

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 _____ and seconded by Councilperson _____, and the vote thereon was as follows:

SEP 16 2013
16.

Supervisor Meegan voted _____

Councilman Rusinski voted _____

Councilman Hart voted _____

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