

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 November 9, 2020

PRESENT: Gary A. Dickson, Supervisor
William J. Bauer, Councilman
Joseph J. Cantafio, Councilman
William P Hanley Jr., Councilman
Jeffrey Piekarac, Councilman

ABSENT:

The following resolution was offered by _____, who moved its adoption, seconded by _____, to-wit:

RESOLUTION OF THE TOWN OF WEST SENECA, NEW YORK, ADOPTED NOVEMBER 9, 2020, DELEGATING TO THE TOWN SUPERVISOR THE POWERS TO AUTHORIZE THE ISSUANCE OF \$600,000 DEFICIENCY NOTES OF THE TOWN, OR SO MUCH THEREOF AS MAY BE NECESSARY, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

BE IT ENACTED BY THE BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), the power to authorize the issuance of Deficiency Notes (herein called "Notes") of the Town of West Seneca, Erie County, New York (herein called the "Town"), in the aggregate principal amount of not to exceed \$600,000, and any notes in renewal thereof, is hereby delegated to the Town Supervisor, as chief fiscal officer of the Town.

Section 2. The following additional matters are hereby determined and declared:

(a) The Notes shall be issued for the specific object or purpose of covering a deficiency in the General Fund, for which no other source of financing is available, arising from revenues being less than the amounts estimated in the budget for the current fiscal year of the Town due to the adverse economic effects of the COVID-19 epidemic.

(b) The Notes, including renewals thereof, shall mature on such date or dates as are determined by the Town Supervisor, as Chief Fiscal Officer of the Town, in accordance with the delegation of authority contained in Section 3 hereof, provided however that such deficiency notes, including renewals thereof, shall mature not later than the applicable period provided in Section 29.20 of the Law.

Section 3. The Notes shall contain the recital of validity prescribed by Section 52.00 of the Law and shall be general obligations of the Town, and the faith and credit of the Town shall be pledged to the punctual payment of the principal of and interest on the Notes and, unless the Notes are otherwise paid or payment provided for, an amount(s) sufficient for such payment shall be inserted in the Fiscal Year 2021 and/or 2022 budget(s) of the Town and a tax sufficient to provide for the payment thereof shall be levied and collected.

Section 4. Subject to the provisions of this Resolution and the Law, and pursuant to Sections 50.00, 56.00, 60.00, and 168.00 of the Law, inclusive, the powers to prescribe the terms, form and contents, and all other powers or duties pertaining or incidental to the sale and issuance of the Notes authorized pursuant hereto, or any renewals thereof, and the power to enter into agreements for credit enhancement for the Notes, are hereby delegated to the Town Supervisor, as chief fiscal officer of the Town.

Section 5. 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 November 9, 2020, 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 November 9, 2020 and entitled:

RESOLUTION OF THE TOWN OF WEST SENECA, NEW YORK, ADOPTED NOVEMBER 9, 2020, DELEGATING TO THE TOWN SUPERVISOR THE POWERS TO AUTHORIZE THE ISSUANCE OF \$600,000 DEFICIENCY NOTES OF THE TOWN, OR SO MUCH THEREOF AS MAY BE NECESSARY, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND TO PRESCRIBE THE TERMS, FORM AND CONTENTS, AND PROVIDE FOR THE SALE AND CREDIT ENHANCEMENT OF SUCH NOTES.

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 (3/5 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 ____ day of November, 2020.

[SEAL]

Amy M. Kobler, Town Clerk