

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, October 28, 1985 at 7:39 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher

Michael Kibby

Carolyn Schlifke

Trustees

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

David Laubisch, Dept. of Public Works

The Clerk read the Notice of Public Hearing regarding a proposed local law which would grant the Veterans Pro-Rata Exemption upon completion of the Erie County Revaluation Program scheduled for June 1, 1986.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the hearing was opened at 7:39 PM.

PUBLIC HEARING

Unanimously carried.

VETERANS PRO RATA EXEMPTION

Trustee Brenton said the Town has adopted a law which in effect increases the exemption for Veterans commensurately with the 100% reval which will take place in the county in the not too distant future. As we stated previously it was our position in the Village to wait and see what the Town did so that we would be consistent with their action. Now we are engaged in the public hearing process and he opened the hearing for public comment.

No one appeared to speak from the audience.

Mayor Kuzon advised that there is legislation pending in Albany which would give Veterans credit on their income tax and it is being sponsored by several Assemblymen including our Assemblyman, John Sheffer. Recently Mayor Kuzon wrote to our local Veterans organizations and inquired what their position was on that and they do support the tax credit idea, as well as continuation of the exemption until the tax credit is adopted.

Trustee Brenton said he thinks it is noteworthy that there is some other train of thought regarding this issue. He really has some question as to whether or not the method of rewarding the Veterans for their service through reduction in their property tax is the appropriate way to go. He thinks the income tax credit proposal is more equitable in particular where we have municipalities who are hard-pressed to meet their bills and those same municipalities might have a large number of Veterans. He thinks the tax credit is the proper way to go, but in the interim we would continue with the method that we have.

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ON MOTION by Trustee Brenton, seconded by Trustee Gallagher, the
hearing was closed at 7:45 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

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Thomas V. Troy, Village Attorney

David Laubisch, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:37 PM.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the minutes of the following meetings were approved:

Regular Meeting of September 23, 1985;

Public Hearing of September 23, 1985 regarding proposed rezoning of property from M-1 to C-3.

Public Hearing of September 23, 1985 regarding proposed rezoning of property from C-2 to R-3.

Special Meeting held October 9, 1985.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, it was moved at 7:39 PM to open the public hearing regarding a local law which would grant the Veterans Pro-Rata Exemption upon completion of the Erie County Revaluation Program scheduled for June 1, 1986. (The hearing was closed at 7:45 PM.)

Unanimously carried.

Mayor Kuzon reported that at our meeting on September 23, 1985 we held two public hearings regarding proposed rezonings of properties in the S. Long Street, Garden Parkway area. We are not going to act on these tonight because the Planning Board at their meeting essentially ran out of time in which to review them and it will be on their agenda for their next meeting on Monday night. As soon as we have their input we will schedule it for a decision.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$225,013.15 covering the period October 10, 1985 through October 28, 1985 were approved as follows:

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Payroll Fund	W/E 10/11/85	\$ 6,584.23
	W/E 10/18/85	5,760.69
	W/E 10/25/85	<u>9,217.62</u>
Total Payroll Fund		\$ 21,562.54
General Fund	Abstract #595	154,699.05
Sewer & Water Fund	Abstract #176	31,253.70
Trust & Agency Fund	Abstract #214	7,041.05
Federal Revenue Sharing	Abstract #178	858.00
Glen Park Jt. Activities	Abstract #115	1,906.82
Special Assessment Fund	Abstract #19	7,164.82
Capital Fund	Abstract #145	<u>527.17</u>
Total Vouchers		\$225,013.15

The larger vouchers were to the Town of Amherst, Amherst Highway, Erie County Water Authority and Marine Midland Bank.

Unanimously carried.

Mayor Kuzon advised that he is calling for a special meeting on November 4th because our next regular meeting will not be until late November because our next scheduled one falls on the Veterans Holiday. This will help us accommodate any Village business that might come up that needs to be dealt with before our next meeting. One of the things on that agenda would be the hiring of an architect for the continuation of the Fire Hall and Village Offices.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED that the Village of Williamsville Board of Trustees will hold a Special Meeting on November 4, 1985 at 4:00 p.m. in the Village offices to conduct any legal Village business.

SPECIAL MEETING

Nov. 4, 1985

Unanimously carried.

Mayor Kuzon advised that the Town is constructing at the rear of this building an elevator to facilitate accessibility for the handicapped in this building. Part of the construction involves our conference room, which means that essentially 25% or more is going to be used as part of the elevator. This Friday, we have been advised, they plan on breaking through into our conference room through the wall so our

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meetings that are typically held there are going to be rescheduled and we will try to post signs and the office will be able to advise you where the meetings will be held. For instance, next Monday if you come to the special Board meeting and it's not in the conference room it will be some other place in this building or possibly in the court building. We will have to be a little flexible while the construction is going on.

Trustee Gallagher said his first resolution deals with Trick Or Treat Night in the Village. The Youth Board will be having a parade starting at 6:30 p.m. in the parking lot adjacent to the courthouse. The kids will march over to the V.F.W. and there will be a lot of activities over there to keep the kids off the street and in a safe location.

ON MOTION by Trustee Gallagher, seconded by Trustee Schlifke, the following resolution was adopted:

HALLOWEEN

RESOLVED that Thursday, October 31st, is hereby designated "Trick or Treat Night" in the Village of Williamsville.

"Trick or Treat Night"

Unanimously carried.

Trustee Gallagher said his second resolution deals with the Village's payment in respect to funds going to the Youth Program and payments to the Amherst Youth Program for the calendar year January 1st through December 31, 1986.

ON MOTION by Trustee Gallagher, seconded by Trustee Brenton, the following resolution was adopted:

YOUTH

RESOLVED that the Mayor is hereby authorized to sign Agreement with the Town of Amherst for the operation of the Amherst Youth Program in the amount of \$6,804.00 for the period January 1 - December 31, 1986.

Mayor authorized to sign Agreement with Town

Unanimously carried.

Trustee Kibby reported that the Planning Board and Planning Department have established in the past deadlines for the delivery of plans, etc. for Planning Board meetings. Those particular deadlines will be adhered to quite rigorously in the future. If there is any question as to whether the plans should be delivered to Traffic & Safety for their opinion it will be done so first. This may cause some delay in the processing of plans.

Trustee Kibby reported on the tentative agenda for next Monday night's Planning Board meeting. There were several sign permits, a site plan review for the Shrimp Shoppe and architectural review for American Douglas Metals next to the Meeting House. There are also some items for general discussion one of which is the

rezonings in the S. Long St. area, the proposed fence code, the sign at the Williamsville Inn and self-service gas stations.

Trustee Kibby said his first resolution deals with designating the Fire Inspector as an enforcement officer under the Village Code. By doing this it means that the Fire Inspector will be able to write summonses on the spot for any violation of the fire codes and that summons would then require the owner to appear in court.

ON MOTION by Trustee Kibby, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED that the Fire Inspector is hereby designated an Enforcement Officer per Section 16.12 of the Village of Williamsville Code.

ENFORCEMENT
OFFICER

Fire Inspector
Designated

Trustee Brenton asked if any other people are allowed to do this now. Trustee Kibby advised that the Building Inspector and Fire Chief are already allowed to do this. We are not changing the method of doing this. We are just adding the Fire Inspector to the list of who may issue summonses. Trustee Brenton said he thinks this is a good idea.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Mayor Kuzon, the following resolution was presented:

RESOLVED that Dorothy Arhardt, 23 Swan Place, be granted an easement from the rear of her property at 23 Swan Place to Main Street. Such easement to be 8 ft. in width along the easterly line of the Village Meeting House premises at 5658 Main Street.

EASEMENT
23 Swan Place
Tabled

Trustee Kibby said this easement would be written up in such a way that it would end at the time that Mrs. Arhardt vacates or sells the property. It would not go on to anyone else. Secondly we have a letter from American Douglas Metals, the owner of the property behind her house, facing Main Street, which owner already has an easement to some of the property next to the Meeting House. Mrs. Arhardt's potential easement would cross that same property. American Douglas Metals has no problem with her using the same property they have an easement for. We also have a letter from Mrs. Arhardt indicating that should American Douglas Metals change their mind that she would not hold the Village responsible. She realizes that she could be left with no place to go if they did change their minds. There are some unanswered questions.

The pad for the garage has already been placed and the driveway to it and they could be over a septic tank system. This has been to the Planning Board and they are not in favor of it. The Building Inspector also does not think it is a good idea.

Trustee Brenton said as we discussed in our work session tonight there is great deal of concern on his part pertaining to something like this. It suggests that the easement could expire when Mrs. Arhardt determines to vacate the property. This might be five or ten years from now and it would show up legally as an encumbrance. Mr. Troy said it would only show up if Mrs. Arhardt records it. If she doesn't record it at the County Clerk's Office we will have a private agreement and nothing will ever show. If it is recorded it would show up on the search. Trustee Brenton said if it is unrecorded then five or ten years from now when this board is constituted differently it could be conceivable that no one would know that there is an easement and that the property zoned as it is could be construed as a valuable piece of property, which it probably would be. This could be thrawt with future problems. As we look back and try to discover what a previous Board 30 years ago had meant when they allowed for a certain activities it is very difficult when you have no one to talk to who was there and it leaves you in the dark.

EASEMENT

23 Swan Place

Tabled

Trustee Brenton finds a great deal of difficulty in supporting this when the Planning Board and Building Inspector both unanimously reject it. We generally try to listen to the Board's advice although there are times we disagree with them. When they come through unanimous and on a professional level and say they cannot support it he wonders how it can really be supported.

Trustee Brenton said when this property was originally sold and the front and rear property divided it was his opinion when he voted against the easement for American Douglas Metals that this property should be treated as one entity. Now you have a house at the rear at 23 Swan Place which as he understands it is served by a septic system and you are going to limit perhaps some of the possible area for that system to percolate because obviously the metals corporation is going to put a parking lot in. His opinion is still the same. We should not enter into a situation of this nature.

Trustee Brenton said on a long-range basis we have talked about trying to develop one parking lot for that entire area from Sorrentino's down incorporating the Meeting House parking lot as well as others. He thinks this would be a good way to go in a cooperative way to provide parking for these businesses. With this garage placed as it is intended to be placed you will have someone backing out into what could be a fine parking lot. This apparently has not been presented to Traffic and

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Safety Committee and he thinks it should be given their consideration and he thinks when they did consider it that they should be advised that the Village Board has discussed creating one solid parking lot there. If you have a garage you have to allow for maneuvering area and this would take space away from the parking lot. It doesn't seem to be good planning.

EASEMENT

Trustee Brenton thinks the petitioner could find an alternate method of securing facilities for her to park her vehicle. One suggestion might be to go out Swan Place and face the garage to the north if possible and maybe request an easement or something of that nature to come in that way. He is not saying he would approve of that but he thinks there hasn't been enough consideration given to this subject. He also said if any Board members have not been over there and actually viewed this situation they should so they can see exactly what he is talking about.

23 Swan
Place

Tabled

Trustee Gallagher said he thinks there are two people for and two people against this right now and he had indicated that he was against this at the work session. He said he had not done his homework in that he has not gone over and seen the area involved and if the other Board members would okay tabling this until Monday at our special meeting he would feel a lot more comfortable voting on this after he has viewed this area.

Mayor Kuzon said in the work session he agreed with Trustee Kibby's presentation but Trustee Brenton has made a very good point that if the Village is to work cooperatively with private property owners in the area of the Meeting House to create a parking situation that this easement could present a very real problem. He would have no problem in tabling this.

ON MOTION by Trustee Gallagher, seconded by Mayor Kuzon, it was moved to table the resolution relating to Mrs. Arhardt's easement.

Unanimously carried.

Trustee Brenton asked if tonight's minutes could be in the hands of the Board prior to our next meeting so the Board could review his comments on this.

Trustee Kibby asked Mrs. Arhardt if she wished to comment and she said no.

Trustee Schlifke said the Historic Preservation Committee has reached stage 5 in regard to the ordering process for the plaques for the designated historic sites. They have approved the shop drawings and they have been returned to the manufacturer and they give us a production time of approximately six weeks. So we're looking perhaps to the early part of next year when we can set aside some time to erect these plaques for at least two of the designated sites.

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Trustee Schlifke said the next site that probably will be on the agenda for the Historic Preservation Committee will be the Meeting House, the old Christian Church. They have presented the Historical Society with an evaluation form and they will be working on it to get all the information to the committee. As soon as the committee receives it back we will be calling for a public hearing to designate that site.

Trustee Schlifke reported that there is considerable work being done on what is referred to as the Roneker house, which is the house on Main Street with the stone wall in front of it. The Historic Preservation Committee has met with the new owner, John Robshaw, who is an attorney. He filled the committee in on his plans for the building. He will be preserving the stone fence, the bench and the gazebo in the rear which are products of Mr. Oeschner who was the stone mason and who also worked on the Castle. He will be looking for New York State designation and would also like the Village to designate it as a historic site. They will be working with Mr. Robshaw when his renovation work is completed and he is able to fill in the evaluation form.

Trustee Schlifke read a letter that was received from the New York State Association of Traffic Safety Boards regarding Richard Hill who is Chairman of the Village Traffic & Safety Board. He attended the State convention from September 20 to 22nd in Rochester. The letter thanked Mr. Hill for his participation and presentation at the convention. She thanked Mr. Hill for attending and representing the Village and doing an excellent job.

Trustee Schlifke reported that on October 4th the Automobile Club of Western New York held their annual luncheon to present the 1985 pedestrian protection program awards. The Traffic & Safety Committee and the Village were represented by Joe Kuzon who is a member of the Traffic & Safety Committee. He accepted for the Village a plaque which states that we have a 12 year achievement record of no pedestrian deaths in the Village. She is hoping our awards can be hung on the wall in our new offices. We have an excellent program in the Village through the Amherst Police who instruct our children on safety through the schools and we should also credit the parents who teach their children proper safety aspects. She hopes that we will continue to win these awards.

Trustee Schlifke said she is withdrawing her first resolution mainly because the wording of it and the request for it are inconsistent with good traffic control procedures. She would like to take this back to the Traffic & Safety Committee and the residents in the area of Orchard and Franklin who requested it and perhaps place it on a future agenda.

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ON MOTION by Trustee Schlifke, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED that the Village Clerk is hereby authorized to publish notice of public hearing to be held by the Board of Trustees on November 25, 1985 at 7:35 p.m. for the purpose of hearing all persons interested in discussing a proposed local law which would provide for two (2) hour limited parking except Saturdays, Sundays and Holidays on the east side of Oakgrove Drive from the southerly curb line of Main Street to a point 197 feet south of the southerly curb line of Main Street.

PUBLISH NOTICE OF
PUBLIC HEARING

Amend Traffic
Code

2 hr. parking on
east side of
Oakgrove near
Main St.

Trustee Schlifke said this has been requested by the Methodist Church. They have a nursery school at the church during the daytime hours and the mothers come to drop the children off and the parking many times is nonexistent due to the fact that people in the area and from out of the area park on that section of Oakgrove and some of them are parking and taking the bus downtown and tying up the parking spaces all day. This makes it difficult when the mothers come to drop the children off and pick them up sometimes causing them to double park or park some distance away and have to bring the children to the building. Traffic & Safety has recommended this limited parking in that section and the church is in agreement with this.

Unanimously carried.

Trustee Brenton reported that one of the large voucher amounts for \$128,000 was to the Town of Amherst for the purchase of the courthouse building and the adjacent property. So that activity has been completed. There is still a hole in the parking lot area that hasn't been filled by the Town yet. He asked Mr. Schueckler, who was in the audience, if that would be done soon. Mr. Schueckler said it was an old well and it would be taken care of. Trustee Brenton said we would appreciate it being done.

Trustee Brenton said we appreciate all the work that Mr. Schueckler and Mr. Lucey and their men did on the paving program for the Village. The total bills for the pavement resurfacing this year, and we probably did more than we ever have before, will be in the neighborhood of \$75,000. This does not include Creek Road which will be paid for partially through CHIPS funds and partially through bonding. Of that total of \$75,000 approximately \$10,270 was for labor on the part of the Town and it was money very, very well spent. They did a very professional job and a very expedient job. Creek Road has been completed and he hopes the residents are happy with it. It had to be completely rebuilt.

The Cadman Drive storm sewer project has begun and should be

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completed ahead of time if the weather stays good, and then they will be moving down to California to complete that project.

Trustee Brenton said his first resolution deals with an appointment of a fireman. This Board acts as the Commissioners of the Fire Department in this regard. He is glad that the Chief is submitting these names because he has always had concerns when one is placed on the department rolls and has not been appointed by resolution of this Board with respect to the insurance coverages.

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that the Village of Williamsville Board of Trustees acting as Commissioners of the Fire Department hereby appoints the following fireman in the Village of Williamsville Fire Department:

APPOINTMENT

Fireman

Frank Saul - 11 Columbine Drive,
Williamsville, New York

Unanimously carried.

Trustee Brenton said his second resolution deals with hiring another full time employee in the Department of Public Works which is necessitated by Mr. Laubisch taking over the functions of Mr. Boudreau, who has left the department, and therefore creating a vacancy. Mr. Friedly has worked for us on a part-time basis for three years and is very experienced and has done a good job and he is happy to recommend appointing him.

ON MOTION by Trustee Brenton, seconded by Trustee Schlifke, the following resolution was adopted:

RESOLVED that Louis Friedly is hereby appointed Laborer in the Department of Public works, effective October 31, 1985 at the rate of \$6.22 per hour.

APPOINTMENT

DPW Employee

Louis Friedly

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED that Evor Williams is hereby authorized to attend the Fire Inspector Seminar in Montour Falls, New York from October 16 - 18, 1985, and the costs, not to exceed \$100.00 to be paid by the Village of Williamsville.

AUTHORIZATION to
attend Fire
Inspector
Seminar

Unanimously carried.

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ON MOTION by Trustee Brenton, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that Michael Moritz and Kent Swarts are hereby authorized to attend the Volunteer Fire Service Management Course at Montour Falls, New York from November 1st - 3rd, 1985 and the cost, not to exceed \$150.00 each, to be paid by the Village of Williamsville.

AUTHORIZATION
Attend Volunteer
Fire Service
Management
Course

Unanimously carried.

Trustee Brenton said he is withdrawing resolution number five because there are some questions regarding it. It was discussed in our work session as to the percentages involved. We have two separate proposals from two firms and we would like to explore the proposals further. We will be making a decision and advancing a resolution at our special meeting on November 4th. to hire an architectural firm for the purpose of the fire hall.

Trustee Brenton said resolution number six deals with the subject of the public hearing tonight for the Veterans exemption. Mayor Kuzon said the reason we are doing this tonight is that the authorization to do this expires on October 31st and this would be the last date we could get involved with this. Trustee Brenton said we normally don't act on the same night as the public hearing but because of the time constraints involved here it is necessary for us to act tonight.

ON MOTION by Trustee Brenton, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED that Local law #5 - 1985, Veterans Pro-Rata Exemption, is hereby adopted.

LOCAL LAW #5-1985

Adopted
VETERANS PRO RATA
EXEMPTION

Unanimously carried.

Trustee Brenton said his seventh resolution deals with the bonding for the rehabilitation of the Los Robles, Cadman and California Drive storm sewers.

ON MOTION by Trustee Brenton, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED that Bond and Capital Note Resolution in the amount of \$82,500.00 for the rehabilitation of Los Robles, Cadman and California Storm Sewers is hereby adopted.

BOND RESOLUTION
ADOPTED
Los Robles, Cadman,
California Storm Sewers

Unanimously carried.

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the Village of Williamsville,
in the County of Erie,
New York

October 28, 1985

* * *

A regular meeting of the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, was held at the Village Hall, 5583 Main Street, Williamsville, New York, on October 28, 1985 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Hon. Gordon J. Kuzon, Mayor; and

Trustees: Lawrence R. Brenton
Richard Gallagher
Michael Kibby
Carolyn Schlifke

There were absent: None

Also present: Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney

* * *

Trustee Brenton offered the following resolution
and moved its adoption:

BOND AND CAPITAL NOTE RESOLUTION OF THE
VILLAGE OF WILLIAMSVILLE, NEW YORK, ADOPTED
OCTOBER 28, 1985, AUTHORIZING THE CONSTRUCTION
AND RECONSTRUCTION OF STORM SEWERS ALONG
VARIOUS STREETS IN THE VILLAGE, STATING THE
ESTIMATED MAXIMUM COST THEREOF IS \$82,500,
APPROPRIATING SAID AMOUNT THEREFOR, AND
AUTHORIZING THE ISSUANCE OF \$4,125 CAPITAL
NOTES TO PROVIDE THE REQUIRED DOWN PAYMENT,
AND AUTHORIZING THE ISSUANCE OF \$78,375 SERIAL
BONDS OF SAID VILLAGE TO FINANCE THE BALANCE
OF SAID APPROPRIATION.

THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE,
IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES (by the
favorable vote of not less than two-thirds of all the members of
said Board of Trustees) AS FOLLOWS:

Section 1. The Village of Williamsville, in the County
of Erie, New York (herein called "Village"), is hereby authorized
to construct and reconstruct storm sewers along various streets
in the Village, including the installation of 55 linear feet of
12-inch corrugated steel pipe, 810 linear feet of 15-inch
corrugated steelpipe, 760 linear feet of 18-inch corrugated steel
pipe, 75 linear feet of 22-inch by 13-inch corrugated steel pipe,
installation of precast or cast-in-place reinforced concrete
catch basins and storm manholes, including such equipment and
apparatus as shall be necessary, all in accordance with the maps,

plans and specifications prepared therefor by

_____, duly licensed by the State of New York on file in the office of the Village Clerk of the Village and hereby approved. The estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$82,500 and said amount is hereby appropriated therefor. The plan of financing includes the issuance of \$4,125 capital notes to provide the down payment required by the Law, as hereinafter defined, and the issuance of \$78,375 serial bonds of the Village to finance the balance of said appropriation, and the levy and collection of taxes on all the taxable 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 2. Capital notes of the Village in the principal amount of \$4,125 to pay the required down payment, and Serial bonds of the Village in the principal amount of \$78,375, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law") to finance the balance of said appropriation not provided by said capital notes.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of said specific object or purpose for which said \$78,375 serial bonds authorized pursuant to this resolution are to be issued, within the

limitations of Section 11.00 a. 4 of the Law, is forty (40) years.

(b) Current funds are required by the Law to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof and such current funds will be so provided by the issuance of the capital notes herein authorized. The Village Treasurer is hereby authorized and directed to set aside the proceeds of sale of said capital notes and to apply same solely to said specific object or purpose herein described.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the capital notes and each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity as prescribed by Section 52.00 of the Law and said notes and bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Village, payable as to both principal and interest by general tax upon all the taxable real property within the Village without limitation of rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said notes and bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the notes and bonds and any notes in anticipation

thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the notes and bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication,
or

- (c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond and capital note resolution is subject to permissive referendum.

Trustee Brenton offered the following resolution and moved its adoption:

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. The Village Clerk of said Village of Williamsville, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in "AMHERST BEE," a newspaper published in Williamsville, New York, having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication and posted in at least six (6) public places in the Village, a Notice in substantially the following form:

VILLAGE OF WILLIAMSVILLE, NEW YORK

PLEASE TAKE NOTICE that on October 28, 1985, the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, adopted a bond and capital note resolution entitled:

"Bond and Capital Note Resolution of the Village of Williamsville, New York, adopted October 28, 1985, authorizing the construction and reconstruction of storm sewers along various streets in the Village, stating the estimated maximum cost thereof is \$82,500, appropriating said amount therefor, and authorizing the issuance of \$4,125 capital notes to provide the required down payment, and authorizing the issuance of \$78,375 serial bonds of said Village to finance the balance of said appropriation,"

an abstract of which bond and capital note resolution concisely stating the purpose and effect thereof, is as follows:

FIRST: AUTHORIZING said Village to construct and reconstruct storm sewers along various streets in the Village, including the installation of 55 linear feet of 12-inch corrugated steel pipe, 810 linear feet of 15-inch corrugated steel pipe, 760 linear feet of 18-inch corrugated steel pipe, 75 linear feet of 22-inch by 13-inch corrugated steel pipe, installation of precast or cast-in-place reinforced concrete catch basins and storm manholes, including such equipment, machinery and apparatus as shall be necessary, all in accordance with the maps, plans and specifications therefor as approved by the Board of Trustees of the Village of Williamsville and filed in the office of the Village Clerk; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$82,500; APPROPRIATING said amount therefor; STATING the plan of financing includes the issuance of \$4,125 capital notes to provide the down payment required by the Law, as hereinafter defined, the issuance of \$78,375 serial bonds of the Village to finance the balance of said appropriation, and the levy of a tax upon all the taxable real property within the Village to pay the principal of said bonds and interest thereon;

SECOND: AUTHORIZING the issuance of \$4,125 capital notes to provide the required down payment and \$78,375 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance the balance of said appropriation not provided by said capital notes;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose is forty (40) years; current funds are required by the Law to be provided prior to the issuance of the bonds or any notes in anticipation thereof and such current funds will be provided from the proceeds of capital notes; and DIRECTING the Village Treasurer to set aside said current funds and apply the same solely to said specific object or purpose; and the proposed maturity of said \$78,375 serial bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds and the renewals of said notes shall be general obligations of the Village and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to the issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, or the renewals thereof; and

SIXTH: DETERMINING that the bond and capital note resolution is subject to a permissive referendum.

DATED: October 28, 1985

Theresa L. Cummins
Village Clerk

Section 2. After said bond and capital note resolution shall take effect, the Village Clerk is hereby directed to cause said bond and capital note resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

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The adoption of the foregoing resolution was seconded by
Trustee Gallagher and duly put to a vote on roll call, which
resulted as follows:

AYES: 5

NOES: 0

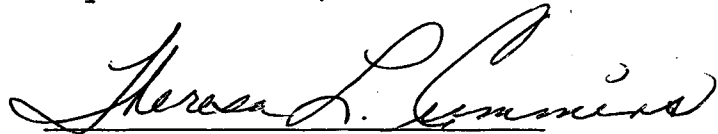
The resolution was declared adopted.

General - No Veto

CERTIFICATE

I, THERESA L. CUMMINS, Village Clerk of the Village of
Williamsville, in the County of Erie, State of New York, HEREBY
CERTIFY that the foregoing annexed extract from the minutes of a
meeting of the Board of Trustees of said Village of Williamsville
duly called and held on October 28, 1985, has been compared by me
with the original minutes as officially recorded in my office in
the Minute Book of said Board of Trustees and is a true, complete
and correct copy thereof and of the whole of said original
minutes so far as the same relate to the subject matters referred
to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed the corporate seal of said
Village of Williamsville this 28th
day of October, 1985.


Village Clerk

(SEAL)



Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, October 28, 1985 at 7:37 PM

ON MOTION by Trustee Brenton, seconded by Trustee Gallagher, the following resolution was adopted:

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

PUBLISH
FOREGOING BOND
RESOLUTION

Section 1. The Village Clerk of said Village of Williamsville, shall within ten (10) days after the adoption of this resolution cause to be published, a notice of this resolution in full, in the "AMHERST BEE", a newspaper having general circulation within said Village and hereby designated the official newspaper of the Village for such publication and posted in at least six (6) public places in the Village.

Section 2. After said bond and capital note resolution shall take effect, the Village Clerk is hereby directed to cause said bond and capital resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

Unanimously carried.

Mr. Laubisch of the Department of Public Works advised that they are in the process of picking up leaves throughout the Village. It is noted that there are quite a few leaf piles in the roadway instead of between the curb and the street where they are to be placed under the Village code requirements. They are dangerous when they get wet and cause cars to swerve around them and could possibly cause an accident. He reminded the residents that the leaves are not to be placed in the roadway.

Mr. Laubisch also reported that the water department of the Village has begun its winterization of the fire hydrants in the Village. For obvious reasons they addressed those on Los Robles, Cadman and California first.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, it was moved to suspend the rules for public participation.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, October 28, 1985

Richard Hill, 18 Brookside Drive, asked if poles would be placed at the corners by the fire hydrants so the plow operators would know they were there. Mr. Laubisch said the fire hydrants would be staked. Right now the water department is only making sure there is no accumulation of water in the hydrants. The staking will be taken care of by the plow crews.

Trustee Brenton said he would hope that residents who have hydrants on or near their property would endeavor to clear the snow from them to facilitate their use by the Fire Department in case of a fire.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the meeting was adjourned at 8:28 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer