

TC



TOWN OF ORCHARD PARK

MEMORANDUM

S.4295 SOUTH BUFFALO STREET
ORCHARD PARK, NEW YORK 14127
(716) 662-6432, ext. 2202

DATE: June 17, 2019

TO: Town Clerk, Remy Orffeo
Kathy Swarbrick
Building Inspector Steve Bremer

FROM: Rose Messina

SUBJECT: Item(s) for June 19, 2019 TB Agenda

OLD Business:

At their June 13th meeting the Planning Board recommended the following to the Town Board,

1. That the Town Board **GRANT** Site Plan Approval and issue a Building Permit to, "Cobham Mission Systems Division" 10 Cobham Drive, to construct a 32,850-Sq.Ft. Parking Lot addition with associated improvements involving landscaping and stormwater management, located north of the existing building and west of the current parking lot, per the plans received on 5/07/19, based on the following conditions and stipulations:
 1. This is an Unlisted SEQR Action, based on the Short EAF Parts 1 and 2, and a Negative Declaration is recommended.
 2. The Site Lighting is limited to those fixtures and poles indicated on the approved Site Plan. Light fixtures shall have flat lenses and all lighting is to be directed downward and toward the site.
 3. No outside storage or display is permitted.
 4. The Landscape Plan, received 4/03/19, meets all Green Space regulations with 54% Green Space. In accordance with Section 144-44(c)(1)(a)(2), a Certified Check amounting to 50% of the \$14,900 Landscaping Estimate Value shall be deposited with the Town Clerk. (\$7,450.00) Conservation Board approval was granted on 5/7/19.
 5. Dumpsters as shown shall be screened, along with any additional dumpsters, in accordance with Section 144-25 of the Town Code.
 6. Town Engineering Approval was granted on 6/12/19.



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 19, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

Re: Proposed Change Order #6
IPL Corp. Electrical Contract – Award of Alternate #6 Rec. Fit Out
Brush Mountain Community Activity Center

Dear Board Members:

Included within all contractors bid packages are Alternates that may be accepted at the discretion of the Town Board as the project progresses and unknown cost alternates and funding sources become known. One of the centerpieces of the project is the Recreation Area Fit Out. This includes the Child Watch area, Game Room, and Fitness Room. These are all popular areas and expected to be well utilized upon the Center's Completion. IPL Construction has included in their bid package a cost of \$44,400.00 for the addition of Alternate #6.

This change order will increase IPL's total contract to \$1,927,629.55 representing a 2.30% increase. There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, and additional funding is being allocated into the accounts.

I, therefore, recommend that you approve change order #6 to our contract with Industrial Power & Lighting Corporation 60 Depot St, Buffalo, NY 14206, for the award of Alternate #6, Recreation Area Fit Out, in an amount not to exceed \$44,400.00 for the Brush Mountain Community Activity Center.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk T. Malecki, Drescher & Malecki
Town Attorney Wendel File #15.007



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 19, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

Re: Proposed Change Order #7
Javen General Contract – Award of Alternate #6 Rec. Fit Out
Brush Mountain Community Activity Center

Dear Board Members:

Included within all contractors bid packages are Alternates that may be accepted at the discretion of the Town Board as the project progresses and unknown cost alternates and funding sources become known. One of the centerpieces of the project is the Recreation Area Fit Out. This includes the Child Watch area, Game Room, and Fitness Room. These are all popular areas and expected to be well utilized upon the Center's Completion. Javen Construction has included in their bid package a cost of \$64,000.00 for the addition of Alternate #6.

This change order will increase Javen's total contract to \$12,968,863.21 representing a 0.49% increase. If approved for all contractors, the cost of Alternate #6 will increase the total project amount by \$211,978.00 representing a total increase of 1.23% to the building contracts.

There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, and additional funding is being allocated into the accounts.

I, therefore, recommend that you approve change order #7 to our contract with Javen Construction Co., Inc., 2575 Baird Road, Penfield, NY 14526 and award Alternate #6 Recreation Area Fit-Out in an amount not to exceed \$64,000.00 for the Brush Mountain Community Activity Center.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk T. Malecki, Drescher & Malecki
Town Attorney Wendel File #15.007



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 19, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Proposed Change Order #3
Wm. T. Spaeder Fire Protection Contract – Award of Alt. #6 Rec. Fit Out
Brush Mountain Community Activity Center**

Dear Board Members:

Included within all contractors bid packages are Alternates that may be accepted at the discretion of the Town Board as the project progresses and unknown cost alternates and funding sources become known. One of the centerpieces of the project is the Recreation Area Fit Out. This includes the Child Watch area, Game Room, and Fitness Room. These are all popular areas and expected to be well utilized upon the Center's Completion. Wm. T. Spaeder has included in their bid package a cost of \$3,400.00 for the addition of Alternate #6.

This change order will increase Wm. T. Spaeder's total contract to \$198,397.14 representing a 1.71% increase. If approved for all contractors, the cost of Alternate #6 will increase the total project amount by \$211,978.00 representing a total increase of 1.23% to the building contracts.

There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, and additional funding is being allocated into the accounts.

I, therefore, recommend that you approve change order #3 to our contract with Wm. T. Spaeder Co., Inc., 1602 East 18th Street, Erie, PA 16510, for the sprinkler head revisions in an amount not to exceed \$3,400.00 for the Brush Mountain Community Activity Center.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk T. Malecki, Drescher & Malecki
Town Attorney Wendel File #15.007

Visit the Town's website at www.orchardparkny.org



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 19, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, NY 14127

**Re: Proposed Change Order #4
DV Brown HVAC Contract – Award of Alternate #6 Rec. Fit Out
Brush Mountain Community Activity Center**

Dear Board Members:

Included within all contractors bid packages are Alternates that may be accepted at the discretion of the Town Board as the project progresses and unknown cost alternates and funding sources become known. One of the centerpieces of the project is the Recreation Area Fit Out. This includes the Child Watch area, Game Room, and Fitness Room. These are all popular areas and expected to be well utilized upon the Center's Completion. DV Brown has included in their bid package a cost of \$107,000.00 for the addition of Alternate #6. A portion of which (\$6,822) has been previously paid to the contractor under a separate change order. DV Browns total cost for the acceptance of Alternate #6 is \$100,178.00.

This change order will increase DV Brown's total contract to \$1,684,000.00 representing a 5.95% increase. If approved for all contractors, the cost of Alternate #6 will increase the total project amount by \$211,978.00 representing a total increase of 1.23% to the building contracts.

There is presently funding allocated under Capital Projects AB004 & AB005 for the Community Activity Center, and additional funding is being allocated into the accounts.

I, therefore, recommend that you approve change order #4 to our contract with DV Brown & Assoc. Inc., 567 Vickers Street, Tonawanda, New York 14150, for the award of Alternate #6, Recreation Area Fit-Out, in an amount not to exceed \$100,178.00 for the Brush Mountain Community Activity Center.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk
Town Attorney

T. Malecki, Drescher & Malecki
Wendel File #15.007



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 17, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: Mid County Pump Station Replacement Project
Change Order 3, Final Payment & Release of Retention**

Dear Board Members:

I am pleased to inform you that construction work on the above mentioned project has been completed. On June 12, 2019, a final inspection was conducted and all of the work has since been satisfactorily completed in accordance with the contract documents and specifications.

A two-year maintenance bond in the amount of \$108,690.00 has been submitted along with the Affidavit of Release of Liens, Affidavit of Payment of Debts and Claims, and necessary legal documents.

Attached is a copy of the final project Change Order. There will be a net decrease of \$1,610.00 due to unused utility allowance. This represents a decrease of 1.48% from the original amount bid.

