

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, August 14, 2017 at 7:30 p.m.**

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

Present: Brian J. Kulpa, Mayor  
Daniel O. DeLano, Deputy Mayor  
Deb Rogers, Trustee  
Basil J. Piazza, Trustee  
John "Al" Yates, Jr., Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer  
Judith A. Kindron, Deputy Treasurer  
Charles Grieco, Village Attorney  
Maggie Winship, Director of Community Development  
Ben Vilonen, DPW Crew Chief

Mayor Kulpa asked for a moment of silence in memory of Joy Phalen, mother of Village DPW employee Tim Phalen.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on July 24, 2017 as submitted.

Unanimously carried.

<p style="text-align: center;"><b>Public Hearing - Continued</b> <b>Proposal to Amend Chapter 103 (Vehicles and Traffic)</b> <b>To add No Standing on east and north sides of Oakgrove Dr. from Park Dr. to Garrison Rd.</b></p>
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**ON MOTION** by Mayor Kulpa, seconded by Trustee Yates, it was moved to re-open the public hearing at 7:36 p.m.

Unanimously carried.

Member(s) of the audience who spoke and the topics of their comment(s) *[The Village Board's comments are in italics]*:

1. Laura Rybicki, 55 Oakgrove Dr. – Asked if proposed local law would be No Standing. *[Yes. Need to wait for Traffic & Safety recommendation, close public hearing, pass local law and then send to New York State before a local law would take effect.]* Still concerned about parking on Oakgrove.

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2. Dave Bauer, 102 Oakgrove Dr. – Need this local law approved for personal safety and safety of property. What is Chief Measer’s role? Is he expected to weigh in? [*He has commented at Traffic & Safety Committee in favor of this local law.*]

**ON MOTION** by Mayor Kula, seconded by Deputy Mayor DeLano, it was moved at 7:46 p.m. to suspend the public hearing until September 11, 2017.

Unanimously carried.

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

Unanimously carried.

Mayor Kulpa reported he has a meeting with Natale Development tomorrow. Have negotiating to do. Have heard a lot of comments and done due diligence. Will have a report once we have a direction.

Member(s) of the audience who spoke and the topics of their comment(s) [*The Village Board’s comments are in italics*]:

1. Larry Brenton, 31 Monroe Dr. – Asked if there was a meeting tomorrow regarding S. Long. [*Yes. Have less than a quorum; have contractual issues to discuss.*] Encouraged each Village Board member to remember they were elected to do what is the best for the community and not what they think is best. Stop signs are at the intersections of Columbia at Oakgrove, Highland at Oakgrove, Hirschfield at Oakgrove, Monroe at Oakgrove – Would like Traffic & Safety to look at stop sign at Monroe at Oakgrove that was removed. [*Was installed due to Wehrle Dr. construction and had a sunset provision.*] Airbnb situation – has attorney looked at this? [*Nothing in our code that does not allow rental of a room in their house. Will be working with the City of Buffalo. Problem across the country.*] Running a business in a residential area. Strong proponent of crack sealing; saves pavement. Need to authorize additional funding for crack sealing. Should seal centerline cracks.

2. Larry Cohen, 61 California Dr. – Trustee Rogers said she was working on getting estimates on the park. [*Rogers - Met with Parkitects. A figure of \$1.5 million was given, which included many upgrades. Added a couple of things to the estimate and removed upgrades to get a figure to rebuild the park. Came up with these figures: \$953,900 – without a spray park and \$1,253,900 - with spray park.*]

