

**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, July 24, 2006 at 7:30 p.m.**

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

Present: Mary E. Lowther, Mayor  
Beatrice A. Slick, Trustee  
Richard P. Sweeney, Trustee  
Basil J. Piazza, Trustee  
Brian J. Geary, Trustee

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

**ON MOTION** by Mayor Lowther, seconded by Trustee Geary, it was moved to approve the minutes of the regular meeting held on June 26, 2006, as submitted.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to approve the minutes of the Re-Organization meeting held on July 5, 2006, as submitted.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Slick, it was moved to suspend the rules to open the public participation portion of the meeting.

Unanimously carried.

*The following members of the audience addressed the Board:*

***Kathleen Delaney, 50 Swan Place*** - Ms. Delaney thanked the Mayor and Trustees for getting the streets in the area around Orchard paved. Her one suggestion would be to please not use salt on the alleyways. The roadway is very small and everyone shovels. In the past, the salt has completely eaten the pavement down to the dirt.

***Carolyn Shlifke, 192 Evans Street*** – Ms. Schlifke asked Mike Parker if the Eagle Street paving would be completed by August 1<sup>st</sup>. He responded that they'll be wrapping up paving tomorrow. Her route for the trolley at Taste of Williamsville goes down Eagle Street, which is why she was concerned. She also commented that she was in Island Park the other evening for the concert, and noticed that the flowering

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cherry in the flower bed is dead. It was planted about 20 years ago and she thought it would be nice to replace it. Mrs. Schlifke also noticed at the concert that the conductor had to climb over a picnic table to get on and off the stage. There is only one set of steps, and she thought that the Village could invest in another set. The conductor was unable to get off the side because the stage was so packed with chairs and musicians. She was part of the group who raised money for the stage originally. She also felt that something needs to be done about the goose poop. It's really gotten bad. Savor the Flavor is coming up, and she can't believe it's a healthy situation. She suggested contacting some sort of wild life organization to come in to the park and trap the geese. Mayor Lowther commented that this topic was discussed at length during the work session. Mrs. Schlifke then asked when the railing on the bridge over Ellicott Creek would be painted. Mike Parker reported that the State comes out and power washes the bridge, so he felt it would be their responsibility. She also asked about the Village entrance sign which is missing near the high school. Mayor Lowther responded that it is being refurbished. Mrs. Schlifke then asked about the dead trees on Main Street. She understands there's a grant where some new soil and trees are going to be put in. She also asked about the dead trees in front of Town Hall. Trustee Sweeney reported that the grants will not cover all the trees that they need. Sally Kuzon reported that the Town is going to remove the two trees in front of town hall. Mrs. Schlifke asked about the area near the old railway area at Main & Union near the Village entrance sign. Mayor Lowther responded that she doesn't believe the west side of the intersection belongs to the Village. She asked Trustee Geary to have the Beautification Committee take a look at it. Mrs. Schlifke asked if the owner of a two-family house rents out the upper flat and decides to use the lower flat for a business office in an area zoned R3, if that is legal. Attorney Van Nest responded that he would have to review the code. It hasn't happened yet, but she is trying to find out information before it happens. Her last topic was property maintenance. Where she lives, the back lot line is divided between two residences on North Ellicott. One resident has what was a hedge around the property. The prior owner used to trim the shrubs, including on her side, but the new individual has done nothing on her side in ten years or more. It's gotten taller and taller, and it is now extending about 6 feet into her yard with weeds and vines intertwined. She wrote a letter to the owner last year asking him to do something about it, but he hasn't ever responded. She doesn't feel she should have to hire someone and pay money to take care of this, and wondered if there is anything the Village can do. Mayor Lowther stated that the Village can not come onto the property. Mrs. Schlifke wondered if the Village could advise the owner to do something. She hears him trimming on his side of the fence. Mike Parker stated that he believes there are provisions in the New York state property maintenance code that he will take a look at.

**Thomas Frank, 225C Evans Street** - Mr. Frank suggested that the Village consider expanding the Memory Trail from Cayuga over to Garrison Road as part of a greenway plan. Mayor Lowther advised Mr. Frank that the property he is talking about is in the Town of Amherst, and not the Village of Williamsville. Mr. Frank then discussed the \$20M study re: erosion throughout the watershed rivulets. He suggested that the Village Board's legal counsel be in touch with the Town's legal counsel. He then asked Trustee Piazza about the LWRP. He thinks the residents should be surveyed to see if there are streams in peoples' basements. Mr. Frank stated he went to the grand opening of the Glen Ave. bridge and was a little disappointed with the final product. When driving by you can't see the water. He thinks the design stinks. He then stated that the Adirondack Mountain Club has offered to professionally construct ingress and egress into the state park. Mayor Lowther asked for something in writing.

**Trustee Piazza Report** - Trustee Piazza reported that he wanted to clarify a topic from the last public meeting. The accusation was made that the sale of 80 Rinewalt Street may have been done unethically.

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Trustee Piazza was not on the Village Board at the time, but stated for the record that nothing was done improperly by either the Village Board or by David Sutton. Everything was done legally and ethically.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the public participation portion of the meeting.

Unanimously carried.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the fiscal year ending *5/31/06*:

To:		From:	
001-1640-1000	\$655.00	001-7110-1000	\$9,471.00
001-5010-1000	\$10.00	001-1210-4061	\$14.00
001-5110-1000	\$3,851.00	001-1410-4020	\$783.00
001-7110-1001	\$272.00	001-1910-4000	\$9,000.00
001-8140-1000	\$489.00	001-1620-4160	\$857.00
001-8163-1000	\$2,052.00	001-1620-4110	\$1,295.00
001-8170-1000	\$258.00	001-1620-4160	\$1,767.00
001-8510-1000	\$1,884.00	001-1620-4230	\$1,460.00
001-1210-4450	\$14.00	001-1620-4231	\$1,577.00
001-1410-4010	\$709.00	001-1620-4260	\$368.00
001-1410-4450	\$74.00	001-1620-4450	\$53.00
001-1620-2000	\$9,000.00	001-5010-4050	\$358.00
001-1620-4070	\$857.00	001-5010-4061	\$428.00
001-1620-4240	\$6,520.00	001-3410-2020	\$806.00
001-1640-4070	\$358.00	001-3410-2030	\$38.00
001-1640-4440	\$428.00	001-3410-2070	\$274.00
001-3410-2010	\$11.00	001-3410-4010	\$511.00
001-3410-4070	\$5,841.00	001-3410-4040	\$3,006.00
001-3410-4470	\$25.00	001-3410-4061	\$135.00
001-3410-4490	\$1,610.00	001-3410-4062	\$328.00
001-3410-4620	\$8.00	001-3410-4160	\$2,397.00
001-3410-4160	\$2,154.00	001-3410-4071	\$264.00
001-3620-4020	\$12.00	001-3410-4110	\$59.00
001-3620-4060	\$60.00	001-3410-4111	\$55.00

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001-5110-4161-0918	\$4.00	001-3410-4180	\$48.00
001-5110-4250	\$1,839.00	001-3410-4230	\$300.00
001-7110-4360	\$147.00	001-3410-4280	\$19.00
001-7110-4450	\$72.00	001-3410-4460	\$23.00
001-7540-4070	\$76.00	001-3410-4500	\$513.00
001-7550-4500	\$9.00	001-3410-4610	\$181.00
001-8140-4161	\$373.00	001-3410-4750	\$692.00
001-8160-4330	\$2,250.00	001-3620-4041	\$72.00
001-8560-4450	\$823.00	001-5110-4161-0909	\$4.00
001-9060-8000	\$1,500.00	001-1990-4000	\$1,839.00
001-9950-9000	\$20,000.00	001-7110-4110	\$219.00
001-3410-4040	\$882.00	001-7540-4230	\$76.00
001-3410-2020	\$294.00	001-7550-4510	\$9.00
001-3410-4070	\$813.00	001-8162-4161	\$104.00
001-1620-4070	\$406.00	001-8162-4260	\$269.00
001-1640-4070	\$96.00	001-8162-4700	\$1,862.00
		001-8163-4330	\$388.00
		001-8510-4340	\$511.00
		001-8510-4350	\$312.00
		001-9010-8000	\$1,500.00
		001-1990-4000	\$20,000.00
		001-3410-4440	\$547.00
		001-3410-4750	\$1,442.00
		001-1950-4100	\$406.00
		001-1640-4261	\$96.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the fiscal year ending *5/31/06*:

To:		From:	
009-7141-1000	\$450.00	009-7141-2010	\$802.00
009-7141-4070	\$295.00	009-7141-4102	\$109.00

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009-7141-4351	\$23.00
009-9030-8000	\$34.00
009-7141-4070	\$109.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Water Fund* for the fiscal year ending *5/31/06*:

To:

From:

006-8310-1000	\$64.00	006-1910-4000	\$774.00
006-8320-4000	\$11,891.00	006-1991-4000	\$33.00
006-8340-1000	\$3,145.00	006-8340-1001	\$216.00
006-8340-4020	\$349.00	006-8340-4010	\$269.00
006-8340-4040	\$21.00	006-8340-4030	\$249.00
006-9030-8000	\$444.00	006-8340-4070	\$1,269.00
006-8340-4070	\$1.00	006-8340-4100	\$2,009.00
		006-8340-4101	\$5,417.00
		006-8340-4111	\$1,500.00
		006-8340-4120	\$1,000.00
		006-8340-4160	\$725.00
		006-8340-4161	\$500.00
		006-8340-4163	\$588.00
		006-8340-4165	\$102.00
		006-8340-4260	\$291.00
		006-8340-4500	\$75.00
		006-8340-4600	\$897.00
		006-8340-4110	\$1.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Sewer Fund* for the fiscal year ending *5/31/06*:

To:		From:	
007-8120-4070	\$114.00	007-9950-9000	\$63,836.00
007-8120-4114	\$250.00	007-8120-4162	\$15.00
007-8130-4220	\$63,472.00		
007-8120-4070	\$15.00		

Unanimously carried.

