

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, May 9, 1988 at 7:32 P.M.

Roll Call                      Present                      Lawrence R. Brenton, Mayor  
  
Robert V. Bindert  
Michael W. Kibby                      Trustees  
Carolyn M. Schlifke  
Richard P. Sweeney  
  
Theresa L. Cummins, Village Clerk  
Thomas V. Troy, Village Attorney  
David Laubisch, Supt. of Public Works

Mayor Brenton opened the meeting at 7:32 P.M. with the Pledge of Allegiance.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, the minutes of the regular meeting held on April 25, 1988 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, vouchers in the amount of \$68,586.97 covering April 26, 1988 thru May 9, 1988 were approved:

payroll fund w/e 4/27/88		\$17,151.62
General Fund	# 655	43,284.54
Sewer and Water Fund	# 235	2,836.87
Trust and Agency Fund	# 272	5,244.48
Glen Park Joint Activities Fund	# 172	69.46
	* Grand Total *	\$68,586.97

Larege vouchers were for Computer Resolutions, J & I Disposal, Niagara Mohawk, R.E.Woodson, Inc.

Unanimously carried.

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

RESOLVED THAT the position of Cleaner/P.T. is hereby created in the Village Offices.

Unanimously carried.

Mayor Brenton stated the next proposed resolution deals with a request the Village had received from a member of the Erie County Legislature asking the Village to go on record opposing the increase in the Real Estate Transfer Tax that Erie County Executive Gorski had proposed. Since the Erie County Legislature voted against this proposal last week, this resolution will not be acted upon.

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

RESOLVED that bond resolution in the amount of \$100,000 is hereby approved for the purchase of the 1987 American LaFrance Custom Built Fire Apparatus.

Unanimously carried.

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

RESOLVED: Section 1. The Village Clerk shall within ten (10) days after adoption of this resolution cause to be published, in full, in the 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 of adoption of the foregoing bond resolution.

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond 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.

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

RESOLVED that the Village Board, acting as Fire Commissioners for the Williamsville Fire Department, hereby appoints the following residents as firemen in the Williamsville Fire Department:

<u>Name</u>	<u>Address</u>
Robert Zent	492 Mill Street
Bob Schick	114 N. Ellicott Street

Unanimously carried.

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Trustee Schlifke had no report and no resolutions.

Trustee Sweeney stated that on May 3rd he attended the only public meeting that will be held for the Old Home Days. There was no one from the general public in attendance which indicates to him that the citizens in the Village are satisfied with the way this event is being run or are totally frustrated with their inability to change anything. He would tend to hope it is the former. The committee is very organized and has their plans well under way for the July activities.

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

RESOLVED that \$3,411 of Community Development Funds are hereby transferred from the Infrastructure Account to the Housing Rehabilitation Account.

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Sweeney, the following resolution was adopted:

RESOLVED that Richard Hill is hereby appointed Chairman of the Traffic and Safety Committee for the 1988 - 1989 official Village year.

Unanimously carried.

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

RESOLVED that Carol Lanphear is hereby appointed Chairman of the Youth and Recreation Committee for the 1988 - 1989 official Village year.

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Sweeney, the following resolution was adopted:

RESOLVED that the Mayor is hereby authorized to sign agreement with Frontier Special Services, Inc. for security services in Glen Park for the 1988 summer season effective May 10, 1988 at the rate of \$9.50 per hour.

Unanimously carried.

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

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, May 9, 1988 at 7:32 P.M.

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees on May 23, 1988 at 7:35 P.M. in the Village Hall for the purpose of hearing all persons interested in discussing a proposed local law which would add Section 60.40 (16A) to the Traffic Code by providing for a stop sign on Hillside Drive at Glen Avenue Extension.

Unanimously carried.

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

RESOLVED that the salary of William Elliott, Laborer Part Time in the Glen Park, is hereby increased to \$4.75 per hour effective May 10, 1988.

Unanimously carried.

Trustee Kibby had no report and no resolutions.

Superintendent of Public Works Laubisch stated that trash pickup starts tomorrow for the upcoming season which runs from May thru October. Rules and regulations regarding placing the trash at the curb are available at the Village Clerk's office.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved to suspend rules for public participation.

Unanimously carried.

Elroy Avery, 75 Rinewalt asked how many hours the Security firm is working in Glen Park. He is interested in the total cost for protecting the park and if the Town shares in the cost. Trustee Bindert stated the cost is higher during the springtime when the weather just gets warm and then levels off later in the year. Trustee Schlifke stated the budget for security service in Island and Garrison Parks is about \$13,000.00 this year. Trustee Bindert said Glen Park would cost about \$8,000-9,000.

Harmon Whipple, 51 Garden Parkway asked about the Bond Resolution for the Fire Truck, and whether the Town residents share in the cost because the fire districts of our fire company extend into the Town. Mayor Brenton stated the Village of Williamsville contracts out to protect certain fire districts in the Town of Amherst. The entire cost of the fire department is based on assessed valuation. Presently 54% of the assessed valuation of the fire department lies in the Town of Amherst outside the Village of Williamsville and 46% is in the Village. Therefore the Town will pay 54% of the cost of the fire truck as the debt service is paid off.

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Maryanne Avery, 64 Garrison Road, asked what the status of Warren Miller's house on Garrison Road was. Is it going to be demolished? Dick Delo, the Building inspector, stated Mr. Miller is going to make the building look a little more presentable. He has picked up a demolition permit, but it is unknown at present if he will be tearing it down. Miss Avery stated that because of the age of the house, Andrea Shaw from the Amherst Museum would like to acquire the building. It was built in 1850. Mayor Brenton stated this should be acted upon immediately by that group and suggested someone from Amherst Old Colony contact Mr. Miller before the house is demolished.

