

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

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

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

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

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on October 10, 2017 as submitted.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the special meeting held on October 12, 2017 as submitted.

Unanimously carried.

The public hearing for the proposed local landmark designation of 5429 Main St. (Starbucks/Alex and Ani) was tabled until the Village Board meeting on November 27, 2017.

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

Unanimously carried.

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

1. Carolyn Schlifke, 192 Evans St. – Asked if the entire DPW side yard would be traded in the Natale land swap. *[Mayor Kulpa – Yes. The area within the fenced enclosure. The project then goes to the Planning Board.]* Has there ever been a survey of the trail area? Concerned with

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

where the line is – made sure when trail was built there was a lot of greenspace – don't want to lose that. *[Mayor Kulpa – Did a survey. Runs with the fence line. It is set back from the trail and will be screened by green space area. Screening will need to happen near DPW side yard area.]* Lehigh Memory Trail was never designated as a park – It was for “general Village purposes” – to be used for whatever the Village wanted to use it for. Never called it a park- called it a trail. Was not criticizing DPW at last meeting. Was concerned. Suggests post be removed. It is deteriorated and has no purpose.

2. Jim Tricoli, 4 Columbia Dr. – Asked if SEQRA was done for Natale Project and land swap. Asked if it is for public viewing. *[Yes.]*

3. Thomas Frank, 5403 Main St. – Master Plan; Imagine Amherst; One Region Forward; Ellicott Creek Watershed; Picture Main Street; Main Street traffic; NYSERDA grant; Sinking homes; Westwood Pharmaceuticals Country Club; GBNRTC; Landmark designation.

4. Noel Bartlo, 55 California Dr. – A parking issue on California Dr. - Commercial vehicles at 29 California are parking over the sidewalk 7 days a week; *[Mayor Kulpa – Will have parking enforcement officer keep tabs on it.]*

5. Jim Tricoli, 4 Columbia Dr. – Someone is living in an RV parked at corner of Main and Cayuga. Asked if this is allowed. *[Village Attorney Grieco – RVs must be parked in a rear yard or inside if over 26' in length if in a residential area. Cannot use as living quarters.]* Mr. Tricoli was unsure of the exact location. *[We will keep an eye on it.]*

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

Unanimously carried.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): NYSERDA Grant; Picture Main Street Project; Community Plan update; Thanked Trustee Yates, Amherst Police, Williamsville Fire Dept., Youth & Recreation volunteers for Halloween Parade.

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

Unanimously carried.

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

Kulpa #1

RESOLVED, that payroll and vouchers in the amount of **\$292,720.85** covering the period from 10/4/17 to 10/17/17, are hereby approved as follows:

Payroll covering 10/2/17 – 10/15/17: \$36,905.89

Vouchers covering 10/4/17 – 10/17/17:

General Fund	\$80,682.55
Water Fund	\$0.00
Sewer Fund	\$504.21
Glen Park Fund	\$6,039.21
Trust & Agency Fund	\$14,373.97
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$154,215.02</u>
	<u>\$255,814.96</u>

GRAND TOTAL: **\$292,720.85**

Unanimously carried.

Kulpa #2

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

To:	001-1640-2000 (Central Garage-Equipment)	\$30.00
From:	001-1640-4161 (Central Garage-Small Equip. Repairs)	\$30.00
To:	001-3410-4160-3406 (Fire Protection-Truck Expense/Truck 6)	\$11.00
	001-3410-4160-3402 (Fire Protection-Truck Expense/Engine 2)	\$981.00
	001-3410-4160-3491 (Fire Protection-Truck Expense/Car 9-1 Expense)	\$157.00
	001-3410-4160-3405 (Fire Protection-Truck Expense/Rescue 5 Expense)	\$32.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$1,181.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$880.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$880.00
To:	001-5110-4161-0901 (Street Maint.-Repairs/2012 Chevy Tahoe)	\$20.00
	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump)	\$63.00
	001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner)	\$147.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F350XL)	\$72.00

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

From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$302.00
To:	001-7110-4165 (Parks-Repairs/Shelter Maint.)	\$64.00
From:	001-7110-4169 (Parks-Repairs/Repairs/Other)	\$64.00
To:	001-8745-1001 (Flood & Erosion Control-Personal Services/OT)	\$10.00
From:	001-8560-1001 (Shade Trees-Personal Services/OT)	\$10.00

Unanimously carried.

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)	\$1,967.00
From:	009-7141-1000 (Glen Park-Personal Services)	\$1,967.00

Unanimously carried.

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

WHEREAS, the Williamsville Fire Department has received grant funding through Senator Ranzenhofer that is being administered through the Dormitory Authority of the State of New York (DASNY); and

WHEREAS, part of that grant includes the replacement of the Williamsville Fire Department truck bay doors; and

WHEREAS, this project was duly advertised and bids were opened on October 17, 2017, with only one bid being received;

NOW, THEREFORE, BE IT RESOLVED, that the bid for the replacement of the truck bay doors is hereby awarded to Hamburg Overhead Door for their bid of \$46,000.00.

Unanimously carried.

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

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, the following resolution was adopted:

RESOLVED, that Village Administrator Lynda Juul is hereby approved to travel to Oneonta, New York from November 16 - 17, 2017, to attend the NYSCMA Fall Seminar, at a cost not to exceed \$225.00.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, the following resolution was adopted:

RESOLVED, that Amanda Weinreber, residing at 168 Surrey Run, Williamsville, is hereby appointed as an Active Restricted Firefighter, effective November 1, 2017.

Unanimously carried.

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

**VILLAGE OF WILLIAMSVILLE
BOARD OF TRUSTEES RESOLUTION**

**Designation of historical landmark
80 E. Spring Street (“Zent House”), Williamsville, NY**

Dated October 23, 2017

WHEREAS, the Historic Preservation Commission (the “HPC”) has identified several properties that would be considered eligible for designation as a historical landmark pursuant to Section 47-4(a) of the Village of Williamsville Code including the “Zent House” property located at 80 E. Spring Street (part of the parcel at 56 E. Spring Street) (“Subject Property”); and

WHEREAS, the HPC may nominate an individual property as a landmark if it meets any the following criteria:

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

1. Is associated with the lives of individuals or of people or of events significant in the national, state or local history.
2. Embodies the distinctive characteristics of a type, a period or a method of construction.
3. Represents the work of a master architect or designer or possesses high artistic values.
4. Represents a significant or distinguished entity whose components may lack individual or special distinction.
5. Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood; and

WHEREAS, based upon the HPC's review of information related to the Subject Property, the HPC recommended the Subject Property for designation as a local historic landmark on May 23, 2017; and

WHEREAS, the HPC held a public hearing on June 27, 2017, at which the Subject Property owner and any interested parties had the opportunity to present testimony or documentary evidence at the hearing regarding the historic, architectural or cultural importance of the proposed landmark; and

WHEREAS, upon a review of the aforesaid materials, and after due deliberation concerning each of the statutory criteria set forth above, the HPC nominated the Subject Property for local landmark status; and

WHEREAS, the Village Board of Trustees held a public hearing on Monday, September 11, 2017 in which the Subject Property owner and any interested parties had the opportunity to present testimony or documentary evidence at the hearing regarding the historic, architectural or cultural importance of the proposed landmark; and

WHEREAS, upon a review of the aforesaid materials, and after due deliberation concerning each of the statutory criteria set forth above the Village Board of Trustees proposes to designate the Subject Property as a local landmark;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Williamsville hereby designates the Subject Property as a local landmark based on its finding that it satisfies the following criteria set forth in Section 47-4(a) of the Village of Williamsville Code:

- X Is associated with the lives of individuals or of people or of events significant in the national, state or local history.

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

- X Embodies the distinctive characteristics of a type, a period or a method of construction.
- Represents the work of a master architect or designer or possesses high artistic values.
- X Represents a significant or distinguished entity whose components may lack individual or special distinction.
- X Because of a unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

Unanimously carried.

Mayor Kulpa announced he was tabling until November 27, 2017 his resolution regarding designation of 150 Milton Street (“Section House”) as an historic landmark.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Thanked all for the Halloween Parade; Program for holiday performance at the Meeting House; Tree lighting is coming up.

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

WHEREAS, the Historic Preservation Commission requested in their minutes of July 25, 2017 that “the Village Board make mandatory the notification of new owners of a landmarked property, upon transfer of that property, that said property has landmark status and as such, must adhere to all rules and regulations that pertain to landmarked properties in the Village of Williamsville, and that a copy of the pertinent code be included in the notice, and furthermore, that the notice be sent to any new owner of a landmarked property upon transfer of the property, via certified mail/return receipt requested”;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby directs the Village Clerk’s Office to follow the procedures as outlined above, upon notification of the transfer of ownership of any locally landmarked property.

Unanimously carried.

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

Trustee Rogers - No report.

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

WHEREAS, the Village of Williamsville has been designated as a Clean Energy Community by the New York State Energy Research and Development Authority (NYSERDA), and will be submitting a grant application for the installation of LED lighting in S. Long Park, Island Park, Garrison Park, and on the exterior of Village Hall, and for the installation of solar panels on the Dept. of Public Works garage;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees authorizes the grant application as outlined above, and commits to a match of up to \$5,000 for the project; and

BE IT FURTHER RESOLVED, that should the grant be approved by NYSERDA, the Mayor is hereby authorized and directed to sign any and all paperwork associated with the grant.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Amherst Symphony Orchestra; Concern of Village Officials organization over unfunded mandates from New York State.

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

RESOLVED, that the fee proposal from CHA Consulting, Inc. for the Picture Main Street Project, Supplemental Agreement #2, is hereby approved in an amount not to exceed \$74,993.00.

Unanimously carried.

Report – Deputy Mayor DeLano

Deputy Mayor DeLano reported on the following topic(s): Fall tree planting – approximately 46 street trees will be planted; National Grid 10,000 Trees and Growing! application for reimbursement; Parks Committee will begin working on master plan for the parks.

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

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

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Highway Rehabilitation Project NY Route 5, from I-290 Youngmann 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 manhole cover and vent elevations in the sanitary sewer 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 manhole cover and vent elevations in the sanitary sewer 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.

Unanimously carried.

Staff Report(s) – None.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to open the Executive Session at 8:25 p.m. for the purpose of discussing proposed changes to the DPW collective bargaining agreement.

Unanimously carried.

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

ON MOTION by Mayor Kulpa, seconded by Trustee Rogers, it was moved to close the Executive Session at 8:38 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adjourn the regular meeting at 8:39 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer