

Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 26, 2004 at 7:30 p.m.

Present: F. Ray Hazlett, Mayor
Mary E. Lowther, Deputy Mayor
Ronald W. Daniels, Trustee
Carol J. Descutner, Trustee
Joseph P. Frese, Trustee

Sally A. Kuzon, Administrator/Clerk-Treasurer
Lynda J. Juul, Deputy Treasurer
J. Michael Hayes, Village Attorney
Michael Parker, Dept. of Public Works

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

ON MOTION by Mayor Hazlett, seconded by Trustee Lowther, the minutes of the regular meeting of April 13, 2004 are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Lowther, the minutes of the Public Hearing of April 13, 2004 for the Exceptional Development Permit for 39 Academy Street are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Lowther, the minutes of the Public Hearing of April 13, 2004 to Amend Chapter 78 of the Sewer Code are hereby approved.

Unanimously carried.

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

Unanimously carried.

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Nicholas Perino, 40 Hillside Drive, asked the Board when the Glen Avenue bridge is scheduled to be replaced. The Board responded the latest information received from Erie County has the bidding process to begin this coming June.

Paul Krieter, 29 S. Ellicott Street, submitted four letters from residents concerned with parking issues on Park, South Ellicott and Garrison Road as a result of two restaurants opening in the past few weeks at the corner of Main & Garrison Roads. He attended the February 19, 2004 meeting of the Village Traffic & Safety Committee and voiced concern over the Exceptional Development permit granted by the Village Board in 1998 to Benderson Development for the property at Main & Garrison, and asked whether the conditions of that permit are being enforced by the Village.

Robert Desino, 5759 Main Street, stated he is a tenant at the building located at 5759 Main Street and the owner of Great Northern Pizza Kitchen. He was told by the Benderson Development Company that his employees & patrons are unable to use the 24 municipal spaces in the rear of the building because they were designated for Garrison Park use only. He wants to be a good neighbor and will instruct his employees to park on Garrison Road.

Barbara Stillwell, 101 Park Drive, voiced the following concern regarding the congested parking situation and dumpster as a result of the new restaurants opening at Main & Garrison:

- 1) Concerned about the bees and flies as a result of the overflowing dumpsters.
- 2) The lights in the parking lot are too bright.
- 3) Would like signs in the area indicating there are children at play.
- 4) People are illegally parked in front of fire hydrants.
- 5) Would like the employees of the two restaurants at Main & Garrison to park on Garrison Road.

Mimi Naish, 126 Park Drive, informed the Board that illegal parking has been an issue in this area prior to the restaurants moving in at Main & Garrison. She also commented the Amherst Police Department does not respond to illegal parking complaints.

Al Naish, 126 Park Drive, commented that police enforcement along with limited parking has been a problem in that area for a long time.

Bob Krieter, 26 Monroe Drive, said he attended the 2/19/04 Traffic & Safety Committee meeting and mentioned NYS Code 1202C, and would like it addressed. He reported a dangerous situation occurred this morning when cars were parked too close to the corners on Park and Garrison Road and motorists were unable to turn onto Park Drive. He would like a copy of the Exceptional Development permit for the property at Main and Garrison. He was informed a Freedom of Information request can be filled out at Village Hall to obtain this information.

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Carolyn Schlifke, 192 Evans Street, spoke in opposition of putting the sewer charges for operation and maintenance on the quarterly water bills. She also disagrees with the sewer use formula and does not think it should be associated with water consumption.

The Mayor explained that steps had been taken earlier today in an effort to address some of the concerns expressed tonight. The parking lot at the rear of 5759 Main St. has 24 spots designated for municipal parking and not restricted to park patrons only. The owner of Main & Garrison has increased the dumpster pick-up from 4 to 6 pickups per week which should alleviate the dumpster overflowing as it has been recently. The issue of the parking lot light was discussed with the owner. He will install shields to diffuse the light.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to return to the regular agenda at 8:15 p.m.

Unanimously carried.

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

RESOLVED that Vouchers in the amount of \$ 69,679.72 covering the period April 8, 2004 – April 21, 2004 are approved as follows:

Payroll fund 4/5/04 – 4/18/04	\$32,000.69
Vouchers covering 4/8/04 – 4/18/04	
General Fund	\$23,857.90
Water Fund	793.85
Sewer Fund	999.91
Glen Park Fund	231.05
Trust & Agency Fund	11,796.32
Debt Service	0.00
Community Development	0.00
Capital Fund	0.00
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	\$37,679.03
Grand Total:	<u>\$69,679.72</u>

Unanimously carried.

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

RESOLVED that Chapter 78 of the Sewer Rents Code, which was the subject of a public hearing on April 13, 2004, is hereby adopted.

Roll call vote: Trustee Frese, no; Trustee Daniels, yes; Trustee Lowther, no;
Trustee Descutner, yes; Mayor Hazlett, yes;

Motion passed: two – no votes; three – yes votes.

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

RESOLVED that the following are hereby appointed inspectors of election for the General Election of the Village of Williamsville to be held on June 15, 2004 to be paid at a fee of \$50.00 each:

District #1: Village Meeting House
5658 Main Street
Williamsville, New York 14221

Inspectors: Charlotte Jurek, Chairman, 81 Evans Street
Vera Mockatis, 275 Evans Street, Apt. 1B
Suzanne Orlando, 34 N. Ellicott Street
Mary Wetzel, 56 Garrison Road

District #2: Village Hall
5565 Main Street
Williamsville, New York 14221

Inspectors: Eileen Wall, Chairman, 27 Howard Avenue
Robert Hewitt, 5403 Main Street, Unit 103
Alice McDonald, 37 Pasadena Place
June Cucinotta, 146 California Drive

BE IT FURTHER RESOLVED that the following are appointed alternate inspectors:

Ruth Berger, 283 Mill Street
Eleanor Horey, 106 Highland Drive
Agnes Donovan, 51 Hirschfield Drive

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BE IT FURTHER RESOLVED that Charlotte Jurek is the Chairman of the Election Inspectors, and

BE IT FURTHER RESOLVED that in the event of absence or inability of any of the above to serve, the Mayor is hereby authorized and empowered to appoint a substitute.

Unanimously carried.

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

RESOLVED that Saturday, May 1, 2004 be declared Arbor Day in the Village of Williamsville.

Unanimously carried.

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

RESOLVED that Laura Fulton of 52 Fairmount Street, Buffalo, New York is hereby appointed Clerk-Typist part-time internship at a rate of \$8.33 per hour; total not to exceed \$1,000.00; with funding to be appropriated from the Tree Replacement line item 001-8560-4360.

Unanimously carried.

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

RESOLVED that the Mayor is hereby authorized to sign the contract with Niagara Mohawk pending receipt of insurance binder for the purpose of suspending Banners over Main Street.

Unanimously carried.

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

RESOLVED that Herbert Nikisch of 118 Los Robles is hereby appointed to the Parks Committee until the end of the 2003-2004 official Village year.

Unanimously carried.

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

RESOLVED that the Village of Williamsville hereby authorizes the Town of Amherst to maintain the South Long Street ball diamonds for the 2004 baseball season. As part of this authorization, the Town of Amherst will collect fees and be responsible for scheduling all games with the full understanding that any Village of Williamsville team will be given first preference in the scheduling of games.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Lowther, it was moved to adjourn the meeting at 8:54 p.m.

Unanimously carried.

Sally A. Kuzon
Administrator