

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, September 28, 2009 at 7:30 p.m.

The meeting was opened at 7:30 p.m. with the Pledge of Allegiance led by Trustee/Deputy Mayor Kulpa.

Present: Brian J. Kulpa, Trustee/Deputy Mayor
 Brian J. Geary, 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

Absent: Mary E. Lowther, Mayor
 Jeffrey L. Kingsley, Trustee

In Mayor Lowther's absence, Deputy Mayor Kulpa presided.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on September 14, 2009.

Motion carried. 3 – 0.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Geary, it was moved to approve the minutes of the public hearing which was held on September 14, 2009, regarding proposed amendments to Chapter 28-4 (Fire Prevention and Building Code Administration) and Chapter 93-6 (Electrical Inspections).

Motion carried. 3 – 0.

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

Motion carried. 3 - 0.

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Members of the audience addressing the Board and their topics:

Larry Brenton, 31 Monroe Dr. – ECWA turnover status; Sidewalk repair; Lehigh Rail Depot; Road paving; Thanked General Crew Chief and DPW for assistance with cobblestones at Lehigh Depot.

Thomas Frank, 225A1 Evans St. – IJC; Re-licensing of Niagara Power Project; Fifty-year indemnification model; Bi-national tourism alliance.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the public participation portion of the meeting.

Motion carried. 3 – 0.

Report – Trustee/Deputy Mayor Kulpa:

Trustee/Deputy Mayor Kulpa reported on the following topics: Meeting House movie event: “E.T.” on 10/9/09 at 7:00 p.m.; Halloween Parade and Pumpkin Painting and Carving Events on 10/24/09; Thanked the Meeting House Committee for their efforts.

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

RESOLVED, that payroll and vouchers in the amount of **\$287,579.83** covering the period from **8/31/09** to **9/23/09** are hereby approved as follows:

Payroll covering: 8/31/09 – 9/13/09: \$32,642.16

Vouchers covering: 9/10/09 – 9/23/09:

General Fund	\$35,889.45
Water Fund	\$246.45
Sewer Fund	\$756.49
Glen Park Fund	\$92.16
Trust & Agency Fund	\$11,972.56
Debt Service	\$199,475.00
Community Development	\$0.00
Capital Fund	\$6,505.56
	<u>\$254,937.67</u>

GRAND TOTAL: **\$287,579.83**

Motion carried. 3 - 0.

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ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, 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:	001-3410-4160-3491 (Fire Protection-Truck Exp.-Asst. Chief's Vehicle)	\$722.00
	001-3410-4160-3409 (Fire Protection-Truck Exp.-Chief's Vehicle)	\$550.00
	001-3410-4160-3401 (Fire Protection-Truck Exp.-Engine 1)	\$75.00
	001-3410-4160-3402 (Fire Protection-Truck Exp.-Engine 2)	\$75.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$1,422.00
To:	001-1410-4111 (Village Clerk-Internet Access/Web site)	\$125.00
From:	001-1410-4010 (Village Clerk-Office Supplies)	\$125.00
To:	001-1410-4030 (Village Clerk-Printing/Advertising.)	\$17.00
From:	001-1410-4010 (Village Clerk-Office Supplies)	\$17.00
To:	001-7540-4110 (Williamsville Water Mill-Service Contracts)	\$44.00
From:	001-7540-4160 (Williamsville Water Mill-Building Repairs)	\$44.00
To:	001-1210-4010 (Mayor-Office Supplies)	\$19.00
From:	001-1210-4061 (Mayor-Cell Phones)	\$19.00

Motion carried. 3 – 0.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, 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 the Williamsville Business Association as a sponsor fee for the car show on 9/13/09:

Increase:	001-0001-2705 (Gifts & Donations)	\$50.00
Increase:	001-7550-4960 (Celebrations-Committee Appreciation)	\$50.00

Motion carried. 3 – 0.

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

RESOLVED, that Judith A. Kindron, Deputy Treasurer, is hereby authorized to attend the Government Finance Officers' Association Western Region Meeting in Batavia, New York on October 2, 2009, at a cost not to exceed \$100.00 to be paid by the Village of Williamsville.

Motion carried. 3 – 0.

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

RESOLVED, that *Local Law 7 of 2009*, amending Chapter 28-4 (Fire Prevention and Building Code Administration) and Chapter 93-6 (Swimming Pools and Hot Tubs) of the Village Code, with regard to electrical inspections, which was the subject of a public hearing held by the Village of Williamsville Board of Trustees on September 14, 2009, at Williamsville Village Hall, Williamsville, New York, is hereby adopted.

Motion carried. 3 – 0.

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

RESOLVED, that *Commonwealth Electrical Inspection Services, Inc.*, of 1355 Pittsford-Mendon Rd., P.O. Box 723, Mendon, New York, is hereby appointed as the designated certified electrical company performing electrical inspections in the Village of Williamsville, as per Chapter 28-4 (Fire Prevention and Building Code Administration) and Chapter 93-6 (Swimming Pools and Hot Tubs) of the Village Code, as adopted by the Village Board of Trustees on September 28, 2009.

Motion carried. 3 – 0.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held by the Village Board of Trustees at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, October 26, 2009, at 7:35 p.m., for the purpose of hearing public comment on the Draft Community Plan.

Motion carried. 3 – 0.

Report – Trustee Geary:

Trustee Geary reported on the following topics: Congratulated Trustee Kingsley on the birth of his daughter; Donation of Third Thursday in the Park concert series surplus funds to the Youth & Recreation Committee; Tree Board work session for the Lehigh Trail on 9/29/09.

ON MOTION by Trustee Geary, seconded by Trustee/Deputy Mayor Kulpa, 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 to the Youth & Recreation Committee as a result of the balance of funds from the Third Thursday in the Park Music Series Program. Funds were split equally with the Amherst Youth Board.

Increase: 001-0001-2705 (Gifts and Donations)	\$444.00
Increase: 001-7310-4176 (Youth Programs-Youth Hockey Tournament)	\$444.00

Motion carried. 3 – 0.

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

RESOLVED, that Tom Draves of Draves Tree Service, 1821 Sharrick Rd., Darien, New York, is hereby appointed as the Village Forester for the 2009-2010 official Village year, and

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BE IT FURTHER RESOLVED, that payment will be made at a rate of \$50 per hour, as per the quote submitted by Draves Tree Service.

Motion carried. 3 - 0.

Report – Trustee Piazza

Trustee Piazza reported on the following topics: Environmental Committee meeting on 10/1/09 to make up for September meeting; Village Engineer; Siphon; Floodgate Walkway Rehabilitation Project.

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

WHEREAS, the Village of Williamsville has advertised for sealed bids for *Sanitary Sewer Improvements – Contract 18B*; and

WHEREAS, the sealed bids were opened on September 24, 2009 at 10:00 AM in Village Hall; and

WHEREAS, E&R General Construction submitted the low bid meeting all specifications;

NOW, THEREFORE, BE IT RESOLVED, that the contract for Sanitary Sewer Improvements – Contract No. 18B, is hereby awarded to E&R General Construction for their low bid of \$1,043,370.00.

Motion carried. 3 - 0.

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

WHEREAS, the Village of Williamsville has advertised for sealed bids for the *Floodgate Walkway Rehabilitation Project*; and

WHEREAS, the sealed bids were opened on September 24, 2009 at 10:30 AM in Village Hall; and

WHEREAS, STC Construction submitted the low bid meeting all specifications;

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NOW, THEREFORE, BE IT RESOLVED, that the contract for the Floodgate Walkway Rehabilitation Project, is hereby awarded to STC Construction for their low bid of \$68,000.00.

Motion carried. 3 - 0.

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

RESOLVED, that Marc Shuttleworth, DPW General Crew Chief, is hereby authorized to attend the NYCOM Public Works Training School in Canandaigua, New York, October 19 - 22, 2009, at a cost not to exceed \$1,000.00, to be paid by the Village of Williamsville.

Motion carried. 3 - 0.

ON MOTION by Deputy Mayor Kulpa seconded by Trustee Geary, it was moved to leave the regular agenda to open the Executive Session at 8:27 p.m. for the purpose of discussing contractual and legal matters.

Motion carried. 3 - 0.

ON MOTION by Trustee Piazza, seconded by Trustee Geary, it was moved to close the Executive Session and return to the regular agenda at 8:43 p.m.

Motion carried. 3 - 0.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 8:43 p.m.

Motion carried. 3 - 0.

Lynda L. Juul

Administrator/Clerk-Treasurer