

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 25, 2011 at 7:30 p.m.

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

A moment of silence was held in memoriam of William Wutz, former Village Trustee and a Village volunteer.

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 Kulpa, it was moved to approve the minutes of the regular meeting held on April 11, 2011.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the public hearing regarding the proposed 2011-2012 General Fund/Glen Park Activities Fund/Debt Service Fund Budget which was held on April 11, 2011.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to approve the minutes of the public hearing regarding the proposed 2011-2012 Water Fund Budget and Water Rates which was held on April 11, 2011.

Unanimously carried.

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ON MOTION by Mayor Lowther, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing regarding the 2011–2012 Sewer Fund Budget and Sewer Rent Rates which was held on April 11, 2011.

Unanimously carried.

ON MOTION by Trustee Kingsley, seconded by Trustee Kulpa, it was moved to open the public hearing at 7:35 p.m.

Unanimously carried.

Public Hearing

A public hearing was held to hear all persons interested in commenting on the proposed turnover of the Village of Williamsville Water System to ECWA. A presentation of the results of Consolidation Study done by CRA Engineering & Infrastructure was given by Mark DiPasquale and Steven Waldvogel.

ON MOTION by Trustee Kingsley, seconded by Trustee Piazza, it was moved to hold this public hearing open until the May 23, 2011 Village Board meeting date. This portion of the public hearing ended at 9:02 p.m.

Unanimously carried.

ON MOTION by Mayor Lowther, seconded by Trustee Piazza, 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) *Elaine Grzankowski* – Is an artist who is not a Village resident; Suggested the Williamsville Cemetery install solar lights or Christmas lights on the fence to deter deer from jumping over it; Does not want to see fence removed. Trustee Kingsley suggested she share her proposal with Forest Lawn Cemetery, owner of the Williamsville Cemetery property. He informed her that the Village Board has no role in any modification of the fence, but rather any proposal must originate from the property owner and subsequently be reviewed and approved by the Historic Preservation Commission.
- 2) *Thomas Frank, 225 Evans St.* – Village of Williamsville is in the Erie Canal National Heritage Corridor; War of 1812 Bicentennial Commemoration Committee; Niagara Riverkeepers; Army Corps of Engineers; Invasion of Canada; National Trust for Historic Preservation; Removal of Thruway toll barrier.
- 3) *Dan Delano, 136 Park Dr.* – Tree planting is 5/7 at 9:00am - meeting at Village Hall – volunteers are needed; Main Street design standards – fences behind commercial properties should be mandatory (Trustee Kulpa commented that there is a buffer requirement included, but not necessarily a fence); Urged drivers to be more considerate when stopping for stop signs – seems to be a growing issue.

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

Unanimously carried.

Report – Mayor Lowther

Mayor Lowther reported on the following topic: Historic Preservation Commission will be meeting on 5/4 at 7:00pm.

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

RESOLVED, that payroll and vouchers in the amount of **\$124,816.82** covering the period from **3/28/11** to **4/20/11** are hereby approved as follows:

Payroll covering: 3/28/11 – 4/10/11:	\$31,512.24
Vouchers covering: 4/7/11 – 4/20/11:	
General Fund	\$55,213.15
Water Fund	\$318.92
Sewer Fund	\$730.47
Glen Park Fund	\$352.27
Trust & Agency Fund	\$9,195.40
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$27,494.37
	<u>\$93,304.58</u>
GRAND TOTAL:	<u>\$124,816.82</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: 001-5110-4605 (Street Maint.-Safety Clothing/Accessories)	\$15.00
From: 001-5110-4610 (Street Maint.-Physicals/Eye Ex./Safety Equip.)	\$15.00
To: 001-5110-4250 (Street Maint.-Gas & Oil)	\$804.00
From: 001-5110-4600 (Street Maint.-Clothing Allowance)	\$350.00
001-5110-4273 (Street Maint.-Sidewalks)	\$454.00
To: 001-5110-4161-905 (Street Maint.-Repairs/2007 Int'l Dump)	\$41.00
001-5110-4161-916 (Street Maint.-Repairs/2007 Chevy 4x4)	\$14.00
From: 001-5110-4161 (Street Maint.-Repairs/Equip.)	\$55.00
To: 001-8010-4030 (Zoning-Printing/Advertising)	\$85.00
From: 001-8010-4040 (Zoning/Education/Travel)	\$85.00

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To:	001-3310-4620 (Traffic Control-Uniform)	\$1.00
	001-3310-4231 (Traffic Control-Sign Maint.)	\$5.00
From:	001-3310-4240 (Traffic Control-Street Painting-Crosswalks)	\$6.00
To:	001-3310-4231 (Traffic Control-Sign Maint.)	\$17.00
From:	001-3310-4240 (Traffic Control-Street Painting-Crosswalks)	\$17.00
To:	001-7530-4990 (Village Meeting House-Repairs)	\$955.00
From:	001-7530-4980 (Village Meeting House-Building Preservation)	\$955.00
To:	001-7530-4230 (Village Meeting House-Maint.)	\$228.00
From:	001-7530-4980 (Village Meeting House-Building Preservation)	\$228.00
To:	001-5142-4290 (Snow Removal-Salt)	\$7615.00
From:	001-5110-4273 (Street Maint.-Sidewalks)	\$7615.00
To:	001-7530-4230 (Village Meeting House-Maint.)	\$228.00
From:	001-7530-4980 (Village Meeting House-Building Preservation)	\$228.00
To:	001-5010-4061 (Street Administration-Cellular Phone)	\$214.00
From:	001-5010-4040 (Street Administration-Educational Exp./Travel)	\$214.00
To:	001-1210-4040 (Mayor-Educational Exp/Travel)	\$459.00
From:	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$459.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$141.00
	001-8140-1001 (Storm Sewers-Personal Services/OT)	\$65.00
From:	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$206.00
To:	001-1640-1000 (Central Garage-Personal Services)	\$4070.00
	001-3310-1000 (Traffic Control-Personal Services)	\$596.00
	001-5142-1000 (Snow Removal-Personal Services)	\$639.00
	001-7530-1000 (Village Meeting House-Personal Services/OT)	\$151.00
	001-8140-1000 (Storm Sewers-Personal Services)	\$4250.00
	001-8510-1000 (Community Beautification/Personal Services)	\$396.00
From:	001-8560-1000 (Shade Trees-Personal Services)	\$3102.00
	001-8163-1000 (Trash Pickup-Personal Services)	\$6000.00
	001-7110-1000 (Parks-Personal Services)	\$1000.00

Unanimously carried.

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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: 007-8120-4161 (Sanitary Sewers-Repairs/Lines)	\$386.00
From: 007-8120-4260 (Sanitary Sewers-Maint. Supplies)	\$386.00

Unanimously carried.

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

RESOLVED, that the following changes are hereby made to the Tentative Budget for the General Fund for the 2011-2012 fiscal year, bringing the tax rate to \$4.1173 per \$1,000 of AV at 100% Equalization:

Increase 001-0001-0599 (Appropriated Surplus) by \$9,800 to \$259,800

Decrease 001-1410-4630 (Village Clerk – Grant Writer) by \$3,500 to \$2,500

Decrease 001-3410-2040 (Fire Protection – Capital Rsv. – Trucks) by \$2,500 to \$42,500

Decrease 001-5010-2040 (Street Admin. – Capital Rsv. – Equip.) by \$4,500 to \$40,500

Increase 001-1411-2040 (Records Management – Capital Rsv.) by \$2,000 to \$2,000

Decrease 001-1411-1000 (Records Management – Personal Services) by \$1,536 to \$0

Decrease 001-9030-8000 (Employee Benefits – Social Security) by \$117 to \$57,971

Decrease 001-1411-4800 (Records Management – Microfilming) by \$1,500 to \$0

Decrease 001-1411-2000 (Records Management – Equipment) by \$200 to \$0

Decrease 001-1411-4010 (Records Management – Office Supplies) by \$147 to \$103

Decrease 001-3620-4800 (Safety Inspection – Microfilming) by \$500 to \$0

Roll Call:	Trustee Geary	Yes
	Trustee Kingsley	No
	Trustee Kulpa	Yes
	Trustee Piazza	Yes
	Mayor Lowther	Yes

Motion carried. 4 – 1.

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

WHEREAS, the tentative *General Fund Budget for the 2011-2012* 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 *2011-2012* fiscal year; and

BE IT FURTHER RESOLVED, that the General Fund tax rate effective June 1, 2011, is as follows:

\$4.1173 per \$1,000 of assessed value at 100% equalization

Roll Call:	Trustee Geary	Yes
	Trustee Kingsley	No
	Trustee Kulpa	Yes
	Trustee Piazza	Yes
	Mayor Lowther	Yes

Motion carried. 4 – 1.

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

WHEREAS, the tentative *Glen Park Fund Budget for the 2011-2012* 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 *2011-2012* 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 *Debt Service Fund Budget for the 2011-2012* 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 *2011-2012* fiscal year.

Unanimously carried.

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

WHEREAS, the tentative *Water Fund Budget for the 2011-2012* 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 *2011-2012* fiscal year; and

BE IT FURTHER RESOLVED, that the Village water rates effective June 1, 2011, are as follows:

Inside Village	\$4.87	per \$1,000 gallons
Outside Village	\$7.31	per 1,000 gallons
Minimum Bill	\$9.48	per 0-4,000 gallons
Williamsville Central	\$6.09	per 1,000 gallons

Unanimously carried.

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

WHEREAS, the tentative *Sewer Fund Budget for the 2011-2012* 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 *2011-2012* fiscal year; and

BE IT FURTHER RESOLVED, that the *Sewer Rent Rates for the 2011-2012* fiscal year are hereby set as follows:

\$3.99	per 1,000 gallons of water consumed
\$1.00	per \$1,000 of assessed value at 100% equalization

Unanimously carried.

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

RESOLVED, that *Penny Armitage of 253 Hirschfield Drive, Williamsville, New York*, is hereby appointed to the *Historic Preservation Commission* to fill the unexpired term of Kathleen Delaney, until the end of the *2013-2014* official Village year.

Unanimously carried.

Report – Trustee Kulpa

Trustee Kulpa reported on the following topics: Zoning Committee has finalized their review of the Design Standards for Main Street; The revised version will be distributed this week; Process of integration issues will be addressed next; Annual Big Dig planting event will be held on 5/21 with volunteers reporting to the Triangle Garden at Main /Evans at 9:00am.

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

RESOLVED, that *Paula Hinz of 81 Mill St., Williamsville, New York*, is hereby appointed to the *Beautification Committee* until the end of the *2010-2011* official Village year.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topics: Earth / Arbor Day will be celebrated 4/30 at the Mill, 10am – 2pm; AUC meets next week for gas & electricity bids.

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 periods: May 16 – May 31, 2011; August 24 - September 7, 2011; October 14 – October 31, 2011. 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 from June 8 - 23, 2011. Banner to read "*Williamsville Rotary- Annual Strawberry Social, Wed. June 22, 5-8pm, Island Park- To benefit Village Youth Board*".

Unanimously carried.

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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 week period from July 1 – July 18, 2011. Banner to read “*Williamsville – Amherst Old Home Days, July 12 – July 15, 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 from July 25 – Aug. 8, 2011. Banner to read “*Taste of Williamsville, August 7th, 12pm – 9pm, 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 Paint the Village Pink (Buffalo MRI) for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge from Sept. 30 – Oct. 14, 2011. Banner to read “*Paint the Village Pink – Breast Cancer Awareness, October 1 - 31*”.

Unanimously carried.

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

WHEREAS, the Village of Williamsville and the Town of Amherst currently participate in a cooperative agreement for the collection and disposal of garbage and recyclable materials; and

WHEREAS, the Town of Amherst is currently working on a Request for Proposals (RFP) for a new contract for the collection and disposal of garbage and recyclable materials for the period of January 2012 through December 2016; and

WHEREAS, the Village of Williamsville wishes to continue in the cooperative spirit of sharing services for the benefit of our residents;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville hereby respectfully requests that the Town of Amherst include the Village of Williamsville in its current RFP for the collection and disposal of garbage and recyclables.

Unanimously carried.

Report – Trustee Kingsley

Trustee Kingsley reported on the following topic: Iskalo has executed letter of agreement with respect to the Mill.

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

RESOLVED, that the following persons are hereby appointed *Election Inspectors* for the regular Election of the Village of Williamsville to be held on June 21, 2011 at a rate of \$75.00 each for the day to be paid by the Village of Williamsville:

District #1: Village Hall – Auditorium
5565 Main Street
Williamsville, New York 14221

Inspectors:

1. Eileen Wall, 27 Howard Ave. (Dist. #1 Chair)
2. Al Reinhardt, 157 Columbia Dr.
3. Nancy Vanderlinde, 374 Cadman Dr.
4. Joan Jennings Scalfani, 262 Hirschfield Dr.

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District #2: Village Hall - Auditorium

5565 Main Street
Williamsville, New York 14221

- Inspectors:**
1. Alice McDonald, 37 Pasadena Place (District #2 Chair)
 2. Jane Pangallo, 135 Los Robles
 3. June Cucinotta, 146 California Drive
 4. Sue Buyer, 75 Garrison Rd.

LET IT BE FURTHER RESOLVED, that the following persons are hereby appointed as *Alternate Election Inspectors* for the Village Election to be held on June 21, 2011:

- Alternates:**
1. Laura Beckinghausen, 74 Lafayette Blvd.
 2. Carol Mayo, 106 Churchcroft Lane

BE IT FURTHER RESOLVED, that *Alice McDonald, 37 Pasadena Pl.*, is also appointed *Chairperson of the Election Inspectors*.

Unanimously carried.

ON MOTION by Trustee Kingsley, seconded by Trustee Piazza, 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 21, 2011 and October 29, 2011.

Unanimously carried.

- *Trustee Kingsley withdrew his resolution which proposed to modify the 2011-2012 General Fund budget.*

Report – Trustee Geary

Trustee Geary reported on the following topics: Tree planting will take place on 5/7 at 9:00am - volunteers are needed; Parks Day will be held on 5/14, from 9:00am – Noon.

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

RESOLVED, that the Mayor's Permit fee for Outdoor Seating is hereby increased to \$200.00.

Unanimously carried.

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

RESOLVED, that *Jeffrey Donnelly of 139 Indian Trail Rd., Williamsville, New York*, and *James Christopher of 154 The Paddock, Williamsville, New York*, are hereby appointed as members of the Williamsville Fire Department, effective May 1, 2011.

Unanimously carried.

Report – DPW Crew Chief

Ken Kostowniak reported on the following topic: The DPW Street Sweeper has been out cleaning up the Village streets.

ON MOTION by Mayor Lowther, seconded by Trustee Kingsley, it was moved to adjourn the regular meeting at 10:00 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Village Clerk-Treasurer