

**Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 13, 2004 at 7:30 p.m.**

Present: F. Ray Hazlett, Mayor  
Joseph P. Frese, Deputy Mayor  
Mary E. Lowther, Trustee  
Ronald W. Daniels, Trustee  
Joan E. Seamans, Trustee

Sally A. Kuzon, Administrator/Clerk-Treasurer  
Deborah A. Habes, Deputy Clerk  
J. Michael Hayes, Village Attorney

Excused: Lynda J. Juul, Deputy Treasurer  
Michael Parker, Dept. of Public Works

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

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, the minutes of the regular meeting of August 16, 2004 are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, the minutes of the special meeting of August 24, 2004 are hereby approved.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to open the Public Hearing to amend Section 103-16 Vehicle & Traffic Law at 7:36pm.

Unanimously carried.

A Public Hearing was held to discuss an amendment to Section 103-16 of the Vehicle and Traffic Law.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to close the Public Hearing at 7:44pm.

Unanimously carried.

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

Unanimously carried.

**Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 13, 2004 at 7:30 p.m.**

***The following persons spoke:***

*June Cuccinata, 146 California Dr.*, spoke in opposition to a dog park and suggested that the money be spent on the park at S. Long St. for the benefit of the children of the Village .

*Grace Jordan, 96 Wellington Ct.*, spoke in opposition to a dog park. She stated her patio faces the Lehigh Trail and complained of dogs barking and dog owners yelling at their dogs and suggested that if a dog park were built in that area, which is already a built up area, the noise would be intolerable.

*Nancy Parr, 129 Milton St.*, spoke in opposition to a dog park. She stated she has lived in her home since 1985 and suggested that the S. Long St. park is not underutilized and is a very important part of Village life.

*Lisa Loomis, 52 California Dr.*, spoke in opposition to a dog park. She suggested that the S. Long Street park is not well maintained.

*Claudia Cardino, 45 California*, spoke in opposition to a dog park. She also stated that her property is receiving ground water as a result of the recent installation of a public parking area adjacent to the park

*Jay Strapason, 162 California Dr.*, spoke in opposition to a dog park. He is concerned about losing the use of the park where he and his friends play.

*Karen Hernandez, 41 California Dr.*, spoke in opposition to a dog park. She also suggested her property is receiving water runoff as a result of the installation of the public parking lot adjacent to the S. Long park.

*Joan Mikolajczyk, 130 Milton St.*, spoke in opposition to a dog park. She suggested that the dogs barking and fighting would create too much noise and that the park use should be intended for children, not dogs.

*Sharon Bakraty, 136 Milton St.*, spoke in opposition to a dog park. She suggested she uses the S. Long park every day and requested that the money be spent on people, not dogs.

*Marsha Chase, 52 Wellington Ct.*, spoke in opposition to a dog park. She stated she lives along the Lehigh Trail and suggested that the trail would be better used if kept as a passive park.

*Sandy Kinsman, 8 Garden Parkway*, spoke in opposition to a dog park. She suggested that a dog park at Lehigh Trail would increase the level of noise created by barking dogs and that a dog park would attract many people from all over the county.

*Lisa Mikolajczyk, 148 Canterbury Manor*, spoke in opposition to a dog park and was concerned about the possible increased liability for the Village; concerned that property values would decrease.

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*Dawn Jones, 82 Milton St.*, spoke in opposition to a dog park, and thought a dog park was not a good idea for the Village and wanted to know whose idea it was.

*Carolyn Schlifke, 192 Evans St.*, spoke in opposition to a dog park and thought liability would be a great concern if a dog park were to become a reality in the Village.

*Maureen Whipple, 32 Garden Parkway*, spoke in opposition to a dog park, and felt a dog park was a bad idea for the Village.

*Mary Lindow, 22 Garden Parkway*, spoke in opposition to a dog park and stated she lives adjacent to the Lehigh Trail and suffers from the already loud barking of dogs on the trail. She also stated that she would like to see the grass cut at the Lehigh Trail only a couple of times a year, and the DPW should spend their time working on maintaining Main Street.

*Dan Chase, 52 Wellington Ct.*, spoke in opposition to a dog park, and wants to see the former exercise area on Lehigh Trail better utilized; the current leash law needs to be better enforced.

*Hilda Hui, 49 S. Union Rd.*, spoke in opposition to a dog park and also wanted to know if there were any new developments regarding a proposed project at Main and Union.

*Samantha Strapason, 162 California Dr.*, spoke in opposition to a dog park and stated that her softball team plays in S. Long park and wants to see it remain a park for children.

*Shawn Michel, 54 Garden Parkway*, suggested that installing a dog park in the former exercise area of Lehigh Trail would be removing habitat from the deer; does not want to see tax dollars spent on a dog park. He also stated that he wouldn't want to see picnic tables or benches installed in that area as they would be an attraction for teens to congregate.

*Mary Lowther, 120 N. Ellicott St.*, explained that she had passed out to the Village Board at the August 16<sup>th</sup> meeting a report from the "Off the Leash Committee" regarding the possibility of instituting a dog park in the Village. She further explained that she had had a conversation with County Legislator Barry Weinstein who expressed interest in a dog park and offered a \$10,000 grant for one. Ms. Lowther thanked the residents who attended the meeting tonight for their interest and opinions.

*Ray Hazlett, 160 Cadman Dr.*, suggested that the idea of a dog park had come along without the Board or the residents being able to fully participate in the process.

*Joseph Frese, 375 Mill St.*, stated that he had passed out a letter to about 100 residents who live in the areas of Lehigh Trail and the S. Long park informing them that a dog park was going to be discussed at the September 13<sup>th</sup> Village Board work session. He stated he would like to see any money go to better park maintenance and/or equipment or for a Walkable Community than to a dog park.

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*Ronald Daniels, 100 N. Long St.*, suggested that it is not the intent of the Village Board to compromise the quality of life in the Village and thanked the residents for appearing at tonight’s meeting and expressing their opinions.

*Joan Seamans, 5750 Main St.*, stated that she believed it was important to listen to the residents.

*Charles Akers, 170 S. Cayuga Rd.*, spoke about the recent visit by the students from Cornell University who came to the Village over the weekend to inventory the 2,000 municipal trees within the Village. He commended Trustee Daniels for his efforts in bringing the students here and for housing and feeding many of them, along with the help of other members of the Tree Board. He stated that this effort is in conjunction with the Master Plan to restore the trees along Main Street.

ON MOTION by Mayor Hazlett, seconded by Trustee Frese, it was moved to close the public participation portion of the meeting at 8:26pm and return to the regular agenda.

Unanimously carried.

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

RESOLVED that Vouchers in the amount of \$784,922.98 covering the period August 12, 2004 – September 9, 2004 are approved as follows:

Payroll fund 8/9/04 – 8/22/04	\$33,405.68
Payroll fund 8/23/04 – 9/5/04	27,439.68
Vouchers covering 8/12/04 – 8/24/04	
General Fund	\$12,884.14
Water Fund	1,136.63
Sewer Fund	1,792.69
Glen Park Fund	50.75
Trust & Agency Fund	13,722.59
Debt Service	5,106.25
Community Development	0.00
Capital Fund	0.00
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	34,693.05
Vouchers covering 8/25/04 – 9/7/04	
General Fund	\$43,332.53
Water Fund	38,428.68
Sewer Fund	462,807.32
Glen Park Fund	153.91
Trust & Agency Fund	9,599.50
Debt Service	120,811.25
Community Development	0.00
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Capital Fund	14,251.38
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	689,384.57
<b>Grand Total:</b>	<u><u>\$784,922.98</u></u>

Unanimously carried.

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

WHEREAS, the recently approved state budget includes language that will adversely affect the return of significant court fee revenue to towns and villages; and

WHEREAS, the loss of this revenue will give towns and villages no choice but to increase real property taxes; and

WHEREAS, this action by the state will not generate significant revenue for the state but will cause serious financial damage to towns and villages that are attempting to hold down local property taxes;

NOW THEREFORE BE IT RESOLVED, that we call upon State Legislative leaders, Senator Joe Bruno and Assembly Speaker Sheldon Silver as well as Governor George Pataki to work together with a sense of urgency to restore these monies back to towns, villages and other affected local government; and

BE IT FURTHER RESOLVED, that we ask our individual State Senators and Assemblyman to remind the state legislative leaders of the dire tax consequences to municipalities if the state legislative leaders and the Governor do not eliminate the language contained in the state budget that will have such an adverse effect on towns, villages and other local governments; and

FINALLY, BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor George Pataki, Senate Majority Leader Joe Bruno, Assembly Speaker Sheldon Silver, Assemblyman James P. Hayes, State Senator Mary Lou Rath and other elected state officials from Western New York.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Seamans, the following motion was adopted:

RESOLVED that the Village Administrator publish Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville on Monday, September 27, 2004 at 7:35 p.m. in Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing an addition to the Village Code for Engineering Cost Recovery.

Unanimously carried.

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

RESOLVED that Cynthia M. Burnett of 85 Misty Lane, Williamsville, New York is hereby appointed to the position of Secretary to the Mayor at \$12.00 per hour, effective immediately.

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 tonight's agenda.

Unanimously carried.

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

WHEREAS Section 103-16 of the Village Code as it pertains to the north and south sides of Spring Street at its intersection with Rock Street authorizes standing up to 16 feet of the intersection and,

WHEREAS standing is prohibited by New York State's Vehicle & Traffic Law closer than 30 feet to an intersection.

NOW, THEREFORE BE IT RESOLVED that Section 103-16 is amended to delete the "No Standing" authorizations on the north and south sides of Spring Street up to 16 feet of its intersection with Rock Street.

Unanimously carried.

ON MOTION by Mayor Hazlett, 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 motion was adopted:

RESOLVED that Christopher Bonaventura, 230 Oakgrove Drive, Williamsville, NY is hereby appointed to the Glen Park Joint Board until April 30, 2005.

Unanimously carried.

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

WHEREAS Main Street (State Route 5) through the Village of Williamsville is in the process of being repaved, and

WHEREAS the additional pavement has left all the manholes at a level considerably below the new grade, and

WHEREAS these manhole openings/depressions are causing and creating a traffic hazard,

NOW, THEREFORE BE IT RESOLVED that the Department of Transportation is requested to raise the manhole covers to the new grade they have created, and be it further resolved the Village Administrator is directed to make contact with the NYSDOT immediately, such that this problem might be addressed.

Unanimously carried.

ON MOTION by Trustee Lowther, seconded by Trustee Daniels, the following motion was proposed:

WHEREAS, the Village of Williamsville is comprised of residential and business areas throughout, and

WHEREAS, the Village of Williamsville considers green space, trees, flowers, and plantings, as a vital part of the Village, and

WHEREAS, the Village of Williamsville encourages green space by virtue of devoting acreage to five parks throughout the one square mile of the Village, and

WHEREAS, the Village Board encourages and supports the above, therefore be it

RESOLVED, that the Village of Williamsville hereby designates the Rose of Sharon as the official flower of the Village of Williamsville and encourages residents and businesses to plant and maintain the Rose of Sharon through the Village.

Trustee Seamans indicated that she would like more input from the residents and the Beautification Committee. Trustee Daniels wanted more time to consider the topic before making a decision.

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ON THE QUESTION, Trustee Daniels moved to TABLE, seconded by Trustee Frese.

ROLL CALL:	Hazlett	Yes
	Seamans	Yes
	Daniels	Yes
	Frese	Yes
	Lowther	No

Motion to TABLE carried. 4-1.

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

RESOLVED that Michael Parker, DPW Crew Chief is authorized to attend the NYCOM Public Works Training School in Saratoga Springs, New York from October 18-21, 2004 at a cost not to exceed \$400.00.

Unanimously carried.

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

RESOLVED that Carol Descutner, 144 Eagle St., Williamsville, NY is hereby appointed to the Environmental Advisory Council until the end of the 2004-2005 official village year.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Lowther, it was moved to adjourn the meeting at 9:02pm.

Unanimously carried.

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Sally A. Kuzon  
Administrator