

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, August 24, 2009 at 7:30 p.m.

The meeting was opened at 7:30 p.m. with the Pledge of Allegiance led by Mayor Lowther.

Mayor Lowther asked all in attendance to pause to remember the two Buffalo firefighters who were killed in a fire in the City of Buffalo over the weekend.

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
Deborah A. Habes, Deputy Clerk
Judith A. Kindron, Deputy Treasurer
Marc Shuttleworth, DPW Crew Chief

Absent: Lynda L. Juul, Administrator/Clerk-Treasurer

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the regular meeting held on August 10, 2009.

Unanimously carried.

ON MOTION by Mayor Lowther, 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 for the purpose of hearing all persons interested in discussing the proposed addition of Section I to Chapter 12-1 (Demo Permits) to 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.*

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to close the first public hearing at 8:00 p.m.

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Unanimously carried.

ON MOTION by Trustee Kingsley, seconded by Trustee Geary, it was moved to open the second public hearing at 8:00 p.m.

Unanimously carried.

- *A public hearing was held 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.*

ON MOTION by Trustee Kingsley, seconded by Trustee Piazza, it was moved to close the second public hearing at 8:05 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.

Members of the audience addressing the Board and their topics:

Josh KorMain, Williamsville Business Association – WBA supports the local law for time limit parking on E. Spring Street between the Mill and Main St.

Tom Frank, 225 A1 Evans St. – Ellicott Creek cleanup; Importance of lot at Main at Garrison to War of 1812.

Carolyn Schlifke, 192 Evans St. – Thanked Marc Shuttleworth and the DPW for repairing the fence at Lehigh Trail.

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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: Community Plan Committee meets 8/25/09 at 7:00 p.m.; Third Thursday in the Park series was successful and has ended for the season.

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

RESOLVED, that payroll and vouchers in the amount of **\$83,040.17**, covering the period from **8/03/09** to **8/19/09**, are hereby approved as follows:

Payroll covering: 8/03/09 – 8/16/09:	\$32,666.57
Vouchers covering: 8/06/09 – 8/19/09:	
General Fund	\$22,234.54
Water Fund	\$422.51
Sewer Fund	\$386.57
Glen Park Fund	\$144.28
Trust & Agency Fund	\$11,782.57
Debt Service	\$15,403.13
Community Development	\$0.00
Capital Fund	\$0.00
	<u>\$50,373.60</u>
GRAND TOTAL:	<u>\$83,040.17</u>

Unanimously carried.

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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 *General Fund* for the *2009-2010* fiscal year:

To:	001-3310-4620 (Traffic Control-Uniform)	\$7.00
From:	001-3310-4231 (Traffic Control-Signs/Maint.)	\$7.00

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topics: Parks Committee; Tree Board needs volunteers for fall tree planting; Emerald Ash Borer info will be posted on Village website.

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

WHEREAS, the Village of Williamsville owns the South Long Street Park and ball diamond, and wishes to upgrade the diamond to promote a higher level of use by the residents, and

WHEREAS, the Amherst Girls Softball League wishes to assist the Village of Williamsville in the improvement and continued maintenance of the diamond, and would like to use the diamond on a consistent basis as the Preferred User; and

WHEREAS, the combined efforts of the Village of Williamsville and the Amherst Girls Softball League will result in an improved park for all residents of the Village;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized and directed to sign the Preferred User Agreement between the Village of Williamsville and Amherst Girls Softball League.

Unanimously carried.

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

RESOLVED, that *Miranda Allen of 123 The Paddock, Williamsville, New York*, is hereby appointed as an Active Restricted Member of the Williamsville Fire Department, effective September 1, 2009.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topics: Environmental Committee; AUC will meet in September.

Trustee Piazza had no resolutions on the agenda this evening.

Report – Trustee Kingsley

Trustee Kingsley reported on the following topics: Village Code revisions; Exceptional Development; RFQ process is now open for the Mill; Thanked Mill consultants Preservation Studio for their work on the RFQ process; Youth & Recreation Committee will host last film of Movie in the Park series on 8/28.

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

WHEREAS, the Williamsville Water Mill is one of the last remaining operational mills in Western New York; and

WHEREAS, the Mill has become a focus of local history and an easily recognizable community landmark; and

WHEREAS, the Mill has been accepted for inclusion on the New York State Register of Historic Places and the National Register of Historic Places; and

WHEREAS, the Williamsville Village Board acquired the Mill to preserve this architectural treasure; and

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WHEREAS, the Board retained a consultant to prepare an Historic Structures Report that includes detailed information regarding preservation of the Mill; and

WHEREAS, based on community support for the project and the results of the Historic Structure Report, the Mill requires preservation to insure the longevity and integrity of the Mill.

NOW, THEREFORE, BE IT RESOLVED, that the Williamsville Village Board hereby affirms public and community support for the project; and,

BE IT FURTHER RESOLVED, that the Williamsville Village Board hereby declares its approval/endorsement for the Williamsville Water Mill Preservation Project, Phase II.

Unanimously carried.

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

RESOLVED, that Mary Lowther, as Mayor of the Village of Williamsville, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993, in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to this the Village of Williamsville for the Williamsville Water Mill Preservation Project, Phase II and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property

Unanimously carried.

ON MOTION by Trustee Kingsley, seconded by Trustee Kulpa, 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 *80 Rinewalt Street* was submitted to the Village Board of Trustees by David Sutton, record owner; and

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WHEREAS, the request was duly reviewed by the Planning Board, Traffic and Safety Committee, Environmental Committee and Youth and Recreation Committee, as per Chapter 28-5 D (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 August 24, 2009, 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 *80 Rinewalt Street* into two (2) separate lots is hereby granted, as submitted.

Unanimously carried.

Report – Trustee Kulpa

Trustee Kulpa reported on the following topics: Thanked Community Plan Committee members for their willingness to re-convene; Thanked Beautification Committee for their work on the Village gardens; Called for volunteers to help with garden cleanup on 9/26 at 9am; Zoning Code revision.

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

RESOLVED, that **Local Law #6 of 2009**, amending Chapter 103-17 (Vehicles and Traffic) of the Village Code, to add 2-hour time limit parking on the east side of Spring Street East between a point 25 ft. north of Main Street and a point 183 ft. north of Main Street, which was the subject of a public hearing held by the Village Board of Trustees on July 27, 2009, is hereby adopted.

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 8:38 p.m. for the purpose of discussing a contractual matter.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the Executive Session and return to the regular agenda at 8:42 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 8:42 p.m.

Unanimously carried.

Deborah A. Habes

Deputy Clerk