

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, July 27, 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 Kingsley, it was moved to approve the minutes of the regular meeting held on June 22, 2009.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the Re-Organization meeting held on July 6, 2009.

Unanimously carried.

ON MOTION by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to open the first 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 103-17 (Vehicles & Traffic) to remove time limit parking on both sides of E. Spring St. between N. Cayuga and Rock St.*

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ON MOTION by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to close the first public hearing of the evening at 7:37 p.m.

Unanimously carried.

ON MOTION by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to open the second public hearing of the evening at 7:37 p.m.

- *A public hearing was held to hear all persons interested in discussing a proposed amendment to Chapter 103-17 (Vehicles & Traffic) to add time limit parking on the east side of E. Spring St. from a point 25 ft. north of Main St. and a point 183 ft. north of Main St.*

ON MOTION by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to close the second public hearing of the evening at 7:40 p.m.

Unanimously carried.

ON MOTION by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to open the third public hearing of the evening at 7:40 p.m.

Unanimously carried.

- *A public hearing was held to hear all persons interested in discussing a proposed amendment to Chapter 103-17 (Vehicles & Traffic) to remove time limit parking on the west side of Hirschfield Drive between Main Street and Scott Drive.*

ON MOTION by Trustee Kulpa, seconded by Trustee Kingsley, it was moved to close the third public hearing of the evening at 8:02 p.m.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, 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:

Carl Janish, 58 Hillside Dr. – Installation of sidewalks throughout Village; Garage sale signs on telephone poles.

Kelly Jackson, Amherst Bee – National Farmers Market contest.

Carolyn Schlifke, 192 Evans St. – Thanked Garden Walk volunteers for money raised and benches on Main Street; Reported unknown person painting the benches at Lehigh Memory Trail; Overgrown perennial beds at Lehigh Trail; Broken water fountain and fence in disrepair at Lehigh Trail; Requested placement of an identifying sign on concrete outbuilding at Train Depot; Flowering pear tree in poor condition at Lehigh Memory Trail and requests a replacement; Unsightly brush and metal piles outside of Lehigh yard.

Larry Brenton, 31 Monroe Dr. – Questioned need for presence of Amherst Police Officer at Village Board meetings and urged the discontinuance of the practice; History of Lehigh Depot and railroad; Williamsville Water Mill; Urged moving suspension of rules to end of meeting; Community Plan and number of building stories on Main St.; Status of Village of Williamsville water system turnover to ECWA; Street paving; Urged placement of stop sign at Monroe Dr. and Oakgrove Dr.

Judith Lee, 12 Millrace – Inquired about the status of the demolition of 122 N. Cayuga.

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: Old Home Days; Third Thursday Celebrations; Garden Walk; Williamsville Community Band performing in Island Park on 7/30; Taste of Williamsville on 8/4.

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

RESOLVED, that payroll and vouchers in the amount of **\$508,579.54**, covering the period from **6/8/09** to **7/22/09**, are hereby approved as follows:

Payroll covering: 6/8/09 – 6/21/09:	\$33,290.30
Payroll covering: 6/22/09 – 7/5/09:	\$30,812.48
Payroll covering: 7/9/09 – 7/19/09:	\$33,304.29

Vouchers covering: 6/18/09 – 7/1/09:

General Fund	\$98,531.46
Water Fund	\$62,737.97
Sewer Fund	\$7,751.37
Glen Park Fund	\$271.64
Trust & Agency Fund	\$17,293.03
Debt Service	\$12,187.50
Community Development	\$0.00
Capital Fund	\$46,582.04
	<u>\$245,355.01</u>

Vouchers covering: 7/2/09 – 7/22/09:

General Fund	\$98,634.53
Water Fund	\$10,041.64
Sewer Fund	\$25,560.81
Glen Park Fund	\$5,173.77
Trust & Agency Fund	\$21,669.55
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$4,737.16
	<u>\$165,817.46</u>

GRAND TOTAL: **\$508,579.54**

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.)	\$45.00
From:	001-3410-4160-3401 (Fire Protection-Engine 1)	\$45.00
To:	001-3410-4250 (Fire Protection-Gas & Oil)	\$792.00
From:	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$590.00
	001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$202.00
To:	001-3410-4160 (Fire Protection-Truck Exp.)	\$844.00
	001-3410-2020 (Fire Protection-Expendable Equip.)	\$563.00
From:	001-3410-4070 (Fire Protection-Utilities)	\$1407.00
To:	001-3410-4040 (Fire Protection-Education & Travel)	\$312.00
From:	001-3410-4610 (Fire Protection-Health & Welfare)	\$205.00
	001-3410-4620 (Fire Protection-Lease Copy Machine)	\$107.00
To:	001-7110-4360 (Parks-Parks Supplies)	\$1260.00
From:	001-7110-2010 (Parks-Capital Improvements)	\$1260.00
To:	001-7110-2020 (Parks-Park Equip.)	\$1065.00
From:	001-7110-2010 (Parks-Capital Improvements)	\$1065.00
To:	001-5110-4161-0913 (Street Maint.-Repairs-'93 Sewer Jet)	\$6.00
	001-5110-4161-0917 (Street Maint.-Repairs-'98 Int'l Dump)	\$137.00
	001-5110-4260 (Street Maint.-Maint. Supplies)	\$13.00
From:	001-5110-4161-0908 (Street Maint.-Repairs-'98 Ford)	\$156.00
To:	001-5110-4273 (Street Maint.-Sidewalks)	\$234.00
From:	001-5110-4600 (Street Maint.-Clothing Allowance)	\$234.00
To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$24.00
From:	001-1640-4450 (Central Garage-Misc.)	\$24.00
To:	001-1640-1000 (Central Garage-Personal Services)	\$3137.00
	001-3620-1000 (Safety Inspection-Personal Services)	\$497.00
	001-7310-1001 (Youth Programs-Personal Services/OT)	\$509.00
	001-8510-1000 (Comm. Beautification-Personal Services)	\$644.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$3400.00
	001-8170-1000 (Street Cleaning-Personal Services)	\$878.00
	001-7110-1001 (Parks-Personal Services/OT)	\$509.00

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To:	001-1410-4120 (Village Clerk-Bond & Note Exp.)	\$3175.00
From:	001-1410-2010 (Village Clerk-Computer Software)	\$2650.00
	001-1410-4010 (Village Clerk –Office Supplies)	\$525.00
To:	001-1420-4100 (Law/Attorney-Professional Fees)	\$1157.00
From:	001-1410-4161 (Village Clerk-Audit)	\$1157.00
To:	001-1420-4620 (Law/Attorney-Opinions)	\$2414.00
From:	001-1990-4000 (Contingency)	\$2414.00
To:	001-1420-4450 (Law/Attorney-Misc.)	\$2.00
	001-5110-4250 (Street Maint.-Gas & Oil)	\$186.00
From:	001-1410-4010 (Village Clerk-Office Supplies)	\$2.00
	001-5110-4161-0901 (Street Maint.-Repairs/'01 Chevy Impala)	\$186.00
To:	001-9950-9000 (Transfer to Capital)	\$39,000.00
From:	001-9903-9000 (Transfer to Debt Service)	\$39,000.00
To:	001-9050-8000 (Unemployment Insurance)	\$1140.00
From:	001-9040-8000 (Workers Comp.)	\$1140.00

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:	001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$300.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief's Car 9)	\$75.00
	001-3410-4160-3491 (Fire Protection-Truck Exp./Asst. Chief's Car 9-1)	\$75.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Asst. Chief's Car 9-2)	\$75.00
From:	001-3410-4160 (Fire Protection-Truck Expenses)	\$525.00
To:	001-3410-4160-3492 (Fire Protection-Truck Exp./Asst. Chief's Car 9-2)	\$258.00
From:	001-3410-4160 (Fire Protection-Truck Expenses)	\$258.00
To:	001-3410-4160-3406 (Fire Protection-Truck Exp./Ladder 6)	\$25.00
From:	001-3410-4160 (Fire Protection-Truck Expenses)	\$25.00
To:	001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4)	\$512.00
	001-3410-4160-3407 (Fire Protection-Truck Exp./Rescue 7)	\$12.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$524.00

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To:	001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4)	\$305.00
From:	001-3410-4160 (Fire Protection-Truck Expenses)	\$305.00

To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$28.00
From:	001-1640-1000 (Central Garage-Personal Services)	\$28.00

To:	001-7540-1001 (Williamsville Water Mill-Personal Services-OT)	\$59.00
From:	001-7540-1000 (Williamsville Water Mill-Personal Services)	\$59.00

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:	006-9950-9000 (Water Administration-Transfer to Capital)	\$13,125.00
From:	006-9903-9000 (Water Transmission-Transfer to Debt Service)	\$13,125.00

To:	006-8310-1000 (Water Transmission-Personal Services)	\$440.00
From:	006-8340-1001 (Water Transmission-Personal Services-OT)	\$440.00

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, 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:	007-1920-4000 (Municipal Association Dues)	\$173.00
From:	007-1910-4000 (Unallocated Insurance)	\$173.00

Unanimously carried.

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

RESOLVED, that the following *amendment* is hereby made in the *General Fund* for the **2008-2009** fiscal year to account for revenue due from New York State grant for the Mill:

Increase:	001-9950-9000 Transfer to Capital	\$45,000.00
Increase:	001-0001-3090 State Aid-Grants	\$45,000.00

Unanimously carried.

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

RESOLVED, that the following *amendment* is hereby made in the *General Fund* for the **2009-2010** fiscal year to account for Jolly Boys donation (deposited 3/12/09) to be applied against the **2009 season** of Movies in the Park:

Increase:	001-0001-2705 Gifts & Donations	\$1,300.00
Increase:	001-7310-4175 Youth Programs-Movies in the Park	\$1,300.00

Unanimously carried.

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

RESOLVED, that the following *amendment* is hereby made in the *General Fund* for the **2009-2010** fiscal year to account for donation from Glen Park Tavern/Grenauer Associates, Inc. to be used for Beautification (check deposited 7/10/09):

Increase:	001-0001-2705 Gifts & Donations	\$250.00
Increase:	001-8510-4340 Community Beautification	\$250.00

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, August 24, 2009, at 7:35 p.m., at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in discussing the proposed addition of Section I to Chapter 12-1 of the Village Code, which would require an applicant for a demolition permit to submit an approved Development Plan prior to a demolition permit being issued unless the Code Enforcement Officer finds that immediate demolition is necessary.

Unanimously carried.

Report – Trustee Kingsley

Trustee Kingsley reported on the following topics: Thanked the Jolly Boys for their support of Youth & Recreation Committee sponsored Movies in the Park series; Next movie in Island Park is on 7/31; Williamsville Water Mill Request for Proposals and Request for Quotes process; Disclosure and communication.

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

RESOLVED, that the Mayor is hereby authorized and directed to sign the letter/agreement with DiPizio Construction Co., Inc., dated July 27, 2009, in reference to allowing blasting on Wehrle Drive, as well as sidewalk installation on various residential streets along Wehrle Drive.

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to publish Notice of a public hearing to be held by the Board of Trustees of the Village of Williamsville on Monday, August 24, 2009, at 7:40 p.m., in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing an Exceptional Development Permit for the proposed split of a residential parcel located at 80 Rinewalt St., in the Village of Williamsville, as per Chapter 28-5 D(3) of the Village Code.

Unanimously carried.

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

RESOLVED, that *Kevin Lester of 175 N. Long St., Williamsville, New York*, is hereby appointed *Chairperson* of the *Planning and Architectural Review Board* until the end of the *2009-2010* official Village year.

Unanimously carried.

Report – Trustee Kulpa

Trustee Kulpa reported on the following topics: Community Plan process; Thanked Glen Park Tavern for their donation to Beautification Committee.

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

RESOLVED, that the Mayor is hereby authorized to sign the *2009 Justice Court Assistance Program Grant Application*; and

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BE IT FURTHER RESOLVED, that the applicant is hereby authorized to request up to the maximum amount available for the purchase of office supplies, furniture, and other justice court improvements.

Unanimously carried.

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

To:	009-7141-4070 (Glen Park-Utilities)	\$18.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$18.00
To:	009-7141-4070 (Glen Park-Utilities)	\$254.00
From:	009-7141-4352 (Glen Park-Park Maint.)	\$254.00
To:	009-7141-4070 (Glen Park-Park Maint.)	\$224.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$224.00
To:	009-7141-1001 (Glen Park-Personal Services-OT)	\$190.00
From:	009-7141-1000 (Glen Park-Personal Services)	\$190.00

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topics: Tree Board; Re-Tree WNY; Emerald Ash Tree Borer; Thanked Tree Board ChairMain Nick Roth for his assistance.

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

RESOLVED, that *Joseph Ferreri, of 48 Wickham Dr., Williamsville, New York*, and *Ryan Licata of 15 Telfair Dr., Williamsville, New York*, are hereby appointed as members of the *Williamsville Fire Department*.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to leave the regular agenda to open the Executive Session for the purpose of discussing legal and personnel matters at 9:20 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to close the Executive Session and return to the regular agenda at 9:50 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting at 9:50 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer