

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

Present: Ronald W. Daniels Mayor
Yvonne Kaye
Mary E. Lowther
Basil Piazza Trustees
Theresa L. Cummins Administrator/Clerk-Treas
Thomas V. Troy Village Attorney
Also Present: Patrick Kelly
Lawrence J. Hillebrand
Fire Chief James Zymanek

Mayor Ronald Daniels called the reorganization meeting to order at 6:05 P.M.

Mayor Daniels announced that, prior to 5:00 P.M. today, Patrick Kelly, Trustee, had submitted his resignation as Trustee to Clerk Cummins. The letter is addressed to Village Clerk/Administrator Theresa Cummins and reads as follows:

"Dear Clerk/Administrator Cummins - I hereby resign from the office of Trustee of the Village of Williamsville to which office I was elected at the General Village election held March 19, 1991. This resignation is to be effective April 4, 1994 at 5:00 P.M. Sincerely, Patrick M. Kelly"

Mayor Daniels stated we accept his resignation which creates a vacancy on the Village Board which he is filling by a Mayoral Appointment for a period of one year until the next Village election next March. He is appointing Larry J. Hillebrand to the vacant seat. Mayor Daniels introduced Mr. Hillebrand and asked him to sign the Oath of Office. The Administrator had Mr. Hillebrand sign the Oath Book after which he was seated as a new Trustee.

Mayor Daniels stated that he has known Trustee Hillebrand for many years. He was a neighbor on Cadman Drive and has come from time to time with community interests. Recently he has submitted the name of a grant writer who works on the basis of "no fee" unless she is successful in obtaining a grant. If there is no grant she does not get a fee. It is something to consider after our contract expires with our current grant writers.

Mayor Daniels asked Trustee Hillebrand if he would tell the Board and audience something about himself.

Trustee Hillebrand stated he lives on Cadman Drive. He spent most of his life in the military and retired after 25 years from the Air Force. He chose to live here in the Village. His family is comfortable with where they are and they think our area has a lot to offer. He thinks Mayor Daniels is providing good leadership

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and is working to get the things done that the Village needs. You can't rest on your laurels but always have to try to make things better. He will try to do his best and work with everyone to the best of his ability.

Mayor Daniels asked Trustee Hillebrand what he does now.

Trustee Hillebrand stated he works for a company called Applied Reconnaissance for Remediation Research. This is a company that designs special mission aircraft which seek out pollution in open oceans. They have several contracts with large tanker companies and work in conjunction with clean up vessels. It is very interesting work with an international flavor to it. He is Director of Contracts and in that capacity he writes contracts, reviews documents, negotiates with people and prepares financials, and letters of credit which he believes will be helpful to this office.

Mayor Daniels stated he is very pleased that Trustee Hillebrand has agreed to become a member of the Board. Mayor Daniels believes he brings skills that can be put to good advantage and whenever you can get free expertise from members of the Board, it can prove to be very cost effective.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED that Theresa L. Cummins is hereby appointed Administrator/Clerk Treasurer until the end of the 1995-1996 official Village year.

Unanimously carried.

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ON MOTION by Mayor Daniels, seconded by Trustee Piazza the following resolution was presented:

RESOLVED THAT the following annual appointments for the 1994-1995 official year were presented:

Village Attorney	Patrick M. Kelly
Acting Village Justice	Richard Czechowicz
Registrar of Vital Statistics	Theresa L. Cummins
Deputy Registrar of Vital Statistics	Elaine Smith-Honan
Deputy Village Clerk	Elaine Smith-Honan
Deputy Treasurer	Sally Kuzon
Collector of Taxes & Assessments	Theresa L. Cummins
Historian	Williamsville Historical Society
Prosecutor	Glenn Murray

Mr. Troy questioned Trustee Hillebrand as to whether he had received a copy of the opinion of the Village Attorney which had been mailed to all the Trustees last Friday?

Trustee Hillebrand stated no.

Mr. Troy asked him if anyone told him the contents of his opinion and that if he votes for a new Village Attorney that in the opinion of the existing Village Attorney he will be subjecting himself to two separate lawsuits and will have to, on his own, defend at his own expense, and that he can involve himself in a situation of punitive damages which can be considerable money. Mr. Troy asked Trustee Hillebrand if he is aware of this fact.

Trustee Hillebrand stated he is aware there are lawsuits but not to the degree that Mr. Troy is explaining.

Mr. Troy stated he understands that this had not been explained to some of the other candidates for the Trustees position and he wants Trustee Hillebrand to be aware they will be against him personally and he will have to defend himself and arrange for his own counsel to defend himself, and Trustee Hillebrand is prepared to do that.

Trustee Hillebrand stated "yes". He then asked if he should read a copy of the letter.

Mr. Troy stated Administrator Cummins could supply him with a copy of the letter.

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Trustee Kaye stated Trustee Hillebrand should read the letter without question, in her opinion, this action is illegal. She has spoken at great length with John Galligan from the Conference of Mayors. She has shared that information with Trustee Piazza and left a message on Mayor Daniels machine which he did not return. Since the time Mayor Daniels met with Mr. Galligan he has conferred with State Civil Service and feels strongly that the present Village Attorney, Tom Troy, is an employee of the Village. He is not an officer of the Village and we have not been able to identify through a resolution or local law that the position of Village Attorney was even created as an officer. It is merely an employee and due to the fact that the present Village Attorney is a veteran who was discharged during wartime, he is covered under Section 85 of the Civil Service Code. The only way to remove him is through a disciplinary hearing. What John Galligan was very adamant about was that in removing the current Village Attorney, which the Mayor is moving forward, is depriving Mr. Troy of his constitutional rights. The fact that this resolution has come forward in past years during reorganization to reappoint the Village Attorney is merely a ceremonial exercise and nothing more than that. We do not, on a regular basis, reappoint an employee. Trustee Kaye thinks this is just horrendous, that without question, Mayor Daniels would move forward with this type of illegal activity, not only denying Mr. Troy his constitutional right but to promise someone a job in exchange for political activity. She realizes Mr. Hillebrand is the third candidate Mayor Daniels has had and when Dick Delo wouldn't vote the way you wanted him to vote he is no longer a candidate. Trustee Kaye stated Trustee Hillebrand should also be aware that Mr. Troy will be suing us but that when Tom Troy, as Village Attorney, wins, that we will not only have paid Mr. Kelly's salary as Village Attorney we will then have to go back and pay "back pay" for Mr. Troy, plus the legal fees. Trustee Kaye asked Mayor Daniels if he was aware that we would have to pay both of those salaries.

Mayor Daniels stated that in the event the case should so turn out, he is aware of that.

Trustee Kaye asked Mayor Daniels if he is prepared to put money in the budget for both the legal fees.

Mayor Daniels stated when Trustee Kaye is done making a statement, then he will make his own statement.

Trustee Kaye stated she is asking Mayor Daniels a question at this point.

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Mayor Daniels said he would answer those questions after Trustee Kaye is finished with her statements.

Trustee Kaye stated it is a simple question. Is Mayor Daniels prepared to put money into the budget for legal fees and for salary reimbursements.

Mayor Daniels asked Trustee Kaye if she was finished with her statement.

Trustee Kaye stated no. She just wants to state her position that she feels this kind of vote to remove the present Village Attorney is clearly depriving him his constitutional rights, she has researched it well. The cases that Patrick Kelly put forward to the Conference of Mayors are clearly not applicable in this situation and that has been confirmed by the State Civil Service. In terms of accepting the free legal counsel which Patrick Kelly has offered in conjunction with his friend who has offered to advise the Village, Trustee Kaye has serious problems with the ethics of that. She will file a letter with the Erie County and State Bar Association Ethics Committee regarding that offer. She has had an informal conversation with a representative of the NY State Ethics Commission and she has been advised that this is very questionable in terms of the ethics of it. She wants to be on the record about that as well.

Trustee Lowther echoed what Trustee Kaye has said. She knows that Trustee Kaye has done a lot of research and Trustee Lowther has also done a lot of research within the last week. She can't see how we can move forward with this. She is really surprised, that after all the information that everyone has received and the research she is assuming everyone has done on this question, that anyone would want to go ahead and vote in favor of this at this point without having good legal grounds to stand on.

Mayor Daniels stated he guesses he will have to start at the beginning and historically sum up what has happened. The interest from Patrick Kelly in becoming Village Attorney, goes back three years, now. At that point, it was not Mayor Daniels' opinion that he had the experience necessary to do the proper job for the Village. Everything we do here as a Board should really have the consideration of the residents who are taxpayers and homeowners in this Village and we have the responsibility to administer that budget in the most economic and service oriented way that we possibly can. Last year again, even with the one year experience, Mayor Daniels did not feel Mr. Kelly was ready even though he had done some very good things for us especially in realm of insurance. It is a matter of record that he was able to save us

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about \$40,000.00 a year on Municipal Insurance, something up until that point had never been questioned for all of these years, even though, the amount we were paying in municipal insurance was exorbitant and there was no reason for it. He was able to get us at least five times the coverage for at least \$40,000.00 less. It was never questioned prior to then. That was the first point, that Mayor Daniels felt was very much in his favor. After three years of working with the Building Department and Planning Board and all the meetings that are involved in running the Village, Mayor Daniels has confidence that Mr. Kelly can administer his duties as Village Attorney with a good deal of experience and knowledge. Although he does not always agree with Mr. Kelly and he certainly just personally doesn't even count him as a particularly good friend, Mayor Daniels does admire his ability in this field. That led him, based on his obligation to the Village as far as carrying of the functions out for the taxpayers, to move his name at this point.

Mayor Daniels was asked by the press why he hadn't waited another year to do this and tie it into an election. Had he been a purely political person this might have occurred three years ago when he first became Mayor, but that is not in the best interest of the Village. From his standpoint of a third year, going into a fourth year Mayor, this is the last chance he will have to run a reorganization meeting. Whether he runs is a very moot point and it is very much up in the air and he would not have an opportunity to do next year, what he is doing this year and he fully feels he is doing the correct thing. So, his response to the reporter from the News was that he has this opportunity which he would not have next year. He was misinterpreted to say he didn't feel he had the votes required to make the change next year. The real statement was, lacking the fact Mayor Daniels might not be here next year, this was his opportunity in his last year to accomplish the remaining things he had promised himself that he would do during his administration. He must say that we have done a lot during these past three years and if you look at the positive changes, there is nothing to be ashamed of but he is very frustrated at the slowness of some of the issues that he wants to get done in his last year.

As far as the legal and technical grounds for this change go, Mayor Daniels has done research as well when he visited Albany. In his personal conversation with John Galligan, Trustee Piazza and Mayor Daniels sat with Mr. Galligan for 1 1/2 to 2 hours and reviewed the whole issue. To say that Mayor Daniels is not well versed in this issue is not fair. At that time, they received a couple of court cases from Mr. Galligan in addition to the original Pinkus decision. In leaving his office, he stated that these were

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his opinions but that he is not an attorney and that our final decision rests in our local Civil Service. He suggested that we call Richard Slisz, who is head of Civil Service in Erie County. Mayor Daniels did call Mr. Slisz and in Mayor Daniels' conversation with him, he said he would have to research it and get back to Mayor Daniels. Mr. Slisz called the NY State Civil Service and talked to a Civil Service Attorney. Mr. Slisz reported to Mayor Daniels that he could replace the Village Attorney. Mayor Daniels feels confident in what Mr. Slisz told him, it was possible to do and he also advised Mayor Daniels that he would have some political flack to withstand when this would occur. People will call and pressure will be exerted. Mayor Daniels feels it is worth the discomfort but he is not naive enough to think that anyone ever thanks you for anything you have done positively. They are only going to remember the negatives or when something goes wrong. That's when they will call you. Very few people will thank you along the way. You have to accept that; Mayor Daniels accepts that criticism. He takes it in light of the research he has done in this case and feels confident they are not acting in an illegal manner. He believes the absence of any clear cut court cases and the absence of any decisions relative to this matter, point to the fact they probably did not get very far in the court system or there would be many cases since there are 550 villages in the State with hundreds of years of traditions and appointments to fall back on. Why there is such a small group of cases, and some don't even directly apply that we have been given, leads me to believe that there are very few grounds.

The other thing is that we are not arguing a fact that he is not an official of the Village. We agree that he is an employee of the Village and Mayor Daniels' belief that his "Exempt" status from Civil Service applies only to the year in which he was appointed; that is, if we were going to try and oust during the year, say in October or July, then this would be the subject of a hearing. However, during reorganization, he serves at the pleasure of the Board and it is Mayor Daniels' belief that at that point there is an opportunity to appoint a new person. If by some chance Mayor Daniels is wrong in that point, he thinks it is a shame that someone who is appointed in "X" year, because of military service, is there forever. He cannot believe that someone who was released in 1946 from the service and gets appointed to a post of Village Attorney can be there until he is 212 years old, if he lives that long because there is no way you can get rid of him. Mayor Daniels is basing that on just a feeling he has that there is something inherently wrong with that.

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Mr. Troy stated no one is saying he is there forever. They are saying the person is there until he is removed for misconduct or no impropriety, then he is there for as long as he wants to sit there.

Trustee Kaye stated that is the same as for any other employee. She said she also spoke to the local Civil Service office.

Mayor Daniels said he is not going to argue this case because this is the subject for attorneys in a Court to decide.

Trustee Kaye said, she wants to be clear for the record, that she did speak to the local Civil Service people after Mayor Daniels spoke to them and what she was told was it was not within their realm of ability to give the opinion whether or not the Village Attorney could be removed. The only question they could really answer was "Did he have exempt status under the Civil Service and the question remained with the Village whether or not he was an officer or an employee". If he is an employee then he is entitled to the exempt status. If he is an officer in a Town or a County and when she spoke again to Mr. Galligan, he said that initially the local Civil Service people were confused in terms of what question Mayor Daniels was really asking and the answer remained that this is not really an annual appointment, it is simply a ceremonial exercise that happens that gets municipalities into this type of problem situation that we are in now.

Mr. Troy can only repeat that his experience is exactly the same as Trustee Kaye's. He met personally with Mr. Slisz and Kevin Loas. He spoke at length with John Galligan and everything that Trustee Kaye says verifies what Mr. Troy has determined. He believes that Mayor Daniels has misunderstood the nature and character of what these men have been telling him. That is the reason Mr. Troy gave them his opinion and mailed it to their home so they would have it over the weekend. However, some Board members seem to misunderstand entirely and there is nothing to be said, at this point.

Mayor Daniels said this is something that we are not going to come to any conclusion here and if Mr. Troy so chooses will be brought to some sort of issue that will go into the courts.

Mr. Troy said it is his intention to do so. That is why he thinks Trustee Kaye's question is very relevant and Mayor Daniels has not answered it.

Mayor Daniels said his answer is it is his hope, for the good of the Village, this isn't brought to a court which will bring extra added expense to the Village we all live in.

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Trustee Kaye asked Mayor Daniels if he will be willing to put money into the budget to provide for legal fees and the back salary for Attorney Troy?

Mayor Daniels stated he cannot act unilaterally in this. This would be a subject of discussion for the Village Board.

Trustee Kaye asked it was Mayor Daniels intention to vote for or against putting moneys into the budget?

Mayor Daniels stated he didn't know what kind of money we were talking about.

Trustee Kaye stated "some kind of money". She didn't know how much but she asked if it was Mayor Daniels intention to put money into the budget to cover it.

Mayor Daniels stated he didn't know. Would Trustee Kaye be willing to put \$6,000,000.00 into the budget? Would she be willing to put \$20.00 into a budget? She must be specific. There is no "clearly" that it would ever happen and there is no "clearly" as to the amount. He cannot conjecture on something that is an unidentified number.

Trustee Kaye said she guesses she is asking Mayor Daniels as to his level of fiscal responsibility in the fact that we are now facing a lawsuit.

Mayor Daniels stated if he had told Trustee Kaye that fighting Centerpointe was going to cost \$100,000.00 would she have voted for the \$100,000.00?

Trustee Kaye commented that clearly this is not the topic right now. She is waiting for an answer to her question.

Mayor Daniels stated Trustee Kaye was talking about a lawsuit and if the Village should contribute to fight it. Historically we have done that, have we not, and was that not a subject for discussion for the whole Village Board.

Trustee Kaye's question is to Mayor Daniels as an individual and a Mayor.

Mayor Daniels stated he will not answer that because she is not giving him enough information.

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Trustee Kaye said that is his choice.

Trustee Lowther asked if our insurance policy will cover the Village under the Errors and Omissions policy? Or is this not considered an Error or Omission if it is voted on by a majority of the Village Board.

Administrator Cummins stated she tried contacting the insurance company today to ask that question, Neil Frank was out of town and she was not able to speak with the other person in the office who is aware of our policies. They are to call back tomorrow so we don't have an answer for that right now.

Mr. Troy stated that at this point it is probably appropriate for him to retire from the room but before that he would like to thank all the people he has worked with for all these years particularly the Village Administrator who has been a wonderful support, the members of the Village Board and all the rest of the Village employees and the faithful attenders at the Village Board meetings. It has been a great experience for him and he does expect to be back very soon. He hopes we will all be patient because he will be back. As Douglas MacArthur said when he withdrew Bataan "I shall return" Thank you.

At this point Mr. Troy left the meeting.

Mayor Daniels asked for a roll call vote on the Village Attorney:

Trustee Kaye - No
Trustee Piazza - Because he believes it is a legal move - Yes
Trustee Lowther - No
Trustee Hillebrand - Yes
Mayor Daniels - Yes

Motion carried.

Mayor Daniels asked Mr. Kelly to take his seat as the Village Attorney.

Mayor Daniels asked if there were any comments in any of the other appointments. Since there were no comments or questions, those appointments were unanimously carried.

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

RESOLVED THAT the following annual appointments are hereby made for the 1994 - 1995 official Village year:

MAYOR DANIELS

1. Historical Preservation
2. Beautification
3. Insurance

TRUSTEE KAYE

1. Fire
2. Youth & Recreation
3. Seniors
4. Court
5. Recycling

TRUSTEE HILLEBRAND

1. Planning Board
2. Building Department
3. Environmental

TRUSTEE LOWTHER

1. Glen Park
2. Meeting House
3. Traffic & Safety
4. Old Home Days

TRUSTEE PIAZZA

1. Local Government Advisory
2. Parks Committee
3. DPW

Trustee Kaye asked why Mayor Daniels had chosen to appoint Trustee Hillebrand as liaison to the Building Department. She has had lengthy conversations about her retaining that position.

Mayor Daniels stated he was not aware of that but he did have a conversation with someone requesting a change.

Trustee Kaye asked who that person was. Mayor Daniels stated he would rather not tell her in public but would tell her later in private.

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Trustee Kaye said she is very disappointed that she will not be keeping the Building Department since David Sutton had asked if she would remain as liaison to the Building Department.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED THAT the Regular Board Meetings of the Village of Williamsville Board of Trustees will be held at 7:30 p.m. on the second and fourth Mondays of each month, except for July and August, when the regular meetings will be held on the fourth Monday, in the Williamsville Village Hall, 5565 Main Street. Pre-meeting discussions to be held at 6:00 p.m.

