

Village of Williamsville

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

April 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
2. Union Road repave/re-stripe plan

Trustee Yates

1. DRI grant

Trustee Etu

Deputy Mayor Piazza

Trustee Rogers

Department Head Reports

Attorney

Administrator

1. Election Inspectors
2. NYCOM Conference May 6-8
3. Verizon Fios

DPW

Director of Community Development

Old Business

1. Solar panel regulation

**Village of Williamsville
Village Board Agenda
5565 Main Street, Williamsville, New York
April 9, 2018 at 7:30pm**

- I. **Call to Order** Pledge of Allegiance
 Roll Call

- II. **Proclamation(s)** John Fildes, Former Court Officer

- III. **Approval of Minutes** Regular Meeting – 3/26/18

- IV. **Public Hearing(s)** 2018-2019 Tentative Budget

- V. **Suspension of Rules for Public Participation**

- VI. **Village Board**
 - A. **Mayor DeLano - Report and Resolution(s)**
 - 1. Authorize payroll and vouchers from 3/21/18 to 4/3/18
 - 2. Appoint sub-registrar
 - 3. Authorize transitional duty
 - 4. Authorize Administrator to publish legal notice of a public hearing to reduce speed limit on Milton St.

 - B. **Trustee Etu – Report and Resolution(s)**
 - 1. Authorize Mayor to sign S. Long Park User Agreement

 - C. **Trustee Rogers – Report and Resolution(s)**
 - 1. Authorize Mayor to sign Independent Health Sponsorship Agreement

 - D. **Deputy Mayor Piazza – Report and Resolution(s)**
 - 1. Authorize Annual Street Light Charge for Brookside Dr.

 - E. **Trustee Yates - Report and Resolution(s)**
 - 1. Designate 5429 Main St. as local landmark

- VII. **Staff Reports**

- VIII. **Executive Session - To discuss pending litigation**

- IX. **Adjournment**



This meeting is conducted according to the Rules of Procedure as adopted by the Village Board on 7/5/17
Next regularly scheduled Village Board meeting is April 23, 2018

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
- 3rd Mon. – 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
- 3rd Tues. – Tree Board at 6:30pm
- 4th Tues. – Glen Park Art Festival Committee at 7:30pm
- 3rd Wed. – Zoning Board at 7:30pm
- 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

Village Board Liaisons (Updated 3/13/18)

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, Inter-governmental Agency; Glen Park Art Festival Committee

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

TRUSTEE YATES: Arts & Culture Committee, Historic Preservation Commission, Williamsville Business Association, Youth & Recreation Committee

TRUSTEE ETU: Parks Committee, Traffic & Safety Committee, Beautification Committee, Environmental Advisory Council



Summer in the Village!

Youth & Rec Story Time – May 19

VFW Memorial Day Parade – May 28

Earth Day – June 2

Rotary Strawberry Festival – June 20

“Touch a Truck”, Lehigh Train Depot – July 7

Presented by WNY Railway Historical Society

Old Home Days – July 10 – 13

Family Movie Night in Island Park – July 20

Village Garden Walk *with a Tiny Twist* – July 21

Glen Park Art Festival – July 28 & 29

Amherst Symphony Orchestra Concert – August 7

In Island Park

Main Street Block Party - August 11

Family Movie Night in Island Park – August 24

Meetings & Events

All meetings are at Village Hall unless otherwise noted.

April 2018

- 16 Planning Board meeting at 7:30pm
- 16 Environmental Comm. meeting at 7pm
- 17 Glen Park Art Festival Comm. meeting at 7:30pm
- 17 Meeting House Comm. meeting at 6:30pm at MH
- 17 Tree Board meeting at 6:30pm
- NO Zoning Board of Appeals meeting in April
- 21 Y&Rec Story Time at 10am in Village Hall
- 21 Beautification Garden Cleanup Day, 9am. Meet at Garden of 1812
- 23 Work Session at 6pm/Village Board meeting at 7:30pm**
- 24 Historic Preservation Comm. meeting at 7pm
- NO Youth & Rec meeting in April
- 26 Sign Code Comm. meeting at 6:30pm

Visit the Village website at www.walkablewilliamsville.com

For Village information, news & events.

Give back to your Village community...Volunteer!

Beautification Committee is looking for volunteers.

Call Village Hall at 632-4120 for more info.

Follow us on [www.Facebook.com/williamsville](https://www.facebook.com/williamsville)



Planting pansy pots in the Pocket Park



Garrison Park Wading Pool

DELANO #1

RESOLVED, that payroll and vouchers in the amount of **\$101,333.44** covering the period from 3/21/18 to 4/3/18 are hereby approved as follows:

Payroll covering 3/19/18 – 4/1/18: \$32,977.06

Vouchers covering 3/21/18 – 4/3/18:

General Fund	\$41,392.08
Water Fund	\$0.00
Sewer Fund	\$13,485.78
Glen Park Fund	\$1.78
Trust & Agency Fund	\$13,476.74
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$0.00</u>
	\$68,356.38

GRAND TOTAL: **\$101,333.44**

DELANO #2

RESOLVED, that *Julie Budziszewski* is hereby appointed as a *Sub-Registrar of Vital Statistics* for the remainder of the *2017-2018* official Village year.

DELANO #3

RESOLVED, that Mark Kutner is hereby authorized for transitional duty for a period of 30 days, upon receipt of a note from his physician releasing him to transitional duty with restrictions acceptable to the Dept. of Public Works General Crew Chief and the Village Administrator.

DELANO #4

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, at 7:30 p.m., Monday, May 14, 2018, for the purpose of hearing all persons interested in

commenting on a proposed amendment to Chapter 103 of the Village Code (Vehicles and Traffic) which would reduce the speed limit on Milton Street from 30 mph to 25 mph.

ETU #1

WHEREAS, the Village of Williamsville owns the South Long Street Park; and

WHEREAS, Nickel City Ultimate wishes to use the athletic field at S. Long Park for tryouts and as a practice facility;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized and directed to sign the S. Long Park User Agreement with Nickel City Ultimate.

ROGERS #1

WHEREAS, the Village of Williamsville and Independent Health wish to partner in regard to Walkable Williamsville signage to be installed in the Village of Williamsville; and

WHEREAS, Independent Health has agreed to pay for such signage in order to encourage a healthier, walkable community;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized and directed to sign the Sponsorship Agreement with Independent Health.

PIAZZA #1

WHEREAS, the Village of Williamsville currently owns street lighting on Brookside Drive; and

WHEREAS, the replacement of the existing street lights is required, and the Village wishes to replace the existing lights to be owned and maintained in the same manner as the majority of the street lighting in the Village; and

WHEREAS, the Village will own the foundations and poles, with wiring and luminaires to be owned by National Grid;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville hereby acknowledges and agrees to an annual charge of \$2,570.63 for the installation and maintenance of wiring and luminaires on Brookside Drive.

YATES #1

RESOLVED, that *5429 Main Street*, based upon the recommendation of the Village of Williamsville Historic Preservation Commission, is hereby designated a local landmark.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

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

Present: Daniel O. DeLano, Jr., Mayor
Basil J. Piazza, Deputy Mayor
Deborah L. Rogers, Trustee
Matthew J. Etu, Trustee
John “Al” Yates, Jr., Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Maggie Winship, Community Development Director

Excused: Ben Vilonen, DPW Crew Chief

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on March 12, 2018, as submitted.

Unanimously carried.

Public Hearing

Proposal to designate 5429 Main St. (Starbucks/Alex and Ani) as a local landmark

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved at 7:39 p.m. to open the public participation portion of the meeting.

Unanimously carried.

On behalf of the property owners, Attorney Laura M. Smith of Harter Secrest & Emery LLP was present.

Ms. Smith’s comments: Discrepancy on the year the building was built; Windows were redone in 2008; Multiple correspondence submitted – see letter of 3/22/18; Arbitrary and capricious; Many issues with the design.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 7:45 p.m. to close the public hearing.

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

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

Unanimously carried.

Member(s) of the audience who spoke and their topic(s):

1. Carolyn Schlifke, 192 Evans St. – Issues with grass restoration due to sidewalk plow.
2. Scott Arhardt, 23 Swan Pl. – Re 5664 Main St – In the guest house in the back. Front became commercial in 1980/1981. People block the carport; there is gravel all over lawn from snow plowing; Needs signage put in by Village to prohibit parking.
3. Thomas Frank, 5403 Main St. – Union Rd. project; Removal of toll barrier; GBNRTC; NYSERDA funding; Erosion of infrastructure.
4. Carolyn Schifflke, 192 Evans St. – Crosswalk at Essjay Rd. and Evans St.

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

Unanimously carried.

Report – Mayor DeLano

Mayor DeLano reported on the following topic(s): Spring tree planting; GBNRTC will be looking at area from Evans St. to Mill St. and from Main St. north for stop sign layout.

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

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

To:	001-1010-4040 (Board of Trustees – Education Expense & Travel)	\$55.00
From:	001-1210-4040 (Mayor – Education Expense & Travel)	\$55.00
To:	001-1640-4440 (Central Garage-Parts)	\$7.00
From:	001-1640-4260 (Central Garage-Maint. Supplies)	\$7.00
To:	001-3410-4160-3491 (Fire Protection – Truck Expense/Car 9-1 Expense)	\$21.00

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

	001-3410-4160-3492 (Fire Protection – Truck Expense/Car 9-2 Expense)	\$21.00
	001-3410-4160-3405 (Fire Protection – Truck Expense/Rescue 5)	\$375.00
From:	001-3410-4160 (Fire Protection – Truck Expense)	\$417.00
To:	001-5110-4000 (Street Maintenance – Seasonal Help)	\$330.00
From:	001-5110-1000 (Street Maintenance – Personal Services)	\$330.00
To:	001-5110-4161-0901 (Street Maintenance – Repairs/2012 Chevy Tahoe)	\$337.00
	001-5110-4161-0904 (Street Maintenance – Repairs/2005 Freightliner)	\$1,571.00
	001-5110-4161-0906 (Street Maintenance – Repairs/2007 Int'l Dump)	\$160.00
From:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$2,068.00
To:	001-5142-4161 (Snow Removal-Repairs/Plows)	\$883.00
From:	001-5142-4000 (Snow Removal-Repairs/Plow Trucks)	\$729.00
	001-5142-4460 (Snow Removal-Lawn Repair)	\$154.00
To:	001-5142-1000 (Snow Removal-Personal Services)	\$2,074.00
	001-8560-1000 (Shade Trees-Personal Services)	\$485.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$2,559.00

Unanimously carried.

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

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

To:	009-7141-4102 (Glen Park-Landscaping)	\$594.00
From:	009-7141-4163 (Glen Park-Lighting Fixtures)	\$594.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for grant funds received from NYS Parks for the Intensive Level Survey of S. Cayuga Road:

Increase:	001-0001-3090 (State Aid-Grants)	\$12,000.00
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Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

Increase: 001-7520-4099 (Historical Property-Grant Expenditures) \$12,000.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for Community Development Block Grant funds received for architectural services for the Meeting House Art Glass Window Restoration project:

Increase: 001-0001-5031 (Inter-fund Transfer) \$1,520.00

Increase: 001-7530-2010 (Village Meeting House—Capital Improvements) \$1,520.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for the use of assigned funds towards the E. Spring Street project:

Increase: 001-0001-0599 (Appropriated Surplus) \$13,052.00

Increase: 001-9950-9000 (Transfer to Capital) \$13,052.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of \$104,662.02 covering the period from 3/7/18 to 3/20/18 are hereby approved as follows:

Payroll covering 3/5/18 – 3/18/18: \$37,981.74

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

Vouchers covering 3/7/18 – 3/20/18:

General Fund	\$43,043.89
Water Fund	\$0.00
Sewer Fund	\$452.01
Glen Park Fund	\$179.61
Trust & Agency Fund	\$14,864.77
Debt Service	\$7,900.00
Community Development	\$0.00
Capital Fund	\$240.00
	<u>\$66,680.28</u>

GRAND TOTAL: **\$104,662.02**

Unanimously carried.

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

RESOLVED, that *Julie Budziszewski of 94 Grand Prix Drive, Cheektowaga, New York*, is hereby appointed *Senior Account Clerk Typist*, at a rate of \$19.50 per hour, effective April 2, 2018.

Unanimously carried.

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

RESOLVED, that the following Fire Department equipment is hereby declared surplus, to be sold via sealed bid:

Asset #	Description	Date Acquired	Original Cost	Book Value
393	2003 Ferrara Custom Pumper (Engine 2)	08/11/2003	\$300,000.00	\$0.00
394	2003 Ferrara Custom Pumper (Engine 1)	09/25/2003	\$300,000.00	\$0.00

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

BE IT FURTHER RESOLVED, that the Administrator is hereby authorized to advertise for the sale of the two engines listed above.

Unanimously carried.

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

WHEREAS, the Village of Williamsville Tree Board's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community through its stewardship of the Village urban forest; and

WHEREAS, *Arbor Day* is celebrated during this time; and

WHEREAS, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

WHEREAS, we recognize that actions to protect and preserve trees through education, partnership and positive action should be encouraged;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees hereby proclaims that *Arbor Day* shall be celebrated in the Village of Williamsville on Saturday, June 2, 2018, including celebration activities and recognition.

Unanimously carried.

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

RESOLVED, that the Community Plan Update Committee is hereby created.

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

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

RESOLVED, that the following are hereby appointed to the *Community Plan Update Committee*:

Wally Pacer, 87 Monroe Dr.
Ron Trigilio, 26 S. Ellicott St.
Jim Celeste, 89 Oakgrove Dr.
Dave Brody, 5888 Main St.
Bea Slick, 130 Hirschfield Dr.
Rick Andrews, 40 Stanton St.
Karen McMahan, 97 Los Robles
Kate Waterman-Kulpa, 81 Milton St.
Wes Stone, 125 Lake Ledge Dr.
Carolyn Schlifke, 192 Evans St.
William Tuyn, 141 Park Dr.
Tim Boyle, 97 Pasadena Dr.

Unanimously carried.

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

RESOLVED, that Colin Branka, residing at 175 N. Autumn Street, Williamsville, is hereby appointed as an Active Restricted member of the Williamsville Fire Department, effective April 1, 2018.

Unanimously carried.

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

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

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

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Highway Rehabilitation Project NY RTE 277 (South Union Road) from Wehrle Dr. to NY RTE 5 (Main St.) in the Village of Williamsville located in Erie County, PIN 5813.45, and

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

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

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

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

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

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

Unanimously carried.

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

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

Report – Trustee Rogers

Trustee Rogers reported on the following topic(s): Nature Play area in Glen Park

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

WHEREAS, the Village Co-op Market of Williamsville wishes to conduct a market study to evaluate the sales potential for a proposed natural foods co-op in Williamsville, as well as proposed sites for the location of the co-op; and

WHEREAS, the Village Co-op Market of Williamsville has obtained funding through Erie County and the Amherst Industrial Development Agency for such a study, but the funding must be run through the Village of Williamsville; and

WHEREAS, the Village Board of Trustees feels that the addition of a co-op market in the Village would be beneficial for both residents and businesses; and

WHEREAS, the Village Co-op Market of Williamsville will cover any costs that are in addition to the funding received through Erie County and the Amherst IDA;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Memorandum of Agreement with the Co-op Market of Williamsville.

Unanimously carried.

Report – Deputy Mayor Piazza

Deputy Mayor Piazza had no report.

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

WHEREAS, the Village Co-op Market of Williamsville has obtained funding through Erie County and the Amherst Industrial Development Agency to conduct a market study to evaluate the sales potential for a proposed natural foods co-op in Williamsville; and

WHEREAS the project will be officially contracted through the Village of Williamsville;

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Project Agreement Form with G2G Research Group for the study of a natural foods co-op, contingent upon execution by the Village Cooperative Market of Williamsville of the Memorandum of Agreement providing that the Co-op will reimburse the Village for any costs incurred by the Village in excess of the funds obtained from the Amherst Industrial Development Agency and the County of Erie.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Thanked the Village Board for supporting the Co-op Market.

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

WHEREAS, the Town of Amherst employs a Director of Community Development, whose professional services would also be of benefit to the Village of Williamsville for certain economic development related activities and projects; and

WHEREAS, the Town and Village have agreed to share the services of said employee;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Memorandum of Understanding with the Town of Amherst for the sharing of services of the Director of Community Development.

Unanimously carried.

Report – Trustee Etu

Trustee Etu reported on the following topic(s): Need to increase the number of active Village volunteers, especially for the Beautification Committee.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

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

WHEREAS, the Village of Williamsville Environmental Advisory Commission's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community; and

WHEREAS, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

WHEREAS, we recognize that actions to protect and preserve the environment through education, partnership and positive action should be encouraged; and

WHEREAS, the Village of Williamsville wishes to recognize the 48th anniversary of *Earth Day*;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees hereby proclaims *Earth Day* to be celebrated in the Village of Williamsville on Saturday, June 2, 2018, with a variety of educational, earth-focused activities for the community.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED, that the proposal from Flynn Battaglia Architects dated 3/22/18 and related to the Lehigh Valley Railroad Section House is hereby approved.

Unanimously carried.

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

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

Staff Report(s) - None

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved at 8:50 p.m. to open the Executive Session portion of the agenda to discuss pending litigation.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 9:50 p.m. to close the Executive Session portion of the agenda.

Unanimously carried.

ON MOTION by Trustee Yates, seconded by Trustee Etu, it was moved to adjourn the meeting at 9:50 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer

SOUTH LONG PARK

USER AGREEMENT

Whereas, the Village of Williamsville (“Village”) owns the South Long Street Park; and

Whereas, Nickel City Ultimate (“NCU”) would like to use the athletic field at S. Long Park for tryouts and as a practice facility;

Therefore, the Village and the NCU agree to the following:

- 1) The Village will allow the use of the portion of the South Long Park that lies in the northeast corner of the park. The approximate dimension of the available space is 100 by 120 yards.
- 2) Tryout Dates are as follows:
 - Saturday, April 21, 2018 – 9:30am to 12:30pm
 - Sunday, April 22, 2018 – 9:30am to 12:30pm
 - Saturday, April 28, 2018 – 9:30am to 12:30pm
 - Thursday, May 3, 2018 – 6:00pm to 8:00pm
- 3) Practice Dates are May through September as follows:
 - Tuesdays – 6:00pm to dark
 - Thursdays – 6:00pm to dark
 - Saturdays – 9:00am to 3:00pm
- 4) Field use is “As Is” with no specific maintenance required to be provided by the Village of Williamsville.
- 5) All scheduled NCU activity on the field will be supervised by at least one adult coach approved and assigned by the NCU.
- 6) NCU will provide the Village with a certificate of insurance, naming the Village as an additional insured and providing coverage of not less than one million dollars (\$1,000,000). A sample certificate of insurance is attached.
- 7) All persons who will be using the field must provide the Village with a waiver. A sample waiver is attached.
- 8) The agreement will become effective when executed, and will be valid for the 2018 calendar year only.

Nickel City Ultimate

Date

Village of Williamsville

Date

Independent Health Sponsorship Agreement

This Sponsorship Agreement (the "Agreement") is entered into as of _____, 2018, by and between **Independent Health Association, Inc.** ("Client") and the **Village of Williamsville** (the "Village of Williamsville"). Intending to be legally bound hereby, the parties agree to the following terms:

Type of Sponsorship: The sponsorship is described as the Village of Williamsville "Walkable Williamsville" Sign, which a copy is attached hereto and incorporated herein as Attachment A of this Agreement and is referred to herein as the "Sponsorship."

Responsibilities: The Village of Williamsville will provide all elements described in the Sponsorship in a professional and timely fashion and will ensure that each of the promotional elements are delivered accurately.

Term: The Term of this Agreement shall commence on the date set forth above and shall continue for three (3) years (the "Initial Term"). After the Initial Term, this Agreement shall automatically renew for additional one (1) year periods (each a "Renewal Term") unless a Party provides the other Party with no less than thirty (30) day written notice prior to expiration of the then current term of its intention to terminate the Agreement upon expiration of the Initial Term or Renewal Term, as applicable.

License: The Village of Williamsville and Client each grant the other, during the term of this Agreement, a non-exclusive limited license and right to use the other's trademarks, logos, service marks and designs ("Trademarks") solely in connection with elements of the Sponsorship and the marketing and advertising of Sponsorship events. At all times, the owner of the Trademarks shall remain the exclusive owner of its Trademarks and all use of the Trademarks shall inure to the benefit of the owner.

Approvals: All of the materials developed for the Sponsorship, which includes the trademarks, sponsor logos, designs, names or references, are subject to approval by all parties, which shall not be unreasonably withheld. All use of the Trademarks shall immediately cease when the Term of this Agreement ends.

Payment: Client agrees to pay a one time fee of Four Hundred Seventy-Four and 00/100 Dollars (\$474.00) (the "Payment") for the Sponsorship. Payment will be made directly to the Village of Williamsville's sign vendor after receipt of their invoice.

Upkeep: The Village of Williamsville shall maintain, repair and replace the sign, as needed, at its expense, during the term of this Agreement. In the event Client determines, in its reasonable discretion, that such maintenance, repair or replacement is not consistent with Client's brand standards, Client shall be permitted to remove the sign at its expense.

Indemnification: The Village of Williamsville agrees to indemnify Client and hold Client, its officers, directors, employees, agents and assigns harmless from and against any and all claims, damages, liabilities, costs and expenses (including reasonable attorneys' fees and related

disbursements) arising out of (i) any material breach by the Village of Williamsville of the terms and conditions of this Agreement and; (ii) any direct claims for personal injury, death or property damage resulting from the negligent acts or omissions of the Village of Williamsville or its agents or employees.

Agreement/Modifications: This Agreement constitutes the entire understanding between Client and the Village of Williamsville as it relates to the Sponsorship and supersedes any and all previous agreements with respect thereto. No modification or additions to this document shall have any effect unless it is set forth in writing and signed by both Client and the Village of Williamsville. This Agreement shall be governed by the internal laws of the State of New York, without regard to its conflict of laws principles. The parties agree that the exclusive venue for any dispute resolution related to this Agreement will be in Erie County, New York.

The undersigned understand and agree to the terms and responsibilities set forth in this document and are legally authorized to sign this Agreement on behalf of the parties to this Agreement.

Independent Health Association, Inc.

Village of Williamsville

By: _____

By: _____

Name: _____

Name: _____

Title: _____

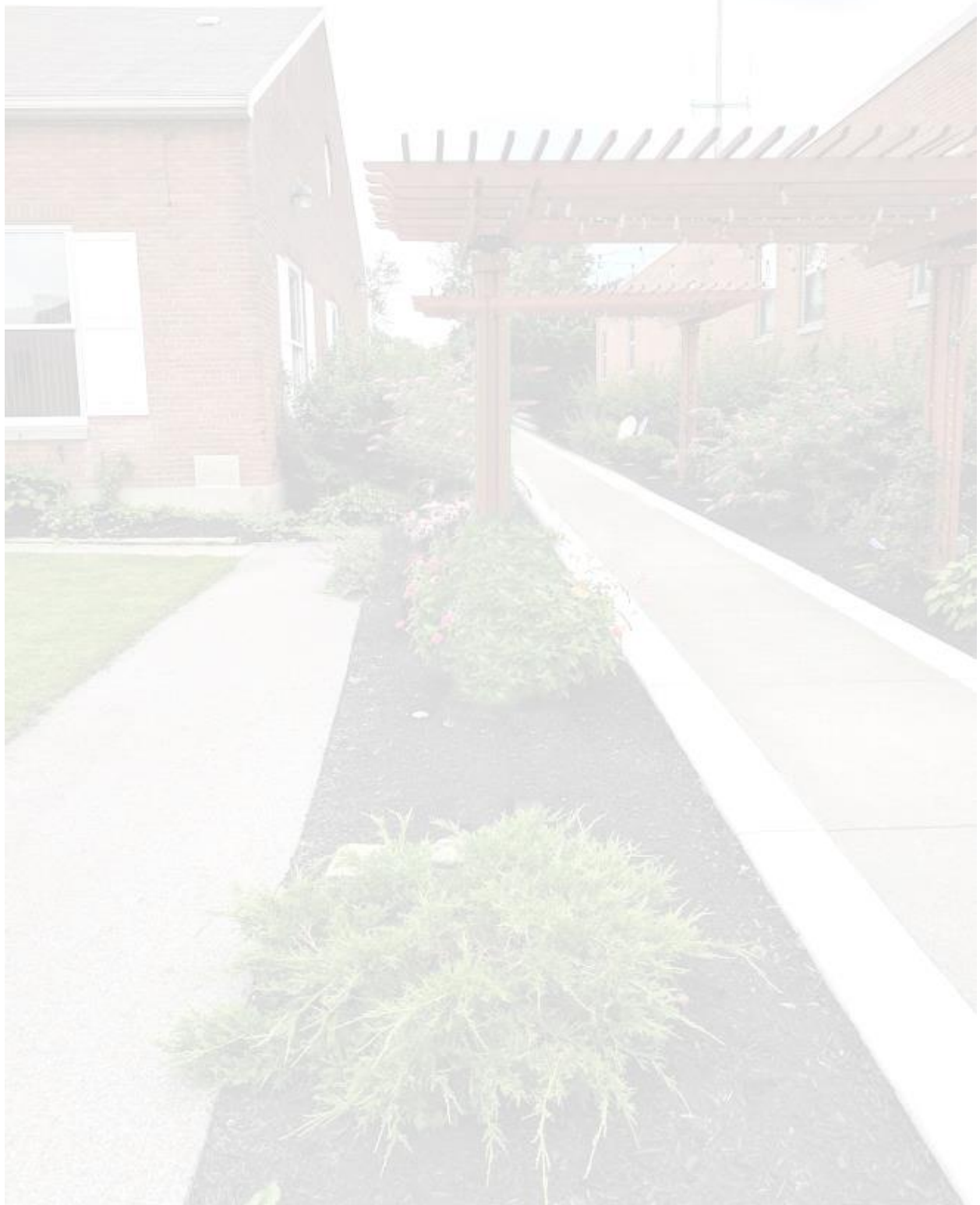
Title: _____

ATTACHMENT A

(The sign will be attached prior to signing)



24278 Village of
Williamsville Sign.pc



Estimate of Annual Streetlight Charge

Village of Williamsville
Brookside Dr

Annual Charge for Street Lighting
Based on (10) 70 Watt Williamsville lamps and luminaires,
Cable and conduit

<u>Quantity</u>	<u>Description</u>	<u>kWH/ Year/ Lamp</u>	<u>Annual Charge Per Unit (\$) *</u>	<u>Total (\$)</u>
10	70-Watt High Pressure Sodium lamp	342	7.99	79.90
10	70/100-Watt Williamsville luminaire		99.20	992.00
10	Standard Volumetric Charge per luminaire **		29.33	293.27
10	System Benefits Charge ***		2.29	22.87
10	Circuit, UG - Cable and conduit, first 150 feet per street light****		118.26	1,182.60
	Total Estimated Annual Cost			<u><u>\$2,570.63</u></u>

NOTE: *As outlined in Paragraph IV.A.7 of PSC214-Outdoor Lighting, "As a condition of service hereunder, the customer is exclusively responsible for determining the location, orientation, support structure, type and style of lamp/luminaire combination of the lighting assembly, and the adequacy of the resulting illumination in accordance with applicable industry guidelines, legislation or regulations."*

* Prices stated are in effect on the date of this proposal and are subject to change from time to time with National Grid's general rate changes.
 ** Standard Volumetric Charge is based on the *Distribution Delivery Charge* per kWh of \$0.08575 effective 4/1/16. This report does not include
 *** Systems Benefit Charge per kWh is \$0.006686.
 **** Circuit footage beyond 150 ft per street light ("excess footage") is not included herein; it is billed separately prior to construction.