

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, May 12, 2014 at 7:30 p.m.

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

Present: Brian J. Kulpa, Mayor
Christopher J. Duquin, Trustee
Basil J. Piazza, Trustee
Daniel O. DeLano, Trustee
John "Al" Yates, Trustee

Also present: Charles D. Grieco, Village Attorney
Lynda L. Juul, Administrator/Clerk-Treasurer
Judy A. Kindron, Deputy Treasurer
Kenneth Kostowniak, DPW Crew Chief
Charles Specht, Director of Community Development

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to approve the minutes of the regular meeting held on April 28, 2014, as submitted.

Unanimously carried.

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

Unanimously carried.

The member(s) of the audience who spoke and their topic(s): [*Village Board responses in italics*]

Jim Tricoli, 4 Columbia Dr. – Police presence in the Village; Prohibiting cell phone invasion.

Carolyn Schlifke, 192 Evans St. – ECWA water rates, fees and personal information requested on ECWA application [*Mayor suggested they not fill in the social security number and driver's license number if they feel uncomfortable doing so.*] Asked what the surcharge will be [*Board would prefer to collect more up front and pay down the debt faster.*]

Thomas Frank, 5403 Main St. – Dead tree on Cayuga planted in contaminated soil [*The soil was replaced with Cornell Structural Soil and was never contaminated - The tree will be replaced next week.*]

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Jim Tricoli, 4 Columbia Dr. – What will happen if you don't pay the surcharge? [*ECWA will go through their collection procedures.*]

Ed Zabel, 24 Pasadena Pl. – Village surcharge? [*Suggested around \$1.87. They are trying to get it back to the old Village rate of \$4.87.*] Pool and/or lawn sprinkler system waste water goes down the storm drain – wouldn't it be fair to have a second meter to deduct out that usage and bill for water used that goes down the sanitary system? [*We are maintaining charges as they have always been in the past. Pools should be drained to the sanitary sewer, not the storm sewer.*]; Summer usage charge is not fair for residents who are gone for the winter – needs to be looked at [*ECWA will be at the next Village Board meeting on May 27th.*]

Nicholas Perino, 40 Hillside Dr. – Will ECWA be taking a final reading? Do they need to enter the home? [*Village will remotely read all meters for final reading and all future readings will be remotely read by ECWA.*]

Jim Tricoli, 4 Columbia Dr. - \$7,000,000 spent repairing equipment at Amherst Sewer Plant; \$800,000,000 to upgrade the plant.

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

Unanimously carried.

Proclamations

Mayor Kulpa read aloud proclamations in honor of firefighters Al Weisser and Irv Lorch.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): Grant applications; S. Long Improvement Plan; 2014 Event Season; Thanked Arts & Culture for work on various events at the meeting House and the Glen Park Art Festival.

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To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$117.00
From:	001-1640-4440 (Central Garage-Parts)	\$117.00
To:	001-1920-4000 (Association Dues)	\$539.00
From:	001-1910-4000 (Unallocated Insurance)	\$539.00
To:	001-3310-4450 (Traffic Control-/Misc.)	\$9.00
From:	001-3310-4041 (Traffic Control-Mileage Reimbursement)	\$9.00
To:	001-3410-2060 (Fire Protection-Computer Equip.)	\$46.00
	001-3410-4010 (Fire Protection-Office Supplies)	\$9.00
From:	001-3410-2030 (Fire Protection-Radio Equip.)	\$46.00
	001-3410-4061 (Fire Protection-Cellular Phone)	\$9.00
To:	001-3410-4160-3402 (Fire Protection-Truck Exp./Engine 2)	\$75.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Car 9-2)	\$150.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Car 9-2)	\$219.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$444.00
To:	001-3410-4160-3491 (Fire Protection-Truck Exp./Asst. Chief Vehicle 9-1)	\$4.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$4.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$271.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$271.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$407.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$407.00
To:	001-5110-4161-0901 (Street Maint.-Repairs/2012 Chevy Tahoe)	\$250.00
From:	001-5110-4605 (Street Maint.-Safety Clothing/Accessories)	\$250.00
To:	001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet)	\$51.00
From:	001-5110-4605 (Street Maint.-Safety Clothing/Accessories)	\$51.00
To:	001-5110-4161-0916 (Street Maint.-Repairs/Chevy 4x4)	\$50.00
From:	001-5110-4605 (Street Maint.-Safety Clothing/Accessories)	\$50.00
To:	001-5110-4250 (Street Maint.-Gas & Oil)	\$966.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$966.00
To:	001-7310-4174 (Youth Programs-Easter Egg Hunt)	\$83.00
From:	001-7310-4170 (Youth Programs-Community Events)	\$83.00
To:	001-5142-1000 (Snow Removal-Personal Services)	\$1,519.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$1,519.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2013-2014* fiscal year to account for funds in the Fire Truck Reserve approved to be used for the refurbishment of Rescue 5:

Increase:	001-0001-0599 (Appropriated Surplus)	\$1185.00
Increase:	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$1185.00

Unanimously carried.

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

RESOLVED, that the *South Long Planning Committee* is hereby created, effective immediately.

Unanimously carried.

**Mayor Kulpa decided to hold his resolution #5 until the next meeting.*

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Parking Code – No parking on Village streets for over 24 hours; After 72 hours considered abandoned and may be towed.

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

RESOLVED, that the following **Building Permit Fee Schedule** is hereby approved, effective immediately:

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VILLAGE OF WILLIAMSVILLE

BUILDING PERMIT FEE SCHEDULE

5565 Main Street, Williamsville, NY 14221 • (716) 632-7747 • Fax (716) 626-4964
Office Hours: Monday – Friday 8:00 am to 3:00 pm

Fees approved 5/12/2014 by resolution of the Village Board of Trustees

FILING FEES - NEW BUILDING OR ADDITION ONLY (fee charged when filing plan only)

Residential.....\$75.00
Commercial.....\$200.00

BUILDING PERMIT FEES

NOTE: Minimum fee is \$50.00 for Residential applications and \$100.00 for Commercial applications.

Residential - New Buildings, Additions, Renovations, Garages, Porches.....\$8.00 per
\$1000 constr.
Commercial - New Buildings, Additions, Renovations.....\$12.00 per
\$1000 constr.
Open Decks.....\$75.00
Sheds/Utility Buildings.....\$50.00
Swimming Pools
 Above Ground.....\$75.00
 In Ground.....\$8.00 per
\$1000 constr.
Temporary Structures/Tents.....\$75.00
Residential Roof Replacement.....\$8.00 per
\$1000 constr.
Commercial Roof Replacement.....\$12.00 per
\$1000 constr.
Fences.....\$50.00
Fireplaces/Gas Appliances (each).....\$50.00
Other Equipment (Air Conditioners, etc.)
 Residential.....\$50.00
 Commercial.....\$12.00 per \$1000 constr.
Generators.....\$75.00
Not Otherwise Specified.....\$12.00 per
\$1000 constr.
Telecommunications.....\$500.00
per antenna/piece
Curb Cut – New or Modification.....\$100.00
Demolition.....\$100.00 per 1,000 sf
Signs – Permanent (Requires Planning Board Approval)
 Under 25 sq. ft.....\$100.00
 25 to < 35 sq. ft.....\$200.00
 5 to < 45 sq. ft.....\$250.00
 45 to < 55 sq. ft.....\$300.00
 Over 55 sq. ft.....\$400.00 plus \$10/sf over 55

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Use Fee..... \$10.00 per year

Note: Use fee is in addition to permit fee and billed on a 5-year cycle; contact Building Dept. for details.

Signs – Temporary

New Business (90 day permit).....\$50.00
 Existing Business (30 day permit with up to 2 renewals)\$30.00
 Banner Signs (per two week period up to 4 times per year)\$50.00
 Paving/Sealing Work in Mixed Use or Commercial Districts\$50.00

PLUMBING PERMIT FEES are in *addition* to Building Permit fees. Please see Plumbing Permit Fee Schedule

ELECTRICAL PERMITS

Electrical permits and inspections are issued and conducted through the Town of Amherst Building Dept.

Please contact them at 5583 Main St., Williamsville, New York 14221, (716) 631-7080

SEASONAL OUTDOOR SEATING PERMIT FEES

Up to 6 Seats\$100.00
 Over 6 Seats.....\$200.00

COMMERCIAL FIRE PROTECTION EQUIPMENT FEES (In addition to Building Permit Fees)

NEW EQUIPMENT

Fire Alarm System\$150.00
 Fire & Smoke Detection System
 <25 Units\$150.00
 25 or More Units\$300.00
 Automatic Fire Extinguishing System
 <25 Units or single restaurant hood\$150.00
 25 or More Units or multiple restaurant hoods\$300.00
 Fire Pumps or other Fire Protection Equipment\$150.00

ALTERATIONS OR REPLACEMENTS

Fire Alarm Systems\$100.00
 Fire & Smoke Detection System
 <25 Units\$100.00
 25 or More Units\$200.00
 Fire Alarm Communicator Modifications.....\$30.00
 Automatic Fire Extinguishing System
 <25 Units or single restaurant hood\$100.00
 25 or More Units or multiple restaurant hoods\$200.00
 Fire Pumps or other Fire Protection Equipment\$100.00

SITE PLAN & ARCHITECTURAL REVIEW FEES

Site Plan Review – Additions..... \$500.00
 Site Plan Review – New Buildings.....\$1,000.00

Architectural Review – Additions.....\$500.00
 Architectural Review – New Buildings.....\$1,000.00

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ZONING BOARD OF APPEALS REFERRALS

Zoning Board of Appeals Variance Application:

Residential.....	\$100.00
Commercial.....	\$150.00

OTHER INSPECTION/MISCELLANEOUS FEES

Zoning Conformance Certification.....	\$50.00
School Inspection.....	\$125.00
Requested Fire Inspections.....	\$75.00

Permit applications and forms can also be downloaded from our website at www.village.williamsville.ny.us

PLEASE NOTE:
FEES WILL AUTOMATICALLY BE DOUBLED
IF AN APPROVED PERMIT IS NOT SECURED BEFORE WORK COMMENCES!

Unanimously carried.

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

RESOLVED, that the following **Plumbing Permit Fee Schedule** is hereby approved, effective immediately:

<p style="text-align: center;">VILLAGE OF WILLIAMSVILLE</p> <p style="text-align: center;"><i>PLUMBING PERMIT FEE SCHEDULE</i></p> <p style="text-align: center;">5565 Main Street, Williamsville, NY 14221 • (716) 632-7747 • Fax (716) 626-4964 Office Hours: Monday – Friday 8:00 am to 4:00 pm</p>
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Fees approved 05/12/14 by resolution of the Village Board of Trustees.

Please Note: All fees include a filing fee, inspection fee and the fee appropriate for the job.

VARIED FIXTURE FEES

Per Fixture Fee.....	\$ 20.00
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For the purpose of computing plumbing permit fees, a fixture shall be defined as a bathtub, sink, laundry tray, drinking fountain dishwashing machine, lavatory sink, shower stall, urinal, water closet, floor drain, roof drain, whirlpool tub, bidet, water heater, hot water tank residential, hot water tank, commercial, air conditioner, catch basin, subsoil drainage system, garbage disposal residential, garbage disposal commercial, sump pump and vacuum air gap.

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SANITARY SEWER AND DRAIN INSTALLATION/REPLACEMENT

Residential - From street to house.....	\$100.00
Commercial – From street to building.....	\$200.00

STORM SEWER AND DRAIN INSTALLATION/REPLACEMENT

Residential - From street to house.....	\$100.00
Commercial – From street to building.....	\$200.00

WATER LINE INSTALLATION/REPLACEMENT

Residential - From street to house.....	\$100.00
Commercial – From street to building.....	\$200.00

BACKFLOW PREVENTION DEVICE

Interior.....	\$100.00
Exterior (Including Hot Box).....	\$500.00

ROAD & SIDEWALK CUTS

Note: All road and sidewalk cuts must be cold patched immediately - no open trench permitted

Road Cut - ½ Cut (32" or less).....	\$150.00
Road Cut - Full Cut (over 32").....	\$300.00
Sidewalk Cut.....	\$100.00

SANITARY SEWER TAPS

One or Two Family Dwelling

Two bedrooms or less.....	\$200.00
Three or more bedrooms.....	\$250.00

All Other Taps.....\$400.00
Buildings having both residential and non-residential use, serviced by one (1) water line shall be assessed fees as established for "all other taps".

SANITARYSEWER DYE TEST\$75.00

STORM SEWERS

Storm Taps

Residential.....	\$150.00
All Other.....	\$500.00

Bubbler\$20.00

WATER SERVICE

WATER TAP

Note: Private plumber must excavate minimum 4 sf area at least 6" below the water tap.

Fee includes DPW installation, corporation cock, curb stop and street box.

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Call Water Dept. at 632-5009.

3/4" tap.....	\$450.00
1" tap.....	\$500.00
1 1/2" tap.....	\$650.00
3" or larger tap	\$700.00

WATER METER (*Damaged Meters - Property owner is responsible for damage to the meter*)

Meter cost + installation charge. Call Water Dept. at 632-5009.

