

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 27, 2014 at 7:30 p.m.

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

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

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

Excused: John "Al" Yates, Trustee
Judy A. Kindron, Deputy Treasurer

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on May 12, 2014, as submitted.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

****ECWA representatives were present to answer any questions from the public regarding the imminent turnover of the Village water system to the Authority.***

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

Larry Brenton, 31 Monroe Dr. – He is out of town 6 months of the year and tariff calls for summer surcharge - Feels this is unfair for those whose use less than the minimum - Is there any consideration? [Wes Dust, ECWA – It is based on 120% of winter quarter – Based on 9,000 gallon minimum. Bob Lichtenthal, ECWA – Three out of 10 ECWA bills are minimum bills – Water consumption is declining over all-70 – 72,000 gallons per year is the new average.]

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Carolyn Schlifke, 192 Evans St. – Thanked ECWA representatives for answering her questions before the meeting; Found out why Social Security number is requested on the ECWAs new customer application. [*Mayor Kulpa thanked ECWA for their assistance with the transition.*]

Wes Dust, ECWA – Village financing work ECWA will do in 2015 at a cost of \$2.3 - \$2.6 million; Designing in 2014 and bidding in early 2015.

Bob Lichtenthal, ECWA – More ECWA vehicles will be in the Village in the coming weeks; Welcome packet included information for residents to demand official ECWA ID to verify their intentions and if they are not comfortable, to call ECWA which knows exactly where every vehicle is due to tracking system. If still not comfortable, call the police. Doesn't happen often but has happened in the past.

Larry Brenton, 31 Monroe Dr. – Indicated he would repair the Hopkins Stepping Stone. He has completed this and provided photos for the Board. Village Board should consider where to put the stone. Can leave it the way it is or can treat the surface. Recommended that the Village move the stone it owns in the Main Street Bridge; Main and Garrison – Recommended we remove the curb and widen the lane.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, 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): Thanked ECWA for their cooperation; Grants for South Long Street and Park; Garden Walk is July 19th – Encouraged residents to register their gardens by July 1st.

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

RESOLVED, that payroll and vouchers in the amount of **\$207,385.69** covering the period from **5/8/14 to 5/21/14** are hereby approved as follows:

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Payroll covering: 5/5/14 – 5/18/14: \$37,597.37

Vouchers covering 5/8/14 – 5/21/14:

General Fund	\$152,055.45
Water Fund	\$415.86
Sewer Fund	\$1,743.18
Glen Park Fund	\$848.84
Trust & Agency Fund	\$14,364.99
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$360.00
	<u>\$169,788.32</u>

GRAND TOTAL **\$207,385.69**

Motion carried. 4 - 0.

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2013-2014* fiscal year:

To:	001-1410-4010 (Village Clerk-Office Supplies)	\$7.00
	001-1410-4030 (Village Clerk-Printing & Advertising)	\$26.00
	001-1410-4630 (Village Clerk-Grant Writer)	\$2,168.00
	001-3620-4450 (Safety Inspection-Misc.)	\$1,158.00
From:	001-1410-4120 (Village Clerk-Bond & Note Exp.)	\$3,359.00
To:	001-1010-1000 (Board of Trustees-Personal Services)	\$1.00
	001-1420-1000 (Law Attorney-Personal Services)	\$1.00
	001-3410-1000 (Fire Protection-Personal Services)	\$643.00
	001-5142-1000 (Snow Removal-Personal Services)	\$336.00
	001-7110-1001 (Parks-Personal Services/OT)	\$100.00
	001-8560-1001 (Shade Trees-Personal Services/OT)	\$17.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$1,098.00
To:	001-1420-4620 (Law Attorney-Opinions)	\$2,620.00
From:	001-1990-4000 (Contingency)	\$2,620.00
To:	001-1620-2000 (Buildings-Equip.)	\$629.00
From:	001-1620-4160 (Buildings-Buildings/Repairs)	\$629.00

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To:	001-1640-4161 (Central Garage-Small Equip. Repairs)	\$111.00
	001-1640-4260 (Central Garage-Maint. Supplies)	\$55.00
From:	001-1640-4440 (Central Garage-Parts)	\$166.00
To:	001-3410-4120 (Fire Protection-Bond Note & Expense)	\$10,197.00
From:	001-3410-4750 (Fire Protection-Service Award Program)	\$10,197.00
To:	001-3410-4010 (Fire Protection-Office Equip.)	\$116.00
	001-3410-4111 (Fire Protection-Internet Access)	\$7.00
	001-3410-4470 (Fire Protection-Building Repairs)	\$30.00
From:	001-3410-4180 (Fire Protection-Radio Repairs)	\$116.00
	001-3410-4180 (Fire Protection-Radio Repairs)	\$7.00
	001-3410-4040 (Fire Protection-Education/Travel)	\$30.00
To:	001-3620-4010 (Safety Inspection-Office Supplies)	\$68.00
	001-3620-4020 (Safety Inspection-Postage)	\$28.00
	001-3620-4041 (Safety Inspection-Mileage Reimbursement)	\$154.00
From:	001-3620-4480 (Safety Inspection-NYS Code Updates)	\$250.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$347.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$347.00
To:	001-5110-4161-0906 (Street Maint.-Repairs/2007 Int'l 4300 Dump)	\$3.00
	001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet)	\$149.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Trackless Sidewalk Plow)	\$96.00
From:	001-5110-4605 (Street Maint.-Safety Clothing/Accessories)	\$248.00
To:	001-6410-4111 (Publicity-Website)	\$98.00
	001-6989-1000 (Other Economic Opportunity/Development-Personal Services)	\$4,489.00
	001-6989-2000 (Other Economic Opportunity/Development-Equip.)	\$1,467.00
	001-6989-4010 (Other Economic Opportunity/Development-Office Supplies)	\$138.00
	001-6989-4040 (Other Economic Opportunity/Development-Education/Travel Exp.)	\$153.00
From:	001-1990-4000 (Contingency)	\$6,345.00
To:	001-7110-4162 (Parks-Repairs/Pools)	\$78.00
	001-7110-4165 (Parks-Repairs/Shelter Maint.)	\$1,601.00
From:	001-7110-2020 (Parks-Park Equip.)	\$1,679.00
To:	001-8510-2000 (Community Beautification-Equip.)	\$419.00
	001-8510-4160 (Community Beautification-Repairs)	\$47.00
	001-8510-4340 (Community Beautification-Plants)	\$1,775.00
	001-8510-4350 (Community Beautification-Hanging Plants)	\$50.00
	001-8510-4450 (Community Beautification-Misc.)	\$1,159.00
From:	001-8560-4350 (Shade Trees- Trees/Maint.)	\$3,450.00

Motion carried. 4 – 0.

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

RESOLVED, that the following *budget transfer* is hereby made in the *Water Fund* for the *2013-2014* fiscal year:

To:	006-8340-4160 (Water Transmission-Repairs/Lines)	\$299.00
From:	006-8340-4161 (Water Transmission-Repairs/Equip.)	\$299.00

Motion carried. 4 – 0.

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

RESOLVED, that the following *budget transfer* is hereby made in the *Sewer Fund* for the *2013-2014* fiscal year:

To:	007-8120-4112 (Sanitary Sewers-Engineer)	\$1,078.00
From:	007-8120-4116 (Sanitary Sewers-Monitor Maint.)	\$1,078.00

Motion carried. 4 – 0.

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

RESOLVED, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the *2013-2014* fiscal year:

To:	009-7141-1000 (Glen Park-Personal Services)	\$336.00
	009-7141-4102 (Glen Park-Landscaping)	\$426.00
	009-9030-8000 (Glen Park-Social Security)	\$24.00
From:	009-7141-4070 (Glen Park-Utilities)	\$786.00

Motion carried. 4 – 0.

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ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, 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 the lease of Williamsville Mill to My Sweet Jenny's LLC:

Increase:	001-0001-2411 (Lease on Mill Property)	\$3,850.00
Increase:	001-7540-4160 (Williamsville Water Mill-Building Maint.)	\$3,850.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, 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 the use of the capital reserve fund for fire trucks toward expenses related to the refurb of Rescue 5:

Increase:	001-0001-0599 (Appropriated Surplus)	\$100.00
Increase:	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$100.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, 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 the use of the capital reserve fund for fire trucks toward expenses related to the refurb of Rescue 5:

Increase:	001-0001-0599 (Appropriated Surplus)	\$3,655.00
Increase:	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$3,655.00

Motion carried. 4 – 0.

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ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, 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 the reversal of the 12/9/13 budget amendment for an ACH deposit that was incorrectly recognized as General Fund Revenue when it is in fact Capital Project (#824) Revenue:

Decrease: 001-0001-3090 (State Aid-Grants)	\$90,000.00
Decrease: 001-9950-9000 (Transfer to Capital)	\$90,000.00

Motion carried. 4 – 0.

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 the reversal of the 12/9/13 budget amendment for an ACH deposit that was incorrectly recognized as General Fund Revenue when it is in fact Capital Project (#825) Revenue:

Decrease: 001-0001-3090 (State Aid-Grants)	\$83,717.00
Decrease: 001-9950-9000 (Transfer to Capital)	\$83,717.00

Motion carried. 4 – 0.

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

RESOLVED, that Jonathan J. Duval, residing at 299 Mill Street, Williamsville, New York, is hereby appointed as a member of the Williamsville Fire Department, effective June 1, 2014.

Motion carried. 4 – 0.

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

WHEREAS, the Administrator was authorized to advertise for bids for the sale of the three Williamsville Fire Department's Chief's vehicles; and

WHEREAS, only one bid was received for each vehicle from a single bidder expressly stating that should their bid be successful, they would only purchase one of the three vehicles;

NOW, THEREFORE, BE IT RESOLVED, that the sale of the Williamsville Fire Department's Chief's vehicle 9-1, a 2011 Ford Expedition, is hereby awarded "as is" to Pembroke Fire District, for their high bid in the amount of \$31,501; and

BE IT FURTHER RESOLVED, that all proceeds will be turned over to Hutchinson Hose Company to be used solely toward the purchase of a new Chief's vehicle.

Motion carried. 4 – 0.

**Mayor Kulpa announced he was striking his resolutions #13 and #14.*

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

RESOLVED, that *Howard Cadmus, 461 Washington Highway, Amherst, New York*, is hereby appointed to the *Arts & Culture Committee*, until the end of the *2013-2014* official Village year.

Motion carried. 4 – 0.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Thanked Administrator Juul, DPW Crew Chief Kostowniak and the entire staff for how smoothly the consolidation went with the ECWA – Fact that few are present at this meeting indicates this was a good

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decision - Thanked Village Attorney Grieco as well for his legal work on the turnover project.

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

WHEREAS, the Direct Service Agreement between the Village of Williamsville and the Erie County Water Authority includes a provision for a surcharge to be set by the Village and billed and collected by the ECWA; and

WHEREAS, the surcharge will be used to pay off existing debt from previous capital projects, as well as work that was required in order to turn over to the ECWA;

NOW, THEREFORE, BE IT RESOLVED, that the water surcharge is hereby set at \$1.87 per 1,000 gallons of water consumed; and

BE IT FURTHER RESOLVED, that said surcharge shall apply only to water consumed, and not to the minimum amount billed by the Erie County Water Authority.

Motion carried. 4 – 0.

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

RESOLVED, that the proposal from Rotella Grant Management for grant writing services is hereby approved at an amount of \$1,200 per month for an unlimited number of grant applications.

Motion carried. 4 – 0.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Recycling article in the Buffalo News – We are at the top but numbers are still not high enough – Recycling totes coming in July or August; Zoning Board of Appeals meeting last week – They denied a pole sign – Those with pole signs (and all other non-compliant signs) should consider replacement

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within the next few years, as these signs will lose their grandfathered non-compliant status soon; HPC nominated 26 properties for local landmark status

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

RESOLVED, that the Direct Service Agreement with the Erie County Water Authority is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to sign said agreement.

Motion carried. 4 – 0.

**Village Attorney Grieco added for the record that our SEQRA determination was made quite a while ago when we entered into the MOU with the ECWA.*

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

WHEREAS, the Village holds several easements for properties where parts of the Village of Water system exist on private property, and these easements must be assigned to the Erie County Water Authority upon turnover of the water system; and

WHEREAS, an easement must also be granted to the Erie County Water Authority for a portion of S. Long St. Park where a part of the water system runs across Village property between S. Long St. and Milton St.;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized and directed to sign said easements, upon approval of the Village Attorney as to form, and the Village Clerk is authorized and directed to file said easements in the office of the Erie County Clerk.

Motion carried. 4 – 0.

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Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Parks Committee meeting -Thanked DPW Crew Chief for attending; New benches in the parks; Lights in Garrison Park gazebo being repaired; Main Street trees have been replaced; Parking in the Village and access for fire and emergency vehicles.

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

RESOLVED, that the Bill of Sale to the Erie County Water Authority is hereby approved; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to sign said Bill of Sale.

Motion carried. 4 – 0.

ON MOTION by Trustee 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 at 7:30 p.m. on Monday, June 23, 2014, at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in commenting on a proposed amendment to Section 103-16 of the Village Code regarding parking on Main Street that would institute No Standing from the Town of Amherst driveway to a point 12 feet east of the driveway, and from the Town of Amherst driveway to a point 25 feet west of the driveway.

Motion carried. 4 – 0.

ON MOTION by Trustee DeLano, seconded by Trustee Duquin, 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 at 7:30 p.m. on Monday, June 23, 2014, at Williamsville Village Hall, 5565 Main Street,

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Williamsville, New York, for the purpose of hearing all persons interested in commenting on a proposed amendment to Section 103-16 of the Village Code that would institute No Standing on the east side of Highland Drive from Main Street to Scott Drive.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to leave the regular agenda to consider a new resolution.

Motion carried. 4 – 0.

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

RESOLVED, that *Noel Bartlo of 55 California Drive, Williamsville*, and *Deb Rogers of 145 S. Cayuga Rd., Williamsville*, are hereby appointed as *Co-chairpersons* of the *S. Long Community Planning Committee*.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to return to the regular agenda.

Motion carried. 4 – 0.

Report - Village Attorney

Village Attorney Grieco reported on the following: Congratulated the Village on successfully completing the water system turnover to ECWA.

Report – Deputy Clerk Habes

Deputy Clerk Habes reported on the following: Invited residents to sign up their gardens by the July 1st deadline and participate in this year's Garden Walk.

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Report -Community Development Director Specht

Community Development Director Specht reported on the following: Echoed Mr. Grieco's comments regarding the successful turnover of the water system to ECWA.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to adjourn the regular meeting at 8:32 p.m.

Motion carried. 4 - 0.

Lynda L. Juul
Administrator/Clerk-Treasurer