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

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* to account for expenses billed to the Jolly Boys in the fiscal year ending *5/31/06*:

Incr.	001-0001-2750	Old Home Days	\$290.00
Incr.	001-7550-4410	Celebrations - Old Home Days	\$290.00

Unanimously carried.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$245,032.22**, covering the period from **June 12, 2006 to July 18, 2006**, are hereby approved as follows:

<b>Payroll covering: June 12, 2006 – June 25, 2006</b>	<b>\$32,878.96</b>
<b>Payroll covering: June 26, 2006 – July 9, 2006</b>	<b>\$32,609.90</b>

**Vouchers covering: June 21, 2006 – July 4, 2006**

General Fund	\$65,673.35
Water Fund	\$49,535.49
Sewer Fund	\$1,693.92
Glen Park Fund	\$109.97
Trust & Agency Fund	\$18,477.26
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$7.02
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	<b>\$135,497.01</b>

**Vouchers covering: July 5, 2006 – July 18, 2006**

General Fund	\$28,424.86
Water Fund	\$3,358.75
Sewer Fund	\$711.64
Glen Park Fund	\$683.66
Trust & Agency Fund	\$10,867.44
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$0.00
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	<b>\$44,046.35</b>

**Grand Total:** **\$245,032.22**

Unanimously carried.

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

**RESOLVED**, that ***Dr. Stephen Dyson***, residing at 86 S. Cayuga Rd., Williamsville, New York, is hereby appointed to the ***Mayor's Water Mill Advisory Committee***.

Unanimously carried.

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

**RESOLVED**, that the Administrator is hereby authorized to publish notice of a public hearing to be held on Monday, August 28, 2006, at 7:35 p.m., in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed amendment to Chapter 28-2 (Fire Prevention and Building Code Administration - Definitions), adding the terms and subsequent definitions for the following: "Lot Subdivision", and "Subdivision Plat or Final Plat".

Unanimously carried.

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

**RESOLVED**, that the Administrator is hereby authorized to publish notice of a public hearing to be held on Monday, August 28, 2006, at 7:40 p.m., in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed amendment to to Chapter 28-7 C (Fire Prevention and Building Code Administration - Exceptional Development), adding the following: "(5) Any proposed lot subdivision".

Unanimously carried.

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

**WHEREAS**, the Village Board of Trustees believes there is a need to create the position of *Volunteer Publicity Coordinator*, and

**WHEREAS**, this volunteer position is being created to ensure more media exposure for Village Events; to coordinate committee publicity efforts; to utilize a standard publicity form in contacting media sources; to assist committee members so that they are not solely responsible for publicizing committee-sponsored events, and

**WHEREAS**, this volunteer will have the responsibility to coordinate publicity for Village sponsored events only, and will not act as a spokesperson on behalf of the Village of Williamsville, and

**WHEREAS**, all information released to the media will have prior approval from the Mayor or Village Administrator.

**NOW, THEREFORE BE IT RESOLVED**, that the Village Board of Trustees hereby creates the position of *Volunteer Publicity Coordinator*.

Unanimously carried.

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

**RESOLVED**, that *Patricia Siracuse*, residing at 5854 Main Street, Unit 505, Williamsville, New York, is hereby appointed to the position of *Volunteer Publicity Coordinator*.

Unanimously carried.

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

**RESOLVED**, that *Robert Ess*, residing at 40 Oakgrove Drive, Williamsville, New York, is hereby appointed to the *Historic Preservation Commission*, until the end of the **2007-2008** official village year.

Unanimously carried.

**ON MOTION** by Trustee Geary, seconded by Trustee Slick, the following resolution was adopted:

**RESOLVED**, that *Deborah Dramen*, residing at 18 Union Place, Williamsville, New York, is hereby appointed to the *Beautification Committee* until the end of the **2006-2007** official Village year.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to adjourn to Executive Session to discuss a contractual matter at 8:26 p.m.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Geary, it was moved to close the Executive Session at 9:40 p.m.

Unanimously carried.

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**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to return to the regular meeting at 9:41 p.m.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Slick, it was moved to adjourn the regular meeting at 9:42 p.m.

Unanimously carried.

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SALLY A. KUZON  
Administrator/Clerk-Treasurer