

Motion Carried

16. Town Attorney re Amended bond resolution – Sanitary Sewer Improvements

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the attached resolution amending Section 5 of Bond Resolution No. 3-2012 adopted May 7, 2012, authorizing the issuance of bond anticipation notes to finance the construction of certain common improvements and increases to sanitary sewer facilities to serve town sewer districts 5, 13 and 20 in order to correct the maximum maturity of the bonds.

On the question, Councilman Hart questioned the change.

Town Attorney Shawn Martin responded the change involved the length of maximum maturity of the bond.

Ayes: All

Noes: None

Motion Carried
APPENDICES

17. Supervisor Meegan re Approval of JCAP Grant

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to approve the JCAP Grant in the amount of \$2,480 for readers, access modules, doors, labor etc.

Ayes: All

Noes: None

Motion Carried

20-D REPORTS

- Jacqueline A. Felser, Town Clerk's report for August 2013 received and filed.
- John A. Gullo, Code Enforcement Officer's report and plumbing report for August 2013 received and filed.

20-E APPROVAL OF WARRANT

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

General Fund - \$44,713.87; Highway Fund - \$8,144.69; (voucher #'s 80208-80408); Capital Fund - \$655,635.36 (voucher #'s 80290-80321)

Ayes: All

Noes: None

Motion Carried

ISSUES OF THE PUBLIC

FAMILY ENERGY PEDDLER PERMIT

Clinton Brown, a Supervisor with Family Energy, commented on the solicitor/peddler permit procedure in town and stated that in the past individual complaints were received from West Seneca residents and his permit was revoked. Employees of Family Energy have since been fired and new employees hired, paid the required \$200 fee and received their permits. However, Mr. Brown's personal application has been denied based on previous complaints and he was directed to request a hearing before the Town Board.

Town Attorney Shawn Martin responded that pursuant to Town Code, Mr. Brown can request a hearing in order to determine whether or not he should be issued a solicitor's permit.

Councilman Hart questioned if this is normal procedure.

Mr. Martin responded that the provision is written in Town Code stating if a permit is revoked or denied that individual can request a hearing, go before the board and either have the decision of denial upheld or possibly reversed. He will schedule the hearing for September 30th.

CHILDREN'S PSYCHIATRIC CENTER

Karen Lucachik stated she has lived in West Seneca over 40 years and never realized the good work at the Children's Psychiatric Center. She thanked the board for the information that was presented at this meeting.

STATUS OF AMERICORPS PAYMENTS

Karen Lucachik questioned the status of AmeriCorps payments.

Finance Director Patrick Clancy responded payment was received this month.

ISSUES OF THE PUBLIC

STATUS OF FEASIBILITY STUDY

Karen Lucachik questioned the status of the feasibility study.

Supervisor Meegan responded the firm performing the study will be decided tonight in Executive Session and placed on the September 30th agenda. Results from the study should be available by mid November.

ERIE COUNTY INDUSTRIAL DEVELOPMENT AGENCY (ECIDA)

Karen Lucachik questioned the status of West Seneca possibly acquiring a seat on the ECIDA or forming an independent IDA.

Supervisor Meegan responded that West Seneca is part of but does not have a seat on Erie County's IDA. Working with Senator Gallivan, there is an offer and opportunity for the town to join Hamburg and Lancaster. The Community Choice Act will allow existing local IDA'S to offer their economic development programs to other communities and allow municipalities without an IDA the freedom of choice which IDA they wish to partner with. All decisions will rest upon local governments and no municipality will be compelled or mandated to partner with an IDA that is not one of their choices. This legislation is currently proposed in the state.

BURCH AVENUE

Linda Toy referred to a recent stabbing on Burch Avenue and voiced her concern about gangs harassing seniors and overall safety on the street. Residents are afraid to speak up, fearful of retaliation and the situation is escalating. Mrs. Toy requested police patrols be increased to protect children, seniors and the quality of life on Burch Avenue.

Mary Jane Piechocki commented on the increase in violence and large amount of occupants in rental units. Gangs come from the east side and seem to know when police are called.

