

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, May 14, 2007 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
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
Edward Russell, Village Attorney
Michael Parker, Crew Chief, DPW

ON MOTION by Mayor Lowther, seconded by Trustee Slick, it was moved to approve the minutes of the regular meeting held on April 23, 2007, as submitted.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to open the public hearing regarding a proposed amendment to Chapter 101-4 A and B (Trees) at 7:35 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in discussing a proposed amendment to Chapter 101-4 A and Chapter 101-4 B (Trees).

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the public hearing at 7:43 p.m.

Unanimously carried.

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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:

Camie McGraw, CRA Engineering & Infrastructure (Village Engineering Firm) - Ms. McGraw was present to discuss the Village's annual storm water report. The Village has a permit which allows us to contribute storm water to the storm water system. The Village is now required to submit an annual report. This will be the 4th annual report we have submitted. As a member of the WNY Storm Water Coalition, we receive a template from and then tailor the report to the Village. The report must be discussed during a public meeting. She is present to answer any questions there may be. Trustee Piazza asked if there are any issues at this time; Camie responded that there are no issues at this time, but that there are several activities going on now through January 1st. There are more requirements coming between now and then, such as a storm water management plan; regulations on detection and elimination of elicit discharges; and public outreach.

Thomas Frank, 225C Evans Street - Mr. Frank began to discuss various topics including erosion in the village; loss of trees; the re-licensing of the Niagara Power Authority; and NYS Parks. He also talked about an ad-hoc reunion convention group for Old Home Days called WASH (Williamsville, Amherst, & Sweet Home). Mr Frank commented that Old Home Days should be relocated authentically to the Amherst State Park.

Steven Dyson, 86 South Cayuga - Mr. Dyson stated that the Village of Williamsville is one of the few places in NYS where decrees of the Supreme Court are not followed. The storm was in October, and cleanup has been done. He doesn't understand why the gates have not been put back at Island Park in march. He was told we were waiting on Erie County. He has contacted the Mayor several times. He felt the Village had the option of contracting this out, but did not. He is worried about west Nile virus and feels he pays waterfront taxes. He feels the Village does nothing and stated that this is the type of thing that discourages people from any civic involvement. In New England, people listen to the citizens.

Mayor Lowther stated that we are working with Erie County because they have the permit to enter the creek and remove the debris. Asplundh does not have a DEC permit and cannot enter the creek. The County has bid this project out and bids are due back on May 22nd. We believe we are the first ones on the list for debris removal in the creek. Once this is completed the gates will be put back in. Any information that was given to Mr. Dyson in the past was done based on the information she was given at the time. She in no way has been trying to put him off. The Village Board would like to see the gates back in as soon as possible as well.

Trustee Piazza stated that the Board agrees that this has been a very slow process. He indicated that the Village is stuck with two sets of red tape, being the DEC and the County.

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Mayor Lowther stated that the Village does not have the equipment or the manpower to do this type of work. She has never lied to him about this. The Village takes it very seriously. We have no control over what happened in October. We are working to make sure things are rectified and rectified properly. She will keep him in the loop about what we are doing. She has always given him the information to the best of her knowledge. Sometimes we don't get all the information. We have assurance from the County that we will be the first community to have the creek cleared so the gates can get back in there. We are not trying to deny his water; there is not benefit on doing this.

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

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

To:	001-1620-1000 (Buildings-Personal Svc.)	\$18.00
	001-1640-1000 (Central Garage-Personal Svc.)	\$7,834.00
	001-3310-1000 (Traffic Control-Personal Svc.)	\$808.00
	001-8160-1000 (Refuse & Garbage-Personal Svc.)	\$652.00
	001-8160-1001 (Refuse & Garbage-Personal Svc.-OT)	\$450.00
	001-8163-1000 (Trash Pickup-Personal Svc)	\$5,522.00
From:	001-5142-1000 (Snow Removal-Personal Svc.)	\$5,748.00
	001-7110-1000 (Parks-Personal Svc.)	\$9,086.00
	001-5142-1001 (Snow Removal-Personal Svc.-OT)	\$450.00
To:	001-1420-4450 (Law/Attorney-Misc.)	\$40.00
From:	001-1420-4620 (Law/Attorney-Opinions)	\$40.00
To:	001-1440-4160 (Engineer-Professional Fees)	\$100.00
From:	001-1410-4160 (Village Clerk-Computer Support)	\$100.00
To:	001-1440-4160 (Engineer-Professional Fees)	\$328.00
From:	001-1410-4040 (Village Clerk-Education Exp./Travel)	\$328.00
To:	001-5110-4161-0904 (Street Maint.-Repairs)	\$136.00
From:	001-5110-4161-0919 (Street Maint.-Repairs)	\$136.00
To:	001-8560-4450 (Shade Trees-Misc.)	\$62.00

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From: 001-8560-4360 (Shade Trees-Trees-Reg. Replacement)	\$62.00
To: 001-1110-4110 (Village Justices-Service Contracts)	\$62.00
From: 001-1110-4190 (Village Justices-Stenographer)	\$62.00
To: 001-1410-4620 (Village Clerk-Lease Copy Machine)	\$75.00
From: 001-1410-4030 (Village Clerk-Printing/Advertising)	\$75.00
To: 001-1640-4260 (Central Garage-Maint. Supplies)	\$15.00
From: 001-1640-4261 (Central Garage-Maint. Fees)	\$15.00
To: 001-1920-4000 (Association Dues)	\$77.00
From: 001-1910-4000 (Unallocated Ins.)	\$77.00
To: 001-3410-4040 (Fire Protection-Education Exp./Travel)	\$557.00
From: 001-3410-4110 (Fire Protection-Svc. Contracts)	\$557.00
To: 001-3410-4280 (Fire Protection-EMS Supplies)	\$63.00
From: 001-3410-4110 (Fire Protection-Svc. Contracts)	\$63.00
To: 001-3620-4060 (Safety Inspection-Telephone)	\$150.00
From: 001-3620-4100 (Safety Inspection-Prof. Fees)	\$150.00
To: 001-3620-4020 (Safety Inspection-Postage)	\$55.00
001-1210-4450 (Mayor-Misc.)	\$2.00
From: 001-3620-4100 (Safety Inspection-Prof. Fees)	\$55.00
001-1210-4040 (Mayor-Education Exp/Travel)	\$2.00
To: 001-8160-4110 (Refuse & Garbage Collection)	\$20,390.00
From: 001-1990-4000 (Contingent Account)	\$20,390.00

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Sweeney, 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: 007-8120-4161 (Sanitary Sewers-Repairs-Lines)	\$131,255.00
From: 007-9950-9000 (Sanitary Sewers-Transfer to Capital)	\$131,255.00

Unanimously carried.

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

RESOLVED, that *Terri Campbell of 262 California Drive, Williamsville, New York*, is hereby appointed to the *Water Mill Committee* until the end of the 2006-2007 official Village year.

Unanimously carried.

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

RESOLVED, that *Sarah Sutcliff of 245 Evans Street, Williamsville, New York*, is hereby appointed to the *Parks Committee* until the end of the 2006-2007 official Village year.

Unanimously carried.

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

RESOLVED, that *Kevin Dilliot of 7405 Bowen Road, Lockport, New York, 14094*, is hereby appointed to the Village of Williamsville Department of Public Works as a *Motor Equipment Operator* at the rate of \$14.28 per hour.

Unanimously carried.

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

RESOLVED, that *Michael P. Trzepacz of 310 Iroquois Avenue, Lancaster, New York 14086*, is hereby appointed to the Village of Williamsville Department of Public Works as a *Motor Equipment Operator* at the rate of \$14.28 per hour.

Unanimously carried.

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

RESOLVED, that *Antonio Bararreza of 42 Highland Drive, Williamsville, New York*, is hereby appointed as Part-time Laborer in Glen Park for 20 hours per week, for 20 weeks, at a rate of \$10.00 per hour.

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made to the *General Fund* for the *2006-2007* fiscal year to account for a donation made by Deborah Draman for the Beautification of the Lehigh Trail Rock Garden:

Increase:	001-0001-2705 (Gifts & Donations)	\$150.00
Increase:	001-8510-4340 (Community Beautification -Plants)	\$150.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made to the *General Fund* for the *2006-2007* fiscal year to account for a donation received from The Glen Park Tavern (Grenauer Assoc., Inc) for the Beautification Committee:

Increase:	001-0001-2705 (Gifts & Donations)	\$500.00
Increase:	001-8510-4340 (Community Beautification -Plants)	\$500.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made to the *General Fund* for the *2006-2007* fiscal year to account for a donation received from the Forest Stream Garden Club for the Meeting House Garden for 2007:

Increase:	001-0001-2705 (Gifts & Donations)	\$200.00
Increase:	001-8510-4340 (Community Beautification -Plants)	\$200.00

Unanimously carried.

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

RESOLVED, that Michael Parker, DPW Crew Chief, is hereby authorized to attend the APWA Construction Inspection School to be held in Niagara Falls, New York, on May 24 and May 25, 2007, at a cost not to exceed \$250.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED, that the following *budget transfer* is made to the *Glen Park Fund* for the *2006-2007* fiscal year:

To:	009-7141-4070 (Glen Park-Utilities)	\$500.00
From:	009-7141-4102 (Glen Park-Landscaping)	\$500.00

Unanimously carried.

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

RESOLVED, that *Christopher Bonaventura of 230 Oakgrove Drive, Williamsville, New York*, is hereby appointed to the Glen Park Joint Board until April 30, 2010.

Unanimously carried.

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

RESOLVED, that Chris Petrie, Tim Petrie and John Pidgeon are hereby authorized to attend the Harrisburg Fire Expo and Conference, to be held in Harrisburg, PA, May 17 – May 20, 2007 with transportation to be by Fire Department vehicle, and at a cost not to exceed \$600.00.

Unanimously carried.

