

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 26, 2010 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. 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

ON MOTION by Mayor Lowther seconded by Trustee Kingsley, it was moved to approve the minutes of the regular meeting held on April 12, 2010.

Unanimously carried.

ON MOTION by Mayor Lowther seconded by Trustee Kulpa, it was moved to approve the minutes of the public hearing held on April 12, 2010 regarding the 2010-2011 General Fund/Glen Park Activities Fund/Debt Service Fund Budget.

Unanimously carried.

ON MOTION by Mayor Lowther seconded by Trustee Kulpa, it was moved to approve the minutes of the public hearing held on April 12, 2010 regarding the 2010-2011 Sewer Fund Budget and Sewer Rent Rates.

Unanimously carried.

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ON MOTION by Mayor Lowther seconded by Trustee Kulpa, it was moved to approve the minutes of the public hearing held on April 12, 2010 regarding the 2010–2011 Water Fund Budget and Water Rates.

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.

No one from the audience addressed the Board.

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: Historic Preservation meeting of last week; Fire Department installation of new officers on 5/8.

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

RESOLVED, that payroll and vouchers in the amount of **\$94,104.45** covering the period from **3/29/10** to **4/21/10** are hereby approved as follows:

Payroll covering: 3/29/10 – 4/11/10: \$27,228.78

Vouchers covering: 4/08/10 – 4/21/10:

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General Fund	\$44,595.10
Water Fund	\$606.64
Sewer Fund	\$1,036.52
Glen Park Fund	\$416.28
Trust & Agency Fund	\$8,305.63
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$11,915.50
	<u>\$66,875.67</u>

GRAND TOTAL: \$94,104.45

Unanimously carried.

ON MOTION by Mayor Lowther, 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:	001-1640-2000 (Central Garage-Equip.)	\$50.00
	001-1640-4260 (Central Garage-Maint. Supplies)	\$111.00
	001-1640-4440 (Central Garage-Parts)	\$270.00
From:	001-1640-4070 (Central Garage-Utilities)	\$431.00
To:	001-1640-1000 (Central Garage-Personal Services)	\$3999.00
	001-3310-1000 (Traffic Control-Personal Services)	\$392.00
	001-8510-1000 (Community Beautification-Personal Services)	\$155.00
	001-8560-1000 (Shade Trees-Personal Services)	\$1866.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$6412.00
To:	001-1620-4260 (Buildings-Maint. Supplies)	\$25.00
From:	001-1620-4160 (Buildings-Repairs)	\$25.00
To:	001-1620-4260 (Buildings-Maint. Supplies)	\$115.00
From:	001-1620-4230 (Buildings-Bldg. Maint.)	\$115.00
To:	001-1620-4231 (Buildings-Maint./HVAC)	\$148.00
From:	001-1620-4230 (Buildings-Bldg. Maint.)	\$148.00
To:	001-3620-4800 (Safety Inspection-Microfilming)	\$995.00
From:	001-3620-4100 (Safety Inspection-Professional Fees)	\$995.00

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To:	001-1410-4450 (Village Clerk-Misc.)	\$70.00
From:	001-1410-4620 (Village Clerk-Lease copy Machine)	\$70.00
To:	001-1420-4620 (Law/Attorney-Opinions)	\$2808.00
From:	001-1990-4000 (Contingent Account)	\$2808.00
To:	006-8310-1000 (Water Administration-Personal Services)	\$254.00
From:	006-8340-1000 (Water Transmission-Personal Services)	\$254.00

Unanimously carried.

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

To:	007-8120-4100 (Sanitary Sewers-Professional Fees)	\$579.00
From:	007-8120-4161 (Sanitary Sewers-Service Contracts)	\$579.00

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

To:	006-8340-4010(Water Transmission-Office Supplies)	\$60.00
From:	006-8340-4040 (Water Transmission-Education Exp./Travel)	\$60.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the **2009-2010** fiscal year to account for part of the Mill payment being funded by the acquisition grant:

Increase:	001-0001-3090 (State Aide-Grants)	\$10,000.00
Increase:	001-9950-9000 (Transfer to Capital)	\$10,000.00

Unanimously carried.

ON MOTION by Mayor Lowther, 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 mutual aid to Village of Gowanda for August 2009 disaster:

Increase:	001-0001-4960 (Emergency Disaster Assistance - FEMA)	\$806.00
Increase:	001-3410-4250 (Fire Protection-Gas & Oil)	\$806.00

Unanimously carried.

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

WHEREAS, the tentative *General Fund Budget for the 2010-2011* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *General Fund Budget* for the Village of Williamsville, for the **2010-2011** fiscal year; and

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BE IT FURTHER RESOLVED, that the General Fund tax rate effective June 1, 2010, is as follows:

\$4.0565 per \$1,000 of assessed value at 100% equalization

Unanimously carried.

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

WHEREAS, the tentative *Glen Park Fund Budget for the 2010-2011* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *Glen Park Fund Budget* for the Village of Williamsville, for the *2010-2011* fiscal year.

Unanimously carried.

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

WHEREAS, the tentative *Debt Service Fund Budget for the 2010-2011* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget is hereby adopted as the *Debt Service Fund Budget* for the Village of Williamsville, for the *2010-2011* fiscal year.

Unanimously carried.

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

WHEREAS, the tentative *Water Fund Budget for the 2010-2011* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon,

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *Water Fund Budget* for the Village of Williamsville, for the *2010-2011* fiscal year; and

BE IT FURTHER RESOLVED, that the Village water rates effective June 1, 2010, are as follows:

Inside Village	\$4.87	per \$1,000 gallons
Outside Village	\$7.31	per 1,000 gallons
Minimum Bill	\$19.48	per 0-4,000 gallons
Williamsville Central	\$6.09	per 1,000 gallons

Unanimously carried.

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

WHEREAS, the tentative *Sewer Fund Budget for the 2010-2011* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *Sewer Fund Budget* for the Village of Williamsville, for the *2010-2011* fiscal year; and

BE IT FURTHER RESOLVED, that the *Sewer Rent Rates for the 2010-2011* fiscal year are hereby set as follows:

\$2.74 per 1,000 gallons of water consumed
\$.99 per \$1,000 of assessed value at 100% equalization

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Unanimously carried.

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

RESOLVED, that *Barbara Casilio*, residing at 82 Belmont Street, Williamsville, New York, is hereby appointed to the *Historic Preservation Commission* through the end of the *2009-2010* official Village year.

Unanimously carried.

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

RESOLVED, that Administrator Lynda L. Juul and Deputy Treasurer Judy A. Kindron are hereby authorized to attend the Government Finance Officers Association Spring Seminar in Ellicottville, NY on 5/13/10, at a cost not to exceed \$176.00, to be paid by the Village of Williamsville.

Unanimously carried.

Report – Trustee Kulpa

Trustee Kulpa reported on the following topics: Congratulated the Mayor on her recovery; Beautification Committee's planting of the municipal gardens will take place on 5/22 at Main/Evans Triangle Garden; Wehrle Dr. Project and traffic control.

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

RESOLVED, that *Joan Jennings Scalfani*, residing at 68 Hirschfield Dr., Williamsville, New York, is hereby appointed to the *Meeting House Committee*, until the end of the *2009-2010* official Village year.

Unanimously carried.

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

RESOLVED, that *Paul Steinbruckner*, residing at 86 Milton Street, Williamsville, New York, is hereby appointed to the *Glen Park Joint Board* until *April 30, 2011*, to fulfill the term vacated by Brad Sendlack.

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topics: WNY Railway Historical Society “Caboose Affair” fund-raising event; Arbor Day / Earth Day event held last Saturday; Tree planting 5/8 and need for volunteer workers; S. Long Park improvements; CERT training.

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

RESOLVED, that the Village of Williamsville Board of Trustees, acting as Fire Commissioners for the Village of Williamsville Fire Department, hereby confirms the election of the following Firematic Officers, effective May 1, 2010:

Christopher Petrie	Chief
David A. Kubiak	1 st Assistant Chief
Michael Measer	2 nd Assistant Chief

Unanimously carried.

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Report – Trustee Piazza

Trustee Piazza reported on the following topics: Engineer of Record and status of projects; AUC meeting on 5/4; Household hazardous waste drop-off to be held at ECC North Campus on 5/8, from 9:00am to 2:00pm.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit* to The Williamsville Farmers Market for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for the following two-week periods: May 17 – June 1, 2010; August 23 - September 7, 2010; October 4 – October 18, 2010. Banner to read “*Farmers’ Market at the Williamsville Mill, Every Saturday Morning, Spring thru Fall*”.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit* to the Williamsville Rotary Club for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from June 11 - 25, 2009. Banner to read “*Williamsville Rotary- Annual Strawberry Social, Wed. June 23, 5-8pm, Island Park-To benefit Village Youth Board*”.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit* to Williamsville/Amherst Old Home Days Organization for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two

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week period from July 6 – July 19, 2010. Banner to read “*Williamsville – Amherst Old Home Days, July 13 – July 16, Island Park*”.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor’s Permit* to Williamsville Preservation Foundation for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from July 26 – Aug. 9, 2010. Banner to read “*Taste of Williamsville, August 8th, 11am – 9pm, Island Park*”.

Unanimously carried.

Report – Trustee Kingsley

Trustee Kingsley reported on the following topics: Welcomed the Mayor back; Mill grant received from NYS Office of Parks, Recreation and Historic Preservation, Mill stabilization and development process; Youth & Recreation Committee Youth Street Hockey Tournament to be held on 5/29.

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

RESOLVED, that the Mayor is hereby authorized to enter into a lease agreement with the Village of Williamsville , to lease the Williamsville Water Mill for a Farmers’ Market to be held each Saturday between May 22, 2010 and October 30, 2010.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to leave the regular agenda at 8:10 p.m. to open the Executive Session to discuss a legal matter and a personnel matter.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kulpa, it was moved to close the Executive Session at 9:20 p.m. and return to the regular agenda.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kulpa, it was moved to leave the regular agenda to consider a new resolution.

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to publish notice of a public hearing to be held at 7:35 PM on Monday, May 24, 2010 at Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all those interested in expressing an opinion on the amendment of Chapter 12 (Zoning) of the Village Code, in order to add provisions for Seasonal Outdoor Seating.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kulpa, it was moved to return to the regular agenda.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 9:25 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer