

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, May 14, 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 DeLano, it was moved to approve the minutes of the regular meeting held on April 23, 2012.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, 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):

Mary Ann Avery, 64 Garrison Rd. – Iskalo proposal for development at the Mill.

Thomas Frank, 225 Evans St. – War of 1812 meeting on 5/19 at 11:00 a.m.; UB E-Design Center; Main Street.

Kate Mockler, Amherst Bee Reporter – Announced that this would be her last meeting as our reporter - She will be joining the Buffalo Philharmonic as the organization's new Communications Coordinator; Jolene Zanghi will be her replacement.

Abby Stabel, Williamsville Library employee – Maintenance of the library property.

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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 topic(s): Mill re-construction; Main Street Planning Project.

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

RESOLVED, that payroll and vouchers in the amount of **\$230,585.99** covering the period from **4/19/12** to **5/9/12** are hereby approved as follows:

Payroll covering: 4/9/12 – 4/22/12: \$35,419.46

Payroll covering: 4/23/12 – 5/6/12: \$31,669.39

Vouchers covering 4/19/12 – 5/9/12:

General Fund	\$102,472.72
Water Fund	\$39,688.56
Sewer Fund	\$1,864.69
Glen Park Fund	\$150.00
Trust & Agency Fund	\$3,122.84
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	\$16,198.33
	<u>\$163,497.14</u>

GRAND TOTAL: **\$230,585.99**

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:	001-3410-2020 (Fire Protection-Expendable Equip.)	\$558.00
	001-3410-2030 (Fire Protection-Radio Equip.)	\$1,610.00
	001-3410-4111 (Fire Protection-Internet Access)	\$400.00
	001-3410-4160-3401 (Fire Protection-Truck Exp./Eng. 1)	\$387.00
	001-3410-4160-3402 (Fire Protection-Truck Exp./Eng. 2)	\$332.00
	001-3410-4160-3404 (Fire Protection-Truck Exp. /Rescue 4)	\$190.00
	001-3410-4160-3406 (Fire Protection-Truck Exp./Truck 6)	\$6.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief Car 9)	\$78.00
From:	001-3410-4110 (Fire Protection-Service Contracts)	\$558.00
	001-3410-4180 (Fire Protection-Radio Repairs)	\$1,610.00
	001-3410-4061 (Fire Protection-Cellular Phones)	\$400.00
	001-3410-4160 (Fire Protection-Truck Exp.)	\$993.00
To:	001-3410-4160-3491 (Fire Protection-Truck Exp./Chief Car 9)	\$623.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Chief Car 9-2)	\$181.00
	001-3410-4470 (Fire Protection-Building Maint.)	\$778.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$804.00
	001-3410-1000 (Fire Protection-Personal Service)	\$778.00
To:	001-1640-4161 (Central Garage-Sm. Equip. Repair)	\$2421.00
From:	001-5142-4290 (Snow Removal-Salt)	\$2421.00
To:	001-1640-2000 (Central Garage-Equip.)	\$354.00
	001-1640-2010 (Central Garage-Capital Improvements)	\$142.00
From:	001-1640-4070 (Central Garage-Utilities)	\$496.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$61.00
From:	001-5142-1001 (Snow Removal-Personal Services/OT)	\$61.00
To:	001-1640-1000 (Central Garage-Personal Services)	\$11932.00
	001-3310-1000 (Traffic Control-Personal Services)	\$1537.00
	001-8140-1000 (Storm Sewers-Personal Services)	\$316.00
	001-8170-1000 (Street Cleaning-Personal Services)	\$485.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$14270.00
To:	001-1620-2000 (Buildings-Equip.)	\$6498.00
From:	001-8160-4110 (Refuse & Garbage Collection-Service Contracts)	\$6498.00
To:	001-7520-4530 (Historical Property-Training)	\$58.00
From:	001-7520-4520 (Historical Property-Plaque)	\$58.00

