

Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on January 24, 2000 at 7:30 p.m.

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

Theresa L. Cummins-Administrator/Clerk-Treasurer
Sally A. Kuzon, Assistant Administrator
Lynda L. Juul, Deputy Clerk-Treasurer
Patrick Kelly, Village Attorney
John Anstett, Dept. of Public Works

Mayor Piazza opened the meeting at 7:30 p.m. with the Pledge of Allegiance led by Trustee Frese.

The Mayor stated that although there are no proclamations or certificates to be presented tonight the Board will be instituting a procedure whereby once per month a certificate will be awarded to a Village Citizen during this Bicentennial year. The person to receive the award will be chosen for their contributions to the Village.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, the minutes of regular Board meeting of January 10, 2000 were approved.

Unanimously carried.

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

Unanimously carried.

Dorothy Fitzgerald Alessi, 80 S. Cayuga Road, spoke about the removal of the Village dam gates and the Village's responsibility to maintain the gates, as per the 1940's Supreme Court judgment.

Mrs. Ostrowski, 140 S. Cayuga Road, spoke about the lack of water in the creek and the problems that creates with kids coming across the Emerson dam into her back yard.

Thomas Fitzgerald, 39 Wellington Court, North, asked Attorney Kelly to explain what the Court ruling means.

John Flaherty, 100 S. Cayuga, discussed the removal of the gates and stated they should only be removed during a flood. He is concerned about the safety of children who play in the creek area when the water is low, since there are sharp objects in the creek bed and low standing water is a breeding ground for bacteria.

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David Dyson, 86 S. Cayuga, stated he recently purchased the property. It had been advertised as “water front” property and that is why he purchased the property.

Vicki Lattin, 64 S. Cayuga, agreed with prior speakers especially regarding the breeding of misquitos in the small areas of water which can affect all the residents of the Village, not just those who live along the creek.

Mary Anne Avery, 64 Garrison Road, asked about the status of the Corp of Engineer report regarding Lehn Springs. She also asked about the proposed building at the corner of Main and Hirschfield.

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

Unanimously carried.

Mayor Piazza reported on the following items:

1. There is a Bicentennial meeting tomorrow night at 7:00 p.m. All residents are invited to attend this planning session. The 1st activity is the showing of silent movies at Christian Central Academy on Saturday, February 5th at 2:00 p.m.
2. Supervisor Grelick gave her annual “State of the Town” message last week at the Chamber of Commerce luncheon. The Town & Village are in good financial condition and we are a part of the second safest community in the country.
3. Public hearings will be held sometime this spring regarding the Amherst State Park. We encourage residents to participate in the hearings because the park butts up against the Village.
4. The Village has now switched over to de-regulated electricity for its municipal buildings and street lighting. We are hoping to save 10%-15% of our electrical costs.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, vouchers in the amount of \$111,865.32 covering the period January 6, 2000 – January 19, 2000 are approved as follows:

Payroll fund 1/2/00 – 1/15/00	\$ 30,607.38
General Fund	67,497.26
Water Fund	757.31
Sewer Fund	75.07
Glen Park	661.84

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Trust & Agency Fund	12,266.46
Special Events	0.00
Capital	0.00
Debt Service	0.00

Grand Total	<u>\$ 111,865.32</u>
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Large Vouchers:

Modern Disposal Services	\$ 15,999.42
American Ref-fuel	\$ 9,960.75

Unanimously carried.

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

RESOLVED that Sally A. Kuzon, Assistant Administrator and Lynda L. Juul, Deputy Clerk-Treasurer, are hereby authorized to attend the Annual GFOA Conference in Albany, New York from March 22, 2000 to March 24, 2000 and the cost, not to exceed \$750.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that the General Fund budget be increased as follows to reflect the 1999-2000 Sara Grant:

Revenues:

Account #01-9950-0300-3006	
State Aid Records Management	<u>\$11,576.00</u>

Expenses:

Account #01-1400-1411-4450	
Records Management Miscellaneous Expense	\$ 3,490.00
Account #01-1400-1411-2000	
Records Management Equipment	<u>\$ 8,086.00</u>
	<u>\$11,576.00</u>

Unanimously carried.

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Trustee Schofield reported that Winterfest will be held on February 6th from 1:00 p.m.-4:00 p.m. There are a number of great activities planned. Also on February 2nd, volunteers who work with the youth will be honored at Classics Restaurant.

Trustee Wutz addressed the residents from South Cayuga regarding the creek. He appreciates their concern about the lack of water. He also reported on the power outages in his area. Niagara Mohawk has been contacted to provide information on how they will address and correct them.

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

RESOLVED that Kenneth Selden, 42 Mill Street, is hereby appointed to the Historic Preservation Committee until the end of the 1999-2000 official Village year.

Unanimously carried.

Trustee Frese reported on the following:

1. He also expressed his concern for the lack of water in the Creek and stated that the Board will come up with a viable solution to that problem.
2. A meeting was held today with Mr. Paladino and Benderson Development to bring us up to date with what is happening with Rite Aid. It is still a viable project. We have not been taken off their list. They have signed a lease agreement with Ellicott Development. The possibility of proceeding with the hotel was discussed and some financing issues have to be addressed. At this point there is no starting date for the Rite Aid since there are labor & financing issues to be taken care of before the work can be started.
3. He thanked the DPW for their help during the recent fire on Eagle Street. He thanked the Fire Department for their fast response in putting out the fire at this historic building, which was built in 1820.
4. He also thanked the DPW workers for keeping the streets and sidewalks clear of snow.

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

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RESOLVED that the Mayor is hereby authorized to sign Grant Proposal with the NY State Office of Parks, Recreation and Historic Preservation for Contract #PKS-99-NI-032, in the amount of \$5,000 for a Village Information/Events sign in the front of Village Hall.

Unanimously carried.

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

RESOLVED that Bond Resolution is hereby approved in the amount of \$600,000 covering partial reconstruction of Village Hall including the renovation of the existing heating, ventilating and air conditioning system, the temperature control system and the reconstruction of the Village Hall roof, including all original furnishings, equipment, machinery, apparatus and ancillary work required therefor.

Unanimously carried.

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

THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVED AS FOLLOWS:

Section 1. The Village Clerk of said Village of Williamsville shall, within ten (10) days after the adoption of this resolution cause to be published the above Bond resolution in full, in the "AMHERST BEE," a newspaper having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication, and posted in at least six (6) public places in the Village and in each Village polling place.

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in summary, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

Unanimously carried.

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Trustee Langenfeld reported that the Traffic & Safety Committee and the Environmental Committee will be meeting this Thursday to discuss the proposed development at the corner of Main and Hirschfield. He also reported that the Fire Department is holding a babysitting class on February 19th at Station #1 from 9:00 a.m.-12:30 p.m.

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

RESOLVED that the following budget transfers are hereby made in the General Fund:

<u>From</u>		<u>To</u>	
01-5100-5142-4290		01-3400-3410-2020	
(Salt)	\$ 1,845.91	Expendable Equipment	\$ 1,845.91
01-3400-3410-2040		01-9500-9551-0000	
Capital Equipment	<u>\$35,000.00</u>	Interfund Transfer	<u>\$35,000.00</u>
	<u>\$36,845.91</u>		<u>\$36,845.91</u>

Unanimously carried.

Administrator Cummins reported that 2000-2001 budget request forms have been distributed to the trustees and department heads. Budget meetings will begin shortly.

There was no report from the Department of Public Works.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, it was moved to go into Executive Session to discuss litigation matters.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Wutz, it was moved to return to the regular agenda at 9:00 p.m.

Unanimously carried.

Attorney Kelly stated that during Executive Session he reported to the Board, the status of negotiations with the attorneys for American Ref-fuel to settle our outstanding claims against them regarding the solid waste disposal agreement, which was signed in 1989. He recommended that we enter into a settlement agreement, which will be attached to the minutes of this meeting. After reviewing the status of the negotiations with American Ref-fuel, it is his recommendation that the Board approve the agreement at this time.

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

BE IT RESOLVED, the Mayor is hereby authorized to execute a Settlement Agreement dated January 24, 2000 between the Village of Williamsville and American Ref-fuel Company of Niagara LP, to settle various disputes and disagreements between the parties with respect to various provisions of the Solid Waste Disposal Agreement dated May 30, 1989.

Vote on Roll Call:

Schofield	Y
Langenfeld	Y
Frese	Y
Wutz	Y
Piazza	Y

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, the meeting was adjourned at 9:03 p.m.

Unanimously carried.

Theresa L. Cummins RMC
Administrator/Clerk-Treasurer