Chief Denz stated he has talked with Mrs. Toy, is aware of the problem and strategies have been developed to increase patrol in that area. The most recent issue involved retaliation between parties that knew each other. Chief Denz noted that a block club has existed on Burch, Savona, Duerstein and Manhasset for approximately 15 years and they meet once a month. He stated it is imperative that citizens report all problems.

Pat Hall referred to the night of the stabbing and stated two police officers were at her home pounding on the door trying to break in not realizing they had the wrong house and should have been next door. Mrs. Hall further stated that problems have once again escalated with dog fighting and drugs.

ISSUES OF THE PUBLIC

BURCH AVENUE (continued)

Chief Denz stated he will meet with residents after the meeting to discuss the block club and reoccurring problems that have escalated.

Vince Talty commented on a vacant lot and an unsecured area behind his home where kids hang out and drink beer. He suggested access to the vacant lot be closed.

Code Enforcement Officer Jeffrey Baksa responded the property owner has repeatedly reinforced the fence every time they have been contacted by his department. Kids continue to cut through the fence and are now entering the vacant building. He will stop by the property tomorrow, take pictures and contact the owner about better securing the area. Mr. Baksa noted that NYS requires entry of Code Enforcement Officers to all multiple dwellings with 3 or more units to perform fire inspections.

Supervisor Meegan stated the vacant building will eventually be demolished but is currently a stalled skilled nursing facility project in Albany.

Amy Carpenter suggested putting a town camera on the street to catch some of the activity.

STATUS OF CLINTON STREET – LAKESIDE DRIVE LAWSUIT

Amy Carpenter questioned the status of the Clinton Street - Lakeside Drive lawsuit.

Town Attorney Shawn Martin responded they have not received a decision from the court.

STATUS OF SCHOOL STREET PROPERTY

Amy Carpenter questioned if a determination was made regarding the School Street property.

Town Attorney Shawn Martin responded after reviewing the books town auditors determined \$8000 is all AmeriCorps can afford to pay. New documents are being drafted and will reflect payments being added to the end of the agreement. Payments will continue until the agreed amount is satisfied.

UNION CONTRACTS

Amy Carpenter questioned if union contracts are going to be available online.

Supervisor Meegan suggested Mrs. Carpenter initiate a FOIL request and she will provide her with the information.

ISSUES OF THE PUBLIC

STATUS OF MASTER PLAN UPDATE

Amy Carpenter questioned if there was any progress with the Master Plan and Supervisor Meegan responded there was no update.

REZONING OF SENECA MALL SITE

Amy Carpenter questioned the status of rezoning the Seneca Mall site.

Councilman Hart responded the owner withdrew his request to have the property rezoned.

HUMAN RESOURCE POSITION

Amy Carpenter questioned the status of establishing a human resource position.

Supervisor Meegan responded the town issued a request for quotes (RFQ) and only one response was received. They hope to have this position established and in place by January/February.

Town Attorney Shawn Martin stated RFQ's were sent to any provider of this service within a 50 mile radius of West Seneca.

PINEWOOD DRIVE PAVING

George Clifford complimented the Highway Department for the great paving job on Pinewood Drive and also requested a no outlet sign due to the large amount of turn around traffic.

Highway Supt. Matthew English stated he would have a no outlet sign placed on the street.

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

REACCREDITATION OF POLICE DEPARTMENT

Chief Denz stated the Police Department successfully received reaccreditation for five years.

EXECUTIVE SESSION

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to Executive Session at 8:50 P.M to discuss professional services, a contract matter and a personnel issue with Town Attorney Shawn Martin.

Ayes: All

Noes: None

Motion Carried

WEST SENECA TOWN OFFICES
1250 Union Road
West Seneca, NY 14224

TOWN BOARD PROCEEDINGS
Minutes #2013-20
September 16, 2013
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PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

The board members returned from Executive Session at 9:10 P.M.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Rusinski, to adjourn the meeting at 9:10 P.M.

Ayes: All

Noes: None

Motion Carried



JACQUELINE A FELSER, TOWN CLERK

Resolution opposing the Closing of the Children's Psychiatric Centers

Located in West Seneca, NY

WHEREAS, the State Office of Mental Health has unveiled a sweeping plan to consolidate and reduce the number of state-run psychiatric hospitals from 24 to 15 over a three year period. Plans include the closing of all children's psychiatric centers and inpatient units including the West Seneca Children's Psychiatric Center and combining these units into "Centers of Excellence" generally designed to serve adult patients with significant mental disorders, not children. Many of these adult patients are individuals designated through the criminal justice system.

