

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, February 26, 2018 at 7:30 p.m.

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

Present: Daniel O. DeLano, Jr., Mayor
Basil J. Piazza, Deputy Mayor
Deborah L. Rogers, Trustee
Matthew J. Etu, Trustee

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

Excused: John "Al" Yates, Jr., Trustee

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to approve the minutes of the regular meeting held on January 22, 2018, as submitted.

Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to approve the minutes of the special meeting held on February 2, 2018, as submitted.

Motion carried. 4 – 0.

The public hearing for the proposed local landmark designation of 5429 Main St. (Starbucks/Alex and Ani) was continued until the March 12, 2018 Village Board meeting.

Public Hearing

Amend Chapter 103 (Vehicles and Traffic)

Reduce speed limit on Park Drive from Main Street to Oakgrove Drive from 30 mph to 25 mph

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to open this public hearing at 7:44 p.m.

Motion carried. 4 – 0.

No one from the audience addressed the Board.

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ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 7:45 p.m. to close the public hearing.

Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to open the public participation portion of the meeting.

Motion carried. 4 – 0.

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

1. Larry Zaszowski, 70 Los Robles – Asked about the future of Village newsletter - It has been issued quarterly. *[Probably will be out sometime in March.]*
2. Thomas Frank, 5403 Main St. – Joint board meeting with the Town of Amherst on a quarterly basis; Transportation initiative; Light rail; Youngs Rd interchange; Ellicott Creek watershed; One Region Forward.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to close the public participation portion of the meeting.

Motion carried. 4 – 0.

Report – Mayor DeLano

Mayor DeLano reported on the following topic(s): E. Spring St. – The Village won the American Public Works Association 2017 Environmental Project of the year Award; Meeting with NYSDOT regarding Union Rd. paving project.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to adopt the following resolution:

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

To: 001-1010-4010 (Board of Trustees – Office Supplies)

\$315.00

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From:	001-1010-4040 (Board of Trustees – Education Expense & Travel)	\$315.00
To:	001-1210-4010 (Mayor – Office Supplies)	\$95.00
From:	001-1210-4040 (Mayor – Education Expense & Travel)	\$95.00
To:	001-1410-4030 (Village Clerk – Printing & Advertising)	\$142.00
From:	001-1410-4055 (Village Clerk – Lockbox Collection)	\$142.00
To:	001-1620-4240 (Buildings – Paint, Carpet, Etc.)	\$498.00
	001-1620-4450 (Buildings – Miscellaneous)	\$660.00
From:	001-1620-4230 (Buildings – Building Maintenance)	\$1,158.00
To:	001-3410-2030 (Fire Protection – Radio Equipment)	\$435.00
	001-3410-4010 (Fire Protection – Office Supplies)	\$28.00
	001-3410-4610 (Fire Protection – Health & Welfare)	\$83.00
From:	001-3410-4180 (Fire Protection – Radio Repairs)	\$435.00
	001-3410-4620 (Fire Protection – Lease Copy Machine)	\$111.00
To:	001-3410-4160-3407 (Fire Protection – Truck Expense/Rescue 7)	\$688.00
	001-3410-4160-3492 (Fire Protection – Truck Expense/Asst. Chief’s Vehicle)	\$52.00
From:	001-3410-4160 (Fire Protection – Truck Expense)	\$740.00
To:	001-3410-4520 (Fire Protection – Hydrant Fees)	\$239.00
From:	001-3410-4701 (Fire Protection – Workers Comp.)	\$239.00
To:	001-3620-4010 (Safety Inspection – Office Supplies)	\$83.00
From:	001-3620-4040 (Safety Inspection – Education Exp. & Travel)	\$83.00
To:	001-5010-2010 (Street Administration – Computer Software)	\$331.00
From:	001-5010-4010 (Street Administration – Office Supplies)	\$331.00
To:	001-5110-4161-900 (Street Maintenance – Repairs/Nissan Leaf)	\$47.00
	001-5110-4161-901 (Street Maintenance – Repairs/2012 Chevy Tahoe)	\$85.00
	001-5110-4161-902 (Street Maintenance – Repairs/2002 Int’l Dump)	\$68.00
	001-5110-4161-903 (Street Maintenance – Repairs/2015 Dump Truck)	\$92.00
	001-5110-4161-904 (Street Maintenance – Repairs/2005 Freight Liner)	\$59.00
	001-5110-4161-906 (Street Maintenance – Repairs/2007 Int’l 4300 Dump)	\$1491.00
	001-5110-4161-912 (Street Maintenance – Repairs/2012 CAT Hi-Lift)	\$104.00
From:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$1,946.00
To:	001-7110-4165 (Parks – Repairs/Shelter Maintenance)	\$1,406.00
	001-7110-4430 (Parks – Sanitary Waste Disposal)	\$525.00
From:	001-7110-4161 (Parks – Repairs/Lights)	\$703.00
	001-7110-4162 (Parks – Repairs/Pool)	\$703.00
	001-7110-4360 (Parks – Park Supplies)	\$525.00
To:	001-7550-1000 (Celebrations – Personal Services)	\$113.00
From:	001-7110-1000 (Parks – Personal Services)	\$113.00

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Motion carried. 4 – 0.

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

RESOLVED, that the following *budget transfer* is hereby made in the *Sewer Fund* for the *2017-2018* fiscal year:

To:	007-8120-1001 (Sanitary Sewers – Personal Services/OT)	\$742.00
From:	007-8120-1000 (Sanitary Sewers – Personal Services)	\$742.00

Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, the following resolution was adopted:

Payroll covering 1/8/18 – 1/21/18: \$41,539.32

Payroll covering 1/22/18 – 2/04/18: \$36,209.64

Payroll covering 2/05/18 – 2/18/18: \$38,948.50

Vouchers covering 1/17/18 – 2/06/18:

General Fund	\$102,462.53
Water Fund	\$0.00
Sewer Fund	\$4,962.12
Glen Park Fund	\$0.00
Trust & Agency Fund	\$32,839.90
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$51,274.75</u>
	\$191,539.30

Vouchers covering 2/07/18 – 2/20/18:

General Fund	\$115,912.40
Water Fund	\$0.00
Sewer Fund	\$387.10

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Glen Park Fund	\$420.86
Trust & Agency Fund	\$15,180.54
Debt Service	\$184,250.00
Community Development	\$0.00
Capital Fund	<u>\$36,528.13</u>
	\$352,679.03

GRAND TOTAL: **\$660,915.79**

Motion carried. 4 – 0.

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

RESOLVED, that the Village of Williamsville Financial Statements for the fiscal year ending May 31, 2017, and presented by Drescher & Malecki, LLP on January 8, 2018, have been reviewed by the Village Board, and are hereby accepted as the Official Financial Statements for the 2016-2017 fiscal year; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Williamsville hereby certifies that the records of the Williamsville Court were examined and audited by Drescher & Malecki, LLP in conjunction with the audit of the records of the Village of Williamsville for the fiscal year ending May 31, 2017, and as required by Section 2019-a of the Uniform Justice Court Act.

Motion carried. 4 – 0.

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

RESOLVED, that the following is hereby accepted as the fund balance policy of the Village of Williamsville:

**VILLAGE OF WILLIAMSVILLE
FUND BALANCE POLICY**

Purpose

The Village's primary objective is to maintain a prudent level of financial resources to protect against reducing service levels and/or raising taxes and fees due to temporary revenue shortfalls or

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unpredicted one-time expenditures. The Village also seeks to maintain the highest possible credit ratings which are influenced, in part, by the Village's maintenance of appropriate fund balance.

Definitions

Fund balance – The excess of assets/deferred outflows of resources over liabilities/deferred inflows of resources in a governmental fund.

Available fund balance – The total of unassigned fund balance or, in the case of the Sewer Fund, assigned for that fund's specific purpose minus fund balance appropriated for subsequent year's budget.

Policy Statement

The available fund balance of the Village's General Fund and Sewer Fund accumulates and is maintained to provide stability and flexibility to respond to temporary revenue shortfalls or unpredicted one-time expenditures.

The Village will maintain adequate available fund balance in its General Fund and Sewer Fund to provide flexibility and to mitigate current and future risks (e.g., revenue shortfalls and unanticipated expenditures), to ensure stable tax rates, to provide for one-time opportunities and to retain favorable credit ratings. The Village will endeavor to maintain an available fund balance in its General Fund and in its Sewer Fund, equivalent to at least 25% of each respective fund's operating expenditures for the subsequent year's budget (the "Target").

If the Village's available fund balance in its General Fund or its Sewer Fund falls below the Target, the Mayor, as Budget Officer of the Village, shall consult with the Village's Administrator/Clerk-Treasurer, and, based upon such consultation, shall present the Village Board with the option or options that the Mayor, in his or her judgement, would restore available fund balance in the effected fund to at least the Target level within three fiscal years. The Village Board shall thereupon timely consider and evaluate the options presented by the Mayor, and any other available options in the discretion of the Village Board, and shall, no later than the adoption of the next Village budget, determine which course of action to implement to restore the available fund balance in the fund at issue to the Target level. The Village Board shall continue to monitor the impact of any adopted course of action, and shall be permitted to adjust that course of action upon consideration of any relevant changing circumstances.

If the Village's available fund balance in its General Fund or its Sewer Fund rises above the equivalent of 40% of the respective fund's annual operating expenditures, the Mayor, as Budget Officer of the Village, shall consult with the Village's Administrator/Clerk-Treasurer, and, based upon such consultation, shall present the Village Board with the option or options that the Mayor, in his or her judgement, would reduce the available fund balance in the fund at issue to an appropriate level within three fiscal years, taking into consideration any reasonably expected significant expenditures or other conditions that may affect the fund at issue in the future. The Village Board shall thereupon timely consider and evaluate the options presented by the Mayor, and any other available options in the discretion of the Village Board, and shall, no later than the adoption of the next Village Budget, determine which course of action to implement to address the level of

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available fund balance. The Village Board shall continue to monitor the impact of any adopted course of action, and shall be permitted to adjust that course of action upon consideration of any relevant changing circumstances.

Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, the following resolution was adopted:

WHEREAS, the Village Administrator/Clerk-Treasurer advertised for sealed bids for the sale of the Fire Department's 1997 Simon Duplex/Saulsbury Heavy Rescue Vehicle (Rescue 5); and

WHEREAS, bids were opened at 3pm on Wednesday, February 14, 2018; and

WHEREAS, one bid was received for the vehicle, which has been determined to be an acceptable sale price;

NOW, THEREFORE, BE IT RESOLVED, that the sale of the Fire Department's Heavy Rescue Vehicle is hereby awarded to the Junius Volunteer Fire Department for their bid of \$136,255.00.

Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to leave the regular agenda to consider two new resolutions.

Motion carried. 4 – 0.

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

RESOLVED, that *Timothy Boyle of 91 Pasadena Pl.*, is hereby appointed as *Alternate* to the *Zoning Board of Appeals* for the remainder of the *2017-2018* official Village year.

Motion carried. 4 – 0.

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ON MOTION by Mayor DeLano, seconded by Trustee Etu, the following resolution was adopted:

RESOLVED, that *Ron Trigilio of 25 S. Ellicott St.*, is hereby appointed as member of the *Planning and Architectural Review Board* until the end of the **2018-2019** official Village year, to fill the unexpired term of Victor Paquet.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

Report – Trustee Etu

Trustee Etu reported on the following topic(s): Announced he was tabling his resolution regarding a proposal for financial management software; NYCOM Conference; Grant regarding Downtown Revitalization Initiative.

Report – Trustee Rogers

Trustee Rogers had no report.

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

WHEREAS, there is a long history of sharing Emergency Management Services within Erie County; and

WHEREAS, the Village of Williamsville wishes to continue sharing such services with other municipalities within Erie County;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville elects to participate in the Local Emergency Management Mutual Aid Assistance Memorandum of Understanding, and will comply with the provisions of the agreement; and

BE IT FURTHER RESOLVED, that the Mayor and Administrator/Clerk-Treasurer are hereby authorized to sign the Memorandum of Understanding on behalf of the Village.

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Motion carried. 4 – 0.

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

RESOLVED, that *Wes Stone* is hereby appointed as *Chairperson of the Planning and Architectural Review Board* until the end of the **2017-2018** official Village year, due to the resignation of Victor Paquet.

Motion carried. 4 – 0.

Report – Deputy Mayor Piazza

Deputy Mayor Piazza reported on the following topic(s): NYCOM Conference and the pursuit of aggregate purchasing of gas and electric.

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

RESOLVED, that the following persons are hereby appointed to the *Glen Park Art Festival Committee* until the end of the **2017-2018** official Village year:

- 1. Joanne Mendiola, 22 Pfohl Terr., Williamsville*
- 2. Morgan Cicero, 66 Mahogany Dr., Williamsville*

Motion carried. 4 – 0.

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

WHEREAS, the Village Board desires to pursue a funding opportunity under the NYSDOT 2018 Pedestrian Safety Action Plan (PSAP), which would provide basic safety treatments for Village owned streets for pedestrian street crossings, striping, signage and lighting; and

WHEREAS, the PSAP will provide funding in an amount no less than \$250,000, with no required match;

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NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the submittal of an application for the NYSDOT 2018 Pedestrian Safety Action Plan Program to fund the Williamsville Pedestrian Safety Action Plan Project; and

BE IT FURTHER RESOLVED, that the Village Board authorizes the Mayor to sign all documents and agreements related to the NYSDOT 2018 Pedestrian Safety Action Plan Project application.

Motion carried. 4 – 0.

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

WHEREAS, the Village of Williamsville Historical Preservation Commission wishes to work with Preservation Buffalo Niagara to obtain Certified Local Government (CLG) funding through the State Historic Preservation Office (SHPO) for the purpose of supporting the Legacy Cities Preservation Conference, and will help provide training to Historic Preservation Commissions throughout Western New York; and

WHEREAS, all funding will be provided by SHPO through the CLG grant, with the only match required from the Village of Williamsville being staff time related to the administration of the funding and possible volunteer time from HPC members;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the Mayor to sign the CLG grant application and any paperwork related to the grant.

Motion carried. 4 – 0.

Staff Report(s) – None

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 8:16 p.m. to open the Executive Session portion of the agenda to discuss current litigation.

Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 8:40 p.m. to close the Executive Session portion of the agenda.

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Motion carried. 4 – 0.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to adjourn the meeting at 8:40 p.m. p.m.

Motion carried 4 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer