

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, March 9, 2009 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 Geary, it was moved to approve the minutes of the regular meeting held on February 23, 2009.

Unanimously carried.

ON MOTION by Trustee Kingsley, seconded by Trustee Geary, it was moved to open the public hearing at 7:35 p.m.

Unanimously carried.

- *A public hearing was held to hear all persons interested in discussing a proposed amendment to Chapter 73 (Public Order) which would require a special permit from the Board of Trustees for use of voice amplification devices for drive-thru services located within 100 feet of any property zoned or used for residential purposes between the hours of 11:00 p.m. and 6:00 a.m..*

ON MOTION by Trustee Kingsley, seconded by Trustee Piazza, it was moved to close the public hearing at 7:55 p.m.

Unanimously carried.

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, March 9, 2009 at 7:30 p.m.

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

Unanimously carried.

The members of the audience who spoke and their topics:

John Grandits, 251 N. Ellicott St. – Siphon project; Sanitary sewer issues in the N. Ellicott St. area.

Dick Munzert, 216 N. Ellicott St. –Siphon project; Sanitary sewer issues in the N. Ellicott St. area.

Tom Frank, 225 A1 Evans St. – UB School of Architecture; Niagara River Watershed cleanup; Mill musical composition being done by Williamsville public schools.

Mike Ernst, 282 N. Ellicott St. – Siphon project; Sanitary sewer issues in the N. Ellicott St. area.

Kurt Krebs, 240 N. Ellicott St. – Siphon project; Sanitary sewer issues in the N. Ellicott St. area.

Rich Maddigan, Chief of Williamsville Fire Dept. – Chief Maddigan read a statement regarding issues with the 2009-2010 budget; Stated that the Fire Dept. is at a 0% increase.

Mike Measer, 208 N. Ellicott St. – Siphon project; 2009-2010 budget.

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: Responsibility and seriousness of the budget; Re-assessments from Town of Amherst; Historic Preservation Commission meeting on 3/16; Mill Middle School Band Invitational will be performing a concert piece called “The Old Red Mill” on 3/12.

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, March 9, 2009 at 7:30 p.m.

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

RESOLVED, that payroll and vouchers in the amount of **\$157,321.02**, covering the period from **2/16/09** to **3/4/09**, are hereby approved as follows:

Payroll covering: 2/16/09 – 3/1/09:	\$27,793.37
Vouchers covering: 2/19/09 – 3/4/09:	
General Fund	\$67,802.46
Water Fund	\$40,661.74
Sewer Fund	\$1,873.17
Glen Park Fund	\$110.70
Trust & Agency Fund	\$10,993.32
Debt Service	\$7,806.26
Community Development	\$0.00
Capital Fund	\$280.00
	<u>\$129,527.65</u>
GRAND TOTAL:	<u>\$157,321.02</u>

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, 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: 001-3410-4160-3409 (Fire Protection-Chief's Vehicle)	\$20.00
From: 001-3410-4160-3407 (Fire Protection-Rescue 7)	\$20.00
To: 001-3410-4250 (Fire Protection-Gas/Oil)	\$450.00
001-3410-4160-3403 (Fire Protection-Truck Exp./Engine 3)	\$450.00
To: 001-3410-4160-3406 (Fire Protection-Truck Repairs/Ladder 6)	\$1376.00
From: 001-3410-4160-3403 (Fire Protection-Truck Repairs/Engine 3)	\$1000.00
001-3410-4160-3405 (Fire Protection-Truck Repairs/Rescue 5)	\$376.00
To: 001-3410-4280 (Fire Protection-EMS Supplies)	\$52.00
From: 001-3410-2020 (Fire Protection-Truck Repairs/Expendables)	\$52.00

**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, March 9, 2009 at 7:30 p.m.**

To:	001-1640-4262 (Central Garage-Bldg. Maint.)	\$192.00
From:	001-1640-4070 (Central Garage-Utilities)	\$192.00
To:	001-1640-4160 (Central Garage-Bldg. Repairs)	\$630.00
From:	001-1640-4450 (Central Garage-Misc.)	\$630.00
To:	001-5110-4161-0906 (Street Maint.-Repairs/2003 Plow-Sander)	\$12.00
	001-5110-4161-0918 (Street Maint.-Repairs/1999 Dodge Pickup)	\$677.00
From:	001-5110-4161-0919 (Street Main.t-Repairs/2007 Chevy 4x4)	\$689.00
To:	001-1420-4620 (Law/Attorney-Opinions)	\$3459.00
From:	001-1990-4000 (Contingency)	\$3459.00
To:	001-1620-1000 (Building-Personal Services)	\$402.00
	001-1640-1001 (Central Garage-Personal Services/OT)	\$15.00
	001-5142-1000 (Snow Removal-Personal Services)	\$521.00
	001-5142-1001 (Snow Removal-Personal Services/OT)	\$164.00
	001-8560-1000 (Shade Trees-Personal Services)	\$3490.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$4592.00
To:	001-9730-7000 (Bond Anticipation Notes-Interest)	\$5400.00
From:	001-9950-9000 (Transfer to Capital)	\$5400.00
To:	001-5010-4010 (Street Administration-Office Supplies)	\$35.00
From:	001-5110-4040 (Street Administration-Education Exp.)	\$35.00
To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$150.00
From:	001-1640-4261 (Central Garage-Maint. Fees)	\$150.00

Unanimously carried.

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

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

To:	007-8120-1001 (Sanitary Sewers-Personal Services/OT)	\$15.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$15.00

Unanimously carried.

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, March 9, 2009 at 7:30 p.m.

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 *Water Fund* for the *2008-2009* fiscal year:

To:	006-8340-4260 (Water Transmission-Maint. Supplies)	\$192.00
From:	006-8340-4163 (Water Transmission-Repair Valves)	\$192.00

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville at 7:35 p.m. on Monday, April 13, 2009, in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on the proposed *2009-2010 General Fund, Glen Park Activities Fund and Debt Service Fund budgets*.

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville at 7:40 p.m. on Monday, April 13, 2009, in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on the proposed *Sewer Fund Budget and the Sewer Rent rates for the 2009-2010 year* per Section 78-2(A) of the Sanitary Sewer Rents Code.

Unanimously carried.

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, March 9, 2009 at 7:30 p.m.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville at 7:45 p.m. on Monday, April 13, 2009 in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on the proposed **2009-2010 Water Fund Budget**.

Unanimously carried.

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

RESOLVED, that Lynda Juul is hereby authorized to attend the NYCOM 2009 Main Street Economic Development Conference in Canandaigua, New York on April 30, 2009, at a cost not to exceed \$95.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that **John Pidgeon of 99 Eagle Street, Williamsville, New York** is hereby appointed **Code Enforcement Officer, Part-time** at a rate of \$15.00 per hour, effective immediately.

Unanimously carried.

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, March 9, 2009 at 7:30 p.m.

Report – Trustee Piazza

- *Trustee Piazza reported on the following topics:* AUC meeting on 3/17; Natural gas is at a 4-5 year low; Beautification Committee and Mill Re-use Workshop on 3/10; Environmental Committee meets on 3/16.

Trustee Piazza had no resolutions.

Report – Trustee Kingsley

- *Trustee Kingsley reported on the following topics:* Budget process; Mill future Use workshop on 3/10; Youth and Recreation Committee sponsored Egg Hunt on 4/5.

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

RESOLVED, that the Mayor is hereby authorized to sign the Indemnification Agreement with the Western New York Railway Historical Society; and

BE IT FURTHER RESOLVED, that once the Indemnification Agreement is signed by both parties, the Mayor is authorized to sign any and all paperwork related to Grant Contract number TM7N075 with the New York State Office of Parks, Recreation, and Historic Preservation for the replacement of windows at the train depot owned by the Western New York Railway Historical Society and located on Village property.

Unanimously carried.

Report – Trustee Kulpa

- *Trustee Kulpa reported on the following topics:* Infrastructure issues; Meeting House masonry restoration.

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, March 9, 2009 at 7:30 p.m.

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

RESOLVED, that the Administrator is hereby authorized to advertise for sealed bids for the masonry restoration of the Meeting House. Bids are to be opened March 31, 2009 at 3:00 p.m. in the Village Clerk's Office; the Village reserves the right to reject any and all bids.

Unanimously carried.

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

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

To:	009-7141-4351 (Glen Park-Park Supplies)	\$18.00
From:	009-7141-4352 (Glen Park-Park Maint.)	\$18.00
To:	009-7141-4161 (Glen Park-Park Waste Containers)	\$1293.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$1293.00
To:	009-7141-4163 (Glen Park-Lighting Fixtures)	\$2928.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$2928.00

Unanimously carried.

Report – Trustee Geary

- *Trustee Geary reported on the following topics:* Thanked Trustee Kulpa for standing in for him at the last Parks Committee meeting; Tree Board meeting on 3/12; Arbor Day/Earth Day.

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, March 9, 2009 at 7:30 p.m.

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

RESOLVED, that the Village of Williamsville Board of Trustees hereby authorizes the Town of Amherst to maintain the **South Long Street ball diamonds** for the **2009** softball season. As part of this authorization, the Town of Amherst will collect fees and be responsible for scheduling all games with the full understanding that any Village of Williamsville team will be given first preference in the scheduling of games.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to leave the regular agenda at 8:52 p.m. to open the Executive Session to discuss a legal matter.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to close the Executive Session and return to the regular agenda at 9:30 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kulpa, it was moved to adjourn the regular meeting at 9:30 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer