



**10-B LEGAL ITEMS**

2. Proofs of publication and posting of legal notice: "OF THE ADOPTED CHANGE IN THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 140, 144, 154, 158, 160 & 162 SLADE AVENUE, BEING PART OF LOT NO. 292, CHANGING ITS CLASSIFICATION FROM C-1 TO C-2(S) FOR CONSTRUCTION OF A 3-STORY, 27,700 SF MIXED USE BUILDING TO HOUSE RETAIL/RESTAURANT, COMMERCIAL OFFICE AND RESIDENTIAL SPACE" in the Town of West Seneca, received and filed.
3. Proofs of publication and posting of legal notice: "OF THE ADOPTED CHANGE IN THE ZONING ORDINANCE FOR PROPERTY LOCATED AT 1926, 1934 & 1954 UNION ROAD AND 1371 & 1377 INDIAN CHURCH ROAD, BEING LOT NOS. 78 & 79 AND PART OF LOT NOS. 80, 81 & 82, CHANGING ITS CLASSIFICATION FROM C-1 TO C-2 FOR A RESTAURANT AND SEPARATE RETAIL BUILDING" in the Town of West Seneca, received and filed.

**10-C COMMUNICATIONS**

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|---|--|
| 1. Supervisor Meegan re Termination of Edwin Klubek                         | Motion by Supervisor Meegan, seconded by Councilman Hart, to terminate Edwin Klubek as Heavy Motor Equipment Operator in the Highway Department due to his passing on May 3, 2016 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 Appointments to Board of Electrician Examiners      | Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Ed Simoncelli and Bob McDonald to the Board of Electrician Examiners for a two year term with no monetary compensation.   |
|   | Ayes: All                      Noes: None                      Motion Carried  |
| 3. Town Attorney re Community Center & Library Project – SEQR determination | Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached SEQR determination resolution regarding the West Seneca Community Center and Library Project.  |
|   | Ayes: All                      Noes: None                      Motion Carried<br>*APPENDICES*  |

**10-C COMMUNICATIONS**

4. Town Attorney re Community Center & Library Project – Bond resolution
- Motion by Supervisor Meegan, seconded by Councilman Hart, to adopt the attached bond resolution regarding the partial reconstruction of and construction of an addition to the public library building.

Ayes: All                      Noes: None                      Motion Carried  
\*APPENDICES\*

5. Town Attorney re Public hearing for proposed Local Laws 9, 10, & 11
- Motion by Supervisor Meegan, seconded by Councilman Hart, to schedule a public hearing for June 20, 2016 at 7:00 P.M. to hear all persons interested in the following Local Laws No. 9, 10 and 11:

- Local Law No. 9: Amendment to Ch. 87 Peddling, Soliciting, Transient Business, and Mobile Food Vending
- Local Law No. 10: Amendment to Ch. 92: Property Maintenance, Addition of Sidewalk Maintenance Ordinance
- Local Law No. 11: Self-Imposed Limit for Net Operating Expenditures

On the question, Senior Code Enforcement Officer John Gullo stated the sidewalk maintenance amendment will allow the town to make a repair and put the cost on the property owner's tax bill to make it more affordable for them.

Town Attorney John Fenz commented the amendment to the solicitor ordinance will change both the time for soliciting and the fees. He further stated Local Law No. 11 is designed to limit those net operating expenditures over which the town has direct control, including payroll and normal operating expenses. Capital expenditures, health insurance and unfunded mandates are items the Town Board has no control over.

Ayes: All                      Noes: None                      Motion Carried

6. Town Attorney re Agreement with Steinmetz Planning Group
- Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Steinmetz Planning Group which incorporates the terms of the attached Design Standards & Guidelines Proposal, noting the agreement will be subject to legal review and the scope of work will be completed in an amount not to exceed \$22,000.

Ayes: All                      Noes: None                      Motion Carried  
\*APPENDICES\*

**10-C COMMUNICATIONS**

7. Town Attorney re Bid date for concession services at town owned facilities

Motion by Supervisor Meegan, seconded by Councilman Hart, to set a bid date of June 15, 2016 at 10:00 A.M. for receipt of bids on the concession services contract for town owned facilities, noting this item is being resubmitted as no bids were received on the previous request.

On the question, Supervisor Meegan suggested the possibility of using vending machines at the ice rink rather than a concession stand.

Ayes: All                      Noes: None                      Motion Carried

8. Grantwriter re Application for grant funds for West Seneca Youth Bureau

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the attached resolution to authorize and direct Grantwriter Connie Miner to complete the necessary application, forms, etc. to be submitted to the Erie County Youth Bureau for the purpose of securing a grant for the West Seneca Youth Bureau.

Ayes: All                      Noes: None                      Motion Carried  
\*APPENDICES\*

9. Highway Sup't re Termination of Phillip Steffan

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Phillip Steffan as full-time Laborer in the Highway Department effective May 13, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

10. Highway Sup't re Appointment of Madelyn Sheehan as part-time seasonal laborer in Highway

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Madelyn Sheehan as part-time seasonal laborer in the Highway Department at a rate of \$10 per hour effective May 24 - September 2, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

**10-C COMMUNICATIONS**

11. Highway Sup't re  
Appointment of part-time  
seasonal laborers in Buildings  
& Grounds Dept.

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint the following part-time seasonal laborers in the Buildings & Grounds Department at a rate of \$9 per hour effective May 24 – September 15, 2016 contingent upon the passing of drug and alcohol testing and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ryan Czekaj  
Evan Kennedy

Ryan Greeley  
Tyler O'Neil

Liam Kelly  
Tyler Perna

Wayne Kelm  
Joseph Reville

Ayes: All

Noes: None

Motion Carried

12. Chief Denz re Budget  
transfer request

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve the following budget transfer of \$7,046.64 from Community Policing Programs Acct. #1.3120.0164 to the following:

Captain Acct. #1.3120.0150	\$1,499.98
Detective Acct. #1.3120.0153	\$2,168.42
Police Officer Acct. #1.3120.0154	\$ 633.20
Police Lt. Acct. #1.3120.0161	\$1,904.34
Police Det. Lt. Acct. #1.3120.0163	\$ 840.70

Ayes: All

Noes: None

Motion Carried

13. Senior Code Enforcement  
Officer re Electronic message  
board at 935 Harlem Road

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve an electronic message board for Holidays at 935 Harlem Road, noting the sign meets the electronic sign ordinance requirements and has received a variance from the Zoning Board of Appeals.

On the question, Senior Code Enforcement Officer John Gullo stated he was in receipt of an email from the property owner of 905 Harlem Road who had no objections to the electronic message board. All required signatures have been submitted.

Ayes: All

Noes: None

Motion Carried

**10-C COMMUNICATIONS**

14. Senior Code Enforcement Officer re Restricted use permit for Motorcycle Safety School

Motion by Supervisor Meegan, seconded by Councilman Hart, to approve a modification to the restricted use permit for Motorcycle Safety School located at 1600 North America Drive to allow an earlier start time beginning at 7:15 A.M., noting the industrial park is a 24/7 operation and there have been no complaints.

On the question, Councilman Hanley questioned the need for starting the motorcycles earlier than the classes begin. An employee of the school responded they need to start the motorcycles earlier to ensure they are safe for the students.

Ayes: All                      Noes: None                      Motion Carried

15. Sr. Code Enforcement Officer re Appointments to the Industrial & Commercial Incentive Board

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Amy Carpenter, Karl Spencer, Amy Thompson and Mike Zekas to the Industrial and Commercial Incentive Board with no monetary compensation.

On the question,

Motion by Councilman Hart, seconded by Councilman Hanley, to amend the motion and appoint Amy Carpenter, Karl Spencer, Amy Thompson and Mike Zekas to the Industrial and Commercial Incentive Board with no monetary compensation, noting this is an advisory board.

Ayes: All                      Noes: None                      Motion Carried

16. Sr. Code Enforcement Officer re Appointments to Design Standards Advisory Committee

Motion by Supervisor Meegan, seconded by Councilman Hart, to appoint Bill Bauer, Joe Frontera and Amy Kobler to the Design Standards Advisory Committee with no monetary compensation.

On the question, Senior Code Enforcement Officer John Gullo stated the committees will run simultaneously but separately and work with Steinmetz Planning Group. An organizational meeting will be held to set the guidelines, goals and expectations.

Town Attorney John Fenz stated adoption of design standards will be incorporated into the Town Code and a public hearing is required to adopt the local law.

Ayes: All                      Noes: None                      Motion Carried

**10-C COMMUNICATIONS**

17. Finance Department re  
Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve a budget transfer of \$800 from Contingent Acct. #1.1990.0480 to Professional Agent Fees Acct. #1.1380.0451 to cover fiscal agent fees to CMA.

Ayes: All                      Noes: None                      Motion Carried

18. Town Justices re  
Appointment of William  
Matalonis as full time Court  
Clerk

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint William Matalonis as full-time Court Clerk at an annual salary of \$30,875.42 effective May 31, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

On the question, Councilman Hart stated Mr. Matalonis was hired from a civil service list for this position. He is not a town resident, but is required to relocate to West Seneca within six months of his appointment in accordance with the white collar contract.

Ayes: All                      Noes: None                      Motion Carried

19. Youth Service Coordinator re  
Termination of Nathaniel  
Osmond as Recreation  
Supervisor

Motion by Supervisor Meegan, seconded by Councilman Hanley, to terminate Nathaniel Osmond as part-time Recreation Supervisor effective May 24, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

20. Youth Service Coordinator re  
Appointment of Matthew  
Skrzypczyk as Recreation  
Supervisor

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Matthew Skrzypczyk as part-time seasonal Recreation Supervisor at a rate of \$13 per hour effective May 24, 2016 to be paid from Acct. #1.7180.0100 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

**10-C COMMUNICATIONS**

21. Youth Service Coordinator re Appointment of Caitlyn Demma as Recreation Attendant

Motion by Supervisor Meegan, seconded by Councilman Hanley, to reappoint Caitlyn Demma as part-time seasonal Recreation Attendant at a rate of \$10 per hour effective May 24, 2016 and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All                      Noes: None                      Motion Carried

22. Youth Service Coordinator re Trinity Lutheran Church Field agreement

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 School for their annual Field Day at Firemen's Park on June 3, 2016.

Ayes: All                      Noes: None                      Motion Carried

23. Youth Service Coordinator re St. John Vianney annual 5K run agreement

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with St. John Vianney Roman Catholic Church for their annual 5K run to be held on July 21, 2016.

Ayes: All                      Noes: None                      Motion Carried

24. Youth Service Coordinator re West Seneca PBA Blue Mile run agreement

Motion by Supervisor Meegan, seconded by Councilman Hanley, to authorize the Supervisor to execute the necessary documents to enter into an agreement with the West Seneca PBA for their annual Blue Mile to be held July 20, 2016.

Ayes: All                      Noes: None                      Motion Carried

25. Youth Service Coordinator re Western New York Flash agreement for use of soccer complex

Motion by Supervisor Meegan, seconded by Councilman Hart, to authorize the Supervisor to execute the necessary documents to enter into an agreement with Western New York Flash for use of the West Seneca Soccer Complex.

Ayes: All                      Noes: None                      Motion Carried



**10-C COMMUNICATIONS**

26. Finance Department re  
Budget transfer request

Motion by Supervisor Meegan, seconded by Councilman Hanley, to adopt the following resolution authorizing a budget transfer for the professional services proposal for design criteria:

WHEREAS, the Town Board has received and reviewed a proposal for professional services related to design criteria for the Design Standards Advisory Board; and

WHEREAS, the proposal from Steinmetz Planning Group dated May 3, 2016 with expenses shall not exceed \$22,000; and

WHEREAS, Steinmetz Planning Group is considered the best value for these professional services due to its specialized expertise and knowledge of the Town of West Seneca obtained when preparing the Master Plan that was adopted April 25, 2016; and

WHEREAS, the Town has available funds within its contingent account #001.1990.0480.0000; now, therefore, be it

RESOLVED, that the Town Board does hereby authorize the transfer of \$22,000 from the General Fund Contingency Account 001.1990.0480.0000 to the Economic Opportunity and Development Grant Account 001.6989.0451.0000 to fund expenses related to the proposal from John E. Steinmetz associated with the design criteria for the Town Center.

Ayes: All

Noes: None

Motion Carried

27. Senior Recreation Therapist  
of Senior Services re  
Appointment of van drivers

Motion by Supervisor Meegan, seconded by Councilman Hanley, to appoint Kevin Bond and William Waszkielewicz as part-time van drivers effective May 23, 2016 at a rate of \$9.50 per hour and authorize the Supervisor to complete and sign the necessary forms for Erie County Personnel.

Ayes: All

Noes: None

Motion Carried

**10-D APPROVAL OF WARRANT**

Motion by Supervisor Meegan, seconded by Councilman Hanley, to approve the vouchers submitted for audit, chargeable to the respective funds as follows: General Fund - \$432,026.96; Highway Fund - \$170,015.02; Special Districts - \$43,532.79; Capital Fund - \$249,154.21 (vouchers 93540 - 94459); Trust Fund - \$48,348.20 (vouchers 94314 - 94369)

Ayes: All

Noes: None

Motion Carried

**ISSUES OF THE PUBLIC**

**LIBRARY/COMMUNITY CENTER PROJECT**

Nora Mikes stated she was extremely disappointed that bonding for the library construction was approved without additional opportunity for public input, that there will be no public input at the newly formed advisory board meetings until there is a public hearing and that Steinmetz Planning Group is based in Rochester and not West Seneca.

Scott Dobe supported the plan for the library construction and questioned when the groundbreaking will happen and what residents can do to help facilitate the project.

Supervisor Meegan anticipated the groundbreaking to be in July and stated Danforth is currently working on the boilers and insulated roofing material for the existing building under the energy performance contract.

Karl Spencer supported the library/community center construction and commented it is an investment in the future of the town and its children.

Councilman Hart commented on the features the community center will have when completed and noted the coffee shop component and office space for the Chamber of Commerce will bring in revenue to help pay down the debt.

**USE OF SOCCER COMPLEX**

Frank Russo questioned the WNY Flash organization and the cost of the Oddenbach Tournament to the town, noting the size of the tournament has outgrown the capacity of the soccer complex and causes problems with traffic.

Youth Service Coordinator Lauren Masset responded WNY Flash is a soccer academy that partners with the West Seneca Soccer Club and will be using the soccer complex throughout the summer at a cost of \$7000. She further stated the town receives \$3000 or \$4000 for the Oddenbach Tournament's use of the soccer complex.

Town Attorney John Fenz also advised new contracts and fees charged to event holders will address the cost of overtime and other costs.

**RECENT HIRES**

Frank Russo referred to the recent hire of a laborer in Buildings & Grounds Department and questioned if it was necessary.

Councilman Hanley responded the department head demonstrated a need to fill the position.

**ISSUES OF THE PUBLIC**

**RECENT HIRES** (continued)

Supervisor Meegan commented on the number of parks that were added over the years while the number of employees in that department remained the same.

Mr. Russo further referred to a recent appointment in the Sewer Department and questioned the rate of pay.

Supervisor Meegan responded there was a transfer between the Highway Department and Sewer Department. The individuals involved are long time employees and the rate is correct.

**TRAFFIC SITUATION AT ST JUDE TERRACE & FRENCH LEA ROAD**

George DiPiano commented on a traffic situation at the corner of St Jude Terrace and French Lea Road and suggested "no parking" signs be posted. Supervisor Meegan referred Mr. DiPiano's concern to the Traffic Committee.

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

**CPR TRAINING**

Senior Code Enforcement Officer John Gullo commented about 25 people attended the CPR training held the previous week at the senior center.

**RECREATION PROGRAM UPDATES**

Youth Service Coordinator Lauren Masset stated summer day camp is full and there is a wait list. They are still taking registration for the half day Summer Fun program and swim lessons. The pool is staffed and they are still interviewing for day camp positions. Ms. Masset further noted the Recreation Department is seeking sponsors for the Movie in the Park events.

**COMPUTERS NEEDED AT SENIOR CENTER**

Senior Recreation Therapist of Senior Services Mary Josefiak stated a need for computers in the lab at the senior center, noting they only have three that work and she has asked Senator Gallivan and Assemblyman Kearns for their assistance. Councilman Hart stated he also sees the need to replace/update the equipment and would like to discuss funding options with the board members. Supervisor Meegan agreed with the need to upgrade the computer room and stated they will take a look at allocating Community Development Block Grant money.

**CLICK IT OR TICKET CAMPAIGN**

Chief Denz reminded the public about the state wide Click It or Ticket campaign running from May 23<sup>rd</sup> to June 5<sup>th</sup> and stated extra patrols will be out to enforce the seatbelt law.

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

**TOWN BOARD PROCEEDINGS  
Minutes #2016-10  
May 23, 2016  
Page twelve . . .**

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

**MEMORIAL DAY PARADE**

Supervisor Meegan announced the Memorial Day Parade will take place Monday, May 30<sup>th</sup> at 10:30 A.M. starting at Southgate Plaza and followed by a hotdog lunch at American Legion Post 735.

**EXECUTIVE SESSION**

Motion by Supervisor Meegan, seconded by Councilman Hart, to recess to executive session at 8:15 P.M. to discuss contract negotiations and two legal issues.

Ayes: All

Noes: None

Motion Carried

The board members returned from executive session at 10:00 P.M.

**ADJOURNMENT**

Motion by Supervisor Meegan, seconded by Councilman Hart, to adjourn the meeting at 10:00 P.M.

Ayes: All

Noes: None

Motion Carried

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**JACQUELINE A FELSER, TOWN CLERK**

## SEQR DETERMINATION WEST SENECA COMMUNITY CENTER AND LIBRARY PROJECT

WHEREAS, the Town of West Seneca Town Board (the "Board") has considered the impact to the environment of following the Scope of Work to be completed on the Town of West Seneca Community Center and Library project in the Town of West Seneca:

- Work includes the renovation of approximately 8100 square feet of existing space and the creation of approximately 22,500 square feet of additional space to house town offices, recreation department, library space, café space, private office space, assembly space and associated site work

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action and has further consulted with its engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action;

WHEREAS, the Board has reviewed the Proposed Action with respect to the criteria set forth in 6 NYCRR Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the work involves:

- New construction of approximately 22,500 square feet and renovation of approximately 8100 square feet of space

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not meet the thresholds of a Type 1 action, nor is it a Type 2 action as established under 6 NYCRR Part 617.
2. The Board hereby determines the Proposed Action is an unlisted action in accordance with SEQRA regulations and has completed the short environmental assessment form.
3. The project does not require a coordinated review.
4. The town has reviewed the project and has determined to issue a negative declaration relative to SEQR for the Proposed Action.
5. This resolution shall be effective immediately.

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 May 23, 2016

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

ABSENT: None

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

**BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF AN ADDITION TO THE PUBLIC LIBRARY BUILDING; ESTIMATING THAT THE TOTAL COST THEREOF IS \$9,832,045; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$8,432,045 IN SERIAL BONDS OF THE TOWN TO FINANCE A PORTION OF SAID APPROPRIATION AND APPLICATION OF \$1,400,000 OF ENERGY PERFORMANCE CONTRACT FUNDING AND ANY 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 \$8,432,045 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 estimated cost of 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 \$9,832,045; said amount is hereby appropriated therefor and the plan of financing thereof shall include the issuance of up to \$8,432,045 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, 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 any 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, until 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

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 May 23, 2016, 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 May 23, 2016 and entitled:

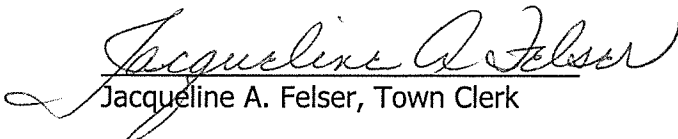
BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF WEST SENECA, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING PARTIAL RECONSTRUCTION OF AND CONSTRUCTION OF AN ADDITION TO THE PUBLIC LIBRARY BUILDING; ESTIMATING THAT THE TOTAL COST THEREOF IS \$9,832,045; APPROPRIATING SAID AMOUNT THEREFOR; AND AUTHORIZING THE ISSUANCE OF \$8,432,045 IN SERIAL BONDS OF THE TOWN TO FINANCE A PORTION OF SAID APPROPRIATION AND APPLICATION OF \$1,400,000 OF ENERGY PERFORMANCE CONTRACT FUNDING AND ANY 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

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 24<sup>th</sup> day of May, 2016.

[SEAL]

  
Jacqueline A. Felser, Town Clerk



May 3, 2016

Mr. Eugene P. Hart  
Town of West Seneca  
1250 Union Road  
West Seneca, New York 14224

**RE: Design Standards & Guidelines Proposal**

Dear Mr. Hart,

As requested, I am providing you with a proposal for the completion of design standards and guidelines for the Town of West Seneca. It is anticipated that this project will result in a set of design criteria for the "Town Center" area of Union Road as well as a set of town-wide nonresidential design requirements. The proposed scope of work includes the following services:

- Conduct a Project Kick-Off Meeting with the Steering Committee to introduce the process, review the results of the Community Preference Survey conducted as part of the Comprehensive Plan Update Process, and present a Design Primer;
- Draft the preliminary building and site design criteria for the "Town Center" and provide to the Committee for their review;
- Review the preliminary code language for the "Town Center" at the second Committee Meeting;
- Revise the "Town Center" language based on input from the Committee;
- Draft the preliminary building and site design criteria for the town-wide nonresidential design criteria and provide to the Committee for their review at the third Committee Meeting;
- Revise the town-wide design language based upon input from the Committee;
- If necessary, convene a fourth Committee Meeting to review the final language for both the "Town Center" and town-wide design criteria;
- Complete the Long Environmental Assessment Form and submit it to the Town Attorney for his review;
- Conduct a Public Hearing to present the design criteria to the community; and
- Submit the final set of design criteria to the Town Board for adoption.

This scope of work can be completed for a not-to-exceed fee of \$22,000.00 and can be accomplished within six months. This scope includes up to four (4) Steering Committee meetings and one (1) Public Hearing.

If you have any questions, or would like me to provide our project experience or a list of references, please do not hesitate to contact me.

Respectfully submitted,

John E. Steinmetz, AICP  
President

1100 University Avenue  
Suite 303  
Rochester, New York 14607  
phone 585-797-7634  
fax 585-486-1031

[www.steinmetzplanninggroup.com](http://www.steinmetzplanninggroup.com)

WHEREAS: The Town of West Seneca seeks grant monies from the New York State Office of Children & Family Services through the Erie County Youth Bureau for the West Seneca Youth Bureau;

WHEREAS: Grant funds are to be used to provide Youth Development Programming to at-risk youth ages 5-20 residing in Erie County;

WHEREAS: Grant funds will be used to partially pay the salaries of West Seneca Youth Bureau staff in fiscal year 2017;

NOW, THEREFORE BE IT

RESOLVED, that Connie D. Miner & Co, the Town's Grant Consultant, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the Erie County Youth Bureau for the purpose of securing this grant, and BE IT FURTHER

RESOLVED, that the Town of West Seneca Supervisor, Sheila M. Meegan, be hereby authorized and directed to execute all documents pertaining to the application and acquisition of said funding.