

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

Mayor Kulpa called for a moment of silence on the occasion of the tenth anniversary of the attacks of September 11, 2001.

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

Present: Brian J. Kulpa, Mayor
 Basil J. Piazza, Trustee
 Brian J. Geary, Trustee
 Amy R. Alexander, Trustee
 Daniel O. DeLano, Trustee

Also present: Charles Grieco, Village Attorney
 Lynda L. Juul, Administrator/Clerk-Treasurer
 Judy A. Kindron, Deputy Treasurer
 Kenneth Kostowniak, 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 August 22, 2011.

Unanimously carried.

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

Unanimously carried.

The following members of the audience addressed the Board:

Chris Duquin, 217 N. Ellicott St. – Absentee landlord registration and inspections; Sidewalk replacement and installation.

Larry Brenton, 31 Monroe Dr. – WNY Railway Historical Society fall event; Depot security; Sidewalks and sidewalk replacement.

Bob Krieter, 26 Monroe Dr. – Sidewalks and sidewalk replacement.

Doug Richardson, 221 Hirschfield Dr. – Enforcement of sidewalk code requiring clearing of snow and ice by property owner.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

Tom Frank, 225 Evans St. – Niagara Power Project relicensing; Removal of toll barrier; Code inconsistency; National Historic Landmark designation; IJC

Carolyn Schlifke, 192 Evans St. – Sidewalks; Need for installation of sidewalks in all areas.

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

Unanimously carried.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topics: Staff changes in Building Department; Oktoberfest; Zoning update and public information meeting on 9/15 and public hearing on 10/11; Erie County’s Wehrle Drive project; Village dam classification; Mill restoration.

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

RESOLVED, that payroll and vouchers in the amount of **\$260,525.40** covering the period from **8/15/11** to **9/7/11** are hereby approved as follows:

Payroll covering: 8/15/11 – 8/28/11:	\$32,922.16
Vouchers covering: 8/18/11 – 9/7/11:	
General Fund	\$88,139.12
Water Fund	\$50,792.68
Sewer Fund	\$2,095.13
Glen Park Fund	\$4,736.80
Trust & Agency Fund	\$12,611.38
Debt Service	\$69,228.13
Community Development	\$0.00
Capital Fund	\$0.00
	<hr/>
	\$227,603.24
GRAND TOTAL:	<u>\$260,525.40</u>

Unanimously carried.

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees
held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York,
Monday, September 12, 2011 at 7:30 p.m.**

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

RESOLVED, that the following budget *transfers* are hereby made in the *General Fund* for the *2011-2012* fiscal year:

To:	001-3410-4160-3401 (Fire Protection-Truck Exp.)	\$2257.00
	001-3410-4160-3402 (Fire Protection-Truck Exp.)	\$2721.00
	001-3410-4160-3403 (Fire Protection-Truck Exp.)	\$825.00
	001-3410-4160-3405 (Fire Protection-Truck Exp.)	\$949.00
	001-3410-4160-3406 (Fire Protection-Truck Exp.)	\$335.00
From:	001-3410-4160 (Fire Protection-Truck Expenses)	\$7087.00
To:	001-5110-4161-0902 (Street Maint.-Repair/'01 Int'l Dump)	\$919.00
	001-5110-4161-0904 (Street Maint.-Repair/'99 Int'l Dump)	\$450.00
	001-5110-4161-0905 (Street Maint.-Repair/'07 Int'l Sander)	\$122.00
	001-5110-4161-0906 (Street Maint.-Repair/'03 F550 Pickup)	\$114.00
	001-5110-4161-0907 (Street Maint.-Repair/'92 Autocar Dump)	\$216.00
	001-5110-4161-0908 (Street Maint.-Repair/'98 F150 Pickup)	\$434.00
	001-5110-4161-0910 (Street Maint.-Repair/'09 F350 Pickup)	\$60.00
	001-5110-4161-0912 (Street Maint.-Repair/'11 CAT Hi-lift)	\$309.00
	001-5110-4161-0914 (Street Maint.-Repair/'01 Trackless Sidewalk Plow)	\$479.00
	001-5110-4161-0916 (Street Maint.-Repair/'07 Chevy 4x4)	\$119.00
	001-5110-4161-0918 (Street Maint.-Repair/'10 Ford F350)	\$18.00
	001-5110-4161-0919 (Street Maint.-Repair/'07 Chevy 4x4)	\$4.00
	001-5110-4161-0920 (Street Maint.-Repair/'92 JD Backhoe)	\$145.00
	001-5110-4161-0921 (Street Maint.-Repair/'08 Ford F280)	\$39.00
From:	001-5110-4161(Street Maint.-Repairs/Equip.)	\$3428.00
To:	001-5110-4161-0908 (Street Maint.-Repair/'98 F150)	\$93.00
	001-5110-4161-0916 (Street Maint.-Repair/'07 Chevy 4x4)	\$67.00
	001-5110-4161-0915 (Street Maint.-Repair/'91 Crosswind Sweeper)	\$84.00
	001-5110-4161-0904 (Street Maint.-Repair/'91 Int'l Dump)	\$43.00
From:	001-5110-4161(Street Maint.-Repairs/Equip.)	\$287.00
To:	001-1110-4110 (Service Contracts)	\$198.00
From:	001-1110-4620 (Publications-Updates)	\$198.00
To:	001-3310-1001 (Traffic Control-Personal Service/OT)	\$69.00
From:	001-8162-1001 (Leaf Pickup-Personal Services-OT)	\$69.00

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

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

RESOLVED, that the following budget *transfer* is hereby made in the *Sewer Fund* for the *2011-2012* fiscal year:

To:	007-8120-1001 (Sanitary Sewers-Personal Services/OT)	\$16.00
From:	009-8120-1000 (Sanitary Sewers-Personal Services)	\$16.00

Unanimously carried.

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

RESOLVED, that the following *amendment* is hereby made in the *General Fund* for the *2011-2012* fiscal year, to account for registration fees paid for Youth & Recreation Committee's street hockey tournament on June 4, 2011:

Increase:	001-0001-2770 (Misc. Revenue)	\$1650.00
Increase:	001-7310-4176 (Youth Programs-Youth Hockey Tournament)	\$1650.00

Unanimously carried.

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

WHEREAS, the Village of Williamsville Board of Trustees created the Williamsville Zoning Committee to work on Design Standards for a new Mixed Use district; and

WHEREAS, the proposed Design Standards have been finalized by the Williamsville Zoning Committee, and are being reviewed by the Village Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that the Administrator is hereby authorized to publish a legal notice of a public hearing to be held on Tuesday, October 11, 2011, at 7:35 pm at Village Hall, 5565 Main St., Williamsville, New York, to hear all those interested in expressing an opinion on the final draft of the Mixed Use District Design Standards and the proposed amendment to Chapter 112 of the Village Code (Zoning).

Unanimously carried.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

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

RESOLVED, that the position of Code Enforcement Officer Part-Time is hereby created.

Unanimously carried.

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

RESOLVED, that *David J. Johnston of 42 Crosby Ave., Kenmore, NY*, is hereby appointed as *Code Enforcement Officer, Part-Time* effective immediately.

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topics: Ash tree survey; Parks Committee and re-landscaping of gazebos at Garrison Park and S. Long Park; Beautification Committee; Re-landscaping of Meeting House Garden.

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

WHEREAS, Erie County has received grant funding from the Federal Emergency Management Agency (FEMA) to prepare the first update of the 2005 Multi-Jurisdictional Hazard Mitigation Plan; and

WHEREAS, updates are mandatory on a five year cycle following FEMA approval in order to comply with the Disaster Mitigation Act of 2000 and maintain eligibility to apply for certain types of federal disaster mitigation project funding (under such programs as the Hazard Mitigation Grant Program and the Pre-Disaster Mitigation Program); and

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

WHEREAS, in order to be compliant with the DMA 2000, a community must either (a) prepare its own hazard mitigation plan, or (b) participate in a multi-jurisdictional plan development process; and

WHEREAS, Erie County has again elected to use its grant funding to lead the effort for a multi-jurisdictional plan update; and

WHEREAS, by participating in the multi-jurisdictional plan, the Village of Williamsville will be compliant with DMA 2000 once FEMA approves the final plan and it is adopted by the Village Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees hereby authorizes the Village of Williamsville to be a participant in this multi-jurisdictional plan; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to sign the Statement of Authority for municipalities wishing to participate in the Erie County Multi-Jurisdictional Hazard Mitigation Plan Update -2011, in which the Erie County Department of Emergency Services will serve as lead agency; and

BE IT FUTHER RESOLVED, James Zymanek, Director of Emergency Services for the Town of Amherst is hereby authorized to act as the primary representative for the Village of Williamsville, with Administrator Lynda L. Juul working with Mr. Zymanek, and acting as the alternate representative for the Village of Williamsville.

Unanimously carried.

Report – Trustee Alexander

Trustee Alexander reported on the following topics: Thanked Town of Amherst and Village for the 9/11 ceremony; Thanked WBA and Fire Dept. for Evening in the Village event; Upcoming Youth & Rec events include Nature Day in Glen Park on 10/1, children's tent at the Farmers Market on 10/22, and the Halloween parade on 10/29.

Trustee Alexander had no resolutions.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

Report – Trustee DeLano

Trustee DeLano reported on the following topics: Fall tree planting; Ash tree tagging; Thanked DPW for the work done in Glen Park.

Trustee DeLano had no resolutions.

Report – Trustee Piazza

Trustee Piazza reported on the following topics: Code enforcement; Reasoning for enforcing sidewalk repair code.

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

WHEREAS, Section 89-5 of the Village Code (Repair of Unsafe Sidewalks) charges the Department of Public Works (DPW) with the duty of regular inspection of all public sidewalks in the Village; and

WHEREAS, per Section 89-5 of the Village Code (Repair of Unsafe Sidewalks), the DPW has inspected such sidewalks and has created a list of properties with sidewalks that have been deemed to be a hazard to the safe passage of pedestrian traffic; and

WHEREAS, none of the properties on the list have sidewalk issues that are the result of damage caused by a tree planted or growing within the right-of-way; and

WHEREAS, the repair of these hazardous sidewalks are the responsibility of the property owner;

NOW, THEREFORE, BE IT RESOLVED, that the owners of such properties shall be notified in writing to undertake a reconstruction or repair of the sidewalk at the owner's expense; and

BE IT FURTHER RESOLVED, that if such repairs are not completed by November 1, 2011, the Department of Public Works is hereby authorized to complete such repairs, and report the cost to the Village Clerk, who will notify the owner of the charges by mail; and

BE IT FURTHER RESOLVED, that if such charges are not paid, they shall be placed on the following year's tax roll.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, September 12, 2011 at 7:30 p.m.

Roll Call:	Piazza	Yes
	Alexander	Yes
	Geary	No
	DeLano	Yes
	Kulpa	Yes

Motion carried. 4 – 1.

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

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer