


**Public Notices**

 e-mail: [legals@beenews.com](mailto:legals@beenews.com) • Amherst legal deadline: 5:00 p.m. Friday

**— LEGAL NOTICE —**

VENTURE SALES GROUP LLC, a domestic Limited Liability Company (LLC) filed with the Sec of State of NY on 11-15-06. NY Office location: Erie County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail a copy of any process against the LLC served upon him/her to C/O Empire State Venture Corp., 40 Plainview Dr., Amherst, NY 14228. General purposes.

Apr. 2, 9, 16, 23, 30; May 7

**— LEGAL NOTICE —**
**NOTICE TO BIDDERS**

NOTICE IS HEREBY GIVEN, that sealed proposals in duplicate are sought and requested by the Board of Education, Amherst Central School District (hereinafter called "Owner"), for the Phase 1 Alterations to Amherst High School, Amherst Middle School, Smallwood Elementary School, and Windermere Elementary School.

Separate Bids are requested for Prime Contracts for:

General Work  
Heating Work  
Electrical Work

in accordance with Drawings, Project Manual, and other Bidding and Contract Documents prepared by:

Tetra Tech Engineers, Architects & Landscape Architects, P.C. d/b/a, Thomas Associates Architects + Engineers, 1000 Pittsford-Victor Road, Pittsford, New York 14534

Watts Architecture & Engineering, P.C., 3826 Main Street, Buffalo, New York 14226

A Pre Bid conference for all Bidders will be held in Amherst School District Administration Office at 2:00 P.M. on Tuesday, April 8, 2008 for the purpose of considering questions posed by Bidders.

Sealed bids will be received by the Owner until 2:00 P.M., local time, Tuesday, April 22, 2008 in the District Administration Office, Amherst Central School District, 55 Kings Highway, Amherst, New York 14226, at which time and place all bids will be opened and publicly read aloud.

The Bidding Documents and Forms of Proposals may be examined at the following:

Construction Exchange of Buffalo & Western NY, 625 Ensinger Road, Tonawanda, NY 14150

McGraw Hill Construction/Dodge, 320 North Goodman Street, Rochester, NY 14607

McGraw Hill Construction/Dodge, 5500 Main St., Williamsville, NY 14221

Rochester Builders Exchange, 180 Linden Oaks, Suite 100, Rochester, NY 14625

McGraw Hill Construction/Dodge, 4 Adler Drive, East Syracuse, New York 13057

Southern Tier Builders Association, 65 E. Main St., Falconer, NY 14733  
Amherst Central School District, 55 Kings Highway, Amherst, NY 14226

Thomas Associates Architects + Engineers, 1000 Pittsford-Victor Road, Pittsford, New York 14534

Copies of said documents may be obtained from Thomas Associates Architects + Engineers at the following address, by Bidders for Prime Contract Work upon payment of a deposit of \$ 75.00 for each complete set and a separate, non-refundable \$ 50.00 shipping and handling payment for each set.

Thomas Associates Architects + Engineers  
1000 Pittsford-Victor Road  
Pittsford, New York 14534

Partial sets or sections of the Contract Documents for use by subcontractors may be obtained from the Architect upon making a written request listing the drawing numbers and Project Manual sections desired, and upon payment equal to the cost of duplicating same; no part of such payment shall be refunded. Subcontractors obtaining partial sets or sections of the Contract Documents are advised that they remain responsible for all information contained in the complete set of Contract Documents.

All Prime Contract Bidders who have paid the aforesaid deposit for an entire set of Bidding and Contract Documents; have submitted a bid with required bid security; and return such sets to the Architect in GOOD CONDITION within thirty (30) calendar days after the award of contract or rejection of bids, shall receive a refund of the full amount of such deposit for one (1) set. Partial reimbursement, in an amount equal to full deposit less actual cost of Bidding and Contract Document reproduction for one (1) set, shall be made for the return of all other sets in GOOD CONDITIONS within thirty (30) calendar days after award of contracts or rejection of bids.

All checks for sets of Bidding and Contract Documents, complete or partial, shall be made payable to the Architect.

As bid security, each Bid shall be accompanied by a certified check or Bid Bond made payable to Owner, in accordance with the amounts and terms described in the INSTRUCTIONS TO BIDDERS.

The Owner requires that all bids shall comply with the bidding requirements specified in the INSTRUCTION TO BIDDERS. The Owner may, at its discretion, waive informalities in bids, but is not obligated to do so, nor does it represent that it will do so. The Owner also reserves the right to reject any and all bids. Under no circumstances will the Owner waive any informality that, by such waiver, would give one Bidder a substantial advantage or benefit not enjoyed by all other Bidders. No Bidder may withdraw his Bid before forty-five (45) days after the actual date of the opening thereof, unless a mistake to error is claimed by the Bidder in accordance with INSTRUCTIONS TO BIDDERS.

Apr. 2

**— LEGAL NOTICE —**

THE FOLLOWING RESOLUTION WAS ADOPTED ON FEBRUARY 25, 2008, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, NEW YORK, 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 VILLAGE OF WILLIAMSVILLE 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 DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE, OR SUCH OBLIGATIONS WERE AUTHORIZED IN VIOLATION OF THE PROVISIONS OF THE CONSTITUTION OF NEW YORK. THE RESOLUTION WAS SUBJECT TO PERMISSIVE REFERENDUM, BUT THE PERIOD OF TIME HAS ELAPSED FOR THE SUBMISSION AND FILING OF A PETITION FOR A PERMISSIVE REFERENDUM AND A VALID PETITION HAS NOT BEEN SUBMITTED AND FILED.

 LYNDA L. JUUL  
VILLAGE CLERK

 BOND RESOLUTION DATED  
FEBRUARY 25, 2008

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED ONE MILLION THREE HUNDRED THOUSAND DOLLARS (\$1,300,000) OF THE VILLAGE OF WILLIAMSVILLE, COUNTY OF ERIE, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST OF THE REPLACEMENT OR REPAIR OF SANITARY SEWER IMPROVEMENTS AND THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION THEREOF, AND DELEGATING CERTAIN POWERS TO THE VILLAGE TREASURER.

WHEREAS, the Village of Williamsville, in the County of Erie, New York (the "Village"), by its Board of Trustees, has determined that it is necessary for the Village to replace or repair sanitary sewer improvements (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York (collectively, the "SEQR Act"), the Board of Trustees has previously determined that the Project will not have a significant impact on the environment and has therefore issued a Negative Declaration of Environmental Significance.

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village, as follows:

SECTION 1. The Village of Williamsville, in the County of Erie, New York, shall issue its serial bonds in the aggregate principal amount not to exceed \$1,300,000 pursuant to the Local Finance Law of the State of New York, in order to finance the specific purpose hereinafter described. The Village is further authorized to issue its Bond Anticipation Notes in an aggregate principal amount not to exceed \$1,300,000 having a maturity not to exceed one year, subject to renewal as permitted under the Local Finance Law, in anticipation of the sale of the bonds.

SECTION 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the replacement or repair of sanitary sewer improvements in the Village of Williamsville. The maximum cost of said purpose will not exceed one million three hundred thousand dollars (\$1,300,000).

SECTION 3. The Board of Trustees plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed one million three hundred thousand dollars (\$1,300,000) of said Village, hereby authorized to be issued therefore pursuant to the Local Finance Law.

SECTION 4. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law. It is hereby further determined that the weighted average period of probable usefulness for the Project, together with purposes of bonds to be sold together with the bonds to finance the construction of waterline improvements and highway improvements, is thirty-one (31) years. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of thirty-one (31) years.

SECTION 5. By resolution adopted by the Board of Trustees of the Village on August 13, 2007, the Village adopted its statement of official intent with respect to the Project for purposes of Treasury Regulations Section 1.150-2.

SECTION 6. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 7. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on 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 becoming due and payable in such year. There shall annually be levied all the taxable real property of said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 8. The expected source of funds to be used initially to pay for up to one million three hundred thousand dollars (\$1,300,000) of the expenditures for the purpose described herein shall be from the Village's General Fund. The Village then reasonably expects to reimburse such expenditure in an amount not to exceed one million three hundred thousand dollars (\$1,300,000) with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution ratifies the prior declaration of the Village's "official intent" to reimburse the expenditures incurred in connection with the Project with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. Subject to the provisions of this resolution and the Local Finance Law, and 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 and Sections 56.00 to 60.00 of the Local Finance Law, the powers and duties of the Board of Trustees pertaining or incidental to the sale or issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and renewal 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 Village Treasurer, the Chief Fiscal Officer of the Village. All other matters except as provided herein relating to the bonds herein authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

SECTION 10. The Village Treasurer 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 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 11. 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) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or  
(2) The provisions of law which should be complied with at the date of publication of this resolution or a summary hereof 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  
(3) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. Pursuant to Section 36.00 of the Local Finance Law and Article 9 of the Village Law, this resolution is subject to permissive referendum and shall not become effective until either approved by the qualified voters of the Village pursuant to a petition being filed or 30 days having expired without a petition being filed.

SECTION 13. Upon this resolution taking effect as aforesaid, the Village Clerk is hereby authorized and directed to publish an abstract of this resolution, together with a notice in substantially the form provided by Section 81.00 of Local Finance Law, in the Amherst Bee, a newspaper having a general circulation in said Village and hereby designated as the official newspaper of said Village for such publication.

Apr. 2

**— LEGAL NOTICE —**

NOTICE OF BUDGET HEARING MEETING ANNUAL BUDGET VOTE AND THE PURCHASE OF 437 MILL STREET AND ELECTION OF THREE BOARD MEMBERS FOR THE WILLIAMSVILLE CENTRAL SCHOOL DISTRICT

NOTICE IS HEREBY GIVEN that the BUDGET HEARING MEETING for the residents of the Williamsville Central School District will be held at the District Office Boardroom, 105 Casey Road, E. Amherst, NY, 14051, on Thursday, May 8, 2008, from 6:00 PM to 7:15 PM, Eastern Daylight Savings Time, at which time the proposed budget for the school year 2008-2009 will be presented, as well as such matters as may properly come before the meeting.

FURTHER NOTICE IS HEREBY GIVEN that the voting by the qualified residents of the Williamsville School District upon the School Budget, other propositions and the election of THREE (3) board members, the highest three vote recipients, each for a term of three (3) years beginning July 1, 2008 and concluding June 30, 2011, will be held on Tuesday, May 20, 2008, in the North High School gym, 1595 Hopkins Road, Williamsville, New York, in said School District, at which time the polls will be open between the hours of 7:00 o'clock AM and 9:00 o'clock PM, Eastern Daylight Savings Time, for the purpose of voting by ballot on voting machines.

LYNDA L. JUUL  
VILLAGE CLERK

BOND RESOLUTION DATED  
FEBRUARY 25, 2008

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THREE HUNDRED NINETY THOUSAND DOLLARS (\$390,000) OF THE VILLAGE OF WILLIAMSVILLE, COUNTY OF ERIE, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST OF THE REPAIR AND RECONSTRUCTION OF HIGHWAY IMPROVEMENTS AND THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION THEREOF, AND DELEGATING CERTAIN POWERS TO THE VILLAGE TREASURER.

WHEREAS, the Village of Williamsville, in the County of Erie, New York (the "Village"), by its Board of Trustees, has determined that it is necessary for the Village to repair and reconstruct portions of certain Village streets (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, and the regulations adopted pursuant thereto to by the Department of Environmental Conservation of the State of New York (collectively, the "SEQR Act"), the Board of Trustees has previously determined that the Project will not have a significant impact on the environment and has therefore issued a Negative Declaration of Environmental Significance.

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village, as follows:

PROPOSITION # 2  
PURCHASE 437 MILL STREET  
PROPOSITION

RESOLVED: (a) That the Board of Education of the Williamsville Central School District, in the County of Erie, New York (the "District"), is hereby authorized to acquire real property located at 437 Mill Street (148' x 440', the Property), together with the building and all improvements thereon and appurtenances there-to, at the cost of \$120,000.

NOTICE IS ALSO GIVEN that the petitions nominating candidates for the office of member of the Board of Education must be filed with Mitzie Serafin, District Clerk, at 105 Casey Road, E. Amherst, New York, 14051 between the hours of 9:00 o'clock

AM and 5:00 o'clock PM not later than April 21, 2008. Each petition must be directed to the Clerk of the School District; must be signed by at least sixty-six (66) qualified voters of the District; must state the residence of each signer, and must state the name and residence of the candidate.

NOTICE IS ALSO GIVEN that the Board of Education has established rules governing

the filing of petitions for the inclusion of propositions on the voting machines in School District Meetings and Elections. Copies of such rules are available at the District Office, 105 Casey Road, East Amherst, New York, in said School District.

PLEASE TAKE FURTHER NOTICE that the foregoing propositions will appear on the ballot labels on the voting machines as follows:

PROPOSITION NO. 1  
BUDGET  
SHALL IT BE RESOLVED:

That the Budget for the year 2008-2009 presented by the Board of Education be approved?

YES NO  
PROPOSITION NO. 2  
PURCHASE 437 MILL STREET  
PROPOSITION  
SHALL IT BE RESOLVED:

That the Board of Education of the Williamsville Central School District, in the County of Erie, New York (the "District"), is hereby authorized to acquire real property located at 437 Mill Street (148' x 440', the Property), together with the building and all improvements thereon and appurtenances there-to, at the cost of \$120,000.

YES NO  
PROPOSITION NO. 3  
VOTE FOR ANY THREE  
BOARD MEMBERS

Election of three (3) board members, the highest three vote recipients, each for a term of three (3) years beginning July 1, 2008, and concluding June 30, 2011.

NOTICE IS ALSO GIVEN that the applications for absentee ballots for election of members of the board of education and voting upon the budget and other propositions may be obtained at the District Office, 105 Casey Road, E. Amherst, New York, beginning April 23, 2008, during regular business hours, Monday-Friday. Completed applications must be returned to the office of the District Clerk not later than 5:00 PM on May 13, 2008, for an absentee ballot to be mailed to the voter, on one day before the annual election if the ballot is to be personally delivered. A list of all persons to whom absentee ballots have been issued will be available in the office of the District Clerk, and said list will also be posted at the polling place on the date of the annual election.

DATED: Williamsville New York,  
March 28, 2008  
By order of:  
Board of Education of  
Williamsville Central School District  
Erie County, New York  
Mitzie S. Serafin  
District Clerk  
P.O. Box 5000  
105 Casey Road  
E. Amherst NY 14051-5000  
Apr. 2, 16, 30; May 7

**— LEGAL NOTICE —**

THE FOLLOWING RESOLUTION WAS ADOPTED ON FEBRUARY 25, 2008, BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, NEW YORK, 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 VILLAGE OF WILLIAMSVILLE 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 DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE, OR SUCH OBLIGATIONS WERE AUTHORIZED IN VIOLATION OF THE PROVISIONS OF THE CONSTITUTION OF NEW YORK. THE RESOLUTION WAS SUBJECT TO PERMISSIVE REFERENDUM, BUT THE PERIOD OF TIME HAS ELAPSED FOR THE SUBMISSION AND FILING OF A PETITION FOR A PERMISSIVE REFERENDUM AND A VALID PETITION HAS NOT BEEN SUBMITTED AND FILED.

 LYNDA L. JUUL  
VILLAGE CLERK

 BOND RESOLUTION DATED  
FEBRUARY 25, 2008

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED THREE HUNDRED NINETY THOUSAND DOLLARS (\$390,000) OF THE VILLAGE OF WILLIAMSVILLE, COUNTY OF ERIE, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST OF THE REPAIR AND RECONSTRUCTION OF HIGHWAY IMPROVEMENTS AND THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION THEREOF, AND DELEGATING CERTAIN POWERS TO THE VILLAGE TREASURER.

WHEREAS, the Village of Williamsville, in the County of Erie, New York (the "Village"), by its Board of Trustees, has determined that it is necessary for the Village to repair and reconstruct portions of certain Village streets (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, Chapter 43-B of the Consolidated Laws of New York, as amended, and the regulations adopted pursuant thereto to by the Department of Environmental Conservation of the State of New York (collectively, the "SEQR Act"), the Board of Trustees has previously determined that the Project will not have a significant impact on the environment and has therefore issued a Negative Declaration of Environmental Significance.

NOW, THEREFORE, BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village, as follows:

SECTION 1. The Village of Williamsville, in the County of Erie, New York, shall issue its serial bonds in the aggregate principal

amount not to exceed \$390,000 pursuant to the Local Finance Law of the State of New York, in order to finance the specific purpose hereinafter described. The Village is further authorized to issue its Bond Anticipation Notes in an aggregate principal amount not to exceed \$390,000 having a maturity not to exceed one year, subject to renewal as permitted under the Local Finance Law, in anticipation of the sale of the bonds.

SECTION 2. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the repair and reconstruction of highway improvements in the Village of Williamsville. The maximum cost of said purpose will not exceed three hundred ninety thousand dollars (\$390,000).

SECTION 3. The Board of Trustees plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed three hundred ninety thousand dollars (\$390,000) of said Village, hereby authorized to be issued therefore pursuant to the Local Finance Law.

SECTION 4. It is hereby determined that said purpose is an object or purpose described in subdivision 20 of paragraph (a) of Section 11.00 of the Local Finance Law. It is hereby further determined that the weighted average period of probable usefulness for the Project, together with purposes of bonds to be sold together with the bonds to finance the construction of waterline improvements and sanitary sewer improvements, is thirty-one (31) years. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of thirty-one (31) years.

SECTION 5. By resolution adopted by the Board of Trustees of the Village on August 13, 2007, the Village adopted its statement of official intent with respect to the Project for purposes of Treasury Regulations Section 1.150-2.

SECTION 6. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 7. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on 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 becoming due and payable in such year. There shall annually be levied all the taxable real property of said Village a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 8. The expected source of funds to be used initially to pay for up to three hundred ninety thousand dollars (\$390,000) of the expenditures for the purpose described herein shall be from the Village's General Fund. The Village then reasonably expects to reimburse such expenditure in an amount not to exceed three hundred ninety thousand dollars (\$390,000) with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution ratifies the prior declaration of the Village's "official intent" to reimburse the expenditures incurred in connection with the Project with the proceeds of the bonds and notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 9. Subject to the provisions of this resolution and the Local Finance Law, and 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 and Sections 56.00 to 60.00 of the Local Finance Law, the powers and duties of the Board of Trustees pertaining or incidental to the sale or issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and renewal 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 Village Treasurer, the Chief Fiscal Officer of the Village. All other matters except as provided herein relating to the bonds herein authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

SECTION 10. The Village Treasurer 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 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 11. 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) Such obligations are authorized for an object or purpose for which said Village is not authorized to expend money, or  
(2) The provisions of law which should be complied with at the date of publication of this resolution or a summary hereof 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  
(3) Said obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 12. Pursuant to Section 36.00 of the Local Finance Law and Article 9 of the Village Law, this resolution is subject to permissive referendum and shall not be-

come effective until either approved by the qualified voters of the Village pursuant to a petition being filed or 30 days having expired without a petition being filed.

SECTION 13. Upon this resolution taking effect as aforesaid, the Village Clerk is hereby authorized and directed to publish an abstract of this resolution, together with a notice in substantially the form provided by Section 81.00 of Local Finance Law, in the Amherst Bee, a newspaper having a general circulation in said Village and hereby designated as the official newspaper of said Village for such publication.

Apr. 2

**— LEGAL NOTICE —**

SUPPLEMENTAL SUMMONS. Index No. 2007-12749.

STATE OF NEW YORK. SUPREME COURT. COUNTY OF ERIE. CITIMORTGAGE INC., Plaintiff, -vs.- THE HEIRS AT LARGE OF HELEN R. ARNOLD, DECEASED, and all persons who are husbands, widows, grantees, mortgagees, lienors, heirs, devisees, distributees, successors in interest of such of them as may be dead, and their husbands and wives, heirs, devisees, distributees and successors in interest all of whom and whose names and places are unknown to Plaintiff; FREDERICK D. ARNOLD, CAROLE E. DOWNING-MOBLEY, SHIRLEY DOWNING-BRADLEY, JENEAN D. CUSAC AND LESTER DOWNING AS POSSIBLE HEIRS OF THE ESTATE OF HELEN R. ARNOLD, DECEASED; ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES; UNITED STATES OF AMERICA; PEOPLE OF THE STATE OF NEW YORK; "JOHN DOE" AND "JANE DOE" said names being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein, Defendants. Mortgage Premises: 2094 North Fillmore Avenue, Buffalo, N.Y. 14214.

TO THE ABOVE NAMED DEFENDANT(S):

YOU ARE HEREBY SUMMONED to answer the Complaint in the above entitled action and to serve a copy of your Answer on the plaintiff's attorney within twenty (20) days after the service of this Summons, exclusive of the day of service, or within thirty (30) days after completion of service where service is made in any other manner than by personal delivery within the State. The United States of America, if designated as a defendant in this action, may answer or appear within sixty (60) days of service hereof. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint. In the event that there is a deficiency in the sale proceeds, a deficiency judgment may be entered against you. That this summons is being amended to add The Heirs at Large of Helen R. Arnold, Frederick D. Arnold, Carole E. Downing-Mobley, Shirley Downing Bradley, Jenean D. Cussac and Lester Downing, as possible heirs to the Estate of Helen R. Arnold. This summons is also being amended to add "United States of America," "People of the State of New York" and "Erie County Department of Social Services" as necessary parties to this action.

NOTICE YOU ARE IN DANGER OF LOSING YOUR HOME. If you do not respond to this summons and complaint by serving a copy of the answer on the attorney for the mortgage company who filed this foreclosure proceeding against you and filing the answer with court, a default judgment may be entered and you can lose your home. Speak to an attorney or go to the court where your case is pending for further information on how to answer the summons and protect your property. Sending a payment to your mortgage company will not stop this foreclosure action. YOU MUST RESPOND BY SERVING A COPY OF THE ANSWER ON THE ATTORNEY FOR THE PLAINTIFF (MORTGAGE COMPANY) AND FILING THE ANSWER WITH THE COURT. Erie County is designated as the place of trial. The basis of venue is the location of the mortgaged premises. Dated: February 13, 2008. FEIN SUCH & CRANE, LLP, Attorneys for Plaintiff, Office and P.O. Address, 28 East Main Street, Suite 1800, Rochester, New York 14614. Telephone No. (585) 325-6202. District: Section: 89.52, Block: 6, Lot: 7. NATURE AND OBJECT OF ACTION. The object of the above action is to foreclose a mortgage held by the Plaintiff recorded in the County of Erie, State of New York, on October 19, 2004, in Liber 13193 of Mortgages, at page 8588; said mortgage was assigned by Mortgage Electronic Registration Systems Inc., as Nominee for Flagstar Bank, FSB to Plaintiff by virtue of an Assignment of Mortgage to be recorded in the Erie County Clerk's Office prior to the entry of the judgment. TO THE DEFENDANT, except HELEN R. ARNOLD, DECEASED, the plaintiff makes no personal claim against you in this action.

To the above named defendants: The foregoing summons is served upon you by publication pursuant to an order of the Hon. Joseph D. Mintz, a Justice of the Supreme Court of the State of N.Y., dated March 4, 2008 and filed along with the supporting papers in the Erie County Clerk's Office. This is an action to foreclose a mortgage. The premises is described as follows: Beginning at a point in the westerly line of Fillmore Avenue 128 feet southerly from the point of intersection of the west line of Fillmore Avenue with the southerly line of Dewey Avenue (formerly Forest Avenue); being a plot 173 feet by 40 feet by 173 feet by 40 feet.

Premises known as 2094 North Fillmore Avenue, Buffalo, N.Y. 1421