

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

The meeting was opened at 7:30 p.m. with the Pledge of Allegiance led by Trustee Piazza.

Present: Brian J. Kulpa, Mayor
Daniel O. DeLano, Deputy Mayor
Basil J. Piazza, Trustee
John “Al” Yates, Jr., Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Ben Vilonen, DPW Crew Chief
Maggie Hamilton, Director of Community Development

Excused: Christopher J. Duquin, Trustee

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on January 23, 2017 as submitted.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the special meeting held on January 28, 2017, as submitted.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 70-16 (Parks and Public Areas, Hours of Public Use) of the Village Code, which would change the closing time of all parks, except Glen Park, from 10:00 p.m. to dark.

**This public hearing was previously held on October 24, 2016, November 14, 2017, November 28, 2016, December 12, 2016, January 9, 2017, January 23, 2017 and left open.*

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to continue this public hearing at 7:39 p.m.

Motion carried. 4 – 0.

No comments were received from the audience.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved at 7:40 p.m. to close this public hearing.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 103 (Vehicles and Traffic) of the Village Code, which would prohibit left-hand turns from California Drive onto Main Street.

**This public hearing was previously held on November 28, 2016, December 12, 2016, January 9, 2017, January 23, 2017 and left open.*

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to continue this public hearing at 7:40 p.m.

Motion carried. 4 - 0.

Member(s) of the audience who spoke and the topics of their comment(s) *[The Village Board's comments are in italics]*:

Mary Lowther, 120 N. Ellicott St. – The Board should be prepared for other residents to ask for the same on their streets. *[Mayor Kulpa - Site line issue is due to angle of the road. It needs NYSDOT approval.*

Deputy Mayor DeLano – Stemmed from the traffic study related to proposed Asher Crossing; intersection is rated F.]

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved at 7:43 p.m. to close this public hearing.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

PUBLIC HEARING

Proposed modification to Chapter 103 (Vehicles and Traffic) of the Village Code, which would remove No Parking in Public Right-of-Way from certain areas of the Village

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to open this public hearing at 7:43 p.m.

Motion carried. 4 - 0.

The Administrator read aloud the legal notice as it appeared in the Amherst Bee on January 18, 2017.

Deputy Mayor DeLano stated this stems from review of the code. It would clean up this section of the code and remove references to specific areas where people currently park.

Member(s) of the audience who spoke and the topics of their comment(s) [*The Village Board's comments are in italics*]:

1. William Tuyn, 121 Park Dr. – Be careful how this is worded.
2. John Benz, 34 Howard Ave. – Asked for clarification. [*Mayor Kulpa – currently areas stated in the code that are not enforced.*] Can't eliminate any parking spaces.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:50 p.m. to close this public hearing.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 103 (Vehicles and Traffic) of the Village Code, which would modify Chapter 103 (Vehicles and Traffic) so that it correctly identifies the intersection of the connecting street (between Evans Street and Main Street) and Main Street as a stop intersection and not a yield intersection.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to open this public hearing at 7:50 p.m.

Motion carried. 4 - 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

The Administrator read aloud the legal notice as it appeared in the Amherst Bee on January 18, 2017.

Deputy Mayor DeLano stated this modification corrects the code to match the existing signage.

No comments were received from the audience.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:53 p.m. to close this public hearing.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the public participation portion of the meeting.

Motion carried. 4 – 0.

Member(s) of the audience who spoke and the topics of their comment(s) *[The Village Board's comments are in italics]*:

1. Mary Lowther, 120 N. Ellicott St. – Regarding the Meeting House, she received 2 calls because it is full of items, the furnace didn't work. Does not know why her name is on anything. Group doing play has had the Meeting House tied up for a month and they are having two other plays there. She held a family mass there and had to spend a half-hour moving things. *[Trustee Piazza – It's a learning process. Group had agreed to move all of their items out. Furnace was an unfortunate issue. Buffalo Friends of Folk Music needs a number to contact someone. Deputy Mayor DeLano – The Village and that group have parted ways. Need people to be respectful of that building.]*
2. Larry Zazowski, 70 Los Robles – Regarding the meeting this upcoming Saturday related to the California/S. Long area, asked how many meetings there will be and what the time frames would be. *[Mayor Kulpa – Doing a Lego build-out then come back afterward. Meeting 3/4/17, and in early April. Goal is to have an amendment to the Community Plan within six months.]*
3. Jim Tricoli, 4 Columbia Dr. – Regarding Evans to Main – Can't avoid going over double lines to get to turn signal; Unnecessary sign for park and ride. *[Mayor Kulpa – that sign refers to NFTA park and ride at Main and Union.]* For people who are in plays, the play is everything - need to set parameters; Village assessments.
4. Thomas Frank, 5403 Main St. – NYSEDA - Town of Amherst Comprehensive Plan; Congress of New Urbanism; Onondaga Escarpment; GBNRTC; International Joint Commission; Pass resolution regarding Bicentennial 2018; Amherst Planning Board economic study.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

