

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, September 11, 2017 at 7:30 p.m.

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

Present: Brian J. Kulpa, Mayor
Daniel O. DeLano, Deputy Mayor
Deb Rogers, Trustee
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

Excused: Maggie Winship, Director of Community Development
Ben Vilonen, DPW Crew Chief

Mayor Kulpa asked for a moment of silence in observance of the anniversary of 9/11.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on August 14, 2017 as submitted.

Unanimously carried.

<p style="text-align: center;">Public Hearing - Continued Proposal to Amend Chapter 103 (Vehicles and Traffic) To add No Standing on east and north sides of Oakgrove Dr. from Park Dr. to Garrison Rd.</p>
--

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to re-open the public hearing at 7:35 p.m.

Unanimously carried.

Deputy Mayor DeLano gave an update on the subject. The Traffic & Safety Committee is concerned that if parking is taken away from one side of the street, it could be easier for motorists to cut through. There has been discussion of adding a bike lane or a sharrow on Oakgrove. Still discussing ideas due to the width of the street.

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, September 11, 2017 at 7:30 p.m.

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

1. David Bauer, 102 Oakgrove Dr. – Attended Traffic & Safety Committee meeting with his neighbor Lauyra Rybicki. They collected data. Fire Chief supports one-sided parking. Asked Board to consider an amendment to the proposal: have one-sided parking from Park Drive to 135 Oakgrove only. Have 21 signatures from 29 homes in that area. Measured Oakgrove and it is 26” wide. Highland has one-sided parking and is 25’ 6” wide.
2. Larry Brenton, 31 Monroe Dr. – Asked why consider only one street at a time. If we have a safety problem we need to look at more streets. We have a Traffic & Safety Committee. If they don’t have the expertise, we should hire a firm to look at it.
3. Jim Celeste, 89 Oakgrove Dr. – The catalyst for this was an outlier event – the Castle estate sale, an event which will probably never happen again. People could only drive one way down the street. It also occurs during Old Home Days. Biggest problem is increase in traffic flow and speed. If the change to one-sided parking were to cause an increase in speeders, he is completely against the proposal.

Mayor Kulpa stated that the public hearing would be kept open since there is no definitive answer from the Traffic & Safety Committee.

ON MOTION by Mayor Kula, seconded by Trustee Piazza, it was moved at 7:52 p.m. to hold this public hearing open until September 25, 2017 Village Board meeting.

Unanimously carried.

<p style="text-align: center;">Public Hearing Proposed Local Landmark Designation 5429 Main Street (Starbucks/Alex and Ani)</p>
--

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:52 p.m. to open this public hearing.

Unanimously carried.

The Administrator read aloud the legal notice as published in the Amherst Bee on August 16, 2017.

Mayor Kulpa stated that the property owner has requested that the public hearing be held open.

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, September 11, 2017 at 7:30 p.m.

The following member(s) of the audience addressed the Board [*Village Board members' comments in italics*]:

1. Mary Lowther, 120 N. Ellicott St. – She is the Village Historian and President of the Williamsville Historical Society, and a member of the Historic Preservation Commission. She is in favor of all 4 properties being designated local landmarks. They are good properties. She hopes the Village Board will accept the recommendations of the Historic Preservation Commission. The Brewery Hill site is an extraordinary property. The Zent House is a good example of Colonial architecture. All are good nominations.

2. Laura Smith, represents the property owner - Thanked the Village Board for their consideration to hold the public hearing open.

3. Mary Lowther, 120 N. Ellicott St. – Spoke to the representative of the State Historic Preservation who said that local landmark status only affects the exterior. Financing should not be impacted.

ON MOTION by Mayor Kula, seconded by Deputy Mayor DeLano, it was moved at 7:58 p.m. to hold this public hearing open until the September 25, 2017 Village board meeting.

Unanimously carried.

<p style="text-align: center;">Public Hearing Proposed Local Landmark Designation 34 & 42 W. Spring Street (Brewery Hill)</p>
--

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:59 p.m. to open this public hearing.

Unanimously carried.

The following member(s) of the audience addressed the Board [*Village Board members' comments in italics*]:

1. Rick Lohr, Youngstown, New York – He is the property owner. The 3 tunnels were for the old brewery. Property has been ignored for years. Doesn't want to see the property tied up heavily. No major problems with having the tunnels designated. (Landmark designation) Shouldn't be on the overall parcel. [*Kulpa – Empire State Development has indicated that if grant is awarded, it would ask Village to seek full NYS landmark status.*]

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, September 11, 2017 at 7:30 p.m.

2. John Benz, 34 Howard Ave. – Has a problem with businesses off of Main Street. Should be residential. Shouldn't have a brewery in that neighborhood.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 8:06 p.m. to hold this public hearing open until the September 25, 2017 Village Board meeting.

Unanimously carried.

<p style="text-align: center;">Public Hearing Proposed Local Landmark Designation 80 E. Spring Street (Zent House)</p>

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved at 8:06 p.m. to open this public hearing.

Unanimously carried.

There were no comments from the audience.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 8:07 p.m. to close this public hearing regarding local landmark designation.

Unanimously carried.

<p style="text-align: center;">Public Hearing Proposed Local Landmark Designation 150 Milton Street (Lehigh Valley Section House)</p>
--

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved at 8:07 p.m. to open this public hearing.

Unanimously carried.

Mayor Kulpa reported the Village is negotiating with Natale on a land swap – a portion of DPW side yard for an area that includes the Section House. Would then lease to Western New York Railway Historical Society.

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, September 11, 2017 at 7:30 p.m.

The following member(s) of the audience addressed the Board [*Village Board members' comments in italics*]:

1. Tom Stackhouse, WNY Railway Historical Society – WNYRHS is interested in saving the building and possible partnering with the Williamsville Historical Society. Don't have a lot of money. 501c3 donations are tax exempt.
2. Larry Brenton, 31 Monroe Dr. – Re-emphasized that they are short on funds and also short on bodies.

ON MOTION by Mayor Kulpa, seconded by Trustee Rogers, it was moved at 8:13 p.m. to close this public hearing.

Unanimously carried.

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

Unanimously carried.

Mayor Kulpa - The path for the Asher Crossing development does not impact the S. Long Park parcel. Takes a portion of the site owned by Natale including the Section House and trades for part of DPW side yard. Natale will be decreasing the footprints of the proposed buildings.

Trustee Rogers – Traffic will not be diverted to S. Long St. Would exit onto Milton St. and/or California Dr.

Trustee Piazza – Been looking for trade to connect S. Long Park and Lehigh Memory Trail for 15 years.

Trustee Yates – Hopes this meets somewhere in the middle. It's a good option.

Deputy Mayor DeLano – Park needs work. Parks Committee needs volunteers. Hopes amount of energy put into this so far will continue. Would like to see signs in the public right-of-way cleaned up.

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

1. Noel Bartlo, 55 California Dr. – Thanked the Village Board for their hard work on this. Confirmed that no park alienation on the table. [*That is correct.*]

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, September 11, 2017 at 7:30 p.m.

2. John Benz, 34 Howard Ave. – Section House becomes untaxed Village property. *[Trading for other property.]* Tax credits? *[Can get some tax credits if State or National landmark.]* Mill has split AC units outside the building that can be seen from Glen Park. Keep Out signs don't meet the era. Glen Park is a mess. We have no money. Village disappeared 30 years ago. Is now a city.
3. Larry Brenton, 31 Monroe Dr. – WNYRHS is short on manpower and could use volunteers. Wouldn't cost the Village anything except maybe a little help from the DPW once in a while.
4. Tom Stackhouse, WNYRHS – Encouraged the public to come to the depot and see what the property looked like when they took it over compared to now. No public money was used except for a \$5,000 grant for windows. They used to earn money from train excursions, but can't do that anymore.
5. Mary Lowther, 120 N. Ellicott St. – Has an issue with drainage into her front yard since her street was paved. Never had this issue before. Neighbor's driveway is lower on north side and puts water into her yard. Receiver is not below grade. Ben needs to come over. The new pavement needs a lip added to channel runoff.
6. David Schmidt, 64 Academy St. – Has drainage issue at his house also (between 64 and 70 Academy).
7. Rick Lohr, International Chimney – Track Village is on is the correct track. Municipality gains ownership, advertises history. Look for those passionate about the project. Don't have to have labor. Great start with the station. Doesn't have to be a burden on the Village. Shouldn't let the cost of restoration stop you.
8. Kim Connelly, 52 California Dr. – She has volunteered to help with the parks.
9. Larry Brenton, 31 Monroe Dr. – Recognized the Lohr family and their support. Rick Lohr prevented the railway depot from being demolished.
10. Tom Stackhouse, WNYRHS – Agreed with the idea of finding the right people to work on the project.
11. Thomas Frank, 5403 Main St. – Thanked Mayor Kulpa for work on the Water Mill; Picture Main Street; Congress for New Urbanism; Historic Preservation; Main Street Historic District; Visitor Info Center at Clarence travel plaza; Empire State Development; Imagine Amherst.
12. Larry Cohen, 61 California Dr. – Thanked the Mayor and the Trustees for all their work on the California Drive project. Would like to volunteer his time for this 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, September 11, 2017 at 7:30 p.m.

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

Unanimously carried.

Report – Mayor Kulpa

No report

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

Unanimously carried.

RESOLVED, that payroll and vouchers in the amount of **\$942,052.74** covering the period from 8/9/17 to 9/5/17, are hereby approved as follows:

Payroll covering 8/7/17 – 8/20/17: \$42,499.22

Payroll covering 8/21/17 – 9/3/17: \$34,866.81

Vouchers covering 8/9/17 – 8/22/17:

General Fund	\$62,054.31
Water Fund	\$0.00
Sewer Fund	\$2,905.35
Glen Park Fund	\$1,772.58
Trust & Agency Fund	\$15,935.33
Debt Service	\$34,250.00
Community Development	\$0.00
Capital Fund	<u>\$1,317.60</u>
	\$118,235.17

Vouchers covering 8/23/17 – 9/5/17:

General Fund	\$37,632.84
Water Fund	\$1,494.77
Sewer Fund	\$143,133.12

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, September 11, 2017 at 7:30 p.m.

Glen Park Fund	\$1,694.06
Trust & Agency Fund	\$13,209.50
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$549,287.25</u>
	\$746,451.54

GRAND TOTAL: **\$942,052.74**

Unanimously carried.

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2017-2018* fiscal year:

To:	001-1110-4110 (Village Justices-Service Contracts)	\$15.00
From:	001-1110-4010 (Village Justices-Office Supplies)	\$15.00
To:	001-1620-4160 (Buildings-Building Repairs)	\$385.00
	001-1620-4450 (Buildings-Misc.)	\$749.00
From:	001-1620-4230 (Buildings-Building Maint.)	\$1,134.00
To:	001-1640-2000 (Central Garage-Equipment)	\$602.00
	001-1640-4071 (Central Garage-Sewer Charges)	\$71.00
	001-1640-4450 (Central Garage-Misc.)	\$2.00
From:	001-1640-4161 (Central Garage-Small Equip. Repair)	\$675.00
To:	001-3410-4160-3406 (Fire Protection-Truck Expense/Ladder 6)	\$1,630.00
	001-3410-4160-3401 (Fire Protection-truck Expense/Engine 1)	\$302.00
	001-3410-4160-3402 (Fire Protection-Truck Expense/Engine 2)	\$301.00
	001-3410-4160-3492 (Fire Protection-Truck Expense/Asst. Chief's Vehicle)	\$48.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$2,281.00
To:	001-5010-4450 (Street Administration-Misc.)	\$75.00
From:	001-5010-4010 (Street Administration-Office Supplies)	\$75.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$608.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$608.00
To:	001-5110-4161-0900 (Street Maint.-Repairs-2013 Nissan Leaf)	\$434.00
	001-5110-4161-0906 (Street Maint.-Repairs/2007 International)	\$2,251.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump)	\$21.00
	001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet)	\$213.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F350XL)	\$29.00
	001-5110-4161-0919 (Street Maint.-Repairs/2007 Chevy 4x4 w/plow)	\$496.00
	001-5110-4161-0920 (Street Maint.-Repairs/1992 John Deere Backhoe)	\$363.00

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, September 11, 2017 at 7:30 p.m.

	001-5110-4161-0925 (Street Maint.-Repairs/2013 Mini Excavator)	\$17.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$3,824.00
To:	001-7110-4450 (Parks-Misc.)	\$314.00
	001-7110-4071 (Parks-Sewer Charges)	\$106.00
From:	001-7110-4360 (Parks-Park Supplies)	\$420.00
To:	001-7530-4450 (Village Meeting House-Misc.)	\$50.00
From:	001-7530-4230 (Village Meeting House-Maint.)	\$50.00
To:	001-7550-1000 (Celebrations-Personal Services)	\$650.00
	001-7550-1001 (Celebrations-Personal Services/OT)	\$88.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$650.00
	001-7530-1001 (Village Meeting House-Personal Services/OT)	\$88.00
To:	001-8560-4280 (Shade Trees-Equip. Rental)	\$1,718.00
	001-8560-4350 (Shade Trees-Tree Maint.)	\$259.00
From:	001-8560-4360 (Shade Trees-Trees/Replacement/Reg.)	\$1,977.00
To:	001-8510-2000 (Community Beautification-Equip.)	\$240.00
	001-8510-4450 (Community Beautification-Misc.)	\$6.00
From:	001-8510-4340 (Community Beautification-Plants.)	\$246.00

Unanimously carried.

RESOLVED, that the following *budget transfer* is hereby made in the *Glen Park Fund* for the *2017-2018* fiscal year:

To:	009-7141-1001 (Glen Park-Personal Services/OT)	\$107.00
From:	009-7141-1000 (Glen Park-Personal Services)	\$107.00

Unanimously carried.

RESOLVED, that the following *budget transfer* is hereby made in the *Sewer Fund* for the *2017-2018* fiscal year:

To:	007-8120-1001 (Sanitary Sewers-Personal Services/OT)	\$107.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$107.00

Unanimously carried.

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, September 11, 2017 at 7:30 p.m.

RESOLVED, that the following *budget amendment* is hereby made in the *Sewer Fund* for the *2016-2017* fiscal year to account for the use of assigned funds for line televising:

Increase: 007-0007-0599 (Appropriated Surplus)	\$12,627.00
Increase: 007-8120-4163 (Sanitary Sewers-Sewer Cleaning/Televising)	\$12,627.00

Unanimously carried.

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

RESOLVED, that additional funds in the amount of \$65,823.83 for DiDonato Associates, is hereby approved to cover additional inspection services related to the E. Spring St. project.

Unanimously carried.

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

WHEREAS, bids were received on Wednesday, September 6, 2017 for the purchase of a cab for a heavy rescue vehicle (Rescue 5) for the Fire Department; and

WHEREAS, two bids were received;

NOW, THEREFORE, BE IT RESOPLVED, that the contract for the purchase of the above referenced equipment is hereby awarded to West Herr Ford of Hamburg for their low bid of \$76,392.30.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to leave the regular agenda to consider two additional resolutions.

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to advertise for sealed

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, September 11, 2017 at 7:30 p.m.

bids for the purchase of new truck bay doors for the Williamsville Fire Department, pending review and approval of the bid specification by the Village Attorney.

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held at 7:30pm on Tuesday, October 10, 2017, at Williamsville Village Hall, 5565 Main St., Williamsville, New York, to hear all persons interested in commenting on a proposed amendment to Chapter 84 (Signs) of the Village Code, as it pertains to the regulation of window signs.

Unanimously carried.

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

Unanimously carried.

Report – Deputy Mayor DeLano

Deputy Mayor DeLano reported on the following topic(s): Emerald Ash Borer inoculations have been completed.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, the following resolution was adopted:

A BOND RESOLUTION, DATED SEPTEMBER 11, 2017, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, ERIE COUNTY, NEW YORK (THE "VILLAGE") AUTHORIZING THE ACQUISITION OF VARIOUS EQUIPMENT FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$360,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$360,000 PURSUANT TO THE LOCAL FINANCE LAW TO

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, September 11, 2017 at 7:30 p.m.

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 various equipment primarily for use by the Department of Public Works of the Village; and

WHEREAS, the Village anticipates it will receive approximately \$10,000 from the trade-in of other equipment;

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 various equipment 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 \$360,000.

SECTION 2. The Village Board of Trustees plans to finance the purpose by the issuance of serial bonds in an aggregate principal amount not to exceed \$360,000 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 \$10,000) 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 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such purpose is 15 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.

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

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, September 11, 2017 at 7:30 p.m.

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, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 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 said bonds, and the renewals of said 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.

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.

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, September 11, 2017 at 7:30 p.m.

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 Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

Unanimously carried.

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, September 11, 2017 at 7:30 p.m.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, the following resolution was adopted:

RESOLVED, that Change Order #2 to Contract #35, the 2017 Milling and Paving Project, is hereby approved for Occhino Corp. in an amount not to exceed \$68,648.00.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Upcoming Youth & Recreation Committee meeting; Youth & Recreation sponsored movie; Halloween Parade and Party in October.

ON MOTION by Trustee Yates, seconded by Deputy Mayor DeLano, the following resolution was adopted:

WHEREAS, a project for the Picture Main Street Transportation Enhancement Program in the Village of Williamsville, Erie County, PIN 5760.92 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the Village of Williamsville desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Design I-VI) phase of the project PIN 5760.92;

NOW, THEREFORE, the Board of Trustees of the Village of Williamsville, duly convened does hereby

RESOLVE, that the Board of Trustees of the Village of Williamsville hereby approves the above subject project; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Williamsville hereby authorizes the Village of Williamsville to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the project’s Preliminary Engineering (Design I-VI) phase or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$111,200 is hereby appropriated from the General Fund and made available to cover the cost of participation in the above phase of the Project; and

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, September 11, 2017 at 7:30 p.m.

BE IT FURTHER RESOLVED, that in the event the full Federal and Non-Federal share costs of the project exceeds the amount appropriated above, the Village of Williamsville shall convene its Board of Trustees as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and

BE IT FURTHER RESOLVED, that the Mayor of the Village of Williamsville be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Williamsville with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid and State Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Unanimously carried.

Report – Trustee Rogers

No report.

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

WHEREAS, a project for the Picture Main Street Transportation Enhancement Program in the Village of Williamsville, Erie County, PIN 5760.92 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, the Village of Williamsville desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Construction/Construction Inspection phase work for the Project or portions thereof, with the Federal share of such costs to be applied directly by the New York State Department of Transportation ("NYSDOT") pursuant to the Agreement;

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, September 11, 2017 at 7:30 p.m.

NOW, THEREFORE, the Board of Trustees of the Village of Williamsville, duly convened does hereby

RESOLVE, that the Board of Trustees of the Village of Williamsville hereby approves the Project; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Williamsville hereby authorizes the Village of Williamsville to pay in the first instance the full Non-Federal share of the cost of the project's Construction/Construction Inspection work for the Project or portions thereof; and

BE IT FURTHER RESOLVED, that the sum of \$513,800 is hereby appropriated from the General Fund and made available to cover the cost of participation in the above phase of the Project; and

BE IT FURTHER RESOLVED, that in the event the Non-Federal share of the costs of the project exceed the amount appropriated above, the Village of Williamsville Board of Trustees shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation; and

BE IT FURTHER RESOLVED, that the Mayor of the Village of Williamsville be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the Village of Williamsville with the NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of the non-Federal share of Project costs and permanent funding of the local share of Federal Aid and State Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Amherst Bicentennial group luncheon.

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, September 11, 2017 at 7:30 p.m.

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

RESOLVED, that *James Celeste*, residing at *89 Oakgrove Drive, Williamsville, New York*, is hereby appointed as an *Alternate Member* of the *Zoning Board of Appeals*, until the end of the *2017-2018* official Village year.

Unanimously carried.

Staff Reports - None

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to open the Executive Session at 9:02 p.m. for the purpose of discussing a litigation issue.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to close the Executive Session at 10:06 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adjourn the regular meeting at 10:06 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer