

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 28, 1994 at 7:34 P.M.**

*Present: Ronald Daniels Mayor  
Mary Lowther Trustees  
Basil Piazza  
Yvonne Kaye*

*Patrick Kelly, Village Attorney  
David Laubisch, Superintendent of Public Works  
Elaine Smith - Honan, Deputy Village Clerk*

*Absent Larry Hillebrand, Trustee  
Theresa L. Cummins, Village Administrator/Clerk-Treasurer*

*Also Present: Sherry Brink, Recording Secretary*

Deputy Clerk Honan read the notice of the public hearing being held by the Board of Trustees on Monday, November 28, 1994 at 7:30 p.m. for the purpose of hearing all persons interested in discussing a proposed local law which would amend Sections 103-16 and 103-17 of the Vehicle and Traffic Code and prohibit parking on the West Side of South Ellicott Street from Main Street to Park Drive between the hours of 7:00 A.M. to 5:00 P.M., Monday through Friday.

ON MOTION by Trustee Lowther, seconded by Trustee Piazza, it was moved to open the public hearing at 7:34 p.m.

Unanimously carried.

Trustee Lowther stated the public hearing is on a parking restriction that has been requested on the west side of South Ellicott Street by the residents who live on South Ellicott on the first block between Main Street and Park Drive. They presented a petition to the Board several weeks ago. Trustee Lowther read the heading of the minutes into the record. (Copy attached) It is signed by every person who owns a home on the block between Main Street and Park Drive.

Trustee Lowther stated the Board received a letter this week from the Village of Williamsville Business and Professional Association signed by Janet Lester, who is the president of the Association. Trustee Lowther read the letter in the record. (Copy attached)

Trustee Lowther also read a section from the Traffic and Safety Committee minutes. They reviewed this request and petition at their meeting of September 15th and after considerable amount of discussion, the minutes reflect this information. (Copy attached)

Paul Kreiter, 29 South Ellicott, stated he has a list of the residents of the street. He took the time today to talk to the people because of the inclimate weather to find out who was not coming to the public hearing. Mr. Kreiter had statements from each resident.

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They read as follows: "I will not be able to attend the public hearing on November 28, 1994 as a resident and homeowner on South Ellicott Street; however, I support the prohibition of parking on the west side of South Ellicott Street between Main Street and Park Drive between the hours of 7:00 a.m. and 5:00 p.m. Monday - Friday. The cars are parked on both sides of the street during these peak traffic hours. There is frequently not sufficient room for vehicles traveling in the opposite direction" to safely pass one another Signed Robert Nickles and Constantine, his wife. The following signatures are Beth Kreiter, Marilyn J., Allen, Barbara Wayne, Karen Hirsch and Richard Hirsch and Arnold Schmit, who is here, and his wife. .

Trustee Lowther stated she will include them with the information recorded during the public hearing.

Mr. Kreiter stated we, as the residents of South Ellicott understand the concerns of the businesses at whose life it is going to take when a child gets hurt on the street because of these cars passing. As we know, there are more businesses opening up in the area so, yes, there is going to be more traffic. Now recently they just striped the parking lot showing that there is a one-way traffic exit from Main Street through this parking lot that was just repaved and marked and dumping all the traffic now on to South Ellicott. We ask the Board to take all this into consideration that the right vote be entered because at the expense of somebody's life or an accident taking place and a child getting hurt, the playground is only a block away, he thinks he has that on his conscience as well as the Board's conscience. The Board's every thought and vote will be highly appreciated.

Arnold Schmidt, 25 South Ellicott, stated he looked at the map and it is a very fine map. His concern is that he lives on a piece of property that is residential. He doesn't want to solve the parking problems for commercial. Maybe the Board can. He is more concerned with public safety.

Maryanne Avery, 64 Garrison Road, stated she lives very close to this parking area. It goes between the block between Park Drive and Main Street. She goes through there all the time with her bicycle. She has never seen it full. She agrees with Mr. Kreiter. She doesn't know who owns all this stuff but it seems to her, that they have a lot of space there that they could utilize a lot better than what they are doing now. She would suggest they see what happens when Pitt Petrie comes in and how much aggravation they have. If they have an extreme amount of aggravation, then maybe the Board ought to consider it instead of doing it now, or is it the other way around. You can park there now?

Trustee Lowther stated they can park now on the west side of the street. There's been restricted parking on the east side for a long time.

Ms. Avery stated it is terrible that the cars on Park Drive really can't pass each other. She goes up and down there with her bicycle. Bikes do run into cars. You don't see it in the newspaper because it is generally a broken arm or something like that. She doesn't understand this parking area. You just never see it.

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You almost never see the one full in front of the hardware store unless it is Friday night and then it is the restaurant. Every hour, day and night, she never see the parking lot full and they are constantly screaming about it. She doesn't understand. She knows people are very impatient today. If they don't find something right away, they get mad. She guesses that is what it is. They don't want to go around the block once. She doesn't know. She can't see it. She can agree with him because she doesn't want to see parking up on her block because the same thing could happen to her. Her father has a screaming fit if anyone parks in front of her house. She can understand it. We have to consider residents too. After all, they are the ones paying the taxes. Businesses come and go. The residents stay here and pay the taxes and contribute to the community and that kind of stuff. She said the same thing she said to the Town, consider the residents first.

Bob Kreiter, 26 Monroe, stated he is curious, Trustee Hillebrand made a comment on the 14th on the intrusion of commercial businesses in residential areas, how can a man buy a building and put through all the proposals through the Planning Department and say this is the amount of space I have and this is the amount of traffic I plan to generate and be allowed to go there if he doesn't have a parking lot. Can he do that?

Trustee Lowther asked if Mr. Kreiter is referring specifically to the business at the corner of South Ellicott.

Mr. Kreiter stated he is referring to Pitt Petrie. They don't even use a lot. He notice that not only on this particular street but there are people who are working there now who are parked not only in front of Garrison Park but the last week he observed a couple trucks parked across the sidewalk in Garrison Park. So the question is, how can they be permitted to operate in the Village if they don't have enough parking to begin with? Why would that be?

Trustee Lowther stated because there was no change of zoning or change of use so they are not required to come before the Planning Board to request any new permit. It is a commercially zoned property still being used for the same purposes it was previously. There has been no change. It is a retail commercial establishment. If they wanted to change into a doctor's office, they would have to come in front and comply with certain requirements including different parking restrictions. There has been no change so they are not required to as that.

Mr. Kreiter stated he recalls there was some time in the spring, there was some controversy about the place that was directly opposite, there was an attorney firm and insurance firm there. He has gone by there numerous times since last meeting, nobody parks in that lot.

Mayor Daniels stated it wasn't regarding parking, it regarding a roof line.

Mr. Kreiter stated they contribute to it, they don't even use the lot, can't that be enforced?

Trustee Lowther stated it is private property. You can't make people park there.

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Mr. Kreiter asked so if he has a business and he has a lot for parking, he doesn't have to use it, is that it?

Trustee Lowther stated no.

Mr. Kreiter asked if the Board can force him to use that lot.

Trustee Lowther stated no, no more than she could force Mr. Kreiter to use his driveway.

Mr. Kreiter asked so he has a commercial business even though he has a parking lot, he can park on a residential street?

Trustee Lowther stated right, he has sufficient parking in the parking lot and he can park anywhere he wants to. These are public roads.

Trustee Piazza asked how many parking spots are we talking on that stretch of street?

Mr. Paul Kreiter stated there are three houses. There are at least five spaces plus the two that are in front of his house. Since we have brought this up to the Board and the Safety and Planning Committee, now anybody who parks in front of his house gets a parking ticket because his stretch of property is maybe 45' wide on South Ellicott and 100 something on Park. He lives on the corner and there is a stop sign there so 30' back from the stop sign to his driveway, anybody who parks in front of his house now, because it is a Village ordinance, gets a ticket. There are seven spaces not including his.

Trustee Lowther asked if two could park in front of his house.

Mr. Kreiter stated people can't now because it is a State ordinance

Trustee Piazza asked if that is ideally, is that correct? If they all park correctly, you could put all seven in there?

Trustee Lowther stated there are seven usable spaces.

Trustee Piazza asked if anyone had any idea of what cars are parking there. Are the cars parking there the cars that stay there for the full business day. Is it the same car all day in each space?

Mr. Schmit stated typically employees, not specifically, typically is not universally. Parking is all day the same car.

Trustee Kaye asked if Mr. Schmit happened to see where that person goes to when they get out of the car.

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Mr. Schmit stated once there was a car about 2/3 across his driveway and he couldn't get out. He had a dental appointment. He called the police. He doesn't care about the ticket. He just wanted the policeman to find the owner and move the car. The officer came and couldn't be nicer. There was a guy who prepared food at a deli and was asked to move it and he did. Typically it is all day, the same car and they are the people who work there. He could speculate and say maybe they are telling the employees to park there to leave some spaces to fill up with parking. That's not fact. That is pure speculation on his part. But they are not customers who park in front of his house. He knows they are people who work in these place. He knows they have to park some place. For forty years he worked for one company and there was a place to park and there were rules and that was it. We didn't park down the street.

Trustee Piazza asked if two-hour parking solve the problem, rather than no parking? He is not sure what the answer is.

Trustee Lowther stated it is possible it would. But the one concern is people tend to block driveways. The other concern is you can't get at the leaves with a car parked in front of your house. She really thinks that perhaps the Board should discuss what direction we want to go into. She brought forward the public hearing this evening based on the petition she received from the residents requesting no parking at all. She thinks the Board needs to examine that question as a group, if the Board, as a group, are not comfortable with that, then we need to go ahead and talk about alternatives.

Trustee Piazza stated he thinks it should at least be explored.

Trustee Lowther stated absolutely.

ON MOTION by Trustee Lowther, seconded by Trustee Piazza, it was moved to close the public hearing at 7:55 p.m.

Unanimously carried.

Elaine Honan  
Deputy Clerk

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Basil Piazza  
Yvonne Kaye*

*Patrick Kelly, Village Attorney  
Dave Laubisch, Superintendent of Public Works  
Elaine Smith Honan, Deputy Village Clerk*

*Absent: Larry Hillebrand, Trustee  
Theresa L. Cummins, Village Administrator/Clerk-Treasurer*

*Also Present: Sherry Brink, Recording Secretary*

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:33 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the regular meeting of the Board of Trustees held November 14, 1994 were approved.

Unanimously carried.

ON MOTION by Trustee Hillebrand, seconded by Trustee Piazza, it was moved to open a public hearing of the Board of Trustees regarding a proposed local law which would amend Sections 103-16 and 103-17 of the Vehicle and Traffic Code and prohibit parking on the West Side of South Ellicott Street from Main Street to Park Drive between the hours of 7:00 A.M. to 5:00 P.M., Monday through Friday. (The public hearing closed at 7:55 p.m.)

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$ 116,039.14 covering 11/10/94 - 11/23/94 were approved:

Payroll fund w/e 11/12/94	\$21,666.12
General fund	67,972.64
Water fund	14,186.61
Sewer fund	486.72
Glen Park	74.69
Trust & Agency fund	5,919.89
Capital	<u>5,732.47</u>
Grand Total	<u>\$116,039.14</u>

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Large Vouchers:

L.R. Frank & Associates	\$21,468.00
Dave Ball Chevrolet	18,928.00

Unanimously carried.

Trustee Kaye reported this upcoming Sunday, December 11th at 7:00 p.m. will be the annual Youth and Recreation Committee caroling event in Island Park. There will be cocoa served and a bonfire and caroling as always and she is sure an appearance from Santa.

Trustee Kaye stated on the meeting schedule December 13th is the Youth and Recreation Committee meeting. That has been canceled until the regularly scheduled January meeting.

Trustee Kaye reported the seniors will be meeting on December 7th here at 7:30 p.m., which is a combination of a November and a December meeting. They will be having their holiday luncheon on December 12th.

Trustee Kaye also reported the Fire Department has one additional opening for a fire fighter. She is appointing one individual this evening but there is another opening if anyone knows anyone that does have an interest in serving with Hutchinson Hose.

Trustee Kaye stated, as we have annually done for the past five years, we are setting up barrels for collecting non-perishable food items that will be collected here at Village Hall during the operation hours of 9:00 a.m. -5:00 p.m. We will be taking that to the University Food Pantry on 3330 Main Street which also services many of the Village, Williamsville and Amherst families.

Trustee Kaye reported the Town of Amherst will also be having a barrel here to collect hats, mittens and boots that will go to the Haven House and the YMCA downtown. Trustee Kaye thanked everyone for all donations in the past. All those donations help those in need this year as well. We will be making those donations to the appropriate agency on December 22nd. So if anyone wants to bring non-perishable foods or mittens and hats, if they bring them here to Village Hall or Town Hall, it would be greatly appreciated.

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

RESOLVED that the Board of Trustee acting as Commissioners of the Williamsville Fire Department hereby appoints Eric Jones, 28 Hillside Drive as a firefighter in the Williamsville Fire Department.

Unanimously carried.

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Trustee Lowther reported the Glen Park Joint Board will be meeting on December 6th in Town Hall at 7:30 p.m. for anyone who is interested.

Trustee Lowther stated she has requested that the DPW install the salt barrels along the side of Evans, at the hill, for the use of the residents if people get stuck on the street during the winter.

Trustee Lowther stated we received some communication to our Department of Public Works from Jim Smith at EMS Company. He is a traffic consultant for the Town of Amherst. They are going to be installing a signal at Essjay and Evans in the near future. She had called a question status on that and spoke to Paul Justin of the Town of Amherst and he had advised Trustee Lowther that the County has not yet extended a permit to put that signal in because of the concerns of the driveway directly north of Essjay that services a large apartment complex and there are many questions from the County that haven't been answered by the Town in order to have this installation of the signal to be approved. At this point it is on hold. We had a discussion during our work session about the Board's concerns of the signal installation. She will keep everyone updated on what is happening on that.

Trustee Lowther stated we also had a discussion of the College Park installation that is going in at the Wehrle/Youngs Road area. A large office park has a request for rezoning office space being made over there. The Trustees and the Mayor have been updating themselves with the Environmental Impact Study that has been given to the Board for the entire development. We have discussed drainage concerns as well as traffic concerns. Even though this development is not within the boundaries of the Village of Williamsville, the Board does have some distinct concerns that will impact the residents of the village and we want to work closely with the Town of Amherst to make sure these problems are addressed. Some things are resolved as a result of the questions that we have.. At the time of a public hearing on this development, that the Town will hold, there will be representation from the Board and we intend to have a written communication go to the Town that outlines our basic concerns on behalf of our residents.

Trustee Piazza reported the Parks Committee had a meeting but right now things are kind of slow. We did take in a certain amount of money this past summer from renting the pavilion and that came to close to \$7,000. We are going to do a little cost analysis in the near future to see if that income was enough to match the expenses that go into maintaining the park during the summer. Obviously some park expenses are not related to park use, for example, we know we are going to put up play equipment, cut the lawn and things of that nature but we are still going to take a closer look at that and see if we are pretty well meeting our expenses in that line.

Trustee Piazza reported the South Long Street playground area is finished. Volunteers were there a couple of Fridays in a row. The first time, a week prior to this past Friday, it got rained out and they came back this past Friday. Trustee Piazza worked with them with the wheel barrows and stuff and we did get 45 yards of wood chips into the playground area.

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He thanked the volunteer group, and we intend to thank them in writing, and the DPW for helping him put this together. It's now done, usable and it is safe and that is what we are concerned about there.

Trustee Piazza reported the Local Government Advisory Board was supposed to have a meeting this Wednesday. That has been canceled. Trustee Piazza did send a letter out to every Government Advisory Board member concerning the reasons for that. Things are kind of quiet. As far as the Government Advisory Board is concerned, at the moment, we now have our cable contract, the water question that they are looking at, that is the change over to Erie County Water Authority. It really needs more data and we are looking at that question again. Apparently, we received some more information from a gentleman from the State Self-Help group and Administrator Cummins is going to look at that information and analyze that data. We have more data to put together yet to continue to look at that question. That meeting will be canceled.

Trustee Kaye asked who was the volunteer group?

Trustee Piazza stated it was a group from the Mormon Church. There was a gentleman who also worked here at Village Hall.

Trustee Piazza stated his first resolution has to do with the monies to pay for the Cadman area project and the Main Street projects of this past summer, which have all been completed at this time.

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

RESOLVED that Serial Bond Resolution for Replacement of Hydrants, Water Valves and Branches on Main Street and Cadman Drive in the amount of \$205,000.00 is hereby adopted.

Unanimously carried.

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

RESOLVED that Serial Bond Resolution in the amount of \$56,000.00 for the purchase of a 1994 John Deere Model 544G Highlift is hereby adopted.

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Trustee Lowther commented about the question the State Controllors addressed the Village about purchasing items before we issue the bond resolution that we have addressed that and even though these two items have been completed before the serial bond resolution was in place, in the future that is not going to be happening, is that correct?

Trustee Piazza stated these two items have already been paid for and now we are going to bond the monies to go back into the General Fund

Trustee Lowther stated it is her understanding that when this happens, we shouldn't be doing it this way, we should be having a serial bond resolution and then going out for bids.

Trustee Piazza stated and then allowing the waiting period, yes.

Unanimously carried.

Trustee Piazza stated his third resolution involves the bond resolution for the purchase and installation of water meters. This does not actually authorize the funding. This is only authorizing the bonding for this. We still have to wait for a 30 day permissive referendum period after this.

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

RESOLVED that Serial Bond Resolution in the amount of \$310,000.00 for the purchase and installation of Water Meters is hereby adopted.

Unanimously carried.

Trustee Piazza stated his fourth resolution concerns the fact that we have to make some public information about the bond and the Amherst Bee as our official newspaper.

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

RESOLVED that the following resolution is hereby adopted:

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

Section 1. The Village Clerk of said Village of Williamsville shall, within ten (10) days after the adoption of the three foregoing bond resolution cause to be published, in full, in the "AMHERST BEE", a newspaper published in Buffalo, 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 and in each Village polling place, a Notice containing each of the bond resolutions.

Section 2. After said bond resolutions shall take effect, the Village Clerk is hereby directed to cause said bond resolutions to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publications, 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 Trustee Piazza, seconded by Trustee Kaye, it was moved to suspend the rules for an additional resolution not on the agenda.

Unanimously carried.

Trustee Piazza stated this resolution involves putting up some equipment to bid. Superintendent Laubisch did mention that we did put some other items of equipment out through the state bid and were quite successful at it. If the replacement item for this had come in soon enough, so we would had done the same with this one also but the particular item did not come in soon enough, so we had to put this one out on a separate bid.

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

RESOLVED that the Village Administrator is hereby authorized to advertise for sealed bids for the sale of one (1) 1986 GMC Dump Truck with plow, which has been determined to be surplus DPW equipment. The sealed bids will be opened on Tuesday, December 6, 1994 at 2:00 P.M. in the Village Administrator's office, 5565 Main Street, Williamsville, New York.

Trustee Lowther stated it is her understanding that the last time we had excess surplus equipment that we took it to auction out at the Erie County Fair ground. Does it happen twice a year or once a year?

Trustee Piazza stated it is an annual item.

Trustee Lowther asked if there was any advantage keeping this until that point.

Trustee Piazza stated if we have to store it, through the year it will probably deteriorate anyway.

Superintendent Laubisch stated the annual Erie County Western New York auction is held the second week of October. We are still in November. It would require almost a year's storage.

Trustee Lowther stated her comment then would be when we get to budget time and we start talking about additional purchases for the DPW large equipment next year, she would like to see us try and clump them.

Mr. Laubisch stated the factory was unable to deliver the vehicles in a timely fashion to the dealership for this distribution. We ordered this truck last March 25th so there is some time frame involved here and by all rights we should have taken the delivery of this truck probably sometime in July of 1994. We didn't take delivery of this truck until, in fact, it was our last regularly scheduled Board meeting, that day he went up to Syracuse, New York with another employee and picked the truck up and brought it back.

Trustee Lowther asked if it was just a manufacturing hang-up.

Mr. Laubisch stated right. It was because of the manufacturing backlog on the equipment.

Trustee Piazza stated if it hadn't been for several phone calls by Superintendent Laubisch to move it along, we still might not have it. Somehow the backlog kind of snowballed, literally.

Unanimously carried.

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

Unanimously carried.

Superintendent of Public Works, David Laubisch, reported around the second last week of October we commenced leaf pickup throughout the Village. We have completed each street in the Village three times. Some streets up to Eagle Street working east on the north side of Main Street towards Farber Lane have been picked up four times and by the end of this week every street will have been picked up four times. The same thing holds true for the south side of Main Street. The crews are over in the Monroe/Columbia Drive area and they will be working on Scott, Highland, Hirschfield and Cadman/Wehrle area for the next two or three days. Being that the bulk of the leaves have been picked up, he is tentatively scheduling December 9th as the last regularly scheduled leaf pickup throughout the Village. That is a week from this coming Friday. Thereafter, any material that residents need to have picked up must be containerized, bagged or in cans as prescribed in the Village trash ordinance. Everyone in the Village was mailed a copy of that this year. We also will be scheduling trash pickup beginning, weather permitting, December 8th and 9th. If any resident of the Village has any trash material to be picked up, it must be put out in accordance with our trash regulations. Residents can call the DPW office between 9:00 a.m. and 1:00 p.m. and arrange for a trash pickup, weather permitting. We do not have the forces to plow the snow and pick trash up curbside, but if we do arrange for a trash pickup as soon as the weather permits, we will be around to pick up material that is scheduled to pick up.

Mr. Laubisch reported starting tomorrow we will start putting up our Christmas decorations throughout the Village, that includes the pavilion in Island Park and Village Hall itself and along Main Street.

Mr. Laubisch reminded residents that there is no on-street parking between the hours of 1:00 a.m. - 7:00 a.m. This fall has been very mild. We have yet to plow the streets. The salt truck has been out once so far this year for about 2 1/2 hours so we have been very fortunate this year as far as plowing and salting. We have not expended the monies that we had at this time last year.

Trustee Lowther asked do we install the overnight no parking on Evans leading into the Village. Is it the Village's sign?

Mr. Laubisch stated it is the Town of Amherst's.

Trustee Lowther stated it is almost unreadable. It is a very bad, old sign that is hard to read.

Mr. Laubisch stated he will bring that point up.

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ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved to suspend the rules for the purpose of public participation.

Unanimously carried.

Jim Tricoli, 4 Columbia Drive, stated he has been writing a book since he retired basically on the politics of Williamsville. He has run into quite a few things that don't make too much sense so he decided to go to the source. One of the things was last year in July Mayor Daniels sold ice cream at the Amherst Museum. He did it as a private individual, not the Mayor of Williamsville. He went to the minutes and that is exactly what it say he did as a private contractor. Correct?

Mayor Daniels stated the Board is here to take residents comments. He is not here to be cross examined.

Mr. Tricoli stated okay, then it is correct. Mayor Daniels ordered 1,000 ice creams and sold 270 at \$2.00 a piece and it came to \$504.00. His total expenditures were \$1,330. He used the Town's tax number so he could pay tax on that material, he used the Town's insurance so if anyone got ill, the Town would be liable for millions of dollars. In 1993, there were 18,000 people who died from ice cream contamination. What happens is ice cream melts, it crystallizes, contamination sets in and the person dies. The minutes said 270 ice cream bars were sold which left Mayor Daniels with roughly 730 ice cream bars. Since it is against the law, United States Agricultural and Dairy Act, you cannot return ice cream back to the vendor so therefore Mr. Tricoli assumes Mayor Daniels just threw it away. Mayor Daniels is out roughly close to \$800.00 and by the minutes, Mayor Daniels paid for this by check but he made the donation to the Christian Academy of \$150.00 which is profit. Mr. Tricoli thinks it is interesting that when a person loses \$800.00, uses the Town tax number, uses the Town insurance in case anything happens and it is a private venture for Christian Academy which is part of the Chapel organization at the time which is a mixture of government, state and religion. It seems that the little things Mayor Daniels does to help people always turn out to be kind of bent very badly. Next time Mayor Daniels does that, we should use our insurance but it will cost us millions of dollars if people got sick, ill or died but he didn't mind that because he did it as an independent person. Mayor Daniels would pay his taxes of the product he bought instead of using the Mayor's tax number. These are things that a decent person does. He does a lot of research because he is writing a book and he wants to make sure he has his facts right. In Massachusetts, where Friendly's is located, Mr. Tricoli was down there recently and he happened to bump into some of the people who run the organization. Mr. Tricoli had a copy of the lease Mayor Daniels signed. He asked roughly, maybe he made a mistake somewhere along the way, they said Mayor Daniels did pay by check and he did lose money. Mr. Tricoli is confused.

Carolyn Schlifke, 192 Evans, stated in all due respect to Mr. Tricoli, she sits here through meetings and he constantly refers to this area where he lives as the Town. This is the Village of Williamsville. It has its own government. people should address it as the Village of Williamsville.

**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, November 28, 1994 at 7:33 P.M.**

Ms. Schlifke stated she happened to be at the Meeting House last evening to open and close for one of the church groups that is using the facility and the outside light at the rear door is not working. She doesn't know if it is just a bulb replacement and the globe is sitting on an angle so before it falls off, she doesn't know if somebody tried to vandalize it but she does think that if we have people using the Meeting House, that we should look into it. She would appreciate it.

Mr. Laubisch stated that light was replaced by Ray Schwartz approximately 1 1/2 weeks to 2 weeks ago.

Ms. Schlifke stated the globe is hanging over to one side. She doesn't know what caused it.

Mr. Laubisch stated it sounds like something might have struck the globe. We will look into that.

Ms. Schlifke stated the switch inside the church does not turn the light on so it's either the bulb or the fixture but the people that use the Meeting House do go in and out that rear door. Ms. Schlifke thanked Trustee Lowther for keeping her informed on what is happening with the signal on Evans and Essjay. They were out there doing some surveying and they have some blue markings on the sidewalk and the street. She doesn't know what it means but she is glad to hear that they are going to look into the Drexel Hill driveway because if there were a signal at that intersection, it would be almost impossible to exit that driveway. She had spoken to the owner of those apartments at one time and they were considering closing it and just having the other one. If they needed a separate emergency access, it wouldn't be very difficult for a fire truck to just pull in up the curb and over the grass.

Trustee Lowther stated she is very concerned about people riding north on Evans and signaling to pull into that first driveway and people on Essjay think that they are turning onto Essjay and it creates a problem.

Ms. Schlifke stated she is glad somebody has enough foresight to look into that.

Ms. Schlifke stated the last item she would like to bring up and it is unfortunate that Trustee Hillebrand is not here because he is the liaison to the Building Department, there was some discussion this evening about South Ellicott and Main Street. She was not too happy to see what they did to that building. There seems to be more and more of the brick buildings in the Village of Williamsville being painted and she thinks that the Village is losing a lot of its character by painting these brick buildings. She did speak to a member of the Planning Board and she asked whether or not that building had to go through architectural review. They really didn't change the building except the windows, making them smaller which is very energy efficient and closing some windows on the side of the building. There was quite a discussion about the fact that because of the age of the building, they could not match the brick. She could understand that but they didn't do any brick work on the front of the building.

**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, November 28, 1994 at 7:33 P.M.**

The bottom below the windows has been done in wood to shorten the length of the windows instead of having them come all the way down to the sidewalk to bring them up. Along the side of the building it look like, maybe, they are filling the windows in. She could understand where they wouldn't have matching brick to do that although there are other materials they could have perhaps used to cover those spaces without losing the effect of the brick or if it was necessary, could have painted the side of the building and maintained the face the way it was even if they painted the stone accents up at the top. She just thinks that something was lost in that building by allowing it to be painted. As she looks around the Village, she sees more and more of the brick buildings being painted. That's fine for now but if down the road somebody decides not to paint it, then you have a brick building with peeling paint. She doesn't know if Architectural Review looks into that or what their decision was based upon but she thinks a little more effort should have been made to maintain the appearance the way it has been for many years. They should have maintained the brick.

Mayor Daniels stated there are some areas which we cannot dictate to owners and it is unfortunate. One of the ways we can address it, that is a little stronger is through the preservations efforts through Historic Preservation and you can get preservation laws that have a little more teeth but if someone really wants to contest it, historically they have always won the suit where we have example after example in the Village. There was a color, what the Board feels was a poor color choice, on one of the buildings and it is a bright blue which certainly doesn't but there is nothing the Board can do legally to the owner of the building. It 's one of those things that, unfortunately, we cannot control. It's one of their rights as an owner. We are looking towards more historic preservation for the Village which will hopefully save a lot of this kind of thing and encourage the merchants and others in the community to keep what was there already, a historic effect which is very true to the original building.

Paul Kreiter, 29 South Ellicott, stated two weeks ago he brought to the Board's attention two trucks illegally stored on South Ellicott and he is bringing it to the Board's attention again. Since it wasn't brought up at this meeting and we seem to be moving pretty quickly, especially over his parking situation. He wants the Board to realize he is not going to let it die. Number 5 of the Williamsville Code, page 112 -21 states "It shall be unlawful for any owner or occupant of any premises to permit the placement or storage of any unlicensed, unregistered motor vehicle or any vehicle without a valid inspection sticker on the premises unless stored within a wholly enclosed building" His question, or observation of the two trucks that have been there that we stated on November 14th that it has been there maybe six to eleven years and they are certainly not going unnoticed. He is bringing them up now every two weeks. He would hope at the next meeting, two weeks from now, after a month of us bullshitting back and forth, that we do something about these.

Mayor Daniels stated we started a while ago on this, through the Building Department.

Mr. Kreiter asked if there is anything the Board could report to the residents that makes us believe that the Board is doing something about it.

**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, November 28, 1994 at 7:33 P.M.**

Trustee Kaye asked Attorney Kelly if he has had a compliance meeting dealing with this situation.

Attorney Kelly stated it is the first Friday of every month. One vehicle has been sold and will be gone shortly.

Trustee Kaye stated in the Compliance meeting they do have the Attorney, the Prosecutor, the Building Inspector and occasionally the Trustee there, which would be Trustee Hillebrand who is not here this evening. The first Friday of December it will be on the agenda?

Attorney Kelly stated yes.

Mr. Kreiter stated hopefully we can get rid of one truck and a second truck may be on its way. Unfortunately the truck that the residents are really concerned with is the red truck which used to be the Village of Williamsville Emergency truck that is storing a large tank of propane. That is 3 1/2' in diameter and 5' tall. That is also an illegal and in violation of the environmental code and he is sure the Village code if he could find it in the book. He hopes nothing happens between now and whenever that gets resolved but again, we are bringing it to the Board's attention because the longer it goes on- How long has it been Arnold?

Mr. Schmit stated about 15 years.

Mr. Kreiter stated he stands corrected by a more established neighbor of his. Could we ask for a report on that in the next two weeks or at the next meeting in two weeks? We seemed to get shuffled a little bit on the parking. When we started talking about it a month ago and first started bringing it to the Board's attention he said we really started in July but we had to wait until September before the Traffic and Safety Committee said okay, lets cut to the chase rap. What do we have to do to get this passed then, well, we have to go through this, coming up and making a presentation to the Trustees, which we have done, the second was to probably come to an open hearing and then we'll vote. He didn't hear the vote tonight.

Trustee Lowther stated we can't vote tonight.

Mayor Daniels stated we have to discuss it.

Mr. Kreiter stated he realizes that. He just hopes this doesn't turn into another cul-de-sac joke where we go on and on for six or seven months and everybody gets involved.

Trustee Kaye stated we already closed the public hearing in the cul-de-sac issue. We continued to keep the hearing open for additional comment. We did not do that this evening.

**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, November 28, 1994 at 7:33 P.M.**

Mr. Kreiter stated the roads will get narrower as it snows and the snow will get shoved up on the curb. The cars will park against the curb. The cars will then be snowed in by the plows going by so thus the road will become more narrow and narrower. We would appreciate the Board's attention to the matter quickly and expediently and resolve it so Paul can stay home on Monday nights and don't have to keep on facing the Board.

Trustee Piazza stated we don't mind.

Mr. Kreiter stated well, good. He thinks he's got a couple of pages he would like to read. What's that called, filibustering. We would all appreciate it. If you take a look at what we have been talking about tonight, he is in a win/win situation because now he finds people can't park in front of his house anyway. It is a violation of the law. This is not all for him, it's for his street. It is not against the businesses, it's for the children and the people of the community. Please take that into consideration.

Mr. Schmit stated maybe Mr. Laubisch might have a way to help him. He is in a tough situation. The lady next door called him. She has about 110' of solid wood fence. It belongs to a business property on Main Street. It's been rickety and ready to cave in and the wind today caught up with it. A couple of section fell on her driveway. Her husband is terminally ill. He came home from the hospital for Thanksgiving and he has to go back to the hospital tomorrow morning at 9:00 a.m.. Is there anything in the rights that people got to take care of their fences?

Mr. Laubisch stated if he understands Mr. Schmit correctly, this fence is the property of the business, it's not her property?

Mr. Schmit stated yes, it is the property of the business.

Mr. Laubisch stated what we can do is we can request the people to move that.

Mr. Schmit stated the lady has a time problem.

Mr. Laubisch stated he will be there. They start work at 7:00 a.m. He will be up there long before 9:00 a.m.

Mr. Schmit stated that is wonderful and he will give his neighbor a call when he gets home.

Trustee Kaye stated Mayor Daniels was talking about historic preservation and wondered if he could update the public in regards to the Ice House.

Mayor Daniels stated the Ice House is a building on Main Street next to the Williamsville Inn that was built in the early thirties. It used to be a store house for ice that was manufactured in the city and sold in blocks for refrigerators before there were good electric refrigerators with cooling coils. It was \$.25 a block, a lot of nostalgia to it.

**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, November 28, 1994 at 7:33 P.M.**

That back wood portion of the building is now in danger of collapse. The owner of the building has been issued an order to demolish at least the rear portion. Our concern is for snow load and potential collapse of the building. In the meantime, there has been some interest from Historic Preservation, interest in keeping the front portion of the building which is unique architecture even though it is not a hundred years old. There have been various delays while certain approaches to retaining the brick portion were looked into. At this point, however, we need to address the wood portion immediately because of the fear that a snow load will collapse the building. So although we have given some time to consider options in the future of that building, we will issue or instruct the building inspector to serve a summons to the owner which will require him to appear in court if he doesn't very quickly demolish the rear portion of the building. This basically gives him two weeks in order to comply. That's where it is at. It's not to say that the building still doesn't have historic potential to be saved. There are some proposals on the tables to rebuild a portion of that back wood structure and form another business out of that building.

Trustee Lowther stated during the work session the Trustees had discussed a tentative meeting date for the final meeting in December. The Christmas holiday falls on Sunday, the 25th and the Village will be observing the 26th as a holiday which would be our normally scheduled second meeting of the month. At this point we have tentatively canceled that meeting.

Mayor Daniels stated we did leave open the possibility if there is something of compelling nature, we will call a meeting at that point. As of now, no meeting, for the second meeting of December has been canceled.

Trustee Piazza stated the Parks Committee discussed the possibility of having an ice rink in Island Park this winter. We are looking for monies again. It may or may not go through but at least it was discussed at our last meeting.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved adjourn the meeting at 8:40 P.M.

Unanimously carried.

Elaine Honan  
Deputy Clerk

EXTRACT OF MINUTES

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

November 28, 1994

\* \* \*

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 November 28, 1994 at 7:30 o'clock p.M. (Prevailing Time).

There were present: Ronald Daniels, Mayor; and

Trustees: Yvonne Kaye  
Mary Lowther  
Basil Piazza

There were absent: Lawrence Hillebrand Trustee  
Theresa L. Cummins Administrator/  
Clerk-Treasurer

Also present: Elaine Smith-Honan Deputy Clerk

\* \* \*

Trustee Piazza offered the following resolution  
and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE,  
NEW YORK, ADOPTED NOVEMBER 28, 1994, AUTHORIZING  
VARIOUS IMPROVEMENTS TO THE VILLAGE WATER SYSTEM,  
STATING THE ESTIMATED MAXIMUM COST THEREOF IS  
\$205,000, APPROPRIATING SAID AMOUNT THEREFOR, AND  
AUTHORIZING THE ISSUANCE OF \$205,000 SERIAL BONDS  
OF SAID VILLAGE TO FINANCE 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 various improvements to the Village water system,  
including replacement of hydrants, water valves and branches on  
Main Street and on Cadman Drive, in the Village. The estimated  
maximum cost thereof, including preliminary costs and costs  
incidental thereto and to the financing thereof, is \$205,000 and  
said amount is hereby appropriated therefor. The plan of  
financing includes the issuance of \$205,000 serial bonds of the  
Village to finance 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 \$205,000 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 said appropriation.

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

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 1 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized.

(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 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and 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 bond anticipation 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.

\* \* \*

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

AYES: 4

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Trustee Piazza 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 Buffalo, 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 and in each  
Village polling place, a Notice in substantially the following  
form:

VILLAGE OF WILLIAMSVILLE, NEW YORK

PLEASE TAKE NOTICE that on November 28, 1994, 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 November 28, 1994, authorizing various improvements to the village water system,, stating the estimated maximum cost thereof is \$205,000, appropriating said amount therefor, and authorizing the issuance of \$205,000 serial bonds of said Village to finance said appropriation,"

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

FIRST: AUTHORIZING said Village to construct various improvements to the Village water system, including replacement of hydrants, water valves and branches on Main Street and on Cadman Drive, in the Village; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$205,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$205,000 serial bonds of the Village to finance 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 \$205,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which the bonds are authorized is fifteen (15) years; the proceeds of said bonds may be applied to reimburse the Village for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$205,000 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 bond anticipation 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: November 28, 1994

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.

\* \* \*

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

AYES: 4

NOES: 0

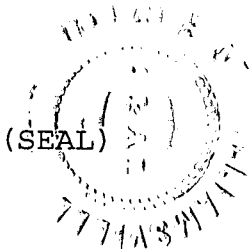
The resolution was declared adopted.

\*\*\*\*\*

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 November 28, 1994, 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 November, 1994.



*Theresa L. Cummins*  
\_\_\_\_\_  
Village Clerk

EXTRACT OF MINUTES

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

November 28, 1994

\* \* \*

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 November 28, 1994 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Ronald Daniels, Mayor; and

Trustees: Mary Lowther  
Basil Piazza  
Yvonne Kaye

There were absent: Lawrence Hillebrand, Trustee  
Theresa L. Cummins, Village Clerk

Also present: Elaine Smith-Honan, Deputy Clerk

\* \* \*

Trustee Piazza offered the following resolution  
and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE,  
NEW YORK, ADOPTED NOVEMBER 28, 1994, AUTHORIZING  
THE PURCHASE AND INSTALLATION OF WATER METERS, IN  
THE VILLAGE, STATING THE ESTIMATED MAXIMUM COST  
THEREOF IS \$310,000, APPROPRIATING SAID AMOUNT  
THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$310,000  
SERIAL BONDS OF SAID VILLAGE TO FINANCE 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 and install encoder water meters with register and  
remote receptacles, in the Village. The estimated maximum cost  
thereof, including preliminary costs and costs incidental thereto  
and to the financing thereof, is \$310,000 and said amount is  
hereby appropriated therefor. The plan of financing includes the  
issuance of \$310,000 serial bonds of the Village to finance 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 \$310,000 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 said appropriation.

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

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 30 of the Law, is twenty (20) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized.

(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 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and 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 bond anticipation 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.

\* \* \*

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

AYES: 4

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Trustee Piazza 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 Buffalo, 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 and in each  
Village polling place, a Notice in substantially the following  
form:

VILLAGE OF WILLIAMSVILLE, NEW YORK

PLEASE TAKE NOTICE that on November 28, 1994, 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 November 28, 1994, authorizing the purchase and installation of water meters, in the Village, stating the estimated maximum cost thereof is \$310,000, appropriating said amount therefor, and authorizing the issuance of \$310,000 serial bonds of said Village to finance said appropriation,"

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

FIRST: AUTHORIZING said Village to purchase and install encoder water meters with register and remote receptacles, in the Village; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$310,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$310,000 serial bonds of the Village to finance 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 \$310,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which the bonds are authorized is twenty (20) years; the proceeds of said bonds may be applied to reimburse the Village for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$310,000 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 bond anticipation 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: November 28, 1994

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.

\* \* \*

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

AYES: 4

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

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 November 28, 1994, 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 November, 1994.

(SEAL)



Village Clerk

EXTRACT OF MINUTES

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

November 28, 1994

\* \* \*

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 November 28, 1994 at 7:30 o'clock P.M. (Prevailing Time).

There were present: Ronald Daniels, Mayor; and

Trustees: Yvonne Kaye  
Mary Lowther  
Basil Piazza

There were absent: Lawrence Hillebrand Trustee  
Theresa L. Cummins Administrator/  
Clerk-Treasurer

Also present: Elaine Smith-Honan Deputy Clerk

\* \* \*

Trustee Piazza offered the following resolution  
and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE,  
NEW YORK, ADOPTED NOVEMBER 28, 1994, AUTHORIZING  
THE PURCHASE OF A HIGHLIFT FOR USE BY THE VILLAGE  
DEPARTMENT OF PUBLIC WORKS, STATING THE ESTIMATED  
MAXIMUM COST THEREOF IS \$56,000, APPROPRIATING SAID  
AMOUNT THEREFOR, AND AUTHORIZING THE ISSUANCE OF  
\$56,000 SERIAL BONDS OF SAID VILLAGE TO FINANCE  
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 a 1994 John Deere Model 5446 Highlift for use by the  
Village Department of Public Works. The estimated maximum cost  
thereof, including preliminary costs and costs incidental thereto  
and to the financing thereof, is \$56,000 and said amount is  
hereby appropriated therefor. The plan of financing includes the  
issuance of \$56,000 serial bonds of the Village to finance 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 \$56,000 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 said appropriation.

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

(a) The period of probable usefulness applicable to the purpose for which said serial bonds authorized pursuant to this resolution are to be issued, within the limitations of Section 11.00 a. 28 of the Law, is fifteen (15) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Village for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized.

(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 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, and 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 bond anticipation 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.

\* \* \*

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

AYES: 4

NOES: 0

The resolution was declared adopted.

\*\*\*\*\*

Trustee Piazza 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 Buffalo, 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 and in each Village polling place, a Notice in substantially the following form:

VILLAGE OF WILLIAMSVILLE, NEW YORK

PLEASE TAKE NOTICE that on November 28, 1994, 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 November 28, 1994, authorizing the purchase of a highlift for use by the Village Department of Public Works, stating the estimated maximum cost thereof is \$56,000, appropriating said amount therefor, and authorizing the issuance of \$56,000 serial bonds of said Village to finance said appropriation,"

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

FIRST: AUTHORIZING said Village to purchase a 1994 John Deere Model 5446 Highlift for use by the Village Department of Public Works; STATING the estimated maximum cost thereof, including preliminary costs and costs incidental thereto and to the financing thereof, is \$56,000; APPROPRIATING said amount therefor; and STATING the plan of financing includes the issuance of \$56,000 serial bonds of the Village to finance 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 \$56,000 serial bonds of the Village pursuant to the Local Finance Law of the State of New York (the "Law") to finance said appropriation;

THIRD: DETERMINING and STATING the period of probable usefulness applicable to the purpose for which the bonds are authorized is fifteen (15) years; the proceeds of said bonds may be applied to reimburse the Village for expenditures made after the effective date of said bond resolution for the purpose for which said bonds are authorized; and the proposed maturity of said \$56,000 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 bond anticipation 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: November 28, 1994

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.

\* \* \*

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

AYES: 4

NOES: 0

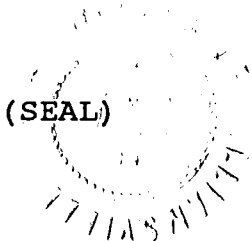
The resolution was declared adopted.

\*\*\*\*\*

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 November 28, 1994, 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 November, 1994.



*Theresa L. Cummins*  
\_\_\_\_\_  
Village Clerk