

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

Present: Brian J. Kulpa, Mayor
Basil J. Piazza, Trustee
Christopher J. Duquin, Trustee
Daniel O. DeLano, Trustee
John "Al" Yates, Trustee

Also present: Charles D. Grieco, Village Attorney
Lynda L. Juul, Administrator/Clerk-Treasurer
Judy A. Kindron, Deputy Treasurer
Kenneth Kostowniak, DPW Crew Chief
Charles Specht, Director of Community Development

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on August 25, 2014, as submitted.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to continue the public hearing regarding zoning modifications.

Unanimously carried.

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| <p style="text-align: center;">Public Hearing Continued – Re: Zoning Modifications</p> |
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No one from the audience addressed the Board.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:32 p.m. to continue to hold the public hearing regarding zoning modifications open until the next Village Board meeting on September 22, 2014,

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

ON MOTION by Trustee Duquin, seconded by Trustee Piazza, it was moved to open the public hearing regarding a proposal to add a section to Chapter 8 (Animals) of the Village Code about cats, at 7:34 p.m.

Unanimously carried.

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| Public Hearing |
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The Administrator read aloud the legal notice as published in the Amherst Bee on August 20, 2014.

Trustee Duquin stated the proposed local law came about because there is a community of cats in his neighborhood. The City of Buffalo came up with an ordinance as a solution (TVNR). “Trap Vaccinate Neuter Release” is already going on in the Village.

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

- 1. Kim Connelly, California Dr.** – Works at SUNY Buffalo; Her students and she worked on the ordinance for the City of Buffalo. A lot of research went into this. Wanted to make this into a model ordinance. Does not mandate TNVR or that the Village spend money. Gives permission only for best practices. Will save money and cats’ lives.
- 2. Peter Reese, 49 Starin Ave., Buffalo** – He is a volunteer with Professor Connelly. Three ways to deal with community of cats: catch and kill, do nothing, or TNVR. TNVR is best practice as acknowledged by Humane Society and ICMA. Need more than passing an ordinance, need to change code regarding trapping cats. Mr. Reese is a TNVR practitioner.
- 3. Jim Tricoli, 4 Columbia Dr.** – Had a problem with people using traps to catch fish in Ellicott Creek. [*This is a DEC question, not a Village question.*] Neighbor has a rabbit coop. Is there an ordinance against this?
- 4. “Sally” of 2600 Dodge Rd.** – She is an experienced TNVR practitioner of 13 years. This is the most humane way of controlling this problem. Makes better relations in the neighborhood. Happy this is being taken seriously.
- 5. Peter Reese, 49 Starin Ave., Buffalo** – There is a cat symposium going on in Syracuse. Several local representatives supporting TVNR are at the symposium and could not be here tonight. ECSPCA supports TNVR.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

6. Denise Balk, resident of Town of Amherst – Feral Cat Focus volunteer. Happy Williamsville is interested in embracing TNVR. Volunteered for IndyFeral. Female cats can have 2 - 3 litters per year and produce offspring at as early as 5 months old. Spaying/neutering costs \$35-\$55 whereas trapping and euthanizing can cost \$500.

7. Mary Lowther, 120 N. Ellicott St. – Village code contains a line about 3 domesticated animals per household. Who would be paying for this? *[Village would not have a cost; it is strictly giving permission.]*

Village Attorney Grieco – Code has a provision that can't feed any animal if trapped with food; Should make a modification to this if this local law is adopted.

[Trustee DeLano: This is an issue to be dealt with. His only question is about a sweep. Has a house cat ever been trapped?] – The group trapping typically alerts a neighborhood before they come in to trap. If an animal gets trapped without an obvious tag, it goes to the vet where it is also checked for microchips. Advantage of ordinance is that it makes TVNR legal so people will come out to help others.

[Trustee DeLano wants communication and contact to be very clear.] Will have publicity. Also, most people know who their neighbors' cats are.

8. Bob Kreiter, 26 Monroe Dr. – How do you know where to go to trap? *[By invitation – Pets Alive WNY, other organizations to contact. Get permission from property owners before trapping.]* Didn't know we had a problem with this. Coyotes and raccoons killing cats are more of a problem. *[This does not advocate for TVNR, it simply allows it. Better than euthanizing.]*

9. Nick Roth, 135 Oakgrove Dr. – Likely to get other animals in the trap. Can those animals be taken somewhere else? *[Typically don't leave traps unattended. Alternate wildlife is trapped more out in the country or at night. Tend to trap at dusk and dawn and then release if catch is something else.]*

ON MOTION by Trustee Duquin, seconded by Trustee DeLano, it was moved to close the public hearing regarding a proposal to add a section to Chapter 8 (Animals) of the Village Code about cats, at 8:04 p.m.

Unanimously carried.

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

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

- 1. Bob Kreiter, 26 Monroe Dr.** – Saturday night's WBA event was outstanding.
- 2. Jim Tricoli, 4 Columbia Dr.** – At the corner of Main and Hirschfield there is a little shop. Owner complains he doesn't have enough parking. Cars park along the sidewalk.
- 3. Peter Reese, 49 Starin Ave., Buffalo** – Very impressed by the way the Village of Williamsville runs. Has participated in events and Williamsville really has it together. Keep up the good work.
- 4. Thomas Frank, 5403 Main St.** – Glen Park Joint Board meeting on 9/2/14; Historic bridge over Ellicott Creek; Niagara River Greenway application; Town and Village meeting on the same night; 50 year relicensing program; Connection of Glen Park and Amherst State Park; Bridge on Main Street; Williamsville Water Mill. [*Trustee Duquin stated we will be working on a plan to get relicensing funds for the connection from Main Street through Glen Park, through Westwood country Club and to the bike path at N. Forest.*]
- 5. Jim Tricoli, 4 Columbia Dr.** – Westwood Country Club submitted plans and Amherst Planning Board said no. Once they get permission, will that interfere? [*Will need Town, County, Village and private partnership.*]
- 6. Jim Celeste, 89 Oakgrove Dr.** – Feels passionately about people tearing down and putting up new homes. Appreciates change, but there are conditions that can have a tremendous impact on an existing neighborhood. 16 – 18 old-growth trees were removed (from property at 79 Oakgrove Dr.) Basement wells are less than 2' off his driveway; house foundation is twice as long as what was existing. Grading of property is being changed. Concerned about the impact this will have on his property and about this becoming a trend. Want to maintain the beauty and tradition of the Village. Great strides on commercial side but need the residential piece. [*Kulpa residential re-zoning is a priority for this board. Current code regulates setbacks and lot coverage. Need to go neighborhood by neighborhood. Need to look at permit process for this particular development on Oakgrove.*]
- 7. Nick Roth, 135 Oakgrove Dr.** – When will this process for the residential code begin? [*Drafting of code will begin after public input; have to begin in the Union Rd area. Moving west to east. There is a lot of pressure for re-development in the Union Rd. area.*] What about a moratorium on demolition? [*Trustee Duquin stated this is a good problem to have. We need redevelopment. It means people want to live here. We want to make sure these properties don't adversely affect other properties. Will never vote for a moratorium on demolition. Need to protect historic houses and get the zoning code done.*]

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

8. Jim Tricoli, 4 Columbia Dr. – Paladino plans to put a hotel in the Village. *[Mayor Kulpa – Our commercial zoning is set. We have a full set of design guidelines for Main Street. Don't want hotels in the residential area.]* Can't the Planning Board deal with this? *[Would have to amend the code to have Planning and Architectural Review Board review residential.]*

9. Matt Bartels, 73 Oakgrove Dr. – Reiterated what Mr. Celeste said. Property was sold off-market and many trees removed. He expects oversight. Height variance was approved. Expected things were being checked by Building Inspector. New house is off-grade from their house by 4'. Need to balance need for level of code to aesthetics of neighborhood. *[Mayor Kulpa stated he ran for Village Board because of Walgreens development. Balance is not easy to find. Trustee DeLano stated he thinks Village Board needs to review ZBA variances every so often.]*

10. Tom Pilat, 5544 Main St. – Follow up on sign above Shabby Chic Boutique. Saturday event was good. Doesn't think it should be combined with the Main Street Block Party.

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

Unanimously carried.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): Discussed Main Street zoning and gave a PowerPoint presentation it. Thanked Bea Slick for her work on the Volunteer Appreciation picnic and on being volunteer coordinator.

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

RESOLVED, that payroll and vouchers in the amount of **\$158,435.01** covering the period from **8/21/14 to 9/3/14** are hereby approved as follows:

Payroll covering: 8/11/14 – 8/24/14: \$38,409.89

Vouchers covering 8/21/14 – 9/3/14:

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| General Fund | \$73,295.93 |
| Water Fund | \$.96 |

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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| Sewer Fund | \$12,644.04 |
| Glen Park Fund | \$1,387.97 |
| Trust & Agency Fund | \$17,133.14 |
| Debt Service | \$0.00 |
| Community Development | \$0.00 |
| Capital Fund | <u>\$15,563.08</u> |
| | \$120,025.12 |

GRAND TOTAL **\$158,435.01**

Unanimously carried.

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

RESOLVED, that the following *budget transfer* is hereby made in the *Sewer Fund* for the **2013-2014** fiscal year:

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| To: | 007-9950-9000 (Transfer to Capital) | \$9032.00 |
| From: | 007-8120-2010 (Sanitary Sewers-Capital Improvements) | \$9032.00 |

Unanimously carried.

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the **2014-2015** fiscal year:

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| To: | 001-1620-4071 (Buildings-Sewer Charges) | \$548.00 |
| | 001-1640-4071 (Central Garage-Sewer Charges) | \$365.00 |
| | 001-7110-4071 (Parks-Sewer Charges) | \$825.00 |
| From: | 001-1620-4070 (Buildings-Utilities) | \$548.00 |
| | 001-1640-4070 (Central Garage-Utilities) | \$365.00 |
| | 001-7110-4070 (Parks-Utilities) | \$825.00 |
| To: | 001-1640-4161 (Central Garage-Sm. Equip. Repairs) | \$126.00 |
| From: | 001-1640-4450 (Central Garage-Misc.) | \$26.00 |
| | 001-1640-4440 (Central Garage-Parts) | \$152.00 |
| To: | 001-3410-4160-3471 (Fire Protection-Truck Exp./ATV 7-1) | \$17.00 |
| | 001-3410-4160-3401 (Fire Protection-Truck Exp./Eng. 1) | \$1104.00 |

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

| | | |
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| | 001-3410-4160-3402 (Fire Protection-Truck Exp./Eng. 2) | \$140.00 |
| | 001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4) | \$165.00 |
| From: | 001-3410-4160 (Fire Protection-Truck Exp.) | \$1426.00 |
| To: | 001-3410-4160-3401 (Fire Protection-Truck Exp./Eng. 1) | \$445.00 |
| | 001-3410-4160-3402 (Fire Protection-Truck Exp./Eng. 2) | \$445.00 |
| | 001-3410-4160-3406 (Fire Protection-Truck Exp./Truck 6) | \$1125.00 |
| From: | 001-3410-4160 (Fire Protection-Truck Exp.) | \$2015.00 |
| To: | 001-5110-4000 (Street Maint.-Seasonal Help) | \$1560.00 |
| From: | 001-5110-1000 (Street Maint.-Personal Services) | \$1560.00 |
| To: | 001-5110-4161-0901 (Street Maint.-Repairs/2012 Chevy Tahoe) | \$21.00 |
| | 001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump) | \$425.00 |
| | 001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner) | \$50.00 |
| | 001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump) | \$379.00 |
| | 001-5110-4161-0908 (Street Maint.-Repairs/2011 Chevy) | \$76.00 |
| | 001-5110-4161-0910 (Street Maint.-Repairs/2009 Ford F350) | \$228.00 |
| | 001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet) | \$5.00 |
| | 001-5110-4161-0915 (Street Maint.-Repairs-2013 RAVO Sweeper) | \$1158.00 |
| | 001-5110-4161-0919 (Street Maint.-Repairs/2007 Chevy 4x4) | \$122.00 |
| | 001-5110-4161-0925 (Street Maint.-Repairs-2013 Mini Excavator) | \$100.00 |
| From: | 001-5110-1000 (Street Maint.-Repairs/Equip.) | \$2564.00 |
| To: | 001-7550-1000 (Celebrations-Personal Services) | \$28.00 |
| From: | 001-7540-1000 (Williamsville Water Mill –Personal Services) | \$28.00 |

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

RESOLVED, that the following *budget transfer* is hereby made in the *Sewer Fund* for the **2014-2015** fiscal year:

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| To: | 007-8120-1001 (Sanitary Sewers-Personal Services/OT) | \$204.00 |
| From: | 007-8120-1000 (Sanitary Sewers–Personal Services) | \$204.00 |

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

RESOLVED, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the *2014-2015* fiscal year:

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| To: | 009-7141-4163 (Glen Park-Lighting Fixtures) | \$1360.00 |
| From: | 009-7141-2010 (Glen Park-Capital Improvements) | \$1360.00 |
| To: | 009-7141-1001 (Glen Park-Personal Services/OT) | \$17.00 |
| From: | 009-7141-2010 (Glen Park-Personal Services) | \$17.00 |

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2014-2015* fiscal year, to account for a donation from Forest Stream Garden Club to be used to purchase (2) planter urns and a bench for the Meeting House garden:

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| Increase: | 001-0001-2705 (Gifts & Donations) | \$300.00 |
| Increase: | 001-7530-2000 (The Village Meeting House-Equipment) | \$300.00 |

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2014-2015* fiscal year, to account for payment from the Moonlight Run event dated 8/20/14 for garbage services:

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| Increase: | 001-0001-2590 (Permits-Parks/Other) | \$226.00 |
| Increase: | 001-8160-4330 (Refuse & Garbage Collection-Dump Fees) | \$226.00 |

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2014-2015* fiscal year, to account for a donation from the Original Pancake House as a sponsor for Main Street Live T-shirts:

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| Increase: | 001-0001-2705 (Gifts & Donations) | \$50.00 |
| Increase: | 001-7550-4975 (Celebrations-Main Street Live Block Party) | \$50.00 |

Unanimously carried.

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

RESOLVED, that *Adam Oehmler of 17 Howard Ave., Williamsville, New York*, is hereby appointed as *Motor Equipment Operator for the Department of Public Works* at a rate of \$15.77 per hour, effective September 9, 2014.

Unanimously carried.

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

WHEREAS, the Village of Williamsville was awarded a 2010 EPF grant from NYS Office of Parks, Recreation, and Historic Preservation for the Williamsville Water Mill Preservation Project; and

WHEREAS, sealed bids for said project were opened on August 14, 2014, with Telco Construction Co., Inc. submitting the low bid on the project;

NOW, THEREFORE, BE IT RESOLVED, that the project is hereby awarded to Telco Construction Co., Inc. for their base bid of \$405,700.00; and

BE IT FURTHER RESOLVED, that the following options are hereby awarded in addition to the base bid: Alternate #5 (Sluiceway) in the amount of \$60,700; and

BE IT FURTHER RESOLVED, that the Village of Williamsville Board of Trustees reserves the right to award additional options during the construction phase of this project.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

Unanimously carried.

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

WHEREAS, Pursuant to General Municipal Law Section 104-b(2)(f), the procurement policy may contain circumstances when, or types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality; and

WHEREAS, In the following circumstances it may not be in the best interests of the Village of Williamsville to solicit quotations or document the basis for not accepting the lowest bid: Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures; and

WHEREAS, In determining whether a service fits into this category the Board of Trustees shall take into consideration the following guidelines: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer engaged to prepare plans, maps and estimates; securing insurance coverage and/or services of an insurance broker; services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software;

NOW, THEREFORE, BE IT RESOLVED, that the following vendors requested by the Fire Department and/or Department of Public Works are found to fit under the circumstances above:

Moore Medical Supplies
First Out Response

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

Mobile Storage Solutions
Saia Communications
West Herr Automotive Groups
Aerial Testing
Sewing Technologies

Unanimously carried.

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

RESOLVED, that Steven Woziak of the Williamsville Fire Dept. is hereby authorized to travel to the NYS Fire Academy in Montour Falls, New York, from September 29 – September 30, 2014, at a cost not to exceed \$253.00, to be paid by the Village of Williamsville.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Evening in the Village event; Arts & Culture Committee-sponsored Knit-a-thon event on 9/21/14.

Trustee Yates had no resolutions on the agenda.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Traffic & Safety Committee meeting at 7pm on Wednesday, 9/10/14 – GBNRTC to present findings from traffic study of Evans and Eagle area; Saturday, November 1st is Village Tree Planting Day; Right-of-way restorations are slated for: top of California on west side, top of Hirschfield on east side and west side, top of Los Robles; Evening in the Village event.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

A BOND RESOLUTION, DATED SEPTEMBER 8, 2014, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, ERIE COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING: (A) THE ACQUISITION OF A PLOW TRUCK AND APPARATUS FOR USE BY THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$181,850, (B) THE EXPENDITURE OF \$46,850 FROM THE VILLAGE’S CAPITAL TRUCK EQUIPMENT RESERVE FUND, AND (C) THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$135,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees of the Village of Williamsville, County of Erie, New York (the “Village”) has determined to acquire a plow truck and apparatus for use by the Village; and

WHEREAS, the Village Board of Trustees previously established (in 1992) a reserve fund generally known as the Capital Truck Equipment Reserve Fund (the “Reserve Fund”); and

WHEREAS, the Village Board of Trustees, after review of the current and future foreseeable needs of the Reserve Fund, has determined that it is fiscally prudent to use a portion of the money available in the Reserve Fund for the acquisition of such plow truck and apparatus;

NOW THEREFORE,

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

SECTION 1. The specific purpose to be financed pursuant to this resolution is the acquisition of a plow truck and apparatus for use by the Village, including all preliminary

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

costs and necessary equipment, apparatus, warranties and other such costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of such purpose is \$181,850.

SECTION 2. The Village Board of Trustees plans to finance a portion of the estimated maximum cost of the Purpose by the expenditure of \$46,850 from the Reserve Fund, and the expenditure of such money from the Reserve Fund is hereby authorized by this resolution. The balance of the cost of the Purpose is to be funded by the issuance of serial bonds in an aggregate amount not to exceed \$135,000 of the Village, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such acquisition is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that such purpose is an object or purpose described in subdivision 28 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such purpose is 15 years; however, the bonds issued pursuant to this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall mature no later than five years from the date of original issuance of said bonds or notes.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will not be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has determined that the purpose will not have a significant effect on the environment, and therefore, no other determinations or procedures under the State Environmental Quality Review Act ("SEQRA") is required.

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

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

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

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

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

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

SECTION 14. This Resolution is subject to permissive referendum pursuant to Section 6-c of the General Municipal Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 15. If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

Unanimously carried.

ON MOTION by Trustee DeLano, seconded by Trustee Yates, it was moved to go off the regular agenda to consider a new resolution.

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to advertise for a public hearing to be held at 7:30 p.m., on Tuesday, October 14, 2014, at Village

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

RESOLVED, that the following Justice Court checks, which remain un-cashed, are hereby returned to the account of the Williamsville Village Court, and will be turned over to the Village of Williamsville General Fund as miscellaneous revenue:

1. Diane Cotton Case #12070044 Check # 1107 Check Date: 3/18/13 Amount: \$5.00
2. Jacqueline Vogel Case #12090037 Check #1117 Check Date: 8/21/13 Amount: \$5.00

Unanimously carried.

Staff Reports

Report – Administrator Juul – No report

Report – DPW Crew Chief Kostowniak - Reported on the following topic(s):
Thanked the Board for the new plow truck.

Report – Community Development Director Specht - Reported on the following topic(s): Village newsletter is starting up again.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to leave the regular agenda at 9:39 p.m. and open the Executive Session to discuss a legal matter stemming from a personnel matter, and a personnel matter.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to close the Executive Session and return to the regular agenda at 10:13 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adjourn the regular meeting at 10:13 p.m.

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, September 8, 2014 at 7:30 p.m.

Lynda L. Juul
Administrator/Clerk-Treasurer