

**PUBLIC HEARING
Town of Westfield
June 6th, 2012
(Proposed Barcelona Water Benefit District)**

Supervisor Bills called the public hearing to order at 6:30pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

| | | | | |
|-------------|------------------|--------------------|-------------------------|---------------|
| Supervisor: | Martha R. Bills | Jim Pacanowski | Guests: Gary Muffoletto | Carl Vilaro |
| Councilmen: | Raymond Schuster | Marybelle Beigh | Richard Conti | Kodi Robinson |
| | David Brown | David Babcock | Everett Smith | Sande Dotson |
| | James Herbert | Jenna Loughlin | Irene Cartwright | Kelly Mathews |
| | David Spann | Joel Seachrist | David Hoffman | Janet Nass |
| | | Claude Abbey | Judy Hoffman | Harold Nass |
| | | Steve Woleben | Harvey Gaffney | Mike Ceci |
| | | Mary Quinn-Fullmer | William Bauer | Kate Issler |
| | | Mitch Fitzgibbon | Peggy Fitzgibbon | Ron Catalano |

Supervisor Bills explained that the Public Hearing was called to consider improvements to the water system in Barcelona with an associated increase in cost. Mr. Gary Muffoletto of Nussbaumer & Clarke, Inc. Engineers gave an overview of what is currently being considered to repair and improve the existing system. There were some questions which were answered satisfactorily

The following persons spoke in favor of the increase and improvement to the District:

- Claude Abbey
- Irene Cartwright
- Steve Woleben
- William Bauer
- Kate Issler
- Shirley Gaffney

The following persons appeared in opposition to the Increase and Improvement of the District:

- None

The Town Clerk reported that no written correspondence was received on the potential project.

The Supervisor asked if there were any other persons present who wished to be heard. No one appeared. Martha Bills moved and James Herbert seconded the motion that the public hearing be adjourned at 7:20pm. This was unanimously approved.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk

**PUBLIC HEARING
Town of Westfield
June 6th, 2012
(Local Law 1-2012)**

Supervisor Bills called the public hearing to order at 7:20pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

| | | | | |
|-------------|------------------|--------------------|-------------------------|---------------|
| Supervisor: | Martha R. Bills | Jim Pacanowski | Guests: Gary Muffoletto | Carl Vilaro |
| Councilmen: | Raymond Schuster | Marybelle Beigh | Richard Conti | Kodi Robinson |
| | David Brown | David Babcock | Everett Smith | Sande Dotson |
| | James Herbert | Jenna Loughlin | Irene Cartwright | Kelly Mathews |
| | David Spann | Joel Seachrist | David Hoffman | Janet Nass |
| | | Claude Abbey | Judy Hoffman | Harold Nass |
| | | Steve Woleben | Harvey Gaffney | Mike Ceci |
| | | Mary Quinn-Fullmer | William Bauer | Kate Issler |
| | | Mitch Fitzgibbon | Peggy Fitzgibbon | Ron Catalano |

Supervisor Bills explained that the Public Hearing was called to consider proposed Local Law No. 1 of 2012 which would make several amendments to the zoning code, including to permit accessory living quarters in the Manufacturing (M) District by special use permit, to permit restaurants, breweries, wineries, and distilleries in the Residential-Agricultural (R-A) District by special use permit, and to revise setback requirements in the Commercial (C) District.

There were a few questions which were answered satisfactorily. Raymond Schuster moved and James Herbert seconded the motion that the public hearing be adjourned at 7:24pm. This was unanimously approved.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk

**PUBLIC HEARING
Town of Westfield
June 6th, 2012
(SUP Outdoor Family Recreation Center)**

Supervisor Bills called the public hearing to order at 7:25pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

| | | | | |
|-------------|------------------|--------------------|-------------------------|---------------|
| Supervisor: | Martha R. Bills | Jim Pacanowski | Guests: Gary Muffoletto | Carl Vilaro |
| Councilmen: | Raymond Schuster | Marybelle Beigh | Richard Conti | Kodi Robinson |
| | David Brown | David Babcock | Everett Smith | Sande Dotson |
| | James Herbert | Jenna Loughlin | Irene Cartwright | Kelly Mathews |
| | David Spann | Joel Seachrist | David Hoffman | Janet Nass |
| | | Claude Abbey | Judy Hoffman | Harold Nass |
| | | Steve Woleben | Harvey Gaffney | Mike Ceci |
| | | Mary Quinn-Fullmer | William Bauer | Kate Issler |
| | | Mitch Fitzgibbon | Peggy Fitzgibbon | Ron Catalano |

Supervisor Bills explained that this was a continuation of the Public Hearing opened last month to hear all persons in regard to a proposed Special Use Permit application submitted by Mei Lu for an Outdoor Family Recreation Center at the corner of Sherman-Westfield and Culver Roads in the Town of Westfield. An SUP was issued on May 2nd, 2012 for an Outdoor Family Recreation Center that only permitted a 'BirdieBall' Golf Course.

The primary reason the hearing was postponed was to gain more information for Board Members on the potential of also allowing helicopter rides as part of the SUP.

Since the initial portion of the Public Hearing (and prior to the continuation portion), the applicant notified the Town that helicopter rides and any other activities were not going to be pursued at this time. The applicant also stated that the focus of the Recreation Center would be the permitted 'BirdieBall' Golf Course.

Martha Bills moved and David Brown seconded the motion that the public hearing be adjourned at 7:32pm. This was unanimously approved.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk

**TOWN BOARD MEETING
Town of Westfield
June 6th, 2012**

The regular meeting of the Town Board of the Town of Westfield was called to order at 7:33pm in Eason Hall, 23 Elm Street, Westfield, NY, with the following members and guests present:

| | | | | |
|-------------|------------------|--------------------|-------------------------|---------------|
| Supervisor: | Martha R. Bills | Jim Pacanowski | Guests: Gary Muffoletto | Carl Vilardo |
| Councilmen: | Raymond Schuster | Marybelle Beigh | Richard Conti | Kodi Robinson |
| | David Brown | David Babcock | Everett Smith | Sande Dotson |
| | James Herbert | Jenna Loughlin | Irene Cartwright | Kelly Mathews |
| | David Spann | Joel Seachrist | David Hoffman | Janet Nass |
| | | Claude Abbey | Judy Hoffman | Harold Nass |
| | | Steve Woleben | Harvey Gaffney | Mike Ceci |
| | | Mary Quinn-Fullmer | William Bauer | Kate Issler |
| | | Mitch Fitzgibbon | Peggy Fitzgibbon | Ron Catalano |

Raymond Schuster moved and James Herbert seconded a motion to waive the reading of the minutes inasmuch as all members received a copy thereof and that the minutes be approved. Unanimously carried.

The Town Clerk's report together with a check in the amount of \$66701.51 representing fees for the month of May 2012 was turned over to the Supervisor. State and County agencies received checks totaling \$764.00.

The Supervisor's report is as follows:

| <u>Fund</u> | <u>Revenues</u> | <u>Expenditures</u> | <u>Checking Balance</u> | <u>HSBC - MM Balance</u> |
|----------------|---------------------|---------------------|-------------------------|--------------------------|
| Gen. A | \$398,100.00 | \$195,864.00 | \$645.89 | \$967,204.94 |
| Gen B | 112,393.00 | 35,822.00 | 75.18 | 130,925.15 |
| Hwy DA | 261,543.00 | 134,582.00 | 98.62 | 342,851.29 |
| Hwy DB | 103,790.00 | 75,042.00 | 37.64 | 244,220.88 |
| Sewer HO1 | 25,108.00 | 19,285.00 | -0- | 5468.24 |
| Water HO2 | 18,721.00 | 12,613.00 | -0- | 101,520.60 |
| Wfd. Fire | 69,952.00 | -0- | -0- | 70,280.89 |
| Sherm. Fire | 8,651.00 | -0- | -0- | 8,756.66 |
| Totals: | \$998,258.00 | \$473,208.00 | \$857.33 | \$1,871,228.65 |

The Dog Warden's report for May 2012 was received and placed on file.

The Fire Department Report for May 2012 was received and placed on file.

The Historian's report for May 2012 was received and placed on file.

The Town Court report for May 2012 was received and placed on file.
Highway:

- The Town Highway Superintendent submitted a written report on activities for May 2012 and highlighted blacktopping and sealing of roads throughout the Town.

Code Enforcement:

- The Code Enforcement Officer submitted a written report highlighting that 11 permits were issued in the Town for May 2012, the fact that several construction inspections have been conducted, and an update on the Court status for the owner of the fire damaged house.

Barcelona Harbor:

- James Herbert stated that Southtowns' Walleye Tourney begins this weekend and also that Walter Piersol voluntarily removed some logs from within the harbor.

Public Comment:

- There were no comments

Announcements:

- 2012 - 28th Annual Southtowns' Walleye Association Walleye Tournament / Saturday June 9th, 2012 thru Sunday June 17th, 2012
- Barcelona Bash June 16th, 2012 (Saturday @ 12:00pm - 4:00pm)
- Firemen's Ox Roast 7/8/2012 & Alumnae Weekend

Old Business:

- Supervisor Bills noted that responses to RFP's for different services have been received for the USDA Rural Development Grant / loan for Barcelona water improvements.
- She also noted that a Groundbreaking Ceremony for the Fishway Project will be held June 13th, 2012 on site.

New Business:

- David Brown moved and Martha Bills seconded a motion to grant use of the pier at 11:30am July 8th, 2012 for the WACS Memorial Service. This was unanimously approved.

- David Brown offered the following resolution and moved for its adoption:

Resolution No. 29 of 2012
Negative Declaration Local Law 1-2012

WHEREAS, the Town of Westfield has proposed Local Law No. 1 of 2012 to make several amendments to the zoning code, including to permit accessory living quarters in the Manufacturing (M) District by special use permit, to permit restaurants, breweries, wineries, and distilleries in the Residential-Agricultural (R-A) District by special use permit, and to revise setback requirements in the Commercial (C) District, and

WHEREAS, the proposed local law has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of a long Environmental Assessment Form, and

WHEREAS, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the proposed local law, and

WHEREAS, the Board has determined that the proposed local law will not have a significant environmental impact,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby issues a Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed Local Law No. 1 of 2012.

This was seconded by David Spann. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; Raymond Schuster, aye. David Spann, aye;

- Raymond Schuster offered the following resolution and moved its adoption:

Resolution No. 30 of 2012
Adoption of Local Law 1-2012

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Westfield for a public hearing to be held by said Board on June 6, 2012 at 7:20pm at the North Room of Eason Hall, 23 Elm Street, Westfield, New York to enact omnibus amendments to the Zoning Law, and

WHEREAS, notice of said public hearing was duly published in the *Dunkirk Observer*, and

WHEREAS, said public hearing was duly held on the said time and place all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Town Board has determined that the adoption of the local law is a Type I action for purposes of the State Environmental Quality Review Act and no further environmental review is required, and

WHEREAS, the Town Board, after due deliberation, finds it in the best interest of the Town to adopt said Local Law,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Westfield hereby adopts said local law as Local Law No. 1 of 2012, a copy of which is attached hereto and made a part hereof, and directs the Town Clerk to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Westfield and to give due notice of the adoption of the Local Law to the Secretary of State.

This was seconded by James Herbert. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; Raymond Schuster, aye; David Spann, aye.

- David Brown offered the following resolution and moved for its adoption:

Resolution No. 31 of 2012
Resolution and Order after Public Hearing Approving the Increase and Improvement
of Facilities of the North Town Water District (Barcelona Water Benefit Area Project)

WHEREAS, the Town Board of the Town of Westfield (herein called “Town Board” and “Town”, respectively), in the County of Chautauqua, New York, has directed Nussbaumer and Clarke, Inc., competent engineers licensed in New York, to prepare a map, plan and report for certain improvements to the facilities of the North Town Water District (the “District”), in and for said Town, consisting of the replacement of approximately 3,500 linear feet of 12-inch PVC water main, approximately 3,875 lineal feet of 8-inch PVC water main, and approximately 3,075 lineal feet of 6-inch PVC water main in the Town, all of the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto as more specifically described in such map, plan and report (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary engineering map, plan and report for said increase and improvement of facilities of the District and has estimated the total cost thereof to be a maximum amount of \$1,085,000; said cost to be financed by the issuance of serial bonds of the Town in the amount of \$1,085,000, offset by any federal, state, county and/or local funds received; and

WHEREAS, the boundaries of the proposed benefited area are as follows:

Commencing at a point on the southern bounds of Section 192.00, Block 1, Lot 21 of the Chautauqua County Tax Maps for the Town of Westfield at its intersection with the eastern bounds of Chautauqua Creek; thence easterly along the southern bounds of Section 192.00, Block 1, Lot 21 and continuing along the same line across New York State Route 394 to a point in the centerline of an unnamed creek or swale on the property of the New York State Thruway; thence northerly along the centerline of said unnamed creek or swale to the northern bounds of New York State Route 5, also being the southern bounds of Section 192.07, Block 1, Lot 14; thence easterly along the northern bounds of New York State Route 5 to the southeast corner of Section 192.07, Block 1, Lot 14; thence northerly along the eastern bounds of Section 192.07, Block 1, Lot 14 to the shoreline of Lake Erie; thence westerly along the shoreline of Lake Erie to a point on the northern bounds of Section 192.06, Block 1, Lot 9.2, at its intersection with the eastern bounds of Chautauqua Creek; thence easterly and southeasterly along the eastern bounds of Chautauqua Creek to the point or place of beginning; and

WHEREAS, the proposed benefited area would be known as the Barcelona Water Benefit Area; and

WHEREAS, the proposed method of apportioning costs of such improvement is on a benefit basis to the benefited properties within the Barcelona Water Benefit Area; and

WHEREAS, the cost of the improvements to the typical one or two family home in the benefited area in the Town will be \$628.56 per year, which figure includes \$430.00 per year for water costs, \$133.56 for capital improvement costs, and \$65.00 for District operation and maintenance costs; and

WHEREAS, said map, plan and estimate of cost are on file in the office of the Town Clerk and are available for public inspection; and

WHEREAS, the Town Board has given due consideration to the impact that the increase and improvement of the facilities of the District may have on the environment and on the basis of such consideration, the Town Board found that no substantial adverse environmental impact will be caused thereby; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, which has been filed in the office of the Town Clerk; and

WHEREAS, the Town Board issued an Order at its May 22, 2012 meeting calling for a public hearing to be held at Eason Hall, Westfield, New York, on June 6, 2012 at 6:30 o'clock P.M.(prevailing time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than 10 nor more than 20 days before the date of such public hearing; and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices;

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF WESTFIELD, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$1,085,000; and it is hereby

DETERMINED, that the parcels and lots within the Barcelona Water Benefit Area in the District shall be benefited by said increase and improvement of the facilities of the District; and it is hereby

DETERMINED, that all parcels and lots benefited by said increase and improvement of the facilities are included in the District; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an amount not to exceed \$1,085,000, said amount to be offset by any federal, state, county and/or local funds, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Barcelona Water Benefit Area which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and it is hereby

FURTHER ORDERED, that within 10 days after adoption of this Resolution and Order, the Town Clerk shall record with the Clerk of the County of Chautauqua copy of this Resolution and Order, certified by said Town Clerk.

This was seconded by David Spann. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; Raymond Schuster, aye. David Spann, aye;

- James Herbert offered the following resolution and moved for its adoption:

Resolution No. 32 of 2012

A Bond Resolution June 6th, 2012, of the Town Board of the town of Westfield, Chautauqua County, New York (the “town”), authorizing a Capital Improvement Project within a certain Benefitted Area known as the Barcelona Water Benefit Area in the North Town Water District, at an estimated maximum cost of \$1,085,000, and authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$1,085,000, pursuant to the Local finance Law to finance said purpose, said amount to be offset by any Federal, State, County and / or local funds received, and delegating the Power to issue Bond Anticipation Notes in anticipation of the sale of such Bonds to the Town Supervisor.

