

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 11, 2011 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 March 28, 2011.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to open the first public hearing at 7:38 p.m.

Unanimously carried.

Public Hearing #1

A public hearing was held to hear all persons interested in commenting on the 2011-2012 General Fund/Glen Park Activities Fund/Debt Service Fund Budget.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to close the first public hearing at 7:45 p.m.

Unanimously carried.

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 11, 2011 at 7:30 p.m.

ON MOTION by Mayor Lowther, seconded by Trustee Geary, it was moved to open the second public hearing at 7:45 p.m.

Unanimously carried.

Public Hearing #2

A public hearing was held to hear all persons interested in commenting on the 2011–2012 Water Fund Budget and Water Rates.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the second public hearing at 7:47 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kulpa, it was moved to open the third public hearing at 7:50 p.m.

Unanimously carried.

Public Hearing #3

A public hearing was held to hear all persons interested in commenting on the 2011–2012 Sewer Fund Budget and Sewer Rent Rates.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to close the third public hearing at 8:07 p.m.

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.

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The following members of the audience addressed the Board:

- 1) *Carolyn Schlifke, 192 Evans St.* – Attended movie at Meeting House and thanked organizers for doing a wonderful job; Enjoyed the meal at Milo's; Reported that Evans St. badly needs to be cleaned; Wanted to know if Village is responsible for sweeping it or the County (Ken Kostowniak will check); Crosswalk at Evans and Eagle was never re-stripped on Evans (Ken Kostowniak will request it to be re-stripped when the crosswalk is striped on Garrison Rd.)
- 2) *Paula Hinz, 81 Mill St.* – Asked if the sidewalk/driveway in front of Ed Young's could be striped; Pedestrians tend to think they are safe while on the sidewalk, but it appears as more of a roadway than a sidewalk (Trustee Kulpa will raise this with the Traffic & Safety Committee); Praised the movies at the Meeting House and encouraged people to walk to events in the Village; Believes in savings and urged the Village to look at what they are spending money on.
- 3) *Bob Krieter, 26 Monroe Dr.* – Right-of-way is not private property and should be able to be striped at Ed Young's; At his property he has a raised sidewalk caused by roots of the right-of-way trees.(Ken Kostowniak will look into)
- 4) *Cheryl Cristler, 215 Mill St.* – Believes community events and programs are very important in the Village; Hopes they will continue and more will be added.
- 5) *Doug Richardson, 221 Hirschfield Dr.* – Praised Board for doing a great job; Willing to pay 1% or 2% more in taxes to keep the Village the way it is.

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 topic: Movie and Dinner at the Meeting House.

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 11, 2011 at 7:30 p.m.

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

RESOLVED, that payroll and vouchers in the amount of **\$157,763.49** covering the period from **3/14/11** to **4/6/11** are hereby approved as follows:

Payroll covering: 3/14/11 – 3/27/11:	\$35,630.34
Vouchers covering: 3/24/11 – 4/6/11:	
General Fund	\$58,606.83
Water Fund	\$40,482.82
Sewer Fund	\$1,730.13
Glen Park Fund	\$0.00
Trust & Agency Fund	\$15,713.37
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$5,600.00
	<u>\$122,133.15</u>
GRAND TOTAL:	<u>\$157,763.49</u>

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 **2010-2011** fiscal year:

To:	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief))	\$62.00
	001-3410-4160-3404 (Fire Protection-Truck Exp./Res. 4)	\$15.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$77.00
To:	001-3410-4160-3404 (Fire Protection-Truck Exp./Res. 4))	\$125.00
	001-3410-4160-3407 (Fire Protection-Truck Exp./Res. 7)	\$54.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief 9))	\$1.00
	001-3410-4160-3491 (Fire Protection-Truck Exp./Chief 91)	\$1.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Chief 92))	\$1.00
	001-3410-4471 (Fire Protection-Building Repairs)	\$58.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$182.00
	001-3410-4470 (Fire Protection-Building Maint.)	\$58.00

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees
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To:	001-5110-4161-0902 (Street Maint.-Repairs/2001 Dump Int'l)	\$1930.00
	001-5110-4161-0904 (Street Maint.-Repairs/1990 Int'l Dump)	\$345.00
	001-5110-4161-0908 (Street Maint.-Repairs/1998 Ford F150 PU)	\$130.00
	001-5110-4161-0912 (Street Maint.-Repairs/1994 John Deere Hi-lift)	\$11.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Trackless Sidewalk Plow)	\$2.00
	001-5110-4161-0916 (Street Maint.-Repairs/2007 Chevy 4x4 PU)	\$378.00
	001-5110-4161-0919 (Street Maint.-Repairs/2001 Int'l Dump)	\$3.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$2799.00

To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$2757.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$2757.00

To:	001-1640-1000 (Central Garage-Personal Services)	\$5110.00
	001-3310-1000 (Traffic Safety-Personal Services)	\$2904.00
	001-5142-1000 (Snow Removal-Personal Services)	\$2082.00
	001-7530-1000 (Village Meeting House-Personal Services)	\$40.00
	001-8140-1000 (Storm Sewers-Personal Services)	\$1973.00
	001-7110-1001 (Parks-Personal Services/OT)	\$82.00
	001-7530-1001 (Village Meeting House-Personal Services/OT)	\$90.00
	001-8140-1001 (Storm Sewers-Personal Services/OT)	\$401.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$12,109.00
	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$573.00

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 *2010-2011* fiscal year:

To:	006-8310-1001 (Water Administration-Personal Services/OT)	\$125.00
From:	006-8340-1001 (Water Transmission-Personal Services)	\$125.00

Unanimously carried.

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 11, 2011 at 7:30 p.m.

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 *2010-2011* fiscal year:

To: 007-8120-1001 (Sanitary Sewers-Personal Services/OT)	\$82.00
From: 007-8120-1000 (Sanitary Sewers-Personal Services)	\$82.00

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 refund from E.J. Prescott standing credit:

Increase: 001-0001-2701 (Revenue-Prior Years Appropriation)	\$1657.00
Increase: 001-1640-4161 (Central Garage-Small Equip. Repairs)	\$657.00
001-1640-4440 (Central Garage-Parts)	\$1000.00

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic: Earth / Arbor Day is April 30th at the Mill.

Trustee Piazza had no resolutions.

Report – Trustee Kingsley

Trustee Kingsley reported on the following topics: Budget discussions; End of his tenure; Mill development.

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

Unanimously carried.

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 11, 2011 at 7:30 p.m.

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

RESOLVED, that the Mayor is hereby authorized to execute the letter of intent agreement, dated April 11, 2011, between the Village of Williamsville and Iskalo Development Corp. ("Iskalo"), designating Iskalo as the Designated Developer for the Historic Village of Williamsville Water Mill, subject to all of the terms and conditions set forth in said letter agreement.

Unanimously carried.

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

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topics: Thanked Trustee Kingsley for his work on the Mill; Egg Hunt is Sunday, April 17th at 11am; Youth & Rec Committee is looking for volunteers; Citizen's Police Academy; Urged all motorists to obey the law and pull over for emergency vehicles.

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

WHEREAS, the Village of Williamsville Youth and Recreation Committee is having its Third Annual Youth Street Hockey Tournament to be held on June 4, 2011, 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,

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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

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.

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to advertise for sealed bids for the following Fire Department equipment, which was declared surplus on August 23, 2010:

- One (1) 1988 American LaFrance 1500 GPM Pumper (Engine 3)
- One (1) 1990 Simon LTI 100-Foot Aerial Tower (Truck 6)

BE IT FURTHER RESOLVED, that bids will be opened in the Village Administrator's Office at 11:00 a.m. on Wednesday, May 4, 2011. The Village reserves the right to reject any and all bids.

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 11, 2011 at 7:30 p.m.

Unanimously carried.

Report – Trustee Kulpa

*Trustee Kulpa reported on the following topics: Beautification Committee meeting is April 12th; Glen Park Art Festival meeting is April 13th at 7:30pm; Traffic & Safety Committee meeting will be April 14th at 7:30pm; Meeting House Committee will meet on April 19th at 6:30pm at the Meeting House; Thanked Sharon and Dick Rich for their work on the *Sundays at the Meeting House*.*

Trustee Kulpa had no resolutions.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting at 9:05 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Village Clerk-Treasurer