

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Man Street, Williamsville, New York, on Monday, November 10, 2008 at 7:30 p.m.

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

Present: Mary E. Lowther, Mayor
Brian J. Geary, Trustee
Brian J. Kulpa, Trustee
Jeffrey L. Kingsley, Trustee
Basil J. Piazza, Trustee

Brian Hoppe, Village Attorney
Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Marc Shuttleworth, DPW Crew Chief

ON MOTION by Mayor Lowther, seconded by Trustee Kulpa, it was moved to approve the minutes of the regular meeting held on October 27, 2008.

Unanimously carried.

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

Unanimously carried.

The members of the audience who addressed the Board and their topics:

Carolyn Schlifke, 192 Evans – Tree planting done last weekend; Disagreed with plantings on Evans at properties with trees already on them.

Nick Roth, 135 Oakgrove Dr. – Planted 50 trees on Saturday; Thanked the DPW, Mayor Lowther, Ryan Maj and all the volunteers who participated, along with Re-tree WNY.

Thomas Frank, 225A1 Evans St. – Niagara Riverkeeper captain, but does not represent the Riverkeepers; Former Village First Lady Dorothy Frank would like to see plays at the Meeting House, similar to Lancaster Opera House; 1909 International Boundary Water Treaty connecting Village Glen to Amherst State Park; Erie County /Town of Amherst Shared Services meeting; Relocation of Williamsville Toll Barrier; Village Community Plan; New York State Power Authority.

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Kelly Jackson, 169 Arend Ave. – A 6 month-old, black and grey kitten is missing. Anyone finding it can contact Kelly at the Bee.

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

Unanimously carried.

Report – Mayor Lowther

Mayor Lowther reported on the following topics: Shared Services Committee meeting on 11/11/08 at 5:30pm; Community Plan work session on 11/13/08 at 6:30pm; Historic Preservation Commission meeting on 11/17/08; Next Village Board meeting is 11/24/08; Congratulated the Tree Board on the weekend tree plantings.

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

RESOLVED, that payroll and vouchers in the amount of **\$477,212.47**, covering the period from **October 13, 2008** to **November 5, 2008**, are hereby approved as follows:

Payroll covering: 10/13/08– 10/26/08:	\$32,821.06
Vouchers covering: 10/16/08 – 11/05/08:	
General Fund	\$100,225.39
Water Fund	\$40,167.71
Sewer Fund	\$2,740.05
Glen Park Fund	\$3208.04
Trust & Agency Fund	\$13,825.73
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$284,224.49
	<u>\$444,391.41</u>
GRAND TOTAL:	<u>\$477,212.47</u>

Unanimously carried.

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2008-2009* fiscal year:

To:	001-3410-4161 (Williamsville Fire Dept.-Sm. Engine/Equip. Repair)	\$1425.00
From:	001-3410-4160 (Williamsville Fire Dept.-Truck Exp.)	\$1398.00
	001-3410-4160-3401 (Williamsville Fire Dept.-Truck Exp.-Engine 1	\$27.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$5226.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$5226.00
To:	001-1640-4160 (Central Garage-Building Repairs)	\$292.00
From:	001-1640-4261 (Central Garage-Maint. Fees)	\$292.00
To:	001-5010-4450 (Street Administration.-Misc.)	\$28.00
From:	001-5010-4010 (Street Administration-Office Supplies)	\$28.00
To:	001-5110-4161-0914 (Street Maint.-Repairs-2001 Trackless)	\$19.00
From:	001-5110-4161-0921 (Street Maint.-Repairs/2008 Ford Pickup)	\$19.00
To:	001-7110-4450 (Parks-Misc.)	\$93.00
From:	001-7110-4350 (Parks-Pool Supplies)	\$93.00

Unanimously carried.

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

WHEREAS, the Village Administrator has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amounting to **\$35,150.40** containing description of the land upon which taxes are unpaid as the same were placed upon the tax roll together with the amount assessed and interest thereon, and

WHEREAS, the said Village Administrator under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

WHEREAS, upon receiving such account from the Village Administrator, the Board of Trustees compared the same with the original tax roll of the Village, and

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WHEREAS, said Board of Trustees find such account to be a true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct.

NOW, THEREFORE, BE IT RESOLVED, that the Administrator of the Village of Williamsville is hereby credited by this Board of Trustees with the amount of said account in said return, and

BE IT FURTHER RESOLVED, that a Certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of **\$35,150.40** and reciting that the account has been compared and found to be correct; and that the Administrator transmit said account and certificate to the appropriate officer of the County of Erie by November 15, 2008, to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topics: Tree Board planting last weekend; S. Long St. Park survey; Parks meeting on 11/11/08 at 6:30pm.

ON MOTION by Trustee Geary, seconded by Trustee Piazza, 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, 2008 to October 31, 2009*.

Unanimously carried.

