

**Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, November 24, 2003 at 7:30 p.m.**

Present: F. Ray Hazlett, Mayor  
Mary E. Lowther, Deputy Mayor  
Ronald W. Daniels, Trustee  
Carol Descutner, Trustee  
Joseph P. Frese, Trustee  
  
Lynda Juul, Deputy Treasurer  
J. Michael Hayes, Village Attorney

Absent: Sally A. Kuzon, Administrator/Clerk-Treasurer

The meeting was opened at 7:30 p.m. with the swearing in ceremony of Carol Descutner as Trustee, followed by the Pledge of Allegiance which was led by Trustee Descutner.

ON MOTION by Trustee Lowther, seconded by Trustee Daniels, the minutes of the regular meeting of November 10, 2003 are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to suspend the rules for public participation.

Unanimously carried.

Paul Krieter, 29 S. Ellicott Street, spoke in support of the Walkable Williamsville concept. He likes the idea, but stated that residents need to be able to walk safely, and this includes connecting sidewalks. He cited several addresses/areas that are in need of sidewalks, including: 128, 170, 178, 186, 236, 242, and 250 Oakgrove; other properties on Oakgrove that he did not have the address for; 32 S. Ellicott; 101 Park; and across from Garrison Park. Mr. Krieter commented that he had seen information published regarding Community Development Funds and wondered if this might apply to sidewalks. It was explained that Oakgrove is not in the target area for CDBG; it is determined by median income with Garden Parkway being the only area in the Village that is eligible. Mr. Krieter read a letter that had been submitted to the prior Mayor (Piazza); Trustee Descutner requested a copy of the letter. Trustee Daniels explained that Traffic and Safety will be looking at this aggressively.

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Vicki Lattin, 64 S. Cayuga Road, spoke regarding trees. She brought in an article about Earth Day 1990 and cited all the benefits there are to having trees, including energy savings on air conditioning.

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

Unanimously carried.

At 7:50 p.m. a public hearing was opened by Mayor Hazlett for the purpose of hearing all persons interested in discussing a proposed Village Tree Ordinance. (The public hearing was closed at 7:57 p.m.)

Unanimously carried.

At 7:57 p.m. a public hearing was opened by Mayor Hazlett for the purpose of hearing all persons interested in discussing a proposed use of 2004 Community Development Funds. (The public hearing was closed at 8:01 p.m.)

Unanimously carried.

At 8:01 p.m. a public hearing was opened by Mayor Hazlett for the purpose of hearing all persons interested in discussing a Shift of Operation for Baer and Associates from the Village of Williamsville to the Empire Economic Development Zone in the City of Buffalo. (The public hearing was closed at 8:05 p.m.)

Unanimously carried.

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ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, the following resolution was adopted:

RESOLVED that Vouchers in the amount of \$ 321,286.41 covering the period November 6, 2003 – November 19, 2003 are approved as follows:

Payroll fund 11/3/03 – 11/16/03	31,656.80
General Fund	53,841.23
Water Fund	10,173.23
Sewer Fund	5,904.11
Glen Park Fund	164.51
Trust & Agency Fund	11,966.61
Debt Service	96,005.00
Community Development	0.00
Capital Fund	<u>111,574.92</u>
<b>Grand Total</b>	<b><u>\$ 321,286.41</u></b>

Unanimously carried.

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

RESOLVED that the Village of Williamsville Board of Trustees, acting as Fire Commissioners for the Williamsville Fire Department, hereby approves the membership of Michael Hall of 241 Oakgrove Drive and Thomas J. Petrie of 197 Briarhurst Road, to the Williamsville Fire Department effective December 1, 2003.

Unanimously carried.

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

WHEREAS, Baer & Associates of 26 N. Cayuga Road has operated a construction cost consulting services business in the Village of Williamsville from 1989 to 2003, and

WHEREAS, Baer & Associates employed three persons in 1989, one of whom resided in the Village of Williamsville, and

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WHEREAS, the business has grown significantly over the last 14 years and office and parking space constraints prevent Baer & Associates from remaining at 26 N. Cayuga Road, Williamsville, and

WHEREAS, for the past year Baer & Associates has sought larger office space in Western New York which was narrowed to the City of Buffalo because:

- o The majority of its customer base is located within the City limits, and
- o The most economical office leases were found within the City, and
- o The City of Buffalo Joint Schools Construction Board is a major client of the Company, and
- o The Company has endeavored to hire and train graduates of city schools who have encountered transportation difficulties reaching the current location, and
- o None of the current nine employees currently live in the Village of Williamsville, and
- o The company's officers live south of the City, and

WHEREAS, the Village Board of Trustees has heard public comment that circumstances exist to warrant relocation of Baer & Associates, from the Village of Williamsville to the City of Buffalo in the Empire Economic Development Zone,

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville consents to the relocation of Baer & Associates from the Village of Williamsville to the City of Buffalo in the Empire Economic Development Zone.

Roll Call Vote:           Trustee Frese – yes;                   Trustee Daniels – yes;  
                          Trustee Lowther – yes;               Trustee Descutner – yes;  
                          Mayor Hazlett – yes;

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Lowther it was moved to go off the agenda to consider a resolution not on the agenda.

RESOLVED that the fiscal year 2004 Community Development Block Grant Funds in the amount of \$52,640.00 that was the subject of a public hearing tonight is hereby allocated as follows:

Waterline and road reconstruction on Garden Parkway	\$52,640.00
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FURTHER RESOLVED that waterline and road reconstruction will also require funding from Community Development Block Grant fiscal years 2005 and 2006.

Unanimously carried.

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

Unanimously carried.

ON MOTION by Trustee Daniels, seconded by Trustee Lowther, the following resolution was adopted:

RESOLVED that the proposed Village Tree Ordinance with suggested amendments which was the subject of a public hearing tonight is hereby adopted.

Unanimously carried.

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

RESOLVED that the following budget amendment is hereby made in the General Fund to allow for unanticipated revenues:

Increase: 001-0001-2705 Gifts & Donations	\$90.00
Increase: 001-7620-4180 Senior Citizens Program	\$90.00

Unanimously carried.

ON MOTION by Trustee Daniels, seconded by Trustee Frese, it was moved to go off the agenda to consider a resolution not on the agenda.

Unanimously carried.

ON MOTION by Trustee Daniels, seconded by Trustee Lowther, the following resolution was adopted:

RESOLVED that the position of "Tree Warden" be changed to "Forester" to conform with the new Tree Ordinance.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED that Paul McMenemy shall receive \$380.00 for performing the duties of General Crew Chief from November 10, 2003 – November 23, 2003.

Unanimously carried.

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

RESOLVED that R & D Engineering, Inc. is authorized to update and amend the Village Sewer Use Code to comply with the Town of Amherst Sewer Use Ordinance as required by the Clean Water Act (United States Code 33 U.S.C. Section 1251 et seq.) and the General Pre-Treatment Regulations (Code of Federal Regulations 40 CFR 403). The Code will be revised at a cost not to exceed \$3,500.00 based on their proposal dated November 20, 2003.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Lowther, the meeting was adjourned at 8:32 p.m.

Lynda L. Juul  
Deputy Treasurer