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3. Amy Carrato, 162 N. Long St. – Asked when and how would residents be updated after the meeting tomorrow. [*Kulpa – Not sure. Could be weeks depending on what happens at meeting.*]
4. Kim Connelly, 52 California Dr. – Thinking about how information is being shared. Need to get information directly to the public. [*Kulpa – May put into a memo and circulate, put on social media, web site, Amherst Bee, etc.*]
5. Peter Baylor, 138 Garden Pkwy. – Not in Village but is a neighbor and is concerned that if unit goes up on California it will completely change his neighborhood.
6. Laura Rybicki, 55 Oakgrove Dr. – Asked if negotiations would change proposals. [*Kulpa – It could.*]
7. Thomas Frank, 5403 Main St. – Imagine Amherst; Amherst Planning Board meeting; NYSEDA grant; sustainability goals; CFA; Governor’s legislation re: Ellicott Creek; One Region Forward; appreciates conversation during public participation; I Love NY industry.
8. David Schmidt, 64 Academy St. – Asked for update on HAWK signal. [*Kulpa – Bidding in December with construction in the spring.*]
9. Brett Hickey, 32 Garden Pkwy. – Gave info on development that he stated he received from Angelo Natale. Wife dealt with another developer downtown who said they have submitted a proposal for 40 apartments on DPW site. [*Have had inquiries from several developers.*] Concerned about the number of units and the number of cars. Moved here from the Hertel area due to development on Hertel. Slippery slope if International Chimney and DPW garage are developed.
10. Peter Baylor, 138 Garden Pkwy. – Asked if there was a way building on California could be prevented because it is too massive? [*Kulpa – property has been rezoned once already.*] Can you limit to less than what zoning allows? [*No. Village created the zoning.*]
11. Larry Brenton, 31 Monroe Dr. – Number of apartments will not increase quality of life in the Village. Can walk away from the developer. [*Kulpa - Working together.*]
12. Carol Bartlo, 55 California Dr. – Can’t build apartments without retail. [*Village Attorney Grieco – That is not correct. Can build apartments alone.*] Asked that Village Board communicate back to the residents no matter what is going on. [*Kulpa – Will update under “News” on the website.*]
13. Jordan Abrams, 130 Milton St. – Who is going to meeting with Natale? How will results be delivered to rest of Village Board? [*Kulpa and Yates will need to figure that out after the meeting.*]

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

Unanimously carried.

**Report – Mayor Kulpa**

*No report*

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt Mayor Kulpa’s resolutions #1 – 5, as written.

Unanimously carried.

**RESOLVED**, that payroll and vouchers in the amount of **\$321,032.73** covering the period from 7/19/17 to 8/8/17, are hereby approved as follows:

<b>Payroll covering 7/10/17 – 7/23/17:</b>	\$41,629.73
<b>Payroll covering 7/24/17 – 8/6/17:</b>	\$37,364.01
<b>Vouchers covering 7/19/17 – 8/8/17:</b>	
General Fund	\$122,565.46
Water Fund	\$0.00
Sewer Fund	\$17,198.68
Glen Park Fund	\$174.35
Trust & Agency Fund	\$31,611.58
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$107,852.47</u>
	\$279,402.54
<b>GRAND TOTAL:</b>	<b><u>\$321,032.27</u></b>

Unanimously carried.

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**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the *2016-2017* fiscal year:

To:	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$15.00
	001-1210-4040 (Mayor- Education Exp./Travel)	\$7.00
	001-1410-4040 (Village Clerk-Education Exp./Travel)	\$25.00
	001-6410-4450 (Publicity-Misc.)	\$30.00
	001-6410-4925 (Publicity-Marketing)	\$3,165.00
	001-6989-2000 (Other Econ. Oppty./Development-Equip.)	\$824.00
	001-6989-4040 (Other Econ. Oppty./Development-Education Exp./Travel)	\$679.00
	001-6989-4450 (Other Econ. Oppty./Development-Misc.)	\$950.00
From:	001-1110-4040 (Village Justice-Education Exp./Travel)	\$47.00
	001-1910-4000 (Unallocated Insurance)	\$1,444.00
	001-1910-4000 (Contingency)	\$422.00
	001-5182-4110 (Street Lighting-Contract for Lighting)	\$3,782.00
To:	001-1210-1000 (Mayor-Personal Services)	\$1.00
	001-1410-1000 (Village Clerk-Personal Services)	\$1,218.00
	001-3620-1000 (Safety Inspection-Personal Services)	\$5,920.00
From:	001-1110-1000 (Village Justice-Personal Services)	\$1,219.00
	001-3410-1000 (Fire Protection-Personal Services)	\$2,057.00
	001-6989-1000 (Other Econ. Oppty./Devel.-Personal Services)	\$3,863.00
To:	001-5110-1000 (Central Garage-Personal Services)	\$5,660.00
	001-7550-1000 (Celebrations-Personal Services)	\$126.00
	001-8560-1000 (Shade Trees-Personal Services)	\$3,896.00
	001-8745-1000 (Flood & Erosion Control-Personal Services)	\$511.00
	001-8745-1001 (Flood & Erosion Control-Personal Services/OT)	\$328.00
From:	001-5142-1000 (Snow Removal-Personal Services)	\$5,660.00
	001-7110-1000 (Parks-Personal Services)	\$126.00
	001-8510-1000 (Community Beautification-Personal Services)	\$4,407.00
	001-8560-1001 (Shade Trees-Personal Services/OT)	\$328.00
To:	001-1640-4450 (Central Garage-Misc.)	\$31.00
	001-5010-4040 (Street Administration-Education Exp./Travel)	\$1.00
	001-5110-4272 (Street Administration-Blacktop/Stone/Oil-Repair)	\$333.00
From:	001-1640-4440 (Central Garage-Parts)	\$31.00
	001-5010-4061 (Street Administration-Cellular Phone)	\$1.00
	001-5110-4250 (Street Maint.-Gas & Oil)	\$333.00
To:	001-1410-4030 (Village Clerk-Printing & Advertising)	\$105.00
From:	001-1410-4020 (Village Clerk-Postage)	\$105.00

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To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$8.00
From:	001-1640-4160 (Central Garage-Building Repairs & Maint.)	\$8.00
To:	001-3410-2025 (Fire Protection-Capital Improvements)	\$5,058.00
	001-3410-4250 (Fire Protection-Gas & Oil)	\$196.00
From:	001-3410-4010 (Fire Inspection-Office Supplies)	\$211.00
	001-3410-4070 (Fire Protection-Utilities)	\$4,191.00
	001-3410-4280 (Fire Protection-EMS Supplies)	\$137.00
	001-3410-4480 (Fire Protection-Inspection Drills)	\$500.00
	001-3410-4520 (Fire Protection-Hydrant Fees)	\$175.00
	001-3410-4610 (Fire Protection-Health & Welfare)	\$16.00
	001-3410-2010 (Fire Protection-Major Equip.)	\$23.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief's Vehicle)	\$1.00
To:	001-7530-2000 (Village Meeting House-Equip.)	\$603.00
	001-7530-4230 (Village Meeting House-Maint.)	\$200.00
	001-7110-2010 (Parks-Capital Improvements)	\$300.00
From:	001-5182-4110 (Street Lighting-Contract for Lighting)	\$1,103.00
To:	001-7530-4070 (Village Meeting House-Utilities)	\$137.00
	001-7530-4230 (Village Meeting House-Maint.)	\$1.00
From:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$138.00
To:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$2,000.00
From:	001-8510-4340 (Village Meeting House-Plants)	\$2,000.00
To:	001-8510-2000 (Community Beautification-Equipment)	\$240.00
From:	001-8510-4340 (Community Beautification-Plants)	\$240.00
To:	001-8560-4450 (Shade Trees-Misc.)	\$22.00
	001-8560-4360 (Shade Trees-Trees/Replacement Regular)	\$28.00
From:	001-8560-4451 (Shade Trees-Environmental Adv. Committee)	\$50.00
To:	001-9050-8000 (Unemployment)	\$6,180.00
	001-9055-8000 (Disability Insurance)	\$79.00
From:	001-9030-8000 (Social Security)	\$6,259.00

Unanimously carried.

**RESOLVED**, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the *2016-2017* fiscal year:

To:	009-7141-4430 (Glen Park-Sanitary Waste Disposal)	\$125.00
	009-9030-8000 (Glen Park-social Security)	\$171.00
	009-9055-8000 (Glen Park-Disability Insurance)	\$1.00

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	009-9010-8000 (Glen Park-NYS Retirement)	\$616.00
From:	009-7141-4070 (Glen Park-Utilities)	\$469.00
	009-7141-4102 (Glen Park-Landscaping)	\$444.00

Unanimously carried.

**RESOLVED**, that the following *budget transfer* is hereby made in the *Sewer Fund* for the *2016-2017* fiscal year:

To:	007-8120-4161 (Sanitary Sewers-Repairs/Lines)	\$14,340.00
From:	007-8130-4220 (Sanitary Sewers-Sewage Treatment)	\$14,340.00

Unanimously carried.

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the *2017-2018* fiscal year:

To:	001-3410-4160-3451 (Fire Protection-Utility 5-1 Expense)	\$88.00
	001-3410-4160-3402 (Fire Protection-Engine 2 Expense)	\$3,981.00
	001-3410-4160-3401 (Fire Protection-Engine 1 Expense)	\$1,704.00
	001-3410-4160-3405 (Fire Protection-Rescue 5 Expense)	\$1,920.00
	001-3410-4160-3409 (Fire Protection-Car 9 Expense)	\$192.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$7,885.00

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, the following resolutions were adopted:

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for assigned fund to be applied to cover the 30% match for work completed on the DASNY grant for the Fire Dept.:

Increase:	001-0001-0599 (Appropriated Surplus)	\$49,804.00
Increase:	001-3410-4099 (Fire Protection-Grant Expenditures)	\$49,804.00

Unanimously carried.

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**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, the following resolution was adopted:

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for receivable due from NYS for work completed on the DASNY grant, for the Fire Dept. as of 5/31/17:

Increase:	001-0001-3090 (State Aid-Grants)	\$116,208.00
Increase:	001-3410-4099 (Fire Protection-Grant Expenditures)	\$116,208.00

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Yates, the following resolutions were adopted:

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for NYS DEC rebate on the purchase of an electric car:

Increase:	001-0001-2770 (Misc.- Revenue)	\$2,500.00
Increase:	001-5110-2000 (Street Maint.-Equipment)	\$2,500.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for the use of assigned funds for park expenses:

Increase:	001-0001-0599 (Appropriated Surplus)	\$7,220.00
Increase:	001-7110-2010 (Parks-Capital Improvements)	\$755.00
	001-7110-2020 (Parks-Park Equip.)	\$6,040.00
	001-7110-4070 (Parks-Utilities)	\$425.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for donation from ticket sales on December 2-11, 2016 for the production of "The Best Christmas Pageant Ever" by the Lancaster Players:

Increase:	001-0001-2705 (Gifts & Donations)	\$138.00
Increase:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$138.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for the use of funds previously assigned to Village Hall for the Memorial Day Parade for 5/31/16:

Increase:	001-0001-0599 (Gifts & Donations)	\$1,000.00
Increase:	001-7550-4500 (Celebrations-Memorial Day Parade)	\$1,000.00

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**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for the use of funds previously assigned to DPW for Holiday Decorations:

Increase:	001-0001-0599 (Appropriated Surplus)	\$1,555.00
Increase:	001-7550-4400 (Celebrations-Holiday Decorations)	\$1,555.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for the use of assigned funds for Trees:

Increase:	001-0001-0599 (Appropriated Surplus)	\$3,571.00
Increase:	001-8560-4280 (Shade Trees-Equip. Rental)	\$212.00
	001-8560-4360 (Shade Trees-Trees/Replacement/Regular)	\$3,359.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for donation from the Village Preservation Foundation:

Increase:	001-0001-2705 (Gifts & Donations)	\$800.00
Increase:	001-7530-2010 (Village Meeting House-Capital Improvement)	\$800.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for funds assigned to #831 E. Spring Project for Village 10% match for work completed through 5/31/17:

Increase:	001-0001-0599 (Appropriated Surplus)	\$85,367.00
Increase:	001-9950-9000 (Transfer to Capital)	\$85,367.00

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for funds assigned to #833 S. Long Street Project for Village 10% match for work completed through 5/31/17:

Increase:	001-0001-0599 (Appropriated Surplus)	\$17,050.00
Increase:	001-9950-9000 (Transfer to Capital)	\$17,050.00

Unanimously carried.

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

**RESOLVED**, that the following *budget amendment* is hereby made in the *Glen Park Fund* for the *2016-2017* fiscal year to account for the use of fund balance to multiple uses:

Increase:	009-0009-0599 (Appropriated Surplus)	\$3,069.00
Increase:	009-7141-1000 (Glen Park-Personal Services)	\$1,048.00
	009-7141-4102 (Glen Park-Landscaping)	\$2,021.00

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, the following resolution was adopted:

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for encumbrances from 5/31/17:

Increase:	001-0001-0599 (Appropriated Surplus)	\$10,760.00
Increase:	001-3410-2025 (Fire Protection-Capital Improvements)	\$5,058.00
	001-3410-2050 (Fire Protection-Turnout Gear)	\$4,600.00
	001-3410-4010 (Fire Protection-Office Supplies)	\$144.00
	001-6410-4920 (Fire Protection-Flags)	\$958.00

Unanimously carried.

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

**RESOLVED**, that the Fire Department's 1998 Heavy Rescue Truck #5 (asset #97) is hereby declared surplus, to be sold via broker.

Unanimously carried.

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

**RESOLVED**, that the Williamsville Water Mill property located at 56 E. Spring St. (assets #489, #490, and #1097) is hereby declared surplus as of July 2016.

Unanimously carried.

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

**RESOLVED**, that the Village Administrator is hereby authorized to advertise for sealed bids for the purchase of one (1) new Ford F650 or equivalent for the Williamsville Fire Department, pending review and approval of the bid specification by the Village Attorney.

Unanimously carried.

\*Mayor Kulpa announced he was tabling his resolution #12 regarding the advertising for sealed bids for the purchase of new truck bay doors for the Fire Department.

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

**RESOLVED**, that the rate of pay for Gail Jahreis, Clerk to the Village Justice, is hereby set at \$22.43 per hour, effective immediately.

Unanimously carried.

**Report – Trustee Rogers**

No report.

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**ON MOTION** by Trustee Rogers, seconded by Trustee Yates, the following resolution was adopted:

**RESOLVED**, that *Sharon Coady Daniels* of *172 Arend Ave., Williamsville*, is hereby appointed to the *Glen Park Joint Board* thru *June 30, 2019*.

Unanimously carried.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic(s):* Jolly Boys golf tournament will raise approximately \$20,000 and donate it for drug prevention.

Trustee Piazza had no resolutions on the agenda.

**Report – Deputy Mayor DeLano**

*Deputy Mayor DeLano reported on the following topic(s):* Thanked everyone for assistance with the Glen Park Art Festival; emerald ash borer inoculation; issues with sign litter, especially on utility poles.

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

**RESOLVED**, that the proposed amendment to Chapter 103 (Vehicles and Traffic), which would modify the area of No Standing on Main Street near Grove Street from 15 feet to 38 feet, and which was the subject of a public hearing held on July 24, 2017, is hereby adopted as **Local Law 8 of 2017**.

Unanimously carried.

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

**RESOLVED**, that Change Order #1 to Contract #35, the 2017 Milling and Paving Project, is hereby approved for Occhino Corp. in an amount not to exceed \$10,230.00.

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Unanimously carried.

**ON MOTION** by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to leave the regular agenda to consider an additional resolution.

Unanimously carried.

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

**RESOLVED**, that *Noel Bartlo of 55 California Dr., Williamsville*, is hereby appointed *Chairperson of Parks Committee* for the *2017-2018* official Village year.

Unanimously carried.

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

Unanimously carried.

**Staff Reports**

*Community Development Director Winship reported on the following:* Rubber Ducky Day will be Friday, August 18<sup>th</sup> at 11:00 a.m. at Garrison Park wading pool.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 9:15 p.m. for the purpose of discussing an employment related issue.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to close the Executive Session at 10:10 p.m.

Unanimously carried.

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**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adjourn the regular meeting at 10:11 p.m.

Unanimously carried.

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Lynda L. Juul  
Administrator/Clerk-Treasurer