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To:	001-7530-2000 (Village Meeting House-Equip.)	\$235.00
	001-7530-4000 (Village Meeting House-Opening/Closing)	\$50.00
	001-7530-4990 (Village Meeting House-Repairs)	\$3.00
From:	001-7530-4070 (Village Meeting House-Utilities)	\$288.00
To:	001-7540-4170 (Williamsville Water Mill-Utilities)	\$99.00
From:	001-7540-4160 (Williamsville Water Mill-Building Repairs)	\$99.00
To:	001-8170-4160 (Street Cleaning-Repairs/Equip.)	\$38.00
From:	001-8170-4260 (Street Cleaning-Maint. Supplies)	\$38.00
To:	001-1410-4630 (Clerk's Office-Grant Writer)	\$600.00
	001-1410-4600 (Clerk's Office-Computer Support)	\$617.00
From:	001-1410-4160 (Clerk's Office-Professional Fees & books)	\$17.00
	001-3410-4630 (Fire Protection-Grant Writer)	\$1100.00
	001-1410-4620 (Clerk's Office-Lease Copy Machine)	\$100.00
To:	001-1010-4010 (Board of Trustees-Office Supplies)	\$7.00
	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$35.00
	001-1210-4040 (Mayor-Education Exp./Travel)	\$418.00
From:	001-1410-4040 (Clerk's Office-Education Exp./Travel)	\$150.00
	001-1410-4620 (Clerk's Office-Lease Copy Machine)	\$310.00
To:	001-3620-4040 (Safety Inspection- Education Exp./Travel)	\$16.00
	001-3620-4041 (Safety Inspection-Mileage Reimbursement)	\$46.00
From:	001-3620-4110 (Safety Inspection-Service Contracts)	\$42.00
	001-3620-1000 (Safety Inspection-Personal Services)	\$104.00
To:	001-5110-2000 (Street Maint.-Equip.)	\$1.00
	001-5110-4161-0905 (Street Maint.-Repairs/2007 Int'l Dump)	\$481.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Sidewalk Plow)	\$155.00
	001-5110-4161-0915 (Street Maint.-Repairs/Elgin Sweeper)	\$406.00
From:	001-5110-4161 (Street Maint.-Equip.)	\$259.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump)	\$218.00
	001-5110-4040 (Street Maint.-Education Exp./Travel)	\$450.00
	001-5110-4610 (Street Maint.-Physicals/Eye Exams/Safety Glasses)	\$116.00
To:	001-7110-4169 (Parks-Repairs/Other)	\$319.00
From:	001-7110-4280 (Parks-Rental Equip.)	\$319.00
To:	001-7310-4179 (Youth Programs-Movies at the Meeting House)	\$8.00
From:	001-7310-4171 (Youth Programs-Halloween Parade)	\$8.00

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

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

To:	006-8340-4030 (Water Transmission-Printing/Advertising)	\$106.00
	006-8340-4440 (Water Transmission-Repairs/Meters)	\$749.00
From:	006-8340-4040 (Water Transmission-Education Exp./Travel)	\$106.00
	006-8340-4160 (Water Transmission-Repairs/Lines)	\$749.00

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Geary, 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 use of DPW Capital Reserve for the Cold Storage Building:

Increase in Revenue:	001-0001-0599 (Appropriated Surplus)	\$44,804.00
Increase in Expense:	001-1640-2010 (Central Garage-Capital Improvements)	\$44,804.00

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 application of funds designated for Mill Restoration to be used for Capital Project #824 – Mill Grant 2008:

Increase in Revenue:	001-0001-0599 (Appropriated Surplus)	\$105,000.00
Increase in Expense:	001-9950-9000 (Transfer to Capital)	\$105,000.00

Unanimously carried.

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

WHEREAS, Lehigh Memory Trail is one of five parks within the one square mile of the Village of Williamsville; and

WHEREAS, Lehigh Memory Trail possesses items that are atypical of the other parks within the Village, including a walking trail and memorial trees; and

WHEREAS, in the past Lehigh Memory Trail has been overseen by Williamsville's Parks Committee, but warrants particular attention of its own;

NOW, THEREFORE, BE IT RESOLVED, that the Lehigh Memory Trail Committee is hereby created to serve the specific needs of Lehigh Memory Trail.

Unanimously carried.

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

WHEREAS, Governmental Accounting Standards require the Village to adopt a fund balance policy to determine appropriate authority over the assignment, commitment and restriction of the Village's fund balance, and

WHEREAS, the Village has prepared a policy to comply with this Governmental Accounting Standard,

NOW, THEREFORE, BE IT RESOLVED, the Village Board of Trustees therefore adopts the following policy:

FUND BALANCE POLICY

Government Fund Type Assignment (GASB 54)

The Village of Williamsville (the "Village") shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board ("GASB") Statement Number 54, *Fund Balance Reporting and Governmental Fund Type Definitions*. The Village Board of Trustees authorizes the Village Administrator to complete the following actions as necessary to comply with the requirements of GASB 54:

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- A. If the Village must use funds for emergency expenditures the Village Board of Trustees shall authorize the Village Administrator to expend funds first from funds classified under GASB 54 as unassigned funds as defined by this statement. The use of restricted funds as classified by GASB 54 will occur after the exhaustion of unassigned funds, unless the expenditure meets the legal purpose of a particular restricted reserve fund and the use of those monies is recommended by the Director of Administration and Finance and is approved by a majority vote of the Village Board.
- B. The Village Board of Trustees authorizes the Village Administrator to make a determination of the assigned amounts of fund balance. Assigned funds represent amounts intended to be used for a specific purpose. For example the amount appropriated to reduce the tax levy as determined through the budget process and finalized when the Village Board of Trustees adopts the budget.
- C. Restricted fund balances are amounts as approved by the Village Board of Trustees that will be placed in legal reserves (and thereby restricted) upon authorization of the Board. The amounts must be approved by a vote of the Village Board of Trustees at a regularly scheduled meeting or a special meeting called for this purpose prior to the release of the audited financial statements for that fiscal year.

Periodic Review and Annual Financial Report

The Village Board of Trustees will periodically review all restricted reserve funds. The Village will prepare and submit annual audited financial statements, which includes all reserve funds, to the Village Board of Trustees. The financial statements shall include the following information for each reserve fund.

- A. The type and description of the reserve funds
- B. The ending balance in the reserve funds at fiscal year end

The Village Board of Trustees shall utilize the information in the financial statements to discuss assigned and reserved fund balances and to adequately maintain necessary funds for the Village's long-term financial planning.

Unanimously carried.

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

WHEREAS, the Village of Williamsville has worked closely with the Amherst Industrial Development Agency (AIDA) in the areas of business growth, business retention, and job creation; and

WHEREAS, the Amherst IDA has played a major role in helping to preserve and expand our Village's tax base, adding to our overall quality of life; and

WHEREAS, the Village of Williamsville Board of Trustees has relied on the Amherst IDA for valuable input in formulating economic development policies for our community, as well as input into land use issues and the development of our Community Plan and Picture Main Street Project; and

WHEREAS, many villages are experiencing the need to develop new economic development strategies for dealing with vacant properties and areas that have experienced dis-investment and view their local IDAs as major participants in developing those policies and programs; and

WHEREAS, recent developments point to the crucial role local IDAs will play in developing policies that balance environmental protections with the need for economic development and removing legal and bureaucratic barriers to economic development and job creation; and

WHEREAS, the County of Erie and the Buffalo Niagara Partnership have advanced the "Framework for Regional Growth" (FRG) as a regional growth strategy promoting growth within existing sewer districts, most of which are located in areas serviced by a local IDA and will require the active participation of that IDA to implement the goals of the FRG; and

WHEREAS, currently efforts are underway by the Erie County Industrial Development Agency to streamline and coordinate existing economic development incentives, programs and policies to better integrate the specific redevelopment needs of brownfields and greyfields and the coordination of new regional commercial and retail development policies to focus on matching markets with redeveloped and re-usable properties; and

WHEREAS, several municipalities, including the Village of Williamsville, have undertaken the adoption of comprehensive land use plans and the reform of existing zoning to facilitate commercial and industrial reuse and revitalization which will involve the active participation of local IDAs; and

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WHEREAS, proposals are now being advanced by various elected officials at the local and state levels that would severely restrict the role and tools available to local IDAs to assist their respective communities with these crucial issues;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees opposes any legislative attempt at the local or state level that would alter, modify, or abolish the current operation of the Amherst IDA WITHOUT local IDAs participating as equal partners in any discussions to revise, reform or change the current system and structure of addressing economic development policy; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Governor of the State of New York, every member of the Western New York Senate and Assembly delegations, the Erie County Executive, and the members of the Erie County Legislature.

Unanimously carried.

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

RESOLVED, that the proposal which was submitted to the Village Board of Trustees from Wm. Schutt Associates, dated April 23, 2012, for engineering services to prepare plans, specifications, and details for the striping of parallel parking spaces along Main Street, is hereby authorized at an amount not to exceed \$3,350.00.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to enter into a lease agreement with the Williamsville Preservation Foundation, to lease the Williamsville Water Mill for a Farmers' Market to be held each Saturday between May 19, 2012 and October 27, 2012.

Unanimously carried.

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

WHEREAS, the property located at 188 Reist Street has been recently inspected, and found to be a serious health hazard to the surrounding residents and community; and

WHEREAS, the owner of such property, Mr. Luiz Carlos DeFigueiredo is recently known to be deceased, and unable to cause the required repairs and cleaning of the property to occur, and the Village of Williamsville, Town of Amherst, and Amherst Police Department have no knowledge of any next of kin who would be able to take care of such matters;

NOW, THEREFORE, BE IT RESOLVED, that the Code Enforcement Officer and Building Department of the Village of Williamsville are hereby authorized to take the necessary steps to make the property safe for the surrounding community, including hiring a company to clean out and sanitize the premises so it can be further inspected for any structural issues; and

BE IT FURTHER RESOLVED, that the Department of Public Works is hereby authorized to take the necessary steps to ensure the proper exterior maintenance of the property, including cutting of the grass and debris removal; and

BE IT FURTHER RESOLVED, that any costs associated with the above actions shall be added to the 2013 tax bill for 188 Reist Street, should a third party not come forward in the meantime and reimburse the Village for such expenses.

Unanimously carried.

Report – Trustee Alexander

Trustee Alexander reported on the following topic(s): Opening of Farmers' on May 19th; Youth & Rec Committee will be at Youth Activities Tent at Market on 5/26; June 2nd is the Youth & Rec Street Hockey Tournament; June 29th is the first date for the Movies in the Park series in Island park; June 30th is the Annual Village Garden Walk, which starts this year at the Meeting House and includes a Garden Talk on "How to Make a Fairy Garden".

Trustee Alexander had no resolutions this evening.

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Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): 93 trees were planted on Tree Planting Day on May 5th - 13 more trees yet to be planted; Thanked the Tree Board members for their efforts; Thanked Re-Tree WNY for donation of 99 trees; Thanked Ken Kostowniak and the DPW for their assistance; Thanked Judy Kindron for her assistance in ordering trees.

Trustee DeLano had no resolutions this evening.

Report – Trustee Geary

Trustee Geary reported on the following topic(s): Tree planting; Thanked the Eagle Scouts for completion of their recent projects in our parks; Village Parks Day is May 19th – Starts at 9 a.m. - Thanked Nancy Locke and Noel Bartlo for their efforts in organizing the event.

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

RESOLVED, that the following members of the Williamsville Fire Department were installed as senior officers of the Williamsville Fire Department: Christopher Petrie, Chief; Michael Measer, First Assistant Chief; and Harold Haffa, Second Assistant Chief.

Unanimously carried.

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

RESOLVED, that Christopher Petrie, Kelly Smith and Adam Oehmler of the Williamsville Fire Department, are hereby authorized to attend the 2012 Fire Expo in Harrisburg, PA, from 5/17/12 to 5/20/12 at a cost not to exceed \$1,376.00, to be paid by the Village of Williamsville.

Unanimously carried.

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Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): AUC; No Planning Board meeting this month; Flower planting on May 19th at 9:00 a.m.; Encouraged residents to vote in the school budget vote on 5/15.

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

RESOLVED, that the following Department of Public Works equipment is hereby declared surplus, and will be disposed of via online auction:

Asset #111 Truck 903 – 1994 Int'l Dump Truck, VIN 1HTSCACN9RH5844

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to leave the regular at agenda at 8:23 p.m. to open the Executive Session to discuss a contractual issue and an employment issue.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the Executive Session and return to the regular agenda at 9:29 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Alexander, it was moved to adjourn the meeting at 9:30 p.m.

Unanimously carried.

Lynda L. Juul

Administrator/Clerk-Treasurer