TESTING WATER METER (*Disputed water bill*)\$200.00

WATER SERVICE TURN –ON/OFF\$30.00

WATER LEAK (*Between water main and meter*)

Up to 1" line	\$50.00 per day
Larger than 1" line	\$150.00 per day

LAWN SPRINKLER (Installation, Alteration, Addition, Repair, or Replacement).....\$75.00

FIRE SPRINKLER (Installation, Alteration, Addition, Repair, or Replacement)\$80.00

INSPECTIONS

INSIDE INSPECTIONS (Minimum of 1-2 inspections per job)..... \$30.00 each

OUTSIDE INSPECTIONS (Minimum of 1 inspection per job)..... \$30.00 each

OTHER (Includes demolition of water or sewer line)..... \$40.00 each

AFTER HOURS INSPECTIONS.....\$100.00
each

CALL 632-7747 AT LEAST 24 HOURS IN ADVANCE TO SCHEDULE INSPECTIONS

PERMIT APPLICATIONS MAY BE DOWNLOADED AT OUR WEBSITE:

www.village.williamsville.ny.us

PLEASE NOTE:

FEES WILL AUTOMATICALLY BE DOUBLED

IF AN APPROVED PERMIT IS NOT SECURED BEFORE WORK COMMENCES!

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Thanked Tree Board and volunteers for tree planting on May 3rd; Farmers Market opens this Saturday – Still looking for volunteers.

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

WHEREAS, the Village of Williamsville Youth and Recreation Committee's Annual Youth Street Hockey Tournament will be held on August 16, 2014, at the municipal parking lot behind Village Hall; and

WHEREAS, the Town of Amherst owns and maintains the municipal parking lot;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville shall indemnify the Town of Amherst and hold it harmless from and against any loss, obligation, claim, liability, damage or other charge arising from or relating to the Youth & Recreation Committee's Annual Youth Street Hockey Tournament, sponsored by the Village of Williamsville on the Town's real property, and the use of its general facilities and equipment; and

BE IT FURTHER RESOLVED, that the Village shall give the Town written notice of any claim or event known to it which does or may give rise to a claim by the Village against the Town based upon this agreement; such notice shall contain the nature and basis of such claim or event(s) and the amounts thereof, to the extent known; and

BE IT FURTHER RESOLVED, that in the event any claim, action, suit or proceeding is made or brought by third parties, with respect to which the Town may be entitled to indemnification hereunder, the Town shall give written notice of such claim, action, suit or proceeding, and all legal pleadings with respect thereto to the Village within such time as may be required by the Village to advise its insurers, if any, in a timely manner of such claim, etc. or as otherwise may be reasonably necessary for the Village to defend such action, claim process or legal pleading; the Village shall have the right to assume the defense of any such claim or action; and

BE IT FURTHER RESOLVED, that the Village shall render to the Town such assistance as may be reasonably required and cooperate with the Town in good faith to insure the proper and adequate defense of any claim, action, suit or proceeding brought by any third party.

Unanimously carried.

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Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Tree planting – Planted 40 trees; Main Street trees that died will be replanted next week; Traffic & Safety reports issues with parking on Highland Drive and issues getting emergency vehicles and plow trucks down the street; Parking on Main Street and request from Town of Amherst to eliminate parking around the driveway into town lot; Thanked DPW for assistance with tree planting; Illegal parking spaces paved in R-O-W will be eliminated over the next couple of years.

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

RESOLVED, that the Mayor is hereby authorized to enter into a license agreement with the Williamsville Preservation Foundation regarding the Farmer's Market for the 2014 season.

Unanimously carried.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Wooden statue of Frank Lloyd Wright is back out front of Village Hall once again – Thanked DPW for saving the statue; Parks Committee moving forward with improvements to Island Park, similar to Garrison Park (moving pool fence further out and purchasing Adirondack chairs for the pool deck); Glen Park Master Plan being finalized; Thanked Ken Kostowniak and DPW for all they have done in Glen Park.

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

RESOLVED, that pursuant to Section 6-610 of the New York State Village Law, the Village Board hereby accepts dedication of Pfohl Terrace as per the written offer of 4/14/14, from Louis Angrisano of 25 Pfohl Terrace and Joanne Mendiola of 22 Pfohl Terrace, and described therein; and

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BE IT FURTHER RESOLVED, that upon receipt of a proper conveyance of the land prepared by the owner, the Village Clerk is hereby authorized and directed to file the same in the office of the Erie County Clerk.

Unanimously carried.

DPW Report – Ken Kostowniak, Crew Chief

Crew Chief Kostowniak reported on the following: Waterline construction on S. Cayuga is complete. Next project will be on N. Cayuga Rd. at Millrace. Sanitary sewer project on Reist and Glen will be starting.

Community Development Director Report – Charlie Specht

Mr. Specht showed the new Village website that is currently under construction.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to leave the regular agenda at 8:55 p.m. to open the Executive Session to discuss a legal issue.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to close the Executive Session at 9:33 p.m. and return to the regular agenda.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 9:34 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer