

Minutes of the Regular Meeting of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, January 24, 2005 at 7:30 p.m.

The meeting was opened at 7:32 p.m. with the Pledge of Allegiance led by Trustee Daniels.

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
Lynda J. Juul, Deputy Treasurer
J. Michael Hayes, Village Attorney

Excused: Michael Parker, DPW

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to approve the minutes of the regular meeting, held on January 10, 2005, as submitted.

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to approve the minutes of the Public Hearing held on January 10, 2005 as submitted.

Unanimously carried.

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

Unanimously carried.

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The following members of the audience addressed the Board:

Judy Catalano, 57 Park Club Lane, spoke to support the preservation of the Mill. She left a copy of her presentation with the Administrator. She asked what is included with the sale of the Mill.

Isabelle Robitaille of Robitaille Relocation Real Estate, 5684 Main St., spoke in favor of the preservation of the Mill. Part of her company's welcome tour of the community includes the Mill site. She believes development is a dangerous prospect. She is alarmed at what a developer could do. Feels there are parking issues, as well as other issues. She feels it is a very precarious situation, as is the tax situation. She would be happy to assist in any way possible to explore ways to preserve the Mill.

Charles Ciotta, 204 Mill St., feels the Mill is a worthy project to save, but is concerned about the rush to use public funding to purchase it, as well as restore the Mill. Feels the Board should consider other options - condemn, take by eminent domain, and restore; move Village offices to the Mill and support the purchase with the sale of Village Hall; produce hydro-electric power from the Mill and sell back to Niagara Mohawk; offer tax abatements to any potential property owner; etc. Feels if we change our law that a judge could rule either way. Has more ideas – the Mayor asked him to jot them down.

Trey Measer, 90 South Ellicott St., wondered what the next step is. Mayor Hazlett advised that there will be an executive session tonight regarding this. Mr. Measer asked if we will be having a public hearing for community input. Feels there should have been one weeks ago. The Mayor commented that the Board would take that under advisement.

Sean Michael, 54 Garden Parkway, wondered if there's any way to put arrow signs on the signal to define the lanes on Union Rd. at Main Street. Mayor Hazlett commented that this is a NYS highway and not under our jurisdiction. Joan asked that he call her since she is the liaison to Traffic & Safety Committee.

Hilde Hui, 49 N. Union Rd., would like to see the Mill preserved. Also wondered what is happening at Main and S. Union. Trustee Lowther commented that Benderson Development will be at the February 14th Board Meeting to give a presentation, with a public hearing to be held roughly a month later. Ms. Hui also feels the lane signage on N. Union Rd. is a major problem.

Steven Dyson, 86 S. Cayuga Rd., lent support to the preservation of the Mill. The entire space is valuable as Main St. gets more congested. Feels the Mill and the houses there go together. He comes from New England and feels we don't have the same view on the possibilities of getting good developers with historic preservation interests as they do in New England.

Dan Johnston, 41 Ayer Rd., said he is a prior resident of the Village. He was considering buying the Mill himself and became frustrated when the auction didn't take place. Feels this is an important historic village. He and a friend, have some ideas on how to help the Village pay for this – fund raising as Walt Disney did to build Disney Land. Could collect like Wegman's does - give \$1 to save the Mill. Compared a developer to asking the fox to guard the chicken coop. The Mill needs to remain

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the way it is. The cosmetic decay happened when Warren Miller bought it – there was no problem prior to that. The Mayor asked him to leave his ideas at Village Hall.

Paul Kreiter, 29 S. Ellicott St., also showed support for the Mill. Would like to support the Mayor. Thinks we should think about not only what the Mill is worth to the Village, but also what we should pay for it. He is sure the bank will take a lot less than \$450,000. Thinks it is not worth \$450,000. Maybe \$275,000 or so after you deduct the \$25,000 lien against the title. The bank originally had \$575,000 in it, and came down to \$450,000, plus the \$25,000 will be discharged.

Dennis Murphy, 25 N. Ellicott St. property owner, would like to commend the Board for jumping into the middle of this issue. He is heavily involved in property ownership of historic structures across the US. Getting involved is easy. Step 2 is harder – this involves control. He said the Village's position right now is very thin, and a developer can bring in lawyers to find loopholes in the law. He is not suggesting to lay out millions of dollars, but suggesting that the Village take control until a decision can be made as to what to do with the property.

Gary Nizinski, 5750 Main St., feels the Mill should be saved – concerned about the manner of saving it. He is not willing to pay 11% tax increase to save the Mill. He is not sure how well informed the Village residents are of this, and of the tax increase to pay for this. He said he took a tour of the property and was shocked at the condition. It is a virtual junk yard inside and out. In addition to the 11% tax increase to purchase, what about the renovation of the property? How did it get so far gone? Also feels there should be a public hearing. Feels we are the most overtaxed state in the country. We are looking at a tax increase from the County sales tax, and now 11% in Village tax.

Mr. Ciotta asked if the Mill is coming up for foreclosure? The Mayor responded that there is a list of things if he wants more information. What we have now is relative to negotiations and will be disclosed in executive session. Trustee Daniels stated that much of this will become clearer after executive session, but cannot be divulged right now. Trustee Frese urged the public to stay for a response after executive session.

Bob Kreiter, 26 Monroe Dr., asked the Board to refute the 11% tax increase before it goes to print in the newspaper. Is this a firm figure? Stated all figures are speculative depending on what figure you give. There has been no figure decided on by the Board, so there is no tax increase projection at this time.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to close the public participation portion of the meeting.

Unanimously carried.

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

RESOLVED that payroll and vouchers in the amount of \$71,397.90, covering the period December 27, 2004 - January 18, 2005, are approved as follows:

Payroll covering 12/27/04 – 1/9/05	\$27,366.70
Vouchers covering 1/5/05 – 1/18/05	
General Fund	29,493.10
Water Fund	930.33
Sewer Fund	1,452.93
Glen Park Fund	199.31
Trust & Agency Fund	10,435.27
Debt Service	0.00
Community Development	0.00
Capital Fund	1,520.26
	<u>\$44,031.20</u>
 Grand Total:	 <u>\$71,397.90</u>

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to go off the regular agenda to consider an additional resolution.

Unanimously carried.

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ON MOTION by Mayor Hazlett, seconded by Trustee Lowther, 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, February 14, 2005 at 7:40 pm in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing the reallocation of the 2003- 2007 Community Development Block Grant funds.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED that the following amendment be made to the General Fund budget to account for a grant received from NYS for an Historic Preservation Workshop that was held in October 2004:

Increase:	001-0001-3090	State Aid-Grants	\$2,322.00
Increase:	001-7520-4530	Historical Property-Training	\$2,322.00

Unanimously carried.

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ON MOTION by Trustee Lowther, seconded by Trustee Frese, it was moved to go off of the regular agenda to consider an item not on the regular agenda.

Unanimously carried.

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

RESOLVED that the Village Board of Trustees, acting as Fire Commissioners of the Williamsville Fire Department, hereby appoints *Timothy Petri, 44 N. Forest Rd.*, firefighter in the Williamsville Fire Department, effective February 1, 2005.

Unanimously carried.

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

Unanimously carried.

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

WHEREAS, the next Village Election in the Village of Williamsville is to be held on Tuesday, June 21, 2005, and

WHEREAS, the hours of voting will be from 12:00 noon until 9:00 p.m. on June 21, 2005;

NOW, THEREFORE BE IT RESOLVED that said Village shall be divided into two election districts and the places of holding such election shall be as follows:

DISTRICT #1 – At the Village Meeting House, 5658 Main Street,
District #1 includes the entire area north of Main Street;

DISTRICT #2 – At the Williamsville Village Hall, 5565 Main Street,
District #2 includes the entire area south of Main Street.

Unanimously carried.

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

WHEREAS, the offices to be filled for the next Village Election to be held on Tuesday, June 21, 2005 shall be as follows:

Two (2) Trustees for a term of four (4) years each

Unanimously carried.

ON MOTION by Mayor Hazlett, seconded by Trustee Daniels, it was moved to adjourn to Executive Session at 8:34pm.

Unanimously carried.

ON MOTION by Trustee Daniels, seconded by Trustee Lowther, it was moved to purchase the mortgage for the Williamsville Water Mill from M&T Bank for \$450,000.

Roll Call:	Lowther	Yes
	Seamans	No
	Daniels	Yes
	Frese	No
	Hazlett	Yes

Motion passed. 3 – 2.

ON MOTION by Trustee Lowther, seconded by Trustee Frese, it was moved to adjourn the regular meeting at 10:01pm.

Unanimously carried.

SALLY A. KUZON
Administrator