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

WHEREAS, the Village Administrator has advertised for competitive bids for one (1) 2008 Ford Expedition EL/SSV, to be used as an EMS Rescue Vehicle; and

WHEREAS, the bid was duly advertised on April 18, 2007; and

WHEREAS, all submitted bids were opened on May 2, 2007 at 10:00 a.m. at the Village Clerk's Office at 5565 Main Street, Williamsville, New York; and

WHEREAS, the Village of Williamsville reserves the right to reject any and all bids; and

WHEREAS, Bison Truck Center, Inc. has submitted a bid that satisfies all specifications and all competitive bidding requirements for the Village of Williamsville, as outlined in the NYS General Municipal Law.

NOW, THEREFORE, BE IT RESOLVED, that the bid for one (1) 2008 Ford Expedition EL/SSV is hereby awarded to Bison Truck Center Inc. for the amount of \$28,898.40, as per their bid proposal dated April 30, 2007.

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Unanimously carried.

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

WHEREAS, the *1994 Chevrolet Suburban truck* has been declared surplus property by the Village of Williamsville Board of Trustees; and

WHEREAS, per General Municipal Law Section 103(6) which holds that the sale/purchase of used fire equipment between municipalities is not subject to the competitive bidding requirements; and

BE IT FURTHER RESOLVED, that the Sunset Bay Volunteer Fire Company in the Town of Hanover, New York has extended a purchase offer for this equipment in the amount of \$7,500.00.

NOW, THEREFORE, BE IT RESOLVED, that the Sunset Bay Volunteer Fire Company is hereby awarded the purchase of this truck for their offer of \$7,500.00 dated March 25, 2007.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue *Mayor's Permits* to The Village Preservation Foundation for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from May 23 – June 6, 2007, and also, for a two week period from Aug. 9 – Aug. 23, 2007. Banner to read “*Walk the Villages, May – October, Akron, Clarence, Kenmore, Williamsville, Batavia, Leroy*”.

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 issue a Mayor's Permit to the Williamsville Rotary Club for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from June 6 – 20, 2007. Banner to read "***Williamsville Rotary/ Village of Williamsville Youth Committee Strawberry Social, Wednesday, June 20, 5-8pm, Island Park***".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a ***Mayor's Permit*** to Williamsville/Amherst Old Home Days Organization for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from June 29 – July 13, 2007. Banner to read "***Williamsville – Amherst Old Home Days, July 10 – July 13, Island Park***".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a ***Mayor's Permit*** to Williamsville Preservation Foundation for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from July 24 – Aug. 7, 2007. Banner to read "***Taste of Williamsville, August 7th, 11am – 9pm, Island Park***".

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 issue a *Mayor's Permit* to the Amherst Museum for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from Sept. 10 – Sept. 24, 2006. Banner to read "*Harvest Festival & Craft Show, Amherst Museum, Sept. 22 & 23*".

Unanimously carried.

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

WHEREAS, the Village of Williamsville Tree Board's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community through its stewardship of the Village urban forest; and

WHEREAS, Arbor Day is celebrated during this time; and

WHEREAS, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

WHEREAS, we recognize that actions to protect and preserve trees through education, partnership and positive action should be encouraged.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees hereby proclaims that Arbor Day was celebrated in the Village of Williamsville on April 29, 2006, including celebration activities and recognitions.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to enter into a lease agreement with the Village of Williamsville Business and Professional Association, Inc., to lease the Williamsville Water Mill for a Farmers Market to be held each Saturday between June 1, 2007 and October 31, 2007.

Unanimously carried.

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

A RESOLUTION ESTABLISHING THE VILLAGE OF WILLIAMSVILLE BOARD OF TRUSTEES AS LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQR”) FOR THE WILLIAMSVILLE COMMUNITY COMPREHENSIVE PLAN

WHEREAS, the Village of Williamsville intends to prepare and adopt a Community Plan in accordance with Section 7-722 of the Village Law; and

WHEREAS, the adoption of a comprehensive plan is a Type I action under SEQR (the “Action”); and

WHEREAS, the Village Board of Trustees has duly appointed a Community Plan Committee in accordance with Section 7-722 of the Village Law; and

WHEREAS, in accordance with SEQR the Village Board of Trustees has declared its intent to act as lead agency for the Action and to conduct coordinated review under SEQR, and

WHEREAS, there are no other involved agencies with respect to the Village of Williamsville’s Community Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees, in accordance with SEQR and 6 NYCRR 617.6, hereby establishes itself as Lead Agency for the purpose of completing SEQR review of the Action; and be it further

RESOLVED, that the Village’s Community Plan consultant, Behan Associates, shall prepare and submit to the Board of Trustees and Community Plan Committee a combined Draft Generic Environmental Impact Statement and Draft Community Plan for public review and comment; and be it further

RESOLVED, that the Board of Trustees does hereby authorize and direct the Clerk of the Village of Williamsville to duly file this Resolution.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Sweeney, it was moved to adjourn the meeting at 8:40 p.m.

Unanimously carried.

Sally A. Kuzon
Village Clerk-Administrator

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