Unanimously carried.

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

RESOLVED THAT the Amherst Bee is hereby designated the official newspaper for the Village of Williamsville for the 1994-1995 official Village year.

Unanimously carried.

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

RESOLVED THAT the reimbursement rate for the authorized use of private motor vehicles for Village business is twenty-four cents (24c) per mile.

Unanimously carried.

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

RESOLVED THAT the following depositories are designated by this Board of Trustees as the banks of deposit for the Village of Williamsville and all monies received by the Treasurer and Clerk of the Village of Williamsville:

Manufacturers and Traders Trust Co.
Marine Midland Bank NA
Fleet Bank
Citibank New York State NA
Key Banks
Chemical Bank
Chase Lincoln First Bank NA

Unanimously carried.

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

RESOLVED THAT the Village Board, officials, department heads and employees are hereby authorized to attend various official meetings within Erie County and the expenses to be paid by the Village.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following investment policy was hereby adopted:

RESOLVED THAT the Village of Williamsville hereby adopts the following investment policy:

INVESTMENT POLICY
FOR VILLAGE OF WILLIAMSVILLE

I. SCOPE

This investment policy applies to all moneys and other financial resources available for investment on its own behalf or on behalf of any other entity or individual.

II. OBJECTIVES

The primary objectives of the local government's investment activities are, in priority order,

- * to conform with all applicable federal, state and other legal requirements (legal);
- * to adequately safeguard principal (safety);
- * to provide sufficient liquidity to meet all operating requirements (liquidity); and
- * to obtain a reasonable rate of return (yield).

III. DELEGATION OF AUTHORITY

The governing board's responsibility for administration of the investment program is delegated to the Administrator/Clerk-Treasurer who shall establish written procedures for the operation of the investment program consistent with these investment guidelines. Such procedures shall include an adequate internal control structure to provide a satisfactory level of accountability based on a data base or records incorporating description and amounts of investments, transaction dates, and other relevant information and regulate the activities of subordinate employees.

IV. PRUDENCE

All participants in the investment process shall seek to act responsibly as custodians of the public trust and shall avoid any transaction that might impair public confidence in the Village of Williamsville to govern effectively.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of the principal as well as the probable income to be derived.

All participants involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

V. DIVERSIFICATION

It is the policy of the Village of Williamsville to diversify its deposits and investments by financial institution, by investment instrument, and by maturity scheduling.

VI. INTERNAL CONTROLS

The Administrator/Clerk-Treasurer is responsible for establishing and maintaining an internal control structure to provide reasonable, but not absolute, assurance that deposits and investments are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorization and recorded properly, and are managed in compliance with applicable laws and regulations.

VII. DESIGNATION OF DEPOSITARIES

The banks and trust companies authorized for the deposit of monies up to the maximum amounts are:

<u>Depository Name</u>	<u>Maximum Amount</u>	<u>Officer</u>
Fleet Bank	\$ 1,000,000	Thomas Klubek
Marine Midland Bank	100,000	Jeremiah Whalen
Manufacturers & Traders Trust Company	500,000	Nancy Grillo
Key Bank	500,000	Thomas Leous
Chase Manhattan Bank, NA	500,000	Marilou Powers
Chemical Bank	200,000	Frederick M. Vosburgh

VIII. COLLATERALIZING OF DEPOSITS

In accordance with the provisions of General Municipal Law, §10, all deposits of the Village of Williamsville, including certificates of deposit and special time deposits, in excess of the amount insured under the provisions of the Federal Deposit Insurance Act shall be secured:

1. By a pledge of "eligible securities" with an aggregate "market value" as provided by GML §10, equal to the aggregate amount of deposits from the categories designated in Appendix A to the policy.
2. By an eligible "irrevocable letter of credit" issued by a qualified bank other than the bank with the deposits in favor of the government for a term not to exceed 90 days with an aggregate value equal to 140% of the aggregate amount of deposits and the agreed upon interest, if any. A qualified bank is one whose commercial paper and other unsecured short-term debt obligations are rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization or by a bank that is in compliance with applicable federal minimum risk-based capital requirements.

3. By an eligible surety bond payable to the government for an amount at least equal to 100% of the aggregate amount of deposits and the agreed upon interest, if any, executed by an insurance company authorized to do business in New York State, whose claims-paying ability is rated in the highest rating category by at least two nationally recognized statistical rating organizations.

IX. SAFEKEEPING AND COLLATERALIZATION

Eligible securities used for collateralizing deposits shall be held by the depository and/or a third party bank or trust company subject to security and custodial agreements.

The security agreement shall provide that eligible securities are being pledged to secure local government deposits together with agreed upon interest, if any, and any costs or expenses arising out of the collection of such deposits upon default. It shall also provide the conditions under which the securities may be sold, presented for payment, substituted or released and the events which will enable the local government to exercise its rights against the pledged securities. In the event that the securities are not registered or inscribed in the name of the local government, such securities shall be delivered in a form suitable for transfer or with an assignment in blank to the Village of Williamsville or its custodial bank.

The custodial agreement shall provide that securities held by the bank or trust company, or agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, commingled with or become part of the backing for any other deposit or other liabilities. The agreement should also describe that the custodian shall confirm the receipt, substitution or release of the securities. The agreement shall provide for the frequency of revaluation of eligible securities and for the substitution of securities when a change in the rating of a security may cause ineligibility. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

X. PERMITTED INVESTMENTS

As authorized by General Municipal Law, §11, the Village of Williamsville authorizes the Administrator/Clerk-Treasurer to invest moneys not required for immediate expenditure for terms not to exceed its projected cash flow needs in the following types of investments:

- * Special time deposit accounts;
- * Certificates of deposit;

- * Obligations of the United States of America;
- * Obligations guaranteed by agencies of the United States of America where the payment of principal and interest are guaranteed by the United States of America;
- * Obligations of the State of New York
- * Obligations issued pursuant to LFL §24.00 or 25.00 (with approval of the State Comptroller) by any municipality, school district or district corporation other than the Village of Williamsville.
- * Obligations of public authorities, public housing authorities, urban renewal agencies and industrial development agencies where the general State statutes governing such entities or whose specific enabling legislation authorizes such investments.
- * Certificates of Participation (COPs) issued pursuant to GML §109-b.
- * Obligations of this local government, but only with any moneys in a reserve fund established pursuant to GML §§6-c, 6-d, 6-e, 6-g, 6-h, 6-j, 6-k, 6-l, 6-m, or 6-n.

All investment obligations shall be payable or redeemable at the option of the Village of Williamsville within such times as the proceeds will be needed to meet expenditures for purposes for which the moneys were provided and, in the case of obligations purchased with the proceeds of bonds or notes, shall be payable or redeemable at the option of the Village of Williamsville within two years of the date of purchase.

XI. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

The Village of Williamsville shall maintain a list of financial institutions and dealers approved for investment purposes and establish appropriate limits to the amount of investments which can be made with each financial institution or dealer. All financial institutions with which the local government conducts business must be credit worthy. Banks shall provide their most recent Consolidated Report of Condition (Call Report) at the request of the Village of Williamsville. Security dealers not affiliated with a bank shall be required to be classified as reporting dealers affiliated with the New York Federal Reserve Bank, as primary dealers. The Administrator/Clerk-Treasurer is responsible for evaluating the financial position and maintaining a listing of proposed depositaries, trading partners and custodians. Such listing shall be evaluated at least annually.

XII. PURCHASE OF INVESTMENTS

The Administrator/Clerk-Treasurer is authorized to contract for the purchase of investments:

1. Directly, including through a repurchase agreement, from an authorized trading partner.
2. By participation in a cooperative investment program with another authorized governmental entity pursuant to Article 5G of the General Municipal Law where such program meets all the requirements set forth in the Office of the State Comptroller Opinion No. 88-46, and the specific program has been authorized by the governing board.
3. By utilizing an ongoing investment program with an authorized trading partner pursuant to a contract authorized by the governing board.

All purchased obligations, unless registered or inscribed in the name of the local government, shall be purchased through, delivered to and held in the custody of a bank or trust company. Such obligations shall be purchased, sold or presented for redemption or payment by such bank or trust company only in accordance with prior written authorization from the officer authorized to make the investment. All such transactions shall be confirmed in writing to the Village of Williamsville by the bank or trust company. Any obligation held in the custody of a bank or trust company shall be held pursuant to a written custodial agreement as described in General Municipal Law, §10.

The custodial agreement shall provide that securities held by the bank or trust company, as agent of and custodian for, the local government, will be kept separate and apart from the general assets of the custodial bank or trust company and will not, in any circumstances, be commingled with or become part of the backing for any other deposit or other liabilities. The agreement shall describe how the custodian shall confirm the receipt and release of the securities. Such agreement shall include all provisions necessary to provide the local government a perfected interest in the securities.

XIII. REPURCHASE AGREEMENTS

Repurchase agreements are authorized subject to the following restrictions:

- * All repurchase agreements must be entered into subject to a Master Repurchase Agreement.
- * Trading partners are limited to banks or trust companies authorized to do business in New York State and primary reporting dealers.

- * Obligations shall be limited to obligations of the United States of America and obligations guaranteed by agencies of the United States of America.
- * No substitution of securities will be allowed.
- * The custodian shall be a party other than the trading partner.

APPENDIX A

Schedule of Eligible Securities

_____ (i) Obligations issued, or fully insured or guaranteed as to the payment of principal and interest, by the United States of America, an agency thereof or a United States government sponsored corporation.

_____ (ii) Obligations issued or fully guaranteed by the International Bank for Reconstruction and Development the Inter-American Development Bank, the Asian Development Bank, and the African Development Bank.

_____ (iii) Obligations partially insured or guaranteed by any agency of the United States of America, at a proportion of the Market Value of the obligation that represents the amount of the insurance or guaranty.

_____ (iv) Obligations issued or fully insured or guaranteed by the State of New York, obligations issued by a municipal corporation, school district or district corporation of such State or obligations of any public benefit corporation which under a specific State statute may be accepted as security for deposit of public moneys.

_____ (v) Obligations issued by states (other than the State of New York) of the United States rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (vi) Obligations of Puerto Rico rated in one of the three highest rating categories by a least one nationally recognized statistical rating organization.

_____ (vii) Obligations of counties, cities and other governmental entities of a state other than the State of New York having the power to levy taxes that are backed by the full faith and credit of such governmental entity and rated in one of the three highest rating categories by at least one nationally recognized statistical rating organization.

_____ (viii) Obligations of domestic corporations rated in one of the two highest rating categories by at least one nationally recognized statistical rating organization.

APPENDIX A CONT'D.

- _____ (ix) Any mortgage related securities, as defined in the Securities Exchange Act of 1934, as amended, which may be purchased by banks under the limitations established by bank regulatory agencies.

- _____ (x) Commercial paper and bankers' acceptances issued by a bank, other than the Bank, rated in the highest short term category by at least one nationally recognized statistical rating organization and having maturities of not longer than 60 days from the date they are pledged.

- _____ (xi) Zero coupon obligations of the United States government marketed as "Treasury strips".

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

RESOLVED THAT the following residents are hereby appointed to the Planning/Architectural Review Board until the end of the 1996-1997 official Village year:

- 1. Douglas Adema 185 Oakgrove Drive
- 2. Trey Measer 90 S. Ellicott Street

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED that Douglas Adema is hereby designated Chairman of the Planning & Architectural Review Board until the end of the 1994-1995 official Village year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED THAT the following resident is hereby appointed to the Zoning Board of Appeals until the end of the 1998-1999 official Village year:

- 1. Michael Kibby 97 Los Robles

Unanimously carried.

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

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

RESOLVED that Daniel Chase is hereby designated Chairman of the Zoning Board of Appeals until the end of the 1996-1997 official Village year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Parks Committee until the end of the 1994 - 1995 official Village year:

- | | |
|-----------------------|-----------------------|
| 1. Cathy Measer | 90 S. Ellicott St. |
| 2. Joseph Frese | 275 Mill Street |
| 3. Evelyn Frese | 275 Mill Street |
| 4. Mary Ann Piazza | 186 N. Long Street |
| 5. Jonathan Guillaume | 127 Lehn Springs |
| 6. Louis Toth, Jr. | 246 Highland Drive |
| 7. Suzanne Valenti | 144 Canterbury Square |
| 8. Sharon Daniels | 100 N. Long Street |

Unanimously carried.

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

RESOLVED THAT Joseph Frese is hereby designated Chairman until the end of the 1994 - 1995 official Village year.

Unanimously carried.

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Traffic and Safety Committee until the end of the 1995 - 1996 official Village year:

- | | |
|---------------------|---------------------|
| 1. Douglas Sandburg | 81 Mill Street |
| 2. Rita Andrews | 128 S. Union Street |
| 3. Edwin Lavery | 90 N. Cayuga Street |
| 4. Harmon Whipple | 51 Garden Parkway |
| 5. Gary Van Dusen | 33 Hillcrest Drive |
| 6. Thomas McMahon | 9 Hillside Drive |

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED THAT Edwin Lavery is hereby designated as Fire Liaison until the end of the 1994 - 1995 official Village year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Hillebrand the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Environmental Advisory Council until the end of the 1994 -1995 official Village year:

- | | |
|--------------------|-----------------------|
| 1. Frank Mischler, | 186 Evans Street |
| 2. Ruth Stroman, | 116 Eagle Street |
| 3. Richard Sweeney | 325 Mill Street |
| 4. Richard Swarts | 130 Cadman Drive |
| 5. Gladys Weller | 129 Mill Street |
| 6. Jeffrey Hahn | 99 N. Ellicott Street |
| 7. Molly Knibloe | 101 Garrison Road |

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

RESOLVED THAT Richard Sweeney is hereby designated Chairman until the end of the 1994 - 1995 official Village year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Local Government Advisory Board until the end of the 1994 -1995 official Village year.

- | | |
|--------------------------|----------------------|
| 1. Marina Woolcock, | 67 Hirschfield Drive |
| 2. Edward Rath III, | 125 S. Cayuga Road |
| 3. Donald A. Schueckler, | 124 S. Union Road |
| 4. Eric Alcott, | 46 Stanton Street |
| 5. Jean Duffy | 59 Wellington Court |
| 6. John Tamaro | 125 Los Robles |
| 7. Peter Galie | 22 Highland Drive |
| 8. Lois Idzak | 78 Pasadena Place |
| 9. Dennis Murphy | 227 Dan Troy |
| 10. Malcolm MacKay | 42 Arend Avenue |
| 11. Joanne MacKay | 42 Arend Avenue |
| 12. Walter Pacer | 87 Monroe Drive |

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Mary Lowther the following resolution was hereby adopted:

RESOLVED THAT Lois Idzak is hereby designated Chairperson until the end of the 1994 - 1995 official Village year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Youth and Recreation Committee until the end of the 1994 -1995 official Village year:

- | | |
|----------------------|-------------------|
| 1. Carol Lanphear, | 88 Highland Drive |
| 2. Rita Andrews, | 128 S. Union Road |
| 3. Linda Pacer, | 87 Monroe Drive |
| 4. Michele Giacobbe, | 90 Monroe Drive |
| 5. Thomas Lucia | 59 Pfohl Place |

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

- | | |
|-----------------------|-----------------------|
| 6. Patty Wanamaker, | 27 Franklin Street |
| 7. Valerie Sweetland | 214 Hirschfield Drive |
| 8. Peggy Coutlakis | 128 S. Union Road |
| 9. Richard Czechowicz | 29 Belmont Place |
| 10. Janet Schmidt | 48 Lafayette Blvd. |
| 11. Kathy Kelly | 120 Oakgrove Drive |

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT Carol Lanphear is hereby designated Chairperson for the 1994-1995 official Village year.

Unanimously carried.

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

RESOLVED THAT the following residents are hereby appointed to the Senior Citizens Committee until the end of the 1996 - 1997 official Village year:

- | | |
|--------------------|------------------------|
| 1. Rita Andrews | 128 S. Union |
| 2. Dolores Hitzges | 134 N. Ellicott Street |

Unanimously carried.

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

RESOLVED THAT the following residents are hereby appointed to the Glen Park Joint Board until the end of the 1995 - 1996 official Village year:

- | | |
|------------------|-----------------|
| 1. Joyce Troy | 71 Mill Street |
| 2. Joan Fishburn | 67 Blossomheath |

Unanimously carried.

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Beautification Committee until the end of the 1994 - 1995 official Village year:

- | | |
|----------------------|---------------------|
| 1. Mary Ann Piazza, | 186 N. Long Street |
| 2. Mary Ann Dudek, | 169 N. Long Street |
| 3. Phyllis Piazza, | 186 N. Long Street |
| 4. Sharon Daniels, | 117 Cadman Drive |
| 5. Patty Moslow, | 147 N. Long Street |
| 6. Joyce Brewer, | 145 N. Long Street |
| 7. Pamela DeVillier, | 356 Cadman Drive |
| 8. Deborah Habes, | 401 Cadman Drive |
| 9. Joan Deinhart, | 115 West Royal Pkwy |
| 10. Jean Duffy, | 59 Wellington Court |
| 12. Dale Bauer, | 387 Cadman Drive |
| 13. Betty Haykel, | 90 Oakgrove |

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT Jean Duffy is hereby designated Chairperson of the Beautification Committee until the end of the 1994-1995 official Village year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Meeting House Management Committee until the end of the 1994 - 1995 official Village year:

- | | |
|---------------------|--------------------|
| 1. Gartley Weller | 129 Mill Street |
| 2. Paul Sugg | 91 Highland Drive |
| 3. Carolyn Schlifke | 192 Evans Street |
| 4. Thomas Huestis | 70 Exeter Road |
| 5. Eleanor Master | 235 S. Forest Road |

Unanimously carried.

Minutes of the Reorganization Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, 5565 Main Street, Williamsville, New York on Monday, April 4, 1994 at 6:05 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED THAT the following residents are hereby appointed to the Historical Preservation Committee until the end of the 1994 - 1995 official Village year:

- | | |
|---------------------|-----------------------|
| 1. Ronald Daniels | 100 N. Long Street |
| 2. Pat Reidel, | 5801 Main Street |
| 3. Wesley Stone, | 33 N. Ellicott Street |
| 4. Gladys Weller, | 129 Mill Street |
| 5. Gartley Weller, | 129 Mill Street |
| 6. Kathleen Delaney | 50 Swan Place |

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution was hereby adopted:

RESOLVED THAT the Williamsville Historical Society is hereby appointed as the Historian until the end of the 1994 - 1995 official year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther the following resolution is hereby adopted:

RESOLVED THAT the firm of L. R. Frank Associates, Inc. is hereby appointed as the Insurance Broker of Record until the end of the 1994 - 1995 official year.

Unanimously carried.

Mayor Daniels announced that Basil Piazza will be Deputy Mayor for the 1994 - 1995 official Village year.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the meeting was adjourned at 7:15 P.M.

Theresa L. Cummins
Administrator/Clerk-Treasurer