

**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, December 15, 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

Charles D. Grieco, 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 Kingsley, it was moved to approve the minutes of the regular meeting held on November 24, 2008.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing held on November 24, 2008.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to open the first public hearing regarding an Exceptional Development Permit at 7:36 p.m.

Unanimously carried.

- *A public hearing was held to hear all persons interested in discussing an Exceptional Development Permit for the proposed subdivision of a residential lot located at 151 Arend Ave.(R-3), as per Chapter 28-5 D(3) of the Village Code.*

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**ON MOTION** by Mayor Lowther, seconded by Trustee Geary, it was moved to close the public hearing at 7:38 p.m.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to open the second public hearing regarding an Exceptional Development Permit at 7:38 p.m.

Unanimously carried.

- *A public hearing was held to hear all persons interested in discussing an Exceptional Development Permit for the proposed subdivision of a residential lot located at 116 Evans St. (R-3), as per Chapter 28-5 D(3) of the Village Code.*

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to close the public hearing at 7:40 p.m.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Kingsley, it was moved to open the public hearing regarding use of the 2009 Community Development Block Grant Funds, at 7:40 p.m.

Unanimously carried.

- *A public hearing was held to hear all persons interested in discussing use of the Community Development Block Grant Funds for the year 2009.*

**ON MOTION** by Trustee Piazza, seconded by Trustee Kingsley, it was moved to close the public hearing at 7:48 p.m.

Unanimously carried.

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- *It was announced that the public hearing regarding a 2009 water rate increase, that was advertised for this evening's meeting, was cancelled.*

**ON MOTION** by Trustee Kulpa, seconded by Trustee Piazza, it was moved to open the public hearing regarding a proposed amendment to Chapter 103-15, at 7:48 p.m.

Unanimously carried.

- *A public hearing was held to hear all persons interested in discussing a proposed amendment to Chapter 103-15 (Vehicles and Traffic) to add two (2) stop signs on Oakgrove Dr. at Columbia Dr.*

**ON MOTION** by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to close the public hearing at 7:54 p.m.

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.

*No one addressed the Board.*

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

Unanimously carried.

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**Report – Mayor Lowther**

- *Mayor Lowther reported on the following topics: Holiday events of 12/6; WBA and Youth & Recreation Committee; Solar lighting on Main Street carvings; Historic Preservation meeting on 12/29 at 7pm; Lunch at DPW on 12/23; Next Village Board meeting will be 1/12/09.*

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

**RESOLVED**, that payroll and vouchers in the amount of **\$229,465.19**, covering the period from **11/10/08** to **12/10/08**, are hereby approved as follows:

<b>Payroll covering: 11/10/08– 11/23/08:</b>	\$36,966.65
<b>Payroll covering: 11/24/08– 12/07/08:</b>	\$29,679.52
<b>Vouchers covering: 11/20/08 – 12/10/08:</b>	
General Fund	\$94,771.60
Water Fund	\$39,148.57
Sewer Fund	\$1,952.62
Glen Park Fund	\$1,425.71
Trust & Agency Fund	\$2,281.12
Debt Service	\$21,541.90
Community Development	\$0.00
Capital Fund	\$1,697.50
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	<b><u>\$162,819.02</u></b>
<b>GRAND TOTAL:</b>	<b><u>\$229,465.19</u></b>

Unanimously carried.

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**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 *2008-2009* fiscal year:

To: 001-3410-4160 (Fire Protection-Truck Exp.)	\$132.00
From: 001-3410-4160-3409 (Fire Protection-Truck Exp.-Chief's Vehicle)	\$132.00
To: 001-3410-4160-3406 (Fire Protection-Truck Exp./Ladder 6)	\$1621.00
From: 001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$1621.00
To: 001-3410-4160 (Fire Protection-Truck Exp./Asst. Chief Vehicle)	\$27.00
From: 001-3410-4160-3409 (Fire Protection-Truck Exp./Asst. Chief Vehicle)	\$27.00
To: 001-3410-4250 (Fire Protection-Fuel/Oil)	\$310.00
From: 001-3410-4160-3407 (Fire Protection-Truck Exp./Rescue 7)	\$310.00
To: 001-5110-4000 (Street Maint.-Seasonal Help)	\$2487.00
From: 001-5110-1000 (Street Maint.-Personal Services)	\$2487.00
To: 001-5110-4000 (Street Maint.-Seasonal Help)	\$2735.00
From: 001-5110-1000 (Street Maint.-Personal Services)	\$2735.00
To: 001-5110-4161-0917 (Street Maint.-Repairs - 0917)	\$645.00
From: 001-5110-4161-0918 (Street Maint.-Repairs-0918)	\$645.00
To: 001-5110-4000 (Street Maint.-Seasonal Help)	\$1072.00
From: 001-5110-1000 (Street Maint.-Personal Services)	\$1072.00
To: 001- 7110-4165 (Parks-Shelter Maint.)	\$65.00
From: 001- 7110-4230 (Parks-Signs)	\$65.00
To: 001- 7110-4450 (Parks-Misc.)	\$117.00
From: 001- 7110-4230 (Parks-Signs)	\$117.00
To: 001-7540-4450 (Williamsville Water Mill-Misc.)	\$17.00
From: 001-7540-4160 (Williamsville Water Mill-Bldg. Repairs)	\$17.00
To: 001-7540-4230 (Williamsville Water Mill-Bldg. Maint.)	\$211.00
From: 001-7540-4160 (Williamsville Water Mill-Bldg. Repairs)	\$211.00
To: 001-8010-4030 (Zoning-Printing/Advertising)	\$1.00
From: 001-8010-4040 (Zoning-Education/Travel)	\$1.00

Unanimously carried.

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

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2008-2009* fiscal year, to account for money donated at the Movie Night Series at the Meeting House:

Increase:	001-0001-2705 (Gifts and Donations)	\$58.00
Increase:	001-7530-4451 (Village Meeting House-Meeting House Events Comm.)	\$58.00

Unanimously carried.

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

**RESOLVED**, that Lynda L. Juul, Village Administrator, Deborah A. Habes, Deputy Clerk, and Cynthia M. Burnett, Secretary to the Mayor, are hereby authorized to attend the NYCOM sponsored Village Election Workshop to be held in East Syracuse, New York, on January 6, 2009, at a cost not to exceed \$135.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

**RESOLVED**, that *Douglas Richardson of 221 Hirschfield Drive, Williamsville, New York*, is hereby appointed to the position of *Part-time Parking Enforcement Officer* for the Village of Williamsville, at a rate of \$10.96 per hour.

Unanimously carried.

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

**WHEREAS**, per Chapter 28-5 C(5) of the Village Code, a request for an *Exceptional Development Permit* to subdivide the residentially zoned (R-3) parcel at *151 Arend Ave.*, was submitted to the Village Board of Trustees by Dennis Kraft, record owner; and

**WHEREAS**, the request was duly reviewed by the Planning Board, Traffic and Safety Committee, Environmental Committee and Youth and Recreation Committee, as per Chapter 28-5D(2), and was received back with either recommendations to approve it or with no comment; and

**WHEREAS**, the Village Board of Trustees held a public hearing for the request on December 15, 2008, as required by Chapter 28-5 D(3).

**NOW, THEREFORE, BE IT RESOLVED**, that the *Exceptional Development Permit* for the proposed subdivision of the property at *151 Arend Ave.* is hereby granted, as submitted.

Unanimously carried.

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

**WHEREAS**, per Chapter 28-5 C(5) of the Village Code, a request for an *Exceptional Development Permit* to subdivide the residentially zoned (R-3) parcel at *116 Evans St.*, was submitted to the Village Board of Trustees by the Estate of Norma Flynn, record owner; and

**WHEREAS**, the request was duly reviewed by the Planning Board, Traffic and Safety Committee, Environmental Committee and Youth and Recreation Committee, as per Chapter 28-5D(2), and was received back with either recommendations to approve it or with no comment; and

**WHEREAS**, the Village Board of Trustees held a public hearing for the request on December 15, 2008, as required by Chapter 28-5 D(3).

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**NOW, THEREFORE, BE IT RESOLVED**, that the *Exceptional Development Permit* for the proposed subdivision of the property at *116 Evans St.*, is hereby granted, as submitted.

Unanimously carried.

**Report – Trustee Kulpa**

- *Trustee Kulpa reported on the following topics: Offered congratulations and thanks to the new P/T Parking Enforcement Officer; Thanked Mayor Lowther and the WBA for the holiday event on 12/6; Thanked the Meeting House Events Committee for their work on the movie series at the Meeting House.*

**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:	009-7141-4102 (Landscaping)	\$817.00
From:	001-7141-1000 (Personal Services)	\$817.00

Unanimously carried.

**Report – Trustee Kingsley**

- *Trustee Kingsley reported on the following topics: Article regarding reducing the number of entities from the Atty. General; Joint Services with Town of Amherst; Cost reductions for Village residents; Proposed local law regarding drive-thrus; Williamsville Water Mill and consultants; Public hearing re Water Mill on 1/24/09, from 10:00am to 2:00pm in the Meeting House; Thanked Youth & Recreation Committee, Mayor, Vic Paquet, Trustee Geary, Jim Lion for their help at the Tree Lighting on 12/6; Thanked Trustee Piazza and the Environmental Committee for lighting the Tree; Mill Committee.*

Trustee Kingsley had no resolutions.

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**Report – Trustee Geary**

- *Trustee Geary reported on the following topics: Holiday Tree Lighting; Tree Board meeting/Tree planting; Thanked Trustee Piazza for covering the Parks Committee meeting; Parks Committee survey; Fire Dept. elections*

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

**RESOLVED**, that the Mayor is hereby authorized to execute, on behalf of the Village of Williamsville, contracts with the Town of Amherst and Williamsville Fire Department/Hutchinson Hose Company, for fire protection for the year 2009 in the following districts:

Autumn Harvest	District #1
Lamm Post	District #2
Lehn Springs	District #3
Mill Street	District #4
Park Club Lane	District #15
Williamsville	District #16

Unanimously carried.

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

**RESOLVED**, that the following are hereby appointed as firefighters with the Williamsville Fire Department:

- Brian P. Murphy, 312 Evans St., Williamsville, New York 14221
- Robert Zaller, 62 Milton St., Williamsville, New York 14221
- Kimberly A. Altman, 116 Pearce Dr., Amherst, New York 14226
- Shamus R. Lawler, 317 Evans St., Apt. 5, Williamsville, New York 14221

Unanimously carried.

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- *Trustee Geary announced that the resolution titled Geary #3 would be held for further discussion at a later date.*

**Report – Trustee Piazza**

- *Trustee Piazza reported on the following topics: Environmental Committee; ECWA/Inaccurate allegations in the Bee Heard.*

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

**RESOLVED**, that the following pieces of Department of Public Works equipment are hereby declared surplus property and will be disposed of through recycling:

Asset #345	2001 Minolta 1030 Copier
Asset #377	2002 Epson Stylus Photo 890 Printer
Asset #560	2006 MFC 7420 Laser AIO Printer

Unanimously carried.

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

**RESOLVED**, that the following pieces of Department of Public Works equipment are hereby declared surplus property and will be disposed of through sale as scrap:

Asset #248	1994 Tarrant Leaf Vacuum
Asset #249	1996 Tarrant Leaf Vacuum

Unanimously carried.

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**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to open the Executive Session at 8:27 p.m. to discuss a legal matter and a personnel matter.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to close the Executive Session at 8:55 p.m. and return to the regular agenda.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kulpa, it was moved to leave the regular agenda to consider a new resolution.

Unanimously carried.

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

**RESOLVED**, that the leave of absence granted on October 14, 2008, and extended on November 24, 2008, to Kevin M. Stahrr of the Department of Public Works is hereby further extended up to and including February 28, 2009; and

**BE IT FURTHER RESOLVED**, that Kevin M. Stahrr may return to work prior to February 28, 2009, provided that all required paperwork is submitted before he returns to his position; and

**BE IT FURTHER RESOLVED**, that Kevin M. Stahrr shall provide the paperwork releasing him to full duty at least one full work day prior to his return to work.

Unanimously carried.

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**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to return to the regular agenda at 8:57 p.m.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kulpa, it was moved to adjourn the meeting at 8:58 p.m.

Unanimously carried.

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Lynda L. Juul

Administrator/Clerk-Treasurer