I, therefore, recommend that you adopt the following resolution to approve Change Order 3 - final payment and authorize the release of retention for Mid County Pump Station Replacement Project to CIR Electrical Construction, 400 Ingham Ave. Buffalo, New York 14218 in the amount of \$5,434.50.

Respectfully submitted,

Wayne L. Bieler, P.E.
Town Engineer

Attachments

cc: Town Clerk
Town Attorney
File #2010.029.2

Visit the Town's website at www.orchardparkny.org



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ENGINEERING DEPARTMENT

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TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 19, 2019

Joseph Chirico
2879 Angle Road
Orchard Park, New York 14127

Re: 2019 Summer Help
Sewer, Water & Lighting Department

Dear Board Members:

Funds have been allocated in the 2019 budget for seasonal help in the Sewer & Lighting Department. With the current work load of the Sewer, Water & Lighting Department, I am recommending Joseph Chirico. Joseph is completed the Erie 2 B.O.C.E.S – Ormsby Educational Center studying Auto Body and graduated from North Collins High School last year. Mitchell is attending ECC Auto Body.

I, therefore, recommend that you approve Joseph Chirico, 2879 Angle Road, Orchard Park, New York 14127 to a seasonal position in the Sewer, Water & Lighting Department for a ten-week period beginning June 20, 2019 at a wage rate of \$12.50 per hour.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk
Jessica Rojek, Personnel
Joseph Chirico
File

TC

WHEREAS, Kristin Manne was born and raised in Orchard Park, and currently lives here with her husband and two children, and

WHEREAS, Kristen is a graduate of Buffalo State College, with a Bachelor of Science degree and she comes to us from the Erie County Department of Social Services as a Social Welfare Examiner, and

WHEREAS, Kristin's background working with the public, and her computer related skills makes her a perfect fit for Senior Police Clerk

NOW, THEREFORE, be it

RESOLVED, that the Town Board does hereby appoint Kristin Manne to the Position of Senior Police Clerk with a start date of June 24, 2019, at a rate of \$20.25 per hour, Range 8 non-union.

FC

RESOLVED, that the Town Board does hereby appoint Beverly Kirkpatrick to the position of transition/training consultant as of July 1, 2019 at a rate of \$21.48 per hour, plus mileage and the IRS rate, for up to 19 hours per week, not to exceed 60 days, as recommended by the Acting Chief of Police.



TOWN OF ORCHARD PARK

ENGINEERING DEPARTMENT

S 4295 South Buffalo Street Orchard Park, New York 14127-2609

Phone: (716) 662-6425
Fax: (716) 662-6488
Email: openg@orchardparkny.org

TOWN ENGINEER
WAYNE L. BIELER, P.E.

June 17, 2019

Honorable Town Board
Town of Orchard Park
4295 South Buffalo Street
Orchard Park, New York 14127

**Re: 2019 Summer Help
Sewer, Water & Lighting Department**

Dear Board Members:

Funds have been allocated in the 2019 budget for seasonal help in the Sewer & Lighting Department. With the current work load of the Sewer, Water & Lighting Department, I am recommending Joseph Chirico. Joseph is completed the Erie 2 B.O.C.E.S – Ormsby Educational Center studying Auto Body and graduated from North Collins High School last year. Mitchell is attending ECC Auto Body.

I, therefore, recommend that you approve Joseph Chirico, 2879 Angle Road, Orchard Park, New York 14127 to a seasonal position in the Sewer, Water & Lighting Department for a ten-week period beginning July 1, 2019 at a wage rate of \$12.50 per hour.

Respectfully submitted,

Wayne L. Bieler, P.E., CFM
Town Engineer

cc: Town Clerk
Jessica Rojek, Personnel
Joseph Chirico
File



MEMORANDUM

June 17, 2019

To: Jessica Rojek
Counie Fitzpatrick



From: Frederick J. Piasecki, Jr.

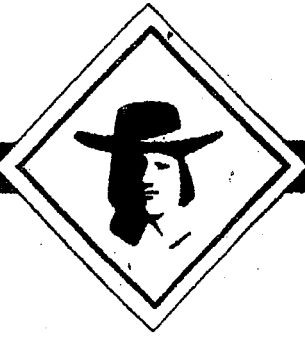
Ref: Payroll - Parks & Grounds (Seasonal)
Jessica
Counie,

Pierson Savarino
Started on June 17, 2019 Rate
\$11.10/Hr.

Coding A07110 50419

TC

TOWN OF ORCHARD PARK HIGHWAY DEPARTMENT
4350 South Taylor Road Orchard Park, NY 14127
Phone: (716) 662-6442 Fax: (716) 662-2187
Frederick J. Piasecki, Jr. - Superintendent of Highways



MEMORANDUM

June 12, 2019

To: Jessica Rojek
Counie Fitzpatrick

From: Frederick J. Piasecki, Jr.



Ref: Payroll - Parks & Grounds (Seasonal)
Jessica
Counie,

Sarah Nemeec
Started on June 12, 2019 Rate \$11.50/hr.

Coding A07111 50105

FOOD TRUCK

7C

Date of Event	Vendor	Date Application Fee Paid	Certificate of Liability	Town Board Approval	Sent Approval
5/22/2019	Lloyd's Taco Truck	4/22/2019	yes	5/15/19	yes
5/22/2019	Sassi Cakes	5/9/2019	yes	5/15/19	yes
6/5/2019	Fat Bob's	4/18/2019	yes	5/15/19	yes
6/5/2019	Cheesecake Guy	4/29/2019	yes	5/15/19	yes
6/19/2019	Coyote Café	4/3/2019	yes	5/15/19	yes
6/19/2019	Sweet Melody's	4/22/2019	yes	5/15/19	yes
7/17/2019	Thai Me Up	6/14/2019	yes		
7/17/2019	Green Acre's Ice Cream Truck	4/18/2019	yes		
8/7/2019	Polish Villa II	6/14/2019	yes		
8/7/2019	Sweet Lisa	4/29/2019	yes		
8/21/2019	Lloyd's Taco Truck	4/22/2019	yes		
8/21/2019	Cheesecake Guy	4/29/2019	yes		
	Chef's		yes		

TC

RESOLUTION

WHEREAS, E. Joseph Wehrfritz, hereinafter EJW, an Orchard Park native, was hired as a law enforcement officer by the Town of Orchard Park on August 3rd, 1987 , and

WHEREAS, EJW has served under four of the five Orchard Park Police Department Police Chiefs, and

WHEREAS, after attending The University of Dayton and certifying as an instructor in multiple police disciplines, EJW has been promoted to Detective, Lieutenant, Assistant Chief, and Acting Chief, and

WHEREAS, EJW has served with distinction at every stage of advancement, and,

WHEREAS, the Office of Orchard Police Department Chief of Police is now vacant, and

WHEREAS, the Town Board of Orchard Park wishes to promote EJW to Chief of the Orchard Park Police Department based on his sterling record of service,

NOW, THEREFORE, BE IT RESOLVED that:

- 1) EJW is hereby named Chief of the Orchard Park Police Department.

RESOLUTION

WHEREAS, a new Collective Bargaining Agreement with the Command Officers Association acceptable to the Command Officers Association and the Town of Orchard Park has been negotiated, and

WHEREAS, such Collective Bargaining Agreement generally parallels that of the recently completed Collective Bargaining Agreement for the Police Benevolent Association, and

WHEREAS, the Collective Bargaining Agreement includes slight changes in longevity payments and extra/overtime hours, and

WHEREAS, the Town Board of Orchard Park wishes to proceed with the implementation of the proposed Collective Bargaining Agreement,

NOW, THEREFORE, BE IT RESOLVED that

- 1) The Supervisor of the Town of Orchard Park is hereby authorized to execute the negotiated Collective Bargaining Agreement with the Command Officers Association on behalf of the Town of Orchard Park.

**EXTRACT OF MINUTES OF MEETING OF TOWN BOARD
ADOPTING RESOLUTION**

At a meeting of the Town Board of the Town of Orchard Park, Orchard Park, New York, duly held on the 5 day of June, 2019:

Present:

Absent:

_____ presented the following resolution and moved that it be adopted:

SUPPLEMENTAL BOND RESOLUTION DATED JUNE 5, 2019 OF THE TOWN BOARD OF THE TOWN OF ORCHARD PARK AUTHORIZING NOT TO EXCEED AN ADDITIONAL \$6,500,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION OF A COMMUNITY ACTIVITY CENTER, AT AN ESTIMATED AGGREGATE MAXIMUM COST OF \$22,500,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

WHEREAS, on October 12, 2016, the Town Board of the Town of Orchard Park (the "Town") duly adopted a bond resolution, subject to approval by the voters of the Town, authorizing the construction of a Multi-Generational Community Activity Center (the "Purpose"), at a maximum cost of \$16,000,000, and the issuance of its serial general obligation bonds (the "Bonds") in the aggregate principal amount of not to exceed \$16,000,000; and

WHEREAS, the voters of the Town duly approved the Purpose and the issuance of the Bonds on November 8, 2016; and

WHEREAS, the Town Board has determined that the cost of the Purpose has increased to \$22,500,000; and

WHEREAS, the Town Board desires to approve the increase in the maximum cost of the

Purpose and authorize the issuance of an additional not to exceed \$6,500,000 of bonds and notes to finance the costs of the Purpose;

NOW THEREFORE BE IT RESOLVED BY THIS TOWN BOARD AS FOLLOWS :

Section 1. The Town shall construct a Multi-Generational Community Activity Center, at an maximum aggregate cost of \$22,500,000, as more particularly described in Section 3 hereof.

Section 2. The Town is hereby authorized to issue its serial general obligation bonds (the “Bonds”) in an aggregate additional principal amount of not to exceed \$6,500,000 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this Resolution (the “Purpose”) is the construction of a new Multi-Generational Community Center at the Town’s Brush Mountain Park site, including site work thereat, and acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such building is to be used.

Section 4. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$22,500,000,000, (b) \$16,000,000 has heretofore been authorized to be applied to the payment of the cost of the Purpose, and (c) the Town plans to finance the cost of the Purpose from funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 5. It is hereby determined that said Purpose is one of the class of objects or purposes described in subdivision 11 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said Purpose is thirty (30) years.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the sale of the Bonds, including renewals of such notes, is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 7. The power to further authorize the issuance of the Bonds and bond anticipation notes and to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the consolidation with other issues and the use of substantially level or declining annual debt service, subject to the provisions of this Resolution and the Local Finance Law, and to sell and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and the Town Clerk is hereby authorized to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 8. The faith and credit of the Town of Orchard Park, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. There shall be levied annually on all taxable real property of the Town, a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 9. This Resolution shall constitute the Town's "official intent", within the meaning of Section 1.150-2 of the Treasury Regulations, to finance the cost of the Purpose with the Bonds and notes herein authorized. The Town shall not reimburse itself from the proceeds of the Bonds or notes for any expenditures paid more than sixty days prior to the date hereof, unless specifically authorized by Section 1.150-2 of the Treasury Regulations.

Section 10. This Resolution is adopted subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law and Section 90.00 of the Town Law. The Town Clerk is hereby authorized and directed within ten (10) days after the adoption of this Resolution, to cause to

be published a notice which sets forth the date of this Resolution's adoption and contains an abstract of this Resolution concisely stating its purpose and effect.

