

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, March 12, 2012 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
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 February 28, 2012.

Unanimously carried.

- *Trustee Piazza read aloud proclamations for four local high school students who have attained the rank of Eagle Scout.*

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

Unanimously carried.

The member of the audience who addressed the Board and her topic(s):

Carolyn Schlifke, 192 Evans St. – Submitted letter she would like given to Historic Preservation Commission and Meeting House Committee re: the Meeting House acquisition and restoration.

Thomas Frank, 225 Evans St. – Saturday at 10am – meeting for War of 1812; Working on project for 10 years; Mill redevelopment; Erosion of Island Park; NFTA; GBNRTC; National Parks Service; State of the Village address.

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Maryann Avery, 64 Garrison Rd. – Her 9th cousin Elroy Avery passed away 1 week ago; His considerable accomplishments in the Village Lion’s Club; Suggested the Village add an “In Memoriam” section to each agenda as does the Town of Amherst.

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

Unanimously carried.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): March 18th – Movie at the Meeting House is “Waking Ned Devine” with dinner specials at various Village restaurants; Budget proposes a 2.04% increase on the tax rate and levy; Levy is \$1,501,916 for the General Fund; Healthcare and NYS Retirement costs were contributing factors; Property tax cap law would have allowed for a 3.47% rate increase in the General Fund.

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

RESOLVED, that payroll and vouchers in the amount of **\$886,427.13** covering the period from **2/13/12** to **3/7/12** are hereby approved as follows:

Payroll covering: 2/13/12 – 2/26/12: \$31,883.36

Vouchers covering 2/23/12 – 3/7/12:

General Fund	\$110,223.11
Water Fund	\$38,539.31
Sewer Fund	\$690,181.99
Glen Park Fund	\$202.97
Trust & Agency Fund	\$12,833.89
Debt Service	\$2,562.50
Community Development	\$0.00
Capital Fund	\$0.00
	<u>\$854,543.77</u>

GRAND TOTAL: **\$886,427.13**

Unanimously carried.

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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:	001-5110-4000 (Street Maint.-Seasonal Help)	\$891.00
	001-5110-4605 (Street Maint.-Safety Clothing/Accessories)	\$291.00
From:	001-5110-4273 (Street Maint.-Sidewalks)	\$1182.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/Int'l Dump 2001)	\$67.00
	001-5110-4161-0904 (Street Maint.-Repairs/Int'l Dump 1990)	\$2.00
	001-5110-4161-0908(Street Maint.-Repairs/1998 Ford)	\$15.00
	001-5110-4161-0904 (Street Maint.-Repairs/2009 Ford F350)	\$30.00
	001-5110-4161-0902 (Street Maint.-Repairs/2011 CAT Hi-lift)	\$54.00
From:	001-5110-4161 (Street Maint.-Repairs/Equipment)	\$168.00
To:	001-3410-4160-3401 (Fire Protection-Truck Exp./Eng. 1)	\$125.00
	001-3410-4160-3402 (Fire Protection-Truck Exp./Eng. 2)	\$1169.00
	001-3410-4160-3403 (Fire Protection-Truck Exp./Rescue 3)	\$605.00
	001-3410-4160-3405 (Fire Protection-Truck Exp. /Rescue 5)	\$125.00
	001-3410-4160-3406 (Fire Protection-Truck Exp./Truck 6)	\$230.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$2254.00
To:	001-3620-2000 (Safety Inspection-Equipment)	\$779.00
From:	001-3620-1000 (Safety Inspection-Personal Services)	\$779.00
To:	001-1620-1000 (Buildings-Personal Services)	\$1093.00
	001-3310-1000 (Traffic Control-Personal Services)	\$1654.00
From:	001-5142-1000 (Snow Removal-Personal Services)	\$2747.00
To:	001-7110-4169 (Parks-Repairs/Other)	\$2200.00
	001-7550-4400 (Celebrations-Holiday Decorations)	\$24.00
From:	001-5142-4290 (Snow Removal-Salt)	\$2224.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$30.00
From:	001-5142-1001 (Snow Removal-Personal Services/OT)	\$30.00

Unanimously carried.

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

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

To: 006-8340-4450 (Water Transmission-Misc.)	\$750.00
From: 006-8340-4160 (Water Transmission-Repairs/Lines)	\$750.00

Unanimously carried.

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 *General Fund* for the *2011-2012* fiscal year to account for a donation made from the Irish Dance event 3/4/12 at the Meeting House:

Increase in Revenue: 001-0001-2705 (Gifts & Donations)	\$54.00
Increase in Expense: 001-7530-4451 (Meeting House-Meeting House Events Comm.)	\$54.00

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 a donation from William Mattar for the 2012 Street Hockey Tournament on June 2, 2012:

Increase in Revenue: 001-0001-2705 (Gifts & Donations)	\$100.00
Increase in Expense: 001-7310-4176 (Youth Programs-Youth Street Hockey Tourney)	\$100.00

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville at 7:35 P.M. on Monday, April 9, 2012, in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on the proposed ***2012-2013 General Fund, Glen Park Activities Fund and Debt Service Fund budgets.***

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville at 7:40 P.M. on Monday, April 9, 2012 in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on the proposed ***2012-2013 Water Fund Budget and Water Rates.***

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville at 7:45 P.M. on Monday, April 9, 2012, in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on the proposed ***2012-2013 Sewer Fund Budget and the Sewer Rent Rates*** per Section 78-2(A) of the Sanitary Sewer Rents Code.

Unanimously carried.

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Mayor Kulpa's resolution regarding NYCLASS was tabled until the next meeting.

Report – Trustee Alexander

Trustee Alexander reported on the following topic(s): Irish dance event on March 4th; Thanked Mischler's Florist for donated items; Youth & Rec Egg Hunt will held on April 1st in Island Park; Earth/Arbor Day celebration will be held in Glen Park on April 28th; Youth & Rec Street Hockey Tournament will be held on June 2nd.

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

WHEREAS, the Village of Williamsville Youth and Recreation Committee's 4th Annual Youth Street Hockey Tournament will be held on June 2, 2012, with a rain date of June 9, 2012, from 9:00 AM to 3:00 PM, at the municipal parking lot behind Village Hall; and

WHEREAS, the Town of Amherst owns and maintains the municipal parking lot behind Village Hall;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville shall indemnify the Town of Amherst and hold it harmless from and against any loss, obligation, claim, liability, damage or other charge arising from or relating to the Youth & Recreation Committee's Annual Youth Street Hockey Tournament, sponsored by the Village of Williamsville on the Town's real property, and the use of its general facilities and equipment; and

BE IT FURTHER RESOLVED, that the Village shall give the Town written notice of any claim or event known to it which does or may give rise to a claim by the Village against the Town based upon this agreement; such notice shall contain the nature and basis of such claim or event(s) and the amounts thereof, to the extent known; and

BE IT FURTHER RESOLVED, that in the event any claim, action, suit or proceeding is made or brought by third parties, with respect to which the Town may be entitled to indemnification hereunder, the Town shall give written notice of such claim, action, suit or proceeding, and all legal pleadings with respect thereto to the Village within such time as may be required by the Village to advise its insurers, if any, in a timely manner of such claim, etc. or as otherwise may be reasonably necessary for the Village to defend such action, claim process or legal

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pleading; the Village shall have the right to assume the defense of any such claim or action; and

BE IT FURTHER RESOLVED, that the Village shall render to the Town such assistance as may be reasonably required and cooperate with the Town in good faith to insure the proper and adequate defense of any claim, action, suit or proceeding brought by any third party.

Unanimously carried.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Garrison Rd. parking area at Garrison Park; Tree planting is Saturday, May 5th at 9:00am – looking for volunteers; Reist St. right-of-way restoration and tree planting; Thanked DPW for taking advantage of warm winter weather to accomplish many projects.

ON MOTION by Trustee DeLano, 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, April 9, 2012 at 7:50 pm at Village Hall, 5565 Main Street, Williamsville, NY, to hear all those interested in expressing an opinion on a proposed modification to Chapter 112-29 of the Village Code, Seasonal Outdoor Seating.

Unanimously carried.

Report – Trustee Geary

Trustee Geary reported on the following topic(s): Will have certificates at tree planting for volunteer students who need community service hours; Parks and Planting Day is May 19th; Tree saplings will be available at Arbor/Earth Day.

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ON MOTION by Trustee Geary, 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 on Monday, April 9, 2012 at 7:55 pm at Village Hall, 5565 Main Street, Williamsville, NY, to hear all those interested in expressing an opinion on a proposed modification to Chapter 28 of the Village Code, Fire Prevention and Building Code Administration, to add a section entitled "Fire Prevention Permits".

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): AUC saved 12% in energy costs last month once again; Planning Board meeting last week.

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

WHEREAS, the Village of Williamsville has received grant funding through New York State Office of Parks, Recreation, and Historic Preservation for the preservation of the Williamsville Water Mill; and

WHEREAS, the Village has contracted with Telco Construction for work on this project; and

WHEREAS, additional work requested by the Village to the front porch of the Williamsville Water Mill was not included in the original scope of work, leading to a Change Order Request by Telco Construction; and

WHEREAS, NYSOPRHP has reviewed the proposed changes as outlined in Telco Construction's Change Order Request and has given approval for such changes;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized and directed to sign the Change Order Request submitted by Telco Construction and dated February 29, 2012, at a cost not to exceed \$4,892.36.

Unanimously carried.

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

WHEREAS, the Senior Citizen Committee's oak curio cabinet has sat idle in the hallway of Village Hall for many years; and

WHEREAS, Charlotte Jurek, a Village resident and former member of the Senior Citizen Committee, has expressed interest in purchasing the cabinet for the sum of \$100.00 in a letter to Mayor Kulpa: and

WHEREAS, the Village Board has considered the offer and has no objection to the sale of said cabinet to Ms. Jurek;

NOW, THEREFORE, BE IT RESOLVED, that the Senior Citizen Committee's oak curio cabinet located in the hallway in Village Hall, is hereby declared surplus, and the sale of such cabinet to Charlotte Jurek for the sum of \$100.00, is hereby authorized.

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to advertise for sealed bids on Contract #27, Sanitary Sewer Rehabilitation Project – N. Ellicott, Edward, and Mill Streets, to be opened in the office of the Village Clerk, 5565 Main St., Williamsville, New York at 2:00 pm on Wednesday, April 4, 2012.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 8:15 p.m. to discuss a contractual matter.

Unanimously carried.

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ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to close the Executive Session and return to the regular agenda at 8:50 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to adjourn the meeting at 8:51 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer

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