

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, January 9, 2017 at 7:30 p.m.

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

Present: Brian J. Kulpa, Mayor
Daniel O. DeLano, Deputy Mayor
Basil J. Piazza, Trustee
John "Al" Yates, Jr., Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Maggie Hamilton, Director of Community Development

Excused: Christopher J. Duquin, Trustee
Ben Vilonen, DPW Crew Chief

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on December 12, 2016 as submitted.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 70-16 (Parks and Public Areas, Hours of Public Use) of the Village Code, which would change the closing time of all parks, except Glen Park, from 10:00 p.m. to dark.

**This public hearing was previously held on October 24, 2016, November 28, 2016 and December 12, 2016 and left open.*

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to continue this public hearing at 7:33 p.m.

Motion carried. 4 – 0.

Mayor Kulpa stated the Board is leaning toward leaving the closing time in the parks at 10:00 p.m. and adding something that does not allow minors to loiter after dark.

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Member(s) of the audience who spoke and the topics of their comment(s) [*The Village Board's comments are in italics*]:

Thomas Frank, 5403 Main St. – Erie County Ranger Program.

Deputy Mayor DeLano stated that Glen Park Joint Board wants to be included in this local law.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved at 7:37 p.m. to continue this public hearing at the January 23, 2017 Village Board meeting.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 103 (Vehicles and Traffic) of the Village Code, which would prohibit left-hand turns from California Drive onto Main Street.

**This public hearing was previously held on November 28, 2016 and December 12, 2016 and left open.*

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to continue this public hearing at 7:38 p.m.

Motion carried. 4 - 0.

Mayor Kulpa stated we are waiting for input from the Traffic and Safety Committee.

Deputy Mayor DeLano stated the debate is whether to make this all the time or only during peak hours.

Member(s) of the audience who spoke and the topics of their comment(s) [*The Village Board's comments are in italics*]:

Sharon Daniels, 172 Arend Ave. – It is really impossible to turn left onto Main at this intersection.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:42 p.m. to hold this public hearing open until the next Village Board meeting on January 23, 2017.

Motion carried. 4 – 0.

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PUBLIC HEARING

Proposed modification to Chapter 21 (Engineering Cost Recovery) of the Village Code, which would require the reimbursement of expert fees related to the review of development plans.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open this public hearing at 7:45 p.m.

Motion carried. 4 - 0.

The Administrator read aloud the legal notice as it appeared in the December 21, 2016 Amherst Bee.

There were no comments from the audience.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:44 p.m. to close this public hearing.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 89 (Streets and Sidewalks) of the Village Code, regarding adjoining landowner responsibility for public sidewalks.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open this public hearing at 7:45 p.m.

Motion carried. 4 - 0.

The Administrator read aloud the legal notice as it appeared in the December 21, 2016 Amherst Bee.

Member(s) of the audience who spoke and the topics of their comment(s) [*The Village Board's comments are in italics*]:

Doug Richardson, 221 Hirschfield Dr. – Stated he walks the Village all the time. Only half of the sidewalks are taken care of. Need to do more with enforcement. [*Mayor Kulpa – Village assists with a sidewalk plow, but property owners are responsible for their sidewalks.*]

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Village Attorney Grieco clarified that this code modification clarifies that property owners are legally responsible for their sidewalks.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:53 p.m. to close this public hearing.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 103 (Vehicles and Traffic) of the Village Code, which would reduce the speed limit on Glen Avenue between Mill Street and N. Cayuga Road from 30 mph to 25 mph.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open this public hearing at 7:53 p.m.

Motion carried. 4 - 0.

The Administrator read aloud the legal notice as it appeared in the December 21, 2016 Amherst Bee.

Deputy Mayor DeLano stated the proposed reduction in the speed limit on this portion of Glen Avenue is a result of a recommendation from the Glen Park Joint Board.

There were no comments from the audience.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:59 p.m. to hold this public hearing open until the next Village Board meeting on January 23, 2017.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

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Mayor Kulpa commented on the Natale project on California Drive and walk on January 28th, Music on Main, and the Farmers Market.

Members of the audience who spoke and the topics of their comment(s) *[The Village Board's comments are in italics]*:

1. Nick Roth, 135 Oakgrove Dr. – Status of the HAWK signal? *[Mayor Kulpa – Hoping mid-summer of 2017.]* Are funds available this year to complete the sidewalks? *[Mayor Kulpa – Hoping for Transportation Enhancement Grant.]* The fire whistle is antiquated, redundant and annoying, and recently it got stuck. Isn't it time to unplug it? *[Unplugged now.]* Who is responsible for picking up discarded Christmas trees? *[The Village is picking them up.]*
2. Cheryl Meyer, 90 Willowbrook Dr. – People read the minutes and are concerned about noise. Has gotten 40 phone calls about noise. Too much noise. People are saying they don't want to be here in the summer. *[Mayor Kulpa – Village Board is seriously trying to curb noise issues. We don't want to be a beer tent community.]*
3. Sharon Daniels, 172 Arend Ave. – Sidewalk issue – Arend and Stanton (new sidewalks). Where is that going? West or east side? *[Mayor Kulpa – on Stanton, sidewalks impeded on properties – may need to move to south side on Stanton. Not sure on Arend. Will talk to residents if and when we get the grant. Trustee DeLano – Idea is to finish the grid. Lots of families and middle school kids. Bad place for sidewalk grid to be incomplete. State did the engineering. Village can force property owners to put sidewalks in. As sidewalks went in people were raving about them.]*
4. Dawn Jones, 82 Milton St. – Will Natale be walking the area on January 28th? *[Most likely.]* Her house turned 100 years old this year. Can she get a (Century) sign? *[Those signs are purchased through the Williamsville Historical Society.]*
5. Carolyn Schlifke, 192 Evans St. – Modern Disposal mailing and new yard waste regulations; She does not fill her tote as it is. Now, she will have to keep her yard waste in a separate container.
6. Thomas Frank, 5403 Main St. – Imagine Amherst meeting on Wednesday; Town of Amherst Economic Study; Williamsville Toll Barrier.
7. Larry Zasowski, 70 Los Robles – How will information for the walk of the California Drive/S. Long area on January 28th be communicated to the public? *[Village's Facebook page will be primary means; also Next Door.]*

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

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Motion carried. 4 – 0.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): No report.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that payroll and vouchers in the amount of **\$550,285.61** covering the period from 12/07/16 to 01/03/17, are hereby approved as follows:

Payroll covering 11/28/16 – 12/11/16: \$34,211.00

Payroll covering 12/12/16 – 12/25/16: \$38,564.81

Vouchers covering 12/07/16 – 12/20/16:

General Fund	\$78,180.13
Water Fund	\$157.50
Sewer Fund	\$1,001.80
Glen Park Fund	\$1,762.51
Trust & Agency Fund	\$11,993.94
Debt Service	\$15,965.63
Community Development	\$0.00
Capital Fund	<u>\$251,400.61</u>
	\$360,462.12

Vouchers covering 12/21/16 – 01/03/17:

General Fund	\$49,329.37
Water Fund	\$0.00
Sewer Fund	\$1,494.25
Glen Park Fund	\$340.16
Trust & Agency Fund	\$18,323.93
Debt Service	\$45,962.50
Community Development	\$0.00
Capital Fund	<u>\$1,597.47</u>
	\$117,047.68

GRAND TOTAL: **\$550,285.61**

Motion carried. 4 – 0.

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ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2016-2017* fiscal year:

To:	001-3410-4160-3404 (Fire Protection-Rescue 4 Expense)	\$50.00
	001-3410-4160-3407 (Fire Protection-Rescue 7 Expense)	\$104.00
	001-3410-4160-3451 (Fire Protection-Utility 5-1 Expense)	\$59.00
	001-3410-4160-3409 (Fire Protection-Car 9 Expense)	\$880.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$1093.00
To:	001-3410-4160-3491 (Fire Protection-Car 9-1 Expense)	\$909.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$909.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump)	\$552.00
	001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner)	\$450.00
	001-5110-4161-0905 (Street Maint.-Repairs/2007 Int'l Dump)	\$166.00
	001-5110-4161-0908 (Street Maint.-Repairs/2011 Silverado)	\$26.00
	001-5110-4161-0909 (Street Maint.-Repairs/2013 Ford F150)	\$21.00
	001-5110-4161-0910 (Street Maint.-Repairs/Ford F350)	\$26.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Trackless Sidewalk Plow)	\$100.00
	001-5110-4161-0919 (Street Maint.-Repairs/2007 Chevy 4x4)	\$2001.00
	001-5110-4161-0921 (Street Maint.-Repairs/2008 Ford F250)	\$21.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$3363.00
To:	001-7310-1000 (Youth Programs-Personal Services)	\$659.00
From:	001-1640-1000 (Central Garage-Personal Services)	\$659.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for the donation from the Lancaster Players from the production of “The Dining Room,” to be applied to Meeting House improvements:

Increase:	001-0001-2705 (Gifts and Donations)	\$300.00
Increase:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$300.00

Motion carried. 4 – 0.

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ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for payment from Amherst IDA as reimbursement of ½ the cost of November 2016 charge from Momentum Public Affairs LLC for public relations and public affairs consulting services:

Increase:	001-0001-2770 (Misc. Revenue)	\$1,000.00
Increase:	001-6410-4925 (Publicity-Marketing)	\$1,000.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for credit given from Dival Safety Equipment for use of Williamsville Fire Dept. facility:

Increase:	001-0001-2770 (Miscellaneous Revenue)	\$400.00
Increase:	001-3410-4460 (Fire Protection-Fire Prevention Expense)	\$400.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for payment from Amherst IDA as reimbursement of ½ the cost of May 2016, June 2016, July 2016, August 2016, September 2016 and October 2016 charge from Momentum Public Affairs LLC for public relations and public affairs consulting services (reimbursement received 11/23/16):

Increase:	001-0001-2770 (Miscellaneous Revenue)	\$5500.00
Increase:	001-6410-4925 (Publicity-Marketing)	\$5500.00

Motion carried. 4 – 0.

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ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adopt the following resolution:

RESOLVED, that *Amy Anderson*, residing at *1690 Dodge Rd., E. Amherst, NY*, is hereby appointed as *Clerk, Part-Time in the Court*, effective 1/10/17, at a rate of \$12.42 per hour.

Motion carried. 4 – 0.

Report – Deputy Mayor DeLano

Deputy Mayor DeLano reported on the following topic(s): Main Street Tree Grant is complete; Looking to possibly plant trees on Union; Emerald Ash Borer tax credit; Traffic & Safety meeting in January.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, February 27, 2017 at 7:30 p.m. in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, for the purposes of hearing all persons interested in commenting on a proposal to modify Chapter 103 (Vehicles and Traffic) of the Village Code which would clarify the areas where parking is prohibited in the right-of-way.

Motion carried. 4 – 0.

ON MOTION by Deputy Mayor DeLano, seconded by Trustee Piazza, it was moved to adopt the following resolution:

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, February 27, 2017 at 7:30 p.m. in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, for the purposes of hearing all persons interested in commenting on a proposal to modify Chapter 103 (Vehicles and Traffic) of the Village Code which would modify the intersection of Connecting street (between Evans and Main) and Main St. from a yield intersection to a stop intersection.

Motion carried. 4 – 0.

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Report – Trustee Yates

Trustee Yates reported on the following topic(s): Holiday events in the Village; Arts & Culture Committee events; Stained glass windows at the Meeting House; Website update.

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

RESOLVED, that the Mayor is hereby authorized to execute, on behalf of the Village of Williamsville, contracts with the Town of Amherst and Williamsville Fire Department/Hutchinson Hose Company, for fire protection for the year 2017 in the following districts:

Autumn Harvest District #1
Lamm Post District #2
Lehn Springs District #3
Mill Street District #4
Park Club Lane District #15
Williamsville - Sheridan District #16

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

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

RESOLVED, that the Mayor is hereby authorized to enter into a contract with Joy Kuebler Landscape Architect to proceed with drawings related to an update to the Village's Community Plan, in an amount not to exceed \$2,500.00

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Wished all a Happy New Year; Jazz concerts at the Meeting House; Increased cost of natural gas.

Trustee Piazza had no resolutions on the agenda.

Staff Report(s) – None.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 9:01 p.m. to discuss a personnel issue related to a specific individual.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to close the Executive Session at 9:43 p.m.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adjourn the regular meeting at 9:43 p.m.

Motion carried. 4 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer