

**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, May 8, 2006 at 7:30 p.m.**

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

Present: Mary E. Lowther, Mayor  
Ronald W. Daniels, Trustee  
Brian J. Geary, Trustee  
Basil J. Piazza, Trustee  
Richard P. Sweeney, Trustee

Sally A. Kuzon, Administrator/Clerk-Treasurer  
Lynda L. Juul, Deputy Treasurer  
R. Scott DeLuca, Village Attorney  
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 April 24, 2006, as submitted.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Daniels, it was moved to suspend the rules to open the public participation portion of the meeting.

Unanimously carried.

*No one from the audience addressed the Board.*

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

Unanimously carried.

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**ON MOTION** by Mayor Lowther, seconded by Trustee Geary, 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:	001-5010-4040 (Street Administration, Edu./Travel)	\$51.00
From:	001-5010-2000 (Street Administration – Equip.)	\$51.00
To:	001-7110-4169 (Parks, Repairs - Other)	\$246.00
From:	001-7110-4070 (Parks, Utilities)	\$246.00
To:	001-7110-4350-7111 (Parks, Pool Supplies – Island Park)	\$141.00
	001-7110-4350-7112 (Parks, Pool Supplies – Island Park)	\$70.00
From:	001-7110-4660 (Parks, Tree Maintenance)	\$211.00
To:	001-9050-8000 (Unemployment Insurance)	\$945.00
From:	001-9010-8000 (State Retirement)	\$945.00
To:	001-1640-1000 (Central Garage – Personal Svc.)	\$3048.00
	001-8140-1000 (Storm Sewers – Personal Svc.)	\$819.00
	001-8163-1000 (Trash pick-up – Personal Svc.)	\$3089.00
	001-8170-1000 (Street Cleaning – Personal Svc.)	\$717.00
	001-8510-1000 (Community Beautification – Personal Svc.)	\$254.00
	001-8560-1000 (Shade Trees – Personal Svc.)	\$1852.00
From:	001-5110-1000 (Street Maintenance – Personal Svc.)	\$9779.00
To:	001-1110-4110 (Village Justices – Service Contracts)	\$25.00
From:	001-1110-4020 (Village Justices - Postage)	\$25.00
To:	001-1410-4010 (Village Clerk – Office Supplies)	\$206.00
From:	001-1410-4030 (Village Clerk – Printing & Advertising)	\$206.00
To:	001-1920-4000 (Municipal Association Dues)	\$66.00
From:	001-1950-4100 (Refund of Village Taxes)	\$66.00
To:	001-7620-4180 (Adult Rec. – Seniors Program)	\$33.00
From:	001-7550-4960 (Celebrations – Committee Apprec.)	\$33.00
To:	001-1620-4070 (Buildings - Utilities)	\$299.00
	001-1640-4070 (Central Garage – Utilities)	\$413.00
	001-3620-4060 (Safety Inspection – Telephone)	\$1.00
From:	001-1620-4071 (Buildings – Sewer Charges)	\$299.00
	001-1640-4261 (Central Garage – Maintenance Fees)	\$413.00
	001-3620-4041 (Safety Inspection – Mileage Reimb.)	\$1.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfer* is hereby made in the *Water Fund* for the *2005-2006* fiscal year:

To:	006-8340-1000 (Water Transmission – Personal Svc.)	\$4514.00
	006-9030-8000 (Social Security)	\$17.00
From:	006-1990-4000 (Contingency)	\$4531.00

Unanimously carried.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$120,532.46**, covering the period from **April 17, 2006** to **May 2, 2006**, are hereby approved as follows:

**Payroll covering: 4/17/06 – 4/30/06** **\$27,653.29**

**Vouchers covering: 4/19/06 – 5/2/06:**

General Fund	\$42,893.71
Water Fund	\$33,304.52
Sewer Fund	\$4,413.05
Glen Park Fund	\$926.67
Trust & Agency Fund	\$11,334.20
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$7.02
	<hr/>
	<b>\$92,879.17</b>

**Grand Total:** **\$120,532.46**

Unanimously carried.

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

**RESOLVED**, that Mary Lowther, as Mayor of the Village of Williamsville, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965 in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Village of Williamsville for the Williamsville Water Mill Acquisition Project and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

Unanimously carried.

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

**RESOLVED**, that Richard Maddigan, Edward Lavery, James D. Olivieri, James C. Olivieri, John Pidgeon and Christopher Petrie are hereby authorized to attend the *Harrisburg Fire Exposition and Training Conference* in Harrisburg, Pennsylvania from May 18<sup>th</sup> through May 20<sup>th</sup> at a cost not to exceed \$1600 for the entire group. Travel is to be by rental van with the cost of the rental covered by Hutchinson Hose.

Unanimously carried.

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

**RESOLVED**, that the Village of Williamsville Board of Trustees, acting as Fire Commissioners for the Village of Williamsville Fire Department, hereby confirm the election of the following Firematic Officers, effective May 1, 2006:

Chief	James J. Zymanek
1 <sup>st</sup> Asst. Chief	Richard J. Maddigan
2 <sup>nd</sup> Asst. Chief	Thomas C. Ratzel

Unanimously carried.

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

**RESOLVED**, that the Mayor is hereby authorized to sign the Bulk Sales Agreement with the Erie County Water Authority, pursuant to the letter from their Counsel, Mark J. Fuzak, dated March 16, 2006.

Unanimously carried.

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

**RESOLVED**, that *Robert Sweeney, 394 Cadman Drive, Williamsville, New York*, is hereby appointed to the *Beautification Committee* until the end of the *2006* official Village year.

Unanimously carried.

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

**RESOLVED**, that *Susan Buyer, 75 Garrison Road, Williamsville, New York*, is hereby appointed to the *Beautification Committee* until the end of the *2006* official Village year.

Unanimously carried.

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

**RESOLVED**, that the following are hereby appointed *Election Inspectors* for the Special Election of the Village of Williamsville to be held on June 20, 2006 at a rate of \$75.00 each to be paid by the Village of Williamsville:

**District #1:**     **Village Meeting House**  
5658 Main Street  
Williamsville, New York 14221

**Inspectors:**     Suzanne Orlando, 34 N. Ellicott Street (Dist. #1 Chair)  
Gloria Thompson, 48 Arend Avenue  
Marcia Trosterud, 74 Foxberry, Unit A  
Mary Wetzel, 56 Garrison Road

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**District #2:** Village Hall  
5565 Main Street  
Williamsville, New York 14221

**Inspectors:** Ruth Berger, 283 Mill Street  
Alice McDonald, 37 Pasadena Place (Dist. #2 Chair)  
June Cucinotta, 146 California Drive  
Mary Lou D'Arcy, 427 Sherbrooke Drive

**BE IT FURTHER RESOLVED**, that the following are appointed *Alternate Election Inspectors*: Betty Goehle, 76 Linwood Ave., and Josephine Bargnes, 165 Briarhill Rd.

**BE IT FURTHER RESOLVED**, that Suzanne Orlando, 34 N. Ellicott St., is also appointed *Chairman of the Election Inspectors*.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Daniels, it was moved to leave the regular agenda to consider a new resolution.

Unanimously carried.

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

**VILLAGE OF WILLIAMSVILLE  
STATE ENVIRONMENTAL QUALITY REVIEW ("SEQR")  
TYPE II ACTION DETERMINATION**

**WHEREAS**, the Village Board of Trustees is anticipating the adoption of a Bond Resolution for the financing of the purchase a snow plow for the Village, to repair and reconstruct portions of certain Village streets, to install storm sewers, replace certain water lines, purchase windows for the Village Hall and install a new phone system for the Village Hall (the "Projects"), and

**WHEREAS**, the Projects are actions listed in subdivision (c) of 6 NYCRR § 617.5 (c), specifically at subparagraphs (1), (2), (4), (11), and (25) thereof as actions not subject to SEQR review, and

**WHEREAS**, 6 NYCRR § 617.5 (a) provides that actions identified in subdivision (c) § 617.5, as a matter of law, have previously been determined not to have a significant impact on the environment.

It is therefore hereby

**RESOLVED AND DETERMINED** that pursuant to the terms of 6 NYCRR § 617.5 (a) and (c), the Projects will not cause adverse environmental impacts.

Unanimously carried.

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

ROLL CALL:	Mayor Mary E. Lowther	Yes
	Trustee Ronald W. Daniels	Yes
	Trustee Brian J. Geary	Yes
	Trustee Basil J. Piazza	Yes
	Trustee Richard P. Sweeney	Yes

Unanimously carried.

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

**BOND RESOLUTION**  
MAY 8, 2006

A RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS OF THE VILLAGE OF WILLIAMSVILLE, ERIE COUNTY, NEW YORK, TO FINANCE THE PURCHASE OF SNOW PLOW VEHICLE, ROAD RECONSTRUCTION, IMPROVEMENTS OF THE STORM SEWERS, REPLACE A WATER LINE, PURCHASE WINDOWS FOR VILLAGE HALL, AND INSTALLATION OF A NEW PHONE SYSTEM, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF.

**WHEREAS**, the VILLAGE OF WILLIAMSVILLE, in the County of Erie, by its Board of Trustees has determined it necessary to purchase a snow plow for the Village, to repair and reconstruct portions of certain Village streets, to install storm sewers, replace certain water lines, purchase windows for the Village Hall and install a new phone system for the Village Hall (the "Projects").

**BE IT RESOLVED**, by the affirmative vote of not less than two-thirds of the total voting strength of the Board of Trustees of the Village of Williamsville, Erie County, New York, as follows:

Section 1. The financing of the Projects (the "specific object or purpose"), is hereby authorized at a maximum estimated cost of \$840,000.

Section 2. The specific objects or purposes are objects or purposes described in Section 11 of the Local Finance Law.

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Section 3. The Board of Trustees, acting as Lead Agency under the SEQRA regulations of the State of New York, has previously issued a NEGATIVE DECLARATION for the specific object or purpose finding that the same will not have a significant impact upon the environment.

Section 4. The plan for the financing of such maximum estimated cost is by the issuance of general obligation serial bonds of the Village in an aggregate principal amount not exceeding \$840,000 which is hereby authorized to be issued therefore pursuant to the Local Finance Law.

Section 5. It is hereby determined that the weighted average period of probable usefulness of the aforesaid specific object or purpose is fifteen (15) years, pursuant to paragraphs 1, 4, 20, 28, 32 and 35 of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the bonds herein authorized will not be in excess of fifteen (15) years.

Section 6. The faith and credit of the Village of Williamsville, Erie County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in every year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year.

Section 7. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby authorized as if by separate resolution and is delegated to the Village Treasurer, the Chief Fiscal Officer of the Village. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by the Village Treasurer, consistent with the provisions of the Local Finance Law. To the extent required by law, this Resolution shall also constitute a "Bond Anticipation Note Resolution" pursuant to the Local Finance Law.

Section 8. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Village Treasurer, as the Chief Fiscal Officer of the Village. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Village Treasurer shall determine consistent with the provisions of the Local Finance Law.

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Section 9. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution of the State of New York.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. This resolution shall be published in full in the official newspaper of the Village, which is hereby designated as the official newspaper of the Village for such purpose, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution is subject to permissive referendum and shall not become effective until either approved by the qualified voters of the Village pursuant to a petition being filed or 30 days shall have expired without a petition being filed.

ROLL CALL:	Mayor Mary E. Lowther	Yes
	Trustee Ronald W. Daniels	Yes
	Trustee Brian J. Geary	Yes
	Trustee Basil J. Piazza	Yes
	Trustee Richard P. Sweeney	Yes

Unanimously carried. 5 – 0.

**ON MOTION** by Mayor Lowther, seconded by Trustee Daniels, it was moved to adjourn to Executive Session at 8:30 p.m. to discuss contract negotiations.

Unanimously carried.

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**ON MOTION** by Trustee Piazza, seconded by Trustee Geary, it was moved to close the Executive Session at 8:50 p.m.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Daniels, it was moved to return to the regular agenda at 8:51 p.m.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Daniels, it was moved to adjourn the regular meeting at 8:52 p.m.

Unanimously carried.

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SALLY A. KUZON  
Administrator/Clerk-Treasurer