Miss Avery questioned the status of Castle Creek development. Trustee Kibby stated the Village has received nothing official yet but it is our understanding that the plan has been scaled down from fourteen to eight houses to accomodate the neighbors. But they have not come back officially with any revisions.

Harmon Whipple, 51 Garden Parkway, asked if the Village had decided to move the Department of Public Works to a part of the Conrail property? He questioned if there was enough room. Mayor Brenton stated we have hired the URS firm to determine whether the facility can conceptually fit on that property. The Village has also received \$40,000 from the State Supplemental budget to aid us in the construction of this facility should that move prove to be in the best interest of the Village.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the meeting was adjourned at 8:04 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk-Treasurer

EXTRACT OF MINUTES

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

May 9, 1988

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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, 5565 Main Street, Williamsville, New York, on May 9, 1988 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Honorable Lawrence R. Brenton, Mayor; and

Trustees: Robert Bindert  
Michael W. Kibby  
Carolyn Schlifke  
Richard Sweeney

There were absent: None

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

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Ma yo r Brenton offered the following resolution  
and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF  
WILLIAMSVILLE, NEW YORK, ADOPTED MAY 9, 1988,  
AUTHORIZING THE PURCHASE OF A FIRE TRUCK FOR  
USE BY THE VILLAGE, STATING THE ESTIMATED  
MAXIMUM COST THEREOF IS \$196,000,  
APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING  
THE APPROPRIATION OF THE \$35,000 PROCEEDS OF  
SALE OF THE 1975 AMERICAN LaFRANCE PUMPER  
TRUCK TOWARDS THE COST THEREOF AND \$61,000  
CURRENT FUNDS TO PROVIDE THE REQUIRED DOWN  
PAYMENT, AND AUTHORIZING THE ISSUANCE OF  
\$100,000 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 purchase an American LaFrance Custom Century 2000 Model, 1500  
GPM triple combination Class A custom pumping engine, including  
apparatus used in connection with such motor vehicle. The  
estimated maximum cost of said specific object or purpose,  
including preliminary costs and costs incidental thereto and the  
financing thereof, is \$196,000 and said amount is hereby  
appropriated therefor, including the appropriation of the \$35,000

proceeds of sale of the 1975 LaFrance Pumper truck towards the cost thereof and \$61,000 current funds to provide the down payment required by the Law, as hereinafter defined. The plan of financing includes the expenditure of said sale proceeds and current funds and the issuance of \$100,000 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. Serial bonds of the Village in the principal amount of \$100,000, 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 sale proceeds and current funds.

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 \$100,000 serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 27 of the Law, is twenty (20) 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 in the amount of \$61,000 will be provided from moneys now available therefor in the current budget

of the Village under the heading "Fire Truck Capital Reserve Fund". The Village Treasurer is hereby authorized and directed to set aside said current funds 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 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 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 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 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 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 resolution is subject to permissive referendum.

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

AYES: 5  
NOES: 0

The resolution was declared adopted.

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Mayor Brenton offered the following resolution and moved its adoption:

THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE,  
IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVES 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 the "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 May 9, 1988, the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, adopted a bond resolution entitled:

"Bond Resolution of the Village of Williamsville, New York, adopted May 9, 1988, authorizing the purchase of a fire truck for use by the Village, stating the estimated maximum cost thereof is \$196,000, appropriating said amount therefor, including the appropriation of the \$35,000 proceeds of sale of the 1975 American LaFrance Pumper truck towards the cost thereof and \$61,000 current funds to provide the required down payment, and authorizing the issuance of \$100,000 serial bonds of said Village to finance the balance of said appropriation,"

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

FIRST: AUTHORIZING said Village to purchase an American LaFrance Custom Century 2000 Model, 1500 GPM triple combination Class A custom pumping engine, including apparatus used in connection with such motor vehicle; and STATING the estimated maximum cost of said specific object or purpose, including preliminary costs and costs incidental thereto and the financing thereof, is \$196,000; APPROPRIATING said amount therefor, including the appropriation of the \$35,000 proceeds of sale of the 1975 American LaFrance Pumper truck towards the cost thereof and \$61,000 current funds to provide the down payment required by the Law, as hereinafter defined; STATING the plan of financing includes the expenditure of said sale proceeds and current funds, the issuance of \$100,000 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 \$100,000 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 sale proceeds and current funds;

THIRD: DETERMINING and STATING the period of probable usefulness of the specific object or purpose for which said \$100,000 serial bonds are to be issued is twenty (20) 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 are available therefor in the amount of \$61,000 in the current budget of the Village; 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 \$100,000 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 resolution is subject to a permissive referendum.

DATED: May 9, 1988

Theresa L. Cummins  
Village Clerk

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond 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 Kibby and duly put to a vote on roll call, which  
resulted as follows:

AYES: 5

NOES: 0

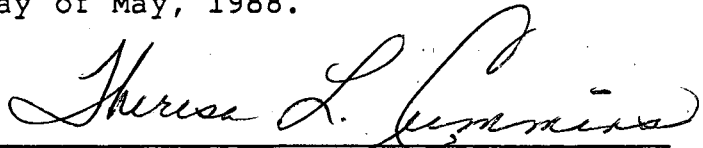
The resolution was declared adopted.

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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 May 9, 1988, 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 9th day of May, 1988.

  
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Village Clerk

