

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, December 12, 2016 at 7:30 p.m.

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

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 Deputy Mayor DeLano, it was moved to approve the minutes of the regular meeting held on November 28, 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 and November 28, 2016 and left open.*

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor Delano, it was moved to continue this public hearing at 7:34 p.m.

Motion carried. 4 – 0.

Deputy Mayor DeLano stated the Village is looking for some ideas since we are having some issues in the park. Glen Park Joint Board would also like to be included in this decision; non-loitering for minors was suggested.

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

1. Dawn Jones, 82 Milton St. – No one has mentioned using the time when the streetlights come on (dusk to dawn).

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2. Harry Conomos, 138 California Dr. – Don't want to punish law-abiding citizens; there were many good suggestions at the previous public hearing.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved at 7:39 p.m. to continue this public hearing at the January 9, 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 left open.*

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to continue this public hearing at 7:39 p.m.

Motion carried. 4 - 0.

Deputy Mayor DeLano stated whatever we do is a recommendation to the State. They must ultimately approve.

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

Harry Conomos, 138 California Dr. – Left-hand turn is dangerous; it is a tough location due to poor site lines; does not have an opinion on time limitation.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved at 7:44 p.m. to hold this public hearing open until the next Village Board meeting on January 9, 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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Members 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. – Urged Village Board to pass a resolution regarding Imagine Amherst Comprehensive Plan.

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): Reported there is nothing going on with Natale project at this time; Village has goals for that area – improve the park, improve S. Long St. (have a grant for green infrastructure improvements). Will walk the area in January from Main and S. Long to Lehigh Memory Trail. Parking issues – shared parking and valet service being explored; trolley from Daemen College to ECC is also being looked at.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to approve Mayor Kulpa's resolutions #1 - #3, as written.

Motion carried. 4 – 0.

KULPA #1 – ADOPTED 4 - 0:

RESOLVED, that payroll and vouchers in the amount of \$464,554.06 covering the period from 11/23/16 to 12/06/16, are hereby approved as follows:

Payroll covering 11/14/16 – 11/27/16: \$38,679.49

Vouchers covering 10/19/16 – 11/08/16:

General Fund	\$71,579.55
Water Fund	\$0.00
Sewer Fund	\$3,496.77

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Glen Park Fund	\$2,743.83
Trust & Agency Fund	\$13,115.10
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$339,939.32</u>
	\$430,874.57

GRAND TOTAL: **\$464,554.06**

KULPA #2 – ADOPTED 4 – 0:

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

To:	001-3410-4160-3401 (Fire Protection-Engine 1 Expense)	\$105.00
	001-3410-4160-3406 (Fire Protection-Truck 6 Expense)	\$1130.00
	001-3410-4160-3405 (Fire Protection-Rescue 5 Expense)	\$2051.00
	001-3410-4160-3402 (Fire Protection-Engine 2 Expense)	\$483.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$3769.00
To:	001-3410-4160-3401 (Fire Protection-Engine 1 Expense)	\$2190.00
	001-3410-4160-3406 (Fire Protection-Truck 6 Expense)	\$145.00
	001-3410-4160-3405 (Fire Protection-Rescue 5 Expense)	\$145.00
	001-3410-4160-3402 (Fire Protection-Engine 2 Expense)	\$145.00
	001-3410-4160-3471 (Fire Protection-ATV Expense)	\$2215.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$4840.00
To:	001-7540-4450 (Williamsville Water Mill-Misc.)	\$508.00
From:	001-7540-4071 (Williamsville Water Mill-Sewer Charges)	\$508.00

KULPA #3 – 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 the use of a portion of the proceeds from the sale of the Mill to close out the balance of over budget expenses:

Increase:	001-0001-2660 (Sale of Real Property)	\$3281.00
Increase:	001-7540-4450 (Williamsville Water Mill-Misc.)	\$3281.00

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ON MOTION by Mayor Kulpa, seconded by Trustee Yates, 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 use of proceeds from the sale of the Mill property to cover a portion of the Village match for the 2009 and 2010 EPF grants for Mill preservation:

Increase:	001-0001-2660 (Sale of Real Property)	\$239,143.00
Increase:	001-9950-9000 (Transfer to Capital)	\$72,722.00
	001-9950-9000 (Transfer to Capital)	\$166,421.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, 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 50% reimbursement from Amherst IDA on public relations charges paid to date to Momentum Public Affairs LLC:

Increase:	001-0001-2770 (Miscellaneous Revenue)	\$2500.00
Increase:	001-6410-4925 (Publicity/Marketing)	\$2500.00

Motion carried. 4 – 0.

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

RESOLVED, that Lynda L. Juul, Village Administrator/Clerk-Treasurer, is hereby authorized to sign paperwork related to the DASNY Funding Project ID#7858 (received by the Williamsville Fire Department) on behalf of the Village of Williamsville.

Motion carried. 4 – 0.

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Report – Deputy Mayor DeLano

Deputy Mayor DeLano reported on the following topic(s): Parking issues on public streets and amount of space between vehicles; illegally paved rights-of-way will be restored back to grass in the spring/summer 2017; calling for a public hearing to reduce speed limits on Glen Ave.; stop signs on north end of Village.

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

RESOLVED, that the Mayor is hereby authorized to sign the *2016-2019 Snow Removal and Ice Control Agreement* with Erie County.

Motion carried. 4 – 0.

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

RESOLVED, that Timothy Phalen is hereby authorized for transitional duty for a period of 30 days, pending receipt of written medical authorization by the Administrator from his physician.

Motion carried. 4 – 0.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, January 9, 2017, at 7:30 p.m., at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in commenting on a proposed amendment to Chapter 103 (Vehicles and Traffic) of the Village Code, regarding a proposal to reduce the speed limit on Glen Avenue between Mill Street and N. Cayuga Road from 30 mph to 25 mph.

Motion carried. 4 – 0.

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Report – Trustee Yates

Trustee Yates reported on the following topic(s): Upcoming events at the Meeting House.

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

RESOLVED, that the proposed amendment to Chapter 112 (Mixed Use Design Standards) of the Village Code as it relates to primary entrances of buildings in the MU District, which was the subject of a public hearing held on Monday, November 28, 2016, is hereby adopted as **Local Law 8 of 2016**.

Motion carried. 4 – 0.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, January 9, 2017, at 7:30 p.m., at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in commenting on a proposed amendment to Chapter 89 (Streets and Sidewalks) of the Village Code, regarding adjoining landowner responsibility for public sidewalks.

Motion carried. 4 – 0.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Upcoming jazz concert at the Meeting House; Mike Randall performance as Dickens in the Christmas Carol on stage at the Meeting House on 12/16.

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

RESOLVED, that the Village of Williamsville hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

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Title	Standard Work Day	Name	Current Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Record of Activities Result
Elected					
Mayor	6	Brian J. Kulpa	7/6/15 – 7/1/19	N	7.95
Village Justice	6	Jeffrey F. Voelkl	7/6/15 – 7/1/19	N	3.76
Appointed					
Acting Village Justice	6	Walter Pacer	7/6/15 – 7/4/16	N	0.57
Village Prosecutor, P/T	6	Thomas E. Webb, Jr.	7/6/15 – 7/4/16	N	1.2

Motion carried. 4 – 0.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, January 9, 2017, at 7:30 p.m., at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, to hear all persons interested in commenting on a proposed amendment to Chapter 21 (Engineering Cost Recovery) of the Village Code, regarding a proposal which would require the reimbursement of expert fees related to the review of development plans.

Motion carried. 4 – 0.

Staff Report(s) – None.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to open the Executive Session at 8:14 p.m. to discuss the hiring of a specific individual and a matter of pending litigation.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to close the Executive Session at 8:49 p.m.

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Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adjourn the regular meeting at 8:49 p.m.

Motion carried. 4 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer