

**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, June 26, 2017 at 7:30 p.m.**

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

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

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

Excused: Judith A. Kindron, Deputy Treasurer

Presentation: UNYTS Blood Drive – Williamsville South student Abby Paquet gave a brief talk regarding the community need for blood and the upcoming UNYTS blood drive to be held at the Williamsville Library on June 29<sup>th</sup>, from 3pm-7pm.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to approve the minutes of the regular meeting held on June 12, 2017 as submitted.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to approve the minutes of the special meeting held on June 20, 2017 as submitted.

Unanimously carried.

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

Unanimously carried.

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Trustee Rogers gave a presentation on two options for Asher Crossing:

**Option A**

- 4 apartment buildings of 25 units each = 100 apartments
- Would not need a waiver
- 2 access points – Milton and California
- No access to S. Long
- No connection to Lehigh Memorial Trail
- Would not include the Section House
- 1.4 parking spaces per unit (1.1 required by code)
- 30 Townhomes
- Natale would explore moving the Section Housebuilding - Would need HPC approval

**Option B - Proposed Parkland Swap**

- 80 apartment units on S. Long St. at Village Square Lane
- 42 townhomes on California Dr.
- Traffic onto S. Long and California Dr.
- Requires NYS Legislature approval – Earliest approval would be Spring 2018
- Would need majority approval by Village Board
- Need agreement with Natale on how to develop new park or Village taxpayers would foot the bill
- Access to Lehigh Memory Trail
- Would include the Section House

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

1. Unknown woman – Questioned if land would be de-valued.
2. Amy Carrato, 162 N. Long St. – Opposed to land swap. Is this the only option? Apartments on California, townhomes on S. Long? Parks should be zoned open space or recreation.

Angelo Natale of Natale Development responded that S. Long is zoned more appropriately for apartments; California is more appropriately zoned for townhomes.

3. Kim Connelly, 52 California Dr. – How is this different than what has been previously shown? [*Trustee Rogers – Option B layout is the same. Option A is new baseline the Village was asked to provide. Village Attorney Grieco - Option A does not include the purchase of Village property and does not exit onto S. Long St.*]

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4. Mike Carrato, 162 N. Long St. – Why was exit to S. Long St. removed? [*Village Attorney Grieco – density/opposition.*] Swap driveway exit for other land. Some of later proposals have a soccer field and ball diamond. This shows it shared. Much smaller than what it was. Not advantageous to join parks – one is for sports and one is for walking. Design with road out would balance traffic out. [*DeLano – Parks connection has been discussed for many years.*]
5. Larry Cohen, 61 California Dr. – Formation of LLC to protect S. Long Park formed because not getting any answers. Appreciates getting answers tonight. Not concerned with property values. Philosophically opposes. Village Board should consider the greater good of all residents. Most people are opposed to the land swap. Personal conflicts on the Village Board due to where people live. Financially impacted - will they be able to make a decision in the best interest of residents? [*Kulpa – has been doing this for years. Piazza – would 61 California be more negatively impacted by Option A or B?*] Not sure. [*DeLano – when knocking on doors, is true depiction of land swap being shared? Hopes they are presenting a true depiction.*]
6. Noel Bartlo, 55 California Dr. – Will probably be more traffic on California if don't have land swap. Park is biggest open space in the Village. No businesses adjacent. Are there any other alternatives being considered at this point? [*No.*] [*Grieco – have been asked for development on land Natale owns and are providing this.*] May 5 – gave alternative option to Kulpa and DeLano. Shared with the Village Board in writing. Fact that alternative was not explored is disappointing. [*Kulpa – did discuss an alternative . Discussed with Natale. Can't force the alternative.*] Appreciates that Village Board is listening to the people. Keep coming back to Option B. Natale should build on their own land. Who drew drawings that got rid of the ball diamond? [*Parkitechs – not set in in stone.*] Should put splash pad on Island.
7. Amy Alexander, 153 Mill St. – Opposes land swap. Now that Option A is on the table, would there be a traffic study? [*Yes.*] Does Option A have same number of units as original proposal? [*No. It has fewer.*] Need to consider what may happen in future in that area.
8. Chuck Akers, 173 S. Cayuga Rd. – Many issues that won't be known until project goes to Planning Board. Where were residents opposed to swap when Community Plan was being developed? In 10 years everyone will love what is there.
9. Carrie Ansell, 106 Milton St. – Appreciates that the Village Board came up with land swap for those who were opposed to development on California. Have been very responsive. Supports the land swap. Traffic will negatively impact everyone. Has been at park every night – no kids are there. It's a sad park. People are focused on personal issues.
10. Paul Steinbruckner, 86 Milton St. – In favor of the land swap. Board and Natale have been great. Land swap diverts some of the traffic. Makes total sense. “Don't Pave the Park” signs are misleading.
11. David Schmidt, 64 Academy St. – Against the land swap. Where would ball diamond and soccer field go? Safe to build there? [*Yes. Environmental study has been done.*]

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12. Thomas Frank, 5403 Main St. – Option C – abandoned automobile shop on Main Street – redesign and rebuild DPW shop.

13. Jennifer Tudor, 167 Hirschfield Dr. – Was at home pregnant so could not attend previous meetings. Involved with Youth & Rec. Insulted about question on where she was.

14. Mary Lowther, 120 N. Ellicott St. – To expect elected officials to recuse themselves because they live close to an issue is not reasonable – would not be able to vote on many things. Not in favor of losing park land but a park swap makes a lot of sense. Village does not have knowledge or man power to maintain ball diamond. Not a lot of kids in the park. Should install a berm. Should not push snow into the park.

15. Bob Krieter, 25 Monroe Dr. – Area known as Memorial Trail – much of area is fenced – would this impact that area at all? *[No.]* Will Lehigh be condo backyard when fence comes down? Would there still be a fence? *[Unsure.]* Ownership of ball diamond area? *[Grieco – title history is confusing. The Village owns the property.]*

16. Mike Carrato, 162 N. Long St. – Formally apologized for not being involved in the original meetings. Other views are equally valued. All of the swap diagrams show land as one big block. Non-swap diagrams don't show existing parkland. Would like to delineate existing parkland. Show parkland before and after.

17. Larry Cohen, 61 California Dr. – Very excited about Natale purchase of Darling property. What happened to senior housing? *[It was eliminated.]*

18. Carol Bartlo, 55 California Dr. – Also excited when Natale purchased Darling property. Her stretch of California has the highest density of traffic. Units in Option B mimic units further down the Trail – fits with what's existing. Park may be zoned for residential but it is a park. Many times a week there are multiple teams in the park. Needs TLC. Beautify what's there. Not in favor of land swap. Build on property owned.

Mayor Kulpa – County shared services initiative – Take over Garrison Rd. from Erie County; Sanitary Sewer Consolidation – Illegal to tie sump pump to sanitary. Will be smoke testing.

19. Larry Brenton, 31 Monroe Dr. – Takeover of Garrison Rd. Doesn't think they will widen Garrison. That is an expensive proposition. Would be a mistake. Submitted picture of house on Monroe that is an Air BnB.

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

Unanimously carried.

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**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 **\$265,224.44** covering the period from 6/7/17 to 6/19/17, are hereby approved as follows:

**Payroll covering 5/29/17 – 6/11/17:** \$34,180.29

**Vouchers covering 6/7/17 – 6/19/17:**

General Fund	\$119,272.56
Water Fund	\$76.41
Sewer Fund	\$1,623.09
Glen Park Fund	\$1,383.06
Trust & Agency Fund	\$12,273.40
Debt Service	\$95,965.63
Community Development	\$0.00
Capital Fund	<u>\$450.00</u>
	\$231,044.15

**GRAND TOTAL:** **\$265,224.44**

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee DeLano, it was moved to adopt Mayor Kulpa's resolutions #2 through #5, as written.

Unanimously carried.

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

To:	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$161.00
	001-1210-4040 (Mayor-Education Exp./Travel)	\$81.00
From:	001-1110-4040 (Village Justices-Education Exp./Travel)	\$242.00
To:	001-1410-4061 (Village Clerk-Cellular Phone)	\$66.00
From:	001-1410-4010 (Village Clerk-Office Supplies)	\$66.00
To:	001-1420-4620 (Law/Attorney/Opinions)	\$482.00

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From:	001-1420-4100 (Law/Attorney/Professional Fees)	\$482.00
To:	001-1620-4230 (Buildings-Buildings Maint.)	\$115.00
	001-1620-4240 (Buildings-Paint/ Carpet/Etc.)	\$83.00
From:	001-1620-4160 (Buildings-Building Repairs)	\$198.00
To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$61.00
	001-1640-4160 (Central Garage-Building Repairs & Maint.)	\$171.00
From:	001-1640-4262 (Central Garage-Building Maint.)	\$232.00
To:	001-3310-4041 (Traffic Control-Mileage Reimbursement)	\$7.00
	001-3620-4041 (Safety Inspection-Mileage Reimbursement)	\$137.00
From:	001-3310-4231 (Traffic Control-Signs/Maint.)	\$144.00
To:	001-3410-4160 (Fire Protection-Truck Expense)	\$60.00
	001-3410-4750 (Fire Protection-Service Award program)	\$2,744.00
From:	001-3410-4280 (Fire Protection-EMS Supplies)	\$257.00
	001-3410-4620 (Fire Protection-Lease/Copy Machine)	\$1,772.00
	001-3410-4701 (Fire Protection-Workers Comp.)	\$775.00
To:	001-5110-4161-0901 (Street Maintenance-Repairs/2012 Chevy Tahoe)	\$125.00
	001-5110-4161-0902 (Street Maintenance-Repairs/2002 Int'l Dump Truck)	\$49.00
	001-5110-4161-0905 (Street Maintenance-Repairs/2007 Int'l Dump Truck)	\$123.00
	001-5110-4161-0913 (Street Maintenance-Repairs/1993 GMC Sewer Jet)	\$15.00
	001-5110-4161-0915 (Street Maintenance-Repairs/2013 RAVO Sweeper)	\$40.00
	001-5110-4161-0918 (Street Maintenance-Repairs/2010 Ford F350 XL)	\$325.00
From:	001-5110-4161 (Street Maintenance-Repairs/Equip.)	\$677.00
To:	001-5110-4272 (Street Maintenance-Blacktop/Stone Repair)	\$12,619.00
From:	001-5110-4250 (Street Maintenance-Gas & Oil)	\$12,619.00
To:	001-7110-4070 (Parks-Utilities)	\$512.00
	001-7110-4169 (Parks-Repairs/Other)	\$13.00
	001-7110-4350 (Parks-Pool Supplies)	\$131.00
	001-7110-4360 (Parks-Park Supplies)	\$6.00
	001-7110-4450 (Parks-Misc.)	\$438.00
From:	001-7110-4165 (Parks-Repairs/Shelter Maint.)	\$72.00
	001-7110-4430 (Parks-Sanitary Waste Disposal)	\$279.00
	001-7110-4660 (Parks-Tree Maint. & Replacement)	\$748.00
	001-7110-4071 (Parks-Sewer Charges)	\$1.00

Unanimously carried.

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

To:	007-8120-4114 (Sanitary Sewers-Engineer-SPDES (Monthly & Annual))	\$94.00
From:	007-8120-4112 (Sanitary Sewers-Engineer)	\$94.00

Unanimously carried.

**RESOLVED**, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for proceeds from sale of Village property:

Increase:	001-0001-2660 (Sale of Real Property)	\$5,070.00
Increase:	001-1420-4620 (Law/Attorney/Opinions)	\$5,070.00

Unanimously carried.

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

To:	001-1640-4450 (Central Garage-Misc.)	\$1,450.00
From:	001-1640-2000 (Central Garage-Equip.)	\$1,450.00

Unanimously carried.

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

**RESOLVED**, that the following persons are hereby appointed to the Town of Amherst Parking Lot Task Force as representatives of the Village of Williamsville: Trustee Al Yates, Deb Steinbruckner, Maria MacPeck.

Unanimously carried.

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

**RESOLVED**, that Andrew Chester, residing at 11 Blossom Heath Rd., Williamsville, is hereby appointed as a member of the Williamsville Fire Dept., effective July 1, 2017.

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Unanimously carried.

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

**RESOLVED**, that Kyle Noe, residing at 95 Troy Del Way, Williamsville, is hereby appointed as a member of the Williamsville Fire Dept., effective July 1, 2017.

Unanimously carried.

**Village Board Reports:**

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic(s):* Certificate from New York State for Historic Preservation Commission.

Trustee Piazza announced he was tabling his resolution regarding the Length of Service Award Program investment policy.

**Report – Deputy Mayor DeLano**

*Deputy Mayor DeLano reported on the following topic(s):* Restroom plumbing in Island Park has been fixed; Replacement of water fountains in parks; Ash tree removal in Island Park; Traffic & Safety meeting; Williamsville South High School graduation.

**ON MOTION** by Deputy Mayor DeLano, 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 by the Village Board of Trustees on Monday, July 24, 2017, at 7:30 p.m., at Williamsville Village Hall, 5565 Main St., Williamsville, NY, for the purpose of hearing all persons interested in commenting on a proposed amendment to Chapter 103 of the Village Code (Vehicles and Traffic), which would modify the area of No Standing on Main Street near Grove Street, from 15 feet to 38 feet.

Unanimously carried.

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**Report – Trustee Yates**

*Trustee Yates reported on the following topic(s):* Village Garden Walk is July 15<sup>th</sup>.

Trustee Yates had no resolutions on the agenda.

**Report – Trustee Rogers**

*Trustee Rogers reported on the following topic(s):* Thanked those who came and participated in discussion. Restored Meeting House wooden pew to be placed in Village Hall hallway.

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

**WHEREAS**, New York State has designated Ellicott Creek as an inland waterway and is therefore eligible for Local Waterfront Revitalization Plan (LWRP) funds from the Dept. of State; and

**WHEREAS**, the Village Board desires to further evaluate potential waterfront improvements, including infrastructure and access, by developing an Ellicott Creek Strategy and Action Plan; and

**WHEREAS**, the Village Board desires to apply for financial assistance from the Department of State's (DOS) LWRP; and

**WHEREAS**, the total project cost is estimated to be \$66,000 with the Village requesting \$49,500 (75% of the total project cost) from the Dept. of State, and will provide a match of \$16,500 (25% of the total project cost);

**NOW, THEREFORE, BE IT RESOLVED**, the Village Board authorizes the submission of an application for the Department of State's LWRP funds for the Village of Williamsville's Ellicott Creek Strategy and Action Plan; and

**BE IT FURTHER RESOLVED**, that the Mayor of the Village of Williamsville, is hereby authorized and directed to file an application for funds from the Department of State for an LWRP and to enter into and execute a project agreement for such financial assistance to the Village of Williamsville for the proposed Village of Williamsville's Ellicott Creek Strategy and Action Plan Project.

Unanimously carried.

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**Staff Reports**

*Administrator Juul reported on the following topic(s):* Village taxes are due July 3<sup>rd</sup>; Congratulated Trustees Rogers and Piazza on their re-election.

*Community Development Director Hamilton reported on the following topic(s):* First Village newsletter went out on Friday via email. Urged all to sign up to receive it.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Yates, it was moved to open the Executive Session at 9:20 p.m. for the purpose of discussing a personnel issue.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Yates, it was moved to close the Executive Session at 9:53 p.m.

Unanimously carried.

**ON MOTION** by Trustee Yates, seconded by Trustee Rogers, it was moved to adjourn the regular meeting at 9:53 p.m.

Unanimously carried.

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Lynda L. Juul  
Administrator/Clerk-Treasurer