

**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, June 22, 2020 at 7:30 p.m.**

Part Time Deputy Clerk Deborah Habes led the Pledge of Allegiance at 7:42pm.

Present: Deborah L. Rogers, Mayor  
Basil J. Piazza, Deputy Mayor  
Matthew J. Etu, Trustee  
John Murphy, Trustee  
John “Al” Yates, Jr., Trustee

Also present: Judith A. Kindron, Administrator/Clerk-Treasurer  
Hazel J. Pasco, Deputy Treasurer  
Keaton DePriest, Director of Community Development  
Ben Vilonen, DPW Crew Chief  
Charles Grieco, Village Attorney

The Village Board meeting was opened at 7:42 p.m. by Mayor Rogers

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on June 8, 2020, as submitted.

Unanimously carried

## **Public Hearing**

### *Parks Master Plan & Guidance Documents*

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 7:46 p.m. to open this public hearing that is a continuation from March 11, 2020.

Unanimously carried

Parks Master Plan and Guidance Document email from Larry Zazowski, would like Public Hearing to be kept open until in-person meetings. [*Trustee Etu – suggested setting up a table at the Farmers Market with a large display*].

**Ellie** – limited on what can be at the Farmers Market. Volunteer tent to pass out information. [*Director of Community Development Keaton DePriest – Smaller TV and put on a loop*]. [*Trustee Etu – Large displays are better*].

- 1) **Dan Rider – 38 Garden Pkwy** - Likes some kind of displays – posters 24x36 – put on the walls in Village Hall – needs bigger presentation.

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**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 7:53 p.m. to close this public hearing and continue it on July 13, 2020.

Unanimously carried

**Public Hearing**  
*Outside Seating*

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 7:54 p.m. to open this public hearing.

Unanimously carried

- 1) Dane Rider – 38 Garden Parkway – Is the Board prepared to approve this tonight? [Mayor Rogers – Yes] Good idea, no more vacancies on Main St. [Trustee Etu – This is to avoid the necessity to go to Planning Board].

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 7:58 p.m. to close this public hearing.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 7:59 p.m. to open the public participation portion of the meeting.

Unanimously carried

Member(s) of the audience who addressed the Board and their comment(s) [*Board of Trustees' comments are in italics*]:

- 1) Dan Rider – 38 Garden Pkwy. – Look at the specifications of the Meeting House. See plans are amended alternates for hardware. Thank you.

**ON MOTION** by Mayor Rogers, seconded by Trustee Murphy, it was moved at 8:01 p.m. to close the public participation.

Unanimously carried

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**Report – Mayor Rogers**

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the 2019-2020 fiscal year.

To:	001-1910-4000-0000 (Unallocated Insurance)	\$5125.00
From:	001-1920-4000-0000 (Association Dues)	\$1261.00
	001-1950-4100-0000 (Refund of Village Taxes)	\$890.00
	001-1991-4000-0000 (Prov. For Longevity & Sal. Incr.)	\$1348.00
	001-1440-4160-0000 (Engineer/Professional Fees)	\$1626.00
To:	001-3310-4231-0000 (Traffic Control/Signs-Maintenance)	\$881.00
From:	001-3310-4240-0000 (Traffic Control/Street Painting & Crosswalks)	\$664.00
	001-3310-4041-0000 (Traffic Control/Mileage Reimbursement)	\$81.00
	001-3310-4620-0000 (Traffic Control/Uniform)	\$22.00
	001-3310-2000-0000 (Traffic Control/Equipment)	\$114.00
To:	001-3410-2030-0000 (Fire Protection/Radio Equipment)	\$1.00
	001-3410-4010-0000 (Fire Protection/Office Supplies)	\$12.00
	001-3410-4471-0000 (Fire Protection/Building repairs)	\$238.00
From:	001-3410-2050-0000 (Fire Protection/Turnout Gear)	\$1.00
	001-3410-4040-0000 (Fire Protection/Education Exp/Travel)	\$12.00
	001-3410-4470-0000 (Fire Protection/ Building Maintenance)	\$238.00
To:	001-3620-4620-0000 (Safety Inspection/Books & Publications)	\$801.00
From:	001-3620-4630-0000 (Safety Inspection/Uniform Expense)	\$500.00
	001-3620-4020-0000 (Safety Inspection/Postage)	\$301.00
To:	001-5010-4061-0000 (Street Administration/Cellular Phone)	\$32.00
	001-5010-4450-0000 (Street Administration/Misc)	\$375.00
From:	001-5010-4010-0000 (Street Administration/Office Supplies)	\$29.00
	001-5010-4040-0000 (Street Administration/Education Exp)	\$229.00
	001-5010-4050-0000 (Street Administration/Drug/Alcohol Testing)	\$97.00
	001-5010-2000-0000 (Street Administration/Equipment)	\$52.00
To:	001-5110-4161-0904 (Street Maintenance/Repairs-2005 Freightliner)	\$62.00
	001-5110-4161-0907 (Street Maintenance/Repairs-1992 Autocar Dump)	\$359.00
	001-5110-4161-0909 (Street Maintenance/Repairs-2013 Ford F-150)	\$73.00
	001-5110-4161-0912 (Street Maintenance/Repairs-2012 Cat Hi-Lift)	\$129.00
	001-5110-4161-0926 (Street Maintenance/Repairs-2012 Chevy Tahoe)	\$17.00
	001-5110-4161-0927 (Street Maintenance/Repairs-2018 Wacker Roller)	\$17.00
From:	001-5110-4161-0000 (Street Maintenance/Repairs Equipment)	\$657.00

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To:	001-5110-4605-0000 (Street Maintenance/Safety Clothing Accessories)	\$544.00
From:	001-5110-4600-0000 (Street Maintenance/Clothing Allowance)	\$450.00
	001-5110-4610-0000 (Street Maintenance/Physicals/Eye Exams/Safety Glasses)	\$94.00
To:	001-5142-2000-0000 (Snow Removal/Equipment)	\$2686.00
From:	001-5142-4460-0000 (Snow Removal/Lawn Repair)	\$2686.00
To:	001-6989-4010-0000 (Other Econ Oppty & Dev/Office Supplies)	\$20.00
From:	001-6989-4040-0000 (other Econ Oppty & Dev/Education Exp/Travel)	\$20.00
To:	001-7110-4360-0000 (Parks/Parks Supplies)	\$352.00
From:	001-7110-4070-0000 (Parks/Utilities)	\$352.00
To:	001-7530-4070-0000 (Village Meeting House/Utilities)	\$402.00
From:	001-7530-4990-0000 (Village Meeting House/Repairs)	\$402.00
To:	001-8510-4450-0000 (Community Beautification/Misc)	\$45.00
From:	001-8510-4160-0000 (Community Beautification/Repairs)	\$45.00
To:	001-8560-4450-0000 (Shade Trees/Misc)	\$7.00
From:	001-8560-4350-0000 (Shade Trees/Trees-Maintenance)	\$7.00
To:	001-9050-8000-0000 (Unemployment)	\$331.00
From:	001-9040-8000-0000 (Workers Compensation)	\$331.00

Unanimously carried

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the 2019-2020 fiscal year.

To:	009-7141-4352-0000 (Glen Park Appropriations/Park Maintenance)	\$684.00
From:	009-7141-4070-0000 (Glen Park Appropriations/Utilities)	\$684.00

Unanimously carried

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

**RESOLVED**, that the following *Amendment is* hereby made in the *General Fund* for the 2019-2020 fiscal year, to account for payment for reimbursement of expense on Meeting House exterior covered by CDBG.

Increase:	001-0001-5031-0000 (Interfund Transfers)	\$2925.00
Increase:	001-7530-2010-0000 (Village Mtg House/Capital Improvements)	\$2925.00

Unanimously carried

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the 2020-2021 fiscal year.

To:	001-3410-4160-3409 (Fire Protection/Truck Repairs-Chiefs Truck)	\$89.00
	001-3410-4160-3491 (Fire Protection/Truck Repairs-Asst. Chiefs Truck)	\$89.00
	001-3410-4160-3492 (Fire Protection/Truck Repairs-Asst. Chiefs Truck)	\$89.00
From:	001-3410-4160-0000 (Fire Protection/Truck Repairs)	\$267.00

Unanimously carried

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

**RESOLVED**, that payroll and vouchers in the amount of \$853,095.82 covering the period from 5/25/2020 – 6/16/2020 are hereby approved as follows:

**Payroll covering- 5/25/2020 – 6/7/2020:** \$63,736.53

**Vouchers covering- 6/3/2020 – 6/16/2020:**

General Fund	\$291,656.11
Water Fund	\$44.37
Sewer Fund	\$376,413.30

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Glen Park Fund	\$455.77
Trust & Agency Fund	\$26,848.11
Debt Service	\$0.00
Community Development	\$92,065.63
Capital Fund	<u>\$1,876.00</u>
	\$789,359.29

**GRAND TOTAL: \$853,095.82**

Unanimously carried

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

**A BOND RESOLUTION, DATED JUNE 22, 2020, 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 ROADS IN THE VILLAGE, AT AN ESTIMATED MAXIMUM COST OF \$450,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$450,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH 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.**

WHEREAS, the Village Board of Trustees of the Village of Williamsville, in the County of Erie, New York (the "Village") desires to undertake the reconstruction of and construction of improvements to various roads in the Village;

NOW THEREFORE,

BE IT RESOLVED, by 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 Village is hereby authorized to undertake the reconstruction of and construction of improvements to various roads in the Village including, but not limited to, the construction of ADA accessible curb ramps and associated concrete sidewalk and curbs, the installation of raised crosswalks and a rapid flashing beacon, as well as other improvements as more

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fully identified in (or contemplated by) a report prepared in connection with such project, including all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$450,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$450,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all taxable 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 the Purpose is an object or purpose described in subdivision 20(b) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is ten 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 such 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 will 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 or charges, there will 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, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 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 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. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

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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 earlier of (a) the date hereof or (b) the date of any earlier expression by the Village of its intent to reimburse such expenditures) 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 (or reaffirmation) 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 may 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) 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 Treasurer is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with Village officials and the Village's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the Village Clerk.

SECTION 12. The Village hereby determines that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 13. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 14. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

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

(b) the provisions of the law which should be complied with as of the date of publication of this resolution are not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 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 15. This Resolution is subject to permissive referendum pursuant to Section 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 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 days after the date of adoption of this resolution.

SECTION 16. If no petitions are filed in the permissive 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.

Roll Call- Mayor Rogers - Yes Deputy Mayor Piazza – Yes Trustee Yates – Yes  
Trustee Etu – Yes Trustee Murphy – Yes  
Motion Passed – 5-0

Crew Chief Vilonen was asked what streets were done:

*[Crew Chief Vilonen replied*

*North Long*

*Glen Ave*

*Reist to Mill*

*Eagle – Mill to Academy*

*Oakgrove, Hirschfield to Main St*

*Castle Creek*

*All milled & paved*

*Accessible ramps where needed*

*Raised crosswalks at Glen Ave*

*2 Flashing beacons (1 funded by Peace Aps)]*

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

**RESOLVED**, that the proposed amendments to Chapter 112-16J (Seasonal Outdoor Seating) of the Village Code, that was the subject of a public hearing on Monday June 22, 2020, is hereby adopted as **Local Law 10 of 2020**.

Unanimously carried

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

**WHEREAS**, the Village board meeting schedule for the official Village year is approved at the annual ReOrganization meeting which usually falls on the first Monday in July. However, due to COVID-19 and the postponement of the Village Election until September 15, 2020 and the ReOrganization meeting postponed until the first Monday in October;

**NOW THEREFORE, BE IT RESOLVED**, that the Regular Board Meetings of the Village of Williamsville Board of Trustees until the ReOrganization meeting on October 5, 2020 will be held at 7:30pm on the following Mondays with work session beginning at 6:00pm, as listed below:

Monday July 13, 2020  
Monday July 27, 2020  
Monday August 24, 2020  
Monday September 14, 2020  
Monday September 28, 2020

Unanimously carried

**ON MOTION** by Mayor Rogers, (no second) it was moved at 8:08pm to go off agenda:

Motion Denied

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**Report – Trustee Murphy**

*Traffic & Safety met on zoom 6/11/2020*

*East side of Reist a No Parking zone from Glen to the bend*

*Traffic & Safety will send a formal recommendation to Village Board*

*Speeding on Mill, recommendations?*

**Report – Deputy Mayor Piazza**

*Asked Trustee Yates to reach out to Art & Cultural committee to let them know about Mural*

*Beautification has done a great job putting plants in the ground*

*Looking to approve Village Hall mural*

*WBA – trying to work together for events, example – movies in the park*

*EAC to meet soon via zoom*

**Report – Trustee Etu**

*Received about a dozen volunteers for Island Park*

*Steering committee & playground build committee*

*Meetings every 2 weeks beginning July 6 through the end of August 2020*

*Parkitects recommends 100 volunteers day of build from 8:00am -7:00pm*

**Report – Trustee Yates**

*Really excited about this! All funds from donations. No taxpayer dollars*

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

**WHEREAS**, the Beautification Committee would like to hire local artist, Chris Piontkowski, to paint a mural, with a floral theme, on the east facing wall of Village Hall, along the Pocket Park. Through the past few years of the Village Garden Walk, the Beautification Committee has collected sponsor fees and held a raffle of WBA donated items to fund beautification projects around the Village;

**NOW THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees approves the Mural for Village Hall at a price not to exceed \$5,000.00 with the Village Board to have final approval of the rendering prior to the artist beginning his work.

Unanimously carried

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**Staff Reports**

***Administrator Kindron:***

*In response to Trustee Etu's need for volunteers,*

*Have a volunteer dropbox right in the park with information*

*Crew Chief Vilonen – lots of people every day going through the park*

*Trustee Etu – great idea, once we have a date we will do this*

*Mayor Rogers – status of grant*

*Director of Community Development DePriest – submitted, should hear around mid-July*

***Deputy Treasurer Pasco: no report***

***Director of Community Development DePriest: no report***

***DPW Crew Chief:***

*Moving ahead with tree planting*

*Asking residents to water*

*Next task – weeding before mulching*

**ON MOTION** by Mayor Rogers, seconded by Trustee Murphy, it was moved to adjourn the meeting at 8:27pm

Unanimously carried

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Judith A. Kindron  
Administrator/Clerk-Treasurer