

Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on November 9, 1998 at 7:35 p.m.

Present: Basil Piazza, Mayor
Richard Langenfeld - Trustees
William Wutz
Joseph Frese
Barbara Schofield

Theresa L. Cummins-Admin./Vlg. Clerk-Treasurer
Sally A. Kuzon, Deputy Clerk-Treasurer
Patrick Kelly, Village Attorney
John Anstett, Dept. of Public Works

Mayor Piazza opened the meeting at 7:35 p.m. with the Pledge of Allegiance led by Trustee Frese.

ON MOTION by Mayor Piazza, seconded by Trustee Frese, it was moved to approve the minutes of the regular board meeting of October 26, 1998.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, it was moved to approve the minutes of the public hearing on the proposed use of 1999 Community Development Funds held on October 26, 1998.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Frese, it was moved to approve the minutes of the public hearing on a request for an Exceptional Development Permit for 5447 Main Street held on October 26, 1998.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, it was moved to suspend rules for public participation.

Unanimously carried.

Carolyn Schlifke, 192 Evans Street, read a letter from DOT about the left turn arrow request at Evans and Main Street. She also complained about the wedding limos parking on Glen Avenue and congesting the area. She suggested that the Traffic & Safety Committee discuss this problem during the winter months.

Vicky Lattin, 64 S. Cayuga Road, spoke on the traffic and parking conditions in the Village, especially on Main Street.

Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on November 9, 1998 at 7:35 p.m.

Mary Lowther, 120 N. Ellicott Street, asked about the status of the Exceptional Development Permit for 5447 Main Street. She also asked about the status of the sidewalks on Belmont and the speed limit sign on Belmont.

John Cansdale, 50 Los Robles, questioned whether the proposed Rite Aid development conforms to the newly adopted Master Plan and whether we have received the Traffic Study.

Vicky Lattin, 64 S. Cayuga, spoke in favor of the Rite Aid development stating the senior population need a drug store on this side of Main Street.

Jeff Hahn, 99 N. Ellicott Street, discussed the abandonment issue of the Rite Aid stores. He asked about a speed limit sign on N. Ellicott Street and he complimented the DPW on leaf pickup.

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

Unanimously carried.

Mayor Piazza reported that the work on the Meeting House doors has been temporarily stalled because we have to submit plans to Historic Preservation in Albany. He also reported that he attended the Fall Legislative meeting where the group discussed priorities to be addressed at the next legislative session, including unfunded mandates.

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

Vouchers in the amount of \$ 226,060.68 covering the period October 25, 1998 - November 5, 1998 were approved as follows:

Payroll fund w/e 10/24/98	\$28,509.50
General Fund	31,044.18
Water Fund	35,680.66
Sewer Fund	9,852.40
Glen Park Fund	3,983.69
Debt Service Fund	101,658.00
Capital Fund	2,292.77
Trust & Agency Fund	<u>13,039.48</u>
Grand Total	\$226,060.68 =====

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Large Vouchers:

Fleet Bank	\$101,658.00
Erie County Water Authority	\$34,547.20

Unanimously carried.

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

WHEREAS the Village Administrator has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amounting to \$35,289.30 containing description of the land upon which taxes are unpaid as the same were placed upon the tax roll together with the amount assessed and interest thereon, and

WHEREAS the said Village Administrator under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

WHEREAS upon receiving such account from the Village Administrator the Board of Trustees compared the same with the original tax roll of the Village, and

WHEREAS said Board of Trustees find such account to be a true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct,

NOW, THEREFORE, BE IT RESOLVED that the Administrator of the Village of Williamsville is hereby credited by this Board of Trustees with the amount of said account in said return, and

BE IT FURTHER RESOLVED, that a Certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of \$35,289.30 and reciting that the account has been compared and found to be correct; and that the administrator transmit said account and certificate to the appropriate officer of the County of Erie within 15 days to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Unanimously carried.

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

WHEREAS there is ongoing discussion in our State Capital in Albany to permanently eliminate sales tax of clothing and footwear, and

WHEREAS such a decision would cost the Village of Williamsville \$20,922.60, but would have even a greater impact on the Town of Amherst, Williamsville Central School District and County of Erie, and

WHEREAS the proposed plan does not include any alternative revenue sources to replace sales tax revenues if eliminated, and

WHEREAS the property owner in New York State already carries an unjust burden, and

WHEREAS, NO TAX is a good tax, but some are more equitable than others;

BE IT RESOLVED that the Village of Williamsville is opposed to any such legislation from New York State which would permanently eliminate sales tax on clothing and footwear, and

BE IT FURTHER RESOLVED that the Village of Williamsville Board will continue to oppose such a move, unless a more equitable form of revenue is identified to replace any financial burden at a local level, without increasing the burden on the property owner directly.

Unanimously carried.

Trustee Schofield thanked all the Trustees who helped her with the Halloween parade. There were between 300-400 children who attended and they had a great time. We will now be gearing up for the Christmas Caroling which is usually held on the first Sunday in December. She also reported that the Seniors are going to have a meeting on Tuesday, November 17th, where they will get information on HMO's, stroke prevention and other pertinent medical data.

Trustee Wutz stated that the DPW, under John Anstett, has done a tremendous job in getting the leaves picked up this year.

Trustee Frese thanked the DPW and the Beautification Committee for their hard work in cleaning up the various flower beds throughout the Village for the fall and winter months.

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ON MOTION by Trustee Frese, seconded Trustee Schofield, the following resolution was adopted:

WHEREAS the next Village Election in the Village of Williamsville is to be held on Tuesday, March 16, 1999, and

WHEREAS the hours of voting will be from 12:00 noon until 9:00 p.m. on March 16, 1999;

NOW, THEREFORE, BE IT RESOLVED that said Village shall be divided into three election districts as follows:

- DISTRICT #1 - Includes the entire area east of Ellicott Creek, south of Main Street;
- DISTRICT #2 - Includes the entire area west of Ellicott Creek, both sides of Main Street;
- DISTRICT #3 - Includes the entire area east of Ellicott Creek, north of Main Street.

AND BE IT FURTHER RESOLVED that the offices to be filled shall be as follows:

- One (1) Mayor for a term of four (4) years and three (3) months,
- Two (2) Trustees for a term of four (4) years and three (3) months each,
- One (1) Village Justice for a term of four (4) years and three (3) months.

Unanimously carried.

Trustee Langenfeld had no report and no resolutions.

Administrator Cummins reported that Applications for Absentee Ballots for next March's election will be available at Village Hall on November 16th.

John Anstett, Department of Public Works, reported that they are about one-half finished with picking up the leaves. To date we have picked up 1,467 square yards of leaves. We usually pick up about 3,000 square yards.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, the meeting was adjourned at 8:45 p.m.

Unanimously carried.

Theresa L. Cummins
Administrator/Clerk-Treasurer