

**Minutes of the Regular Meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 26, 2005 at 7:30 p.m.**

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

Present: Mary E. Lowther, Mayor  
Basil J. Piazza, Trustee  
Ronald W. Daniels, Trustee  
Brian J. Geary, Trustee  
Richard P. Sweeney, Trustee  
  
Lynda L. Juul, Deputy Treasurer  
J. Michael Hayes, Village Attorney  
Deborah A. Habes, Deputy Clerk

Excused: Sally A. Kuzon, Administrator/Clerk-Treasurer  
Michael Parker, DPW Crew Chief

ON MOTION by Mayor Lowther, seconded by Trustee Daniels, it was moved to approve the minutes of the regular meeting held on September 12, 2005 as submitted.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Daniels, it was moved to approve the minutes of the Special Meeting held on September 21, 2005, as submitted.

Unanimously carried.

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

Unanimously carried.

The following members of the audience addressed the Board:

**David Hall, 126 Milton St.** – Mr. Hall stated that he was from the Finger Lakes area and was most impressed with the unique situation we have here with the water mill. He understands from talking with Mr. Mayer that the cider pressing equipment is still in very good condition and hopes that the Village will continue in that vein. Mayor Lowther agreed that the equipment is in very good condition. Trustee Daniels added that the Village was interested in preserving the mill so that people can see the process.

**Vic Paquet, 43 Howard Ave.** – Mr. Paquet, Chair of the Traffic & Safety Committee, asked the Board if there was any new information on crosswalks. Mayor Lowther said that this topic was discussed during this evening's work session. Trustee Sweeney said that as soon as the Village Board gets a list of

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desired locations from the Traffic & Safety Committee, the Board can call for a public hearing. Mr. Paquet asked if what was needed was to fix what we have in our code or to add it to our code. Trustee Sweeney said that we need to adopt a crosswalk section in our code since none exists at the present time. Mr. Paquet wondered what the Board will expect from Traffic & Safety in the way of information. He stated that they have already done this three times. How would the Board like the information packaged? Trustee Sweeney answered that the Board needs to know the specific locations that the committee wants to have painted. Only village-owned streets can be addressed, since roads that merge with County or State owned roads are prohibited from being painted by the Village. It is up to the Village to paint the crosswalks on village-owned roads only. Crosswalk locations on County and State roads could be considered as recommendations only. Attorney Hayes stated that he should be able to have a code drafted within 2 weeks of getting the list from the committee, so 4 to 8 weeks would be the time frame for having a public hearing and getting it in the code. Mr. Paquet suggested that perhaps the *Walk the Villages* Banner should not be erected over Main Street until after crosswalks are painted.

***Carolyn Schlifke, 192 Evans*** – Mrs. Schlifke questioned why there is nothing in the code about crosswalks since between 1985 and 1989 she had a resolution passed about a crosswalk behind St. Peter and Paul Church. Mrs. Schlifke stated that she attended the special meeting about the mill on September 21<sup>st</sup> and there were many good points brought up. She was happy to see that the Village gave Mayer Bros. a lease for 3 months. She thinks it is important to have the building occupied. She was also glad to see that the Board voted against condos of any kind. She wondered if that was a binding vote. Mayor Lowther answered that it was an informal vote taken during the work session and therefore it was a non-binding vote. Mrs. Schlifke said she liked South H.S. teacher Mr. Mills' suggestion that there was money available through grants, especially for the educational aspect of the mill. She would like to see the Board move in that direction and to start the grant application now since it is a long process to begin with. Mrs. Schlifke said she liked Bill Whitehead's idea about the brick wall and the donations for it. This would get the people involved in supporting the mill. She also would like to see the Board look to the people in the Village to come up with ideas for the mill instead of listening only to a developer. There are good ideas in this Village. We should listen to all the residents. She believes that the process should be opened up. Mrs. Schlifke stated that she doesn't like what the developer is proposing. She believes that it is too much for that relatively small piece of property. She believes it would cost too much money to shore up the wall and the Village doesn't have the money. Mayor Lowther said that we are going to invite Mr. Cerio back to the next meeting to address all the issues.

***Ed Berezowski, 26 Faber Lane*** – Mr. Berezowski said he likes the grant writing plan. He thinks the mill is falling apart now. We need publicity on this to tie in with the media to market the mill for the long term. Parking will be an issue there also. He is dubious about how the Village handles the special events that we already have. Parking has always been a problem in the Village.

***David Hall, 126 Milton*** – Mr. Hall suggested that inscribed bricks be sold as pavers as a fund-raising project for the mill. He said that this has been done successfully in numerous towns and villages, such as Geneva and Leroy in New York State. They have engraved bricks in the pavement that people have donated. Mayor Lowther agreed that it is a good way to tie people in to what we are doing.

ON MOTION by Mayor Lowther, seconded by Trustee Daniels, it was moved to close the public participation portion of the meeting and return to the regular agenda.

Unanimously carried.

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

RESOLVED, that the following budget transfers are hereby made to the *General Fund for the 2005 – 2006* fiscal year:

To:	001-7540 4450 (Williamsville Water Mill – Misc.)	\$11,004.00
From:	001-7540-4160 (Williamsville Water Mill – Building Repairs)	\$7,804.00
From:	001-7540-4070 (Williamsville Water Mill – Utilities)	\$ 3,200.00
To:	001-3620-4450 (Safety Inspection - Misc.)	\$153.00
From:	001-1620-2010 (Buildings – Computer Equipment)	\$153.00
To:	001-1411-4450 (Records Management - Misc.)	\$55.00
From:	001-1411-4010 (Records Management – Office supplies)	\$55.00
To:	001-5110-4450 (Street Maintenance –Misc.)	\$403.80
From:	001-5110-1000 (Street Maintenance – Personal Services)	\$403.80
To:	001-7110-4450 (Parks – Misc.)	\$130.00
From:	001-7110-4350 (Parks – Pool Supplies)	\$130.00
To:	001-8140-1000 (Storm Sewer – Personal Services)	\$133.00
To:	001-8170-1000 (Street Cleaning – Personal Services)	\$140.00
To:	001-8510-1000 (Community Beautification – Personal Services)	\$286.00
To:	001-8510-1001 (Community Beautification – Personal Services – Overtime)	\$143.00
From:	001-5110-1000 (Street Maintenance – Personal Services)	\$559.00
From:	001-5110-1001 (Street Maintenance – Personal Services – Overtime)	\$143.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of \$374,899.76, covering the period from September 5, 2005 to September 20, 2005, are approved as follows:

**Payroll covering: 9/5/05 – 9/18/05** **\$32,566.89**

**Vouchers covering: 9/7/05 – 9/20/05:**

General Fund	\$60,686.66
Water Fund	\$6,137.07
Sewer Fund	\$1,986.17
Glen Park Fund	\$224.16

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Trust & Agency Fund	\$15,552.95
Debt Service	\$241,725.00
Community Development	\$0.00
Capital Fund	\$16,020.86
	<u>\$342,332.87</u>

**Grand Total:** **\$374,899.76**

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish notice of a public hearing to be held by the Village Board of Trustees on Monday, October 24, 2005 at 7:35 p.m., for the purpose of hearing all persons interested in discussing a request by Benderson Development Company for an Exceptional Development Permit for properties at 5305 Main Street, 5325 Main Street, 23 S. Long Street, and 29 S. Long Street, Williamsville, New York, as per Chapter 28-7 C (2) of the Village code.

Unanimously carried.

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

RESOLVED, that *Michael Parker, DPW Chief, and Paul McMenamin, DPW*, are hereby authorized to attend the *NYCOM Public Works School*, to be held in Alexandria Bay, NY from October 17 – 20, 2005, at a cost not to exceed \$1,500.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED, that *Thomas Orrange, 319 Sterling Ave., Buffalo, New York*, is hereby appointed Clerk/part-time to perform record management duties at a rate of \$13.00 per hour.

Unanimously carried.

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

RESOLVED, that *Lynda L. Juul, Deputy Treasurer*, is authorized to attend the *New York State Best Budgeting Practices Workshop* in Batavia, NY on November 2, 2005 at a cost not to exceed \$120.00 to be paid by the Village of Williamsville.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish legal notice of a public hearing to be held on November 14, 2005 at 7:35 p.m. in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in designating 60 E. Spring Street and 80 E. Spring Street as local historic landmarks, as per Chapter 47-4 of the Village Code.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to retain the services of Grantmakers Advantage, Inc., by executing the Letter of Agreement.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED, that *Maureen Muck, 258 Union Road, Williamsville, New York*, is hereby appointed as an advisor for the Village of Williamsville Fire Department Explorer Post #2004, effective immediately.

Unanimously carried.

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

**VILLAGE OF WILLIAMSVILLE RESOLUTION**

**NATIONAL INCIDENT MANAGEMENT SYSTEM**

- WHEREAS, the President of the United States, in Homeland Security Presidential Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System which would provide a consistent nationwide approach for federal, state, local and tribal governments to work together more effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents regardless of cause, size of complexity; and
- WHEREAS, the collective input and guidance from all federal, state, local and tribal homeland security partners has been, and will continue to be, vital to the effective implementation and utilization of a comprehensive NIMS; and
- WHEREAS, it is necessary and desirable that all federal, state, local and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and
- WHEREAS, HSPD-5 requires federal departments and agencies to make adoption of the NIMS by state, tribal and local organizations a condition for federal preparedness assistance by October 2005; and
- WHEREAS, to facilitate the most efficient and effective incident management, it is critical that federal, state, local and tribal organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and
- WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management training processes; and

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WHEREAS, the Incident Command System components on NIMS are already an integral part of various incident management activities throughout the state, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System,

NOW, THEREFORE, BE IT RESOLVED that the Village of Williamsville Board of Trustees, by virtue of the authority vested to it under the laws of the State of New York, does hereby establish the National Incident Management System (NIMS) as the Village of Williamsville's standard for incident management.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a Mayor's Permit to the Village of Williamsville Preservation Foundation for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two-week period from September 28<sup>th</sup> – October 12<sup>th</sup>, 2005. The banner will read "*Walk the Villages, May – October, Akron – Clarence – Kenmore – Williamsville*".

Unanimously carried.

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

RESOLVED, that the Village of Williamsville hereby adopts the following *Defined Benefit Plan Service Award Program Investment Policies and Procedures* to provide current and future benefits to Williamsville firefighters:

**SERVICE AWARD PROGRAM  
DEFINED BENEFIT PLAN  
INVESTMENT POLICIES AND PROCEDURES**

**I.) SCOPE**

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

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**II.) OBJECTIVES OF FUND**

The primary objectives of the Village of Williamsville investment activities for the Firemen’s Service Award Program are:

- To provide adequate liquidity for making payouts to entitled firefighters;
- To provide adequate liquidity for death/disabilities as required by law and our plan document;
- To obtain a reasonable rate of return according to the long-term objectives of the fund.

**III.) 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 endanger public confidence in the Village of Williamsville to govern effectively.

Participants shall have their best efforts to assure compliance with the fiduciary standards of S.217(k) of the Service Award Programs laws of Article 11-A of the General Municipal Law of the State of New York.

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercised 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.

**IV.) INVESTMENT OBJECTIVES**

Earning target of 6.0%. This rate is generally not available in U.S. Government guaranteed securities. As a result, we seek to obtain a 6.0% rate of return through diversification of investment assets as follows:

**Asset Allocation**

<u>Investment</u>	<u>Targeted Earnings</u>		<u>Approximate Allocation</u>		<u>Weighted Return</u>
U.S. Gov’t Guaranteed	3.00%	x	40%	=	1.20%
Fixed Income Mutual Funds	6.00%	x	30%	=	1.80%
Blue Chip Stock Funds	10.0%	x	30%	=	<u>3.00%</u>
					<u>6.00%</u>

To maintain flexibility, we maintain the following limits on investments:

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- Money markets As needed
- Obligation of the United States of America 30 – 60%
- Obligations of agencies of the United States of America 30 – 60%
- Mutual funds investing in any type of fixed income investments 20 – 40%
- Mutual funds or trusts investing in stocks, emphasis on US Blue

Chips. Allowed to include Mid Cap, Small Cap, Global,  
International and other categories at the discretion of the Board  
Of Fire Commissioners 20%-40%

Investment policies will be reviewed annually with our investment adviser, and adjustments may be made accordingly.

Resolution adopted by the Village of Williamsville on: \_\_\_\_\_

\_\_\_\_\_  
Authorized Representative  
Village of Williamsville

\_\_\_\_\_  
David M. Rogers  
RBC Dain Rauscher

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to adjourn the meeting at 8:27 p.m.

Unanimously carried.

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LYNDA L. JUUL  
Deputy Treasurer