

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, May 10, 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
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 the absence of Mayor Lowther, Trustee Brian J. Kulpa acted as Deputy Mayor.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on April 26, 2010.

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.

The following persons addressed the Board:

Tom Frank, 225 Al Evans St. – Garrison Rd. Cemetery event; History of War of 1812; Ellicott Creek erosion; Park connection; Re-licensing Settlement; IJC; Bi-national Niagara Watershed Tributaries.

Amy Alexander, 287 Mill St. – Asking Dickster's Dogs to be in municipal lot for street hockey tournament on behalf of Youth & Recreation Committee.

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Dan Delano, 136 Park Dr. – Acting chair for Tree Board; Planted 88 trees on 80 streets and 8 parks over the weekend; Thanked Doug Richardson for opening up the Fire Hall, Art Traver from Re-Tree WNY and DPW staff for all of their help in planting the trees.

Drew Hynes, 178 N. Autumn and Huron Hill III, Williamsville South High School Seniors - Gave a presentation on their Blue Bike Project.

Allison G., 192 Richfield Dr. – In favor of the bike project.

Amy Alexander, 287 Mill St. – Contacted students in role of Friends of Williamsville; Believes the bike project is a worthwhile community activity.

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

Motion carried. 3 - 0.

Report – Trustee Kulpa

Trustee Kulpa reported on the following topics: Thanked Trustee Geary and the Tree Board for all work done for tree planting; Fire Dept. installation dinner; Beautification Committee flower planting day is 5/22 at 9am at the Main/Evans Triangle Garden.

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

RESOLVED, that payroll and vouchers in the amount of **\$138,168.15** covering the period from **4/12/10** to **5/5/10** are hereby approved as follows:

Payroll covering: 4/12/10 – 4/26/10: \$32,792.56

Vouchers covering: 4/22/10 – 5/5/10:

General Fund	\$46,670.29
Water Fund	\$45,473.81
Sewer Fund	\$1,394.80
Glen Park Fund	\$98.07

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Trust & Agency Fund	\$11,738.62
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$0.00
	\$105,375.59

GRAND TOTAL: \$138,168.15

Motion carried. 3 - 0.

ON MOTION by Deputy Mayor Kulpa, 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: 001-3410-2060 (Fire Protection-Computer Equip.)	\$500.00
From: 001-3410-4230 (Fire Protection-Explorer Post)	\$500.00
To: 001-3410-4010 (Fire Protection-Office Supplies)	\$75.00
From: 001-3410-4180 (Fire Protection-Radio Repairs)	\$75.00
To: 001-1640-1000 (Central Garage-Personal Services)	\$4739.00
001-1640-1001 (Central Garage-Personal Services/OT)	\$15.00
001-3310-1000 (Traffic Control-Personal Services)	\$424.00
001-7540-1001 (Williamsville Water Mill-Personal Services/OT)	\$90.00
001-8510-1000 (Community Beautification-Personal Services)	\$156.00
From: 001-5110-1000 (Street Maintenance-Personal Services)	\$5334.00
001-7540-1000 (Williamsville Water Mill-Personal Services)	\$90.00
To: 001-1620-4231 (Buildings-Maint./HVAC)	\$739.00
From: 001-1620-4230 (Buildings-Building Maint.)	\$739.00
To: 001-1620-4260 (Buildings-Maint. Supplies)	\$46.00
From: 001-1620-4230 (Buildings-Building Maint.)	\$46.00
To: 001-7550-4530 (Celebrations-Garden Walk)	\$24.00
From: 001-7550-4960 (Celebrations-Committee Appreciation)	\$24.00
To: 001-1620-4231 (Buildings-Maint./HVAC)	\$148.00
From: 001-1620-4230 (Buildings-Bldg. Maint.)	\$148.00

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To:	001-8560-4360 (Shade Trees-Tree Replacement/Reg.)	\$4085.00
From:	001-8560-4340 (Shade Trees-Trees/Removal)	\$4085.00
To:	001-1110-4020 (Village Justices-Postage)	\$63.00
From:	001-1110-4040 (Village Justices-Education Exp./Travel)	\$63.00
To:	001-1640-2000 (Central Garage-Equip.)	\$100.00
	001-1640-4440 (Central Garage-Parts)	\$91.00
	001-1640-4260 (Central Garage-Maint. Supplies)	\$22.00
From:	001-1640-4261 (Central Garage-Maint. Fees)	\$213.00
To:	001-5010-4010 (Street Administration-Office Supplies)	\$34.00
From:	001-5110-4040 (Street Administration-Education Exp.)	\$34.00
To:	001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet)	\$20.00
From:	001-5110-4161-0915 (Street Maint.-Unit 915)	\$20.00
To:	001-5110-2000 (Street Maint.- Equip.)	\$565.00
From:	001-5110-4161-0915 (Street Maint.-Repairs/1991 Elgin Sweeper)	\$565.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$1340.00
From:	001-5110-1000 (Street Administration-Education Exp.)	\$1340.00

Motion carried. 3 - 0.

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

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

To:	006-8310-1000 (Water Transmission-Personal Services)	\$1253.00
From:	006-8340-1001 (Water Transmission-Personal Services/OT)	\$1253.00
To:	006-8340-2010 (Water Transmission-Meters)	\$540.00
From:	006-8340-4163 (Water Transmission-Valves)	\$408.00
	006-8340-4040 (Water Transmission-Educational Exp./Travel)	\$132.00

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 Paul McMenamin shall receive \$241.90 for performing the duties of General Crew Chief from May 17 through May 23, 2010.

Motion carried. 3 - 0.

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

WHEREAS, the Village of Williamsville Youth and Recreation Committee is having its Second Annual Youth Street Hockey Tournament to be held on May 29, 2010, from 9:00 AM to 3:00 PM, at the municipal parking lot behind Village Hall; and

WHEREAS, the Town of Amherst owns and maintains the municipal parking lot behind Village Hall;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville shall indemnify the Town of Amherst and hold it harmless from and against any loss, obligation, claim, liability, damage or other charge arising from or relating to the Youth & Recreation Committee's Annual Youth Street Hockey Tournament, sponsored by the Village of Williamsville on the Town's real property, and the use of its general facilities and equipment; and

BE IT FURTHER RESOLVED, that the Village shall give the Town written notice of any claim or event known to it which does or may give rise to a claim by the Village against the Town based upon this agreement; such notice shall contain the nature and basis of such claim or event(s) and the amounts thereof, to the extent known; and

BE IT FURTHER RESOLVED, that in the event any claim, action, suit or proceeding is made or brought by third parties, with respect to which the Town may be entitled to indemnification hereunder, the Town shall give written notice of such claim, action, suit or proceeding, and all legal pleadings with respect thereto to the Village within such time as may be required by the Village to advise its insurers, if any, in a timely manner of such claim, etc. or as otherwise may be reasonably necessary for the Village to defend such action, claim process or legal pleading; the Village shall have the right to assume the defense of any such claim or action; and

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BE IT FURTHER RESOLVED, that the Village shall render to the Town such assistance as may be reasonably required and cooperate with the Town in good faith to insure the proper and adequate defense of any claim, action, suit or proceeding brought by any third party.

Motion carried. 3 - 0.

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

RESOLVED, that the Town of Amherst Building Department of 5583 Main Street, Williamsville, New York, is hereby appointed as the designated electrical inspector 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; and

BE IT FURTHER RESOLVED, that all inspection fees will be paid directly to the Town of Amherst by the property owner at the rate in effect at the time of the inspection.

Motion carried. 3 - 0.

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 on Monday, May 24, 2010 at 7:40 p.m. at Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing anyone interested in expressing an opinion on a proposed amendment to the Chapter 31-10 (Flood Damage Prevention) of the Village Code to allow for another individual designated by the Village Board of Trustees via resolution to administer and implement this chapter in addition to the Village Building Inspector/Code Enforcement Officer.

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 Jaeckle Fleischmann & Mugel, LLP is hereby authorized to perform Project Management & Legal services in connection with the Comprehensive Revision of Village Zoning Ordinances at a cost not to exceed \$25,000, as per their proposal dated April 22, 2010.

Motion carried. 3 - 0.

Report – Trustee Geary

Trustee Geary reported on the following topics: Tree planting.

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

RESOLVED, that the following Williamsville firefighters are hereby authorized to travel to the Fire Expo 2010 to be held in Harrisburg, PA, from May 20 - May 23, 2010, at a cost not to exceed \$2,688, to be paid by the Village of Williamsville:

Chris Petrie
Rich Maddigan
Tim Petrie
Mike Measer
Jason Caya

Motion carried. 3 - 0.

Report – Trustee Piazza

Trustee Piazza reported on the following topics: Beautification Committee flower planting; Cleanup of Triangle Garden 5/11; AUC meeting last week; Environmental tips.

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

RESOLVED, that CRA Infrastructure & Engineering, Inc. is hereby authorized to provide professional engineering services in connection with the Water System Consolidation Study Project at a cost not to exceed \$28,000, as per their proposal dated May 4, 2010; and

BE IT FURTHER RESOLVED, that should the Village receive the Local Government Efficiency Grant applied for in February 2010, that funding will be used to offset the costs outlined above.

Motion carried. 3 - 0.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Geary, it was moved to leave the regular agenda at 8:28 p.m. to open the Executive Session to discuss a legal matter and a personnel matter.

Motion carried. 3 - 0.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the Executive Session at 9:45 p.m. and return to the regular agenda.

Motion carried. 3 - 0.

ON MOTION by Deputy Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 9:45 p.m.

Motion carried. 3 - 0.

Lynda L. Juul

Administrator/Clerk-Treasurer