

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, October 24, 2011 at 7:30 p.m.

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

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

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

Absent: Basil J. Piazza, Trustee

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to approve the minutes of the regular meeting held on October 11, 2011.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to approve the minutes of the public hearing held on October 11, 2011.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

Mayor Kulpa commented on the Zoning Code: There are no substantive changes; Kept setback ratio as indicated (1:1 ratio for the first floor, 1:2 ratio for higher levels); Drive-through facilities will be permitted in rear lots only.

The following member of the audience addressed the Board:

Thomas Frank, 225 Evans St. – Encouraged joint meeting between the Town Board and the Village Board relating to Main Street; Great Lakes water quality; WNY Regional Council; GBNRTC; War of 1812; Niagara Falls National Heritage area.

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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:	001-3410-4160-3492 (Fire Protection-Truck Exp./Chief Car 9-2)	\$1233.00
	001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$361.00
	001-3410-4160-3402 (Fire Protection-Truck Exp./Engine 2)	\$641.00
	001-3410-4160-3403 (Fire Protection-Truck Exp./Engine 3)	\$200.00
	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$3786.00
	001-3410-4160-3406 (Fire Protection-Truck Exp./Truck 6)	\$222.00
From:	001-3410-4160 (Fire Protection-Truck Expenses)	\$6443.00
To:	001-7540-4230 (Williamsville Water Mill – Maint.)	\$100.00
	001-7540-4450 (Williamsville Water Mill-Misc.)	\$3.00
From:	001-7540-4160 (Williamsville Water Mill-Building Repairs)	\$103.00
To:	001-7530-4000 (Village Meeting House-Open/Close)	\$60.00
From:	001-7530-4230 (Village Meeting House-Maint.)	\$60.00
To:	001-5110-4161-0901 (Street Maint.-Repairs/2001 Chevy Impala)	\$115.00
	001-5110-4161-0902 (Street Maint.-Repairs/2001 Int'l Dump)	\$552.00
	001-5110-4161-0908 (Street Maint.-Repairs/2011 Chevy Silverado)	\$281.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Trackless)	\$134.00
	001-5110-4161-0916 (Street Maint.-Repairs/2007 Chevy 4x4)	\$10.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F350)	\$158.00
	001-5110-4161-0919 (Street Maint.-Repairs/12007 Chevy 4x4)	\$131.00
From:	001-5110-4161 (Street Maint.-Repairs/Equipment)	\$1381.00
To:	001-7110-4350 (Parks-Pool Supplies)	\$8.00
	001-7110-4355 (Parks-Pool Permits)	\$498.00
	001-7110-4450 (Parks-Misc.)	\$275.00
From:	001-7110-4360 (Parks-Park Supplies)	\$8.00
	001-7110-4162 (Parks-Repairs/Pools)	\$498.00
	001-7110-4169 (Parks-Repairs/Other)	\$275.00

Motion Carried. 4 – 0.

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

RESOLVED, that the following budget *amendment* is hereby made in the *Glen Park Fund* for the *2011-2012* fiscal year, to account for pavers sold and purchased:

Increase:	009-0009-2773 (Glen Park-Memorials-Pavers/Benches/Trees)	\$201.00
Increase:	009-7141-4490 (Glen Park-Memorials-pavers/Benches/Trees)	\$201.00

Motion carried. 4 – 0.

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

RESOLVED, that the following budget *amendment* is hereby made in the *General Fund* for the *2011-2012* fiscal year, to account for payment received to cover copy costs for FOIL request:

Increase:	001-0001-2655 (Minor Sales-Other)	\$218.00
Increase:	001-1410-4450 (Clerk's Office-Misc.)	\$218.00

Motion carried. 4 – 0.

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

WHEREAS, the Village Board wishes to adopt certain amendments to the Village Code intended to conform its land use regulations governing developments along the Main Street corridor within the Village to the land use vision contained in the Village of Williamsville Community Plan, a duly adopted comprehensive planning document within the meaning of Village Law Section 7-772; and

WHEREAS, by resolution dated March 22, 2010, the Village Board determined that the Final Generic Environmental Impact Statement (FGEIS) for the Community Plan was complete for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and thereafter caused a Notice of Completion of the FGEIS be duly filed and published; and

WHEREAS, upon its independent review and consideration of all comments concerning the proposed Community Plan and its independent review and consideration of the

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conclusions in the FGEIS, the Village Board, as lead agency, adopted a SEQRA Findings Statement on April 12, 2010 summarizing its findings with respect to the potential environmental impacts associated with the adoption of the Community Plan; and

WHEREAS, the Community Plan and FGEIS expressly contemplated the subsequent enactment of code amendments and design standards intended to encourage mixed use, pedestrian-friendly and architecturally appropriate development along the Main Street corridor;

NOW, THEREFORE, BE IT RESOLVED that, having undertaken its independent review and consideration of the conclusion in the Community Plan, FGEIS, the April 2010 Findings Statement, and all other relevant information in light of the environmental criteria contained in the SEQRA regulations, the Village Board, as SEQRA lead agency, does hereby adopt, pursuant to 6 NYCRR § 617.10(d)(2), the attached Supplemental Findings Statement specifically related to the potential environmental impacts associated with the proposed code amendments implementing the Community Plan, which is expressly incorporated herein by reference.

Motion carried. 4 – 0.

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

WHEREAS, in accordance with the provisions of Section 7-722 of New York State Village Law, the Village Board of Trustees adopted the Village of Williamsville Community Plan on April 12, 2010; and

WHEREAS, the Community Plan contains a Land Use Vision for the Main Street corridor within the Village as a pedestrian-friendly, mixed use destination characterized by high quality design; and

WHEREAS, the Community Plan expressly contemplated the need to amend the Village's land use regulations to ensure development consistent with this Land Use Vision; and

WHEREAS, shortly after adoption of the Community Plan, the Board of Trustees created a Williamsville Zoning Committee comprised of members of the Planning/Architectural Review Board, Zoning Board of Appeals and other residents, professionals and community members who represented a broad range of community perspectives; and

WHEREAS, the Williamsville Zoning Committee worked for approximately one year, along with the Village Attorney and a professional planning firm, to prepare draft design

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standards and associated code amendments governing development within a newly created Mixed Use (MU) District along the Main Street corridor; and

WHEREAS, the new MU District will essentially replace the four different use-based classifications governing land use along the corridor with one, unified district intended to encourage multi-story mixed use structures, built close to the street with rear loaded (and reduced) off-street parking requirements, enhanced pedestrian connectivity, and high quality design that complements the Village's valued historic, pedestrian scale building stock; and

WHEREAS, following several revisions, the Williamsville Zoning Committee finalized its review of the draft MU District Design Standards and Regulations in the summer of 2011 and forwarded the draft to the Village Board with its recommendation that they be approved; and

WHEREAS, the Village Attorney and the Village's planning consultant conducted public information sessions outlining the proposed design standards and code amendments, and copies of the proposed regulations were posted on the Village website and made available for review at Village Hall; and

WHEREAS, in accordance with New York State Law, the Village Board provided public notice for and held a public hearing on the proposed code amendments on October 11, 2011; and

WHEREAS, after reviewing the comments received at the public hearing and elsewhere concerning the proposed regulations, the Village Board prepared certain minor modifications to the proposed code amendments; and

WHEREAS, in accordance with New York State Law, the Village Board completed a Long Form Environmental Assessment Form (EAF) to identify any potential environmental impacts associated with the proposed code amendments and adopted a Supplemental Findings Statement setting forth its findings and conclusions with respect to those potential impacts; and

WHEREAS, in accordance with New York State Law, the Village Board referred a complete statement of the proposed amendments to the Erie County Department of Environment and Planning, which agency found it to be of local concern; and

WHEREAS, the Village Board finds that the proposed Code Amendments are consistent with the Community Plan and are necessary and appropriate to ensure that development along the Main Street corridor within the Village conform to the officially adopted Land Use Vision contained within the Community Plan;

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NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby amends certain portions of Chapters 57 (Landscaping) and 112 (Zoning), as well as the official Zoning Map of the Village, as reflected in the attached Code Amendments, Mixed Use District Design Standards and Zoning Map, each incorporated by reference herein, and directs the Village Clerk to file the same with New York State Secretary of State.

Motion carried. 4 – 0.

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

RESOLVED, that Lynda L. Juul is hereby appointed to the position of Village Administrator/ Clerk-Treasurer effective 11/1/11 through 10/31/13.

Motion carried. 4 – 0.

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

RESOLVED, that the Village Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, November 14, 2011 at 7:40 p.m., at Williamsville Village Hall, 5565 Main St., Williamsville, New York, for the purpose of hearing all persons interested in commenting on a proposed local law amending Chapter 84 (Signs).

Motion carried. 4 – 0.

Report – Trustee Alexander

*Trustee Alexander reported on the following topics: Halloween events for 10/29 include pumpkin carving in Glen Park, from Noon to 3pm and Halloween costume contest and parade, starting at 5:30pm; Monday, October 31st is Trick or Treat night in the Village; Youth & Rec sponsored Family Movie Night at the Meeting House Series starts 11/11 at 7pm (G-rated Disney movie *Jungle Book*) and 9pm (PG 13 rated *Transformers*).*

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

WHEREAS, the Justice Court Assistance Program has been invaluable in its aid to local courts; and

WHEREAS, the Williamsville Court wishes to apply to the Justice Court Assistance Program for improvements to their court's security including security cameras and a key fob system; and

WHEREAS, the Village Board of Trustees fully supports this application, under which a match is not required;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized and directed to sign the 2011-2012 Justice Court Assistance Program Grant Application, as completed by the Williamsville Court.

Motion carried. 4 – 0.

Report – Trustee DeLano

Trustee DeLano reported on the following topics: Congratulated those who worked on the Community Plan and Zoning Code revisions; Semi-annual Village tree planting is 11/5/11 starting at 8:30am at the Fire Hall; Eagle Scout project for tree healing bed on Lehigh Memory Trail; *National Grid 10,000 Trees and Growing* grant.

Trustee DeLano had no resolutions.

Report – Trustee Geary

Trustee Geary reported on the following topics: Thanked DPW for assistance with Eagle Scout tree bed mulching project along Lehigh Memory Trail; Thanked Marcia and Nick Roth for their assistance with Meeting House planting grant; Parks Day is 10/29/11 – will include tree plantings in the park - anyone who wishes to volunteer for community service hours should contact Trustee Geary.

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

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RESOLVED, that the following Fire Dept. equipment is hereby declared surplus:

Asset # 359 Self Contained Breathing Apparatus – 22 units

BE IT FURTHER RESOLVED, that the equipment will be disposed of through trade-in, at a credit of \$500.00 per unit when the new SCBA units are purchased.

Motion carried. 4 – 0.

Report – Village Attorney Grieco

Mr. Grieco congratulated the Board for passing a very progressive Zoning Code; Thanked the volunteers on the Zoning Committee for their time.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to adjourn the regular meeting at 8:09 p.m.

Motion carried. 4 – 0.

Lynda L. Juul

Administrator/Clerk-Treasurer