WHEREAS, institutionalization of children in these "Centers of Excellence" will require the sharing of facilities and services with adult psychiatric patients. Children currently in residence at West Seneca are between the age of 4 years and 18 years of age and are at high risk for future institutionalization without the proper care and treatment. The resulting exposure of these children at risk at the proposed "Centers of Excellence" to adult influence and circumstances beyond their control is both unhealthy and dangerous.

WHEREAS; the closure of children's centers, similar to the Children's Psychiatric Centers Located in West Seneca, will result in many children from other areas of the state who will be housed in institutions far away from their homes, in Utica, Buffalo or Albany, thus creating unacceptable hardships for families expecting to stay in contact with their children serviced by these distant "institutions." Accommodations for these children at risk should be made in all regions of the state in order to allow families to stay connected.

BE IT RESOLVED, that the West Seneca Town Board acknowledges the importance of maintaining an adequate and safe environment for our citizens and especially for children at risk; **and be further**

RESOLVED, the West Seneca Town Board opposes the combining of children's psychiatric services in "Centers of Excellence" with adult patients and supports the retention of separate "Centers of Excellence" exclusively for children in comfortable and park like settings similar to those found at the Western New York Children's Psychiatric Center located in West Seneca New York; **and be it further**

RESOLVED, that the appropriate Senate and State Legislature Committees convene and seek public comment and input regarding the OMH's sweeping plan; and that the Senate and Assembly consider the creation of separate "Centers of Excellence for Children's Care" at sites located across New York State, including at the Western New York Children's Psychiatric Center located in West Seneca. The West Seneca Town Board authorizes the Supervisor, no later than September 20, 2013, to convey this position, in writing, to State Senator Patrick M. Gallivan, Senator Timothy M. Kennedy, and Assemblyman Michael P. Kearns, and to Governor Andrew M. Cuomo, requesting their attention and assistance in retaining as a "Center of Excellence for Children's Care", the Western New York Children's Psychiatric Center Located in West Seneca New York rather than closing and abandoning another state facility.

**TOWN OF WEST SENECA
BOND RESOLUTION**

SEPTEMBER 16, 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 PURCHASE OF 4 REFUSE TRUCKS, GARBAGE TOTES AND EQUIPMENT FOR THE RETROFITTING OF CURRENT TRUCKS

WHEREAS, the TOWN OF WEST SENECA, in the County of Erie, by its Town Council has determined it necessary for the Town to finance the following: the purchase 4 Garbage trucks (the "Trucks") at a total estimated cost of \$900,000; the purchase new garbage and recycling totes (the "Totes") at a total estimated cost of \$1,500,000 and the retrofitting of existing garbage trucks to accommodate new garbage and recycling totes (the Retrofitting") at a total estimated cost of \$60,000 (the "Trucks", the "Totes" and the Retrofitting are collectively referred to as the "Equipment").

WHEREAS, the estimated maximum costs for the Equipment is \$2,500,000 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 Financing constitutes a specific object or purpose defined by Section 11.00. (a) 6 of the New York State Local Finance Law (the "Local Finance Law").

Section 2. The purchase and the financing of the Equipment are hereby authorized subject to the terms and conditions of this Resolution.

Section 3. The financing of the Equipment is hereby authorized at a maximum estimated cost of \$2,500,000.

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 \$2,500,000 which is hereby authorized to be issued 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 ten (10) years, pursuant to subparagraph 6 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 ten (10) 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 (jointly the "Obligations") may be contested only if:

- 1) The 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) The 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. The Town Clerk is hereby authorized and directed to publish a Notice of Adoption of this Resolution subject to permissive referendum in the West Seneca Bee, as the official newspaper of the Town for such purpose.

Section 12. Upon the effective date as defined by Section 11 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 Councilperson Meegan and seconded by Councilperson Hart, and the vote thereon was as follows:

Supervisor Meegan voted yes

Councilman Rusinski voted yes

Councilman Hart voted yes

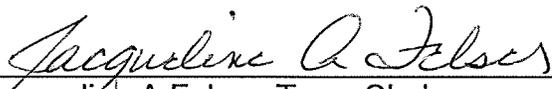
CERTIFICATE OF THE TOWN CLERK

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

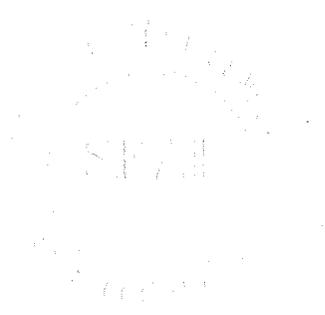
I, Jacqueline A. Felser, the Town Clerk of the Town of West Seneca, Erie County, New York (the "Town"), DOES HEREBY CERTIFY:

1. That a meeting of the Town of West Seneca Town Council was duly called, held and conducted on the 16th day of September, 2013.
2. That such meeting was a regular meeting.
3. That attached hereto is a copy of a Bond Resolution of the Town which was duly adopted at such meeting by the Town Council.
4. That such attachment constitutes a true and correct copy of the entirety of such Resolution as adopted by the Town Council.
5. That all members of the Town Council 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 the attached Resolution was adopted subject to Permissive Referendum.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town as of the 16th day of September, 2013.



Jacqueline A Felser, Town Clerk



TOWN OF WEST SENECA

AMENDED AND RESTATED BOND RESOLUTION

A RESOLUTION AMENDING SECTION 5 OF BOND RESOLUTION No. 3-2012 WHICH WAS ADOPTED MAY 7, 2012 IN ORDER TO CORRECT THE MAXIMUM MATURITY OF THE BONDS AUTHORIZED THEREIN.

WHEREAS, ON May 7, 2012 the Town Council of the Town of West Seneca, in the County of Erie, New York (the "Town"), adopted Bond Resolution No. 3 2012 (the "Resolution") which was entitled:

"A RESOLUTION AUTHORIZING THE ISSUANCE OF GENERAL REVENUE BONDS OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AND ALSO AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES TO FINANCE THE CONSTRUCTION CERTAIN COMMON IMPROVEMENTS AND INCREASES TO SANITARY SEWER FACILITIES TO SERVE TOWN SEWER DISTRICTS 5, 13 AND 20"; and

WHEREAS, Section 5 of the Resolution which set forth the period of probable usefulness and the maximum maturity of the bonds provided as follows:

"Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subparagraph 4 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 forty (40) years." and

WHEREAS, the proper maximum maturity of the bonds should not be in excess of forty (40) years; and

WHEREAS, The Town Council has determined that it is necessary to amend Section 5 of the Resolution to set forth the proper maximum maturity of the bonds authority thereby.

THEREFORE, 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 5 of the Resolution is hereby amended to provide as follows:

"Section 5. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty (40) years, pursuant to subparagraph 4 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 forty (40) years." And

- All other provisions contained in the Resolution remain in full force and effect as originally adopted.

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

Supervisor Meegan voted

yes

Councilman Rusinski voted

yes

Councilman Hart voted

yes

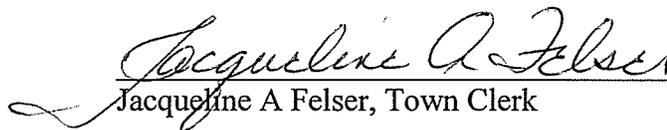
CERTIFICATE OF THE TOWN CLERK

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

I, Jacqueline A. Felser, the Town Clerk of the Town of West Seneca, Erie County, New York (the "Town"), DOES HEREBY CERTIFY:

1. That a meeting of the Town of West Seneca Town Council was duly called, held and conducted on the ___ day of ___, 2012.
2. That such meeting was a regular meeting.
3. That attached hereto is a copy of an Amended and Bond Resolution of the Town which was duly adopted at such meeting by the Town Council.
4. That such attachment constitutes a true and correct copy of the entirety of such Resolution as adopted by the Town Council.
5. That all members of the Town Council 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 the attached Resolution was adopted subject to Permissive Referendum.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town as of the ___ day of ___, 2013.


Jacqueline A Felser, Town Clerk