Section 11. When effective, this Resolution, or a summary thereof, shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law, and such publication shall be in each official newspaper of the Town. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this 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 if said obligations are authorized in violation of the provisions of the Constitution.

Section 11. This Resolution is adopted subject to permissive referendum.

The Motion having been duly seconded by _____, it was adopted and the following votes were cast:

AYES

NAYS

STATE OF NEW YORK)
) SS.:
COUNTY OF ERIE)

I, the undersigned Clerk of the Town of Orchard Park of the State of New York, do hereby certify as follows:

1. A Meeting of the Town Board of the Town of Orchard Park, State of New York, was duly held on October 12, 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 meeting of said Board. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extracts.

2. Said Minutes correctly state the time when said Meeting was convened and the place where such meeting was held and the members of said Board who attended said Meeting.

3. Public Notice of the time and place of said Meeting was 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 the 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 have hereunto affixed the corporate seal of the Town of Orchard Park, State of New York this __ day of October, 2016.

Town Clerk

[Seal]

NOTICE OF ADOPTION OF SUPPLEMENTAL BOND RESOLUTION
SUBJECT TO A PERMISSIVE REFERRENDUM

At a meeting held on the 5th day of June, 2019, the Town Board of the Town of Orchard Park, New York duly adopted a resolution, an abstract of which follows, which resolution is subject to a permissive referendum pursuant to Section 35.00 of the Local Finance Law of the State of New York. If after thirty days of the resolution's adoption by the Town Board, no petition objecting to the resolution and requesting approval by the voters is filed with the Town Clerk of the Town of Orchard Park, the resolution will be declared duly adopted.

ABSTRACT OF SUPPLEMENTAL BOND RESOLUTION DATED JUNE 5, 2019

The following is a summary of a resolution adopted by the Town Board of the Town of Orchard Park, Erie County on June 5, 2019. Said resolution supplements a bond resolution adopted on November 8, 2016 and authorizes the issuance and sale of a serial bond or bonds, and a bond anticipation note or notes in anticipation of the issuance and sale of said serial bond or bonds, in an additional amount not to exceed \$6,500,000. The proceeds from the sale of the obligations authorized in said resolution shall be used for the object or purpose of construction of a new Multi-Generational Community Center at the Town's Brush Mountain Park site, including site work thereat, and acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such building is to be used. The estimated maximum cost of said object or purpose is \$22,500,000, and the period of probable usefulness thereof is forty (40) years.

Dated: June 5, 2019

Town Clerk
Town of Orchard Park
Erie County, New York

LEGAL NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 5th day of June, 2019, subject to permissive referendum and the period of time has elapsed for the submission and filing of a petition for permissive referendum and a valid petition has not been submitted or filed, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Orchard Park is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution. The time for filing a petition requesting that the issuance of the obligations be submitted to a referendum has expired.

Town Clerk
Town of Orchard Park
Erie County, New York

SUPPLEMENTAL BOND RESOLUTION DATED JUNE 5, 2019 OF THE TOWN BOARD OF THE TOWN OF ORCHARD PARK AUTHORIZING NOT TO EXCEED AN ADDITIONAL \$6,500,000 AGGREGATE PRINCIPAL AMOUNT OF SERIAL GENERAL OBLIGATION BONDS TO FINANCE THE CONSTRUCTION OF A COMMUNITY ACTIVITY CENTER, AT AN ESTIMATED AGGREGATE MAXIMUM COST OF \$22,500,000, LEVY OF TAX IN ANNUAL INSTALLMENTS IN PAYMENT THEREOF, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

Class of objects or purposes: construction of a new Multi-Generational Community Center at the Town's Brush Mountain Park site, including site work thereat, and acquisition of original furnishings, equipment, machinery or apparatus required for the purpose for which such building is to be used

Additional Not To Exceed Amount: \$6,500,000

Total Maximum Estimated Cost: \$22,500,000

Period of probable usefulness: Forty (40) years