WHEREAS, the Town Board of the Town of Westfield, Chautauqua County, New York (the “Town”), has determined to proceed with a certain capital improvements project in the North Town Water District within the Town (the “District”); and

WHEREAS, the Town Board desires to undertake a capital improvements project consisting of the replacement of approximately 3,500 linear feet of 12-inch PVC water main, approximately 3,875 lineal feet of 8-inch PVC water main, and approximately 3,075 lineal feet of 6-inch PVC water main in the Town, all of the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto as more specifically described in a certain map, plan and report prepared in connection therewith (collectively, the “Project”); and

WHEREAS, the Town Board has determined to proceed with the Project; and

WHEREAS, the Town Board desires to issue obligations of the Town to finance a portion of the costs of the Project;

NOW, THEREFORE BE IT RESOLVED, by the Town Board (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

Section 1. The specific purpose (hereinafter referred to as “purpose”) to be financed pursuant to this resolution is a capital improvements project within the District consisting of the replacement of approximately 3,500 linear feet of 12-inch PVC water main, approximately 3,875 lineal feet of 8-inch PVC water main, and approximately 3,075 lineal feet of 6-inch PVC water main in the Town, all of the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto. The estimated maximum cost of said purpose is \$1,085,000.

Section 2. The Town Board plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an amount not to exceed \$1,085,000, said amount to be offset by any federal, state, county and/or local funds, and unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Barcelona Water Benefit Area which the Town Board shall determine and specify to be especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law.

Section 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

Section 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

Section 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

Section 6. The faith and credit of the Town are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) 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 bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, the costs of said increase and improvement of facilities shall be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the Barcelona Water Benefit Area which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law.

Section 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Town Board pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited 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 notes, are hereby delegated to the Town Supervisor, the chief fiscal officer of the Town.

Section 8. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Town then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Town's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

Section 9. The Town Supervisor is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

Section 10. The Town Supervisor is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

Section 11. The Town has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

Section 12 The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1)
 - a.) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
 - b.) If 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 days after the date of such publication; or

(2) Said obligations are authorized in violation of the provisions of the Constitution of New York.

Section 13. This Resolution is effective immediately.

Section 14. The Town Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said Town and designated as the official newspaper of said Town for such publication.

This was seconded by Martha Bills. Voting was as follows: Martha Bills, aye; James Herbert, aye; David Brown, aye; Raymond Schuster, aye. David Spann, aye;

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- Martha Bills moved and David Spann seconded a motion to set a Special Meeting of the Town Board for 8 June 2012 @ 4:00pm to review RFP's. This was unanimously approved.
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 - Raymond Schuster moved and James Herbert seconded a motion to set a Public Hearings 11 July 2012 (Tri-County - residence 7:20pm / Mazza - Distillery / Winery 7:25pm. This was unanimously approved.

Warrants dated June 6th, 2012 (voucher #'s 8830 - 8897), in the amount of \$77, 701.72 drawn on the following funds: General \$20,933.41; General Part-Town \$140.80; Highway \$13,522.84; Highway Part-Town \$33,668.21; Sewer Fund \$16.59; Shorehaven Water Project \$3.05; and Trust & Agency \$773.02 were presented and audited by the Board members. James Herbert moved and David Brown seconded a motion that the Supervisor be directed to draw the necessary checks to cover the warrant as audited. Voting was as follows: Martha Bills, aye; Raymond Schuster, aye; David Brown, aye; James Herbert, aye; David Spann, aye.

The next Town Meeting is scheduled for Wednesday, July 11th, 2012 @ 7:30pm.

There being no further business, at 8:34pm. James Herbert moved and Martha Bills seconded a motion to adjourn. Unanimously carried.

Respectfully submitted,
//original signed//
Timothy C. Smith, Town Clerk