

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, April 12, 2010 at 7:30 p.m.**

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

Present:                    Brian J. Kulpa, Trustee  
                                Brian J. Geary, Trustee  
                                Jeffrey L. Kingsley, 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

In Mayor Lowther's absence, Trustee Kulpa acted as Deputy Mayor.

**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Kingsley, it was moved to approve the minutes of the regular meeting held on March 22, 2010.

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Kingsley, it was moved to open the first public hearing at 7:33 p.m.

Motion carried. 4 – 0.

- ***A public hearing was held to hear all persons interested in expressing an opinion on the proposed 2010-2011 General Fund, Glen Park Activities Fund and Debt Service Fund Budgets.***

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**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Kingsley, it was moved to close the first public hearing at 7:40 p.m.

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Piazza, it was moved to open the second public hearing at 7:40 p.m.

Motion carried. 4 – 0.

- *A public hearing was held to hear all persons interested in expressing an opinion on the proposed 2010-2011 Sewer Fund Budget and Sewer Rent Rates.*

**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Kingsley, it was moved to close the second public hearing at 7:48 p.m.

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Kingsley, it was moved to open the third public hearing at 7:49 p.m.

Motion carried. 4 – 0.

- *A public hearing was held to hear all persons interested in expressing an opinion on the proposed 2010-2011 Water Fund Budget and Water Rates.*

**ON MOTION** by Deputy Mayor Kulpa seconded by Trustee Piazza, it was moved to close the third public hearing at 7:59 p.m.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

The following members of the audience addressed the Board:

*Alan and Diane Weissman, 196 Reist St.* – Complained of poor condition of neighboring property at 188 Resist. St.; It's their third time around with this neighbor; Urged Village's support; Want Village to install a fence between their property and neighbor's property at 188 Reist.

*Thomas Frank, 225A1 Evans St.* – Bicentennial of War of 1812; March on June 13<sup>th</sup>.

*Amy Alexander, 287 Mill St. and Dan Delano, 136 Park Dr.* – Formed group called *Friends of the Village of Williamsville*; They are going door to door passing out flyers; Holding a fundraiser on 5/23 at Sorrentino's; Group is distributing lawn signs; Thanked Board for working on water issue.

*Walter Pacer, 87 Monroe Dr.* – Adoption of Community Plan; Chaired Community Plan Committee for more than 5 years; Thanked the Board for their review of the Plan and reminded them that the committee had 18 members at times and almost unanimously passed the plan and reconvened with the same result; Asked Board to adopt the plan; The Board thanked the Committee for all of their hard work on the Plan.

*Dan Delano, 136 Park Dr.* – Tree planting is May 8<sup>th</sup>; 70 trees will be planted in the right-of-way, plus 20 more in the parks; Thanked Tom Draves, the Village Forester, for his assistance.

*Thomas Frank, 225 A1 Evans St.* – April 17<sup>th</sup> is the Riverkeepers cleanup.

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

Motion carried. 4 – 0.

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**Report – Deputy Mayor Kulpa**

*Deputy Mayor Kulpa reported on the following topic:* Beautification Committee will plant the Village's municipal gardens on 5/22.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$561,401.79** covering the period from **3/15/10** to **4/7/10** are hereby approved as follows:

**Payroll covering: 3/15/10 – 3/28/10:** \$27,554.65

**Vouchers covering: 3/18/10 – 4/7/10:**

General Fund	\$88,432.41
Water Fund	\$33,274.78
Sewer Fund	\$2,761.63
Glen Park Fund	\$1,660.15
Trust & Agency Fund	\$11,410.08
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$396,308.09
	<u>\$533,847.14</u>

**GRAND TOTAL:** **\$561,401.79**

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Kulpa, seconded by Trustee Kingsley, 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:	001-3410-2060 (Fire Protection-Computer Equip.)	\$21.00
	001-3410-4010 (Fire Protection-Office Supplies)	\$120.00
	001-3410-4250 (Fire Protection-Fuel & Oil)	\$597.00
	001-3410-4160-3491 (Fire Protection-Truck Exp./Chief's Car-91)	\$148.00

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From	001-3410-2070 (Fire Protection-Office Equip.)	\$137.00
	001-3410-4070 (Fire Protection-Utilities)	\$601.00
	001-3410-4160 (Fire Protection-Truck Exp.)	\$148.00
To:	001-3410-4160-3406 (Fire Protection-Truck Exp/Truck 6)	\$587.00
From	001-3410-4160 (Fire Protection-Truck Exp.)	\$587.00
To:	001-5010-4050 (Street Maint.-Drug/Alcohol Testing)	\$60.00
From:	001-5010-4010 (Street Maint.-Office Supplies)	\$60.00
To:	001-5110-4161-0913 (Street Maint.-Repairs/'93 Sewer Jet)	\$14.00
From:	001-5110-4161 (Street Maint.-Office Repairs/Equip.)	\$14.00
To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$343.00
	001-1620-4260 (Buildings-Maint. Supplies)	\$50.00
From:	001-1640-4070 (Central Garage-Utilities)	\$343.00
	001-1620-4230 (Buildings-Building Maint.)	\$50.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$44.00
From:	001-5110-1001 (Street Maint.-Personal Services/OT)	\$44.00
To:	001-8560-4360 (Shade Trees-Tree Replacement)	\$63.00
From:	001-8560-4340 (Shade Trees-Trees/Removal)	\$63.00
To:	001-3310-1000 (Traffic Control/Personal Services)	\$150.00
	001-8510-1000 (Community Beautification-Personal Services)	\$311.00
	001-8560-1000 (Shade Trees-Personal Services)	\$2567.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$3028.00
To:	001-1110-4020 (Village Justice-Postage)	\$112.00
From:	001-1110-4190 (Village Justice-Stenographer)	\$112.00
To:	001-1210-4010 (Mayor-Office Supplies)	\$82.00
From:	001-1210-4040 (Mayor-Education Exp./Travel)	\$82.00
To:	001-1410-4450 (Village Clerk-Misc.)	\$42.00
From:	001-1410-4040 (Village Clerk-Education Exp./Travel)	\$42.00
To:	001-1420-4620 (Law/Attorney-Opinions)	\$1814.00
From:	001-1990-4000 (Contingency)	\$1814.00
To:	001-3620-4450 (Safety Inspection-Misc.)	\$84.00
From:	001-3620-4041 (Safety Inspection-Mileage Reimbursement)	\$84.00
To:	001-3620-4450 (Safety Inspection-Misc.)	\$358.00
From:	001-3620-4100 (Safety Inspection-Professional Fees)	\$358.00

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To:	001-7110-4169 (Parks-Repairs/Other)	\$25.00
From:	001-7110-4355 (Parks-Pool Permits)	\$25.00
To:	001-7110-4169 (Parks-Repairs/Other)	\$486.00
From:	001-7110-4280 (Parks-Equip. Rental)	\$486.00
To:	001-5010-4450 (Street Administration-Misc.)	\$615.00
From:	001-5010-2000 (Street Administration-Equip.)	\$500.00
	001-5010-4010 (Street Administration-Office Supplies)	\$115.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Sewer Fund* for the *2009-2010* fiscal year:

To:	007-8120-4100 (Sanitary Sewers-Professional Fees)	\$589.00
From:	007-8120-4110 (Sanitary Sewers-Service Contracts)	\$589.00
To:	007-8120-4450 (Sanitary Sewers-Misc.)	\$438.00
From:	007-8120-4070 (Sanitary Sewers-Utilities)	\$438.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the *2009-2010* fiscal year:

To:	009-7141-4351 (Glen Park-Park Supplies)	\$133.00
From:	009-7141-4430 (Glen Park-Sanitary Waste Disposal)	\$133.00
To:	009-7141-4102 (Glen Park-Landscaping)	\$735.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$735.00

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To:	009-9030-8000 (Glen Park-Social Security)	\$185.00
	009-9040-8000 (Glen Park-Workers Compensation)	\$372.00
From:	009-7141-4109 (Glen Park-Insurance)	\$557.00
To:	009-7141-4070 (Glen Park-Utilities)	\$655.00
From:	009-7141-4109 (Glen Park-Insurance)	\$479.00
	009-7141-4163 (Glen Park-Lighting Fixtures)	\$176.00

Motion carried. 4 – 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 made at the Irish Music and Dance Concert on March 7, 2010 at the Village Meeting House:

Increase:	001-7530-4451 (Village Meeting House-Meeting House Events Committee)	\$58.00
Increase:	001-0001-2705 (Gifts-Donations)	\$58.00

Motion carried. 4 – 0.

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

**RESOLVED**, that *Carl Janish, Sr., residing at 58 Hillside Dr., Williamsville, New York*, is hereby appointed to the *Tree Board* until the end of the **2012** official Village year.

Motion carried. 4 – 0.

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

**RESOLVED**, that *Barbara Richardson, residing at 221 Hirschfield Dr., Williamsville, New York*, is hereby appointed to the *Meeting House Committee*, until the end of the **2009-2010** official Village year.

Motion carried. 4 – 0.

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

**WHEREAS**, the Village Board wishes to adopt the Village of Williamsville Community Plan, a comprehensive planning document as authorized by Village Law Section 7-772, to guide future land use decision-making and regulation within the Village; and

**WHEREAS**, by resolution dated March 22, 2010, the Village Board determined that the Final Generic Environmental Impact Statement (FGEIS) for the proposed Community Plan was complete for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and thereafter caused a Notice of Completion of the FGEIS be duly filed and published; and

**WHEREAS**, the Village Board has reviewed and duly considered all comments concerning the proposed Community Plan and has undertaken its independent review and consideration of the conclusions in the FGEIS; and

**NOW, THEREFORE, BE IT RESOLVED** that, having undertaken its independent review and consideration of the conclusions in the DGEIS and FGEIS and all other relevant information in light of the environmental criteria contained in the SEQRA regulations, the Village Board, as SEQRA lead agency, does hereby adopt the attached SEQRA Findings Statement, which is expressly incorporated herein by reference.

Motion carried. 4 – 0

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

**WHEREAS**, in accordance with the provisions of Section 7-722 of New York State Village Law, the Village Board of Trustees created a Community Plan Committee to prepare a comprehensive plan for Village Board consideration and adoption; and

**WHEREAS**, the Community Plan Committee was comprised of members of the Planning Board and other residents and community members who represented a broad range of community perspectives; and

**WHEREAS**, the Community Plan Committee fully engaged residents of the Village of Williamsville in the planning process by means of a community survey, stakeholder interviews, public workshops, information meetings, media releases, direct mailings, the Village web site, and public hearings; and

**WHEREAS**, in accordance with New York State Law, the Community Plan Committee provided public notice for and held a public hearing on December 4, 2007; and

**WHEREAS**, in accordance with New York State Law, the Community Plan Committee adopted a resolution on January 29, 2008, recommending the Draft Community Plan to the Village Board for review and adoption; and

**WHEREAS**, on June 8, 2009 the Village Board rejected the Draft Community Plan and sent it back to the Community Plan Committee for the purpose of reviewing the few points that were hindering Village Board approval; and

**WHEREAS**, after reconsidering several aspects of the Draft Community Plan, the Community Plan Committee passed a resolution on September 22, 2009 referring the Draft Community Plan back to the Village Board for review and adoption, with several recommendations; and

**WHEREAS**, in accordance with New York State Law, the Village Board provided public notice for and held public hearings on June 23, 2008 and October 26, 2009; and

**WHEREAS**, on May 14, 2007, the Village Board, after soliciting other involved agencies, designated itself Lead Agency for the proposed action to adopt a Community Plan; and

**WHEREAS**, on May 27, 2008, the Village Board determined the scope and content of the Draft Community Plan and Generic Environmental Impact

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Statement (GEIS) to be sufficiently adequate for purposes of circulation to involved and interested agencies for public review; and

**WHEREAS**, on March 22, 2010, the Village Board accepted the Final Generic Impact Statement (FGEIS) as outlined in the Notice of Completion of Final EIS; and

**WHEREAS**, in accordance with General Municipal Law Section 239-m, the Village of Williamsville referred the Community Plan to the Erie County Department of Environment and Planning, which agency found it to be of local concern;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees hereby adopts the Williamsville Community Plan and Final Environmental Impact Statement dated March 9, 2010.

Motion carried. 4 – 0.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topics:* Thanked Walter Pacer for his dedication in chairing the Community Plan Committee; Beautification Committee meeting is 4/13; The Beautification Committee's Big Dig is 5/22; Old Home Days is 7/13 – 7/16; Earth Day / Arbor Day event is 4/24, 10am – 2pm at the Williamsville Mill; Environmental Committee meets 4/19 at 7pm;

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

Motion carried. 4 – 0.

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

**RESOLVED**, that Kevin Stahrr of the Department of Public Works, is hereby authorized to attend Cyncon's Street Sweeper Training School in Rochester, New York, on April 15, 2010, at a cost not to exceed \$20.00, to be paid by the Village of Williamsville.

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Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

**Report – Trustee Kingsley**

*Trustee Kingsley reported on the following topics: Youth & Rec Committee meeting is 4/20; Street Hockey Tournament is 5/29; Family Fun Run is 6/26; Mill architects and projects.*

Trustee Kingsley had no resolutions.

**Report – Trustee Geary**

*Trustee Geary reported on the following topics: WNY Railway Historical Society is sponsoring The Caboose Affair 4/16; Arbor Day / Earth Day; Tree planting is 5/8; CERT Training; Thanked DPW for preparing for gazebo installation at S. Long Park and for preparing the park in general.*

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

**WHEREAS**, the Village of Williamsville is currently under contract with Twin City Ambulance to provide EMS Services within the Village from January 1, 2008 through December 31, 2010, along with the Town of Amherst, Town of Clarence, Town of Newstead, Village of Akron, Clarence Fire District #1, Eggertsville Fire District, and Snyder Fire District; and

**WHEREAS**, the Town of Amherst Chief's Association EMS Board in conjunction with the Towns of Clarence and Newstead are requesting approval of an amendment to the current EMS contract that will modify the way

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response times are calculated from a percentage basis to an average response time; and

**WHEREAS**, this recommendation is being made to better serve the needs of the public, and is acceptable to Twin City Ambulance;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor is hereby authorized to sign the proposed amendment to the Twin City Ambulance EMS Contract, as per the correspondence from the Amherst, Clarence, Newstead EMS Board dated March 25, 2010.

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Kulpa, seconded by Trustee Kingsley, it was moved to leave the regular agenda at 8:57 p.m. to open the Executive Session to discuss a legal matter and a personnel matter.

Motion carried. 4 – 0.

**ON MOTION** by Trustee Piazza, seconded by Trustee Geary, it was moved to close the Executive Session at 9:42 p.m. and return to the regular agenda.

Motion carried. 4 – 0.

**ON MOTION** by Trustee Kingsley, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 9:43 p.m.

Motion carried. 4 – 0.

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Lynda L. Juul

Administrator/Clerk-Treasurer