

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, April 9, 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

Absent: 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 March 26, 2012.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the first public hearing at 7:32 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in commenting on the proposed 2012-2013 General Fund/Glen Park Fund and Debt Service Fund Budget.

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 Mayor Kulpa, seconded by Trustee Alexander, 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 the proposed 2012-2013 Water Fund Budget and Water Rates.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to close the second public hearing at 7:42 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the third public hearing at 7:42 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in commenting on the proposed 2012-2013 Sewer Fund Budget and Sewer Rent Rates.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to close the third public hearing at 7:50 p.m.

Unanimously carried.

ON MOTION by Trustee Piazza, seconded by Trustee Alexander, it was moved to open the fourth public hearing at 7:50 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in commenting on the proposed amendment to Chapter 112-29 (Zoning) regarding Seasonal Outdoor Seating.

ON MOTION by Trustee Piazza, seconded by Trustee DeLano, it was moved to close the fourth public hearing at 8:11 p.m.

Unanimously carried.

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ON MOTION by Trustee Piazza, seconded by Trustee Alexander, it was moved to open the fifth public hearing at 8:11 p.m.

Unanimously carried.

A public hearing was held to hear all persons interested in commenting on the proposed amendment to Chapter 28 (Fire Prevention and Building Code Administration) to add a section entitled "Fire Prevention Permits".

ON MOTION by Trustee Piazza, seconded by Trustee Alexander, it was moved to close the fifth public hearing at 8:16 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 members of the audience who addressed the Board and their topic(s):

Carolyn Schlifke, 192 Evans St. – Discussion re: proposed Ethics Board: In all her years of coming to meetings, she has never heard an ethics issue discussed publicly. Questions need for an Ethics Board. Has issue with group of residents judging other residents. (Mayor Kulpa commented that the current Ethics Policy calls for an Ethics Board which does not exist. Do we want one? Trustee Alexander stated that an Ethics Board would not judge residents, but would apply to Village employees and elected and appointed officials. We are required by New York State to have an Ethics Code. The Village Board is discussing whether or not to have an Ethics Board. Requirements of members can be strict. We can also defer ethics issues to Erie County.)

Re: Garrison Park: Ms. Schlifke stated that Garrison Park has changed a lot over the years. Village Board and Parks Committee should be aware of any State regulations that require items in a park. Everyone is a "NIMBY" and doesn't like to see change. If there is a state regulation, that should be the first priority. (Mayor Kulpa stated that a grant was obtained for restroom and ice rinks. Originally it was intended for Glen Park, but issues arose there due to the low location, rock, etc. The Village is now

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Vouchers covering 3/22/12 – 4/02/12:

General Fund	\$41,399.83
Water Fund	\$39,498.14
Sewer Fund	\$2,047.64
Glen Park Fund	\$.73
Trust & Agency Fund	\$16,931.58
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$12,120.31
	<u>\$111,998.31</u>

GRAND TOTAL: **\$147,956.12**

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:	001-5110-4161-0915 (Street Maint.-Repairs/1991 Sweeper)	\$539.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$539.00
To:	001-5142-4450 (Snow Removal-Misc.)	\$58.00
From:	001-5142-4160 (Snow Removal-Lawn Repair)	\$58.00
To:	001-3620-4490 (Safety Inspection-General Code Updates)	\$1004.00
From:	001-1420-4620 (Law Attorney-Opinions)	\$1004.00
To:	001-1620-1000 (Buildings-Personal Services)	\$647.00
	001-1640-1000 (Central Garage-Personal Services)	\$1493.00
	001-3310-1000 (Traffic Control-Personal Services)	\$1125.00
	001-8745-1000 (Flood & Erosion Control-Personal Services)	\$109.00
From:	001-5142-1000 (Snow Removal-Personal Services)	\$3374.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$96.00
	001-3310-1001 (Traffic Control-Personal Services/OT)	\$96.00

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From: 001-5142-1001 (Snow Removal-Personal Services/OT)	\$192.00
To: 001-1210-4040 (Mayor-Education Exp./Travel)	\$465.00
From: 001-1210-4061 (Mayor-Cell Phone)	\$266.00
001-1410-4040 (Village Clerk-Education Exp./Travel)	\$199.00
To: 001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$178.00
001-1410-4040 (Village Clerk-Education Exp./Travel)	\$178.00
To: 001-1010-4190 (Village Justices-Stenographer)	\$101.00
From: 001-1110-4010 (Village Justices-Office Supplies)	\$101.00
To: 001-3410-4470 (Fire Protection-Building Maint.)	\$613.00
001-3410-2020 (Fire Protection-Expendable Equip.)	\$85.00
001-3410-4160-3491 (Fire Protection-Truck Exp./Chief Car 91)	\$138.00
001-3410-4160-3492 (Fire Protection-Truck Exp./Chief Car 92)	\$148.00
001-3410-4160-3401 (Fire Protection-Truck Exp./Engine 1)	\$252.00
001-3410-4160-3402 (Fire Protection-Truck Exp./Engine 2)	\$252.00
001-3410-4160-3405 (Fire Protection-Truck Exp./Rescue 5)	\$2.00
From: 001-3410-1000 (Fire Protection-Personal Services)	\$613.00
001-3410-4161 (Fire Protection-Small Engine & Equip.)	\$85.00
001-3410-4160 (Fire Protection-Truck Exp.)	\$792.00

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, 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)	\$482.00
From: 007-8120-1000 (Sanitary Sewers-Personal Services)	\$482.00

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:

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To:	009-7141-1000 (Glen Park-Personal Services)	\$1056.00
	009-9030-8000 (Glen Park-Social Security)	\$80.00
From:	009-7141-2010 (Glen Park-Capital Improvements)	\$1056.00
	009-9010-8000 (Glen Park-State Retirements)	\$27.00
	009-9040-8000 (Glen Park-Workers Compensation)	\$36.00
	009-9055-8000 (Glen Park-Disability Insurance)	\$17.00
To:	009-7141-1000 (Glen Park-Personal Services)	\$575.00
	009-9030-8000 (Glen Park-Social Security)	\$44.00
From:	009-7141-4120 (Glen Park-Landscaping)	\$619.00

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 *Glen Park Fund* for the *2011-2012* fiscal year to account for additional revenue received from the July 2011 Glen Park Art Festival:

Increase in Revenue:	009-0009-2772 (Glen Park-Art Festival)	\$30.00
Increase in Expense:	009-7141-4500 (Glen Park-Art Festival)	\$30.00

Unanimously carried.

Mayor Kulpa's resolution to adopt as local law the proposed amendment to Chapter 112-29 (Zoning) regarding Seasonal Outdoor Seating was held until the next meeting for modifications.

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

RESOLVED, that the proposed amendment to Chapter 28 (Fire Prevention and Building Code Administration) which would add a section entitled "Fire Prevention Permits", which was the subject of a public hearing held by the Village Board of Trustees on Monday, April 9, 2012, at 8:11 p.m., in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, is hereby adopted as **Local Law 5 of 2012**.

Unanimously carried.

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Report – Trustee Geary

Trustee Geary reported on the following topic(s): Eagle Scout Project at Garrison Park includes painting, clean-up, mulching and planting; Boy Scouts to assist in tree planting this spring; Gift of 99 trees being given by ReTree WNY; May 19th is Parks and Planting Day; April 28th is Arbor/Earth Day; May 5th is Tree Planting Day.

Trustee Geary had no resolutions this evening.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Eagle Scout ceremony last month.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit*, subject to approval by National Grid and NYSDOT, to The Williamsville Farmers' Market for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for the following periods: May 14 – May 29, 2012; September 3 - September 17, 2012; October 15 – October 29, 2012. Banner to read "*Farmers' Market at the Williamsville Mill - Every Saturday Morning - Spring thru Fall*".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit*, subject to approval by National Grid and NYSDOT, to the Williamsville Rotary Club for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge from June 7 - 21, 2012. Banner to read "*Williamsville Rotary - Annual Strawberry Festival - Wed., June 20, 5-8pm - Island Park*".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit*, subject to approval by National Grid and NYSDOT, to Williamsville/Amherst Old Home Days Organization for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge for a two week period from July 2 – July 16, 2012. Banner to read "*Williamsville – Amherst Old Home Days - July 10 – July 13, Island Park*".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit*, subject to approval by National Grid and NYSDOT, to Williamsville Preservation Foundation for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge from July 23 – Aug. 6, 2012. Banner to read "*Taste of Williamsville - August 5th - 12pm – 9pm, Island Park*".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit*, subject to approval by National Grid and NYSDOT, to Paint the Village Pink (Buffalo MRI) for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge from October 1 – Oct. 15, 2012. Banner to read "*Paint the Village Pink – Breast Cancer Awareness, October 1 - 31*".

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to issue a *Mayor's Permit*, subject to approval by National Grid and NYSDOT, to Williamsville Business Association for the purpose of suspending a banner across Main Street at the Ellicott Creek Bridge from September 17 – Oct. 1, 2012. Banner to read "***Village of Williamsville – Oktoberfest - Fri. 28th thru Sun. 30th***".

Unanimously carried.

Report – Trustee Alexander

Trustee Alexander reported on the following topic(s): April 28th is Earth/Arbor Day which will take place in Glen Park with speakers, animals and a tree sapling give-away; Annual Street Hockey Tournament will take place on June 2nd with a rain date of June 9th- Info is on the Village website; Tennis lessons will be available at S. Long Park with more info available shortly.

Trustee Alexander had no resolutions this evening.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Emerald Ash Borer Inoculation - It is cheaper to inoculate than to remove the tree; Pat Marron with DEC will be at the event; May 5th is Tree Planting Day beginning at 9am at Village Hall.

Trustee DeLano had no resolutions this evening.

Mayor Kulpa requested that residents call Village Hall if they see any type of vandalism in our parks.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 9:05 p.m. to discuss a personnel matter and a contractual matter.

Unanimously carried.

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ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to close the Executive Session and return to the regular agenda at 9:46 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to adjourn the meeting at 9:46 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer