

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, March 26, 2007 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
Richard P. Sweeney, Trustee
Beatrice A. Slick, Trustee
Basil J. Piazza, Trustee
Brian J. Geary, Trustee

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

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on March 12, 2007, as submitted.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to open the first public hearing of the evening at 7:41 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing the proposed local law to replace Chapter 39 (Garbage, Rubbish and Refuse) with a new Chapter 39 (Garbage, Rubbish and Refuse) in the Village Code.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to close the first public hearing at 7:50 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to open the second public hearing of the evening at 7:51 p.m.

Unanimously carried.

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A public hearing was held to hear all persons interested in discussing the proposed 2007-2008 General Fund, Glen Park Activities Fund, and Debt Services Fund Budget.

ON MOTION by Mayor Lowther, seconded by Slick, it was moved to close the second public hearing at 7:54 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to open the third public hearing of the evening at 7:55 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing the proposed 2007-2008 Sewer Fund budget.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the third public hearing at 7:57 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to open the fourth public hearing of the evening 7:58 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing the proposed 2007-2008 Water Fund budget.

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to close the fourth public hearing at 7:59 p.m.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Piazza, 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:

Richard Munzert, 216 N. Ellicott St. - Mr. Munzert stated that he recently had sanitary sewer problems, and that the main sewer was filled to the top. He feels that the lot next door to him needs to have something done. He said that his sump pump was running last week every 45 seconds. The water is seeping into the ground. He is looking into getting some drain tile due to this. Mayor Lowther asked if there is any recourse for this. Mike Parker reported that there is something under the NYS Uniform Code. He stated that he will take a look at the grading to make sure it's properly graded. If it's not, the Building Dept. will send a letter letting the owner know that it has to be properly graded. Mr. Munzert asked if the sewer and water were shut off. Mr. Parker reported that whenever a demolition is done, the water and sewer must be capped. Mayor Lowther reported that they haven't had any backup incidents in his area in the last two years. However, Mr. Munzert claimed that he went to his neighbors and they have had problems. Mayor Lowther stressed that they need to call the Village and let someone know. Mr. Munzert then asked about the abolition of the Laborer position and asked if the person affected can go for his operator's license. Mayor Lowther stated that he can apply if he has the correct credentials.

Thomas Frank, 225C Evans St. - Mr. Frank stated that he had four points to make. They were regarding (1) the Friends of the Buffalo Niagara River Keepers (Ellicott Creek clean up), (2) the Niagara County Bicentennial (connects the Village Mill to the history of Niagara County), (3) his meeting with Dr. Mohan who contacted the Army Corp. of Engineers regarding a meeting in Detroit on Thursday, and (4) the International Joint Commission meeting in April to negotiate the final settlement.

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

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, 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:	001-5110-4161-0912 (Street Maint.-Repairs)	\$58.00
From:	001-5110-4161-0909 (Street Maint.-Repairs)	\$58.00
To:	001-5110-4161-0912 (Street Maintenance-Repairs)	\$465.00

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From:	001-5110-4161-0910 (Street Maintenance-Repairs)	\$465.00
To:	001-5142-4164 (Snow Removal-/Repairs Sidewalk Plows)	\$1,024.00
From:	001-5142-4161 (Snow Removal/Repairs Plows)	\$1,024.00
To:	001-7540-4160 (Water Mill-Bldg. Repairs)	\$810.00
From:	001-7540-4070 (Water Mill-Utilities)	\$810.00
To:	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$51.00
From:	001-1210-4040 (Mayor-Education Exp./Travel)	\$51.00
To:	001-1410-4061 (Village Clerk-Cellular Phone)	\$175.00
From:	001-1410-4040 (Village Clerk-Education Exp./Travel)	\$175.00
To:	001-1420-4160 (Law/Attorney-Professional Fees & Books)	\$294.00
From:	001-1420-4620 (Law/Attorney-Opinions)	\$294.00
To:	001-1640-1000 (Central Garage-Personal Svc.)	\$4,653.00
	001-3310-1000 (Traffic Control-Personal Svc.)	\$404.00
	001-8140-1000 (Storm Sewers-Personal Svc.)	\$107.00
	001-8163-1000 (Trash Pickup-Personal Svc.)	\$1,413.00
From:	001-5110-1000 (Street Maint.-Personal Svc.)	\$6,577.00

Unanimously carried.

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

RESOLVED, that the following *budget transfer* is hereby made in the *Sewer Fund for the 2006-2007* fiscal year:

To:	007-8120-1001 (Sanitary Sewers-Personal Svc.-OT)	\$82.00
From:	007-8120-1000 (Sanitary Sewers-Personal Svc.)	\$82.00

Unanimously carried.

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Trust & Agency Fund	\$12,172.04
Debt Service	\$35,337.50
Community Development	\$0.00
Capital Fund	\$58.99
	<u>\$170,817.57</u>

Grand Total: **\$202,349.45**

Unanimously carried.

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

RESOLVED, that Trustee Brian Geary is hereby authorized to attend the NYCOM Workshop for New Officials to be held in Syracuse, New York, on April 26, 2007, at a cost not to exceed \$85.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

WHEREAS, Village Law Sections 7-7-712 and 7-7-718 provide that effective January 1, 2007, all planning board and zoning board of appeals members in New York State, as well as alternate members of those boards, must complete a minimum of four hours of training each year; and

WHEREAS, the above sections of state law provide that a planning board or zoning board of appeals member shall not be eligible for reappointment to such board if they have not completed the training required by law; and

WHEREAS, the above sections of state law provide that the legislative body of the Village specifies which activities qualify as training to satisfy the state requirements: and

NOW, THEREFORE, BE IT RESOLVED, that the following list of commissions and boards and other officials of the Village of Williamsville are required to attend training to meet the state requirements when the training they provide pertains to municipal planning, zoning, community design, environmental issues, economic development, and local government functions and practices;

- 1) the NYS Department of State; Department of Agriculture and Markets; Office of the State Comptroller; Department of Health; Department of Transportation; Department of Environmental Conservation; Office of Parks, Recreation, and Historic Preservation; and
- 2) the New York State Association of Towns, the New York Conference of Mayors, the New York State Association of Counties, the New York Planning Federation, the American

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- Planning Association, the Upstate New York Chapter of the American Planning Association and its sections, and
- 3) the Erie County Planning Federation, Erie County Planning Department(s); and Erie County Soil and Water Conservation districts; and
 - 4) the Albany Law School Governmental Law Center and Institute for Legal Studies, Pace Law School, Cornell University and its cooperative extension; and
 - 5) on-line planning and zoning training programs offered by the New York Municipal Insurance Reciprocal, Pace University and Land Use Law Center, and the Lincoln Institutes of Land Use Policy; and let it be further

RESOLVED, that other training activities may be approved on a case-by-case basis by the Village Board of Trustees upon request of a planning board or zoning board of appeals member; and be it further

RESOLVED, that any new member appointed to fill the last 6 months of a term shall not be required to have attended training to be reappointed to a first full term, but must thereafter comply with the municipal training policy as provided elsewhere herein; and be it further

RESOLVED, that training received by a planning board member or zoning board member and officials of the Village of Williamsville in excess of four hours in any one year may be carried over by the member into succeeding years, provided that no other training is required by the Board of Trustees; and be it further

RESOLVED, that the Village Clerk / Village Administrator shall create and maintain a system of tracking the training individual members complete annually; and such information shall be presented to the appointing authority prior to considering a member for reappointment.

Unanimously carried.

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

RESOLVED, that the following Williamsville Fire Department equipment is hereby declared surplus equipment:

One (1) 2002 Ford Explorer, VIN # IFMZU72E12ZC11425, used by the Fire Department Assistant Chief 9-1

Unanimously carried.

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

One (1) 2000 Ford Explorer, VIN # 1FMZU72E6YZB44457, used by the Fire Department Assistant Chief 9-2

Unanimously carried.

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

Unanimously carried.

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

RESOLVED, that CRA Infrastructure and Engineering, Inc. is hereby authorized to prepare a Sanitary Sewer Investigation Siphon Flow Alternatives Study at a cost not to exceed \$20,000, based on their proposal dated March 26, 2007.

Unanimously carried.

ON MOTION by Trustee Piazza, seconded by Trustee Geary, 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 8:30 p.m.

Unanimously carried.

ON MOTION Trustee Piazza, seconded by Trustee Sweeney, it was moved to close the Executive Session at 9:14 p.m.

Unanimously carried.

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ON MOTION by Trustee Piazza, seconded by Trustee Sweeney, it was moved to return to the regular agenda at 9:15 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Sweeney, it was moved to adjourn the meeting at 9:16 p.m.

Unanimously carried.

Sally A. Kuzon
Administrator/Clerk-Treasurer

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, November 13, 2006 at 7:30 p.m.