5. Cheryl Meyer, 90 Willowbrook Drive – Noise issues in Village; Board’s view on open seat on Village Board – waiting until June to fill? Trustee Duquin should decide what he’s doing and move forward. If Mayor Kulpa gets democratic endorsement, will he remain mayor while he politics?

6. John Benz, 34 Howard Ave. – Mayor Kulpa can do whatever campaigning he needs to – he’s a smart man. Would be well served if he was elected supervisor; regarding Duquin, people make mistakes.

7. Mary Lowther, 120 N. Ellicott St. – Assessment went up 60%; Main Street is grossly under-assessed. Commercial property owners have the attorneys and wherewithal to fight assessments; concerned being singled out. If bottom falls out, won’t lower assessments.

8. Jim Tricoli, 4 Columbia Dr. – Did research on assessor; one politician’s assessment went down \$80,000; another’s went down \$100,000.

9. Cheryl Meyer, 90 Willowbrook Drive – Would historical properties create a problem with re-assessments?

10. Bill Tuyn, 120 Park Dr. – Challenging assessments does not have to be expensive. Assessor does good job of letting residents know what they need to do. Everyone should look at what houses are selling for in their neighborhoods.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the public participation portion of the meeting.

Motion carried. 4 – 0.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): Safety issues at the Mill; S. Long planning process; preservation of the Section House; replacement of three fire vehicles.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt Mayor Kulpa’s resolutions #1 through #5, as written.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

KULPA #1 – ADOPTED. 4 – 0.

RESOLVED, that payroll and vouchers in the amount of **\$516,828.17** covering the period from 1/18/17 to 2/21/17, are hereby approved as follows:

Payroll covering 1/9/17 – 1/22/17: \$38,365.01

Payroll covering 1/23/17 – 2/5/17: \$35,623.23

Payroll covering 2/6/17 – 2/19/17: \$38,934.63

Vouchers covering 1/18/17 – 2/7/17:

General Fund	\$112,050.44
Water Fund	\$0.00
Sewer Fund	\$3,554.61
Glen Park Fund	\$225.71
Trust & Agency Fund	\$16,044.14
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$7,288.44</u>
	\$139,163.34

Vouchers covering 2/8/17 – 2/21/17:

General Fund	\$42,143.60
Water Fund	\$0.00
Sewer Fund	\$64.33
Glen Park Fund	\$86.56
Trust & Agency Fund	\$28,522.78
Debt Service	\$186,500.00
Community Development	\$0.00
Capital Fund	<u>\$7,424.69</u>
	\$264,741.96

GRAND TOTAL: **\$516,828.17**

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

KULPA #2 – ADOPTED. 4 – 0.

RESOLVED, that the following ***budget transfers*** are hereby made in the ***General Fund*** for the **2016-2017** fiscal year:

To:	001-1620-4260 (Buildings-Maint. Supplies)	\$74.00
From:	001-1620-4230 (Buildings-Building Maint.)	\$74.00
To:	001-1920-4000 (Association Dues)	\$765.00
From:	001-1910-4000 (Unallocated Insurance)	\$765.00
To:	001-3410-4160-3491 (Fire Protection-Chief Truck Expense)	\$21.00
	001-3410-4160-3405 (Fire Protection-Rescue 5 Expense)	\$914.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$935.00
To:	001-3410-4160-3451 (Fire Protection-Truck Expense/2015 Ford F350 XL)	\$10.00
	001-3410-4160-3492 (Fire Protection-Asst. Chief's Vehicle)	\$1278.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$1288.00
To:	001-3410-4110 (Fire Protection-Service Contracts)	\$187.00
	001-3410-4450 (Fire Protection-Misc.)	\$38.00
From:	001-3410-4071 (Fire Protection-Sewer Charges)	\$220.00
	001-3410-4070 (Fire Protection-Utilities)	\$5.00
To:	001-3620-4450 (Safety Inspection-Misc.)	\$338.00
From:	001-3620-2000 (Safety Inspection-Equipment)	\$188.00
	001-3620-4040 (Safety Inspection-Education Exp./Travel)	\$100.00
	001-3620-4010 (Safety Inspection-Office Supplies)	\$50.00
To:	001-5110-2000 (Street Maint.-Equipment)	\$116.00
	001-5110-4161-0912 (Street Maint.-Repairs-CAT HI-Lift)	\$2544.00
	001-5110-4161-0919 (Street Maint.-Repairs/2007 Chevy 4x4)	\$30.00
	001-5110-4161-0920 (Street Maint.-Repairs/1992 John Deere Backhoe)	\$78.00
From:	001-5110-4161 (Street Maint.-Repairs/Equipment)	\$2768.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$3048.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$3048.00
To:	001-7110-4161 (Parks-Repairs/Lights)	\$89.00
From:	001-7110-4169 (Parks-Repairs/Others)	\$89.00
To:	001-7530-4230 (Village Meeting House-Maintenance)	\$995.00
From:	001-7530-4070 (Village Meeting House-Utilities)	\$995.00
To:	001-8560-1000 (Shade Trees-Personal Services)	\$3666.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$3666.00

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

KULPA #3 – ADOPTED. 4 – 0.

RESOLVED, that the following ***budget transfers*** are hereby made in the ***Sewer Fund*** for the ***2016-2017*** fiscal year:

To:	007-8120-1001 (Sanitary Sewer-Personal Services/OT)	\$122.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$122.00

To:	007-8120-4163 (Sanitary Sewers-Sewer Cleaning/Televising)	\$2800.00
From:	007-8120-4161 (Sanitary Sewers-Repairs/Lines)	\$2800.00

KULPA #4 – ADOPTED. 4 – 0.

RESOLVED, that the following ***budget transfer*** is hereby made in the ***Glen Park Fund*** for the ***2016-2017*** fiscal year:

To	009-7141-2010 (Glen Park-Capital Improvements)	\$8450.00
From:	009-7141-2010-0001 (Glen Park-Capital Improvements/Security Cameras)	\$8450.00

KULPA #5 – ADOPTED. 4 – 0.

RESOLVED, that the following ***budget amendment*** is hereby made in the ***General Fund*** for the ***2016-2017*** fiscal year to account for a donation from the Village Preservation Foundation for proceeds from the 12/08/16 Steve Balesteri Holiday in the Village Concert at the Meeting House to be used for Meeting House building improvements:

Increase:	001-0001-2705 (Gifts & Donations)	\$1346.00
Increase:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$1346.00

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt the following resolution:

A BOND RESOLUTION, DATED FEBRUARY 27, 2017, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, ERIE COUNTY, NEW YORK (THE “VILLAGE”) AUTHORIZING (A) THE ACQUISITION OF FIRE-FIGHTING VEHICLES AND APPARATUS FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$1,350,000, (B) THE EXPENDITURE OF \$175,000 FROM

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

THE VILLAGE'S CAPITAL FIRE TRUCK RESERVE FUND, AND (C) THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,175,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY TRADE-IN AMOUNTS AND 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 VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees of the Village of Williamsville, Erie County, New York (the "Village") has determined to acquire fire-fighting vehicles and apparatus; and

WHEREAS, the Village has previously established a reserve fund known as the Capital Fire Truck Reserve Fund established on January 23, 1984 (the "Reserve Fund"); and

WHEREAS, the Village anticipates it will receive approximately \$200,000 from the trade-in of other fire-fighting vehicles;

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

SECTION 1. The Village is hereby authorized to undertake the acquisition of fire-fighting vehicles and apparatus for use by the Village, including any preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof (the "Purpose"). The estimated maximum cost of said purpose is \$1,350,000.

SECTION 2. The Village Board of Trustees plans to finance a portion of the estimated maximum cost of the Purpose by the expenditure of \$175,000 from the Reserve Fund. The balance of such Purpose is to be funded by the issuance of serial bonds in an aggregate principal amount not to exceed \$1,175,000 of the Village, hereby authorized to be issued therefore pursuant to the Local Finance Law, such amount to be offset by any trade-in amounts (estimated to be \$200,000) and any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such acquisition is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that such purpose is a class of objects or purposes described in subdivision 27 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such purpose is 20 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 such bonds.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

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 Village 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 will 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, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

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 such 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 Village Board of Trustees 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 details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, 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 Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) 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 (or reaffirmation) of the Village'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 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 tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may 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) of the Code.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

SECTION 10. The Village Treasurer 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 Village hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 12. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 13. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of the law which should be complied with as of the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice; or

2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, the Village 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 such Local Financial Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt the following resolution:

WHEREAS, the Village of Williamsville has a contract with Buffalo Niagara Riverkeeper for services related to the E. Spring Street project, which expired on December 31, 2016; and

WHEREAS, construction on said project was not complete until December 2016, and Buffalo Niagara Riverkeeper was unable to complete water quality testing prior to the end of their contract;

NOW, THEREFORE, BE IT RESOLVED, that the contract with Buffalo Niagara Riverkeeper is hereby extended to July 31, 2017, as a time only extension with no additional costs to be incurred by the Village of Williamsville.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that Change Order #1 to Yarussi Construction for additional work completed on the E. Spring Street project is hereby approved in the amount of \$7,424.69.

Motion carried. 4 – 0.

Mayor Kulpa announced he was tabling his resolution regarding lifting the overnight winter parking ban until the next Village Board meeting which will be held on March 13, 2017.

Report – Deputy Mayor DeLano

Deputy Mayor DeLano reported on the following topic(s): Tree planting project on Union Rd.; Village tree planting day is May 6th; Ash trees and Emerald Ash Borer; Thanked Maggie Hamilton, Ben Vilonen and Deb Habes for their assistance with the Urban Forestry Management Plan.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that the proposed amendment to Chapter 103 (Vehicles and Traffic) of the Village Code, which would reduce the speed limit on Glen Avenue between Mill Street and N. Cayuga Road from 30 mph to 25 mph and which was the subject of a public hearing held on January 23, 2017, is hereby adopted as **Local Law 3 of 2017**.

Motion carried. 4 – 0.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Yates, it was moved to adopt the following resolution:

WHEREAS, the Emerald Ash Borer was first discovered in the United States in 2002; and

WHEREAS, the Department of Environment & Conservation has stated that the Emerald Ash Borer is responsible for the destruction of over 50 million ash trees in the United States; and

WHEREAS, there are approximately 900 million ash trees in New York State alone that the Emerald Ash Borer is a threat to; and

WHEREAS, residents of New York, including many in Erie County, and the Village of Williamsville, have to remove trees from their private property that have been killed by the Emerald Ash Borer; and

WHEREAS, removal of dead ash trees can cost up to \$500.00 per tree; and

WHEREAS, New York State Senator Tim Kennedy has introduced legislation in the New York State Legislature to allow residents to apply for a tax credit of 50% of the cost of the removal of each tree, capped at \$300.00 per tree. The bill also allows a tax credit of \$100.00 or 50% of the cost of the treatment for each ash tree on their private property;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees calls on the New York State Legislature to pass Senate Bill S8196 to amend the tax code to allow taxpayers to claim credits for treating and removing trees infected by the Emerald Ash Borer; and

BE IT FURTHER RESOLVED, that the Village of Williamsville Board of Trustees calls on Governor Andrew Cuomo to sign Senate Bill S8196 when it reaches his desk; and

BE IT FURTHER RESOLVED, that the Village Clerk of the Village of Williamsville is hereby directed to transmit copies of this resolution to New York State Senator Patrick

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

Gallivan, New York Assemblywoman Monica Wallace, State Senator Tim Kennedy, State Senator Catherine Young (Chairwoman of the Senate Finance Committee), Assemblyman Herman Farrell, Jr. (Chairman of the Assembly Ways and Means Committee), Governor Andrew Cuomo, and to other municipalities within Erie County.

Motion carried. 4 – 0.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to adopt the following resolution:

WHEREAS, Chapter 101 of the Village Code establishes a Village Tree Board; and

WHEREAS, one of the duties and responsibilities of the Tree Board under the code is to create and establish a written Tree Risk Management Plan for the “care, preservation, pruning, planting, replanting, removal or disposition of trees in parks, along streets and in other public areas”;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby approves the 2017 Urban Forestry Management Plan, as submitted by the Village Tree Board.

Motion carried. 4 – 0.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to adopt the following resolution:

WHEREAS, the new York State Department of Transportation proposes the construction, reconstruction, or improvement of NY Route 277, S. Union Rd., in the Village of Williamsville, located in Erie County, PIN 5809.95; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment of sanitary manhole cover elevations, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended; and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project;

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

NOW, THEREFORE, BE IT RESOVED, that the Village of Williamsville approves of the adjustment of sanitary sewer manhole cover elevations and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Williamsville will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and

BE IT FURTHER RESOLVED, that Benjamin Vilonen has the authority to sign, with the concurrence of the Village Board of Trustees, any and all documentation that may become necessary as a result of this project as it relates to the Village of Williamsville; and

BE IT FURTHER RESOLVED, that the clerk of the Village of Williamsville is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Motion carried. 4 – 0.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to adopt the following resolution:

WHEREAS, the Village Tree Board and Village of Board of Trustees wishes to plant trees on Union Road within the limits of the Village of Williamsville; and

WHEREAS, the NYS DEC has grants available for the planting of trees;

NOW, THEREFORE, BE IT RESOLVED, that the grant application to NYS DEC under their Urban Forestry Grant Program is hereby approved; and

BE IT FURTHER RESOLVED, that the Village Board of Trustees acknowledges that it will contribute, at a minimum, a 25% match to the project, should a grant be awarded; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to sign all paperwork related to the grant application, as well as any paperwork required should a grant be awarded to the Village of Williamsville.

Motion carried. 4 – 0.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Thanked everyone involved in the Williamsville Library Gala; Family movie night (at the Meeting House) is next Friday; Irish Sing-a-long (at the Meeting House) is this Sunday; Saddened by issues at the Meeting House.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

ON MOTION by Trustee Yates, seconded by Trustee Piazza, the following resolution was adopted:

RESOLVED, that the Village Board of Trustees hereby approves the ***Volunteer Firefighters Service Award Program List*** of all 2016 active volunteer firefighters for the Village of Williamsville and hereby authorizes the Mayor to sign the authorization for Penflex, Inc. to use the data submitted for the 2016 records.

Motion carried. 4 – 0.

ON MOTION by Trustee Yates, seconded by Trustee Piazza, it was moved to leave the regular agenda to consider a new resolution.

Motion carried. 4 – 0.

ON MOTION by Trustee Yates, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that ***Nathanael Anderson and Kelechi Anderson*** of ***49 Highland Drive, Williamsville, New York***, are hereby appointed to the ***Youth & Recreation Committee*** for the remainder of the ***2016-2017*** official Village year; and

BE IT FURTHER RESOLVED, that ***Nathanael Anderson and Kelechi Anderson*** are hereby appointed as ***co-chairs of the Youth & Recreation Committee*** for the remainder of the ***2016-2017*** official Village year.

Motion carried. 4 – 0.

ON MOTION by Trustee Yates, seconded by Deputy Mayor DeLano, it was moved to return to the regular agenda.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Lancaster Players will be presenting the play “Same Time Next year” (at the Meeting House) on 3/24 at 7:30 p.m., 3/25 at 7:00 p.m., and 3/26 at 2:30 p.m.

ON MOTION by Trustee Piazza, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that Ben Vilonen, DPW Crew Chief, is hereby authorized to attend the Native Plant Symposium in Ithaca, New York from March 9 – March 11, 2017, at a cost not to exceed \$920.00, to be paid for by the Village of Williamsville.

Motion carried. 4 – 0.

ON MOTION by Trustee Piazza, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

WHEREAS, the Village of Williamsville is under contract with CHA Consulting for the design of the Main Street project, being funded by a NYS Transportation Enhancement Project (TEP) grant; and

WHEREAS, Phase 1 of the design is nearly at 100% completion;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the contract for Phase 2 of design, in an amount not to exceed \$312,287.00.

Motion carried. 4 – 0.

Staff Report(s) – None.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to open the Executive Session at 9:07 p.m. to discuss a personnel issue related to a specific individual; current litigation; and pending litigation.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, February 27, 2017 at 7:30 p.m.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the Executive Session at 9:28 p.m.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to leave the regular agenda to consider a new resolution.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that the rate of pay for Gail Jahreis, Clerk to the Village Justice, is hereby set at \$19.51 per hour, effective February 27, 2017.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to return to the regular agenda at 9:29 p.m.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adjourn the regular meeting at 9:30 p.m.

Motion carried. 4 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer