

**Approved BOARD MINUTES August 13 2019**

^ **MOTION** by Trustee Warmus seconded by Trustee Daluisio, to enter into an Executive Session at 7:18 pm to discuss litigation. Carried.

**MOTION** by Trustee Daluisio, seconded by Trustee Warmus, to exit the Executive Session at 7:28 pm. Carried.

The Village Board meeting was called to order at 7:30 pm by Mayor Manicki, who led the pledge to the flag and welcomed those in attendance to the meeting.

**PRESENT:** Mayor Manicki, Trustees: Daluisio, Casell, Warmus and Overhoff, CEO Czechowski, Attorney Trapp, Clerk Galbraith, Superintendent Sitzman, Eugene Nuwer, Brett Sitzman, and Sue DeWitt, Alden Advertiser

**MOTION** by Trustee Casell seconded by Trustee Daluisio, to approve the minutes of the July 23, 2019 meeting. Carried.

**MOTION** by Trustee Warmus, seconded by Trustee Overhoff, to approve for payment bills on abstract dated August 13 2019. Carried.

Payroll	\$39807.50
Abstract	\$86319.28

**MOTION** by Trustee Overhoff, seconded by Trustee Daluisio, to approve the following monthly reports july: CEO, E.C. Sheriff, fuel, DPW and Fire Carried.

**COMMUNICATIONS:**

Minutes: Erie County – Village Officials. NYS Dept. of Public Service – substantial increased rates proposed for NYSEG & RG&E Request from Alden Soccer, findings from CEO & Superintendent of Public Works for renewal of MHP. Thank you from Alden Historical Society for supporting the society. Invitation to National Night Out. PERMA structural changes & crossing guard training,, RBC Wealth Portfolio, Grant Action News, Price change from Charter Communications and Land Bank list of eligible properties for acquiring.

**MOTION** by Trustee Warmus seconded by Trustee Casell, to file as received all correspondence. Carried

**Resolutions/Appointments/Requests/Motions for August 13, 2019**

**MOTION** by Trustee Daluisio and seconded by Trustee Overhoff, to approve the following The Alden Soccer Clubs Boys Travel team permission to use the Fireman's Park on Sunday August 25, 2019 from 8am - 5pm to host a Chiavettas Chicken Barbecue as a fundraiser and the ability to plug-in for electric. . Carried.

*On the question:* Trustee Warmus – will this affect the Concerts in the Park? No, concert end August 14.

MOTION by Trustee Overhoff and seconded by Trustee Casell, to approve the EMS/Fire calls for July 20 – August 2, 2019. Carried.

MOTION by Trustee Warmus and seconded by Trustee Overhoff, to approve the fire dept. is converting the 1993 ambulance to become Rescue 7, which would cause it to go from ambulance fund to general fund. Carried.

*On the question* -Mayor Manicki, we are going from two ambulances to one.

MOTION by Trustee Daluisio and seconded by Trustee Overhoff, to approve Alden Lancaster Art Clubs request to: post no parking signs around the triangle on Broadway and West Main St. from Saturday Sept. 7 to Sun., Sept. 8, 2019. Also to place a banner on the bandstand from August 31—Sept.8, 2019.Carried.

MOTION by Trustee Casell and seconded by Trustee Warmus, to appoint the following crossing guards for the 2019-2020 school year: Pam Comstock, Dave Kocher, and Linda Hey. Alternates Paulette Hastie, Joe Herdzik and Teresa Morrano. Carried.

MOTION by Trustee Warmus and seconded by Trustee Overhoff, to award the contract for replacement of Elm St sidewalks to Millennium Construction for the sum of \$136,445.00. Carried

MOTION by Trustee Casell and seconded by Trustee Warmus, to authorize Mayor Manicki's signature to the Birch Creek Run signed agreement from Severyn Development.

On the question – it will allow the company to obtain permits and C of O's for the next 30 days, while working with Engineer on drainage. Carried: Manicki, Casell, Warmus and Overhoff. Daluisio abstain, as he has a business relationship with Severyn.

.....  
EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio and Overhoff.

There were absent: none

Also present: Sue Galbraith, Village Clerk

\* \* \*

Trustee Casell offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE BAXTER AVENUE STORM SEWER OUTFALL, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$120,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$120,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct improvements to the Baxter Avenue storm sewer outfall. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$120,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$120,000 to finance said appropriation.

Section 2. Bonds of the Village in the principal amount of \$120,000 are hereby authorized to be issued 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 the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to

reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said

bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the construction of improvements to the Baxter Avenue storm sewer outfall, stating the estimated maximum cost thereof is \$120,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$120,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to construct improvements to the Baxter Avenue storm sewer outfall; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$120,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$120,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$120,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk



Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

The adoption of the foregoing resolution was seconded by

Trustee Warmus and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

\*\*\*\*\*

Trustee Daluisio offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW  
YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE

INSTALLATION OF A GENERATOR AT THE DPW BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$60,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$60,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the “Village”), is hereby authorized to install a generator at the DPW building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$60,000 to finance said appropriation.

Section 2. Bonds of the Village in the principal amount of \$60,000 are hereby authorized to be issued 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 the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of

the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the installation of a generator at the DPW building, stating the estimated maximum cost thereof is \$60,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$60,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to install a generator at the DPW building; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$60,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$60,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$60,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is ten (10) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;



FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

The adoption of the foregoing resolution was seconded by  
Trustee Overhoff and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

EXTRACT OF MINUTES

Meeting of the Board of Trustees  
of the Village of Alden,  
in the County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the  
County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New  
York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

Trustee Daluisio offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO THE HVAC SYSTEM AT THE DPW BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$55,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$55,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct improvements to the HVAC system at the DPW building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$55,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$55,000 to finance said appropriation.

Section 2. Bonds of the Village in the principal amount of \$55,000 are hereby authorized to be issued 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 the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 13 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in

anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the construction of improvements to the HVAC system at the DPW building, stating the estimated maximum cost thereof is \$55,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$55,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to construct improvements to the HVAC system at the DPW building; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$55,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$55,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$55,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is ten (10) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;



FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

The adoption of the foregoing resolution was seconded by Trustee Casell and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

\* \* \*

EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

Trustee Warmus offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE REPLACEMENT OF THE ROOF ON THE VILLAGE DPW BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$250,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$250,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to replace the roof on the Village DPW Building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$250,000 to finance said appropriation.

Section 2. Bonds of the Village in the principal amount of \$250,000 are hereby authorized to be issued 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 the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the

Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the replacement of the roof on the Village DPW Building, stating the estimated maximum cost thereof is \$250,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$250,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to replace the roof on the Village DPW Building; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$250,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$250,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$250,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is fifteen (15) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;



FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

The adoption of the foregoing resolution was seconded by  
Trustee Overhoff and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

---

EXTRACT OF MINUTES

Meeting of the Board of Trustees  
of the Village of Alden,  
in the County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the  
County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New  
York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

\* \* \*

Trustee Warmus offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE CONSTRUCTION OF AN ADDITION TO THE DPW BUILDING, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF \$150,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct an addition to the DPW building. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of \$150,000 to finance said appropriation.

Section 2. Bonds of the Village in the principal amount of \$150,000 are hereby authorized to be issued 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 the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 12 (a) (2) of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in

anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the construction of an addition to the DPW building, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$150,000 to finance said appropriation.”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to construct an addition to the DPW building; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$150,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$150,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is fifteen (15) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;



FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

The adoption of the foregoing resolution was seconded by Trustee Daluisio and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.



EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

\* \* \*

Trustee Casell offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE CONSTRUCTION OF IMPROVEMENTS TO SIDEWALKS ON ELM STREET, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$150,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$150,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct improvements to sidewalks on Elm Street. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of bonds in the principal amount of not to exceed \$150,000 to finance said appropriation. It is expected that funds in the amount of approximately \$100,000 are to be received to pay a

part of the cost of the project and any such funds are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Village in the principal amount of not to exceed \$150,000 are hereby authorized to be issued 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 the "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 24 of the Law, is ten (10) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the construction of improvements to sidewalks on Elm Street, stating the estimated maximum cost thereof is \$150,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of not to exceed \$150,000 to finance said appropriation.”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to construct improvements to sidewalks on Elm Street; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$150,000; APPROPRIATING said amount for such purpose; STATING the plan of financing includes the issuance of bonds in the principal amount of not to exceed \$150,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon; and STATING that it is expected that funds in the amount of approximately \$100,000 are to be received to pay a part of the cost of the project and any such funds are hereby authorized to be applied toward the cost of said project or redemption of the Village’s bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of not to exceed \$150,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is ten (10) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;



FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

The adoption of the foregoing resolution was seconded by Trustee Warmus and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

*On the question* – hoping for \$100,000 in CDBG funding.

\*\*\*\*\*

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the

Village of Alden, in the

County of Erie, New York

August 13, 2019

\* \* \*

A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

\* \* \*

Trustee Warmus offered the following resolution and moved its  
adoption

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE CONSTRUCTION OF STREETScape IMPROVEMENTS ON BROADWAY, STATING THE MAXIMUM COST THEREOF IS \$590,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE, AND AUTHORIZING THE ISSUANCE OF BONDS IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$590,000 TO FINANCE SAID APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein called the "Village"), is hereby authorized to construct streetscape improvements on Broadway. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$590,000 and said amount is hereby appropriated for such purpose. The plan of financing includes the issuance of not to exceed \$590,000 bonds of the Village to finance said appropriation, and the levy and collection of taxes on all the taxable real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is expected that funds in the amount of approximately \$325,000 are to be received to pay a part of the cost of the project and any such funds are hereby authorized to be applied toward the cost of said project or redemption of the Village's bonds or notes issued therefor, or to be budgeted as an offset to the taxes to be collected for the payment of the principal of and interest on said bonds or notes.

Section 2. Bonds of the Village in the principal amount of not to exceed \$590,000 are hereby authorized to be issued 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 the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 35 of the Law, is five (5) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will not exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the

Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

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

Section 7. This bond resolution shall take effect immediately, and the Village Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in the “*Alden Advertiser*” a newspaper having general circulation in the Village and hereby designated the official newspaper of said Village for such publication.

\* \* \*

The adoption of the foregoing resolution was seconded by Trustee Daluisio and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

*On the question* – hoping for \$325,000 in Erie County Smart growth funding.

EXTRACT OF MINUTES

Meeting of the Board of Trustees

of the Village of Alden,

in the County of Erie, New York

August 13, 2019

\* \* \*



A regular meeting of the Board of Trustees of the Village of Alden, in the County of Erie, New York, was held at the Village Hall, 13336 Broadway, Alden, New York, on August 13, 2019.

There were present: Hon. Michael Manicki, Mayor; and

Trustees: Casell, Warmus, Daluisio, Overhoff

There were absent: none

Also present: Sue Galbraith, Village Clerk

\* \* \*

Trustee Casell offered the following resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF ALDEN, NEW YORK, ADOPTED AUGUST 13, 2019, AUTHORIZING THE INSTALLATION OF A SUPPLEMENTAL WATER CONNECTION TO THE ERIE COUNTY WATER AUTHORITY (ECWA) SYSTEM AND METER PIT, STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$90,000, APPROPRIATING SAID AMOUNT FOR SUCH PURPOSE,

AND AUTHORIZING THE ISSUANCE OF BONDS IN THE  
PRINCIPAL AMOUNT OF \$90,000 TO FINANCE SAID  
APPROPRIATION

THE BOARD OF TRUSTEES OF THE VILLAGE OF ALDEN, IN THE  
COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the favorable vote of not  
less than two-thirds of all the members of said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Alden, in the County of Erie, New York (herein  
called the “Village”), is hereby authorized to install a supplemental water connection to  
the Erie County Water Authority (ECWA) system and meter pit. The estimated  
maximum cost thereof, including preliminary costs and costs incidental thereto and the  
financing thereof, is \$90,000 and said amount is hereby appropriated for such purpose.  
The plan of financing includes the issuance of bonds in the principal amount of \$90,000  
to finance said appropriation.

Section 2. Bonds of the Village in the principal amount of \$90,000 are  
hereby authorized to be issued 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 the “Law”), to finance said appropriation.

Section 3. The following additional matters are hereby determined and  
declared:

(a) The period of probable usefulness of the object or purpose for  
which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 1  
of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized, and any bond anticipation notes issued in anticipation of said bonds, may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 of the Law relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00

and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and as to the execution of agreements for credit enhancements, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village 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 days after the date of such publication, or

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

Section 7. This bond resolution is subject to a permissive referendum and the Village Clerk is hereby authorized and directed, within ten (10) days after the adoption hereof, to cause to be published, in full, in the "*Alden Advertiser*," a newspaper having general circulation in said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places and in each polling place in the Village, a Notice in substantially the following form:

VILLAGE OF ALDEN, NEW YORK

PLEASE TAKE NOTICE that on August 13, 2019, the Board of Trustees of the Village of Alden, in the County of Erie, New York, adopted the bond resolution entitled:

“Bond Resolution of the Village of Alden, New York, adopted August 13, 2019, authorizing the installation of a supplemental water connection to the Erie County Water Authority (ECWA) system and meter pit, stating the estimated maximum cost thereof is \$90,000, appropriating said amount for such purpose, and authorizing the issuance of bonds in the principal amount of \$90,000 to finance said appropriation,”

an abstract of such bond resolution concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Alden to install a supplemental water connection to the Erie County Water Authority (ECWA) system and meter pit; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$90,000; APPROPRIATING said amount for such purpose; and STATING the plan of financing includes the issuance of bonds in the principal amount of \$90,000 to finance said appropriation; and the levy of a tax upon all the taxable real property within the Town to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of bonds in the principal amount of \$90,000 pursuant to the Local Finance Law of the State of New York (the “Law”) to finance said appropriation;

THIRD: DETERMINING and STATING that (a) the period of probable usefulness of the object or purpose for which the bonds are authorized is forty (40) years; (b) the proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized; and (c) the proposed maturity of said bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said bond anticipation notes shall be general obligations of the Village; and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond resolution is subject to a permissive referendum.

DATED: August 13, 2019

SUE GALBRAITH  
Village Clerk

Section 8. The Village Clerk is hereby authorized and directed to cause a summary of this Bond Resolution to be published after this Bond Resolution shall take effect, in the newspaper referred to in Section 7 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

\* \* \*

The adoption of the foregoing resolution was seconded by Trustee Warmus\_ and duly put to a vote on roll call, which resulted as follows:

AYES: 5

NOES: 0

The resolution was declared adopted.

*On the question* – Mayor Manicki, applied for a grant , hoping to decrease amount needed.

\*\*\*\*\*





**BUSINESS FROM FLOOR-**

Brett Sitzman – Public Safety, Crosswalks – concerns for pedestrians, knows it is a state street, but thought they did a traffic study warning at least on lighted pedestrian crossing. The Mayor confirmed a rapid flashing light was supposed to go up in JUNE by NYSDOT. The light is slated for Emerson intersection, but the board feels Church St. is a major problem. Brett presented pictures to the board of a truck parked too close to the crosswalks, blocking pedestrian and drivers views. Can the village re-strip the no parking areas encroaching on the crosswalk?  
Superintendent Sitzman - NY State DOT proposed to do striping. Mayor Mainki confirmed the board is aware of the dangerous situation and Trustee Daluisio has been working on it for 5 years. At one point the village offered to buy the RFB (rapid flashing beacons), instead of waiting for the state. Superintendent Sitzman suggested we could try what East Aurora does and use reflective flags when crossing. Everyone agreed the public needs to be educated on the laws of the crosswalks. Attorney Trapp will contact the Sheriff's, as even if we educate our local residents, other out of town traffic (Darien Lake for example use the thru fare. Brett Thanked the board for their time.

**REPORTS FROM COMMITTEES/DEPARTMENTS:**

**Torrey Trapp** – refiled Local Laws #1 &2 with the state, Judge's Memorial Golf Outing a success.

**Superintendent Sitzman**- streetscape – contractor is working with DOT to get permit, should start within 2 weeks. Elm St., beginning project late Aug., early Sept.

**CEO Czechowski** – Mobile Home Parks have been inspected for permit renewal, will send to park owners.

**Trustee Overhoff**– in the vouchers there is one of sodium hypo chloride, is that a strong bleach? Superintendent Sitzman – yes, for disinfecting.

**UNFINISHED AND TABLED BUSINESS:**

**ADJOURNMENT**

**Motion** by Trustee Casell, seconded by Trustee Warmus, to adjourn, with a moment of silence for Eva Garra 8:13 pm. Carried.

I respectfully submit

Sue Galbraith,  
Village Clerk

