





**3-E COMMUNICATIONS**

5. Recreation Supervisor re Southtowns Soccer – soccer field use

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Southtowns Soccer and the insured Western New York Amateur Soccer Association, US Adult Soccer Association, Inc., its Members National Affiliates, Leagues & Teams, for use of the West Seneca Soccer Complex.

Ayes: All                      Noes: None                      Motion Carried

6. Recreation Supervisor re Sirens FC – soccer field use

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Sirens FC and the insured Western New York Amateur Soccer Association, US Adult Soccer Association, Inc., its Members National Affiliates, Leagues & Teams, for use of the West Seneca Soccer Complex.

Ayes: All                      Noes: None                      Motion Carried

7. Recreation Supervisor re Trinity Christian Church & School – use of Fireman’s Park

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Trinity Lutheran Church for use of Fireman’s Park on June 7, 2019 for the WNY Lutheran School Track & Field Day.

Ayes: All                      Noes: None                      Motion Carried

8. Recreation Supervisor re West Seneca Fire District #4 – diamond use

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca Fire District #4 (East Seneca) for use of Town of West Seneca ball diamonds during the 2019 season.

Ayes: All                      Noes: None                      Motion Carried

**3-E COMMUNICATIONS**

9. Recreation Supervisor re Odenbach Tournament
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Buffalo & Western New York Junior Soccer League and the insured New York State West Youth Soccer Association, for use of the West Seneca Soccer Complex for the 2019 Odenbach Tournament.

Ayes: All                      Noes: None                      Motion Carried

10. Recreation Supervisor re Community 5K
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with West Seneca PBA, WSW/WSE Sports Booster and the insured USA Track & Field, Inc., for the Community 5K.

On the question, Councilman Hanley asked that notification to residents be reaffirmed to the applicant. Recreation Supervisor Lauren Masset stated Section 6 indicates the race coordinator is required to notify all residents and businesses along the race route and it was explained to the licensee they must comply or risk being denied in the future.

Ayes: All                      Noes: None                      Motion Carried

11. Town Attorney re Bond Resolution – East & West Road Sewer Main Replacement
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution amending the town’s commitment on the East & West Road Rehabilitation Project:

WHEREAS, in February of 2018 the County of Erie approached the town about a collaborative rehabilitation of East & West Road (the “Project”) whereby the County would perform certain work and the town would perform certain work; and

WHEREAS, at a regularly scheduled work session on May 7, 2018, the Town Board discussed the Project and deliberated over the town’s contribution to the collaborative rehabilitation; and

WHEREAS, by letter dated July 12, 2018, the County required a commitment from the town on or before July 31, 2018 that it will perform work under the Project; and

WHEREAS, by a resolution adopted by the Town Board on July 30, 2018 the Town Board resolved to certify “that as part of the Project it will perform sanitary sewer rehabilitation work to the approximately 750 feet of sanitary sewer along East & West Road immediately west of Union Road in an amount not to exceed \$500,000;” and



**ISSUES OF THE PUBLIC**

- A Mill Road resident commented on the recent flooding and volunteered to assist with sand bags if needed again.

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

**SUPERVISOR MEEGAN**

- A meeting to discuss repairs to the Burchfield Center will be held March 5<sup>th</sup> at 6 P.M. in the Community Room.
- Residents interested in serving on a Budget Advisory Committee should submit a letter of interest and resume by March 15<sup>th</sup>.
- The town will be submitting a grant application for a re-tree program.
- Thanked the individuals and many levels of government that assisted during the storm.

**RECREATION SUPERVISOR LAUREN MASSET**

- Summer employment applications are being accepted for recreation attendants, camp counselors and lifeguards.
- Saturday summer program registration will be held February 16<sup>th</sup> from 10:15 A.M. – 12:15 P.M.; resident ID cards will be available for issuance.

**COUNCILMAN HANLEY**

- Commented on the damage from recent flooding - approximately 60' – 100' of 6" sewer line along Cazenovia Creek was swept away; water came up to the bottom of pump station #5 and devastated all the electronic equipment; funds for these types of problems are not budgeted
- Commented on the relationship Supervisor Meegan has formed with other elected officials which helped with the outside response and assistance received during the flooding
- Assemblyman Patrick Burke is on the Environmental Conservation Committee for the Assembly District and will try to secure funds for bank stabilization.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adjourn the meeting at 7:20 P.M.

Ayes: All

Noes: None

Motion Carried

---

**JACQUELINE A FELSER, TOWN CLERK**

At a regular meeting of the Town Board of the Town of West Seneca, in the County of Erie, New York, held at Town Hall, 1250 Union Road, West Seneca New York 14224 on February 11, 2019

PRESENT: Sheila M. Meegan, Supervisor  
William P Hanley Jr., Councilman

ABSENT: Eugene P. Hart, Councilman

The following resolution was offered by Supervisor Meegan, who moved its adoption, seconded by Councilman Hanley, to-wit:

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING REPLACEMENT OF SEWER MAINS ALONG EAST AND WEST ROAD, STATING THAT THE ESTIMATED MAXIMUM TOTAL COST THEREOF IS \$750,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$750,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION**

WHEREAS, the Town Board of the Town of West Seneca (the "Town") after completion of the requisite proceedings pursuant to Town Law section 202-b has previously authorized the issuance of \$30,000,000 in serial bonds of the Town to finance increases and improvements of various Town sanitary sewer facilities, pursuant to Resolution No. 2-1012 duly adopted on May 7, 2012, amended on September 16, 2013 and further amended on December 11, 2017 (collectively, the "Original Bond Resolution"), including replacement of approximately 3,300 linear feet of sewer mains along East and West Roads from Azalea Drive to Cove Creek (the "Project"); and

WHEREAS, prior to adoption of the Original Bond Resolution, such increases and improvements were determined by this Town Board to constitute a "Type II" action under the New York State Environmental Quality Review Act and the regulations promulgated thereunder (6 NYCRR Part 617.5(c)) (collectively, "SEQRA") and therefore no further action need be taken by the Town Board under SEQRA as a pre-condition to the adoption of the Original Bond Resolution or this bond resolution; and

WHEREAS, due to delays related to New York State Department of Environmental Conservation permitting issues the Project was previously suspended and that portion of the Town's outstanding borrowing pursuant to the Original Bond Resolution has been repaid;

WHEREAS, this Town Board now wishes to resume the Project, appropriate funds therefor and reauthorize the issuance of the Town's serial bonds to finance said appropriation.

NOW, THEREFORE, THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake the Project and to issue not to exceed \$750,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the Project. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$750,000; said amount is hereby appropriated therefor and the plan of financing thereof shall include the issuance of up to \$750,000 in serial bonds of the Town and any bond anticipation notes issued in anticipation of the sale of such bonds to finance a portion of said appropriation and the levy and collection of taxes on all the taxable real property in the Town to pay the principal of and interest on said bonds and notes.

SECTION 2. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision 4 of Section 11.00a. of the Law.

SECTION 3. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d.9. of the Law.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. The final maturity of the bonds herein authorized to be issued shall be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued.

SECTION 6. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.



SECTION 7. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10, 63.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Town Board, then the power of the Town Board to determine the "weighted average period of probable usefulness" (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 8. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Town Supervisor is further authorized to enter into continuing disclosure undertakings with or for the benefit of the initial purchaser of the bonds or notes in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Town Board.

SECTION 11. As soon as reasonably possible after the date that this resolution takes effect, the Town Clerk is hereby authorized and directed to cause a copy of this resolution to be published in summary in 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 Law.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: Supervisor Meegan, Councilman Hanley

NAYS: None

This resolution shall take effect immediately.

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

I, the undersigned Clerk of the Town of West Seneca, DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting Clerk of the Town of West Seneca, Erie County, New York (the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board, and am duly authorized to execute this certificate.

2. A regular meeting of the Town Board of the Town of West Seneca, Erie County, State of New York, was held on February 11, 2019, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.

3. Attached hereto is a true and correct copy of a board resolution duly adopted at a meeting of the Town Board held on February 11, 2019 and entitled:

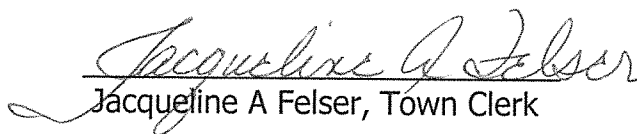
BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING REPLACEMENT OF SEWER MAINS ALONG EAST AND WEST ROAD, STATING THAT THE ESTIMATED MAXIMUM TOTAL COST THEREOF IS \$750,000; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$750,000 IN SERIAL BONDS OF THE TOWN TO FINANCE SAID APPROPRIATION

4. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the Town. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Town Board was present throughout said meeting, and a legally sufficient number of members (2/3 of the Town Board) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

5. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the Town of West Seneca this 12<sup>th</sup> day of February, 2019.

[SEAL]

  
Jacqueline A Felser, Town Clerk