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Report – Trustee Piazza

Trustee Piazza reported on the following topics: AUC; Environmental Committee meeting on 11/17/08; Encouraged residents to recycle and use energy efficient light bulbs (CFL); Board request for ECWA to install new meters.

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

WHEREAS, the Village of Williamsville, Town of Amherst, Town of Clarence, and the County of Erie jointly participated in a study to examine a single sanitary sewer service provider structure in the Williamsville/Amherst/Clarence corridor; and

WHEREAS, the study results indicated that sanitary sewer services could be provided at an overall lower cost if a single entity were responsible for said services; and

WHEREAS, the Village of Williamsville, Town of Amherst, Town of Clarence, and the County of Erie formed a Steering Committee to investigate the single sanitary sewer service provider model; and

WHEREAS, the Steering Committee recommended retaining a consultant to provide assistance with analyzing the effects implementation of a single service provider would have on the residents of each municipality (Phase 2 of the study); and

WHEREAS, the County of Erie has agreed to fund the necessary Phase 2 consultant services and has retained CRA Infrastructure and Engineering to complete the study; and

WHEREAS, the County of Erie has applied for a Local Government Efficiency grant through the New York Department of State to partially fund the Phase 2 efforts;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Williamsville offers its support of the Steering Committee's efforts to identify the most efficient and effective sanitary sewer service for the Village's residents; and be it further

RESOLVED, that the Village of Williamsville will support the Phase 2 study through cooperation with the consultant and the other municipal partners; and be it further

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RESOLVED, that the Village of Williamsville supports Erie County's Local Government Efficiency grant application for Phase 2 of this study to decrease the overall costs borne by Erie County; and be it further

RESOLVED, that the Village Clerk be directed to send certified copies of this resolution to Holly A. Sinnott, AICP – Commissioner of the Erie County Department of Environment and Planning and the Erie County Sewer District No. 5 Board of Managers.

Unanimously carried.

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

RESOLVED, that *Troy M. Malecki of 198-8 South Union Rd., Williamsville, New York*, is hereby appointed to the Village of Williamsville Department of Public Works as a Motor Equipment Operator at the rate of \$14.86 per hour; and

BE IT FURTHER RESOLVED, that this position is probationary for the first twelve (12) months.

Unanimously carried.

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

WHEREAS, the Village Administrator has advertised for the sale of surplus Department of Public Works equipment and bids were opened on Wednesday, November 5, 2008;

NOW, THEREFORE, BE IT RESOLVED, that the surplus property is sold as set forth in the Bill of Sale to Howard Melancon of Scurci-Melancon, Inc., 9775 Main Street, Clarence, New York, as follows:

One (1) 1999 Dodge Ram 2500 Pickup Truck, for a total sale price of One Thousand Four-Hundred Fifty dollars (\$1,450.00).

Unanimously carried.

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Report – Trustee Kulpa

Trustee Kulpa reported on the following topics: Glen Park Joint Board; Traffic & Safety Committee meeting last week; Request for DOT to look into timing of signals on Main Street; Stop signs proposed on Oakgrove and Columbia.

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

RESOLVED, that the following *budget transfer* is hereby made in the *Glen Park Fund* for the *2008-2009* fiscal year:

To:	001-7141-4102 (Glen Park-Landscaping)	\$300.00
From:	001-7141-4106 (Glen Park-Turf Cutting/Trimming)	\$300.00

Unanimously carried.

Report – Trustee Kingsley

Trustee Kingsley reported on the following topics: Williamsville Water Mill consultants; Youth & Recreation Committee sponsored Tree Lighting on 12/6/08 at 6pm; Youth & Recreation Committee meeting on 11/18/08; Thanked Tree Board for the tree planting last weekend.

Trustee Kingsley had no resolutions.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting and open the Executive Session to discuss a legal matter at 8:30 p.m.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to close the Executive Session and return to the agenda at 8:40 p.m.

Unanimously carried.

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

Unanimously carried.

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

WHEREAS, on September 12, 2008, the owner of 123 Hirschfield Drive, Williamsville, New York, was notified in writing of a 60-day timeframe to disconnect and seal an abandoned water line existing on his property; and

WHEREAS, per § 107-6 of the Village Code, all replacement expenses shall be borne by the property owner; and

WHEREAS, the abandoned waterline at 123 Hirschfield has not been disconnected as of this day;

NOW, THEREFORE, BE IT RESOLVED, that the Department of Public Works is hereby directed to have this work completed, if not done so by the property owner by November 12, 2008; and

BE IT FURTHER RESOLVED, that the cost of this work shall be billed to the property owner; and

BE IT FURTHER RESOLVED, that if the bill for this work is not paid by the property owner, it will be added to the 2009-2010 tax bill for said property, as per § 107-9 (D) of the Village Code.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to return to the regular agenda.

Unanimously carried.

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

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer

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