

**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, June 8, 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  
Judith A. Kindron, Deputy Treasurer  
Deborah A. Habes, Deputy Clerk

Absent: Lynda L. Juul, Administrator/Clerk-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 May 26, 2009.

Unanimously carried.

- **Trustee Kulpa read a Proclamation thanking Randall Baptist Church volunteers for their help in planting trees and flowers in the Village during the month of May.**

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

Unanimously carried.

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

*Larry Brenton, 31 Monroe Dr.* – ECWA takeover of Village water; Complimented the Village on the parks.

*Tom Frank, 225C Evans St.* – War of 1812 parade; Re-licensing of Niagara Power Project; Metropolitization of municipalities.

**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, June 8, 2009 at 7:30 p.m.**

*Dick Munzert, 216 N. Ellicott St. – Williamsville Water Mill lien; Curbs in front of his house; Rumor of dissolution of Village; Possible narrowing of Main St.; Election time acrimony.*

*Larry Brenton, 31 Monroe Dr. – Curbs on streets; Condition of Main Street sidewalks and right of way.*

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

Unanimously carried.

**Report – Mayor Lowther**

*Mayor Lowther reported on the following topics: Planning Board training class; Performed first wedding as Mayor; Third Thursday in the Park concert series starts 6/18; Village Election on 6/16; Vacant land parcels in the Village.*

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

**RESOLVED**, that payroll and vouchers in the amount of **\$290,985.09**, covering the period from **5/11/09** to **6/03/09**, are hereby approved as follows:

<b>Payroll covering: 5/11/09 – 5/24/09:</b>	\$31,472.19
<b>Vouchers covering: 5/21/09 – 6/03/09:</b>	
General Fund	\$195,084.50
Water Fund	\$49,557.09
Sewer Fund	\$372.80
Glen Park Fund	\$1890.00
Trust & Agency Fund	\$11,858.51
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$0.00
	<u>\$259,512.90</u>
<b>GRAND TOTAL:</b>	<b><u>\$290,985.09</u></b>

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, June 8, 2009 at 7:30 p.m.**

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

To:	001-3410-4470 (Fire Protection-Building Maint.)	\$237.00
From:	001-3410-4471 (Fire Protection-Building Repairs)	\$237.00
To:	001-3410-4280 (Fire Protection-EMS Supplies)	\$34.00
From:	001-3410-4490 (Fire Protection-Uniforms)	\$34.00
To:	001-3410-4160-3402 (Fire Protection-Truck Exp./Engine 3)	\$153.00
	001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4)	\$243.00
	001-3410-4160-3407 (Fire Protection-Truck Exp./Rescue 7)	\$120.00
	001-3410-4160-4250 (Fire Protection-Gas & Oil)	\$419.00
	001-3410-4160-4160 (Fire Protection-Truck Exp.)	\$100.00
From:	001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$1035.00
To:	001-3410-2030 (Fire Protection-Radio Equip.)	\$123.00
From:	001-3410-4180 (Fire Protection-Radio Repairs)	\$123.00
To:	001-3410-2020 (Fire Protection-Expendable Equip.)	\$95.00
From:	001-3410-4061 (Fire Protection-Cell Phone)	\$95.00
To:	001-7110-4360 (Parks-Parks Supplies)	\$447.00
From:	001-7110-4280 (Parks-Equip. Rental)	\$447.00
To:	001-7110-2020 (Parks-Parks Equip.)	\$110.00
	001-7110-4165 (Parks-Repairs/Shelter Maint.)	\$146.00
From:	001-7110-4430 (Parks-Sanitary Waster Disposal)	\$256.00
To:	001-7110-4162 (Parks-Repairs/Pool)	\$1555.00
From:	001-7110-4350 (Parks-Pool Supplies)	\$1555.00
To:	001-7110-4360 (Parks-Parks Supplies)	\$447.00
From:	001-7110-4280 (Parks-Equip. Rental)	\$447.00
To:	001-7310-4176 (Youth Programs-Street Hockey Tournament)	\$159.00
From:	001-7310-2000 (Youth Programs)	\$159.00
To:	001-5110-4161-906 (Street Maint.-Repairs/'03 Ford F550)	\$81.00
	001-5110-4161-910 (Street Maint.-Repairs/'99 Dodge 4x2)	\$60.00
	001-5110-4161-914 (Street Maint.-Repairs/'01 Sidewalk Plow)	\$47.00
	001-8560-4160 (Shade Trees-Repairs)	\$40.00
From:	001-5110-4161-908 (Street Maint.-Repairs/'98 Ford F150)	\$188.00
	001-8560-4340 (Shade Trees-Tree Removal/Maint.)	\$40.00
To:	001-5110-4260 (Street Maint.-Maint. Supplies)	\$45.00
From:	001-5110-4610 (Street Maint.-Physicals/Eye Exams/Safety Glasses)	\$45.00

**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, June 8, 2009 at 7:30 p.m.**

To:	001-5142-4273 (Street Maint.-Sidewalks)	\$5550.00
From:	001-5142-4161 (Snow Removal-Repairs/Plows)	\$1000.00
	001-5110-4272 (Street Maint.-Blacktop/Oil/Stone Repair)	\$1000.00
	001-8162-2000 (Leaf Pickup-Equip.)	\$2500.00
	001-3310-4240 (Traffic Control-Street Painting/Crosswalks)	\$1000.00
To:	001-5110-4161-917 (Street Maint.-Repairs/'98 Int'l Dump truck)	\$429.00
From:	001-5110-4161-915 (Street Maint.-Repairs/'91 Elgin Sweeper)	\$429.00
To:	001-5142-4290 (Snow Removal-Salt)	\$5166.00
From:	001-1640-4070 (Central Garage-Utilities)	\$5166.00
To:	001-5142-4460 (Snow Removal-Lawn Repair)	\$338.00
From:	001-5142-4164 (Snow Removal-Repairs/Sidewalk Plow)	\$338.00
To:	001-3620-4020 (Safety Inspection-Postage)	\$12.00
From:	001-3620-4010 (Safety Inspection-Office Supplies)	\$12.00
To:	001-1420-4620 (Law/Attorney-Opinions)	\$378.00
From:	001-1990-4000 (Contingency)	\$378.00
To:	001-1110-4620 (Village Justices-Publications/Updates)	\$345.00
From:	001-1110-4190 (Village Justices-Stenographer)	\$345.00
To:	001-1620-4230 (Buildings-Building Maint.)	\$238.00
From:	001-1620-4160 (Buildings-Building Repairs)	\$238.00

Unanimously carried.

**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 *2009-2010* fiscal year:

To:	001-3620-4110 (Safety Inspection-Service Contracts)	\$6.00
From:	001-3620-4010 (Safety Inspection-Office Supplies)	\$6.00
To:	001-7540-4230 (Williamsville Water Mill-Building Maint.)	\$307.00
From:	001-7540-4160 (Williamsville Water Mill-Building Repairs)	\$307.00

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, June 8, 2009 at 7:30 p.m.**

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

To:	006-8340-4020 (Water Administration-Postage)	\$269.00
From:	006-8340-4040 (Water Transmission-Personal Services)	\$269.00

Unanimously carried.

**Report – Trustee Kulpa**

*Trustee Kulpa reported on the following topics: WNY Regional Planning and Municipal Conference; Traffic & Safety Committee meeting of 6/4; Thanked DPW for their work on Glen Park wall repair; Meeting House Masonry Project.*

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

**RESOLVED**, that the Administrator is hereby authorized to publish notice of a public hearing to be held on July 27, 2009 at 7:35 p.m. at Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in discussing a proposed change to Chapter 103-17 of the Village Code (Vehicles and Traffic) to remove time limit parking on both sides of Spring St. East between N. Cayuga Rd. and Rock St.

Unanimously carried.

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

**RESOLVED**, that the Administrator is hereby authorized to publish notice of a public hearing to be held on July 27, 2009 at 7:40 p.m. at Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in discussing a proposed change to Chapter 103-17 of the Village Code (Vehicles and Traffic) to add time limit parking on the east side of Spring St.

**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, June 8, 2009 at 7:30 p.m.**

East between a point 25 ft. north of Main Street and a point 183 ft. north of Main Street.

Unanimously carried.

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

**RESOLVED**, that the Administrator is hereby authorized to publish notice of a public hearing to be held on July 27, 2009 at 7:45 PM in Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in discussing the proposed change to Chapter 103-17 of the Village Code (Vehicles and Traffic), to remove time limit parking on the west side of Hirschfield Drive, from Main Street to Scott Drive.

Unanimously carried.

**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 (Glen Park-Landscaping)	\$1890.00
From:	006-7141-4163 (Glen Park-Lighting Fixtures)	\$1890.00

Unanimously carried.

**Report – Trustee Geary**

*Trustee Geary reported on the following topics: Thanked Parks Committee for tree plantings; Parks improvements; Erosion control on Ellicott Creek; Tree Board tree plantings; Fall tree planting; Update on Shawn Michel.*

**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, June 8, 2009 at 7:30 p.m.**

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

**RESOLVED**, that the following are hereby appointed *Recreation Attendants* for the **2009** summer season:

<u>NAME</u>	<u>ADDRESS</u>	<u>RATE/per hour</u>
Jessica Tamulski	100 Haverford La., Williamsville, NY 14221	\$7.50
Kellie Kubala	52 Candlewood La., Williamsville, NY 14221	\$7.50
Bradley Kujawa	88 Terrell St., Depew, NY 14043	\$7.50
Darragh Kerr	49 CadMain Dr., Williamsville, NY 14221	\$7.50
Ann Marie Heide	1120 Maryvale Dr., Cheektowaga, NY 14225	\$7.50
Meghan Gansemer	109 West Northrup Pl., Buffalo, NY 14214	\$7.50
Jessica Bagley	281 Lowell Rd., Kenmore NY 14217	\$7.50

Unanimously carried.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topics: Environmental Committee meeting is 6/15; AUC pricing; Beautification Committee meets 6/9; Environmental tips.*

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

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the **2009-2010** fiscal year to account for a donation from Forest Stream Garden Club to Beautification Committee for planting at the Meeting House:

Increase:	001-8510-4340 (Community Beautification-Plants)	\$50.00
Increase:	001-0001-2705 (Gifts & Donations)	\$50.00

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, June 8, 2009 at 7:30 p.m.**

**Report – Trustee Kingsley**

*Trustee Kingsley reported on the following topics: Youth & Recreation Committee sponsored street hockey tournament; Thanked all involved in the Tournament; Movies in the Park start on 6/26; SHPO grant received for stabilization of the Mill; Village Square concept for Mill accepted by SHPO; Requests for Proposals for the Mill.*

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

**WHEREAS**, the Village could not develop a viable project eligible to utilize CDBG-R funds given time and other Federal constraints contained in the American Recovery and Reinvestment Act; and

**WHEREAS**, the Memorandum of Understanding (as part of the Cooperation Agreement) between the Village and Town provides for 7% of Community Development Block Grant Funds to be utilized for projects in the Village;

**NOW, THEREFORE, BE IT RESOVED**, that the Village requests that \$11,107 in additional CDBG funds be made available for stabilization of the Williamsville Water Mill.

Unanimously carried.

**ON MOTION** by Trustee Kingsley, seconded by Trustee Geary, it was moved to consider the following resolution:

**RESOLVED**, that Preservation Studio is hereby engaged to perform Phase I and Phase II consulting services relating to the Williamsville Water Mill as outlined in Exhibit A of their Consulting Agreement, submitted to the Village Board in May 2009, at a cost not to exceed \$14,000.00; and

**BE IT FURTHER RESOLVED**, that the Mayor shall execute the agreement as of the date of this resolution.

**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, June 8, 2009 at 7:30 p.m.**

*Mayor Lowther asked for a roll call vote.*

*Board members' comments on the question:*

Mayor Lowther: Has no objection to Preservation Studio but would prefer it to go out to bid.

Trustee Kingsley: Too important a project to allow it to go to the lowest bidder; Preservation Studio has done a good job.

Trustee Geary: Supports the Yotses.

Roll Call:	Trustee Geary	Yes
	Trustee Kingsley	Yes
	Trustee Kulpa	Yes
	Trustee Piazza	Yes
	Mayor Lowther	No

Motion passed. 4 – 1.

**ON MOTION** by Trustee Kingsley, seconded by Trustee Geary, 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 the receipt of registration fees from the Youth & Recreation Street Hockey Tournament held on May 30, 2009.

Increase:	001-7310-4176 (Youth Programs-Street Hockey Tournament)	\$1540.00
Increase:	001-0001-2770 (Miscellaneous Revenue)	\$1540.00

Unanimously carried.

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

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, June 8, 2009 at 7:30 p.m.**

**ON MOTION** by Trustee Kingsley, seconded by Trustee Piazza, the following resolution was brought forth:

**BE IT RESOLVED**, that the Village of Williamsville Community Plan dated February 20, 2008 is hereby rejected by the Village Board of Trustees.

*Board members' comments on the question:*

Trustee Kingsley: Community Plan has become politicized; Urges more public hearings; Board has rejected 6 story high rise issue; Board cannot make a decision on this document because it is tainted; Community Plan has become a political football; Head it back to steering committee; Urges public not to criticize volunteers for the Plan; All must come together to air out differences.

Mayor Lowther: In reality, this is a political Board; Too Mainy hours have been spent on the document to wholly reject it; Must first accept a community plan before a zoning plan can be accepted; Has not heard about mega malls being built in Village; Community Plan allows for 2 to 6 story buildings east of Garrison; Would support a resolution to send Community Plan back to committee: Cannot support a resolution rejecting the Mainy hours that have been put in on the plan by the Mainy volunteers.

Trustee Kulpa: Won't vote to reject the entire Community Plan; Steering committee membership encompassed the entire community; Plan has been on the Village website; There have been public hearings; Nothing has been done behind closed doors; Stands by the Community Plan but thinks that it has been tainted by politics; It is a good plan and good concept; There is nothing in it that will Maindate any portion of the Village; Document is too important to issue a blanket statement of rejection.

Trustee Geary: Agrees with Trustee Kulpa; Plan has been worked on for 5 years; Plan has become politicized; People are afraid of it.

Trustee Piazza: There is confusion on the part of the public; Wants to wait for things to calm down; Had nothing to do with the content of the Plan but witnessed the volunteers' Mainy hours of work on it; Urges Board to set the Plan aside; Must reject the Plan; Hopes politics on this plan can disappear in the future.

**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, June 8, 2009 at 7:30 p.m.**

Roll Call:	Trustee Geary	Yes
	Trustee Kingsley	Yes
	Trustee Kulpa	No
	Trustee Piazza	Yes
	Mayor Lowther	No

Motion passed. 3 – 2.

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

**RESOLVED**, that the Community Plan Steering committee is hereby reconvened in as close to its previous composition and is tasked with addressing and reviewing the few points hindering Board approval.

Unanimously carried.

**ON MOTION** by Trustee Kulpa, seconded by Trustee Kingsley, the following resolution was brought forward:

**RESOLVED**, that the Administrator is hereby charged with procuring requests for proposals for engineering services and approval by the next Board of Trustees meeting to be held on June 22, 2009.

*On the question:*

Mayor Lowther: In favor of it but believes it is not necessary to have a resolution to ask the Administrator to procure requests for proposals for Village services and has never done it in the past; Would support the idea of procuring requests for proposals for engineering services.

**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, June 8, 2009 at 7:30 p.m.**

Trustee Kulpa then withdrew the resolution.

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

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to leave the regular agenda to open the Executive Session at 9:06 p.m.

Unanimously carried.

**ON MOTION** by Trustee Kingsley, seconded by Trustee Piazza, it was moved to close the Executive Session and return to the regular agenda at 9:31 p.m.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting at 9:32 p.m.

Unanimously carried.

---

Deborah A. Habes

Deputy Clerk