

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, December 18, 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
Basil J. Piazza, Trustee
Brian J. Geary, Trustee

Sally A. Kuzon, Administrator/Clerk-Treasurer
R. Scott DeLuca, Village Attorney
Michael Parker, Crew Chief, DPW

Excused: Richard P. Sweeney, Trustee
Lynda L. Juul, Deputy-Treasurer

Mayor Lowther presented a Proclamation to the Williamsville Fire Department/Hutchinson Hose Company expressing the gratitude of the Village Board, Village residents and Village businesses for 150 years of dedicated service to the Williamsville community. Mayor Lowther also thanked the Fire Department for their immeasurable assistance during the October 13th Storm. Mayor Lowther then presented a gift of an engraved sword to the Hutchinson Hose Company commemorating their 150th anniversary. Peter Stroebel of the Fire Department was present to accept both the gift and the proclamation and thanked the Board on the Department's behalf.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to approve the minutes of the regular meeting held on November 27, 2006, as submitted.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to approve the minutes of the special meeting held on December 1, 2006, as submitted.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to open the first public hearing on the agenda at 7:39 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing a proposed local law to replace Chapter 28 (Administration and Enforcement of the New York State Uniform and Fire Prevention and Building Code) of the Village Code, to comply with 19 NYCRR – Part 1203 of the NYS Uniform Fire Prevention and Building Code.

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ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the first public hearing at 7:45 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to open the second public hearing on the agenda at 7:46 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing a proposal by Paul Iskalo of Iskalo Development to re-zone the property at 56 S. Union Rd. from R-3M to C-1.

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to close the second public hearing at 8:10 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to open the third public hearing on the agenda at 8:12 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing a proposed water rate increase for the year 2007.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to close the public hearing at 8:32 p.m.

Unanimously carried.

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

Unanimously carried.

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The following members of the audience addressed the Board:

Jason Acanfara, 178 Clearfield Drive – Asked the Board about a proposal to reduce the portion of Main Street that is in the Village to two lanes of traffic. Mayor Lowther explained that it is just one of many issues under discussion by the Community Plan Committee. They are looking at many alternatives. Mr. Acanfara thinks it would be ludicrous to consider it when the traffic is already so backed up on Main Street already. Trustee Slick added that all the information has to be considered such as other traffic configurations and routes before any decisions are made.

Mary Ann Avery, 64 Garrison Rd. – Ms. Avery complimented the Parks Committee on its cleanup of Garrison Park after the October 13th Storm. She asked if it were possible for the Village DPW to place a garbage can in the right-of-way at the park so that residents could have a place to put garbage or branches that they pick up. Mr. Parker said he would look into the possibility.

Carolyn Schlifke, 192 Evans St. – Ms. Schlifke wished the Village Board and staff a Merry Christmas and a Happy New Year. Ms. Schlifke had some questions about the garbage totes. She wondered about the cost; when they would be coming; what can be put in them. Mayor Lowther explained that one 95-gallon tote will be delivered to each village household sometime in March. At this time, it looks like a one-time charge will be made to each tax bill. Homeowners will be able to exchange a 95 gallon tote for a 65 gallon tote if they so choose. Anything can be put in a tote. Lawn waste can be put in regular garbage cans for pickup. Ms. Schlifke was concerned that the tote would be delivered to her house while she was in Florida. Mayor Lowther said she would see what could be worked out. Ms. Schlifke said she did not think it was legal to add anything to a tax bill. In reference to the Iskalo proposal for the former Stereo Advantage Lifetime Service Center building at 52 S. Union Rd., and the adjacent property located at 56 S. Union Rd., Ms. Schlifke said that since she is a member of the Community Plan Committee along with Paul Iskalo, she knows that Mr. Iskalo is very concerned with what happens along Main Street in the Village. She believes that he handles his properties very well and would never put up something that was not appropriate to the Village. She is concerned that the Community Plan Committee has been meeting for a year and a half already and would like to see more movement towards an adopted plan so that there will be a plan in place once properties start to be developed along Main Street. If they are developed now, before a plan is adopted, the Village could get caught short. She doesn't want to see the Village wait another year and a half before a plan is adopted. Mayor Lowther stated that at the end of the Community Plan process, the codes will be reconstructed and a set of design guidelines will be in place. Mayor Lowther stated that to change the codes before a Community Plan was adopted, would be an insult to the Community Plan members. Ms. Schlifke said she was concerned that several long-vacant properties along Main Street could be developed before a plan is in place. She does not want to see boxes built onto the front of Main Street houses. Mayor Lowther said that the Planning Board has been doing a good job, especially in recent years, about regulating design along Main Street.

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

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 to the *General Fund for the 2006 – 2007* fiscal year:

| | | |
|-------|---|-------------|
| To: | 001-1640-1000 (Central Garage-Personal Svc.) | \$13,672.00 |
| | 001-1640-1001 (Central Garage-Personal Svc. - OT) | \$14.00 |
| | 001-7310-1000 (Youth Programs-Personal Svc.) | 71.00 |
| | 001-8140-1000 (Storm Sewers-Personal Svc.) | 2,698.00 |
| | 001-8140-1001 (Storm Sewers-Personal Svc.-OT) | 80.00 |
| | 001-8510-1000 (Community Beautif.-Personal Svc.) | 1,249.00 |
| From: | 001-5110-1000 (Street Maint.-Personal Svc.) | \$17,690.00 |
| | 001-5110-1001 (Street Maint.-Personal Svc.) | \$94.00 |
| To: | 001-5110-4161-0902 (Streets-Repairs (Proj. 0912) | \$26.00 |
| From: | 001-5110-4161-0916 (Streets-Repairs (Proj. 0916) | \$26.00 |
| To: | 001-5110-4605 (Streets/Safety Clothing Accessories) | \$344.00 |
| From: | 001-5110-4272 (Streets/Repairs/Blacktop) | \$344.00 |
| To: | 001-5110-4161-0912 (Streets/Repairs) | \$72.00 |
| From: | 001-5110-4161-0914 (Streets/Repairs) | \$72.00 |
| To: | 001-7550-4400 (Celebrations/Holiday Decorations) | \$86.00 |
| From: | 001-8510-4160 (Community Beautif./Repairs) | \$86.00 |

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund for the 2006-2007* fiscal year, to account for a donation made by the Village Preservation Foundation toward holiday lighting at the Water Mill:

| | | |
|-----------|-----------------------------------|----------|
| Increase: | 001-0001-2705 (Gifts & Donations) | \$100.00 |
| Increase: | 001-7540-4450 (Water Mill-Misc.) | \$100.00 |

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 transfer* is hereby made in the *Sewer Fund for the 2006-2007* fiscal year:

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|-------|--|----------|
| To: | 007-8120-1001 (Sanitary Sewers-Personal Svc.-OT) | \$115.00 |
| From: | 007-8120-1000 (Sanitary Sewers-Personal Svc.) | \$115.00 |

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of **\$536,801.54**, covering the period from **November 13, 2006** to **December 12, 2006**, are hereby approved as follows:

| | |
|---|----------------------------|
| Payroll covering: 11/13/06 – 11/26/06: | \$30,359.69 |
| Payroll covering 11/27/06 – 12/10/06: | \$27,338.98 |
| Vouchers covering: 11/22//06 – 12/12/06: | |
| General Fund | \$213,882.26 |
| Water Fund | \$44,874.93 |
| Sewer Fund | \$4,545.60 |
| Glen Park Fund | \$406.42 |
| Trust & Agency Fund | \$21,725.70 |
| Debt Service | \$0.00 |
| Community Development | \$0.00 |
| Capital Fund | \$193,667.96 |
| | <u>\$479,102.87</u> |
| Grand Total: | <u>\$536,801.54</u> |

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to sign the Penflex, Inc. Service Fee Agreement for the Village of Williamsville Firefighter Length of Service Award Program, for the period from November 1, 2006 to October 31, 2007.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to sign an inter-municipal agreement with the Town of Amherst whereby the Town will collect residential solid waste in the Village of Williamsville for the period of January 1, 2007 through December 31, 2007 at the annualized rate of \$122.50 per unit, and for the period January 1, 2008 through December 31, 2008 at an annualized rate of \$126.50 per unit; and

BE IT FURTHER RESOLVED, that all recycled material disposed of at Covanta Energy will be reimbursed at a rate of \$10.00 per ton.

Unanimously carried.

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

RESOLVED, that the Village water rates, effective January 1, 2007, are as follows:

| | |
|-----------------------|-------------------------------|
| Inside Village | \$4.23 per 1,000 gallons |
| Outside Village | \$5.95 per 1,000 gallons |
| Minimum Bill | \$16.92 per 0 – 4,000 gallons |
| Williamsville Central | \$5.29 per 1,000 gallons |

Unanimously carried.

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

RESOLVED, that a proposed local law replacing Chapter 28 of the Village of Williamsville Code for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code (19 NYCRR-Part 1203), which was the subject of a public hearing on December 18, 2006, is hereby adopted.

Unanimously carried.

ON MOTION by Trustee Slick, seconded by Trustee Piazza, it was moved to leave the agenda to consider another resolution.

Unanimously carried.

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

RESOLVED, that the Mayor of the Village of Williamsville is hereby authorized to enter into contract with the New York Office of Parks, Recreation, and Historic Preservation for \$50,000.00 in financial assistance for the Williamsville Water Mill.

Unanimously carried.

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

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to adjourn to Executive Session to discuss a personnel matter at 9:09 p.m.

Unanimously carried.

ON MOTION by Trustee Piazza, seconded by Trustee Slick, it was moved to adjourn the Executive Session at 9:31 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to return to the regular agenda at 9:32 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 9:35 p.m.

Unanimously carried.

SALLY A. KUZON
Administrator/Clerk-Treasurer

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