

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Tuesday, November 13, 2012 at 7:30 p.m.**

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

Present: Basil J. Piazza, Deputy Mayor  
Amy R. Alexander, Trustee  
Daniel O. DeLano, Trustee  
Christopher J. Duquin, 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: Brian J. Kulpa, Mayor

In Mayor Kulpa's absence, Deputy Mayor Piazza presided. Trustee Duquin led the assemblage in the Pledge of Allegiance.

**ON MOTION** by Deputy Mayor Piazza, seconded by Trustee Alexander, it was moved to approve the minutes of the regular meeting held on October 22, 2012.

Duquin	Yes
Alexander	Yes
Piazza	Abstained
DeLano	Yes

Motion carried. 3 – 0.

**ON MOTION** by Trustee DeLano, seconded by Trustee Alexander, it was moved to open the first scheduled public hearing at 7:34 p.m.

Motion carried. 4 – 0.

- *A public Hearing was held to hear all persons interested in commenting on a proposed modification to Chapter 78 (Public Order) to allow the Mayor to limit the hours of permitted activities.*

**ON MOTION** by Trustee DeLano, seconded by Trustee Alexander, it was moved to close the first public hearing at 7:35 p.m.

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Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

- ***A Public Hearing was held to hear all persons interested in commenting on proposed use of the 2012-2013 CDBG Funds.***

**ON MOTION** by Deputy Mayor Piazza, seconded by Trustee Duquin, it was moved to close the second scheduled public hearing at 7:40 p.m.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

Members of the audience who addressed the Board and their topics:

*Thomas Frank, 225 Evans St.* – Congress for New Urbanism Conference; Ellicott Creek watershed; Amherst Comprehensive Plan; Regional consistency; Nov. 14<sup>th</sup> is GIS Day; Niagara Power Project Re-licensing.

*Carolyn Schlifke, 195 Evans St.* – Main Street – WBA Holiday Walk is Dec. 1<sup>st</sup>; Historical Society will be having an exhibit of photos of Main Street properties from 40 years ago; Village Board meetings are held the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of the month because the Town of Amherst holds Town Board meetings on the 1<sup>st</sup> and 3<sup>rd</sup> Mondays of the month; 1985 widening of Main Street and installation of pavers; Trees on Main Street; Gardenwalk donation of benches on Main Street; Beautification of Main & Union.

*Chris Donner, 182 Glen Ave.* – Concerned with Verizon parking and idling their trucks for hours on the street; Town Code regulates parking large commercial vehicles that are not doing work; Feels this is a violation of the noise ordinance; Verizon used to have parking at the VFW; Disrespectful to the Village; Has involved the Amherst

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Police in the matter. (*State law prohibits allowing diesel trucks from idling longer than 5 minutes. Village Board will pursue.*)

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

Motion carried. 4 – 0.

**Report – Deputy Mayor Piazza**

*Deputy Mayor Piazza reported on the following topic(s):* Fire Dept. deployment during Super Storm Sandy; Audit presentation by Drescher & Malecki – Thanked Administrator Juul and Deputy Treasurer Kindron.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$216,365.71** covering the period from **10/18/12** to **11/7/12** are hereby approved as follows:

<b>Payroll covering: 10/8/12 – 10/21/12:</b>	<b>\$34,924.25</b>
<b>Payroll covering: 10/22/12 – 11/4/12:</b>	<b>\$35,882.50</b>
<b>Vouchers covering 10/18/12 – 11/7/12:</b>	
General Fund	\$71,476.52
Water Fund	\$42,165.61
Sewer Fund	\$3,270.94
Glen Park Fund	\$399.15
Trust & Agency Fund	\$27,086.74
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$1,160.00</u>
	\$145,558.96
<b>GRAND TOTAL</b>	<b><u>\$216,365.71</u></b>

Motion carried. 4 – 0.

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

**RESOLVED**, that the following budget *transfers* are hereby made in the *General Fund* for the *2012-2013* fiscal year:

To:	001-1640-4261 (Central Garage-Maint. Fees)	\$50.00
From:	001-1640-4260 (Central Garage-Maint. Supplies)	\$50.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the following budget *amendment* is hereby made in the *General Fund* for the *2012-2013* fiscal year to account for payment of Old Home Days expenses:

Increase:	001-0001-2750 (Other Cultural & Recreational Income)	\$208.00
Increase:	001-7550-4410 (Celebrations-Old Home Days)	\$208.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the following budget *amendment* is hereby made in the *General Fund* for the *2012-2013* fiscal year to account for funds received on 8/30/12 through a grant from the NYS Dept. of State, Community Projects Contract #TM04583, for the purchase of Cornell Structural Soil that was used in conjunction with the Main Street Tree Planting:

Increase:	001-0001-3090 (State Aid-Grants)	\$4720.00
Increase:	001-8560-4360 (Shade Trees-Trees/Replacement-Regular)	\$4720.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the permit fee for review of any paving or sealing work in Mixed Use or Commercial Districts is hereby set at \$50.00; and

**BE IT FURTHER RESOLVED**, that this fee shall be added to the Building Permit Fee Schedule that was approved by the Village Board on July 2, 2012.

Motion carried. 4 – 0.

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

**RESOLVED**, that the 2013 permit fee for hanging banners across Main Street is hereby increased to \$100.00.

Motion carried. 4 – 0.

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

**RESOLVED**, that the Village Board liaison-ships are hereby modified as follows:

**MAYOR KULPA**

1. Williamsville Business Association Co-Liaison
2. Special Events Committee Co-Liaison
3. Personnel
4. Insurance
5. Fire Department
6. Amherst Police Department
7. Mill Committee
8. Traffic & Safety Committee Co-Liaison
9. Arts & Culture Committee

**TRUSTEE PIAZZA**

1. Beautification Committee
2. Planning and Architectural Review Board
3. Amherst Utility Cooperative

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4. Department of Public Works
5. Zoning Board of Appeals
6. Environmental Advisory Council
7. Williamsville Business Association Co-Liaison

**TRUSTEE DUQUIN**

1. Glen Park Joint Board Co-Liaison
2. Inter-governmental Agent
3. Parks Committee Co-Liaison

**TRUSTEE ALEXANDER**

1. Special Events Committee Co-Liaison
2. Meeting House Committee
3. Youth & Recreation Committee
4. Lehigh Memory Trail Committee Co-Liaison
5. Parks Committee Co-Liaison
6. Glen Park Joint Board Co-Liaison

**TRUSTEE DELANO**

1. Tree Board
2. Historic Preservation Commission
3. Traffic & Safety Committee Co-Liaison
4. Lehigh Memory Trail Committee Co-Liaison

Motion carried. 4 – 0.

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

**WHEREAS**, the Village Administrator has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amounting to \$33,796.12 containing a description of the land upon which taxes are unpaid, the person whose name is assessed, together with the amount of unpaid tax, and

**WHEREAS**, the Village Administrator has filed a verified statement that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

**WHEREAS**, upon receiving such account from the Village Administrator, the Board of Trustees compared the same with the original tax roll of the Village, and

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**WHEREAS**, said Board of Trustees find such account to be a true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct.

**NOW, THEREFORE, BE IT RESOLVED**, that the Administrator of the Village of Williamsville is hereby credited by this Board of Trustees with the amount of said account in said return, and

**BE IT FURTHER RESOLVED**, that a Certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of \$33,796.12 and reciting that the account has been compared and found to be correct; and that the Administrator transmit said account and certificate to the appropriate officer of the County of Erie by November 15, 2012, to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Motion carried. 4 – 0.

**Report – Trustee Alexander**

*Trustee Alexander reported on the following topic(s):* Thanked residents who have returned parks surveys; Thanked Trustee DeLano and DPW for their efforts towards tree planting; Dec. 1<sup>st</sup> is Holiday in the Village with tree lighting and bonfire at 6:00 p.m.; Youth & Rec family movie night at the Meeting House is Dec. 14<sup>th</sup> with Christmas Classics.

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

**RESOLVED**, that Administrator/Clerk-Treasurer Lynda L. Juul and Deputy Treasurer Judy Kindron are hereby authorized to travel to Pittsford, New York to participate in the Government Financial Officers Association Holiday Seminar, on December 6, 2012, at a cost not to exceed \$170.00, to be paid by the Village of Williamsville.

Motion carried. 4 – 0.

**Report – Trustee DeLano**

*Trustee DeLano reported on the following topic(s):* Village Tree Planting – Thanked those who participated, planted over 100 trees in the right-of-way and parks; Thanked DPW for

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their assistance and Re-tree WNY for supplying 40 trees to the Village; Reminded residents that it is illegal to park on the streets overnight; Discouraged residents from parking on lawns.

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

**RESOLVED**, that the Emergency Preparedness Information Committee is hereby disbanded.

Motion carried. 4 – 0.

**Report – Trustee Duquin**

*Trustee Duquin reported on the following topic(s):* Nov. 26<sup>th</sup> Village Board will meeting will be held at the Meeting House, starting with a work session at 5:30 p.m. and a Village Board meeting and State of the Village Address at 6:30 p.m.

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

**RESOLVED**, that the Board of Trustees of the Village of Williamsville hereby certifies that the records of the Williamsville Court were examined and audited by Drescher and Malecki, LLP, in conjunction with the audit of the records of the Village of Williamsville for the fiscal year ending May 31, 2012, and as required by Section 2019-a of the Uniform Justice Court Act.

Motion carried. 4 – 0.

**Report – DPW Crew Chief**

*DPW Crew Chief Kostowniak reported on the following topic(s):* Leaf pickup is ongoing, with pickups also on Saturdays; Brush pickup is by appointment.

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**ON MOTION** by Deputy Mayor Piazza, seconded by Trustee Alexander, it was moved to leave the regular agenda to open the Executive Session at 8:25 p.m.

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

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

Motion carried. 4 – 0.

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

RESOLVED, that the Mayor is hereby authorized to execute, on behalf of the Village, a Resignation Agreement between the Village, AFSCME New York Council 66, Local 1783-C, and Jeffrey Blajszczak, upon which tentative agreement has been reached on November 13, 2012.

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Piazza, seconded by Trustee DeLano, it was moved to close the Executive Session and return to the regular agenda at 9:48 p.m.

Motion carried. 4 – 0.

**ON MOTION** by Deputy Mayor Piazza, seconded by Trustee DeLano, it was moved to adjourn the meeting at 9:48 p.m.

Motion carried. 4 – 0.

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Lynda L. Juul

Administrator/Clerk-Treasurer