

**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 22, 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  
  
Lynda L. Juul, Administrator/Clerk-Treasurer  
Charles D. Grieco, Village Attorney  
Judith A. Kindron, Deputy Treasurer  
Marc Shuttleworth, DPW Crew Chief

Absent: Basil J. Piazza, Trustee

**ON MOTION** by Mayor Lowther, seconded by Trustee Geary, it was moved to approve the minutes of the regular meeting held on June 8, 2009.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the special meeting held on June 16, 2009 to canvass the results of the Village Election.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the special meeting held on June 17, 2009 to re-canvass and certify the results of the Village Election

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.

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The following member of the audience who addressed the Board and her topics:

*Lisa A. Fessard, 54 CadMain Dr. – Congratulated newly elected officials; Mill Committee and Mill restoration; Draft Community Plan and liaisonship; Aging Village properties.*

**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: Third Thursday events; Amendment of demolition permit process; Re-Organization meeting July 6<sup>th</sup>; Congratulated newly elected officials.*

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

**RESOLVED**, that payroll and vouchers in the amount of **\$112,013.84**, covering the period from **5/25/09** to **6/17/09**, are hereby approved as follows:

**Payroll covering: 5/25/09 – 6/07/09:** \$39,233.97

**Vouchers covering: 6/04/09 – 6/17/09:**

General Fund	\$52,556.34
Water Fund	\$2,015.78
Sewer Fund	\$3,363.87
Glen Park Fund	\$3,679.69
Trust & Agency Fund	\$11,164.19
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$0.00
	<u>\$72,779.87</u>

**GRAND TOTAL:** **\$112,013.84**

Unanimously carried.

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**ON MOTION** by Mayor Lowther, seconded by Trustee Kulpa, 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:	001-3410-2010 (Fire Protection-EMS Supplies)	\$270.00
From:	001-3410-4490 (Fire Protection-Uniforms)	\$270.00
To:	001-3410-2050 (Fire Protection-Turnout Gear)	\$1543.00
From:	001-3410-4040 (Fire Protection-Education Exp./Travel)	\$1272.00
	001-3410-4490 (Fire Protection-uniforms)	\$271.00
To:	001-3410-4250 (Fire Protection-Gas/Oil)	\$92.00
From:	001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$92.00
To:	001-3410-2020 (Fire Protection-Expendable Equip.)	\$180.00
From:	001-3410-4061 (Fire Protection-Cell Phones)	\$180.00
To:	001-5110-4161-0917 (Street Maint.-Repairs-'98 Int'l)	\$50.00
From:	001-5110-4161-0916 (Street maint.-Repairs-'07 Chevy 4x4)	\$50.00
To:	001-7110-2020 (Parks-Parks Equip.)	\$1039.00
From:	001-7110-4110 (Parks-Service Contracts)	\$1039.00
To:	001-7110-4450 (Parks-Misc.)	\$110.00
From:	001-7110-4165 (Parks-Sanitary Waste Disposal)	\$110.00
To:	001-5110-4161-912 (Street Maint.-Repairs/'04 John Deere 2100)	\$2100.00
From:	001-5110-4161-920 (Street Maint.-Repairs/'92 Backhoe)	\$1450.00
	001-5110-4161-905 (Street Maint.-Repairs-'07 Int'l Dump)	\$650.00
To:	001-1640-4450 (Central Garage-Maint. Supplies)	\$75.00
	001-1640-4440 (Central Garage-Parts)	\$68.00
	001-5110-4161-0910 (Street Maint.-Repairs/'99 Dodge Pickup)	\$15.00
	001-5110-4161-0913 (Street Maint.-Repairs-'93 Sewer Jet)	\$5.00
	001-1640-4161-0918 (Street Maint.-Repair/'99 Dodge Pickup)	\$2.00
	001-7110-4169 (Parks-Repairs-Other)	\$24.00
From:	001-1640-4450 (Central Garage-Misc.)	\$143.00
	001-5110-4040 (Street Maint.-Education Exp./Travel)	\$22.00
	001-7110-4360 (Parks-Pool Permits)	\$24.00
To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$22.00

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	001-7110-4169 (Parks-Repairs-Other)	\$804.00
	001-5110-4161-0913 (Street Maint.-Repairs-'93 Sewer Jet)	\$8.00
	001-7110-4360 (Parks-Park Supplies)	\$190.00
	001-1640-4450 (Central Garage-Misc.)	\$22.00
From:	001-1640-4450 (Central Garage-Misc.)	\$22.00
	001-5110-4161-919 (Street Maint.-Repairs/'07 Chevy)	\$8.00
	001-7110-4070 (Parks-Utilities)	\$994.00
To:	001-1410-4111 (Village Clerk-Internet Access Web Site)	\$782.00
From:	001-1410-4161 (Village Clerk-Audit)	\$782.00
To:	001-5142-1001 (Snow Removal-Personal Services-OT)	\$146.00
From:	001-5110-1001 (Street Maint.-Personal Services-OT)	\$146.00
To:	001-1010-1000 (Board of Trustees-Personal Services)	\$1.00
	001-1210-1000 (Mayor-Personal Services)	\$1.00
	001-1640-1000 (Central Garage-Personal Services)	\$3329.00
	001-3310-1000 (Traffic Control-Personal Services)	\$368.00
	001-3620-1000 (Safety Inspection-Personal Service)	\$877.00
	001-5142-1000 (Snow Removal-Personal Service)	\$1278.00
	001-7110-1000 (Parks-Personal Services)	\$4318.00
	001-8510-1000 (Community Beautification-Personal Services)	\$1352.00
	001-8560-1000 (Shade Trees-Personal Services)	\$594.00
From:	001-1411-1000 (Records Mgt.-Personal Services)	\$1618.00
	001-7530-1000 (Village Meeting House-Personal Services)	\$500.00
	001-7540-1000 (Williamsville Water Mill-Personal Services)	\$3500.00
	001-7550-1000 (Celebrations-Personal Services)	\$3500.00
	001-8163-1000 (Trash Pickup-Personal Services)	\$1000.00
	001-8170-1000 (Street Cleaning-Personal Services)	\$1000.00
	001-8745-1000 (Flood & Erosion control-Personal Services)	\$1000.00

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

To:	006-8310-1000 (Water Administration-Personal Services)	\$1498.00
From:	006-8340-1000 (Water Transmission-Personal Services)	\$1498.00

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To:	006-8340-1000 (Water Transmission-Meters)	\$703.00
From:	006-8340-4160 (Water Transmission-Repairs/Lines)	\$703.00

Unanimously carried.

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

**RESOLVED**, that Village Administrator Lynda L. Juul, and Deputy Treasurer Judith A. Kindron, are hereby approved to attend the NYS Government Finance Officers' Association Western Region Summer Seminar in Batavia, New York on July 15, 2009, at a cost not to exceed \$185.00, to be paid by the Village of Williamsville.

Unanimously carried.

**Report – Trustee Kingsley**

*Trustee Kingsley reported on the following topics: Congratulated newly elected officials; Mill agreement for consulting services and RFP for architectural services; Mill progress to date; Village Square concept; Youth & Recreation Committee sponsored Movies in the Park Series starts on June 26<sup>th</sup>; Williamsville Library; Property Re-assessments by Town of Amherst.*

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

**RESOLVED**, that Trustee Brian J. Kulpa is hereby appointed as liaison to the Village of Williamsville Comprehensive Plan Committee, effective immediately.

Unanimously carried.

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

**RESOLVED**, that CRA Infrastructure & Engineering, Inc. is hereby authorized to provide professional engineering services in connection with the Williamsville Mill Rock Face Restoration Project at a cost not to exceed \$6,850, as per their proposal dated June 5, 2009.

Unanimously carried.

**Report – Trustee Kulpa**

*Trustee Kulpa reported on the following topics: Community Plan; Discussed his background as it pertains to the Community Plan; Zoning update; Thanked Meeting House Committee members for assistance at Meeting House open house.*

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

**RESOLVED**, that *Deborah Rogers of 145 S. Cayuga Rd., Williamsville, New York*, is hereby appointed to the *Traffic & Safety Committee* until the end of the *2008-2009* official Village year.

Unanimously carried.

**ON MOTION** by Trustee Kulpa, seconded by Trustee Geary, 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:	009-7141-4070 (Glen Park-Utilities)	\$463.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$463.00

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To:	009-7141-4163 (Glen Park-Lighting Fixtures)	\$1888.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$1888.00
To:	009-7141-4352 (Glen Park-Park Maint.)	\$2796.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$2796.00
To:	009-7141-1000 (Glen Park-Personal Services)	\$2357.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$1502.00
	009-7141-4430 (Glen Park-Sanitary Waste Disposal)	\$356.00
	009-7141-4103 (Glen Park-Fertilization)	\$273.00
	009-7141-4440 (Glen Park-Refuse Disposal)	\$182.00
	009-9030-8000 (Glen Park-Social Security)	\$15.00
	009-9055-8000 (Glen Park-Disability Insurance)	\$29.00
To:	009-7141-4102 (Glen Park-Landscaping)	\$116.00
From:	009-7141-4103 (Glen Park-Fertilization)	\$116.00

Unanimously carried.

**Report – Trustee Geary**

*Trustee Geary reported on the following topics: Thanked residents for their support; Thanked committees for all their work; Thanked Marc Shuttleworth and DPW for their assistance; Mill Committee.*

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

**RESOLVED**, that *Kelly Smith of 48 Melrose Rd., Williamsville, New York*, is hereby appointed as a member of the *Williamsville Fire Department*, effective July 1, 2009.

Unanimously carried.

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- *Trustee Geary withdrew his resolution #2 as the height of the grass at the property in question was brought into compliance prior to tonight's Board meeting.*

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

**WHEREAS**, the owner of property at 188 Reist St. has allowed the grass to reach a height of at least two (2) feet; and

**WHEREAS**, the property owner, Luiz Carlos DeFigueiredo of 188 Reist St., Williamsville, NY 14221, has been issued a Violation Notice by the Village of Williamsville Code Enforcement Officer on June 8, 2009 citing him for non-compliance as per Chapter 11 (Brush, Grass and Weeds) Sections 2 and 3 of the Village Code; and

**WHEREAS**, said property owner was given a deadline of June 13, 2009 to cut the grass, thereby bringing the height of the grass into compliance with the code; and

**WHEREAS**, the height of the grass has not been brought into compliance with the code as of today's date of June 22, 2009.

**NOW, THEREFORE, BE IT RESOLVED**, that pursuant to Chapter 11 (Brush, Grass, Weeds), Section 3, the Superintendent of Public Works is hereby directed to oversee entry upon the offending premises for the purpose of bringing the same into compliance; and

**BE IT FURTHER RESOLVED**, that as per Chapter 11, Sections 4(A)(B)(C) the cost to the Village of bringing the premises into compliance shall be computed, certified to the Village Administrator and billed directly to the owner of the premises.

Unanimously carried.

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- *Trustee Geary withdrew his resolution #4 as the height of the grass at the property in question was brought into compliance prior to tonight's Board meeting.*

**Report – DPW**

*Crew Chief Shuttleworth reported on the following topics: Meeting with Army Corps of Engineers/Training class; S. Long Park basketball court repaving will start June 23<sup>rd</sup>.*

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to leave the regular agenda to open the Executive Session to discuss a legal matter at 8:08 p.m.

Unanimously carried.

**ON MOTION** by Trustee Geary, seconded by Trustee Kingsley, it was moved to close the Executive Session and return to the regular agenda at 8:28 p.m.

Unanimously carried.

**ON MOTION** by Trustee Geary, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting at 8:28 p.m.

Unanimously carried.

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Lynda L. Juul

Administrator/Clerk-Treasurer