

**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, February 13, 2012 at 7:30 p.m.**

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

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 Alexander, it was moved to approve the minutes of the regular meeting held on January 23, 2012.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the first 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 84 (Signs).*

**ON MOTION** by Mayor Kulpa, seconded by Trustee Geary, it was moved to close the first public hearing at 7:40 p.m.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Geary, it was moved to open the second public hearing at 7:40 p.m.

Unanimously carried.

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- *A public hearing was held to hear all persons interested in commenting on a proposed amendment to Chapter 97 (Taxation – Industrial and Commercial Exemption).*

**ON MOTION** by Trustee Piazza, seconded by Trustee Alexander, it was moved to close the second public hearing at 7:49 p.m.

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 member of the audience who addressed the Board and their topic(s):*

*Thomas Frank, 225 Evans St. – Enjoyed work session – good range of topics; Increased NFTA parking at airport as part of their 20 year plan; War of 1812 (Kulpa – Village has reached out to Town of Cheektowaga); Connection between Farmers Market and Mill redevelopment; Tax subsidies.*

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

Unanimously carried.

**Report – Mayor Kulpa**

*Mayor Kulpa reported on the following topics: Second February meeting is changed to Tuesday, February 28<sup>th</sup> due to NYCOM's Winter Legislative Meeting and associated training; Picture Main Street; Village budget meetings began last Saturday and continue this Sunday and the following Saturday at 8:30a.m.; Sundays at the Meeting House Series continues February 19<sup>th</sup> with the movie *Everyone Says I Love You* followed by dinner at the Eagle House.*

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

**RESOLVED**, that payroll and vouchers in the amount of **\$247,209.81** covering the period from **1/16/12** to **2/7/12** are hereby approved as follows:

**Payroll covering: 1/16/12 – 1/29/12:** \$33,316.79

**Vouchers covering 1/19/12 – 2/7/12:**

General Fund	\$52,843.40
Water Fund	\$45,542.26
Sewer Fund	\$2,546.01
Glen Park Fund	\$572.30
Trust & Agency Fund	\$13,387.99
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$99,001.06
	<u>\$213,893.02</u>

**GRAND TOTAL:** **\$247,209.81**

Unanimously carried.

**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:	001-5110-4161-0904 (Street Maint.-Repairs/1990 Int'l Dump)	\$1708.00
	001-5110-4161-0908 (Street Maint.-Repairs/1998 Ford F150)	\$16.00
	001-5110-4161-0913 (Street Maint.-Repairs/1993 Sewer Jet)	\$863.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Sidewalk Plow)	\$8.00
	001-5110-4161-0917 (Street Maint.-Rep[airs/1998 Int'l Dump)	\$9.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F-350XL)	\$40.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$2644.00
To:	001-3410-4160-3403 (Fire Protection-Truck Exp./Eng. 3)	\$670.00
	001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$336.00
	001-3410-4160-3407 (Fire Protection-Truck Exp. /Rescue 7)	\$85.00

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001-3410-4160-3409 (Fire Protection-Truck Exp./Chief Car 9)	\$135.00
From: 001-3410-4160 (Fire Protection-Truck Exp.)	\$1226.00
To: 001-1620-1000 (Buildings-Personal Services)	\$284.00
From: 001-8163-1000 (Trash Pickup-Personal Services)	\$284.00
To: 001-1620-4231 (Buildings-Maint./HVAC)	\$128.00
From: 001-1620-4230 (Buildings-Bldg. Maint.)	128.00
To: 001-1640-4160 (Central Garage-Bldg.-Repair & Maint.)	\$320.00
From: 001-1640-4260 (Central Garage-Maint. Supplies)	\$320.00
To: 001-3620-2000 (Safety Inspection-Equip.)	\$240.00
001-3620-4110 (Safety Inspection-Service Contracts)	\$162.00
From: 001-3620-4630 (Safety Inspection-Uniform Exp.)	\$402.00
To: 001-3620-4490 (Safety Inspection-General Code Updates)	\$2679.00
From: 001-3620-1000 (Safety Inspection-Personal Services)	\$2679.00
To: 001-7110-4169 (Parks-Repairs/Other)	\$739.00
From: 001-7110-4360 (Parks-Park Supplies)	\$739.00
To: 001-7530-4000 (Village Meeting House-Open/Close)	\$60.00
001-7530-4230 (Village Meeting House-Maint.)	\$46.00
001-7530-4460 (Village Meeting House-T.H.E. Committee)	\$53.00
From: 001-7530-4980 (Village Meeting House-Building Preservation)	\$159.00
To: 001-9040-8000 (Workers Compensation)	\$827.00
001-9050-8000 (Unemployment)	\$265.00
From: 001-9010-8000 (NYS Retirement)	\$1092.00

Unanimously carried.

**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 *Glen Park Fund* for the *2011-2012* fiscal year:

To: 009-7141-1000 (Glen Park-Personal Services)	\$3186.00
009-9030-8000 (Glen Park-Social Security)	\$193.00
From: 009-7141-4102 (Glen Park-Landscaping)	\$1379.00

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009-9010-8000 (Glen Park-NYS Retirement)	\$1600.00
009-9040-8000 (Glen Park-Workers Compensation)	\$400.00

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 payment for costs associated with a FOIL request:

Increase in Revenue:	001-0001-2655 (Minor Sales-Other)	\$158.00
Increase in Expense:	001-1410-4450 (Clerk's Office-Misc.)	\$158.00

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 payment of Old Home Days expenses:

Increase in Revenue:	001-0001-2750 (Old Home Days)	\$1000.00
Increase in Expense:	001-7550-4410 (Celebrations-Old Home Days)	\$1000.00

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 upgrades to Microsoft Office software:

Increase in Revenue:	001-0001-0599 (Appropriated Fund Balance)	\$3000.00
Increase in Expense:	001-1010-2000 (Board of Trustees-Equip.)	\$236.00
	001-1110-2010 (Village Justices-Computer Software)	\$471.00
	001-1410-2010 (Village Clerk-Computer Software)	\$1587.00

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001-3620-2000 (Safety Inspection-Equip.)

\$706.00

Unanimously carried.

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

**RESOLVED**, that *Dan Howard* of the Amherst Planning Dept. is hereby appointed as an *ex-officio member* of the *Picture Main Street Steering Committee*.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, 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 this official 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)
Trustee	Brian J. Geary	xxxxxxx	6.00	7/6/09 -7/1/13	N	13.97

Unanimously carried.

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

**WHEREAS**, the Niagara Frontier Transportation Authority (NFTA) has been exploring ways to address a shortfall in their 2012 budget, and the NFTA Board

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of Commissioners has proposed to adjust Metro Bus and Rail Service in order address this issue and balance their budget, resulting in a reduction of service in the Village of Williamsville; and

**WHEREAS**, many Village of Williamsville residents and businesses, including skilled nursing facilities within the Village, rely on services from the NFTA to provide a safe and dependable transportation to and from work, school, shopping, and other destinations; and

**WHEREAS**, this reduction of service will also have an impact on paratransit service which is essential within our community; and

**WHEREAS**, one of the goals in the Village of Williamsville's Community Plan is to curb independent vehicular traffic, and a reduction in service will work against this goal; and

**WHEREAS**, many residents, employers, and their employees attended the NFTA Public Hearing on the proposed reductions on January 30, 2012, and spoke in favor of retaining current services;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville Board of Trustees acknowledges the importance of NFTA service to our residents and businesses on both weekdays and weekends to preserve the economic viability of businesses and institutions located within the Village; and

**BE IT FURTHER RESOLVED**, the Village of Williamsville Board of Trustees strongly supports the preservation of transit services within the Village; and

**BE IT FURTHER RESOLVED**, that the Village of Williamsville Board of Trustees opposes the proposed reduction in services and hereby authorizes the conveyance of this opposition in writing to the NFTA Board of Commissioners.

Unanimously carried.

**Report – Trustee Geary**

*Trustee Geary reported on the following topics:* Emerald Ash Borer – looking at bidding with Town of Amherst for inoculation.

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

**RESOLVED**, that the Village Board of Trustees hereby approves the *Volunteer Firefighters Service Award Program List* of all 2011 active volunteer firefighters for the Village of Williamsville and hereby authorizes the Mayor to sign the authorization for Penflex, Inc. to use the data submitted for the 2011 records.

Unanimously carried.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic: AUC*

Trustee Piazza had no resolutions this evening.

**Report – Trustee Alexander**

*Trustee Alexander reported on the following topics: Winterfest at Glen Park last Sunday - Thanked DPW; Upcoming free events at the Meeting House: February 24<sup>th</sup> - Fredonia State College Trombone Concert at 7:00 p.m./ March 4<sup>th</sup> - Irish Dance into March followed by dessert at the Irishman Pub/ March 9<sup>th</sup> – Family Movie Night with *Little Mermaid* at 7pm and *Transformers* at 9pm.*

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

**WHEREAS**, the Village of Williamsville Environmental Advisory Commission's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community; and

**WHEREAS**, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

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**WHEREAS**, we recognize that actions to protect and preserve the environment through education, partnership and positive action should be encouraged; and

**WHEREAS**, the Village of Williamsville wishes to recognize the 42<sup>nd</sup> anniversary of *Earth Day*.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees hereby proclaims *Earth Day* to be celebrated in the Village of Williamsville on Saturday, April 28, 2012, with a variety of educational, earth-focused activities for the community.

