

Supervisor Sheila M. Meegan called the meeting to order at 7:00 P.M. with 30 seconds of silent prayer followed by the Pledge of Allegiance led by Recreation Supervisor Lauren Masset.

ROLL CALL: Present - Sheila M. Meegan Supervisor
Eugene P. Hart Councilman
William P. Hanley, Jr. Councilman

Absent - None

Supervisor Meegan read the Fire Prevention Code instructing the public where to exit in case of a fire or an emergency.

The meeting was dedicated to NYS Trooper Joseph Gallagher.

1-A MINUTES TO BE APPROVED

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve Minutes #2017-25 of December 28, 2017.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve minutes from the January 4, 2018 Organization Meeting.

Ayes: All Noes: None Motion Carried

- Motion by Supervisor Meegan, seconded by Councilman Hart, to approve minutes from the January 11, 2018 bid opening for demolition of 32 Benson Avenue.

Ayes: All Noes: None Motion Carried

1-C COMMUNICATIONS

Supervisor Meegan stated the Town Board will address four appointments out of order from the printed agenda.

11. Chief Denz re Appointment of Rachel Kingston as Police Officer

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Rachel Kingston as Police Officer effective January 19, 2018 at the training rate of \$24.59 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

1-C COMMUNICATIONS

12. Chief Denz re Appointment of Michael Kocieniewski as Police Officer

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Michael Kocieniewski as Police Officer effective January 19, 2018 at the training rate of \$24.59 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

13. Chief Denz re Appointment of Abigail Rave as Police Officer

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Abigail Rave as Police Officer effective January 19, 2018 at the training rate of \$24.59 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

Town Clerk Jacqueline Felser administered the oath of office to Rachel Kingston, Michael Kocieniewski and Abigail Rave.

Chief Denz stated there are currently seven openings in the Police Department, three of which were just filled, and he anticipates an additional 13 positions will open by 2020. He noted the department is not growing; it is running with the same manpower as they had in 1975. Chief Denz further stated Rachel Kingston is a former NFTA officer who scored in the top group on the civil service exam, Michael Kocieniewski has been employed with Buffalo State University Police and Abigail Rave put herself through the police academy and finished #1 in the academy. With the officers being previously certified, the cost savings to the town is approximately \$40,000 each.

16. Chief Denz re Appointment of William R Weber as public safety dispatcher

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint William R Weber as public safety dispatcher effective January 19, 2018 at an annual salary of \$42,586.07 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

1-B LEGAL NOTICES

1. Motion by Supervisor Meegan seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 21 – 23 FLOHR AVENUE, BEING PART OF LOT NO. 196, CHANGING ITS CLASSIFICATION FROM R-50 TO R-50(S), FOR A FOUR-UNIT RESIDENTIAL BUILDING" in the Town of West Seneca, be received and filed.

Ayes: All Noes: None Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hanley, to open the public hearing.

Ayes: All Noes: None Motion Carried

No comments were received from the public.

Motion by Supervisor Meegan, seconded by Councilman Hanley, to close the public hearing.

Ayes: All Noes: None Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the request for a special permit for property located at 21 – 23 Flohr Avenue, being part of Lot No. 196, changing its classification from R-50 to R-50(S), for a four-unit residential building.

Ayes: All Noes: None Motion Carried

2. Motion by Supervisor Meegan, seconded by Councilman Hart, that proofs of publication and posting of legal notice: "OF A PUBLIC HEARING TO CONSIDER A REQUEST FOR A SPECIAL PERMIT FOR PROPERTY LOCATED AT 1777 UNION ROAD, BEING PART OF LOT NOS. 184, 185 & 186, CHANGING ITS CLASSIFICATION FROM M-1 & C-2 TO M-1(S) AND C-2(S), FOR AUTOMOTIVE USE" in the Town of West Seneca, be received and filed.

Ayes: All Noes: None Motion Carried

Motion by Supervisor Meegan, seconded by Councilman Hart, to open the public hearing.

Ayes: All Noes: None Motion Carried

Jonathan Schmid, owner of 1777 Union Road, stated he has a prospective tenant that would like to open a Ziebart shop and a special permit is required.

Mark Matisio of Ziebart stated there are currently five stores in the Rochester area that employ over 140 people. They specialize in rust proofing, remote car starter installation and window tinting and are looking to branch out to West Seneca.

1-C COMMUNICATIONS

2. Town Attorney re Local laws
2018-1 & 2018-2

Motion by Councilman Hanley, seconded by Supervisor Meegan, to schedule a public hearing for January 29, 2018 at 7 P.M. to hear all persons interested in Local Law No. 1 – Vacant & Abandoned Residential Real Property Point of Sale Inspections and Local Law No. 2 – Amendment to Chapter 77-6: Flood Damage Prevention Basis for Establishing the Areas of Special Flood Hazard, noting copies of the proposed local laws will be available in the Town Clerk’s Office and via the town’s website.

On the question, Town Attorney John Fenz stated Local Law No. 1 places an inspection requirement on banks selling homes that are considered vacant or zombie homes, which removes the burden from the purchaser on having to bring the property up to the current code. Local Law No. 2 references the flood damage prevention code and an updated flood plain map that will come out in March 2018.

Ayes: All

Noes: None

Motion Carried

3. Town Attorney re Collective
Bargaining Memorandum of
Agreement with the Blue
Collar Unit

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the attached Collective Negotiations Settlement Memorandum between the Town of West Seneca and the CSEA Town of West Seneca Blue Collar Unit, noting the new collective bargaining agreement will include the terms of the expired collective bargaining agreement between the Blue Collar Unit and the town and the modification of the terms of the attached Settlement Memorandum.

Ayes: All

Noes: None

Motion Carried
APPENDICES

4. Town Attorney re Bond
resolution – Community
Center & Library project

Motion by Councilman Hanley, seconded by Supervisor Meegan, to adopt the attached bond resolution for the Community Center & Library project.

On the question, Councilman Hart stated additional funding is needed due to additions to the project and to bridge the time gap of what is needed to cover the project and receipt of grant money. Town Engineer Steve Tanner stated \$5.1 million is not anticipated to be the amount being borrowed, but bond counsel has recommended authorization of this amount to cover any possible delays in receiving the grant money.

Ayes: All

Noes: None

Motion Carried
APPENDICES

1-C COMMUNICATIONS

5. Town Attorney re Little Loop Referee Agreement

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize the Supervisor to enter into an agreement with the Western New York Officials Association in the maximum amount of \$4,000 annually to reimburse certain officials fees.

Ayes: All Noes: None Motion Carried

6. Town Engineer re Change Order No. 1 – Allied Fire Protection Systems

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize the Supervisor to execute change order No. 1 to Allied Fire Protection Systems in the amount of \$8,633 for fire protection construction associated with the build out of the first floor office space at the West Seneca Community Center & Library.

Ayes: All Noes: None Motion Carried

7. Town Engineer re Change Order No. 1 – Frey Electric Company

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize the Supervisor to execute change order No. 1 to Frey Electric Company in the amount of \$58,950 for the electrical construction associated with the build out of the first floor office space at the West Seneca Community Center & Library.

Ayes: All Noes: None Motion Carried

8. Town Engineer re Change Order No. 1 – JW Danforth Company

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize the Supervisor to execute change order No. 1 to JW Danforth Company in the amount of \$50,539.95 for the mechanical/HVAC construction associated with the build out of the first floor office space at the West Seneca Community Center & Library.

On the question, Councilman Hart questioned if this is part of the energy performance contract. Town Engineer Steven Tanner responded funds from the energy performance contract can only be used on existing facilities, which is why part of the old library was left intact and that portion will now be the Community Center for the town's use. The energy performance money was used for new roofing, new vestibules, lighting and some of the heating and boilers for the Community Center. The two story office addition is a brand new facility and the funds cannot be used for that.

Ayes: All Noes: None Motion Carried

1-C COMMUNICATIONS

9. Chief Denz re Retirement of Officer James M Gehen
Motion by Councilman Hanley, seconded by Councilman Hart, to accept the retirement of Officer James M Gehen effective January 14, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Officer Gehen has served the Town of West Seneca for 31 years and will be greatly missed.
Ayes: All Noes: None Motion Carried
10. Chief Denz re Retirement of Detective Robert Bebak
Motion by Councilman Hanley, seconded by Councilman Hart, to accept the retirement of Detective Robert Bebak effective January 28, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting Detective Bebak has served the Town of West Seneca for 30 years and will be greatly missed.
Ayes: All Noes: None Motion Carried
14. Chief Denz re Leave of absence for Diane Weston as public safety dispatcher
Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve a leave of absence for Diane Weston from her position as public safety dispatcher effective February 10, 2018 – February 9, 2019 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
Ayes: All Noes: None Motion Carried
15. Chief Denz re Resignation of Jaclyn Rupert as part-time public safety dispatcher
Motion by Councilman Hanley, seconded by Supervisor Meegan, to accept the resignation of part-time public safety dispatcher Jaclyn Rupert effective January 10, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.
Ayes: All Noes: None Motion Carried
17. Director of Finance re Sewer fund insurance allocation
Motion by Councilman Hanley, seconded by Supervisor Meegan, to adopt the following resolution for allocation of sewer fund insurance:

WHEREAS, during the year ended December 31, 2017 the town incurred general liability insurance expenses of \$429,360.29; and

1-C COMMUNICATIONS

17. (continued)

WHEREAS, the general liability insurance expense provides insurance coverage benefit to the Sewer Fund; and

WHEREAS, the Town Attorney estimates that \$60,000 of the annual payment is attributable to the Sewer Fund; and

WHEREAS, the Sewer Fund has available fund balance; now, therefore, be it

RESOLVED, the Town Board does hereby amend the 2017 Benefit Basis Budget to transfer appropriations of \$60,000 to account 003.8100.0425 to be funded through an increase in appropriated Sewer Fund fund balance of \$60,000; and be it further

RESOLVED, the Town Board authorizes allocation of \$60,000 of 2017 general liability insurance expenses to account 003.8100.0425.

Ayes: All

Noes: None

Motion Carried

18. Senior Recreation Therapist of Senior Services re Pay rate change for senior center staff

Motion by Councilman Hanley, seconded by Councilman Hart, to change the pay rate for the West Seneca Senior Center staff to \$12.50 per hour effective January 2, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel, noting the change in pay rate has been allocated in the 2018 annual budget and any new employee at the Senior Center will start at \$11 per hour.

Ayes: All

Noes: None

Motion Carried

19. Senior Recreation Therapist of Senior Services re Status change for Lee Ann Piniewski to seasonal

Motion by Councilman Hanley, seconded by Councilman Hart, to change the status of part-time food service worker Lee Ann Piniewski to part-time seasonal effective January 16 – March 31, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

1-C COMMUNICATIONS

20. Recreation Supervisor re
Adult Softball League

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the registration forms, fees & fee schedule along with the rules, regulations and policies for adult softball.

Ayes: All Noes: None Motion Carried

21. Recreation Supervisor re
Veterans Park Aquatics
Facility

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the opening/closing dates, admission policies, closing policies and hours of operation for the Veterans Park Aquatics Facility and further approve that residents with a resident ID card be admitted to the pool at no charge for public swim.

Ayes: All Noes: None Motion Carried

22. Recreation Supervisor re
Summer Swim Lessons

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the 2018 summer swim lessons.

Ayes: All Noes: None Motion Carried

23. Recreation Supervisor re
Summer Day Camp

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the program schedule, fees, parent handbook, policies and registration form for the 2018 Summer Day Camp.

On the question, Recreation Supervisor Lauren Masset stated the ages for camp this year will be 6 – 12 years and the number of campers reduced from 90 to 50. In the past, the camp was not filled to capacity and for budget reasons it was decided to reduce the camp size.

Ayes: All Noes: None Motion Carried

24. Recreation Supervisor re
Summer Fun Half Day Camp

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the Summer Fun Half Day Camp program and registration form.

Ayes: All Noes: None Motion Carried

1-C COMMUNICATIONS

25. Chief Denz re Attendance at ILEETA training conference

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize Captain Robert Sporysz and one additional officer to attend the International Law Enforcement Educators & Trainers Association (ILEETA) training conference March 19 – 23, 2018 in St. Louis, Missouri at a cost not to exceed \$3,200, noting this is an annual training conference and there is sufficient funds in the police training line (1.3120.0459) to cover this expense.

Ayes: All Noes: None Motion Carried

26. Councilman Hart re West Seneca Chamber of Commerce professional services agreement

Motion by Councilman Hanley, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to extend the West Seneca Chamber of Commerce professional services agreement for one year in the amount of \$15,000, noting pursuant to the agreement the West Seneca Chamber of Commerce will provide professional and technical skills to support the town by providing services to plan, organize, coordinate and implement a variety of development related operations.

On the question, Councilman Hart stated the Chamber of Commerce is acting as part-time development director and one of the main goals is to further develop the tax base in West Seneca. Senior Code Enforcement Officer John Gullo stated when a business inquires about expansion, the Chamber of Commerce works in hand with the Code Enforcement Office regarding the design standards and permitting process.

Ayes: All Noes: None Motion Carried

27. Town Justice re Attendance at Association of Towns Training Conference

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize Court Clerks Tammie Maurino and William Matalonis to attend the 2018 Association of Towns Training Conference in New York City, February 18 – 21, 2018 at a cost not to exceed \$1,500 per person.

Ayes: All Noes: None Motion Carried

1-C COMMUNICATIONS

28. Town Engineer re Purchase of sewer maintenance truck

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize the purchase of a new sewer maintenance truck in the amount of \$36,625.72, piggybacking on Onandaga County contract #7974 from line item #03.8100.0445.

Ayes: All Noes: None Motion Carried

29. Senior Code Enforcement Officer re Bid award for demolition of 32 Benson Avenue

Motion by Councilman Hanley, seconded by Supervisor Meegan, to award the bid for demolition of 32 Benson Avenue to Hannah Demolition at their low bid of \$15,000 plus any asbestos remediation work.

Ayes: All Noes: None Motion Carried

30. Highway Sup't. re Appointment of Matthew Northern as part-time Buildings & Grounds laborer

Motion by Councilman Hanley, seconded by Supervisor Meegan, to appoint Matthew Northern as part-time laborer in the Buildings & Grounds Department at a rate of \$10 per hour effective January 18, 2018 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All Noes: None Motion Carried

31. Councilman Hart re Community Center & Library Café & Coffee Shop

Motion by Councilman Hanley, seconded by Supervisor Meegan, to authorize the Supervisor to accept the proposal to operate a Spot Coffee Express Café in the Community Center & Library and authorize the Supervisor and Town Attorney to enter into negotiations executing a lease agreement with the operator.

Ayes: All Noes: None Motion Carried

1-D REPORTS

- Jacqueline A Felser, Town Clerk's report for December 2017 & year end 2017 and Receiver of Taxes 2017 year end report, received and filed.

1-E APPROVAL OF WARRANT

Motion by Councilman Hanley, seconded by Supervisor Meegan, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$220,507.78; Highway Fund - \$129,434.89; Special Districts - \$47,138.39; Capital Fund - \$169,893.88 (vouchers 102392 - 103532) Trust - \$403,456.10 (vouchers 103412 - 103426)

Ayes: All

Noes: None

Motion Carried

PRESENTATION OF COMMUNICATIONS BY BOARD MEMBERS AND DEPARTMENT HEADS

SENIOR RECREATION THERAPIST OF SENIOR SERVICES MARY JOSEFIK

- A representative from Congressman Higgins' office will be at the senior center tomorrow

RECREATION SUPERVISOR LAUREN MASSET

- Applications are being accepted for part-time rink guards
- Summer program registration begins February 1, 2018

COUNCILMAN HART

- Envision 2.0 presentation was given this morning on the comprehensive plan, economic purpose of the Community Center and Section 485-b business investment exemption

ISSUES OF THE PUBLIC

- A Covington Drive resident commented on the Blue Collar contract settlement and asked the following questions:
 - ✓ Who represented the town in the negotiations - Town Attorney John Fenz responded that he along with Supervisor Meegan, the Director of Human Resources and outside counsel represented the town.
 - ✓ Are funds available in the 2018 budget to cover the new agreement, what is the cost of the \$500 bonus and what is the projected amount of the two percent retroactive pay - Councilman Hart stated funds are available in the 2018 budget to cover the agreement and he has requested the cost from the Finance Department. Town Attorney John Fenz stated there are approximately 98 workers that will receive the \$500 and it is not a cumulative addition to their salary. The two percent increase for 2017 was covered in the 2017 budget and the two percent increase for 2018 was also budgeted.
 - ✓ Why did the town not change the work week to eliminate overtime issues - Town Attorney John Fenz stated that would be a major concession for the Blue Collar unit to make, but the number of holidays were reduced which reduces overtime. A major concession that was made is that the town finally has all employees contributing to their health insurance.

ISSUES OF THE PUBLIC

- ✓ Will members of the public be allowed to serve on the labor management committee – Town Attorney John Fenz stated members of the public cannot serve on the labor management committee due to confidential personnel issues.

- A Covington Drive resident referred to a comment at a previous meeting regarding formation of a budget committee and questioned the status and how to become a part of the committee. Councilman Hart responded that nothing has been done with the budget committee at this point.

- A West Seneca Kiwanis Club member thanked the Town Board for their approval of the arts & crafts festival and questioned if they will be allowed to use the area along Union Road. Councilman Hart stated he has no problem with the Kiwanis Club using the area along Union Road for the arts & crafts festival.

- A Union Road resident questioned if Detective Bebak's salary was reimbursed by the Drug Enforcement Agency and Chief Denz confirmed that it was.

- A Union Road resident stated he did not see the sewer fund allocation line item in the budget. Town Attorney John Fenz stated the resolution presented at this meeting created the line item.

- A Union Road resident stated in 2016 Moody's rated the town "strong" and in 2017 the rating was "satisfactory". He suggested this was a warning to the town. Councilman Hart stated the 2018 budget is in response to Moody's rating and that is the reason for the 8.5 percent increase. Much of the fund balance was used for Lexington Green and the November storm, but the fund balance is still considered strong at 13 percent of appropriations.

- A Union Road resident commented on the purchase of a new sewer department truck and questioned the need to pay extra for the deep blue color. Councilman Hanley stated he agreed and asked the same questions, but noted the bid was a very good price.

- A Carriage Park resident commented on the \$5.1 million bond for the library. Councilman Hart stated the gross budget is reduced by grants the town receives and authorization of the bond will bridge the gap until the money comes in from the grants. The grant money will be used to reduce or repay bonds.

- A Carriage Park resident stated the Mill Road bridge is in need of repair. Councilman Hart stated although the town plows the bridge it is a county bridge and he suggested contacting County Legislator Joseph Lorigo.

ISSUES OF THE PUBLIC

- A Cranwood Drive resident commented on resident I.D. card requirements, fees and hours for obtaining a card. Town Clerk Jacqueline Felser stated the Town Clerk's office issues resident I. D. cards and appointments can be made to obtain a card during extended office hours on the second and fourth Wednesday of each month.
- A Cranwood Drive resident commented on the liability insurance requirement for adult softball. Town Attorney John Fenz explained the insurance requirement is to protect the tax payers and the group using the field is required to obtain the insurance as it would be an unfair burden for the tax payers to pay for it.
- A Covington Drive resident asked the Town Board to allow the public to speak in the beginning of the meeting to address agenda items and again at the end of the meeting to address other items. Councilman Hart was not in favor and stated he is available by phone any time before the meeting. Councilman Hanley stated he believed the comments may be redundant and noted there is no requirement for any public comment at meetings.
- A Covington Drive resident questioned the cost of the Half Day Camp. Recreation Supervisor Lauren Masset stated the cost is \$65 for a resident and \$85 for a non-resident.
- A Covington Drive resident commented on the \$5.1 million additional for the Community Center & Library along with the change orders for Danforth and Frey Electric. Town Attorney John Fenz stated the change orders should be thought of as a written modification to the contract as they cover a change in the scope of work. Councilman Hart stated the work was originally going to be done by the town work force rather than contracted out, but the space is needed sooner than expected. There is no plan to finish the second floor at this time and the current plan is to use the second floor for storage only.
- A Burch Avenue resident questioned who is responsible for plowing the portion of Grace Street going into the plaza. Senior Code Enforcement Officer John Gullo responded the plaza owner is responsible.

ADJOURNMENT

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 8:45 P.M.

Ayes: All

Noes: None

Motion Carried


JACQUELINE A FELSER, TOWN CLERK

COLLECTIVE NEGOTIATIONS SETTLEMENT MEMORANDUM

The Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO on behalf of the CSEA Town of West Seneca Blue Collar Unit (hereinafter referred to as "The Union") and the Town of West Seneca (hereinafter referred to as "The Town") were parties to a collective negotiation which took place over the several months preceding date of this Memorandum. The parties' negotiating teams have reached a Tentative Agreement for a new collective bargaining agreement which they desire to record in this Memorandum.

The new collective bargaining agreement will include the terms of the expired collective bargaining agreement between the Union and the Town as modified by the terms of the attached Tentative Agreements.

DURATION

Modify Cover Page and all other applicable Article and Sections of the Collective Bargaining Agreement to reflect a five (5) year contract duration of January 1, 2016 through December 31, 2020.

LABOR-MANAGEMENT COMMITTEE

Amend Section 5.2 – "Labor Management" of the collective bargaining agreement as follows:

"(a) The Employer and the Union agree to establish a Labor Management Committee which will meet ~~at least bi-monthly~~ **regularly** to consider, among other pertinent items, methods of improving working and safety conditions and general Labor Management matters. This Committee will also work to give consideration to potential or existing employees' grievances and to joint Labor Management problems which may involve operating procedure and policies affecting the conduct of the Employer's business.

(b). The Labor Management Committee will meet at a ~~convenient and~~ **mutually** agreed upon **time and** location and the employee members will be paid only for their regularly scheduled hours of work so long as they are scheduled to be working at the time these meetings are held. The Union agrees that the employee members of this Committee shall be limited to a maximum of three (3). The Employer will -not be liable for any expenses incurred by Committee Members."

HOLIDAYS

Amend Section 6.1 – “Paid Holidays” of the collective bargaining agreement as follows:

All full-time employees shall be entitled to the following paid holidays:

Lincoln's Birthday	New Year's Day	Good Friday
Memorial Day	Washington's Birthday	Labor Day
Columbus Day	Independence Day	Veteran's Day
Thanksgiving Day	Election Day	Christmas Day
President's Day	Day After Thanksgiving	

In additional to the above schedule of paid holidays, bargaining unit employees shall also be entitled to one floating paid holiday annually, which may not be carried over to the following calendar year. Approval for the utilization of such floating paid holiday shall be governed by the same rules as personal leave.

If any such holiday shall fall on a Saturday, the preceding Friday shall be observed as such holiday. If any such holiday shall fall on a Sunday, the following Monday shall be observed as such holiday.

LONGEVITY

Amend Section 8.1 – “Longevity Pay” of the collective bargaining agreement as follows:

~~“Effective January 1, 2008,~~ Each employee covered under this contract shall receive a lump sum longevity payment each year, by separate check, on his anniversary date of hire in accordance with the following schedule:

YEARS OF SERVICE	2016	2017 & THEREAFTER
After five (5) years of service	\$ 650	\$ 850
After ten (10) years of service	\$ 700	\$ 900
After fifteen (15) years of service	\$ 900	\$1,100
After twenty (20) years of service	\$1,100	\$1,300
After twenty-five (25) years of service	\$1,200	\$1,400

SICK LEAVE

Amend Section 9.7 – “Personal Use of Sick Leave” of the collective bargaining agreement as follows:

“Sick leave is to be used only for personal illness, physician visits, hospital, or other medical treatment of an employee, but may be taken in only full day or half day increments.”

SICK LEAVE AT RETIREMENT

Amend Section 11.2 – “Procedure” of the collective bargaining agreement by adding the following as subsection (c):

“Should an employee die while actively employed, and therefore prior to his/her retirement date, the sum shall be paid to such employee’s estate.”

BEREAVMENT LEAVE

Amend Section 13.2 – “Immediate Family Defined” of the collective bargaining agreement as follows:

“(a). Immediate family for the purpose of Section 13.1 shall be deemed to include husband, wife, significant other residing in the employee’s household, son daughter, mother, father, brother, sister, grandfather, grandmother, grandchild, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, or any other relative permanently residing in the personal household in which the employee permanently resides.

“(b). Each employee shall be excused from regularly scheduled work for one (1) day to attend the funeral/memorial service for the employee’s aunt or uncle.”

HEALTH INSURANCE

Amend Section 15.2 – “Employee Contributions – Point of Service (POS) Option” of the collective bargaining agreement as follows:

~~“A. Employees hired prior to January 1, 2007: The Town will pay one hundred percent (100%) of the cost of the experience rated Point of Service (POS) plan, whether single or family.~~

~~B. Employees hired on or after January 1, 2007: Employees will be required to pay twenty percent (20%) of the premium cost for their first five (5) years of employment and fifteen (15%) of the premium cost for the sixth (6th) through tenth (10th) years of employment. Effective (Insert date of ratification), once the employee completes ten (10) years of Town service, the Employee shall contribute to health insurance premiums according to the following schedule. All Employee health insurance premium contributions shall be deducted on a pre-tax basis. Town shall pay one hundred (100%) percent of the premium cost, whether single or family.~~

<u>Year</u>	<u>Single Coverage</u>	<u>Family Coverage</u>
<u>2018</u>	<u>\$11.53 per pay period (26</u>	<u>\$19.23 per pay period (26</u>

	<u>Pay Periods)</u>	<u>Pay Periods)</u>
<u>2019</u>	<u>\$15.38 per pay period (26 Pay Periods)</u>	<u>\$26.92 per pay period (26 Pay Periods)</u>
<u>2020</u>	<u>\$19.23 per pay period (26 Pay Periods)</u>	<u>\$38.46 per pay period (26 Pay Periods)</u>

”

Amend Section 15.3 – “Employee Contributions – BC/BS Experience Rated Traditional Option” of the collective bargaining agreement as follows:

“A. ~~Employees hired prior to January 1, 1994 2007: The Town will pay one hundred percent (100%) of the cost of the BC/BS experience rated Traditional Option, whether single or family.~~ **Effective (Insert Date of Ratification), Employees selecting Traditional coverage shall contribute to health insurance premiums according to the following schedule. All Employee health insurance premium contributions shall be deducted on a pre-tax basis.**

<u>Year</u>	<u>Single Coverage</u>	<u>Family Coverage</u>
<u>2018</u>	<u>\$23.07 per pay period (26 Pay Periods)</u>	<u>\$38.46 per pay period (26 Pay Periods)</u>
<u>2019</u>	<u>\$28.85 per pay period (26 Pay Periods)</u>	<u>\$46.15 per pay period (26 Pay Periods)</u>
<u>2020</u>	<u>\$34.62 per pay period (26 Pay Periods)</u>	<u>\$57.69 per pay period (26 Pay Periods)</u>

~~B. Employees hired on or after January 1, 1994 but prior to January 1, 2007: Employees selecting Traditional coverage shall be required to pay the full difference in the premium cost of the plan selected and the Town's share of the premium cost of the POS Plan.~~

~~C. B. Employees hired on or after January 1, 2007: Employees shall not be allowed to elect coverage under the Traditional Plan.~~

C. For all of those employees eligible for coverage under the Traditional 901 plan as of [insert date of ratification], the Town will offer a one-time payment of three-thousand dollars (\$3,000) in exchange for the permanent forfeiture of their right to participate in the Traditional 901 Plan.

HEALTH INSURANCE UPON RETIREMENT

Modify Article 15 – “Health and Welfare”, Section 15.7 – “Health Insurance Upon Retirement” of the collective bargaining agreement as follows:

Employees who retire on January 1, 2003 and after with a New York State service or disability pension shall have the option of participating in a health insurance plan upon retirement. The foregoing shall apply to retirees who retire after the age 55, except for employees who receive

New York State Disability Retirement who shall be eligible upon their approved retirement. This provision shall be applied prospectively only.

Any individual who retired during the life of the January 1, 2003 to December 31, 2007 collective bargaining agreement may elect to receive health insurance under this section; however, the retiree shall then be required to participate in the BC/BS Senior Blue Point of Service upon reaching age sixty-five (65) or whatever Medicare eligible age then in effect.

Prior to reaching age sixty-five (65), a retiree shall have the option of participating in a Point of Service (POS) Plan provided for in this agreement at no cost to the retiree, whether single or family plan.

Prior to reaching age sixty-five (65), a retiree shall have the option of participating in the Traditional **901** Plan provided for in this agreement at no cost to the retiree, whether single or family plan, provided he/she was hired prior to January 1, 1994, **and has not forfeited his right to participate in the Traditional 901 Plan in exchange for payment. Employees hired on or after January 1, 1994 and on or before June 30, 2007, who have not forfeited their right to participate in the Traditional 901 Plan in exchange for payment, may elect coverage under the Traditional 901 Plan on the following terms:** he/she shall be required to pay ten (10%) percent of the premium cost of the Traditional plan or the full difference in the premium cost of the plan selected and the Town's share of the premium cost of the Point of Service (POS) Plan, whichever is less. If the retiree was hired on or after July 1, 2007, he/she shall not be allowed to opt for coverage under the Traditional Plan. This provision shall be applied prospectively.

Employees hired after (insert date of ratification) shall be responsible for continuing the same health insurance premium contribution in retirement that they are responsible for on their last day of employment prior to retirement.

A retired member, upon reaching the age 65 years, must avail him/herself of coverage under Medicare Parts A and B in lieu of full coverage under Blue Cross and Blue Shield Traditional Plan or Point of Service (POS) Plan. For those employees who retire on January 1, 2003 and after and have retiree health insurance through the Town, upon reaching age sixty-five (65), or whatever Medicare eligible age then in effect, the Town will reimburse the retiree for the cost of Medicare Part B for those retirees electing coverage under the BC/BS Senior Blue Point of Service (POS) Plan or the BC/BS Senior Blue Preferred Provider Organization (PPO) Plan. **Employees hired after (insert date of ratification) shall not be eligible for such Medicare Part B reimbursement from the employer.** The Town will also reimburse the retiree and spouse up to \$1,200 per year for the cost of co-payments and deductibles. This shall become effective when the new BC/BS Senior Blue Plans are offered and selected by the retiree.

When the Summary of Benefits for the BC/BS Senior Blue Point of Service (POS) and BC/BS Preferred Provider Organization (PPO) Plans are formulated, portable, and comparable to the current level of benefits, the parties agree to implement supplemental coverage. Once the BC/BS Senior Blue Plan(s) are implemented, any individual who retired on January 1, 2003 or after shall no longer be eligible to receive the BC/BS POS or BC/BS Traditional coverage. When available, the Town and Union agree to negotiate the impact of the implementation of such plan:

in that negotiations the sole issue shall be the amount that the Town will reimburse for co-payments and deductibles with the potential maximum being \$1,400 per year.

In the event a member is not eligible for Medicare coverage by age 65, the provisions of Section 15.1 shall be provided until such member becomes eligible for Medicare. In the event a member, upon reaching the age 65 years, is not eligible for the BC/BS Senior Blue PPO Plan because he/she resides out-of-state, the Town will reimburse the retiree for the cost of other coverage up to the Town's share of the premium cost of the plan provided to retirees residing in the Town.

It is understood that there will be a three-tier prescription co-payment for the BC/BS experience rated Point of Service (POS) Plan and the BC/BS experience rated Preferred Provider Organization (PPO) for retiree coverage, with a \$5.00 co-payment for generic drugs.

If after an employee has retired and is then able to secure other health insurance coverage equal or superior to the coverage contained herein, at no cost to the retiree, the coverage provided herein shall terminate. If the retiree has availed him/herself of other health insurance coverage, and after retirement said retiree is no longer able to participate in that alternate health care program, or said coverage is either not equal to, or is inferior to, the coverage herein provided, the retiree shall be permitted to return to the group in accordance with the formula established above.

UNION LEAVE

Amend Section 21.3 – “Union Leave” of the collective bargaining agreement as follows:

“The Town shall allow the President or his designee ~~eight (8)~~ eleven (11) days off without loss of pay or benefits to attend Union meetings and conventions.

SALARY INCREASES

Amend Section 25.1 – “Increases” of the collective bargaining agreement by applying the following across the board salary increases:

Effective January 1, 2016	\$500 non-cumulative lump sum bonus
Effective January 1, 2017	Two Percent (2.00%) (fully retroactive)
Effective January 1, 2018	Two and One-Half Percent (2.50%)
Effective January 1, 2019	Two and Three-Quarter Percent (2.75%)
Effective January 1, 2020	Three Percent (3.00%)

MEAL ALLOWANCE

Amend Section 25.3 – “Meal Allowance” of the collective bargaining agreement as follows:

“A ~~five-dollar (\$5.00)~~ **ten-dollar (\$10.00)** meal allowance will be paid to all employees who work more than five (5) consecutive hours of overtime **on a call-in basis**. Meal allowance will not be paid for overtime which scheduled, **or which is made as a continuation of the normal work shift**, and for which the employee has received at least one (1) hours’ notice. ~~The one (1) hours’ notice clause shall not apply if the overtime is contiguous to an employee’s regular eight (8) hour work shift.~~”

SHOE AND SAFETY APPROVED APPAREL ALLOWANCE

Amend Section 25.4 – “Shoe and Safety Approved Apparel Allowance” of the collective bargaining agreement as follows:

“The Town of West Seneca will allow all its employees covered by the bargaining unit a ~~seventy-five-dollar (\$75.00)~~ **one-hundred seventy-five dollar (\$175.00)** per year shoe **and/or safety approved work apparel** allotment upon submission of a paid receipt for ~~an~~ **such approved shoe or safety approved work apparel. The Town shall continue to maintain accounts with its current vendors, allowing employees to direct order approved shoes and/or safety approved work apparel. Any change in vendors shall be mutually discussed and agreed upon.**”

APPENDIX A

Where an Article in Appendix A is identical to the corresponding Article in the collective bargaining agreement, any agreed change to said Article will also be applicable to the corresponding Article in Appendix A.

POST 01/01/2011 EMPLOYEES

Effective January 1, 2018, modify the Salary Schedule for employees hired on or after January 1, 2011 to add Step 8 and Step 9, with Step 9 mirroring the Salary equivalent of Step 5 on the Salary Schedule for employees hired prior to January 1, 2011. Additionally, effective January 1, 2018, modify the Salary Schedule for employees hired on or after January 1, 2011 in the titles of Sanitation MEO and Sanitation Laborer by adding Step 2 and Step 3, with Step 3 mirroring the Salary equivalent of the Sanitation MEO and Sanitation Laborer rate for employees hired prior to January 1, 2011. (2018 Post January 1, 2011 Salary Schedule attached to this Memorandum)

FORMER WHITE COLLAR EMPLOYEES

The parties agree to meet within sixty (60) days following the successful ratification of this agreement to renegotiate the terms of the Memorandum of Agreement that placed the Former White Collar Employees into the Blue-Collar Contract.

The terms of the new agreement, as hereinabove described, shall not become final and binding on the parties until both of the following have occurred:

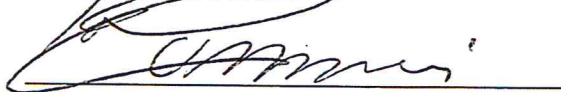
- (a) The Union has delivered notice to the Supervisor of the Town that the membership of the Union, acting in conformance with all applicable rules of the Union, has approved the terms of the new agreement.
- (b) After receipt of the notice referred to in (a) above, the Town Board has approved the terms of the new agreement.

The undersigned representatives of the parties and the respective negotiating teams of the parties each and all agree to urge their respective principals to give, as promptly as practicable, the approvals referred to in subparagraphs (a) and (b) above.

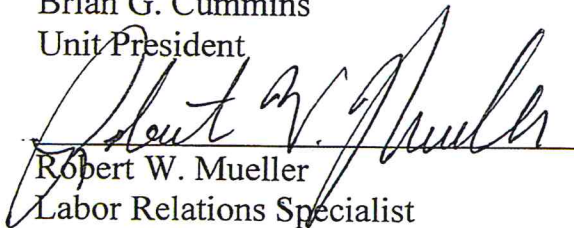
As soon as practicable after the approvals referred to in the preceding paragraph have been given, a new written agreement containing the terms as hereinabove set forth shall be prepared and executed by authorized representatives of the Union and the Town.

IN WITNESS WHEREOF, the duly authorized representatives of the parties have signed their names below this 14th day of December of 2017.

FOR THE UNION

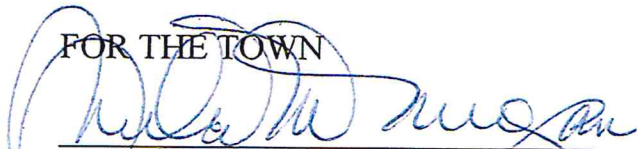


Brian G. Cummins
Unit President

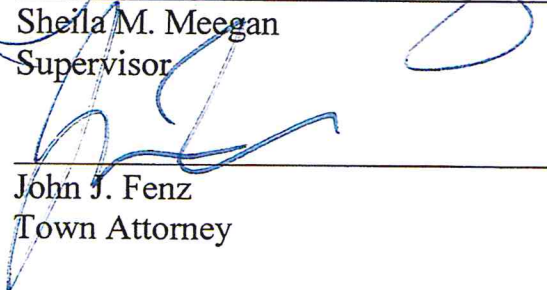


Robert W. Mueller
Labor Relations Specialist

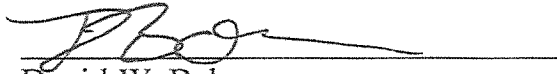
FOR THE TOWN



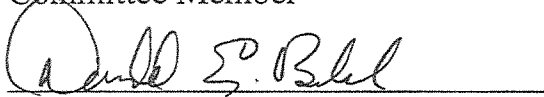
Sheila M. Meegan
Supervisor



John J. Fenz
Town Attorney



David W. Baker
Committee Member



Donald E. Bebak
Committee Member



Mark V. Kerner
Committee Member

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 January 18, 2018

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

ABSENT: None

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

BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AUTHORIZING ADDITIONAL FINANCING FOR PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF AN ADDITION TO THE PUBLIC LIBRARY BUILDING; ESTIMATING THAT THE TOTAL COST THEREOF IS \$14,932,045; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$5,100,000 SERIAL BONDS OF THE TOWN TO FINANCE A PORTION OF SAID APPROPRIATION, IN ADDITION TO THE \$8,432,045 PREVIOUSLY AUTHORIZED AND APPLICATION OF \$1,400,000 OF ENERGY PERFORMANCE CONTRACT FUNDING AND \$1,625,117 GRANT FUNDS EXPECTED TO BE RECEIVED FROM THE STATE OF NEW YORK TO BE EXPENDED TOWARDS THE COST OF SAID OBJECT OR PURPOSE OR REDEMPTION OF THE TOWN'S OBLIGATIONS ISSUED THEREFOR, OR TO BE BUDGETED AS AN OFFSET TO THE TAXES FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SAID BONDS

WHEREAS, the Town Board of the Town of West Seneca (the "Town") proposes to authorize the partial reconstruction of and construction of an addition to the Public Library building at 1300 Union Road, to be financed through the issuance of serial bonds of the Town; application of energy performance contract funding and any grant funds expected to be received from the State of New York; and

WHEREAS, such public improvements constitute an "Unlisted" 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 this resolution.

WHEREAS, the Town Board of the Town now wishes to appropriate funds for the Project and to authorize the issuance of the Town's serial bonds or bond anticipation notes and application of other funding resources 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 issue up to \$5,100,000 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 provide additional financing for the partial reconstruction of and construction of an addition to the Public Library building at 1300 Union Road, including (i) renovation of the existing approximately 8,100 square feet library space to house community recreation and support space along with storage space, new restrooms and renovated mechanical rooms; (ii) addition of approximately 22,500 square feet of newly constructed space to house new library and support services, a maker space and study rooms, a children's library and associated support space, shell space for a café and café support, flexible assembly space, leasable office space, office space for the Town, circulation space, toilet rooms and associated mechanical spaces, (iii) site work for the relocation of the veterans memorial along with new veteran's memorial space, and (iv) creation of a new drop off area for book returns. It is hereby determined that the maximum estimated cost of the aforementioned objects or purposes is \$14,932,045; said amount is hereby appropriated therefor and the plan of financing thereof shall include the issuance of up to \$5,100,000 in serial bonds of the Town to finance a portion of said appropriation, in addition to the \$8,432,045 bonds previously authorized pursuant to the bond resolution adopted by the Town Board on May 23, 2016, and any bond anticipation notes issued in anticipation of the sale of such bonds, application of \$1,400,000 funding from the Equipment Lease/Purchase Agreement dated as of February 12, 2016 between Banc of America Public Capital Corp. and the Town related to the Energy Performance Contract dated November 15, 2014 between John W. Danforth Company and the Town, as amended; and application of \$1,625,117 grant funds expected to be received from the State of New York to be expended towards the cost of said object or purpose or redemption of the Town's obligations issued therefor, or to be budgeted as an offset to the taxes for the payment of 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 described in Section 1 is twenty -five (25) years, pursuant to subdivision a. 12(a)(1) of Section 11.00 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. Pursuant to subdivision b. of Section 35.00 of the Law, this resolution is subject to a permissive referendum in the manner prescribed by Article Seven of the Town Law of the State of New York (the "Town Law"). The Town Clerk is hereby authorized and directed, within ten (10) days after the date of adoption of this resolution, to post and publish a notice satisfying the requirements of Section 90 of the Town Law, which shall set forth the date of adoption of this resolution, shall contain an abstract hereof, and shall specify that this resolution was adopted subject to a permissive referendum. Such notice shall be published in the official newspaper of the Town for such purpose.

SECTION 12. This resolution shall take effect thirty (30) days after the date of its adoption or, if within such thirty (30) day period there is filed with the Town Clerk a petition subscribed and acknowledged by the number of qualified electors of the Town required by Section 91 of the Town Law and in the manner specified in such Section, if approved by the affirmative vote of a majority of such qualified electors voting on a proposition for its approval. 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 full 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 13. 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: All

NAYS: None