

Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, June 28, 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 Descutner.

ON MOTION by Mayor Hazlett, seconded by Trustee Frese, the minutes of the regular meeting of June 14, 2004 are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Lowther, the minutes of the special meeting of June 15, 2004 are hereby approved.

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

Unanimously carried.

Carolyn Schlifke, 192 Evans thanked Jeff Adrian, Building Inspector and Trustee Frese for their assistance in dealing with National Fuel Gas Corp. relating to the development at 195 Evans Street. She submitted a letter and diagram to the Village Board which has been made part of the official record.

Hilda Hui, 49 N. Union Road submitted a letter to the Board stating her opposition to the proposed car wash at Main & S. Union.

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Mary Ann Avery, 64 Garrison Road asked if an up-to-date traffic study will be requested of the developer for the Main & S. Union car wash. Mayor Hazlett and Trustee Lowther responded that the Engineer of Record for the Village has been engaged to proceed with the SEQRA process.

Vicki Lattin, 64 S. Cayuga Road informed the Board that tree pruning and mulching along Main Street has been done improperly. She informed the Board she is no longer interested in serving as the Commercial Tree Warden.

Paul Krieter, 29 S. Ellicott Street informed the Village Board that crows and seagulls were apparently feeding on bags of dough left outside the dumpsters at the Great Northern Pizza Kitchen at Main and Garrison this morning.

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

Unanimously carried.

Mayor Hazlett informed the public he is committed to creating a shared vision of what the Village will look like in the future.

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

RESOLVED that Vouchers in the amount of \$ 161,851.92 covering the period June 10, 2004 – June 23, 2004 are approved as follows:

Payroll fund 5/31/04 – 6/13/04	\$35,278.51
Vouchers covering 6/10/04 – 6/23/04	
General Fund	\$88,347.87
Water Fund	13,775.26
Sewer Fund	9,409.64
Glen Park Fund	119.00
Trust & Agency Fund	14,921.63
Debt Service	0.00
Community Development	0.00
Capital Fund	0.00
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	\$126,573.40
Grand Total:	<u>\$161,851.91</u>

Unanimously carried.

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

WHEREAS, the Village of Williamsville, on or about June 8, 2004, received an application, pursuant to Section 28-7 of the Village Code, on behalf of Delta Sonic Car Wash Systems, Inc., (“Delta Sonic”) requesting an Exceptional Development Permit for a proposed Delta Sonic Car Wash Facility at 5305 and 5325 Main Street and 23 and 29 S. Long Street; and

WHEREAS, it appears that the aforementioned application constitutes an “Unlisted Action” as defined at Section 617.2(ak) of the regulations promulgated under the State Environmental Quality Review Act (SEQRA), and, therefore, is subject to environmental review under SEQRA, and, furthermore, that more than one “involved agency”, as that term is defined at Section 617.2(s) of the SEQRA regulations, is involved; and

WHEREAS, the Village Board of Trustees of the Village of Williamsville, as a result of its authority under the Village Code and Section 7-725-b of the Village Law of the State of New York to review and approve, approve with modifications or disapprove the exceptional development permit, appears to be the involved agency “principally responsible” for approving the action, and in the best position to determine whether an environmental impact statement is required in connection with the action; and

WHEREAS, it appears that a “coordinated review” under SEQRA would be in the best interests of the project sponsor, the public and the Village of Williamsville; and

WHEREAS, the Village Board of Trustees of the Village of Williamsville proposes to act as lead agency under SEQRA regarding the proposed Delta Sonic Car Wash Facility; it is therefore

RESOLVED, that the Village Administrator is instructed to notify other involved agencies identified in Delta Sonic’s May 27, 2004 Full Environmental Assessment Form (FEAF), including, without limitation, the Erie County Health Department, the New York State DOT, and the New York State DEC, that the Village of Williamsville has received Delta Sonic’s application for an exceptional development permit, that the Village Board of Trustees wishes to serve as lead agency regarding this action, and that such involved agencies are asked to advise the Village Board of Trustees within 30 calendar days of the date of such lead agency notice whether or not they concur with the Village Board of Trustees desire to serve as lead agency; and it is further

RESOLVED, that the Village Administrator shall transmit to the other involved agencies, along with the aforementioned lead agency notice, Part 1 of Delta Sonic’s FEAF, the Exceptional Development Permit Application, and FRA Engineering, Inc.’s Traffic Impact Study for the proposed car wash facility.

Unanimously carried.

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

WHEREAS, the Joint Municipal Contract with Rural Metro Services requires six (6) months written notice to terminate the ambulance service, it is

RESOLVED that the Village of Williamsville hereby authorizes the aforementioned Notice to Terminate the Joint Municipal Contract with Rural Metro Medical Services.

Unanimously carried.

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

RESOLVED that Donald Sapienza of 50 Swan Place is hereby authorized to act on behalf of the Village of Williamsville to open/close the Meeting House at a rate of \$15.00 per event.

Unanimously carried.

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

RESOLVED that R & D Engineering, Inc. is hereby authorized to draw specifications and perform engineering services in connection with the replacement of existing street lights on Main Street between the bridge over Ellicott Creek and Los Robles Street in the Village, at a cost not to exceed \$19,000.00, as per their proposal dated June 23, 2004.

Unanimously carried.

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

WHEREAS, the Town of Amherst and Village of Williamsville may jointly apply for federal funds through the Community Development Block Grant and Home Investment Partnership programs as a "Metropolitan City"; and

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WHEREAS, a Cooperation Agreement has been prepared describing the responsibilities of the Town and Village as joint applicants under these programs for funding under federal Fiscal Years 2005, 2006 and 2007; and

WHEREAS, the Department of Housing and Urban Development has recommended changes to the memorandum of understanding attached to the Cooperation Agreement originally adopted by the Board of Trustees on May 24, 2004, pertaining to the annual review of the agreement;

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to enter into the modified Cooperation Agreement with the Town of Amherst for the Town's "Metropolitan City" status under the Community Development Block Grant and HOME Investment Partnership Grant Federal fiscal years 2005, 2006 and 2007.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to adjourn the meeting at 8:37 p.m.

Unanimously carried.

Sally A. Kuzon
Administrator