

**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 23, 2012 at 7:30 p.m.**

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

Present: Brian J. Kulpa, Mayor  
Basil J. Piazza, Trustee  
Brian J. Geary, 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: Amy R. Alexander, Trustee

**ON MOTION** by Mayor Kulpa, seconded by Trustee DeLano, it was moved to approve the minutes of the regular meeting held on April 9, 2012.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing held on April 9, 2012 for the proposed 2012-2013 General Fund/Glen Park Fund and Debt Service Fund Budget.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing held on April 9, 2012 for the proposed 2012-2013 Water Fund Budget and Water Rates.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing held on April 9, 2012 for the proposed 2012-2013 Sewer Fund Budget and Sewer Rent Rates.

Motion Carried 4-0.

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**ON MOTION** by Mayor Kulpa, seconded by Trustee DeLano, it was moved to approve the minutes of the public hearing held on April 9, 2012 for the proposed amendment to Chapter 112-29 (Zoning) regarding Seasonal Outdoor Seating.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing held on April 9, 2012 for the proposed amendment to Chapter 28 (Fire Prevention and Building Code Administration) to add a section entitled "Fire Prevention Permits".

Motion Carried 4-0.

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

Motion Carried 4-0.

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

*Thomas Frank, 225 Evans St. – War of 1812 presentation: War of 1812 Event on June 10<sup>th</sup>; Buffalo-Niagara Riverkeepers clean up event; Watershed meeting; Complete streets; UB Study; Main Street project; N. Ellicott St. project; Army Corps of Engineers.*

*Paul Krieter, 29 S. Ellicott St. – Responded to a comment in the Bee Heard column of 4/18/12 re a proposed restroom building at Garrison Park being "blocked by residents". Mr. Krieter stated that residents had a meeting with the Mayor and concluded that the proposed restroom building was not located in the proper location and the proposal was underfunded for this use. The outcome of this was to come up with a long-term plan for Garrison Park, including restroom building placement, funding and security.*

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

Motion Carried 4-0.

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**Report – Mayor Kulpa**

*Mayor Kulpa reported on the following topic(s):* Lecture presentation on 4/21/12 by Dave Sherman on the Village's role in the War of 1812; Village Mixed-Use District Zoning Code presentation at Planning Federation Conference.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$98,979.77** covering the period from **3/26/12** to **4/18/12** are hereby approved as follows:

**Payroll covering: 3/26/12 – 4/8/12:** \$31,386.57

**Vouchers covering 4/3/12 – 4/18/12:**

General Fund	\$52,727.97
Water Fund	\$472.96
Sewer Fund	\$1,138.81
Glen Park Fund	\$258.72
Trust & Agency Fund	\$9,100.90
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$3,893.84
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	\$67,593.20

**GRAND TOTAL:** **\$98,979.77**

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Geary, 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:	001-5110-4161-0908 (Street Maint.-Repairs/2011 Chevy Silverado)	\$3.00
	001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet)	\$6.00
	001-5110-4161-0915 (Street Maint.-Repairs/1991 Crosswind Sweeper)	\$486.00
	001-5110-4161-0916 (Street Maint.-Repairs/2007 Chevy 4x4)	\$845.00

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001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F350XL)	\$11.00
From: 001-5110-4161 (Street Maint.-Repairs/Equipment)	\$1351.00
To: 001-7540-4070 (Williamsville Water Mill-Utilities)	\$144.00
From: 001-7540-4160 (Williamsville Water Mill-Building Exp.)	\$144.00
To: 001-1010-4010 (Board of Trustees-Office Supplies)	\$6.00
001-1410-4061 (Village Clerk-Cellular Phone)	\$39.00
001-1410-4600 (Village Clerk-Computer Support)	\$613.00
001-1410-4630 (Village Clerk-Grant Writer)	\$500.00
From: 001-1410-4010 (Village Clerk-Office Supplies)	\$6.00
001-1410-4061 (Village Clerk-Service Contracts)	\$39.00
001-1410-2010 (Village Clerk-Computer Software)	\$613.00
001-1410-4161 (Village Clerk-Audit)	\$120.00
001-1410-4030 (Village Clerk-Printing & Advertising)	\$380.00
To: 001-3620-2000 (Safety Inspection-Equip.)	\$3405.00
From: 001-3620-1000 (Safety Inspection-Personal Services)	\$3405.00
To: 001-3620-4010 (Safety Inspection-Office Supplies)	\$36.00
001-3620-4041 (Safety Inspection-Mileage Reimbursement)	\$26.00
From: 001-3620-4060 (Safety Inspection-Telephone)	\$34.00
001-3620-4630 (Safety Inspection-Uniform Exp.)	\$28.00
To: 001-9950-9000 (Transfer to Capital)	\$2286.00
From: 001-1420-4620 (Law Attorney-Opinions)	\$2286.00
To: 001-1640-1000 (Central Garage-Personal Services)	\$5356.00
001-3310-1000 (Traffic Control-Personal Services)	\$442.00
001-8170-1000 (Street Cleaning-Personal Services)	\$81.00
From: 001-5142-1000 (Snow Removal-Personal Services)	\$5879.00
To: 001-1620-4231 (Building-Maint./HVAC)	\$1890.00
From: 001-1620-4070 (Buildings-Utilities)	\$940.00
001-1620-4230 (Buildings-Bldg. Maint.)	\$950.00
To: 001-1640-4160 (Central Garage-Bldg. Repairs/Maint.)	\$259.00
001-1640-4161 (Central Garage-Small Equip. Repair)	\$523.00
From: 001-1640-4070 (Central Garage-Utilities)	\$782.00
To: 001-1640-1001 (Central Garage-Personal Services/OT)	\$190.00
From: 001-5142-1001 (Snow Removal-Personal Services/OT)	\$190.00

Motion Carried 4-0.

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**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 The Jolly boys for youth programs to be split between Movies in the Park and the Street Hockey Tournament:

Increase in Revenue: 001-0001-2705 (Gifts & Donations)	\$2000.00
Increase in Expense: 001-7310-4175 (Youth Programs-Movies in the Park)	\$1000.00
001-7310-4176 (Youth Programs-Youth Street Hockey Tourney)	\$1000.00

Motion Carried 4-0.

**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 received for property damage accident on 10/21/11 at 1589 Wehrle Dr.:

Increase in Revenue: 001-0001-2680 (Insurance Recoveries)	\$3300.00
Increase in Expense: 001-5182-4270 (Street Lighting-Repair Lights)	\$3300.00

Motion Carried 4-0.

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

**WHEREAS**, the tentative *General Fund Budget for the 2012-2013* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon;

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *General Fund Budget* for the Village of Williamsville, for the **2012-2013** fiscal year; and

**BE IT FURTHER RESOLVED**, that the General Fund tax rate effective June 1, 2012, is as follows:

\$4.2012 per \$1,000 of assessed value at 100% equalization

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Motion Carried 4-0.

*Mayor Kulpa read a statement of support for the budget from Trustee Amy Alexander.*

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

**WHEREAS**, the tentative *Glen Park Fund Budget for the 2012-2013* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon;

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *Glen Park Fund Budget* for the Village of Williamsville, for the *2012-2013* fiscal year.

Motion Carried 4-0.

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

**WHEREAS**, the tentative *Debt Service Fund Budget for the 2012-2013* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon;

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget is hereby adopted as the *Debt Service Fund Budget* for the Village of Williamsville, for the *2012-2013* fiscal year.

Motion Carried 4-0.

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

**WHEREAS**, the tentative *Water Fund Budget for the 2012-2013* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon;

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as

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stated in the Salary Schedule, are hereby adopted as the *Water Fund Budget* for the Village of Williamsville, for the **2012-2013** fiscal year; and

**BE IT FURTHER RESOLVED**, that the Village water rates effective June 1, 2012, are as follows:

Inside Village	\$4.87 per 1,000 gallons
Outside Village	\$7.31 per 1,000 gallons
Minimum Bill	\$19.48 per 0-4,000 gallons
Williamsville Central	\$6.09 per 1,000 gallons

Motion Carried 4-0.

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

**WHEREAS**, the tentative *Sewer Fund Budget for the 2012-2013* fiscal year has been duly represented to the Village Board by the Budget Officer and a duly advertised public hearing has been held thereon;

**NOW, THEREFORE, BE IT RESOLVED**, pursuant to Section 5-508(4) of the Village Law, that the said tentative budget and the salaries and wages as stated in the Salary Schedule, are hereby adopted as the *Sewer Fund Budget* for the Village of Williamsville, for the **2012-2013** fiscal year; and

**BE IT FURTHER RESOLVED**, that the *Sewer Rent Rates for the 2012-2013* fiscal year are hereby set as follows:

\$4.07	per 1,000 gallons of water consumed
\$0.9802	per \$1,000 of assessed value at 100% equalization

Motion Carried 4-0.

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

**RESOLVED**, that the proposal to amend Chapter 112 (Zoning) regulating *Seasonal Outdoor Seating*, which was the subject of a public hearing by the Village Board of Trustees on Monday, April 9, 2012, at 7:50 p.m., in Village Hall, 5565 Main Street, Williamsville, New York, is hereby adopted as **Local Law 6 of 2012.**

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Motion Carried 4-0.

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

**RESOLVED**, that *Jenny Spring*, residing at *78 South Ellicott, Williamsville, New York*, is hereby appointed as a member of the *Tree Board* until the end of the *2012-2013* official Village year.

Motion Carried 4-0.

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

**RESOLVED**, that the proposal from *HomeRun Creative Services* dated February 27, 2012, for work associated with the *Picture Main Street* project, is hereby accepted.

Motion Carried 4-0.

**Report – Trustee DeLano**

*Trustee DeLano reported on the following topic(s):* Congratulated Jenny Spring on her appointment to the Tree Board; Tree Planting Day is May 5<sup>th</sup>, 9:00am; Re-Tree WNY is donating 99 trees to the Village tree planting program; *10,000 Trees and Growing Program* through National Grid; Dave Sherman's War of 1812 presentation; Village will be flying a 15 star flag on 12/30/13 in honor of the War of 1812.

**ON MOTION** by Trustee DeLano, seconded by Trustee Piazza, it was moved to leave the regular agenda to consider a new resolution.

Motion Carried 4-0.

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

**WHEREAS**, the Village of Williamsville had a Reconnaissance Level Survey of Historic Resources performed by Bero Associates Architects in 1997; and

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**WHEREAS**, the Village of Williamsville Historic Preservation Commission would like to either update the Reconnaissance Level Survey or begin a phased Intensive Level Survey of Historic Resources; and

**WHEREAS**, New York State has funding available through its Certified Local Government (CLG) program for items such as this;

**NOW, THEREFORE, BE IT RESOLVED**, that the Historic Preservation Commission of the Village of Williamsville is hereby authorized to apply for a NYS CLG; and

**BE IT FURTHER RESOLVED**, that the Village of Williamsville Historic Preservation Commission is hereby authorized to seek additional funding for such project from Preserve New York, or other entities that may be discovered in the future.

Motion Carried 4-0.

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

Motion Carried 4-0.

**Report – Trustee Geary**

*Trustee Geary reported on the following topic(s):* Thanked Re-Tree WNY for their support of the Village; Thanked the Village Board for their support and coordination on the tree planting; Thanked Nancy Locke and Noel Bartlo for their assistance on Parks Committee; Eagle Scout project; Earth/Arbor Day event.

*Trustee Geary had no resolutions this evening.*

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic(s):* Sanitary sewer project's use of pipe-bursting; Amherst Utility Cooperative is composed of Town, Village and 3 school districts for energy cost savings.

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

**WHEREAS**, the Village of Williamsville has advertised for sealed bids for *Contract No. 27 - Sanitary Sewer Improvements on North Ellicott Street*; and

**WHEREAS**, the sealed bids were opened on April 4, 2012 at 2:00 p.m. in Village Hall, 5565 Main Street, Williamsville, New York; and

**WHEREAS**, C&C Contractors, 1589 Bailey Rd., Cowlesville, New York submitted the low bid meeting all specifications;

**NOW, THEREFORE, BE IT RESOLVED**, that *Contract No. 27 - Sanitary Sewer Improvements on North Ellicott Street*, is hereby awarded to C&C Contractors for their low bid of \$300,886.25.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the Executive Session at 8:19 p.m. to discuss a contractual matter.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee DeLano, it was moved to close the Executive Session and return to the regular agenda at 8:43 p.m.

Motion Carried 4-0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Geary, it was moved to adjourn the meeting at 8:43 p.m.

Motion Carried 4-0.

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Lynda L. Juul

Administrator/Clerk-Treasurer