

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, December 12, 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
 Basil J. Piazza, Trustee
 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

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on November 28, 2011.

Unanimously carried.

ON MOTION by Trustee DeLano, seconded by Trustee Piazza, it was moved to open the public hearing at 7:35 p.m.

Unanimously carried.

▪ *A public hearing was held to hear all persons interested in commenting on a proposed amendment to Chapter 103-16 (Vehicles and Traffic) regarding no standing on a portion of Reist Street.*

ON MOTION by Trustee DeLano, seconded by Trustee Alexander, it was moved to close the public hearing at 7:38 p.m.

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, December 12, 2011 at 7:30 p.m.

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:

Al Taylor, 165 N. Ellicott St. – Stated he feels he is the one the odor ordinance is targeted at; he wanted to clarify a few points - He has only received one complaint and that was in 2009 when he was watering a sod lawn he had put in; Only watered 6 – 8 times during the summer of 2011; Well goes dry in 25 minutes and takes a few hours to refill; Sulfur is naturally occurring; A friend of his fills his pool with well water and the smell dissipates; Water is unfiltered – He was told by his contractor that it is not cost effective to treat the water; He was never contacted for his side of the story; Feels neighbor who complained is a “code bully”; No one ever came to him to see if he would cooperate; He has cooperated by watering in the evenings when his neighbor is at work; There are better uses for Village resources, such as Main Street, which he would be willing to help with.

Larry Brenton, 31 Monroe Dr. – Does not support the proposed local law; Mr. Taylor has served the Village well; There have been sulfur wells in the Village in the past; The community was started with wells; There is nothing more important in our society than ethics; Asphalt in the Village is not good; Re-evaluation of URS sanitary sewer recommendation; Would like to see elimination of Village water system and turnover of system to ECWA.

Thomas Frank, 225 Evans St. – Transportation improvement; Regional 2050 Plan; Removal of toll barriers; Main and Garrison; War of 1812; Consolidated funding application to CFA for nys.gov – He is the conceptual mastermind, planner and architect; GBNRTC Study done 4-6 years ago for Glen Ave. Bridge; Would like a copy of the State of the Village; Erie County Historical Federation; Greenway 7585 P3 Project.

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

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, December 12, 2011 at 7:30 p.m.

001-5110-4161-0912 (Street Maint.-Repairs/Repairs-Cat Hi-Lift)	\$173.00
From: 001-5110-4161 (Street Maint.-Repairs/Equipment)	\$419.00
To: 001-7540-4230 (Williamsville Water Mill-Building Maint.)	\$185.00
From: 001-7540-4160 (Williamsville Water Mill-Building Repairs)	\$185.00
To: 001-7550-4400 (Celebrations-Holiday Decorations)	\$222.00
From: 001-7550-4520 (Celebrations-Music in the Park)	\$222.00
To: 001-1110-4099 (Village Justices-Grant Expenditures)	\$27.00
From: 001-1110-4010 (Village Justices-Office Supplies)	\$27.00
To: 001-1411-4810 (Records Management-Film Storage)	\$26.00
From: 001-1411-2040 (Records Management-Equipment/Capital Reserve)	\$26.00
To: 001-1640-1001 (Central Garage-Personal Services/OT)	\$76.00
From: 001-7550-1001 (Celebrations-Personal Services/OT)	\$76.00

Unanimously carried.

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 **2011-2012** fiscal year, to account for the purchase of a surround sound system for the Meeting House:

Increase: 001-0001-599 (Appropriated Surplus)	\$828.00
Increase: 001-7530-2000 (Village Meeting House-Equipment)	\$828.00

Unanimously carried.

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

WHEREAS, a minimum of four hours of annual training is required for all Planning Board and Zoning Board of Appeals members; and

WHEREAS, the Village has recently significantly modified its Zoning Code, including Landscape and Sign Codes; 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, December 12, 2011 at 7:30 p.m.

WHEREAS, Charles Grieco of Jaeckle Fleischmann & Mugel, the Village Attorney, also acted as the project manager during the Zoning Code modification process;

NOW, THEREFORE, BE IT RESOLVED, that four hours of training on the updated Zoning Code to be performed by Charles Grieco are hereby approved as eligible toward the minimum four hour training requirement; and

BE IT FURTHER RESOLVED, that viewing of such training session(s) via DVD is also approved as eligible toward the minimum four hour training requirement.

Unanimously carried.

Report – Trustee DeLano

Trustee DeLano reported on the following topics: Thanked everyone who participated in the holiday bonfire and tree lighting; Complimented Village Artisans for their holiday window display.

Trustee DeLano had no resolutions this evening.

Report – Trustee Geary

Trustee Geary reported on the following topics: Thanked Village Attorney Grieco for his training session on the new zoning code; Tree Board will be re-evaluating ash trees in the Village and assisting Glen Park; Parks Committee project prioritization.

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

RESOLVED, that the Mayor is hereby authorized to execute, on behalf of the Village of Williamsville, contracts with the Town of Amherst and Williamsville Fire Department/Hutchinson Hose Company, for fire protection for the year 2012 in the following districts:

Autumn Harvest
Lamm Post
Lehn Springs

District #1
District #2
District #3

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, December 12, 2011 at 7:30 p.m.

Mill Street
Park Club Lane
Williamsville - Sheridan

District #4
District #15
District #16

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topics: AUC has not met; Planning Board meeting on 1/3/12; Wished everyone a Merry Christmas.

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

RESOLVED, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, January 9, 2012, at 7:40 p.m., at Village Hall, 5565 Main Street, Williamsville, New York, regarding a proposed amendment to Chapter 112 (Zoning), which would regulate the use of portable storage containers on any properties in the Village of Williamsville.

Unanimously carried.

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

RESOLVED, that the standard workday for Village officers and employees is hereby set as follows for NY State Retirement purposes effective 12/12/2011:

Six hours per day:

Mayor
Trustees
Village Attorney

Deputy Village Attorney
Village Justice
Acting Village Justice

Seven hours per day:

Clerk's Office Staff
Building Dept. Staff

Parking Enforcement Officer
Justice Court Staff

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, December 12, 2011 at 7:30 p.m.

Eight hours per day:

Department of Public Works Staff
Recreation Attendant

Unanimously carried.

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

RESOLVED, that the Village of Williamsville hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Reg. Number	Standard Work Day (Hrs/day)	Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Days/Month (Based on Record of Activities)
Dep. Village Atty/PT	Thomas E. Webb, Jr.	xxxxxxx	6	7/4/11 -7/2/12	N	1.2
Admin./Clerk-Treas.	Lynda L. Juul	xxxxxxx	7	11/1/11 - 10/31/13	Y	
Dep. Treas.	Judith A. Kindron	xxxxxxx	7	7/4/11 – 7/2/12	Y	
Dep. Clerk	Deborah A. Habes	xxxxxxx	7	7/4/11 – 7/2/12	Y	
Sec. to Mayor	Colleen K. Poules	xxxxxxx	7	7/4/11 – 7/2/12	Y	
Mayor	Brian J. Kulpa	xxxxxxx	6	7/4/11-7/ 6/15	N	7.95
Justice	Jeffrey Voelkl	xxxxxxx	6	7/4/11-7/6 /15	N	5.32

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, December 12, 2011 at 7:30 p.m.

ON MOTION by Trustee Piazza, seconded by Trustee Geary, it was moved to leave the regular agenda to entertain a new resolution.

Unanimously carried.

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

RESOLVED, that *John Paul Armitage of 274 Hirschfield Drive, Williamsville, New York*, is hereby appointed as a regular member of the *Planning Board* until the end of the *2011-2012* official Village year, to fill the unexpired term of David Vitka.

Unanimously carried.

ON MOTION by Trustee Piazza, seconded by Trustee Alexander, it was moved to return to the regular agenda.

Unanimously carried.

Report – Trustee Alexander

Trustee Alexander reported on the following topics: Holiday festivities of December 3rd; Thanked the WBA for their participation; Thanked Nick and Marcia Roth for tree donation and DPW for their assistance.

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

RESOLVED, that having considered the potential environmental impacts associated with the proposed local law regulating offensive odors, and finding that no such adverse environmental impacts are anticipated, the Negative Declaration, attached hereto, is hereby adopted.

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, December 12, 2011 at 7:30 p.m.

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

Motion carried. 4 – 1.

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

RESOLVED, that the proposed amendment to Chapter 73 of the Village Code (Public Order) creating §73-6 (Offensive Odors), which was the subject of a public hearing on Monday, November 14, 2011, is hereby adopted as ***Local Law 5 of 2011***.

On the question, there was discussion about amending the local law to include verbiage that the Code Enforcement Officer forward all complaints to the Mayor. Trustee Alexander then withdrew the motion.

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

RESOLVED, that the proposed amendment to Chapter 73 of the Village Code (Public Order) creating §73-6 (Offensive Odors), which was the subject of a public hearing on Monday, November 14, 2011, as revised at the Village Board meeting on December 12, 2011, is hereby adopted as ***Local Law 5 of 2011***.

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

Motion carried. 4 – 1.

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, December 12, 2011 at 7:30 p.m.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to leave the regular agenda and open the Executive Session at 8:54 p.m. to discuss a personnel matter.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, 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 DeLano, it was moved to adjourn the regular meeting at 9:33 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer