

**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, December 13, 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. Geary, Trustee  
Jeffrey L. Kingsley, Trustee  
Brian J. Kulpa, Trustee  
Basil J. Piazza, Trustee

Also present: Charles D. Grieco, Village Attorney  
Lynda L. Juul, Administrator/Clerk-Treasurer  
Judith A. Kindron, Deputy Treasurer  
Kenneth Kostowniak, 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 November 22, 2010.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the public hearing held on November 22, 2010 regarding an Exceptional Development Permit for property at 1519 Wehrle Drive,

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the public hearing held on November 22, 2010 regarding an Exceptional Development Permit for property at 1525 Wehrle Drive.

Unanimously carried.

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**ON MOTION** by Trustee Kulpa, seconded by Trustee Piazza, it was moved to open the tonight's public hearing at 7:37 p.m.

Unanimously carried.

***Public Hearing***

***A public hearing was held to hear all persons interested in commenting on a proposed amendment to Chapter 112-22 of the Village Code (Zoning – Planning/Architectural Review Board) which proposes to modify when items are referred to the Traffic & Safety Committee and the Environmental Advisory Council.***

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

Unanimously carried.

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

Unanimously carried.

The following persons addressed the Board:

- 1) *Amy Alexander, 287 Mill St.* – Thanked Board for support of Youth & Rec Committee; Concerned about graffiti in parks; Suggested Village talk to Amherst Police, hire guards and close parks at dusk; Thanked Trustee Geary for his help; Village dissolution highlighted minimal compensation all receive for their duties; Asked if trustees' duties could be thinned out and responsibilities lessened.
- 2) *Carolyn Schlifke, 192 Evans St.* – Wished Board and Village Clerk's Office a Merry Christmas and a Healthy New Year; Williamsville Business Association's 25<sup>th</sup> anniversary; History of parking enforcement officer



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**Vouchers covering: 11/18//10 – 12/08/10:**

General Fund	\$102,116.71
Water Fund	\$44,442.17
Sewer Fund	\$15,636.88
Glen Park Fund	\$4,437.58
Trust & Agency Fund	\$22,170.78
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$333,827.64
	<u>\$522,631.76</u>

**GRAND TOTAL: \$582,755.07**

Unanimously carried.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the *2010-2011* fiscal year:

To:	001-3410-2050 (Fire Protection-Turnout Gear)	\$647.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief 9)	\$1769.00
	001-3410-4160-3491 (Fire Protection-Truck Exp./Chief Car 9-1)	\$1574.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Chief Car 9-2)	\$289.00
	001-3410-4160-3407 (Fire Protection-Truck Exp./Rescue 7)	\$348.00
	001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4)	\$145.00
	001-3410-4160-3401 (Fire Protection-Truck Exp./Eng. 1)	\$110.00
	001-3410-4160-3402 (Fire Protection-Truck Exp./Eng. 2)	\$110.00
	001-3410-4160-3403 (Fire Protection-Truck Exp./Eng. 3)	\$110.00
	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$110.00
	001-3410-4160-3406 (Fire Protection-Truck Exp./Truck 6)	\$110.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$4675.00
	001-3410-2020 (Fire Protection-Expendable Equip.)	\$647.00
To:	001-1410-4110 (Village Clerk-Service Contracts)	\$139.00
From:	001-1410-4620 (Village Clerk-Lease Copy Machine)	\$139.00
To:	001-3310-4450 (Traffic Control-Misc.)	\$53.00
From:	001-3310-4620 (Traffic Control-Uniform)	\$53.00

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To: 001-7530-2000 (Meeting House-Equip.) \$27.00  
From: 001-7530-4070 (Meeting House-Utilities) \$27.00

To: 001-7530-4450 (Village Meeting House-Misc.) \$22.00  
From: 001-7530-4230 (Village Meeting House-Maint.) \$22.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfers* are hereby made in the *Sewer Fund* for the *2010-2011* fiscal year:

To: 001-8120-4161 (Sanitary Sewers-Repairs/Lines) \$8128.00  
From: 001-1990-4000 (Contingency) \$8128.00

To: 001-8120-1001 (Sanitary Sewers-Personal Services/OT) \$92.00  
From: 001-8120-1000 (Sanitary Sewers-Personal Services) \$92.00

Unanimously carried.

**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 *Glen Park Fund* for the *2010-2011* fiscal year to account for payment from the Town of Amherst Arts Council towards the cost of advertising:

Increase: 009-0009-2770 (Glen Park-Misc.) \$1,000.00  
Increase: 009-71141-4500 (Glen Park-Art Festival) \$1,000.00

Unanimously carried.

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

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the **2010-2011** fiscal year, to account for Old Home Days reimbursement expenses:

Increase:	001-0001-2750 (Old Home Days)	\$141.00
Increase:	001-7550-4410 (Celebrations-Old Home Days)	\$141.00

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 **2010-2011** fiscal year, to account for revenue received from refreshment sales at Meeting House Movie event on 12/5/10:

Increase:	001-0001-2770 (Misc. Revenue)	\$11.00
Increase:	001-7530-4451 (Village Meeting House-Meeting House Events Comm.)	\$11.00

Unanimously carried.

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

**RESOLVED**, that the Village of Williamsville hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Reg. Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (Based on Record of Activities)
Dep. Village Atty/PT	Thomas E. Webb, Jr.	xxxxxx	6	7/5/10 - 7/4/11	N	1.2
Admin./Clerk-Treas.	Lynda L. Juul	xxxxxx	7	11/1/09 - 0/31/11	Y	
Dep. Treas.	Judith A. Kindron	xxxxxx	7	7/5/10 - 7/4/11	Y	
Dep. Clerk	Deborah A. Habes	xxxxxx	7	7/5/10 - 7/4/11	Y	
Sec. to Mayor	Colleen K. Poules	xxxxxx	7	7/5/10 - 7/4/11	Y	

Unanimously carried.

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

**RESOLVED**, that Lynda L. Juul, Administrator, and Judith A. Kindron, Deputy Treasurer, are hereby authorized to travel to the NYS Government Finance Officers' Association Annual Conference to be held in Albany, New York, from April 6, 2011 to April 8, 2011, at a cost not to exceed \$1,150.00.

Unanimously carried.

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

**WHEREAS**, the level of property taxation throughout New York has reached dangerously high levels; and

**WHEREAS**, New York leads the nation in property taxes simply because we lead the nation in imposing inefficient state mandates on our local governments; and

**WHEREAS**, two of the largest components of every municipal budget over which local officials have little control – pension payments and health insurance costs – are increasing at exorbitant rates; and

**WHEREAS**, in the case of pension costs, bills from the State Retirement System will increase by an average of 40% in both 2011 and 2012; and

**WHEREAS**, state laws pertaining to the collective bargaining of contracts between municipalities and employee unions, particularly those pertaining to firefighters and police officers, do not allow local officials to reasonably control the costs such contracts impose on property taxpayers; and

**WHEREAS**, as a solution to New York's property tax crisis, the Governor of New York and the New York State Legislature will, in 2011, consider enactment of legislation imposing a cap on the annual growth in property taxes; and

**WHEREAS**, a property tax cap will only work if it is simultaneously accompanied by a repeal of current state mandates that require local governments to increase spending and property taxes; and

**WHEREAS**, a property tax cap without repeal of costly state mandates will, by definition, lead to drastic cuts in essential local services and dramatic layoffs of municipal employees;

**NOW, THEREFORE, BE IT RESOLVED** by the Village of Williamsville, that the Governor of the State of New York and the members of the New York State Senate and New York State Assembly must reform the cost drivers that lead to high property taxes in New York – including pension benefits, health insurance costs and the collective bargaining process – as the central element of any effort to provide overdue property tax relief to the residents and businesses of New York; and



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**Report – Trustee Kingsley**

*Trustee Kingsley reported on the following topics:* Thanked committee volunteers for their efforts; Williamsville Water Mill re-development.

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

Unanimously carried.

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

**WHEREAS**, The Village of Williamsville Board of Trustees has been working with Preservation Studio LLC and Flynn Battaglia Architects on a proposed re-use plan for the Williamsville Water Mill; and

**WHEREAS**, a Request for Proposals was advertised and two proposals were received in response;

**NOW, THEREFORE BE IT RESOLVED**, that the proposal submitted by Iskalo Development Corporation is of significant interest to the Village of Williamsville Board of Trustees; and

**BE IT FURTHER RESOLVED**, that the Board of Trustees hereby authorizes the Village Attorney and Preservation Studio LLC to begin negotiations with Iskalo Development Corporation on a preferred developer agreement.

Unanimously carried.

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

Unanimously carried.

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**Report – Trustee Kulpa**

*Trustee Kulpa reported on the following topics:* Movie and dinner event at the Meeting House; Will hold 1 – 2 each month throughout the year; Concert this past Sunday featured Nan Hoffman; Thanked Sarah and Frank Mischler for contributing flowers to be raffled; Thanked Sharon and Dick Rich for their involvement in many Village functions; January 22<sup>nd</sup> meeting at Meeting House will be about long-term plans for the building; Zoning Committee meeting at Village Hall on Wednesday, December 15th at 6:00 p.m. with public workshops to follow soon; Wished all a Merry Christmas and a blessed holiday season.

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

**RESOLVED**, that the following persons are hereby appointed to the Special Events Committee until the end of the 2010-2011 official Village year:

1. Dick Rich, 5854 Main St., Williamsville, NY 14221
2. Sharon Rich, 5854 Main St., Williamsville, NY 14221
3. Anthony Vitiello, 25 Robin Hill Dr., Williamsville, New York 14221
4. Barbara Demerest, 48 Dorchester Rd., Amherst, NY 14226
5. Joan Sillman, 234 Monroe Dr., Williamsville, NY 14221
6. Bill Smith, 158 Darwin Dr., Amherst, NY 14226
7. Debbie Steinbruckner, 86 Milton St., Williamsville, NY 14221
8. Bruce Boissonault, 93 Lehn Springs, Williamsville, NY 14221
9. Debbie Doucette, 236 Crestwood Ln., Williamsville, NY 14221

Unanimously carried.

**Report – Trustee Geary**

*Trustee Geary reported on the following topics:* Youth & Rec Tree Lighting event; Thanked Trustee Kingsley for his work on the Mill project; Next Youth and Rec event is WinterFest in February.

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

**RESOLVED**, that *Scott Simmons of 120 Mill St., Williamsville, New York*, is hereby appointed as a member of the Williamsville Fire Department, effective 12/14/2010.

Unanimously carried.

**ON MOTION** by Trustee Kingsley, seconded by Trustee Geary, it was moved to adjourn to Executive Session at 9:05 p.m. to discuss a personnel matter.

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Piazza, it was moved to adjourn the Executive Session and return to the regular meeting at 9:20 p.m.

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 rate of pay for Donna Kaminska, Clerk/Part-Time in the Building Dept., is hereby increased to \$13.87 per hour, effective January 3, 2011.

Unanimously carried.

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

Unanimously carried.

**ON MOTION** by Mayor Lowther, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting at 9:24 p.m.

Unanimously carried.

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Lynda L. Juul

Administrator/Village Clerk-Treasurer