Unanimously carried.

**Report – Trustee DeLano**

*Trustee DeLano reported on the following topics: Traffic control device at Main and Mill with no crosswalk – NYSDOT took care of promptly; Spring Tree Planting Day is May 5<sup>th</sup> at 9 a.m.; Picture Main Street; Earth Day/Arbor Day celebration to include an Emerald Ash Borer presentation.*

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

**WHEREAS**, the Village of Williamsville Tree Board's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community through its stewardship of the Village urban forest; and

**WHEREAS**, *Arbor Day* is celebrated during this time; and

**WHEREAS**, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

**WHEREAS**, we recognize that actions to protect and preserve trees through education, partnership and positive action should be encouraged.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville Board of Trustees hereby proclaims that *Arbor Day* shall be celebrated in the Village of Williamsville on Saturday, April 28, 2012, including celebration activities and recognition.

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Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 8:21 p.m.

Unanimously carried.

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Lynda L. Juul

Administrator/Clerk-Treasurer

**SEE MINUTES FOR (2) PUBLIC HEARINGS ON NEXT PAGES**

**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, February 13, 2012 at 7:30 p.m.**

***Public hearing regarding proposed amendment to Chapter 84 (Signs)***

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  
Judith A. Kindron, Deputy Treasurer  
Kenneth Kostowniak, DPW Crew Chief

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

Unanimously carried.

This public hearing is being held for the purpose of hearing all persons interested in commenting on a proposed amendment to Chapter 84 (Signs).

The Administrator read aloud the public hearing notice as it appeared in the Amherst Bee on February 1, 2012.

The purpose of this proposed Local Law is to amend sections of Chapter 84 of the Code of the Village of Williamsville, Signs, to regulate the size of logos and trademarks to a maximum of four square feet, and to eliminate wording that regulates the size of lettering on awning signs.

Mayor Kulpa stated that in addition, the proposal is to also extend the amount of time that temporary signs are permitted from 30 days to 90 days.

The following person from the audience addressed the Board:

*Thomas Frank, 225 Evans St.* – Comment pertained to suspension of rules, not the proposed sign code.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Geary, it was moved to close the public hearing at 7:40 p.m.

Unanimously carried.

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Lynda L. Juul  
Administrator/Clerk-Treasurer

**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, February 13, 2012 at 7:30 p.m.**

*Public hearing regarding proposed amendment to Chapter 97 (Taxation - Industrial and Commercial Exemption)*

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  
Judith A. Kindron, Deputy Treasurer  
Kenneth Kostowniak, DPW Crew Chief

**ON MOTION** by Trustee Piazza, seconded by Trustee Alexander, it was moved to open the public hearing at 7:40 p.m.

Unanimously carried.

This public hearing is being held for the purpose of hearing all persons interested in commenting on a proposed amendment to Chapter 97 (Taxation – Industrial and Commercial Exemption).

Notice of this public hearing was duly published in the Amherst Bee on February 1, 2012.

**ON MOTION** by Trustee Piazza, seconded by Trustee Alexander, it was moved to waive the reading of the public notice.

Unanimously carried.

The purpose of this proposed Local Law is to amend sections of Chapter 97 of the Code of the Village of Williamsville, Taxation, that specifically deal with the Industrial and Commercial Exemption.

Trustee Piazza stated that the cost of improvements has increased from \$25,000 to \$50,000 in order to qualify; The entire Village is included and controlled by zoning.

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The following person from the audience addressed the Board:

*Thomas Frank, 225 Evans St.* – Believes that developers should be excluded from redevelopment of historic landmarks.

Mayor Kulpa responded that Iskalo discussed historic tax credits.

Attorney Grieco stated that IDA incentives are completely different from ICIB incentive.

Mayor Kulpa stated that he would like to incentivize the mixed-used and residential component.

**ON MOTION** by Trustee Piazza, seconded by Trustee Alexander, it was moved to close the public hearing at 7:49 p.m.

Unanimously carried.

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Lynda L. Juul  
Administrator/Clerk-Treasurer