

Minutes of the Regular Meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, August 22, 2005 at 7:30 p.m.

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

Present: Mary E. Lowther, Mayor
Basil J. Piazza, Trustee
Ronald W. Daniels, Trustee
Brian J. Geary, Trustee
Richard P. Sweeney, Trustee

Sally A. Kuzon, Administrator/Clerk-Treasurer
Lynda L. Juul, Deputy Treasurer
J. Michael Hayes, Village Attorney
Michael Parker, DPW Crew Chief

ON MOTION by Mayor Lowther, seconded by Trustee Daniels, it was moved to approve the minutes of the regular meeting held on August 8, 2005 as submitted.

Unanimously carried.

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

Unanimously carried.

The following members of the audience addressed the Board:

Vicky Lattin, 64 S. Cayuga Rd. - Mrs. Lattin stated that the last time she was here she wasn't happy with the way she was treated, but she has ironed that out and accepted the person's apology. She has recently spent 22 days in the hospital and wants to get this thing over with the trees as quickly as possible before she gets sick again. She wants to meet with whoever she needs to and take care of this. She wants those trees saved now. Mayor Lowther stated that as they discussed, Vicky is supposed to be having Assemblyman Hayes contact Mayor Lowther regarding this.

Carolyn Schlifke, 192 Evans St. - Mrs. Schlifke is also concerned with the trees. As she drives along Main Street, she knows a lot of replacement is being done. What concerns her are the trees at the east end. These have managed to survive for 30 years or so. Over time a dead branch brakes off. Instead of waiting for the trees to die, does the village ever put money into maintaining those established trees? She had an experience with a tree in front of her house where she was losing half of it. They had someone come in who injected something into it and trimmed off the dead wood, and she saved a very large maple tree that's been there for about 45 years. She knows the Board wants to put new trees into the center of the Village, but she hates to see that the trees out by the high school get no attention at all. Mayor Lowther stated that the trees in front of the HS are not ours, but from Farber Lane on they are. Trustee Daniels stated that we are fighting fires with the trees, and have already used the budget in full for tree removal. He is trying to get grants to help with this. Assemblyman Hayes gave us two grants totaling \$14,000. The money in the budget is just maintenance. Carolyn asked if NYS would help with

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this – Trustee Daniels stated that they have helped with removal, but will not help with replanting of new trees. She would like to see someone address maintenance of the new trees.

Mrs. Schlifke also said she heard a rumor that the building at the corner of Main & Union was going to be demolished, and that the Fire Department was performing drills and possibly a burn in the building. Trustee Daniels stated that it was just being used for smoke training, and not being demolished or burned. There will not be any burning as far as the Board knows.

Mrs. Schlifke asked again about the cross-walks. She recalled that there is “CHIPS” funding from NYS for various things to do with streets. She asked if the Village applies for this every year. Administrator Kuzon stated that we do, and we use it for milling and paving. Mrs. Schlifke asked about this year’s paving – Mayor Lowther responded that we will be paving Columbia, Monroe, Highland, and Garden Parkway.

Larry Brenton, 31 Monroe Drive - Mr. Brenton discussed the issue of the WNY Railway Historical Society being put on notice by the Village Code Enforcement Officer that the cobblestones they have installed around the depot are unstable and constitute a hazard.

He is a volunteer for the WNY Railway Society. They have been restoring and doing exterior improvements to the train depot at Lehigh. He questioned the boundaries of the property, which Trustee Daniels pointed out to him on the zoning map on the wall. Mayor Lowther stated that there is probably a survey if he had a specific question. Mr. Brenton stated that he understands that this was under complaint of the Village Attorney. Mayor Lowther stated that they had agreed that the sidewalk portion of the cobblestone was to be set in concrete since the stones had shifted. She was unaware that a letter had gone out from the Building Dept., but she understands that an extension could easily be given. Mr. Brenton stated that he was advised of this situation yesterday. He personally removed what he perceived to be the sidewalk. The cobblestones have been removed and replaced with dirt. He stated that these things can be corrected very easily without formally putting things in writing. If the Village Attorney is going to put this in writing, he should also put other safety issues in writing. Attorney Hayes responded to this and asked that Mr. Brenton not tell him what his job is. The property is owned by the Village, and is leased to the Railway Society. There is an obligation to the Village to keep the property in a reasonably safe condition. If someone is injured, a claim can be made against the Village. He believes that the Society was put on notice about a year ago, and the issue was never addressed. The goal is to make the Village as safe as we possibly can.

Paul Krieter, 29 S. Ellicott St. - Mr. Krieter asked the Board about residential cross-walks – he lives across the street from Garrison Park. His street was repaved and completed last October, but the cross-walks have not been replaced. He asked if the Board could please get the cross-walks going before school starts. Mayor Lowther stated that off of Main Street, there are only a couple of areas where cross-walks are required. She believes that one is behind St. Peter and Paul, the other is in Glen Park. Mr. Krieter stated that there used to be cross-walks on his street.

Mr. Krieter’s second issue is pertaining to the Master Plan. How do you quickly get what is in the Master Plan into the code? Mayor Lowther stated that the Master Plan is the backup for the code. Mayor Lowther also informed Mr. Krieter that we are in the middle of a very expensive Community Plan that should be done within the next year. She then asked Atty. Hayes to clarify how the Master Plan relates to the code. Doesn’t the Master Plan go in conjunction with the code, and can you fall back

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and over-ride the code? Attorney Hayes stated that generally speaking, you go by the code. The Master Plan should be used as support for the code. Administrator Kuzon stated that there is one step from 1998 that didn't happen - from the Master Plan, that is, changing our code book. He thinks we should go ahead and put the current Master Plan into the code, and do it again after the next Community Plan is complete. Trustee Sweeney discussed Exceptional Development. Mr. Krieter still thinks we should establish that buildings are pushed up front with parking in the back. Can we do this? Trustee Daniels stated the Main & Union project is above the code due to its Exceptional Development designation. Mr. Krieter stated that we don't want another Center of Williamsville. It's detrimental. He thinks we are getting developers that won't go all the way, but will meet the Village half way and go 75' back instead of 150' back from the street.

Vicky Lattin, 64 S. Cayuga Rd. - Mrs. Lattin stated that she thinks the money is there but isn't used quick enough to do things right (removal of mulch, trimming of trees, etc.). That's where the money's going and it's a waste. She says let's get those things done so it doesn't kill the trees.

Bob Krieter, 26 Monroe Dr. - Mr. Krieter stated that he is not aware of the letter that Mr. Brenton referred to. He noticed a slight divot in the cobblestones, but this was mute compared to the railroad ties across the sidewalk. He and Mr. Brenton pulled up 10 or more. He doesn't get what all that's about.

Mr. Krieter also discussed cross-walks. He stated that he has been up here every year talking about cross-walks. Where are these cross-walks the way they were years ago? A car turning south off Main Street can't see a kid crossing. He saw a little girl trying to cross at Garrison and Scott, and nobody would stop for her. Mayor Lowther stated there would never be one there since there is not traffic device located there. Mr. Krieter stated that you can't see a kid crossing at Garrison and Main. How do you get across the street? Trustee Daniels stated that people should cross at signaled intersections. Mayor Lowther stated that is much safer. Mr. Krieter asked where are these cross-walks that were there? Mayor Lowther stated she didn't know, maybe they were paved over. Attorney Hayes suggested that cross-walk designation should or could be in the Village code. This would be referred to Traffic & Safety if there is a particular concern on a particular street. Mayor Lowther suggested he refer this to Traffic & Safety and let them research this. Mr. Krieter thinks we should take back the Village as a walking village. He asked Paul (Krieter) to take this to Traffic & Safety Committee.

Carolyn Schlifke, 192 Evans St. - Mrs. Schlifke stated she was going back 20 years to when she was on the Traffic & Safety Committee for 15 years and also liaison to the Parks Committee. There is a procedure. Certain cross-walks are listed in the code. If residents come forward, the liaison to Traffic & Safety brings this up as a resolution to the Village Board. If it is approved it becomes part of the code. If not, it doesn't.

Paul Krieter, 29 S. Ellicott St. - Being newly appointed to the Traffic & Safety Committee, Mr. Krieter stated that he finds nobody knows the rules and the laws, or has the Master Plan. He also asked for a vision. He thinks everyone on Traffic & Safety should have the instruments they need to make a good decision. Also, back a few years ago when the house was moved from Park and Garrison, R-3 wouldn't allow a parking lot to be located there. Also a cross-walk was required next to the Measer's or the Miller's house (101 Park - the white house that is for sale again). That never has happened. Mayor Lowther understood that there was never a break from the parking lot to make a cross-walk. Mr. Krieter once again stated that since last October there have been no cross-walks. Mayor Lowther stated that they will follow up on this.

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Jason Ackerman, 55 Canterbury (Amherst) - Mr. Ackerman has a proposal for the Village for a Festival of Lights in Williamsville. It would be a comprehensive festival in Glen Park, and would also include Island Park. The decorations would go on throughout the season. The lights would be on continually. There would be a kickoff on the Saturday prior to Thanksgiving, then additional events on the following Saturdays. He has a typed proposal that he gave to the Mayor, the Administrator, and the Glen Park liaison (Trustee Geary). Mayor Lowther asked who this would be under. He stated it would be a not-for-profit and would be done through corporate sponsors. He hopes to raise money for the library also, and another group such as Toys for Tots. Mayor Lowther stated that the Board will look at this and discuss it at the next work session and get back to him.

Bob Krieter asked who this is in conjunction with – it is his own idea from growing up in the area and walking the parks.

ON MOTION by Mayor Lowther, seconded by Trustee Daniels, it was moved to close the public participation portion of the meeting and return to the regular agenda.

Unanimously carried.

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

RESOLVED, that the following budget transfers are hereby made to the **General Fund for the 2005 – 2006** fiscal year:

From:	001-1210-4040 (Mayor - Education Exp/Travel)	\$63.00
To:	001-1210-4010 (Mayor - Office Supplies)	\$63.00
From:	001-8510-4160 (Community Beautification - Repairs)	\$110.00
To:	001-8510-4450 (Community Beautification - Miscellaneous)	\$110.00
From:	001-1010-4040 (Bd. of Trustees - Ed. Exp/Travel)	\$126.00
To:	001-1010-4010 (Bd. of Trustees - Office Supplies)	\$126.00
From:	001-7110-2010 (Parks - Capital Improvements)	\$1,500.00
To:	001-7110-4360 (Parks - Parks Supplies)	\$1,500.00
From:	001-1620-2010 (Buildings - Computer Equipment)	\$1,056.00
To:	001-3620-2000 (Safety Inspection - Equipment)	\$1,056.00
From:	001-5110-1000 (Street Maintenance - Personal Services)	\$1673.00
To:	001-7540-1000 (Williamsville Water Mill - Personal Services)	\$35.00
To:	001-8140-1000 (Storm Sewers - Personal Services)	\$563.00
To:	001-8510-1000 (Community Beautification - Personal Services)	\$1075.00

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From:	001-8010-4030 (Zoning - Printing/Advertising)	\$10.00
To:	001-8010-4040 (Zoning - Education/Travel)	\$10.00

Unanimously carried.

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

RESOLVED, that the following budget transfer is made in the *Water Fund for the 2005-2006* fiscal year:

From:	006-8340-4010 (Water Transmission - Office Supplies)	\$3.00
To:	006-8340-4450 (Water Transmission - Miscellaneous)	\$3.00

Unanimously carried.

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

RESOLVED, that the following budget transfer is made in the *Sewer Fund for the 2005-2006* fiscal year:

From:	007-8120-1000 (Sanitary Sewer - Personal Services)	\$98.00
To:	007-8120-1001 (Sanitary Sewer - Personal Services - Overtime)	\$98.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of \$169,241.78, covering the period from July 25, 2005 to August 16, 2005, are approved as following:

Payroll covering: 7/25/05 – 8/7/05 **\$28,503.79**

Vouchers covering: 8/3/05 – 8/16/05:

General Fund	\$45,997.67
Water Fund	920.70
Sewer Fund	2,931.16
Glen Park Fund	2,615.80

Trust & Agency Fund	12,049.34
Debt Service	53,762.50
Community Development	0.00
Capital Fund	22,460.82
	<u>\$140,737.99</u>

Grand Total: **\$169,241.78**

Unanimously carried.

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

RESOLVED, that the following equipment is hereby declared surplus and may be disposed of by either donation or recycling:

(1) Hewlett Packard LaserJet 5000 - Serial # USB3040626
(Originally purchased in 1998)

(3) Compaq DeskPro PC's w/monitors (Originally purchased in 1998)
a. Serial # 6843 CCJ4 D524
b. Serial # 6843 CCJ4 A908
c. Serial # 6843 CCJ4 B357

(1) Compaq Armada Laptop Computer with docking station – Serial # 3J98CQL9V219
(Originally purchased in 2000)

(1) Okidata OL800 Laser Printer – Serial # 103A1003945
(Originally purchased in 1992)

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- (1) Panasonic KX-E701 Typewriter – Serial # 5EM01A12117
(Originally purchased in 1984)

Unanimously carried.

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

RESOLVED, that the following budget amendment is hereby made in the *General Fund* for the **2005 – 2006** fiscal year to account for a grant received through the New York State Legislature for the purpose of obtaining Requests for Expressions of Interest for the Williamsville Water Mill:

Increase:	001-0001-3090 (State Aid Grants)	\$7,500.00
Increase:	001-7540-4451 (Williamsville Water Mill - Requests for Expression of Interest)	\$7,500.00

Unanimously carried.

ON MOTION by Trustee Daniels, seconded by Trustee Sweeney, it was moved to go off the regular agenda.

Unanimously carried.

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

RESOLVED, that Jack Oehmler and James Lion are hereby authorized to attend the NYS Emergency Medical Services Conference in Rochester, New York, on October 15th and 16th, 2005, at a cost not to exceed \$515.00.

Unanimously carried.

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

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to adjourn the meeting at 8:45 p.m.

Unanimously carried.

SALLY A. KUZON
Administrator/Clerk-Treasurer