

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, June 28, 2010 at 7:30 p.m.**

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

Present: Mary E. Lowther, Mayor  
Jeffrey L. Kingsley, Trustee  
Brian J. Kulpa, Trustee  
Basil J. Piazza, Trustee

Also present: Charles D. Grieco, Village Attorney  
Lynda L. Juul, Administrator/Clerk-Treasurer  
Judith A. Kindron, Deputy Treasurer

Absent: Brian J. Geary, Trustee

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the regular meeting held on June 14, 2010.

Motion carried. 4 - 0.

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

Motion carried. 4 - 0.

*The following persons addressed the Board:*

*Floyd Bilz, 259 N. Ellicott St.* – Has been advised that he needs to move a 35' long RV parked in his driveway; Village Attorney will look to see if a variance could be applied for; Board of Trustees cannot grant relief from the code.

*Carolyn Schlifke, 192 Evans St.* – Gave history of the code for these situations and example of a similar situation on Evans where a person built a larger garage and neighbors now have to deal with an unattractive structure.

*James Saia, 150 S. Union Rd.* – Not happy with what is going on with the Village dissolution; There are many volunteers in this village who have done a lot over the years; He is going to fight against the dissolution.

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

Motion carried. 4 - 0.

**Report – Mayor Lowther**

*Mayor Lowther reported on the following topics:* New General Crew Chief is being appointed and is in the audience; Village Garden Walk had between 800 and 1,000 attendees and received great feedback; There were 26 gardens involved this year; Air Force Band will perform in Island Park on 6/30; Annual re-organization meeting will be held on July 6 at 6:00pm.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$299,017.47** covering the period from **6/7/10** to **6/23/10** are hereby approved as follows:

**Payroll covering: 6/7/10 – 6/20/10:** \$31,737.13

**Vouchers covering: 6/10/10 – 6/23/10:**

General Fund	\$168,877.90
Water Fund	\$57,503.76
Sewer Fund	\$29,513.91
Glen Park Fund	\$89.59
Trust & Agency Fund	\$11,271.99
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$23.19
	<u>\$267,280.34</u>

**GRAND TOTAL:** **\$299,017.47**

Motion carried. 4 - 0.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the *2009-2010* fiscal year:

To:	001-3410-4250 (Fire Protection-Fuel/Oil)	\$655.00
	001-3410-2020 (Fire Protection-Expendable Equip.)	\$167.00
	001-3410-2050 (Fire Protection-Turnout Gear)	\$316.00
	001-3410-4471 (Fire Protection-Building Repairs)	\$780.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$1138.00
	001-3410-4460 (Fire Protection-Fire Prevention Exp.)	\$680.00
	001-3410-4180 (Fire Protection-Radio Repairs)	\$100.00
To:	001-1420-4620 (Law/Attorney-Opinions)	\$3140.00
From:	001-1990-4000 (Contingency)	\$3140.00
To:	001-1620-4260 (Buildings-Maint. Supplies)	\$3.00
	001-1620-4231 (Buildings-Maint. HVAC)	\$69.00
	001-1640-4260 (Central Garage-Maint. Supplies)	\$48.00
	001-1640-4262 (Central Garage-Building Maint.)	\$32.00
	001-7540-4230 (Williamsville Water Mill-Building Maint.)	\$45.00
From:	001-1620-4110 (Buildings-Service Contract)	\$72.00
	001-1640-4161 (Central Garage-Small Equip. Repairs)	\$80.00
	001-7540-4160 (Williamsville Water Mill-Building Repairs)	\$45.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$1876.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$1876.00
To:	001-7520-4520 (Historical Property-Plaques)	\$100.00
From:	001-7520-4530 (Historical Property-Training)	\$100.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the following *budget transfer* is hereby made in the *Sewer Fund* for the *2009-2010* fiscal year:

To:	007-8120-4100 (Sanitary Sewers-Professional Fees)	\$1334.00
From:	007-8120-4161 (Sanitary Sewers-Repairs/Lines)	\$1334.00

Motion carried. 4 - 0.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Water Fund* for the *2009-2010* fiscal year:

To:	006-8310-4160 (Water Administration-Professional Fees)	\$1.00
	006-8340-4160 (Water Transmission-Repairs/Lines)	\$1567.00
From:	006-8340-4101 (Water Transmission-Engineer)	\$500.00
	006-8340-4165 (Water Transmission-Paint/Hydrants)	\$100.00
	006-9060-8000 (Hospital and Medical Insurance)	\$968.00

Motion carried. 4 - 0.

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

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2010-2011* fiscal year to account for profit from Village flag sale by Meeting House Committee:

Increase:	001-0001-2770 (Misc. Revenue)	\$200.00
Increase:	001-7530-4451 (Meeting House-Meeting House Events Committee)	\$200.00

Motion carried. 4 - 0.

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

**RESOLVED**, that *Kenneth W. Kostowniak of 5535 James Drive, Hamburg, New York*, is hereby appointed *General Crew Chief in the Department of Public Works* at an annual salary of \$55,000.00. This appointment is made on a probationary basis for 6 months from the actual employment start date.

Motion carried. 4 - 0.

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

**RESOLVED**, that Paul McMenamin shall receive \$241.90 per week for performing the duties of General Crew Chief from June 28, 2010 through July 11, 2010.

Motion carried. 4 - 0.

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

**WHEREAS**, farmers' markets are important nationwide outlets for agricultural producers, providing them with increased marketing opportunities; and

**WHEREAS**, more than 4,800 farmers markets across the country offer consumers affordable, convenient, and healthful products sold directly from the farm in their freshest possible state; and

**WHEREAS**, farmers' markets can help promote child health and reduce childhood obesity by increasing children's access to fresh fruits and vegetables; and

**WHEREAS**, farmers' markets play a key role in developing regional foodsheds, thus benefiting consumers and the environment; and

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**WHEREAS**, farmers' markets support the sustainability of small family farms and the revitalization of communities as well as offering farmers and consumers the opportunity to interact; and

**WHEREAS**, farmers' markets increasingly offer electronic benefits transfer technology for food stamp recipients and support local anti-hunger initiatives through donations of unsold food to feeding programs for those in need; and

**WHEREAS**, the United States Department of Agriculture strongly supports and promotes the development, operation, and expansion of farmers' markets and other direct-to-consumer marketing activities for agricultural producers; and

**WHEREAS**, the Secretary of the United States Department of Agriculture has declared August 1 through August 7, 2010 as National Farmers' Market Week; and

**WHEREAS**, the Village Preservation Foundation sponsors the Farmers' Market at the Mill every Saturday from May through October, 2010;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville Board of Trustees hereby proclaims the week of August 1 through August 7, 2010 as Farmers' Market Week in the Village of Williamsville.

Motion carried. 4 - 0.

**Report – Trustee Kulpa**

*Trustee Kulpa reported on the following topics:* Thanked WBA members for active involvement in setup of art show to be held July 31-Aug.1 on Glen Ave.; Williamsville Zoning Committee meeting last week.

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

**RESOLVED**, that *Sharon Rich of 5854 Main St., Williamsville, New York*, is hereby appointed to the *Williamsville Zoning Committee*.

Motion carried. 4 - 0.

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

**RESOLVED**, that *David Vitka of 103 Lake Ledge Drive, Williamsville, New York*, is hereby appointed to the *Williamsville Zoning Committee*.

Motion carried. 4 - 0.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topics:* Environmental Committee is meeting in July but not in August; Caboose has been brought to the site of the train depot.

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

**WHEREAS**, the Village of Williamsville currently has a contract with Twin City Ambulance to provide EMS services from January 2008 through December 2010; and

**WHEREAS**, that contract includes a provision for a 2-year extension to the terms of the agreement; and

**WHEREAS**, the Amherst, Clarence, Newstead EMS Board has requested, via a memo dated May 28, 2010, that the Village of Williamsville exercise the 2-year extension option; and

**WHEREAS**, the Amherst Chief's Association, Clarence/Newstead Chief's Association, and Amherst, Clarence, Newstead EMS Board have all passed motions allowing the current EMS contract to extend for the additional two years;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville Board of Trustees hereby authorizes the extension of the EMS contract with Twin City Ambulance through December 31, 2012.

Motion carried. 4 - 0.

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

**A BOND RESOLUTION, DATED JUNE 28, 2010, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, ERIE COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO VARIOUS VILLAGE ROADS, AT AN ESTIMATED MAXIMUM COST OF \$600,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$600,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

**BE IT RESOLVED**, by the Village Board of Trustees (the "Board") (by the favorable vote of not less than two-thirds of all the members of the Board of Trustees) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "Purpose") to be financed pursuant to this resolution is the reconstruction of and construction of improvements to various Village roads, including any preliminary work, necessary site work, acquisition of apparatus, equipment and other improvements and all preliminary costs and costs incidental thereto. The estimated maximum cost of said purpose is \$600,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an amount not to exceed \$600,000 of the Village, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources, the cost of such improvement is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

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SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 20 (c) of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 15 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources, there shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of such bonds, and the renewals of such notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such

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actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) if the provisions of the 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 (20) days after the date of such publication, or

2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 13. This Resolution is subject to permissive referendum pursuant 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six (6) conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten (10) days after the date of adoption of this resolution.

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SECTION 14. If no petitions are filed in the referendum period, the Village Clerk is hereby authorized to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said Village and hereby designated as the official newspaper of the Village for such publication.

Motion carried. 4 – 0.

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

**A BOND RESOLUTION, DATED JUNE 28, 2010, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, ERIE COUNTY, NEW YORK (THE “VILLAGE”), AUTHORIZING THE ACQUISITION OF A FIRE-FIGHTING VEHICLE AND APPARATUS FOR USE BY THE VILLAGE AT AN ESTIMATED MAXIMUM COST OF \$925,000, AUTHORIZING THE EXPENDITURE OF \$296,580 FROM THE VILLAGE’S CAPITAL FIRE TRUCK RESERVE FUND, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$628,420, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY TRADE-IN AMOUNTS AND ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.**

WHEREAS, the Village Board of Trustees of the Village of Williamsville, Erie County, New York (the “Village”) has determined to acquire a fire-fighting vehicle and apparatus; and

WHEREAS, the Village has previously established a reserve fund known as the Capital Fire Truck Reserve Fund established on January 23, 1984 (the “Reserve Fund”); and

WHEREAS, the Village anticipates it will receive approximately \$145,000 from the trade-in of other fire-fighting vehicles;

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NOW, THEREFORE, BE IT RESOLVED, by the Village Board of Trustees (by the favorable vote of not less than two-thirds of all the members of the Board) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "Purpose") to be financed pursuant to this resolution is the acquisition of a fire-fighting vehicle and apparatus for use by the Village, including all preliminary costs and necessary equipment, apparatus, warranties and other such costs incidental thereto. The estimated maximum cost of said purposes is \$925,000.

SECTION 2. The Village Board of Trustees plans to finance a portion of the estimated maximum cost of said purpose by the expenditure of \$296,580 from the Reserve Fund. The balance of such Purpose is to be funded by the issuance of serial bonds in an amount not to exceed \$628,420 of said Village, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any trade-in amounts (estimated to be \$145,000) and any federal, state, county and/or local funds received. Unless paid from other sources, the cost of such acquisition is to be paid by the levy and collection of taxes on all 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 3. It is hereby determined that said purpose is an object or purpose described in subdivision 27 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 20 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources, there shall annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local

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Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village had determined that this project will not have an impact on the environment, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or

(c) if the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with,

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and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication of this notice; or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 13. This Resolution is subject to permissive referendum. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six (6) conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten (10) days after the date of adoption of this resolution.

SECTION 14. If no petitions are filed in the referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

Motion carried. 4 – 0.

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

**WHEREAS**, the owner of property at 188 Reist St. has allowed the grass to reach a height of at least two (2) feet; and

**WHEREAS**, the property owner, Luiz Carlos DeFigueiredo of 188 Reist St., Williamsville, NY 14221, has been issued a Violation Notice by the Village of Williamsville Building Dept. on June 23, 2010, citing him for non-compliance as per Chapter 11 (Brush, Grass and Weeds) Sections 2 and 3 of the Village Code; and

**WHEREAS**, said property owner was given a deadline of June 28, 2010 to cut the grass, thereby bringing the height of the grass into compliance with the code; and

**WHEREAS**, the height of the grass has not been brought into compliance with the code as of today's date of June 28, 2010.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Chapter 11 (Brush, Grass, Weeds), Section 3, the Superintendent of Public Works is hereby directed

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to oversee entry upon the offending premises for the purpose of bringing the same into compliance; and

**BE IT FURTHER RESOLVED**, that as per Chapter 11, Section 4, the cost to the Village of bringing the premises into compliance shall be computed, certified to the Village Administrator and billed directly to the owner of the premises.

Motion carried. 4 – 0.

**Report – Trustee Kingsley**

*Trustee Kingsley reported on the following topics: Youth & Recreation Fun Run; Next event is Movies in the Park in August; Mill Architect will meet with the Village Board at Re-Organization on July 6<sup>th</sup> at 6:00pm; 2010 Grant application being submitted for the Mill; Building Dept. Services/Consolidation with the Town of Amherst; August 17<sup>th</sup> referendum; For absentee ballot applications residents should call Village Clerk Lynda Juul at Village Hall.*

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

**RESOLVED**, that *Trustee Brian J. Kulpa* is hereby appointed as *Village Board Liaison* to the *Williamsville Zoning Committee*.

Motion carried. 4 – 1.

**ON MOTION** by Trustee Kingsley, seconded by Trustee Kulpa, the following resolution was adopted:

**RESOLVED**, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, July 26, 2010, at 7:35 p.m., at Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in commenting on a proposed addition to the Village Code, Chapter 72 – Property Maintenance.

Motion carried. 4 – 1.

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

**RESOLVED**, that the following Justice Court checks, which remain un-cashed, are hereby returned to the account of the Williamsville Village Court, and will be turned over to the Village of Williamsville General Fund as miscellaneous revenue:

1. Anthony Deluca Case #08070016 Check # 355 Check Date: 4/08 Amount: \$2.00
2. Casey G. Kahler Case #09010039 Check #368 Check Date: 3/09 Amount: \$2.50

Motion carried. 4 – 0.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to leave the regular agenda at 8:28 p.m. to open the Executive Session to discuss a personnel matter.

Motion carried. 4 - 0.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the Executive Session at 9:18 p.m. and return to the regular agenda.

Motion carried. 4 - 0.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kulpa, it was moved to adjourn the regular meeting at 9:19 p.m.

Motion carried. 4 - 0.

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Lynda L. Juul

Administrator/Clerk-Treasurer