

Village of Williamsville

Village Board
Work Session Agenda
Village Hall, 5565 Main St.

October 9, 2018

6:00 p.m.

Guest(s)

Amherst Police Report

Fire Dept. Report

Correspondence

Grants Update

Village Board Reports

Mayor DeLano

1. Mayor's Executive Summary

Trustee Etu

Trustee Rogers

1. Social Security Administration Videoconferencing Unit
2. Sign Code

Trustee Yates

Trustee Piazza

Department Head Reports

Village Attorney Grieco

Administrator Juul

1. 2019 CDBG Funding
2. Lehigh Valley Section House

DPW Crew Chief Vilonen

Director of Community Development DePriest

Director of Strategic Planning Winship (TOA)

October 5, 2018


RECEIVED
VILLAGE OF WILLIAMSVILLE
2018 OCT -5 PM 1:36

Village Board of Trustees
Williamsville, New York

As a follow-up to our letter of August 10, 2018, our concerns for safety on Danbern Lane continue. After repeated requests of the residents of 34 Danbern Lane, they continue to park on the street, occasionally all night long, making it difficult to get by. On Thursday October 4, 2018 I came home to find the road blocked by a small truck. As it happened our neighbor at 50 was behind me. Both of us had to stand in the road, explaining to the visitor that they could not park there.

It is not possible for a fire or emergency vehicle to reach us at 45 Danbern or our neighbors at 50 Danbern if this parking is allowed. We are hoping that the Board will approve some sort of sign (fire lane, no parking, no standing) that will help alleviate this problem.

Your consideration is greatly appreciated.

The image shows two handwritten signatures in black ink. The top signature is 'Joseph M. Carden' and the bottom signature is 'Judith A. Carden'. Both are written in a cursive, flowing style.

Joseph M. and Judith A. Carden
45 Danbern Lane
Williamsville, New York
716-633-9275

Traffic and Safety Board
Williamsville, New York

August 10, 2018

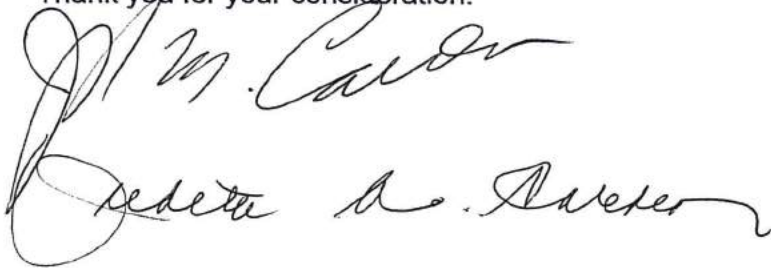
As 49 year residents of 45 Danbern Lane, Williamsville, New York, we are concerned about recent parking issues on this road. Since the road is very narrow the residents have never consistently parked in this space under consideration of the other residents' access and egress. Over the years we have always accommodated one another with service vehicles, delivery, and maintenance vehicles. When we do have overflow issues, cars will park on Creek Road.

In August, 2018, new residents moved into a new-build at 34 Danbern Lane and have been using the road in front of their house, daily, to park their cars.

We have major concerns regarding safety. Since we reside at the end of the lane, we must have access to vehicles such as fire, first aid, sanitation, etc. which this road parking does not allow. Unfortunately, the new resident does not see this as a concern.

We are requesting that you consider placing a no parking sign on Danbern Lane to, hopefully, resolve our concerns. We have addressed this issue with the Building and Public Works Departments.

Thank you for your consideration.

The image shows two handwritten signatures in black ink. The top signature is for Joseph M. Carden, written in a cursive style. The bottom signature is for Judith A. Carden, also in cursive. The signatures are positioned above the typed names of the residents.

Joseph M. and Judith A. Carden
45 Danbern Lane
Williamsville, NY
716-633-9275



MEMORANDUM

October 2, 2018

To: Linda Juul, Village of Williamsville Administrator

From: Community Development

Subject: **REQUESTS FOR FUNDING -2019 Community Development Block Grant (CDBG) funds**

The Town is preparing to assemble its draft budget for Community Development Block Grant (CDBG) funds for 2019. The enclosed material is intended to assist you in preparing requests for CDBG funds.

Proposals for funding should be sent to the Community Development division of the Town's Planning Department no later than Friday, November 2, 2018 for eligibility screening and preparation of a recommended budget for the Town Board's review and approval. **Funding requests must be for projects and activities to be completed within the 2019 Program Year which begins on April 1, 2019.**

Enclosures:

- List of needs categories
- Map showing neighborhoods eligible for neighborhood benefit activities. Please bear in mind that any projects must *serve residents* of the shaded target areas *exclusively*. It is not sufficient that the project be situated in such an area if it does not serve these residents. A more detailed view of this map may be found on the Town's **Intranet**. Town departments may access this site by opening Internet Explorer and type "intranet" in the address bar. Click on the Community Development Block Grant map and use the "zoom" tool to view streets within the target areas. Community Organizations may contact Community Development staff at 631-7082 for assistance.
- Summary of the Consolidated Plan's priorities. Activities proposed for funding must address one of these priorities.
- Request for Funds Form. Please fill out this form in preparing your project proposal.

Questions regarding the submission of proposals for funding should be referred to Community Development staff in the Planning Department at 631-7082 or communitydevelopment@amherst.ny.us

TOWN OF AMHERST CONSOLIDATED PLAN

SUMMARY

In 2015 the Town prepared a five year Consolidated Plan to lay out a strategy for addressing housing and community development needs for 2015 through 2019. The five year strategy will address three priority levels for funding activities with Community Development Block Grant (CDBG) and HOME funds.

All activities funded through CDBG and HOME must address at least one of the following priorities:

Priority #1:

- Maintain an adequate supply of standard owner and rental housing for low and very low income residents.
- Prevent or ameliorate neighborhood deterioration in areas where low income households and substandard conditions are concentrated.

Priority #2:

- Provide an adequate supply of standard affordable existing and new rental housing and supportive elderly housing for low and very low income residents.
- Provide affordable home ownership opportunities to low income households.

Priority #3:

- Provide for emergency shelter and service needs of the homeless.
- Address the housing and service needs of the at-risk population and others with special needs.
- Address Historic Preservation needs of the community.

*Please remember in submitting any requests for funds that CDBG funds cannot be used to replace approved or committed Town funding for any project. **Funding requests must be for projects and activities to be completed within the 2019 Program Year (begins April 1, 2019).***

NEEDS CATEGORIES

Public Facility Needs

- Senior Centers
- Youth Centers
- Neighborhood Facilities
- Child Care Centers
- Parks and/or Recreation Facilities
- Health Facilities
- Parking Facilities
- Other Public Facilities

Infrastructure Improvement [these activities are not currently undertaken under CDBG]

- Street Lights
- Flood Drain Improvements
- Water Improvements
- Street Improvements
- Sidewalk Improvements
- Storm/Sanitary Sewer Improvements
- Asbestos Removal
- Other Infrastructure Improvements Needs

Public Service Needs

- Senior Services
- Handicapped Services
- Youth Services
- Transportation Services
- Substance Abuse Services
- Crime Awareness
- Fair Housing Counseling
- Tenant/Landlord Counseling
- Child Care Services
- Health services
- Other Public Service Needs

Accessibility Needs

Residential Historic Preservation Needs

Non-Residential Historic Preservation Needs

Economic Development Needs

- Commercial-Industrial Needs
- Commercial-Industrial Infrastructure
- Other Commercial-Industrial Improvements
- Micro-Business
- Other Business
- Technical Assistance
- Other Economic Development Needs

Other Community Development Needs

- Energy Efficiency Improvements
- Lead Based Paint / Hazards
- Code Enforcement

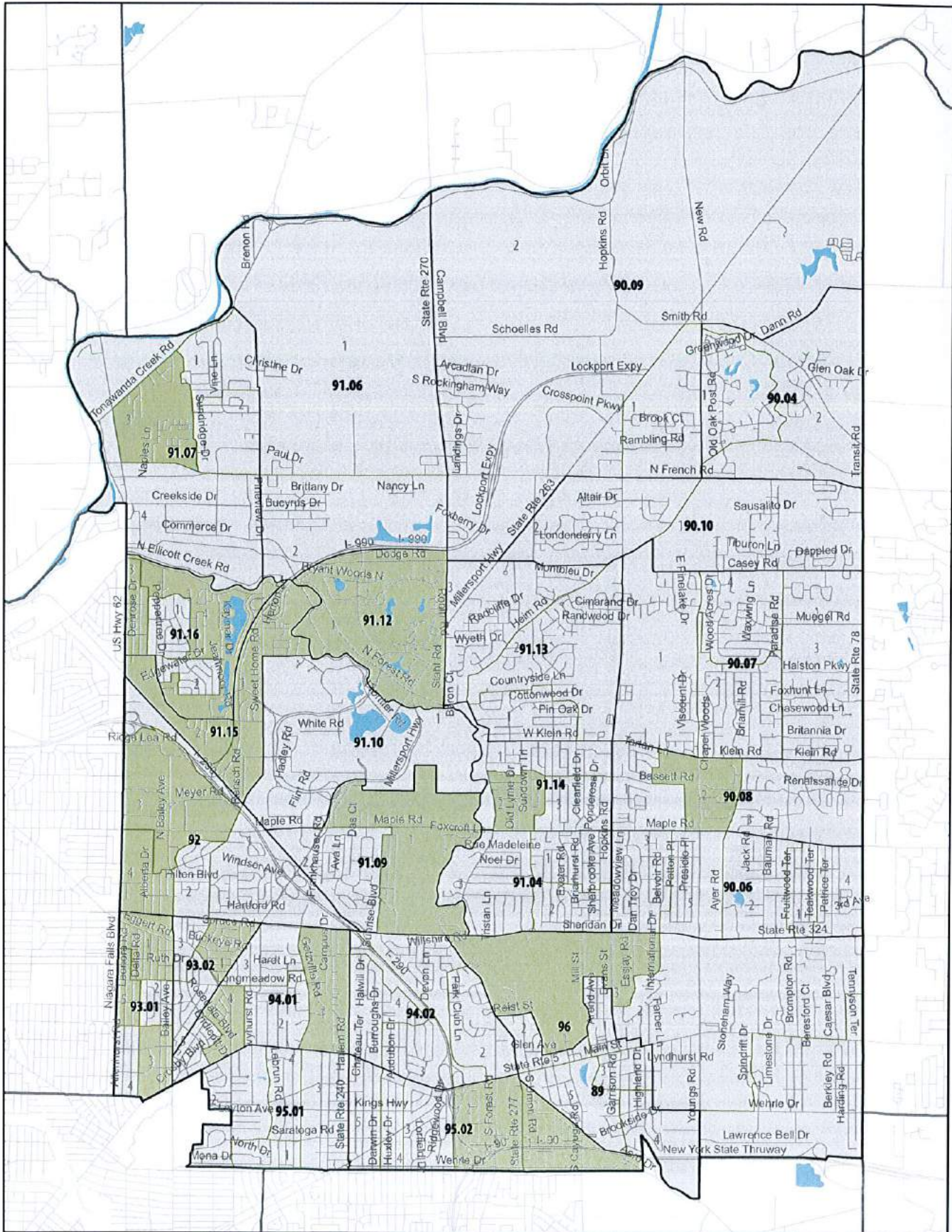
Planning

Town of Amherst

Low/Moderate Income Block Groups

HUD Data Release July 2014

-  Census tracts
-  Block groups
-  Municipal boundary
-  Block groups 35.85% or more LMI



Town of Amherst
Community Development Block Grant (CDBG)
Request for Funds for Program Year 2019

Department: _____

Contact Person: _____

Funding requests must be for projects and activities to be completed within the 2019 Program Year.

Proposed Project:

Project Location: (Please be specific & use cross streets or exact address)

Estimated Budget: CDBG funds: _____

Other: (specify) _____

Period of anticipated expenditure: _____

Units of Product: (e.g., for public services, number of people served; for public works, linear feet of street, sewers, sidewalks, number of street lights)

Outcomes (Outcomes are benefits that result from a program). Outcomes typically relate to a change in conditions, status, attitudes, skills, knowledge, or behavior. Common outcomes could include improved quality of life for program participants, improved quality of local housing stock, or revitalization of a neighborhood.

Proposed project must benefit one of the following (please indicate):

_____ Residents of eligible neighborhood (per map provided by the Community Development Division of the Planning Department)

_____ Special population

_____ Senior Citizens

_____ Disabled Adults

_____ Victims of Domestic Abuse

_____ Other

_____ Income-qualified households on an individual basis

_____ Eliminates a blighting condition

_____ Addresses historic preservation



Proposed Improvements to Section House

Security

- a. Wrap temporary construction fence around the section house for the duration of the Asher Crossing project (estimated cost: \$1,500)
- b. Fence will consist of a 6'0" tall, chain link security fence and will be approximately 10' from the exterior walls of the house

Interior Demo/Cleanup

- c. Remove any broken or damaged materials from inside the building including; drywall, flooring, light fixtures, bathroom fixtures, mechanical equipment, etc. (estimated cost: \$2,000)
 - i. If the Village of Williamsville would like to salvage any of the items inside the house, we ask that those items be identified in writing to Natale Development
- d. Remove interior walls as requested by Village of Williamsville (estimated cost: \$1,500)
 - i. This would be a good opportunity to remove interior walls as shown on the historic drawings (per attached sketch)
- e. Leave house with a broom-cleaned finish that is ready for future trades to work in (estimated cost: \$500)
- f. Remove any unoriginal finished floor materials (estimated cost: \$2,000)

Exterior Building Repairs

- g. Replace the deteriorated roof fascia as needed (estimated cost: \$2,500)
- h. Replace damaged/missing gutters as needed and add splash blocks to direct stormwater away from the building (estimated cost: \$1,000)
- i. Replace/repair T-111 plywood as needed on dormers with similar material (estimated cost: \$1,000)



Site Work & Utilities

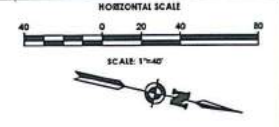
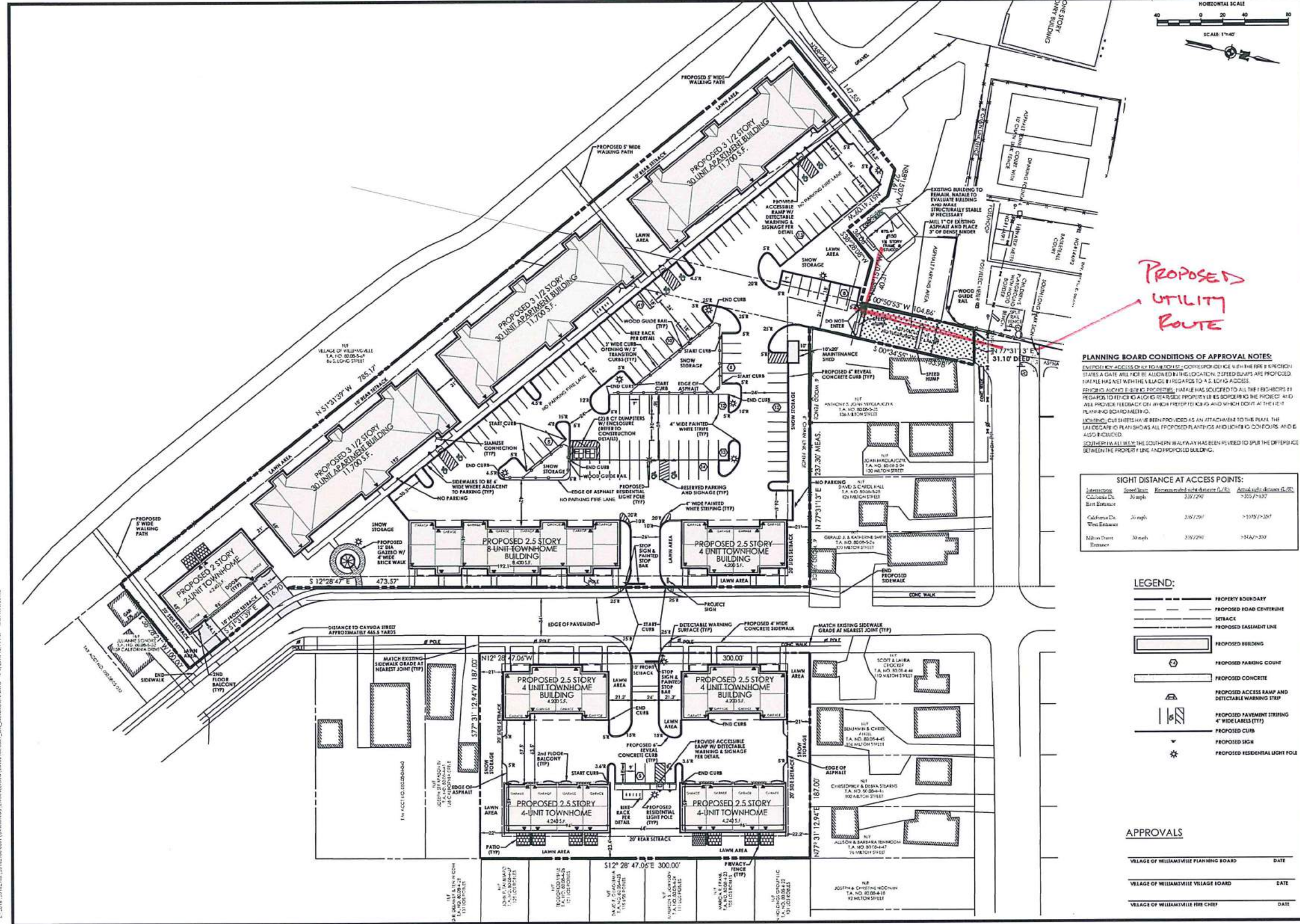
- j. Provide new electrical service to the building with a blank electrical panel to be located in the basement
- k. Provide new water service to the building, to be capped inside the basement
- l. Provide new gas service to the building, to be capped inside the basement
- m. Provide new sanitary sewer line to the building, to be capped inside the basement
- n. It is assumed all utilities will be coming from Milton Street (per attached plan) and that all meter locations will be determined by either the Village of Williamsville or the utility companies
- o. Total estimated utility cost: \$75,000
- p. Restore future construction drive from South Long to the project site with topsoil and grass seed (roughly 5,000 SqFt of area to be restored) (estimated cost: \$5,000)

It is our intent to assist in bringing the Section House back to a point of pride and beauty for the Village of Williamsville. When we are complete with this scope of work, the interior of the building will be ready for reconstruction. It is also our intent to ask our future subcontractors that will be working on site at Asher Crossing to provide assistance in the construction of the interior of the building. I am personally willing to commit to working with the Village of Williamsville and any other boards or committees that will be involved in this process.

Sincerely,

Bobby Corrao

Bobby Corrao
President
Natale Development Co.



PA
PASSERO ASSOCIATES
Engineering Architecture
www.passero.com



Client:
NATALE DEVELOPMENT
9159 MAIN STREET
CLARENCE, NY 14031

PASSERO ASSOCIATES
30 West Main Street, 100
Clarence, New York 14031
Phone: 716.753.1100
Fax: 716.753.1101

Principal/Designer: John F. Passero, P.E.
Project Manager: James D. Sudd, P.E.
Designed by: Carole G. Harvey



Revisions		
No.	Date	Description
1	8/14/18	REVISE EXISTENCES
2	12/20/17	INTERNAL PLAN REVIEW
3	2/9/18	REV FOR PLANNING BOARD COMMENTS DATED 1/24/18
4	4/9/18	REVISED FOR PER COMMENT

SITE PLAN
ASHER CROSSING
APARTMENTS & TOWNHOMES

County: Erie State: New York

Project No.: **20162188.0001**

Drawing No.: **C 102** Sheet No.: **2**

Scale: **1" = 40'**

Date: **DECEMBER 2017**

PLANNING BOARD CONDITIONS OF APPROVAL NOTES:
EMERGENCY ACCESS ONLY TO LOT 104 IS CORRESPONDENCE WITH THE FIRE DEPARTMENT STATES A GATE WILL NOT BE ALLOWED IN THIS LOCATION. 2 SPEED BUMPS ARE PROPOSED THAT WILL NOT WITHIN THE LOCALITY OF 104 TO 105 ACCESS.
REVISIONS TO BE MADE TO THE PLAN: DATE HAS MOVED TO ALL THE FEEDBACK IT REQUESTS TO BE MADE TO ALL ACCESSIBLE PROPERTY LINES BORDERING THE PROJECT AND ALL PROVIDE FEEDBACK ON WHICH PREPARE TO AND WHICH COME AT THE NEXT PLANNING BOARD MEETING.
INCLUDE: CUT SHEETS HAVE BEEN PROVIDED AS AN ATTACHMENT TO THE PLAN. THE SITE SPECIFIC PLAN SHOWS ALL PROPOSED PLANTING AND LIGHTING CONDITIONS, AND IS ALSO INCLUDED.
SOUTHERN WALKWAY: THE SOUTHERN WALKWAY HAS BEEN REVISED TO SPUR THE DIFFERENCE BETWEEN THE PROPERTY LINE AND PROPOSED BUILDING.

SIGHT DISTANCE AT ACCESS POINTS:

Accession	Speed Limit	Recommended sight distance (ft.)	Actual sight distance (ft.)
California Ct. East Entrance	20 mph	257/290	> 255 / > 297
California Ct. West Entrance	20 mph	267/297	> 1075 / > 1267
Main Street Entrance	30 mph	337/290	> 1142 / > 339

LEGEND:

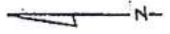
- PROPERTY BOUNDARY
- - - PROPOSED ROAD CENTERLINE
- - - SETBACK
- - - PROPOSED EASEMENT LINE
- [] PROPOSED BUILDING
- PROPOSED PARKING COUNT
- [] PROPOSED CONCRETE
- [] PROPOSED ACCESS RAMP AND DETECTABLE WARNING STRIP
- [] PROPOSED PAVEMENT STRIPING 4" WIDELABELS (TYP)
- [] PROPOSED CURB
- [] PROPOSED SIGN
- [] PROPOSED RESIDENTIAL LIGHT POLE

APPROVALS

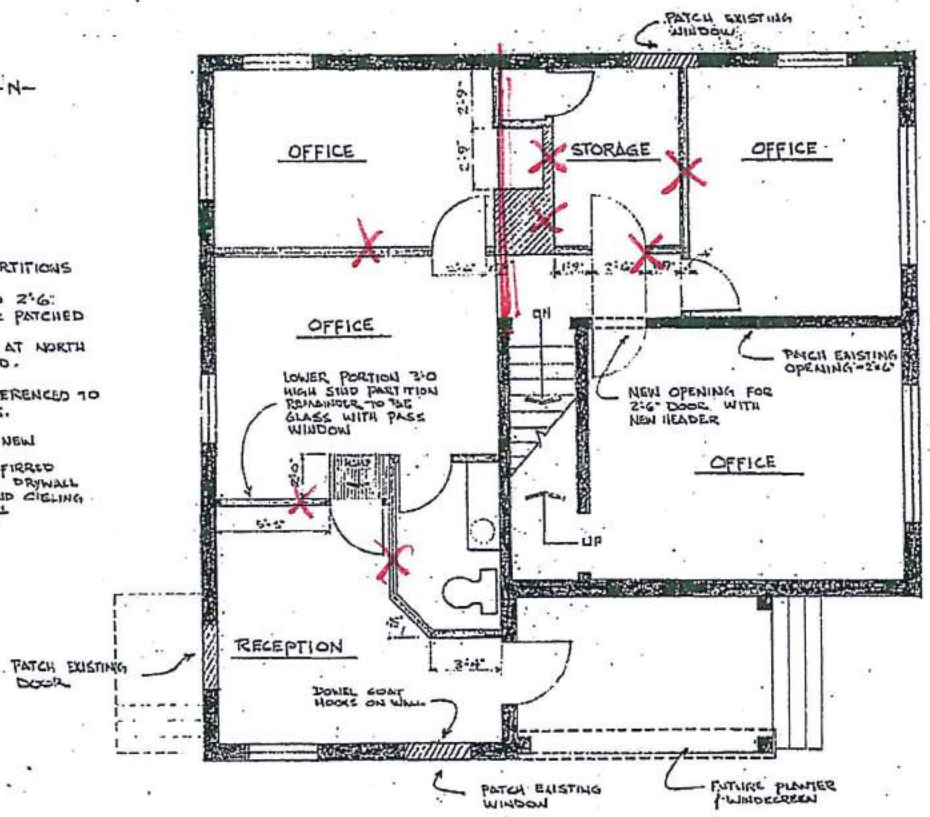
Village of Williamsville Planning Board	DATE
Village of Williamsville Village Board	DATE
Village of Williamsville Fire Chief	DATE

12/20/17 10:11 AM 20162188.0001_SITELANDSCAPE.DWG 4/10/2018 10:11 AM Bill Passero

X = REMOVAL OF WALL
 — = REBUILD WALL



- ALL NEW INTERIOR PARTITIONS TO BE 4" THICK.
- ALL NEW DOORS TO 2'-6".
- ALL OPENINGS TO BE PATCHED AS NOTED.
- EXISTING ENTRANCE AT NORTH SIDE TO BE REMOVED.
- ALL DIMENSIONS REFERENCED TO EXISTING CONDITIONS.
- - INDICATES NEW STUD PARTITIONS
- ALL EXTERIOR WALLS FIRRED FOR 1/2" FOIL BACKED DRYWALL
- ALL INTERIOR WALLS AND CEILING STANDARD 1/2" DRYWALL



1ST FLOOR PLAN
 SCALE 1/4" = 1'-0"

Handwritten signature

MEETING SCHEDULE

(NOTE: Dates/times are subject to change. Please call the Village Clerk's office at 632-4120 for the most up to date information)

- 1st Mon. – Planning Board meeting at 7:30pm
- 1st Mon. – Arts & Culture Committee meeting at 7:00pm
- 2nd Mon. – Village Board Work Session at 6:00pm / Meeting 7:30pm
- 3rd Mon. – Environmental Advisory Council at 7:00pm
Parks Committee at 6:30pm (Ad hoc)
- 4th Mon. – Village Board Work Session at 6:00pm / Meeting 7:30pm
- 1st Tues. – Glen Park Joint Board – Meets at Town Hall at 7:00pm
- 2nd Tues. – Beautification Committee at 6:30pm (Ad Hoc)
- 3rd Tues. – Meeting House Events Committee at 6:30pm (Ad hoc)
- 3RD Tues. – Glen Park Art Festival Committee at 7:30pm
- 4th Tues. – Glen Park Art Festival Committee at 7:30pm
- 2nd Wed. - Tree Board at 6:30pm
- 2nd Wed. – Parks Committee at 7:15pm
- 3rd Wed. – Zoning Board of Appeals at 7:00pm
- 1st Thur. – Traffic & Safety Committee at 7:00pm
- 4th Tues. – Historic Preservation Commission at 7:00pm
- 4th Tues. – Youth & Recreation Committee at 7:00pm
- 4th Thur. – Sign Code Committee at 6:30pm
- 4th Fri. – Open Government Committee at 4pm every other month

Meetings & Events

All meetings are at Village Hall unless otherwise noted.

October 2018

- 10 Tree Board at 6:30pm
- 10 Parks Comm. meeting at 7:15pm
- 13 Fall Garden Clean-Up. Meet in Pocket Park at 9:00am.
- 15 Environmental Comm. meeting at 7:00pm
- 16 NO Meeting House Comm. meeting in October
- 16 Sp. Village Board Work Session at 6:00pm re Sign Code**
- 17 Zoning Board of Appeals meeting at 7:00pm (New Time)
- 22 Village Board Work Session at 6:00pm/Meeting at 7:30pm**
- 23 Historic Preservation Comm. CLG Seminar at 6:30pm
- 26 Open Government Comm. meeting at 4:00pm
- 27 Youth & Rec Halloween Parade/Party at 4:00pm
- 27 Last Day of season for Williamsville Farmers Market

November 2018

- 1 Traffic & Safety Comm. meeting at 7:00pm
- 5 Planning Board meeting at 7:30pm
- 6 General Election Day
- 12 Village Offices Closed – Veterans Day
- 13 Village Board Work Session at 6:00pm/Meeting at 7:30pm**
- 14 Tree Bd. Meeting at 6:30pm (In Conf. Room)
- 14 Parks Comm. meeting at 7:15pm (In Conf. Room)
- 19 Environmental Comm. meeting at 7:00pm
- 20 Meeting House Comm. at 6:30pm at Mtg. House, 5658 Main
- 21 Zoning Board of Appeals meeting at 7:00pm (New Time)
- 22-23 Village Offices Closed – Thanksgiving Holiday
- 26 Village Board Work Session at 6:00pm/Meeting at 7:30pm**
- 27 Historic Preservation Comm. meeting at 7:00pm
- 27 Youth & Rec Comm. at 7:00pm

Village Board Liaisons (Updated 7/20/18)

MAYOR DELANO: DPW, Personnel, Insurance, Amherst Police Dept., Executive Safety Committee, Records Management Committee, Fire Dept., Tree Board

TRUSTEE PIAZZA: Amherst Utility Cooperative, Zoning Board of Appeals, Arts & Culture Committee, Inter-governmental Agency; Glen Park Art Festival Committee

TRUSTEE ROGERS: Meeting House Committee, Glen Park Joint Board, Open Government Committee, Sign Code Committee, Planning and Architectural Review Board

TRUSTEE YATES: Williamsville Business Association, Youth & Recreation Committee, Beautification Committee

TRUSTEE ETU: Parks Committee, Traffic & Safety Committee, Environmental Advisory Council, Historic Preservation Commission

Follow us on

www.Facebook.com/williamsville



Visit the Village website at

www.walkablewilliamsville.com

For Village information, news & events.

Celebrate. Educate. Volunteer.

Halloween Parade

Saturday, Oct. 27th

Parade Starts in Pocket Park @4:00pm

Followed by Party in Island Park til 6:00pm

See Village website for information

Presented by Village Youth & Recreation Committee



DELANO #1

RESOLVED, that the following *budget transfer* is hereby made in the *General Fund* for the 2018-2019 fiscal year:

To: 001-5110-4161-0918 (Street Maintenance – Repairs/2010 Ford 350 XL)	\$686.00
From: 001-5110-4161 (Street Maintenance – Repairs/Equip.)	\$686.00

DELANO #2

RESOLVED, that payroll and vouchers in the amount of \$105,107.12 covering the period from **9/19/18** to **10/2/18** are hereby approved as follows:

Payroll covering 9/17/18 – 9/30/18: \$32,841.33

Vouchers covering 9/19/18 – 10/2/18:

General Fund	\$44,386.02
Water Fund	\$2,745.30
Sewer Fund	\$20,910.53
Glen Park Fund	\$266.67
Trust & Agency Fund	\$3,957.27
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$0.00</u>
	\$72,265.79

GRAND TOTAL: **\$105,107.12**

DELANO #3

RESOLVED, that the following change orders are hereby authorized to 4 Guys Fire Trucks Inc., related to the purchase of two new fire engines:

(2) Akron 3” Deck Guns	\$35,752.00
Dry Hose lay	\$1,346.00
Pre-Paint Electrical Modifications	\$5,780.00
Pre-Paint Finish Modifications	\$7,490.00

DELANO #4

RESOLVED, that the Mayor is hereby authorized to sign the *Penflex, Inc. Service Fee Agreement* for the Village of Williamsville Firefighter Length of Service Award Program, for the period from November 1, 2018 to October 31, 2019.

DELANO #5

WHEREAS, there is now pending before the New York State Supreme Court, a lawsuit under Index No. 808594-2014 entitled TIMOTHY ABATI v. VILLAGE OF WILLIAMSVILLE ET AL. (“Lawsuit”); and

WHEREAS, the Village denies any liability or wrongdoing whatsoever, but has determined that it is in the best interest of the Village to settle and resolve any and all existing and/or potentially existing disputes relating to the Lawsuit (“Settlement”);

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the payment of \$50,000 towards the Settlement of the Lawsuit, in exchange for a General Release and a dismissal of the Lawsuit with prejudice; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator/Clerk-Treasurer and/or the attorneys for the Village are hereby authorized and directed to perform any and all such actions as are necessary to finalize the Settlement.

DELANO #6

RESOLVED, that Timothy Masters of 8470 Mountain Rd., Gasport, NY, is hereby appointed as Code Enforcement Officer, at a salary of \$65,000.00.

PIAZZA #1

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville on Tuesday, November 13, 2018 at 7:30 p.m., in Village Hall, 5565 Main St., Williamsville, New York, for the purpose of hearing all persons interested in discussing the proposed use of 2019-2020 Community Development Block Grant funds.

YATES #1

RESOLVED, that the CGI Communications 2018 Community Video Program agreement dated September 10, 2018 is hereby approved.

YATES #2

RESOLVED, that the official date of *Halloween Trick or Treat* in the Village of Williamsville is hereby designated as Wednesday, October 31st.

ETU #1

RESOLVED, that *Jean Stadelman*, residing at *56 Garrison Rd., Williamsville*, is hereby appointed to the *Parks Committee* until the end of the **2018-2019** official Village year.

ETU #2

RESOLVED, that the proposed amendment to Chapter 103-16 of the Village Code (Vehicles and Traffic) which would add “No Standing” on both sides of Danbern Lane for the entire length of the road, is hereby approved as **Local Law 12 of 2018**.

ROGERS #1

WHEREAS, the Village of Williamsville currently owns a collection of eleven photographs, taken by Cornelius Deazley, that are displayed at both the Meeting House and Village Hall; and

WHEREAS, Cornelius J. Deazley (1887 – 1963) was a lifelong resident of the Village of Williamsville, son of Oliver and Katherine Deazley who were among the early well-known residents of the Village with their homestead located at the corner of Orchard Place and Eagle Street; and

WHEREAS, Cornelius J. Deazley, was a photographer who used a box camera and a holder for a single 4” x 5” glass negative on which his images were burned and was able to capture a collection of images that provide a true look back in time to everyday life in the Village in the early 1900s; and

WHEREAS, Sue Koguttek, Village resident, made a surprise discovery of five boxes full of Mr. Deazley’s old glass negatives, unseen and stored for over 100 years, which she purchased from an estate sale in the Village to share with future generations; and

WHEREAS, the Meeting House Committee, in honor of the Cornelius Deazley Collection, wishes to name the side room at the Meeting House in his honor;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville hereby names the side room at the Meeting House the “DEAZLEY ROOM”.

Public Hearing: July 23, 2018

VILLAGE OF WILLIAMSVILLE

LOCAL LAW NO. X of 2018

A Local Law Amending Chapter 84 (Signs) Regarding Regulation of Signs

Section 1. Title

This Local Law shall be referred to as, “Sign Law of 2018”.

Section 2. Purpose

The purpose of this Local Law shall be to amend Chapter 84 (Signs) regarding the regulation of Signs within the Village of Williamsville.

Section 3.

Chapter 28, and all associated Attachments, shall be repealed and replaced with the attached Sign Code.

Section 4. Effective Date

This Local Law shall take effect immediately and shall be filed in the Office of the Secretary of State.

CHAPTER 84: SIGN REGULATIONS

VILLAGE OF WILLIAMSVILLE

PREPARED BY:

STEINMETZ PLANNING GROUP

DRAFT JULY 2018

§ 84-1 PURPOSE & APPLICABILITY

A. Purpose. The purpose of this Chapter is to permit the use of signage within the Village of Williamsville, while also promoting and protecting the health, welfare, and safety of the public. The intent of this Chapter is to achieve the following objectives:

- 1) Ensure right to free speech as protected under the United States Constitution;
- 2) Establish a clear and impartial process for those seeking to install signs;
- 3) Protect property values, create a more attractive economic and business climate, and protect the physical appearance of the community;
- 4) Provide structures and uses with effective means of identification while reducing visual clutter through the prevention of excessive and confusing sign displays;
- 5) Reduce traffic conflicts or hazards by minimizing visual distractions or obstacles in or visible from the public rights-of-way;
- 6) Reduce the adverse effects of signage on the desirable aesthetic of the Village and on the general environment of the community; and
- 7) Enforce and encourage the objectives and goals of the Village Community Plan.

B. Applicability.

- 1) The regulations of this Chapter shall govern and control the erection, enlargement, expansion, renovation, operation, maintenance, relocation and removal of all signs within the Village visible from any street, sidewalk, public right-of-way, or public space.
- 2) The provisions of this Chapter shall not apply to safety signs, road signs, historical markers, highway directional signs, or signs erected by governmental agencies.
- 3) Notwithstanding any other provision within this Chapter to the contrary, signs proposed on local historic landmarks or within historic districts as designated by Chapter 47 of the Village Code shall be reviewed by the Historical Preservation Commission. Following the application procedures of this Chapter, the Commission may approve, approve with conditions, or disapprove the sign. The Commission may waive any of the provisions of this Chapter as necessary to ensure the greatest level of compatibility of signage with historic building or district character and consistency with the Historic Landmark Design Standards, as such may be amended from time to time.
- 4) This Chapter shall in no event be construed or employed in any manner to prohibit the customary decoration of premises in any district during religious, patriotic or holiday seasons.

§ 84-2 DEFINITIONS

- A. For the purposes of this Chapter, the following references to agents or officers of the Village shall be interpreted as noted below.
 - 1) **PLANNING BOARD** — The Village of Williamsville Planning and Architectural Review Board as provided for by Chapter 112 of the Village Code.
 - 2) **SIGN OFFICER** — The administrator and enforcer of this Chapter as appointed by the Village of Williamsville Board of Trustees, and/or their designee.
 - 3) **ZONING BOARD OF APPEALS** — The Village of Williamsville Zoning Board of Appeals as provided for by Chapter 112 of the Village Code.

B. The following terms and definitions shall apply to this Chapter for the purposes of administration and enforcement.

- 1) **A-FRAME SIGN** — A freestanding sign that is comprised of two sign faces diverging at an angle of no more than 45 degrees from their adjoined edge.
- 2) **ALTERATION** — Any construction or physical change to a sign or the supporting members of a sign.
- 3) **AWNING** — An architectural fabric or canvas projection that provides weather protection, identity or decoration and is wholly supported by the building to which it is attached, generally comprised of a lightweight frame structure over which a cover is attached.



A-Frame Sign Example

- 4) **AWNING SIGN** — A sign that is part of or attached to an awning.
- 5) **BANNER** — A length of fabric or similar material, temporarily strung between two points, upon which a message is imprinted.
- 6) **CHANNEL LETTER** — A fabricated or formed three-dimensional letter into which a light source, such as a neon tube, may be placed.
- 7) **CHANNEL LETTER, REVERSE** — A channel letter than has a face and sides, but no back, and is pinned out from a background surface so as to produce a halo effect around the letter when illuminated.
- 8) **COMMERCIAL MESSAGE** — Any message where the primary purpose of which is the commercial advertisement or promotion of a commercial product, event, or service (including content on an internet website operated for a commercial purpose).

- 9) **DIRECTIONAL SIGN** — A freestanding sign commonly associated with and limited to noncommercial information and directions necessary and convenient for persons coming on the property, including signs marking entrances, parking areas, one-way driveways, rest rooms, pickup and delivery areas, drive-through ATM machines, and hours of business.



Directional Sign Example

- 10) **FREESTANDING SIGN** — A sign not attached to any building or structure, which may be supported by columns or posts.
- 11) **GOVERNMENTAL SIGN** — A sign erected and maintained pursuant to and in discharge of any governmental function or required by any general law, local law or governmental regulation.

- 12) **GROUND SIGN** — A type of freestanding sign that is mounted on a base flush with the ground or supported by one or two columns or posts provided the distance between the ground and bottommost edge of the sign is no greater than three feet.



Ground Sign Example

- 13) **ILLUMINATION, INTERNAL** — Illumination by a light source contained within the sign structure or lettering.

- 14) **ILLUMINATION, EXTERNAL** — Illumination by a light source located outside of the sign structure or lettering that is directed at the sign face.

- 15) **INCIDENTAL SIGN** — A sign containing no commercial message and typically erected to identify addresses, entrances, exits, restrooms, hours and days of operation, public utility locations, emergency addresses and telephone numbers, etc. These examples are not given by way of limitation, an incidental sign can contain any noncommercial message in accordance with this Chapter.



Incidental Sign Example

- 16) **INTERNAL SIGN** — A sign that is not intended to be viewed from outside the property and located so as not to be legible from any public right-of-way or from any adjacent property, including any signs in interior areas of shopping centers, commercial buildings and structures, stadiums, and similar structures of a recreational nature.

17) **LAWN SIGN** — A sign constructed of materials not intended for permanent installation that are attached to a single or multiple posts for support and stuck into the ground. The height of a lawn sign shall include any posts or supports. Political campaigns, garage sales, and charitable events, for example, are often advertised with lawn signs.



Lawn Sign Example

18) **MARQUEE SIGN** — A permanent structure attached to the front of a building and which incorporates a large message area. Typically illuminated and often ornate in design, a marquee sign projects over the entrance of the building and provides a canopy over at least a portion of the sidewalk or street. Marquee signs are often used by movie theaters and concert halls.

19) **NEON SIGN** — A sign that incorporates illumination through the use of neon type gas.

20) **NONCONFORMING SIGN** — Any lawful sign existing at the time of adoption of this Chapter, or any subsequent amendments thereto, which does not conform to the regulations of this Chapter or to the regulations of the district in which it is located.

21) **PAINTED SIGN** — A type of sign in which the message, logo, graphic, and/or other visual elements are painted directly upon a building façade. Painted signs shall be regulated as wall signs.

22) **PENNANT** — A length of fabric, or similar material, suspended from overhead, upon which a message is imprinted.

23) **POLE SIGN** — A type of freestanding sign that is supported by one or two columns or posts with a distance exceeding three feet between the ground and the bottommost edge of the sign.



Pole Sign Example

24) **PROJECTING SIGN** — A sign which is wholly dependent upon a building for support and which projects more than six inches from such building.

25) **ROOF SIGN** — Any sign erected upon the roof of a building, or sign where any portion thereof extends above the roofline of the building.

26) **SIGN** — Any object, device, display or structure, or part thereof, situated outdoors or adhered to, or located within three feet of an exterior window that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including but not limited to words, letters, figures, designs, symbols, fixtures, colors, illumination or project images. "Signs" shall also include all sign structures. A sign for the purposes of this Chapter does not include the following:

- a. A flag or emblem of any nation, organization of nations, state or city, or any fraternal, religious or civic organization;
 - b. Merchandise, pictures or models of products or services incorporated in a window display;
 - c. Official notices issued by any court or public office or officer in the performance of a public or official duty;
 - d. Traffic control signs as defined in the NYS Vehicle and Traffic Law; and
 - e. Works of art, including murals, that do not contain any commercial message, logo, graphic, or trademark.
- 27) **SIGN BOARD** — A horizontal band extending the full width of the building facade and located between the highest first floor windows and the cornice, or if there is more than one story, the highest first floor windows and the bottom of the second-floor windows. A sign board generally does not exceed two feet in height.
- 28) **SIGN TYPE** — The design and/or structure of a sign, including ground signs, wall signs, projecting signs, suspended signs, awning signs, and window signs.
- 29) **SUSPENDED SIGN** — A sign attached to and supported by the underside of a horizontal plane.
- 30) **TEMPORARY SIGN** — A sign which is not intended to be used for a period of time exceeding 30 days and is not attached to a building, structure, or ground in a permanent manner. Such signs usually being constructed of poster board, cardboard, masonite, plywood, or plastic material and mounted to wood, metal, wire or rope frames or supports.
- 31) **VALANCE** — A projection of fabric below the main frame of an awning to create a decorative edge.
- 32) **WALL SIGN** — A sign fastened to the wall of a building or structure in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project outward more than six inches from such building or structure.
- 33) **WINDOW SIGN** — A sign visible from a sidewalk, street or other public place, painted or affixed on glass or other window material, or located inside within three feet of the window, but shall not include graphics in connection with customary window display of products.

§ 84-3 SIGN PERMITS

- A. Permit Required.** Except as hereinafter provided, no person shall erect, alter, construct, relocate or cause to be erected, altered, constructed or relocated any sign without first having obtained a sign permit.

- B. Permit Exceptions.** The following situations shall not require the issuance of a sign permit provided such maintenance, changes, or alterations do not in any way alter the physical size, design, or nature of the sign.
- 1) Repainting, repairing, changing of parts, or ordinary maintenance of signs, sign area, or sign supports.
 - 2) Changing the message of a sign.
- C. Alteration.** Any sign for which a permit has been issued shall not be modified, relocated, altered, or replaced, unless an amended or new sign permit is obtained from the Sign Officer.
- D. Expiration.** A sign permit shall expire if the sign for which the permit has been issued is not fully constructed within one hundred eighty (180) days from the date of issuance of the sign permit.
- E. Revocation.** The Sign Officer or designee may, at any time for a violation of this regulation, issue a notice of violation. A written notice of the violation including all reasons for the violation shall be mailed to the property, building, and/or sign owner. Said violation must be corrected within 30 days of the date of notice, otherwise the sign permit shall be revoked and the sign in question shall be required to be removed.

§ 84-4 APPLICATION REQUIREMENTS

A. Application Submittal.

- 1) Sign applications shall not be processed until all required materials have been submitted to the Sign Officer.
- 2) Incomplete applications will not be processed. The Sign Officer shall provide written or electronic notice of application deficiencies to applicants. If such deficiencies are not corrected within 30 days of said notice, the application will be considered withdrawn.
- 3) Applications for signs that require Planning Board review shall be submitted to the Sign Officer at least 10 business days prior to the Planning Board meeting at which such application is to be considered.
- 4) In the event a sign permit application is denied, the Sign Officer shall issue a written notice to the applicant indicating the findings of the denial. If the application is not amended and resubmitted within 30 days of said written notice, it shall be considered withdrawn.

B. Application Requirements.

The following information shall be provided in all applications for a sign permit. The Sign Officer may require application materials to be prepared by a licensed engineer or sign professional if deemed necessary for adequate review of the proposed sign.

- 1) Name, address, contact information, and signature of the applicant.

- 2) Name, address, and signature of the building and/or property owner (if not the applicant), and a statement of consent for the applicant to seek such sign permit.
- 3) All application fees as determined by the Village Board.
- 4) Site plan and elevations indicating the size, shape, construct, materials, layout, and proposed location of the proposed sign(s) drawn to scale.
- 5) Photos of the site or building upon which the sign is to be located.
- 6) Color illustrations and/or photos of the proposed sign and sign area.
- 7) Proposed illumination system, if any, and the type of lighting to be used.
- 8) Plan for removal of the sign(s) and restoration of the building façade, ground, or other feature to which the sign(s) is proposed to be attached.
- 9) Samples of sign materials shall be required for all applications under review by the Planning Board.
- 10) Any additional information as requested by the Sign Officer or Planning Board that is deemed necessary for the adequate review of the proposed sign.

§ 84-5 REVIEW PROCEDURES

A. Review by Sign Type.

- 1) Sign permit applications shall require administrative review by the Sign Officer and/or Planning Board review, depending upon the sign type and its design. The table below indicates the required level of review by sign type.

TABLE 84-5: Required Review by Sign Type

	SIGN OFFICER	PLANNING BOARD
A-FRAME SIGN		●
AWNING SIGN		
Within Valance Area	●	
Outside Valance Area		●
EXTERNALLY ILLUMINATED SIGN		●
GROUND SIGN		●
MARQUEE SIGN		●
PAINTED SIGN		●
PROJECTING SIGN	●	
ROOF SIGN		●
SUSPENDED SIGN	●	

	SIGN OFFICER	PLANNING BOARD
TEMPORARY SIGN	●	
WALL SIGN		
Area 16 Square Feet or Less	●	
Area Over 16 Square Feet		●
WINDOW SIGN		
As Sole Signage for Use		●
As Additional Signage for Use	●	

- 2) Applications for signs that are consistent with a sign plan or program previously approved by the Planning Board for a project or building may also be administratively reviewed, regardless of the sign type.

B. Administrative Review Procedures.

- 1) The Sign Officer may approve, approve with modifications, or deny a sign application as part of administrative review. Approval of a sign application shall require the issuance of a sign permit. The Sign Officer shall issue a sign permit only if the sign conforms to all the applicable standards and requirements of this Chapter.
- 2) The Sign Officer may, at his or her discretion, refer any sign application to the Planning Board for review and comment.
- 3) Appeals of a sign application decision made by the Sign Officer may be filed with the Planning Board. An appeal must be filed within 30 days of the date of the sign application decision in order to be considered.

C. Planning Board Review.

- 1) The Planning Board shall review and decide upon all sign applications received from the Sign Officer. Such review may occur at any regularly or specially scheduled Planning Board meeting.
- 2) The Planning Board may approve, approve with modifications, or deny a sign permit application. The Sign Officer shall issue a sign permit within 30 days of approval by the Planning Board. .
- 3) Development applications subject to review and approval by the Planning Board may have proposed signage reviewed and approved as part of the site plan or architectural review process. In the event of such review, all required sign permit application materials shall be provided to the Planning Board as part of the site plan or architectural review application.
- 4) Appeals of a sign application decision made by the Planning Board may be filed with the Zoning Board of Appeals. Said appeal must be filed within 30 days of the date of the sign application decision to be considered.

D. **Review Criteria.** The review of sign permit applications by the Sign Officer and Planning Board shall be based upon the following criteria:

- 1) The scale, color, texture and materials of the sign will be compatible with the style, color, texture and materials of the building on which it is located as well as neighboring buildings;
- 2) The sign is neither confusing or distracting, nor will it create a traffic hazard or otherwise adversely impact public safety;
- 3) The sign is consistent with the vision and intent of the Village of Williamsville Community Plan and will promote an attractive and walkable traditional Village environment;
- 4) The sign follows the design guidelines outlined in Section 84-18 to the greatest extent practicable; and
- 5) The sign is otherwise compliant with this Chapter.

§ 84-6 MEASUREMENT

A. Sign Area.

- 1) Single Sign Face. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle, or geometric combination thereof that will encompass the extreme limits of the writing, representation, emblem, graphic, and/or other display, together with any material, backdrop, or structure on which it is placed. See Figure 1.
- 2) Multi-Faced Signs. In the case of a multi-faced sign only one side of the sign is considered in determining sign area if the sides of the sign are back-to-back or diverge at an angle of forty-five (45) degrees or less.

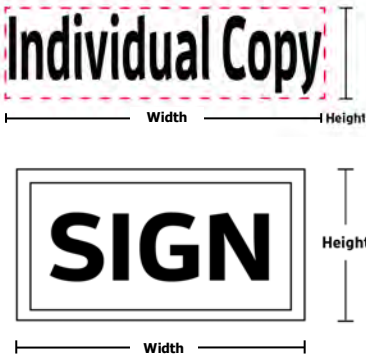


Figure 1: Individual Letters and Sign Faces

B. Sign Height.

- 1) Freestanding Sign. The height of a freestanding sign shall be calculated by measuring the vertical distance between the top part of such sign or its structure, whichever is highest, to the elevation of the ground directly beneath the center of the sign. See Figure 2.
- 2) Other Signs. The height of an awning, projecting, suspended, wall, or window sign shall be determined by measuring the vertical distance between the top part of the sign face or structure, whichever is highest, to the bottommost edge of the sign face.

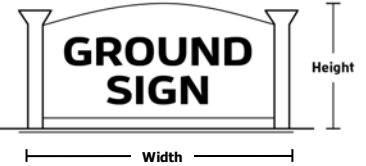


Figure 2: Freestanding Sign

§ 84-7 SAFETY PROVISIONS FOR ALL SIGNS

- A.** No sign shall be erected in such a manner as to obstruct free egress from a window, door or fire escape or to become a menace to life, health or property.
- B.** No sign shall be erected at or near any intersection of streets, alleys, or railways in a manner that obstructs free and clear vision for pedestrians, bicyclists, and motorists.
- C.** No sign shall be of a shape or color that may be confused with any authorized traffic control device.
- D.** No rotating beam, beacon, or flashing illumination resembling an emergency light shall be used with any sign display.
- E.** The erection of any sign and its supports, including any wiring and/or electrical components utilized therein, shall be consistent with generally accepted standards and requirements of the NYS Building Code.
- F.** The erection of any sign, its supports, wiring, or other structural and/or electrical elements may be subject to inspection and approval by the Sign Officer.

§ 84-8 CONSTRUCTION

- A.** All signs shall be constructed of permanent, weather resistant, and durable materials, except for banners, flags, temporary signs, and window signs otherwise in conformance with this Chapter.
- B.** Where applicable, signs shall be supported by sign structures that are designed to resist wind pressures, dead loads, and lateral loads in accordance with the appropriate provisions of the NYS Building Code. All sign supports shall be reviewed as part of the sign design.
- C.** All sign lettering shall be permanently affixed to the sign. Manual changeable copy signs shall be enclosed and locked.
- D.** No sign may be constructed of untreated, unfinished, or unpainted wood, sandblasted metal, or other unfinished materials. All wood components of signs must be sealed and protected from the elements.

§ 84-9 ILLUMINATION

- A.** In no event shall any illuminated sign or lighting device be placed so as to permit the beams and illumination therefrom to be directed upon a public street, highway, sidewalk or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- B.** All lighting fixtures shall be dark sky compliant and directed so as not cast an illumination of more than two (2) foot-candles on adjacent nonresidential properties or more than one-tenth (0.1) foot-candle on adjacent residential properties.

- C. All illumination shall be a steady, continuous burning of bulbs or lights. The flashing, blinking, oscillating, rotating or intermittent turning on and off of any illuminating device is prohibited.
- D. Overhead wires or exposed wires on a sign or its supporting members are prohibited.
- E. Permitted lighting fixtures include lanterns, goosenecks, and shielded, architectural-grade spot lights (See Section 112-16l of the Village Code). Single bar fluorescent tube fixtures are prohibited.
- F. Channel lettering and reverse channel lettering may be utilized in districts where illumination is permitted.

§ 84-10 LOCATION

- A. No sign shall be posted on public property or within a public right-of-way without express approval by the Village Board or any official designated by the Village Board for granting such approval.
- B. No sign shall obscure, alter, or cover the architectural features of any building.
- C. Off-premise signs are prohibited. All signs shall be located on the site of the use being promoted, identified, or advertised.
- D. All freestanding signs, unless otherwise noted within this Chapter, shall be no closer than five feet from the inner edge of the public sidewalk or 15 feet from the inner edge of the public roadway, whichever is greater.

§ 84-11 VISIBILITY AT INTERSECTIONS

No freestanding sign or any part thereof exceeding three feet in height, other than a supporting pole or brace no greater than 18 inches in width or diameter, shall be located within the designated clear sight triangle of any intersecting streets. The clear sight triangle shall be defined by the triangle formed by the center lines of the intersecting streets measured 20 feet outward from the point of intersection of said center lines along such center lines. This shall only apply to intersections where a building does not occupy this space. See Figure 3.

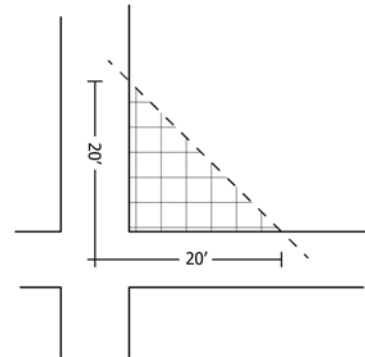


Figure 3: Clear Sight Triangle

§ 84-12 MAINTENANCE & REPAIR

All signs shall be maintained in safe and good structural condition, in compliance with all applicable building and electrical codes, and in conformance with this Chapter at all times. Such maintenance includes replacement of all defective bulbs, parts, materials, painting, repainting,

cleaning, replacement of copy, and other acts required for maintenance of such sign. If any sign does not comply with these standards, the Sign Officer may require its removal.

§ 84-13 REMOVAL OF SIGNS

- A. Where required by this Chapter, the removal of signs shall be the sole responsibility of the sign owner and/or sign permit holder. If said sign is not removed within 30 days of the date of written notice by the Sign Officer, the Sign Officer is authorized to affect its removal.
- B. The Sign Officer may remove any sign that is found to be in violation of this Chapter. The property and/or sign owner shall subsequently be given written notice of such sign removal. If the sign is not claimed within 10 days of the written notice, the Sign Officer may dispose of said sign.
- C. Any costs incurred for the removal of a sign shall be fully reimbursed to the Village of Williamsville by the sign owner and/or sign permit holder. All expenses incurred by the Village in removing such sign shall be a charge against the property and shall be added to the next taxes assessed against the property if not paid within 30 days after notice of said charge is delivered to the owner by certified mail or equivalent means.

§ 84-14 SIGNS AUTHORIZED WITHOUT A PERMIT

The following types of signs may be erected in the Village without obtaining a sign permit. Although permits are not required for these signs, they shall conform to all other requirements of this Chapter or may be subject to removal by the Sign Officer in accordance with Section 84-13.

- A. **Directional Signs.** Non-illuminated direction signs do not require a permit provided the following conditions are met:
 - 1) Directional signs shall be located entirely on the property to which they pertain and shall not contain a commercial message (e.g. business name).
 - 2) The total of directional signs on any one property shall not exceed an area of six square feet in a residential district, or 16 square feet in a nonresidential district.
 - 3) Directional signs shall not exceed three feet in height.
 - 4) Directional signs may not extend above the first floor of any given structure or project beyond property lines.
- B. **Gasoline or Vehicle Charging Station Signs.** Signs attached to a gasoline pump or vehicle charging station shall not require a permit provided they do not exceed six square feet in area.
- C. **Governmental Signs.** Any official sign, public notice, or warning sign authorized by federal, state or local law, including but not limited to signs erected and maintained pursuant to

and in discharge of any government functions. (Example: NYS inspection station or authorized repair shop identification).

D. House Numbers and Nameplates. Address and name of occupant of premises for a residential structure, not including designations as to employment or home occupation, are to be limited in size to four square feet per dwelling unit.

E. Incidental Signs. Incidental signs shall conform to the following standards:

- 1) No sign may be illuminated.
- 2) No sign may exceed three feet in height and four feet in area.
- 3) The cumulative area of all signs shall not exceed 12 square feet.

F. Internal Signs. Signs within a building not legible from the public right-of-way or adjacent lots, or any sign within an enclosed outdoor space, such as an athletic field, where such sign is not legible beyond the property lines.

G. Lawn Signs. Lawn signs shall be in conformance with the regulations below.

- 1) No sign exceeds three feet in height and six square feet in area, and the cumulative area of all signs on the lot does not exceed 12 square feet.
- 2) No sign is displayed for more than 30 days in a 90-day period.
- 3) No sign is illuminated.

H. Neon Signs. Neon signs located within a window area shall not require a sign permit provided they conform to the following:

- 1) The neon sign is located within a nonresidential district.
- 2) No more than one neon sign per window, covering no more than 10% of the window area.
- 3) No more than two neon signs per use.

I. Noncommercial Signs. Any use is permitted one sign that does not contain a commercial message, provided such sign is in conformance with the following:

- 1) The sign does not exceed three feet in height and six feet in area.
- 2) The sign is not illuminated.
- 3) The sign is not located above the first-floor of any structure.

§ 84-15 PROHIBITED SIGNS

A. Any sign for which no sign permit was issued, for which a sign permit was revoked, or any other sign not explicitly authorized herein.

- B. Any sign that may be confused with a traffic control sign, signal or device or the light of an emergency or road equipment vehicle or any sign which hides from public view any traffic or street sign, signal, or device.
- C. Any sign that flashes, blinks, rotates, or revolves, or utilizes unshielded lighting devices, mirrors, or reflectors to outline or provide the background of a sign.
- D. Any derivation of digital or electronic signage which displays animated or illuminated content.
- E. Any sign employing vertical louvered blinds, mechanically changing, or movable materials.
- F. Any sign that is not properly maintained, considered structurally unsound, hazardous, or otherwise unsafe.
- G. Any sign that contains words or pictures of an obscene or pornographic nature.
- H. Any sign that emits audible sounds, odor, or visible matter.
- I. Any sign prohibited within a residential district that is located in an adjacent nonresidential district and is not set back at least 10 feet from the adjacent residential district property line.
- J. Any sign that is located off-premise from the use and/or structure to which it serves, unless otherwise permitted by this Chapter.
- K. Any sign that is obsolete or abandoned, advertising an activity, business, product or service no longer conducted or available on the premises on which the sign is located.
- L. Any sign placed on a curb, sidewalk, hydrant, utility pole, tree or other object located on or over any public street unless otherwise permitted by this Chapter.
- M. Any pole sign or sign that is mounted on wheels or mounted on any structure on wheels.
- N. Any banner, poster, pennant, ribbon, streamer, spinner, or balloon, unless otherwise authorized by this Chapter.

§ 84-16 PERMITTED SIGNS BY ZONING DISTRICT

- A. **Sign Types.** The following table indicates the sign types permitted within the Village's zoning districts, as established in Chapter 112 of the Village of Williamsville Code.
 - 1) A fully filled dot indicates that the sign type is permitted and may be illuminated.
 - 2) An outline of a dot indicates that the sign type is permitted but may not be illuminated.
 - 3) A "-" indicates that the sign type is not permitted.

TABLE 84-16(A): Sign Types Permitted by Zoning District

SIGN TYPE	ZONING DISTRICTS				REQUIREMENTS
	R-1, R-2, R-3	R-3M	NMU, MU	M-1	
A-Frame	-	○	○	○	§ 84-17(A)
Awning	-	-	○	○	§ 84-17(B)
Ground	○	○	●	●	§ 84-17(C)
Marquee	-	-	●	-	Determined by Planning Board
Painted	-	-	○	○	§ 84-17(G)
Projecting	-	○	●	●	§ 84-17(D)
Roof	-	-	●	●	Determined by Planning Board
Suspended	-	-	○	-	§ 84-17(E)
Temporary	○	○	○	○	§ 84-17(F)
Wall	○	○	●	●	§ 84-17(G)
Window	-	○	○	○	§ 84-17(H)

B. **Number of Signs.** The number of signs and sign types permitted in zoning districts is provided in the table below. All signs must be in conformance with Section 84-17, where applicable.

TABLE 84-16(B): Number of Signs Permitted

	NUMBER ¹	TYPE
Residential District	1 per use	As permitted
Nonresidential District	2 per use	1 of each, as permitted
Residential Development	1 per entrance ²	Ground Sign, max height 4 feet & max area 24 square feet
Multi-Tenant Development		
Per Use	2	1 of each, as permitted
Per Lot	1	Ground Sign, max height 10 feet & max area 32 square feet
Multi-Story, Multi-Tenant Building		
First-Floor	1 per use	As permitted
Upper-Floor	1 shared	As permitted, located on sign board
Corner Buildings	1 additional	As permitted ³ , must be identical to signage on primary façade
NOTES: (1) Window signs shall not be included in the count of total allotted signage. (2) Shall only apply to entrance points from public streets. (3) Freestanding signs may not be duplicated. Additional signage must be located on façade.		

§ 84-17 REGULATIONS BY SIGN TYPE

A. A-Frame Sign.

1) Requirements by District.

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	-	-	1 per use	1 per use
Maximum Area	-	-	6 square feet	6 square feet
Minimum Height	-	-	3 feet	3 feet
Maximum Height	-	-	4 feet	4 feet
Illumination	-	-	-	-

2) Additional Regulations.

- a. The sign must be brought in each day at the close of business.
- b. Uses along Main Street may place a-frame signs within the public sidewalk provided it does not impede pedestrian traffic and is set back at least four feet from the curb of the street.

3) Sign Design. Refer to Section 84-18 for sign design guidelines.



B. Awning Sign.

1) **Requirements by District.**

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	-	-	1 per awning	1 per awning
Maximum Area	-	-	4 square feet	4 square feet
Maximum Height	-	-	2 feet	2 feet
Minimum Clearance¹	-	-	9 feet	9 feet
Illumination	-	-	-	-

NOTE: (1) Measured from the elevation of the ground directly beneath the center of the awning to the bottommost edge of the awning

2) **Additional Regulations.**

- a. Awning signs shall be permitted on first-floor awnings only.
- b. A single use may utilize no more than two awnings for signage. Where a single use has more than one awning, each awning shall match in color and style.
- c. Where an awning relates to more than one use, each use shall be entitled to one sign on such awning provided the color and style of the signs are the same.
- d. Awnings upon which a sign is to be placed shall be comprised of high-quality, weather-resistant materials designed for exterior use.

3) **Sign Design.** Refer to Section 84-18 for sign design guidelines.



C. Ground Sign.

1) **Requirements by District.**

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	1 per lot	1 per lot	1 per lot	1 per lot
Maximum Area	6 square feet	16 square feet	20 square feet	30 square feet
Maximum Height	3 feet	3 feet	4 feet	6 feet
Illumination	-	-	Internal or External	Internal or External

2) **Additional Regulations.**

- a. All ground signs shall have a landscaped area at the base of the sign. The landscaping shall fully surround the sign and utilize appropriate plantings so as not to obscure the visibility of the sign.
- b. All plantings shall be properly manicured and maintained as the season may require. Dead or decaying plant material shall be replaced by the sign owner within 30 days of written notice by the Sign Officer.
- c. Segmental block and/or non-mortared stone is permitted for sign base materials only if like materials are in use throughout the principal structure. Landscape timbers are not permitted sign base materials.
- d. External lighting fixtures may be mounted on the ground or on the sign. Lighting fixtures mounted on the ground shall be shielded and directed so as to illuminate only the sign face.
- e. The use of neon tubes may be permitted with Planning Board review and approval.

3) **Sign Design.** Refer to Section 84-18 for sign design guidelines.



D. Projecting Sign.

1) **Requirements by Districts.**

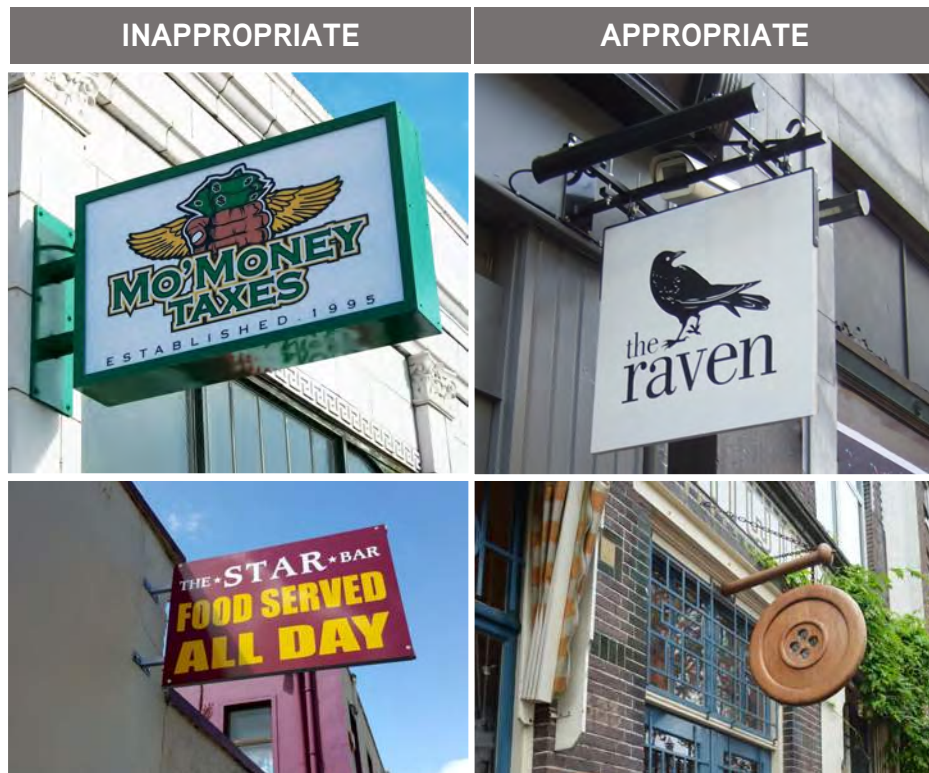
	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	-	1 per use	1 per use	1 per use
Maximum Area	-	4 square feet	6 square feet	8 square feet
Maximum Height	-	2 feet	2 feet	3 feet
Minimum Clearance¹	-	9 feet	9 feet	9 feet
Illumination	-	-	External Only	External Only

NOTE: (1) Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.

2) **Additional Regulations.**

- a. Signs shall be located in the sign board area, unless otherwise approved by the Planning Board.
- b. The use of neon tubes may be permitted with Planning Board review and approval.

3) **Sign Design.** Refer to Section 84-18 for sign design guidelines.



E. Suspended Sign.

1) **Regulations by District.**

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	-	1 per use	1 per use	-
Maximum Area	-	6 square feet	6 square feet	-
Maximum Height	-	2 feet	2 feet	-
Minimum Clearance¹	-	9 feet	9 feet	-
Illumination	-	-	-	-

NOTE: (1) Measured from the elevation of the ground directly beneath the center of the sign to the bottommost edge of the sign.

2) **Additional Regulations.**

a. Signs shall be located in the sign board area, unless otherwise approved by the Planning Board.

3) **Sign Design.** Refer to Section 84-18 for sign design guidelines.



F. Temporary Sign.

1) **Regulations by District.**

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	1 per use	1 per use	1 per use	1 per use
Maximum Area	6 square feet	12 square feet	24 square feet	24 square feet
Maximum Height	3 feet	3 feet	6 feet	6 feet
Illumination	-	-	-	-

2) **Additional Regulations.**

- a. No sign shall be displayed for more than 30 days in a 90-day period.
- b. The display of a sign may be extended for up to two additional 30-day periods upon written request to the Sign Officer setting forth the special circumstances requiring such extension.
- c. No sign shall project above the first floor of any given building or beyond property lines.
- d. Banners, posters, pennants, ribbons, streamers, spinners, or balloons may be permitted as temporary signage, provided they are in conformance with this Section.

G. Wall Sign.

1) **Regulations by District.**

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	1 per structure	1 per structure	1 per façade	1 per façade
Maximum Area	4 square feet	8 square feet	20% of façade OR 50 square feet, whichever is less	20% of façade OR 50 square feet, whichever is less
Maximum Height	1 feet	2 feet	4 feet	6 feet
Illumination	Not Permitted	Not Permitted	External Only	Internal or External

2) **Additional Regulations.**

- a. Signs shall be located in the sign board area, unless otherwise approved by the Planning Board.
- b. Painted signs shall require Planning Board review and approval. No painted sign shall be located on the primary façade of a structure.

3) **Sign Design.** Refer to Section 84-18 for sign design guidelines.



H. Window Sign.

1) Regulations by District.

	R-1, R-2, R-3 Districts	R-3M District	NMU, MU Districts	M-1 District
Maximum Number	-	-	None	None
Maximum Area	-	-	25% of window area	50% of window area
Illumination	-	-	-	-

2) Additional Regulations.

- a. Window signs shall not be counted towards the total allotted signage for any use.
- b. Signs are permitted in first floor windows only.

3) Sign Design. Refer to Section 84-18 for sign design guidelines.



§ 84-18 SIGN DESIGN GUIDELINES

The following sign design guidelines are intended to assist applicants and review bodies in addressing issues related to sign compatibility, legibility, placement, and color.

A. Compatibility.

- 1) Signs should be constructed of high quality materials that are compatible with the building form and the desired character of the area in which they are located.
- 2) Signs should be appropriately scaled for the building or site upon which they are located, so as not to dominate the façade or streetscape.
- 3) Signs on buildings that have a monolithic or plain façade should be used to establish appropriate design rhythm, scale, and proportion and create visual interest.
- 4) Signs should be designed to include relief in the lettering or sign face to create shadows and provide depth and visual interest.

B. Legibility.

- 1) Hard to read, intricate typefaces should be avoided. The number of lettering styles on a single sign should be limited to two for small signs and three for larger signs.
- 2) Letters and words should not be spaced too closely together. Generally, letters should not occupy more than 75% of the sign area.
- 3) Large areas of blank spaces should be avoided. Generally, 50% or more blank area should be avoided for boxed sign areas or framed signs.
- 4) Strangely shaped or unnecessarily narrow signs should be avoided. If an unusual shape is not symbolic it is more likely to be confusing.

C. Placement.

- 1) Signs should be so located to respect and compliment a building's façade, utilizing logical signage areas created by existing architectural details or ornamentation.
- 2) Signs should be placed at or near the public entrance to a building to indicate the most direct access.
- 3) Signs located on a building façade should be located in the sign board area.

D. Color.

- 1) Signs should feature substantial contrast between the color and material of the background and text or symbols.
- 2) Sign colors should complement the materials and colors of adjacent buildings, including accent and trim colors, where applicable.

- 3) Use of color and color combinations utilized for signs should be limited. Generally, a sign should not utilize more than three colors, including accent colors.
- 4) Day-glo or florescent colors should be avoided.

§ 84-19 NONCONFORMING SIGNS

- A.** Any sign that does not comply with this Chapter is eligible for characterization as a legal nonconforming sign if the sign complied with all requirements in effect at the time it was erected.
- B.** Nonconforming signs must be brought into compliance with this Chapter under the following conditions:
 - 1) The sign is altered in any way, such as size, design, structure, or type of illumination (except for normal maintenance).
 - 2) The sign is relocated or replaced.
 - 3) The property or business to which the sign relates changes ownership or primary use.
- C.** Any nonconforming sign that is removed from its position or siting and not replaced in-kind within 30 days shall be presumed to be abandoned and discontinued, and therefore may not be restored or re-erected except in compliance with this Chapter.
- D.** No nonconforming sign may be altered in any way that would increase its nonconformity with the regulations of this Chapter, including but not limited to area, height, setback, and illumination.
- E.** A nonconforming sign shall not be repaired, reconstructed or replaced, except in conformity with all the provisions of this chapter if it is damaged to an extent that the cost of repairing the sign to its former condition or replacing it with an equivalent sign equals or exceeds 50% of the replacement value of the sign so damaged, including labor.
- F.** Nothing in this section shall relieve the owner or user of a nonconforming sign or owner of the property on which the nonconforming sign is located from complying with the provisions of this Chapter regarding safety, maintenance and repair of signs. Any repainting, cleaning, or routine maintenance or repair of the sign or sign structure shall not be deemed to modify the sign in any way.
- G.** The amortization period of any legal nonconforming pole sign in a M, NMU or MU District as provided for in the Village of Williamsville Local Law No. 7-2015 shall remain in effect. An extension of 180 days to the original amortization period shall be permitted as part of this Chapter update. The Zoning Board of Appeals may permit a longer amortization period upon the submission of competent proof by the owner of the sign that a longer amortization period is necessary to allow the owner to recover its investment.

Public Hearing October 9, 2018

VILLAGE OF WILLIAMSVILLE

LOCAL LAW NO. X of 2018

**A Local Law Amending Chapter 103 (Vehicles and Traffic)
which would add No Standing on Danbern Lane**

Section 1. Title

This Local Law shall be referred to as, “No Standing on Danbern Lane Law of 2018”.

Section 2. Purpose

The purpose of this Local Law shall be to amend Chapter 103 (Vehicles and Traffic) to add No Standing on Danbern Lane.

Section 3.

Chapter 103 shall be amended as follows:

§103-16: No standing.

No person shall stand a vehicle upon any of the following-described streets or alleys or parts of streets or alleys:

Name of Street	Side	Location
Danbern Lane	East/West	Entire Length

Section 4. Effective Date

This Local Law shall take effect immediately and shall be filed in the Office of the Secretary of State.

4 GUYS INC.

FIRE TRUCKS

PO BOX 90 - MEYERSDALE, PA 15552 - PHONE 814-634-8373 - FAX 814-634-0076 - WEBSITE: www.4guysfire.com

July 30, 2018

Village of Williamsville
5565 Main St
Williamsville, NY 14221

Dear Sir:

Following find options for your two (2) custom rescue pumpers

Add an Akron 3" deck gun discharge with hand wheel control on the pump panel.

Add a TFT Hurricane RC 1250 GPM monitor, includes a 100 psi master stream 1250 automatic pressure nozzle, electric 18" remote control telescoping extend-a-gun, and a 30' tethered monitor operator station with display.

The deck gun discharge and monitor will be located in the driver's side rear upper body compartment. This will require us to relocate the foam tank.

Cost: \$17,876.00 per truck yes no

Please indicate which item you wish to add and sign and return one copy.

Sincerely,

Accepted: 

Mark R. Albright
President & CEO

Date: 8/1/18

4 GUYS INC. FIRE TRUCKS

PO BOX 90 - MEYERSDALE, PA 15552 - PHONE 814-634-8373 - FAX 814-634-0076 - WEBSITE: www.4guysfire.com

August 16, 2018

Village of Williamsville
5565 Main St
Williamsville, NY 14221

Dear Sir:

Following find option for your two (2) custom rescue pumpers

Provide a dry hoselay in front of the current speedlays. Includes a Poly tray for the hose.

Cost: \$1,346.00 per truck yes ___no

Please indicate which item you wish to add and sign and return one copy.

Sincerely,

Mark R. Albright
President & CEO

Accepted:


Michael Measor Chief

Date:

8/17/18

4 GUYS INC.

FIRE TRUCKS

PO BOX 90 - MEYERSDALE, PA 15552 - PHONE 814-634-8373 - FAX 814-634-0076 - WEBSITE: www.4guysfire.com

October 3, 2018

Village of Williamsville
5565 Main St
Williamsville, NY 14221

Dear Sir:

Following find on additions and deletions to your two (2) custom rescue pumpers per your inspection trip on October 1st.

Add a 12vdc power outlet and a USB charging port on the officer's side of the dash beside the MDT mounting plate.

Cost: \$224.00 per truck yes ___ no

Supply and route remote head radio cables for a Motorola XTL2500 mobile radio system from under the officer's seat to the center of the cab dash and to the pump operator's panel at the driver's side rear of the body. An aluminum wire cover will be fabricated and attached to the officer's side of the dog house to protect the cables and additional radio wiring from damage.

Cost: \$633.00 per truck yes ___ no

Supply 12vdc battery power, switched power, and ground wiring to under the officer's seat and at each remote radio head location. The under seat circuits will be 10awg/30 amp and the remote head circuits will be 14awg/15amp.

Cost: \$458.00 per truck yes ___ no

Supply and install two (2) Motorola external radio speakers in the cab. One speaker will be mounted to the rear angled area of the HVAC duct work and the second speaker will be mounted center high on the rear wall. The rear speaker will have an on-off switch located on the speaker.

Cost: \$534.00 per truck yes ___ no

Supply battery power and ground wiring to each side of the rear cab wall. The wiring will be 12awg/20amp and will be terminated at a fuse block located low on the wall.

Cost: \$543.00 per truck yes ___ no

Provide switching at the pump operators panel for the left, rear, and right scene lights. Lights will also be switched from the cab.

Cost: \$482.00 per truck yes ___ no

The hose bed lights will be switch at the pump operators panel I.L.O. in the cab. The lights will also be activated with the park brake.

No Charge yes ___ no

Add two 120vac/20amp 5-20 generator powered outlets inside of the coffin compartments. One outlet will be located in each front and rear compartment. (1) relocated to R4)

Cost: \$584.00 per truck yes ___ no

Delete two of the additional clearance lights from the sides of the body.

Credit: \$116.00 per truck yes ___ no

Provide eight (8) individual LINZ6 LED light heads mounted four each side of the brow light below the light bar I.L.O. the model TAZ86 Arrow Stick.

No Charge yes ___no

Add one 120vac outlet in the R2 compartment below the breaker panel. The outlet will be wired to the transfer switch circuit.

Cost: \$292.00 per truck yes ___no

Provide black vinyl aluminum pump panel I.L.O. black thermoplastic covered panels.

Credit: \$736.00 per truck yes ___no

Increase the size of the pump access doors.

No Charge yes ___no

Delete the microphone compartment.

Credit: \$294.00 per truck yes ___no

A pump panel layout will be sent for approval before we build the actual panel.

Add miscellaneous bolt in shelves in the rear pump panel area.

Cost: \$286.00 per truck yes ___no

Provide air bleeders with switches on the pump panel near the gauges I.L.O. manual style.

No Charge yes ___no

An intake relief valve is provided on the rear suction. An intake relief valve will be added to the front suction I.L.O. intake relief valve on the pump.

No Charge yes ___no

Please indicate which items you wish to add or delete and sign and return one copy.

Sincerely,

Mark R. Albright
President & CEO

Accepted: 

Date: 10/4/18



www.4guysfire.com

230 INDUSTRIAL PARK ROAD, P.O. BOX 90, MEYERSDALE, PA 15552 ~ PHONE 814-634-8373 ~ FAX 814-634-0076

October 4, 2018

Village of Williamsville
5565 Main St
Williamsville, NY 14221

Dear Sir:

Following find on additions and deletions to your two (2) custom rescue pumpers per your inspection trip on October 1st.

Delete the notch in the rear compartment for pre-connected hose.

Credit: \$287.00 per truck yes ___ no

Delete the removable bar on the rear hose bed.

Credit: \$318.00 per truck yes ___ no

Delete five (5) flip steps.

Credit: \$765.00 per truck yes ___ no

Delete one slide out board in EMS compartment.

Credit: \$134.00 per truck yes ___ no

Delete one adjustable shelf.

Credit: \$136.00 per truck yes ___ no

Delete peg board mounting board from compartment L4

Credit: \$506.00 per truck yes ___ no

Delete the ten (10) space SCBA module in compartment L3.

Credit: \$760.00 per truck yes ___ no

Add poly board in compartment L-4 left, right, and low on back wall and on floor.

Cost: \$724.00 per truck yes ___ no

Add poly board in the rear compartment on left, right wall.

Cost: \$491.00 per truck yes ___ no

Add poly board in compartment R-1 on left wall.

Cost: \$286.00 per truck yes ___ no

Add 1/4" poly board in stokes module on the floor.

Cost: \$374.00 per truck yes ___ no

Add four (4) Zico PS-8-5 steps mounted under the body. Two on driver's compartment #1 and two on passenger side compartment #1.

Cost: \$1,964.00 per truck yes ___ no

Add two (2) regular aluminum/rubber insert grab bars mounted on top of the body at the rear one on each side.

Cost: \$334.00 per truck yes ___ no



www.4guysfire.com

Add two (2) 16" lighted grab bars mounted one each side of the body between compartments #1 and #2 I.L.O. two grab bars on the rear of the body.

No Charge yes ___no

Provide poly board I.L.O. aluminum peg board on the swing out tool board.

No Charge yes ___no

Provide aluminum peg board material I.L.O. smooth aluminum for the rescue tool tray.

Cost: \$124.00 per truck yes ___no

Add a PAC mounting system between the other specified PAC system in the crew cab.

Cost: \$878.00 per truck ___yes no

Add two (2) PAC K003HD Irons Lock mounted on PAC in crew cab one on each side.

Cost: \$832.00 per truck ___yes no

Add a hinged chain saw mount for two (2) fire company supplied chain saws in compartment L2. Note: space needed for this will be approximately 48" high x 32" wide.

Cost: \$2,459.00 per truck ___yes no

½" poly board 60" x 120" with stainless steel ¼" spring nuts.

Cost: \$257.00 per sheet yes ___no Quantity 1

Provide black poly material on the sides, angled area, and rear bumper I.L.O. stainless steel painted plate and Onscene rub rail.

No Charge yes ___no

Spray gray bed liner on the EMS compartment I.L.O. DA finish.

Cost: \$289.00 per truck yes ___no

Add one aluminum grating slide out step on the floor of driver's side compartment #1.

Cost: \$688.00 per truck yes ___no

Add a permanent shelf above the slide out step in driver's side compartment #1.

Cost: \$164.00 per truck yes ___no

Center the front suction pipe.

No Charge yes ___no

Provide custom made straps for over the sump box in the front bumper I.L.O. one single strap.

Add a second divider in the sump box.

Cost: \$287.00 per truck yes ___no

Add a transfer switch for generator/shoreline power.

Cost: \$615.00 per truck yes ___no

Add a full width mudflap behind the rear wheels.

Cost: 867.00 per truck yes ___no

Cut additional hand hole in the tops of the speedlay trays (four per tray).

Cost: \$392.00 per truck yes ___no

Delete one rear 2.5" discharge (low valve).

Credit: \$1,123.00 per truck yes ___no



www.4guysfire.com

Provide a 6" female NST x 5" Storz straight adapter I.L.O. a 30 degree elbow adaptor on the rear inlet.
Credit: \$82.00 per truck yes no

Note: Fire company is sending us equipment to mount. This will be done on a time and material basis.

Note: We have your trucks schedule to be completed on November 9th. Depending on what items you choose on these change orders it could push the completion date back two to three weeks.

Please indicate which items you wish to add or delete and sign and return one copy.

Sincerely,

Accepted: _____

Mark R. Albright
President & CEO

Date: _____

10/4/18

Penflex, Inc. 11/1/2018-10/31/2019 Service Fee Agreement

VILLAGE OF WILLIAMSVILLE SERVICE AWARD PROGRAM

Standard Services Fee Schedule

Base Fee: \$3,450, \$100 change from 2017

Per-Participant Fee: \$18, \$0 change from 2017

Payment certification and trustee directive letters: \$75 per letter, \$0 change from 2017

Preparation of IRS forms 1099 and 1096, preparation of mailing to clients of IRS form 1096 transmittal package with instructions: \$25 per each form (minimum charge \$50 per client). This service is performed only if your investment provider does not provide it.

Total Estimated Standard and Distribution Services Fees: \$5,100

Preparation of Financial Statement Disclosures

Disclosure Packages Provided For Program Year 2017:

NYS LOSAP Audit Package: No

GASB 73 Package: Yes

Auditing Firm: Drescher & Malecki, LLP

Contact Name: Matt Montalbo

Email Address: mmontalbo@dreschermalecki.com

Please Check 'Yes' Or 'No' For Program Year 2018:

Complete the NYS LOSAP Audit Package for a fee of \$495: _____ Yes X No

This is a \$0 change from 2017. Please refer to the enclosed newsletter titled 'New York State Volunteer Firefighter LOSAP Audit Requirement' for more information

Complete the GASB 73 Package for a fee of \$950: X Yes _____ No

This is a \$200 change from 2017. Please refer to the enclosed 'GASB 73 Frequently Asked Questions' for more information. For a sample GASB 73 package, please email: info@penflexinc.com

PLEASE NOTE: If you are requesting any Disclosure Packages, please review and make any necessary changes to your auditor's information noted above.

All other services are optional and are billed only when requested. Please call for fee estimates and purchase order arrangements. Optional services include additional client meetings, drafting of special correspondence and documents, and performing actuarial cost estimate calculations.

To authorize Penflex, Inc. to begin providing these services in accordance with this fee schedule, please have the Mayor sign and return this Service Fee Agreement. Keep a copy for your records.

Mayor
Village of Williamsville

Edward J. Holohan
Edward J. Holohan, ASA
President, Penflex, Inc.

PENFLEX, INC.

SERVICE AWARD PROGRAM STANDARD SERVICES

1. Prepare an annual Service Award Program participant statement for each Service Award Program participant (including those who are being paid monthly Service Awards),
2. Prepare for the record and **for audit purposes** an annual Service Award Program report which:
 - a. shows and completely documents the calculation (defined benefit plans) or allocation (defined contribution plans) of the annual Program cost.
 - b. accounts for changes in the Program's assets.
 - c. by individual volunteer, lists their earned Service Awards (defined benefit plans) or accounts for changes in their Program accounts (defined contribution plans).
 - d. summarizes the major provisions of the Program.
 - e. lists current payment recipients.
 - f. includes a service credit listing for current participants.
 - g. includes a written description of the actuarial methods and assumptions used to calculate the annual program costs (defined benefit plans).
 - h. For members of the Sponsor's Governing Board or Officials, prepare:
 - i. "Fact Sheet" which includes current year important information about their Program.
 - ii. "Special Commentary" correspondence which alerts officials about emerging issues and/or explains changes in the Program (such as increase/decrease in Program funding costs).
3. Meet (one meeting) upon request, first with officials and then with volunteers to review the Annual Report, to answer questions from volunteers about their annual statements and to provide updates on Service Award Program related legislation and on their own Program.
4. Provide forms and instructions to enroll new volunteers, change beneficiaries, file for benefit payments, etc.
5. At year-end, provide written instructions about how to prepare the required certified listings to be approved by the Sponsor's Governing Board and Department/Company officials, posted by the Department/Company, and sent to Penflex, Inc.
6. Project the Program's cash flow needs in order to plan and formulate investment strategy.
7. Prepare written notification/explanation to be sent to persons who cease to participate in the Program.
8. During normal business hours, have trained staff available to answer questions from officials and designated client contact persons.
9. Throughout the year, receive, review and reconcile financial statements from custodian and/or investment and/or insurance providers.
10. Process Service Award payment applications, certify payment amounts and eligibility, prepare payment directives and communicate directly with the payment recipient and/or custodian and/or paying agent when necessary.
11. Answer routine questions from client's auditors about the Program and the annual report.
12. When required, prepare vouchers for payments to the Program Trust Fund.
13. Prepare and communicate to clients preliminary cost estimates of proposed changes to Program.
14. Help clients resolve Program funding issues.
15. Advise clients about potential Program non-compliance with applicable laws.

PENFLEX, INC.

SERVICE AWARD PROGRAM SPECIALISTS

RECEIVED
VILLAGE OF WILLIAMSVILLE

2018 OCT -1 PM 2: 26

www.penflexinc.com

Penflex, Inc.
50 Century Hill Dr., Suite 3
Latham, NY 12110

Phone: 800.742.1409
Fax: 518.783.6915
Email: info@penflexinc.com

September 2018

Ms. Lynda Juul
Village of Williamsville
5565 Main Street
Williamsville, NY 14221

Re: Service Award Program 2018-2019 Service Fee Agreement

Dear Ms. Juul:

Enclosed is our Service Fee Agreement for the upcoming administrative year. You will note a modest increase to the Base Fee. The underlying costs of providing services to our clients have increased. We've taken some steps to minimize the impact of these additional costs on our fees, but after projecting our costs for the upcoming year we felt a small increase was necessary to continue the quality service our clients have come to expect.

In addition, we have increased our fee for preparing our GASB 73 disclosure package. Although this does not pertain to all of our clients, we have enclosed our "GASB 73 Frequently Asked Questions" for more information regarding this relatively new accounting standard. This increase only impacts those clients that elect this optional service.

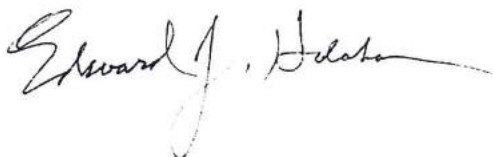
You may notice a slight change to this year's Agreement – we have incorporated last year's elections regarding our optional financial statement disclosures fees. This includes the contact information for your external auditor. If you are requesting that we prepare either of the financial statement disclosure packages, please review your auditor's information and make any applicable changes on the Agreement.

For your reference, an Annual Statement detailing fees billed and paid to Penflex over the last 12-month period and a Penflex directory are also enclosed.

Please return a signed copy of the Service Fee Agreement to Penflex. The signed Agreement can be faxed to (518) 783-6915, or emailed to: info@penflexinc.com. Please note that, if applicable, an invoice for our base fee is enclosed.

All of us at Penflex sincerely look forward to working with you for another year. Thank you for your continued business.

Serving your Volunteers,



Edward J. Holohan
President & Actuary

PENFLEX, INC.

SERVICE AWARD PROGRAM SPECIALISTS

New York State Volunteer Firefighter LOSAP Audit Requirement

Updated September 2018

Background

In November 2005 and May 2006, the Long Island-based newspaper Newsday published articles about Length of Service Award Programs (LOSAPs), in particular, their relatively poor funded status. Partly in reaction to these articles, a bill was introduced in 2006 that was eventually signed into law. This new legislation, GML §219-a(3) required a LOSAP to be audited annually by an independent certified public accountant (CPA). The justification for the bill stated, in part, the following:

"Annual audits will help ensure that programs are adequately funded, allow program sponsors to adjust contributions and increase transparency."

The new statute required the audits to commence effective with the program sponsor's fiscal year ending on/after June 30, 2007. Although the original deadline for the completion of the audit was 90 days, it was subsequently increased to 270 days. However, for reasons discussed below, the deadline for fire districts that prepare audited financial statements is 180 days. The audit report must be submitted to the Office of the State Comptroller (OSC).

Our observation is that the audit requirement has made LOSAP sponsors generally more educated about the financial state of their program, but more progress must still be made. Penflex is proactively working with CPAs, statewide associations, and other professionals serving LOSAP sponsors to increase awareness about the need to more closely monitor these programs.

Compliance & Model Footnote

The text of the statute is somewhat vague and open ended. To clarify how a LOSAP sponsor is to comply with this requirement, the OSC established guidelines in a 2008 memorandum which outlined two options. The first option is aimed towards LOSAP sponsors that already have their financial statements audited by an independent CPA. These sponsors can include a footnote of information about the LOSAP in its financial statements. The CPA will then audit the footnote and LOSAP as part of the overall financial statement audit. The second option is to engage a CPA to perform a LOSAP-only audit in compliance with the AICPA Audit and Accounting Guide for Employee Benefit Plans. With either option, the LOSAP information is to be presented using the model footnote format and submitted to the OSC. Note that fire districts that are required to have their financial statements audited must submit the financial statements to the OSC by June 30th, making the effective filing date for these fire districts 180 days, not 270.

The footnote is to state basic program provisions and benefits provided. It must describe how the program assets are managed and what vendors have been hired to assist the sponsor in its fiduciary role, including asset management and third-party administration. It also requires disclosure of the financial condition of the program, which includes the investment allocation of the program assets and changes in the assets during the year, liabilities, contributions required and made during the year, fees paid to vendors for administration, actuarial and/or investment management services, and actuarial assumptions (for defined benefit programs).

The LOSAP audit must be filed with the OSC by the required deadline. Based on our discussions with OSC staff and information we requested on LOSAP audits reported to the OSC, it appears that LOSAP audits are not being transmitted to the OSC even though they are likely being completed by the CPA. Based on information obtained through a Freedom of Information request, it appears that the number of submissions has increased from 306 in 2013 to 353 in 2016 (the most recent year available). Although information about the LOSAP (i.e., LOSAP footnote) is submitted with the Annual Update Document (AUD), this submission does not satisfy the LOSAP audit requirement because it is not one of the two compliance options outlined above.

Based on municipal spending data available on the OSC website, there are about 510 municipalities that report an annual expenditure for LOSAP. However, this data does not include many towns, since the LOSAP cost is often rolled into fire protection contract costs. Knowing this, we estimate that 353 LOSAP audits likely represents a filing compliance rate of 50% to 60% of all LOSAP sponsors. Although we believe that the LOSAP statute requires the CPA to file the audit report with the OSC directly, we understand in speaking to CPAs that there are certain restrictions that do not always make this a practical procedure. We recommend that each sponsor work with its CPA to ensure that the audit is being filed with the OSC, either by the CPA or the sponsor. It can be electronically filed to afrcode@osc.state.ny.us. In addition, we suggest that the sponsor review the results of the audit with the CPA and ask to be alerted of any problems or concerns. If the CPA ever has questions about actuarial or administrative work performed by Penflex, the CPA is encouraged to contact us directly to have these questions answered.

Penflex LOSAP Audit Package

To assist our clients in complying with the audit requirement, Penflex developed an optional LOSAP Audit Package service. After consulting with several CPAs, the LOSAP Audit Package was modeled to provide all the necessary information to fulfill the audit requirements for the sponsor. Essentially, Penflex completes the model footnote on behalf of the sponsor and provides the necessary documentation for the CPA to verify its accuracy – annual report, asset statements, fees paid, and other supporting materials. The LOSAP Audit Package is emailed to the CPA and sponsor. Penflex answers any questions from the CPA about the LOSAP or the package. Most CPAs find this package helpful in that it gives them direct access to the necessary information from Penflex rather than having to piece it together from multiple sources. Our clients benefit from a more streamlined process that reduces their effort and improves the accuracy of the disclosures. However, before asking Penflex to prepare the LOSAP Audit Package, please discuss it with the CPA to determine if the goal of the package will be achieved.

While our LOSAP audit package is comprehensive in its content, it cannot function as the audit itself. The audit must be performed by the CPA, and the results of the audit must be submitted to the OSC.

What you need to know...

- The LOSAP audit is an **annual requirement** that must be filed with the OSC within **270 days** of the end of the sponsor's fiscal year (**180 days for most fire districts**).
- The Penflex LOSAP Audit Package is an **optional service** and provides the necessary disclosures but **does not** satisfy the audit disclosure requirements.
- The sponsor must retain an **independent CPA** to perform the annual audit.
- There are **two audit options** – the CPA can help the sponsor determine which approach is best.
- Attaching the footnote to the AUD **does not** satisfy the audit requirement.

PENFLEX, INC.

SERVICE AWARD PROGRAM SPECIALISTS

Governmental Accounting Standards Board (GASB) Statement No. 73

Frequently Asked Questions

September 2018

The accounting and financial reporting requirements of Governmental Accounting Standards Board (GASB) Statement No. 73 "Accounting and Financial Reporting for Pensions and Related Assets That Are Not within the Scope of GASB 68" became effective for fiscal years beginning after June 15, 2016. Penflex has responded to this new client need by providing educational information as well as an optional "GASB 73 Disclosure Package" containing the information required to be reported under GASB 73.

The majority of our clients who have requested the GASB 73 Disclosure Package have now completed their first year of financial statements including these new requirements; a handful of clients are in their second year of reporting under this new standard. Over the past year, we have prepared the actuarial information required by GASB 73 for our clients and communicated with them and their auditors regarding implementation of the new standard. Throughout this process we have heard many questions and concerns about the new standard and the information presented in our GASB 73 Disclosure Package.

The following is a list of some of the most frequently asked questions.

Q1. *Is my municipality required to report financial information in accordance with GASB 73?*

A1. Financial statements that are prepared in accordance with generally accepted accounting principles (GAAP) are required to comply with all applicable GASB statements, including GASB 73. Many of our clients consist of Towns and Villages, and the majority of those municipalities prepare GAAP based financial statements which are including the GASB 73 information. Conversely, fire districts typically do not prepare GAAP based financial statements. Ultimately, your accountant or auditor will be able to advise you as to whether the GASB 73 information will be needed by your municipality.

Q2. *Is the Office of the New York State Comptroller (OSC) going to require GASB 73 information to be reported on the Annual Update Document (AUD)?*

A2. As of the date of this newsletter, the OSC has not issued any guidance on the reporting of GASB 73 information on the AUD. However, the OSC did recently issue guidance on a separate statement, GASB 75, which applies to the treatment of liabilities for other post-employment benefits (OPEB) sometimes offered by local governments. The OSC will *not* be requiring the GASB 75 OPEB information for AUD reporting purposes. Penflex is hopeful that similar guidance will be issued soon regarding the reporting of GASB 73 information on the AUD.

Q3. *My LOSAP is a defined contribution plan, not defined benefit. Do I still need the Disclosure Package provided by Penflex?*

A3. Penflex does not provide a GASB 73 Disclosure Package for our clients with defined contribution plans. While GASB 73 is applicable to defined contribution LOSAPs, the information required does not require special actuarial calculations. The GASB 73 disclosure can be prepared by your accountant or auditor using the Annual Report already provided by Penflex.

Q4. Does this mean that there will be a change to the LOSAP contribution or funded status calculated by Penflex in my Annual Report?

A4. GASB 73 is meant to impact the accounting and financial reporting of pensions only and intentionally *does not* address how the pensions are funded. Penflex is committed to helping our clients properly fund for the benefits promised to volunteers by determining annual contribution requirements based on sound actuarial principles and appropriate funding policies. The calculation of the GASB 73 information is unrelated to plan funding calculations; therefore GASB 73 will have no impact on program contributions or funded status.

Q5. Why is the Total Pension Liability (TPL) different from the Actuarial Accrued Liability (AAL) shown in the Penflex Annual Report?

A5. As noted above, the GASB 73 information is intended for accounting requirements, not plan funding. The TPL is calculated using methods and assumptions that are prescribed in that statement and that differ from those used in Penflex funding calculations. For this reason, the TPL in the GASB 73 Disclosure Package will differ from, and should not be compared to, the AAL in your LOSAP Annual Report.

Q6. My financial statements are as of December 31, 2017. Why does the information in my GASB73 Disclosure Package have a measurement date of December 31, 2016?

A6. Penflex is measuring the Total Pension Liability (TPL) as of a date one year prior to some clients' fiscal year end in order to be able to provide the Disclosure Package in a timely manner and to best align with staff workloads. This practice is in accordance with the GASB 73 standard which allows for some flexibility in the timeframe at which the TPL is measured. Specifically, the TPL can be measured on any date up to a year prior to the reporting date, or the fiscal year end. This choice in measurement date has no material impact on the required disclosures.

Q7. What is the difference between the GASB 73 package and the NY State LOSAP Audit package?

A7. Section 219-a(3) of the New York State General Municipal Law requires every volunteer firefighter service award program to be audited. The implementation of the new GASB 73 standard does not change this State audit requirement. The challenge for the majority of LOSAP sponsors is that compliance with the State audit requirement takes the form of a footnote to the sponsor's audited financial statements. The template for this footnote was provided by the Office of the State Comptroller. The information about the program that is detailed on the footnote is based on the Annual Report prepared by Penflex, which is different than what is reported in the GASB 73 disclosure (as addressed in Question 5). This has left many treasurers, comptrollers, and auditors unsure how to balance complying with both requirements against the potential confusion of reporting two financial disclosures of the program on the same statement. From our discussions with the OSC about this topic, we have been alerted that guidance is forthcoming. In the meantime, you should continue to work with your auditor to decide the most appropriate way to proceed.

Q8. The fee for the GASB 73 Disclosure Package was \$750 last year, but it is \$950 on this year's Fee Agreement. Why the increase?

A8. Penflex strives to keep fees stable and affordable for our clients. We believe our fee increases are modest and generally reflect the cost of inflation in our business expenses. However, we have increased our fee for the GASB 73 Disclosure Package to reflect the amount of work required by our actuarial staff to prepare each Package. This is a one-time adjustment with the intent that the fee will remain the same going forward as it has with our New York State LOSAP Audit Package.



2018 Community Video Program

Name: Maggie Hamilton Winship
Title: Director of Strategic Planning
Address: 5583 Main Street
 village, State, Zip: Williamsville, NY 14221
Phone: 716-631-7035
Email: mwinship@amherst.ny.us
Website: www.walkablewilliamsville.com

This agreement is between CGI Communications, Inc. ("CGI") and the village of Williamsville (the "village") and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved Community Video Program is made available for viewer access on different devices via a link on the www.walkablewilliamsville.com homepage, including any alternate versions of that homepage.

During the term of this Agreement, CGI shall:


- Produce a total of one Welcome video for the Village of Williamsville
- Option to include the Town of Amherst Videos to the Village Video Tour
- Provide one Community Organizations chapter to promote charities, nonprofits and community development organizations
- Provide script writing and video content consultation
- Send a videographer to village locations to shoot footage for the videos (to be completed in Spring 2019)
- Reserve the right to use still images and photos for video production
- Provide all aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Provide a final draft of Community Video Program content subject to village's approval (up to 3 sets of revisions allowed). CGI's request for approval of content or revision, including final draft, shall be deemed approved if no response is received by us within 30 days of request
- Provide our patented OneClick™ Technology and encode all videos into multiple streaming digital formats to play on all computer systems, browsers, and Internet connection speeds; recognized player formats include WindowsMedia™ and QuickTime™
- Store and stream all videos on CGI's dedicated server
- Feature business sponsors around the perimeter of video panels
- Be solely responsible for sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Facilitate viewer access of the Community Video Program from village website, including any alternate versions of village's homepage, for different devices, by providing HTML source code for a graphic link to be prominently displayed on the www.walkablewilliamsville.com website homepage as follows: "Coming Soon" graphic link designed to coordinate with existing website color theme to be provided within 10 business days of execution of this agreement. "Community Video Program" graphic link to be provided to replace the "Coming Soon" link upon completion and approval of videos (Village to post Coming Soon link approximately 30 days prior to posting of video)
- Grant to village a license to use CGI's Line of Code to link to and/or stream the videos
- Own copyrights of the master Community Video Program
- Assume all costs for the Community Video Program
- Afford businesses the opportunity to purchase various digital media products and services from CGI and its affiliates

During the term of this Agreement, the village shall:

- Provide a letter of introduction for the program on village's letterhead
- Assist with the content and script for the Community Video Program
- Grant CGI the right to use village's name in connection with the preparation, production, and marketing of the Program
- Display the "Coming Soon" graphic link prominently on the www.walkablewilliamsville.com homepage within 10 business days of receipt of HTML source code (replace wording with "approximately 30 days prior to posting of video")
- Display the "Community Video Program" link prominently on its www.walkablewilliamsville.com homepage, including any alternate versions of your home page, for viewer access on different devices for the entire term of this agreement (should this also state approximately 30 days prior to posting of video??)
- Ensure that this agreement remains valid and in force until the agreed upon expiration date, regardless of change in administration
- Grant full and exclusive streaming video rights for CGI and its subsidiaries, affiliates, successors and assigns to stream all video content produced by CGI for the Community Video Program
- Agree that the town (replace with "Village") will not knowingly submit any photograph, video, or other content that infringes on any third party's copyright, trademark or other intellectual property, privacy or public right for use in any video or other display comprising this program.

This Agreement constitutes the entire agreement of the parties and supersedes any and all prior communications, understandings and agreements, whether oral or written. No modification or claimed waiver of any provision shall be valid except by written amendment signed by the parties herein. village warrants that it is a tax exempt entity. The undersigned, have read and understand the above information and have full authority to sign this agreement.

The _____
 Signature: _____
 Name (printed): _____
 Title: _____
 Date: _____

CGI Communications, Inc.

 Name (printed): Nicole Rongo
 Title: Vice President of Marketing and Acquisitions
 Date: September 10, 2018