

**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 23, 2017 at 7:30 p.m.**

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

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  
Riane Lafferty, Acting Village Attorney  
Maggie Hamilton, Director of Community Development  
Ben Vilonen, DPW Crew Chief

Excused: Christopher J. Duquin, Trustee  
Charles Grieco, Village Attorney

**ON MOTION** by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on January 9, 2017 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, December 12, 2016, January 9, 2017 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 this public hearing has been open for some time. Closing time of 10:00 p.m. is after dark during some times of the year. Considering only dawn to dusk for unaccompanied minors.

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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*]:

Peter Warn, 204 Columbia Dr. – How will dusk be determined? Will police patrol?

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved at 7:46 p.m. to continue this public hearing at the February 27, 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, December 12, 2016, January 9, 2017 and left open.*

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to continue this public hearing at 7:46 p.m.

Motion carried. 4 - 0.

Discussion whether no left turn should be all the time, or only during certain times.

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

1. Joe Spino, 42 California Dr. – Full-time restrictions not necessary. F rating of intersection is only during peak travel times. Can make a left at certain times of the day. Parking on Main Street is the bigger issue. Need to increase area with parking restriction on west side of California near Main St. Same issue on every street that connects to Main Street. Should not make decisions based on a single business.

Trustee Piazza – Would he advocate for no left from 7am to 7pm during the week?  
Mr. Spina – Yes.

Trustee Piazza - Traffic & Safety Committee is advocating for no left turn at all times.

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**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved at 7:58 p.m. to hold this public hearing open until the next Village Board meeting on February 27, 2017.

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 Yates, it was moved to open this public hearing at 7:59 p.m.

Motion carried. 4 - 0.

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

John Benz, 34 Howard Ave. – Nobody pays attention to the speed limit. What's the problem with 30 mph? [*Many pedestrians and 2 crossings.*] Doesn't like the idea of speed tables. Restriction on California Dr. is a good idea. Does not mind 25 mph.

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

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

1. Thomas Frank, 5403 Main St. – Village's participation in Imagine Amherst project; Williamsville Toll Barrier; WNY Tourism Visitor Information Center; One Region Forward; NFTA Park & Ride; Ellicott Creek Watershed.
2. Rich Cucinotta, 146 California Dr. – Walk through of S. Long St./California Dr. areas on 1/28 –What will be discussed? [*Mayor Kulpa – When property sold, we were reactive instead of proactive. Project is not liked. Are going to walk the park areas and Darling area and have a conversation about what we want.*]
3. Joe Spino, 42 California Dr. – Sidewalk plowing – never happened after the last large snowfall. [*Mayor Kulpa – it was a late morning snowfall that took most of the day to clear. First we clear streets, then Main Street sidewalks, then residential sidewalks. Had a thaw the next day that affected. We do plow sidewalks, but it is the property owner's responsibility.*]

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

Motion carried. 4 – 0.

**Report – Mayor Kulpa**

*Mayor Kulpa reported on the following topic(s):* Moonlight Run has approached the Village to take over this run – have used proceeds to benefit the Williamsville Branch Library; Walk-through of California Dr./S. Long St. area starts at 10:00am on 1/28/17 at the Department of Public Works garage on S. Long St.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt Mayor Kulpa's resolutions #1 - #8, as written.

Motion carried. 4 – 0.

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**KULPA #1 – ADOPTED. 4 – 0.**

**RESOLVED**, that payroll and vouchers in the amount of **\$110,144.55** covering the period from 1/4/17 to 1/17/17, are hereby approved as follows:

**Payroll covering 12/26/16 – 1/8/17:** \$33,890.40

**Vouchers covering 1/4/17 – 1/17/17:**

General Fund	\$59,821.29
Water Fund	\$105.00
Sewer Fund	\$1,265.58
Glen Park Fund	\$1,987.77
Trust & Agency Fund	\$13,074.51
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$0.00
	\$76,254.15

**GRAND TOTAL:** **\$110,144.55**

**KULPA #2 – ADOPTED. 4 – 0.**

To:	001-1110-4110 (Village Justices-Service Contracts)	\$9.00
From:	001-1110-4010 (Village Justices-Office Supplies)	\$9.00
To:	001-1411-4810 (Records Management-Electronic Records Storage)	\$46.00
From:	001-1411-4010 (Records Management-Office Supplies)	\$46.00
To:	001-1620-4260 (Buildings-Maint. Supplies)	\$142.00
From:	001-1620-4230 (Buildings-Building Maint.)	\$142.00
To:	001-1991-4000 (Provision for Longevity)	\$361.00
From:	001-1910-4000 (Unallocated Insurance)	\$361.00
To:	001-3410-4160-3471 (Fire Protection-ATV Expense)	\$932.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$932.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$222.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$222.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump)	\$116.00
	001-5110-4161-0903 (Street Maint.-Repairs-2015 Dump Truck)	\$10.00
	001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner)	\$48.00

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	001-5110-4161-0905 (Street Maint.-Repairs/2007 Int'l Dump)	128.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump)	\$46.00
	001-5110-4161-0908 (Street Maint.-Repairs/2011 Chevy Silverado HD)	\$13.00
	001-5110-4161-0910 (Street Maint.-Repairs/2013 Ford F-150)	\$29.00
	001-5110-4161-0916 (Street Maint.-Repairs/2012 Chevy 2500 HD)	\$3.00
	001-5110-4161-0920 (Street Maint.-Repairs/1992 John Deere Backhoe)	\$24.00
From:	001-3410-4161 (Street Maint.-Repairs/Equipment)	\$417.00
To:	001-7110-2010 (Parks-Capital Improvements)	\$11,853.00
From:	001-7110-2040 (Parks-Capital Reserve)	\$10,500.00
	001-7110-2000 (Parks-Equip.)	\$650.00
	001-7110-4071 (Parks-Sewer Charges)	\$503.00
	001-7110-4360 (Parks-Park Supplies)	\$200.00
To:	001-7110-4161 (Parks-Repairs/Lights)	\$2756.00
	001-7110-4162 (Parks-Repairs/Pools)	\$313.00
From:	001-7110-4165 (Parks-Repairs/Shelter Maint.)	\$1356.00
	001-7110-4169 (Parks-Repairs/Others)	\$1400.00
	001-7110-4350 (Parks-Pool Supplies)	\$313.00
To:	001-7530-4240 (Village Meeting House-Tune Piano)	\$90.00
From:	001-7530-4440 (Village Meeting House-Fire Alarm)	\$90.00
To:	001-7530-4450 (Village Meeting House-Misc.)	\$13.00
From:	001-7530-4451 (Village Meeting House-Meeting House Committee)	\$13.00
To:	001-8560-4280 (Shade Trees-Equip. Rental)	\$1600.00
From:	001-8560-2000 (Shade Trees-Equip.)	\$250.00
	001-8560-4340 (Shade Trees-Trees/Removal)	\$342.00
	001-8560-4350 (Shade Trees-Trees/Maint.)	\$148.00
	001-8560-4360 (Shade Trees-Trees/Replacement/Regular)	\$860.00
To:	001-8560-1000 (Shade Trees-Personal Services)	\$3442.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$3442.00

**KULPA #3 – ADOPTED. 4 – 0.**

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

To:	007-8120-1001 (Sanitary Sewer-Personal Services/OT)	\$303.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$303.00

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To:	007-1991-4000 (Provision for Longevity)	\$63.00
From:	007-1910-4000 (Unallocated Insurance)	\$63.00

**KULPA #4 – ADOPTED. 4 – 0.**

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for Glen Park Art Festival assigned funds needed to close out the July 2016 Glen Park Art Festival expenses:

Increase:	001-0001-0599 (Appropriated Surplus)	\$3052.00
Increase:	001-7550-4540 (Celebrations-Glen Park Art Festival)	\$3052.00

**KULPA #5 – ADOPTED. 4 – 0.**

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for funds received from National Grid’s “10,000 Trees and Growing...” program (received 11/04/16):

Increase:	001-0001-2770 (Misc. Revenue)	\$1300.00
Increase:	001-8560-4360 (Shade Trees-Trees Replacement/Regular)	\$1300.00

**KULPA #6 – ADOPTED. 4 – 0.**

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for Community Development Block Grant funds received for the Village Meeting House roof project (received 1/04/17):

Increase:	001-0001-5031 (Inter-fund Transfers)	\$54,263.00
Increase:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$54,263.00

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**KULPA #7 – ADOPTED. 4 – 0.**

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for additional revenue received from applications and booth rentals from the July 2016 Glen Park Art Festival:

Increase:	001-0001-2089 (Other Cultural & Recreation Income)	\$3342.00
Increase:	001-7550-4540 (Celebrations-Glen Park Art Festival)	\$3342.00

**KULPA #8 – ADOPTED. 4 – 0.**

**RESOLVED**, that the following *budget amendment* is hereby made in the *Glen Park Fund* for the *2016-2017* fiscal year to account for revenue received to cover costs of engraving pavers:

Increase:	009-0009-2773 (Memorials/Pavers/Benches/Trees)	\$228.00
Increase:	009-7141-4490 (Glen Park-Memorials/Pavers/Benches/Trees)	\$228.00

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

**WHEREAS**, pursuant to General Municipal Law Section 104-b, the Village’s procurement policy allows for types of procurement for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations would not be in the best interest of the municipality for various reasons, including choosing an individual or company based on accountability, reliability, responsibility, skill, education and training, judgment, integrity and moral worth and these qualifications are not necessarily found in the individual or company that offers the lowest price;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees authorizes the following Fire Department vendors as preferred vendors:

- Sam’s Apparatus Maintenance
- 10-75 Emergency Lighting
- Occustar Inc.
- Moore Medical Supplies
- Bound Tree Medical
- The Fire Store
- First Out Response
- Mobile Storage Solutions

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Saia Communications  
West Herr Automotive Group  
Gabs Collision  
Aerial Testing  
Sewing Technologies  
Dival Safety Equipment  
New Egg Business  
Breathing Air Systems

Motion carried. 4 – 0.

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

**RESOLVED**, that Director of Community Development Maggie Hamilton is hereby authorized to attend the 2017 NYCOM Winter Legislative Meeting in Albany, New York, from February 12 – February 14, 2017, at a cost not to exceed \$705.00, to be paid for by the Village of Williamsville.

Motion carried. 4 – 0.

**Report – Deputy Mayor DeLano**

*Deputy Mayor DeLano reported on the following topic(s):* NYCOM Conference; DOT Sidewalk project on Union Rd.

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

**RESOLVED**, that the proposed amendment to Chapter 89 (Streets and Sidewalks) of the Village Code, which clarifies the adjoining landowner responsibility for sidewalks, and was the subject of a public hearing held on January 9, 2017, is hereby adopted as **Local Law 1 of 2017**.

Motion carried. 4 – 0.

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

**WHEREAS**, the new York State Department of Transportation proposes the construction, reconstruction, or improvement of NY Route 277, S. Union Rd., in the Village of Williamsville, located in Erie County, PIN 5809.95; and

**WHEREAS**, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment of sanitary manhole cover elevations, pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

**WHEREAS**, the service life of the relocated and or replaced utilities has not been extended; and

**WHEREAS**, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville approves of the adjustment of sanitary sewer manhole cover elevations and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Williamsville will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans; and

**BE IT FURTHER RESOLVED**, that Benjamin Vilonen has the authority to sign, with the concurrence of the Village Board of Trustees, any and all documentation that may become necessary as a result of this project as it relates to the Village of Williamsville; and

**BE IT FURTHER RESOLVED**, that the clerk of the Village of Williamsville is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Motion carried. 4 – 0.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic(s): Jazz at the Meeting House – 2/7 & 2/21; Irish Sing-along at the Meeting House 3/5/17.*

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

**RESOLVED**, that the proposed amendment to Chapter 21 (Engineering Cost of Recovery) of the Village Code, which would require the reimbursement of expert fees related to the review of development plans, and was the subject of a public hearing held on January 9, 2017, is hereby adopted as **Local Law 2 of 2017**.

Motion carried. 4 – 0.

**Report – Trustee Yates**

*Trustee Yates reported on the following topic(s):* Repair of Meeting House stained glass windows; Youth & Recreation Committee cancelling Easter Egg Hunt; \$1,350 in revenue was received from the Steve Balesteri “Holiday in the Village” performance at the Meeting House.

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

**WHEREAS**, the next Village Election will be held on June 20, 2017;

**NOW, THEREFORE, BE IT RESOLVED**, that the offices to be filled and the terms thereof, are as follows:

Two (2) Trustees for terms of four (4) years each

Motion carried. 4 – 0.

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

**WHEREAS**, the next election for the Village of Williamsville is to be held on Tuesday, June 20, 2017;

**NOW, THEREFORE, BE IT RESOLVED**, that the hours of voting shall be from 12:00 p.m. until 9:00 p.m.; and

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**BE IT FURTHER RESOLVED**, that said Village has one (1) election district which includes the entire area of the municipal boundaries of the Village of Williamsville; and

**BE IT FURTHER RESOLVED**, that the sole polling place of holding such election shall be at Williamsville Village Hall, 5565 Main Street, Williamsville.

Motion carried. 4 – 0.

**Staff Report(s) – None.**

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 8:44 p.m. to discuss a personnel issue related to a specific individual and a specific property for sale in the Village.

Motion carried. 4 – 0.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to close the Executive Session at 10:06 p.m.

Motion carried. 4 – 0.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adjourn the regular meeting at 10:06 p.m.

Motion carried. 4 – 0.

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Lynda L. Juul  
Administrator/Clerk-Treasurer