

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Tuesday, October 10, 2017 at 7:00 p.m.

The meeting was opened at 7:00 p.m. with the Pledge of Allegiance led by Trustee Yates.

Present: Brian J. Kulpa, Mayor
John "Al" Yates, Jr., Trustee
Basil J. Piazza, Trustee
Deb Rogers, Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Maggie Winship, Director of Community Development
Ben Vilonen, DPW Crew Chief

Excused: Daniel O. DeLano, Deputy Mayor

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on September 25, 2017 as submitted.

Roll call:	Trustee Yates	Yes
	Trustee Rogers	Yes
	Trustee Piazza	Yes
	Mayor Kulpa	Abstained

Motion carried. 3 – 0. (1 Abstention)

Public Hearing - Continued
Proposed Local Landmark Designation
5429 Main Street (Starbucks/Alex and Ani)

Mayor Kulpa stated the Board is in receipt of a letter but would like the Historic Preservation Commission to review and comment. Therefore, this public hearing will be held until the next Village Board meeting on October 23, 2017.

Village Attorney Grieco stated there is additional information. The build date of the building may be 1952.

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Public Hearing
Proposed modification to Chapter 84 (Signs) as it pertains to window signage

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the public hearing at 7:04 p.m.

Motion carried. 4 – 0.

Trustee Rogers stated the Planning Board is looking for regulation of window signs (which are currently exempt.)

There were no comments from the audience.

ON MOTION by Trustee Rogers, seconded by Trustee Piazza, it was moved at 7:06 p.m. to close this public hearing.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt Mayor Kulpa's resolutions #1 - #3 as written.

Motion carried. 4 – 0.

Kulpa #1

RESOLVED, that payroll and vouchers in the amount of \$217,526.62 covering the period from 9/20/17 to 10/3/17, are hereby approved as follows:

Payroll covering 9/18/17 – 10/1/17: \$32,146.09

Vouchers covering 9/20/17 – 10/3/17:

General Fund	\$63,324.72
Water Fund	\$941.59
Sewer Fund	\$1,656.49

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Glen Park Fund	\$973.70
Trust & Agency Fund	\$13,232.06
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$105,251.97</u>
	\$185,380.53

GRAND TOTAL: **\$217,526.62**

Motion carried. 4 – 0.

Kulpa #2

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2017-2018* fiscal year:

To:	001-1110-4110 (Village Justices-Service Contracts)	\$9.00
From:	001-1110-4010 (Village Justices-Office Supplies)	\$9.00
To:	001-1640-2000 (Central Garage-Equipment)	\$54.00
From:	001-1640-4161 (Central Garage-Small Equip. Repair)	\$54.00
To:	001-3410-4160-3406 (Fire Protection-Truck Expense/Ladder 6)	\$3,090.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$3,090.00
To:	001-5010-2000 (Street Administration-Equip.)	\$176.00
From:	001-5010-4260 (Street Administration-Maint. Supplies)	\$176.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$2,527.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$2,527.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$1,665.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$1,665.00
To:	001-5110-4161-0900 (Street Maint.-Repairs/2013 Nissan Leaf)	\$36.00
	001-5110-4161-0906 (Street Maint.-Repairs/2007 International)	\$298.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$334.00
To:	001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner)	\$94.00
	001-5110-4161-0905 (Street Maint.-Repairs/2007 Int'l Dump)	\$298.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$392.00
To:	001-8510-4450 (Community Beautification-Misc.)	\$27.00
From:	001-8510-4340 (Community Beautification-Plants)	\$27.00

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To:	001-8560-4160 (Shade Trees-Equip. Repairs)	\$531.00
	001-8560-4350 (Shade Trees-Tree Maint.)	\$3,000.00
From:	001-8560-4360 (Shade Trees-Trees/Replacement/Reg.)	\$3,531.00

Motion carried. 4 – 0.

Kulpa #3

RESOLVED, that the following *budget transfer is* hereby made in the *Glen Park Fund* for the *2017-2018* fiscal year:

To:	009-7141-4102 (Glen Park-Landscaping)	\$497.00
From:	009-7141-4352 (Glen Park-Park Maint.)	\$497.00

Motion carried. 4 – 0.

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

RESOLVED, that the Village of Williamsville Code Enforcement Officer is hereby appointed as *Local Floodplain Administrator* for the Village of Williamsville.

Motion carried. 4 – 0.

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

RESOLVED, that Williamsville Fire Chief Michael Measer is hereby authorized to attend the Firehouse Expo to be held in Nashville, TN from October 17 – October 21, 2017, at a cost not to exceed \$1,200.00, to be paid by the Village of Williamsville.

Motion carried. 4 – 0.

Trustee Rogers - No report.

ON MOTION by Trustee Rogers, seconded by Trustee Yates, it was moved to adopt Trustee Rogers resolutions #1 - #3 as written.

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Motion carried. 4 – 0.

Rogers #1

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Highway Rehabilitation Project NY Route 5, from I-290 Youngman Expressway to Williamsville East Village Line in the Village of Williamsville, located in Erie County, PIN 5760.92; and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment of the street lighting system 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 the street lighting system 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 the Mayor 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.

Rogers #2

RESOLVED, that *Rebecca M. Guerra* of *241 Oakgrove Dr., Williamsville*, is hereby appointed as an *Alternate Member* of the *Planning and Architectural Review Board* until the end of the *2017-2018* official Village year.

Motion carried. 4 – 0.

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Rogers #3

RESOLVED, that the proposed amendment to Chapter 84 (Signs) of the Village Code, as it pertains to the regulation of window signs, which was the subject of a public hearing held on October 10, 2017, is hereby adopted as **Local Law 9 of 2017**.

Motion carried. 4 – 0.

Trustee Piazza - No report.

ON MOTION by Trustee Piazza, seconded by Trustee Yates, it was moved to adopt Trustee Piazza's resolutions #1 and #2 as written:

Motion carried. 4 – 0.

Piazza #1

RESOLVED, that the Mayor is hereby authorized to sign the Penflex, Inc. Service Fee Agreement for the *Village of Williamsville Firefighter Length of Service Award Program*, for the period from November 1, 2017 to October 31, 2018.

Motion carried. 4 – 0.

Piazza #2

RESOLVED, that DPW Crew Chief Ben Vilonen is hereby authorized to travel to the NYCOM Public Works Training, to be held in Lake George, New York, from October 16 to October 18, 2017, at a cost not to exceed \$1,200.00, to be paid by the Village of Williamsville.

Motion carried. 4 – 0.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Beautification Committee volunteers will be planting tulip bulbs in the Village gardens this Saturday, October 14th.

ON MOTION by Trustee Yates, seconded by Trustee Rogers, it was moved to adopt Trustee Yates's resolutions #1 and #2 as written.

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Motion carried. 4 – 0.

Yates #1

RESOLVED, that Change Order #1 to Milherst Construction for the Rock Street Improvement Project in the amount of \$2,640.00 is hereby approved.

Motion carried. 4 – 0.

Yates #2

RESOLVED, that the official date of *Halloween Trick or Treat* in the Village of Williamsville is hereby designated as Tuesday, October 31st.

Motion carried. 4 – 0.

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

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*]:

1. Jerry Mann, 107 Oakgrove Dr. – Regarding the fire whistle, his granddaughter has Downs Syndrome and is very sensitive to sound. She cannot come over to his house and spend any time outside due to the fire whistle. Asked if he needs to start a petition to request the Fire Department to cease use of the fire whistle. [*Mayor Kulpa – Has not heard this request in the past. There are reasons the fire company uses the whistle. Suggested that if he creates a petition he should be careful how it is worded.*]
2. Carolyn Schlifke, 192 Evans St. – A Lehigh Trail post that was removed so that the DPW truck could go down the trail was not replaced while work on the trail was being done. There is a big hole left which is a safety issue. It could create a liability for the Village.
3. Thomas Frank, 5403 Main St. – NYSERDA; Local floodplain administrator; Ellicott Creek Watershed; CFA; Congress of New Urbanism.

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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.

Staff Report(s)

Community Director Winship reported on the following topic(s): The second Village newsletter was recently sent out.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 7:22 p.m. for the purpose of discussing a personnel matter related to transitional duty.

Motion carried. 4 – 0.

Mayor Kulpa was excused from the meeting prior to the beginning of the Executive Session.

ON MOTION by Trustee Yates, seconded by Trustee Piazza, it was moved to close the Executive Session at 7:31 p.m.

Motion carried. 3 – 0.

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

Motion carried. 3 – 0.

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

RESOLVED, that Mark Kutner is hereby approved for Transitional Duty for a period of 30 days, effective October 16, 2017.

Motion carried. 3 – 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. 3 – 0.

ON MOTION by Trustee Yates, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 7:32 p.m.

Motion carried. 3 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer