

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, January 28, 2013 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
Daniel O. DeLano, Trustee
Christopher J. Duquin, Trustee
John "Al" Yates, Trustee

Also present: Charles D. Grieco, Village Attorney
Deborah A. Habes, Deputy Clerk
Judy A. Kindron, Deputy Treasurer
Kenneth Kostowniak, DPW Crew Chief

Absent: Lynda L. Juul, Administrator/Clerk-Treasurer

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on January 14, 2013.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to approve the minutes of the public hearing held on January 14, 2013 for the Picture Main Street Project.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to approve the minutes of the public hearing held on January 14, 2013 for the proposed water rate increase.

Unanimously carried.

Mayor Kulpa announced a change in the date of the next Village Board meeting due to a conflict with the NYCOM Winter Legislative Conference in Albany, which several of the Village Board members will be attending. The Village Board meeting will be held on Wednesday, February 13, 2013 at 7:30 p.m., with the work session beginning at 6:00 p.m.

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Mayor Kulpa opened the continuation of the public hearing of January 14, 2013 regarding the Picture Main Street Project

- *A continuation of the Picture Main Street Project public hearing was held.*

Mayor Kulpa left this public hearing regarding the Picture Main Street Project OPEN until the next Village Board meeting on Wednesday, February 13, 2013.

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

Unanimously carried.

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

Thomas Frank, 225 Evans St. – Use of Safe Routes to School Grant funds; Inter-relationship of Village and Town for use of Safe Routes to School Grant funds.
(Mayor Kulpa responded that the Village will work with the Town on this when the time comes.)

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): Cooperation and support from elected officials and State for Picture Main Street Project; Joint project with Town and IDA for economic study of Main Street Corridor; Village and Glen Park Gateways projects; Thanked Arts & Culture Committee for their work on the Meeting House Movie/Dinner Series and the Lecture Series; Next movie will be “Chocolat” with dinner at The Creekview on 2/10/13; Glen Park Art Festival planning has begun.

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

RESOLVED, that payroll and vouchers in the amount of **\$86,987.74** covering the period from **1/10/13** to **1/23/13** are hereby approved as follows:

Payroll covering: 12/31/12 – 1/13/13:	\$29,789.00
Vouchers covering 1/10/13 – 1/23/13:	
General Fund	\$40,699.56
Water Fund	\$463.06
Sewer Fund	\$3,826.50
Glen Park Fund	\$344.47
Trust & Agency Fund	\$11,040.65
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$824.50</u>
	\$57,198.74
GRAND TOTAL	<u>\$86,987.74</u>

Unanimously carried.

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

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

MAYOR KULPA

1. Personnel
2. Insurance
3. Fire Department
4. Amherst Police Department
5. Mill Committee
6. Arts & Culture Committee
7. Special Events Committee
8. Lehigh Memory Trail Committee Co-Liaison
9. Beautification Committee Co-Liaison

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10. Meeting House Committee Co-Liaison
11. Williamsville Business Association Co-Liaison

TRUSTEE PIAZZA

1. Beautification Committee Co-Liaison
2. Planning and Architectural Review Board
3. Amherst Utility Cooperative
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 Agency
3. Tree Board Co-Liaison
4. Parks Committee Co-Liaison
5. Youth & Recreation Committee Co-Liaison

TRUSTEE DELANO

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

TRUSTEE YATES

1. Meeting House Committee Co-Liaison
2. Youth & Recreation Committee Co-Liaison
3. Glen Park Joint Board Co-Liaison
4. Historic Preservation Commission Co-Liaison

Unanimously carried.

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

WHEREAS, the next Village Election will be held on Tuesday, June 18, 2013;
and

WHEREAS, the offices to be filled and the terms thereof, are as follows:

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Two (2) Trustees for terms of four (4) years each

One (1) Trustee for a term of two (2) years, to fill an unexpired term

NOW, THEREFORE, BE IT RESOLVED, that the Administrator is hereby authorized to publish a legal notice designating the offices to be filled and the terms thereof in the February 6, 2013 Amherst Bee.

Unanimously carried.

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

WHEREAS, the next Village Election is to be held on Tuesday, June 18, 2013; and

WHEREAS, the hours of voting will be from 12:00 noon until 9:00 p.m. on June 18, 2013;

NOW, THEREFORE, BE IT RESOLVED, that said Village shall be made up of one election district; and

BE IT FURTHER RESOLVED, that voting shall take place at Williamsville Village Hall, 5565 Main Street, Williamsville, New York.

Unanimously carried.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Spring tree planting will be on May 4th; Fewer trees will be planted in the spring and more in the fall due to more favorable planting conditions in the fall; Lehigh Trail Committee meeting in February will be rescheduled; Historic Preservation Commission has been very busy preparing the CLG grant; Thanked Coordinator of Volunteers Bea Slick for her work on finding new volunteers to serve on Village Committees.

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

WHEREAS, the Village of Williamsville has received a Certified Local Government grant to complete an Intensive Level Survey of Historic Resources, in the amount of \$9,230 with an in-kind match of \$3,000; and

WHEREAS, the Village's Historic Preservation Commission conducted interviews with four firms for the work; and

WHEREAS, Clinton Brown Company Architecture submitted the lowest price for this proposal, and also has extensive experience in performing Intensive Level Surveys, and has been recommended by the Historic Preservation Commission;

NOW, THEREFORE, BE IT RESOLVED, that the proposal for an Intensive Level Survey of Historic Resources, as submitted by Clinton Brown Companies on December 14, 2012, is hereby accepted in an amount not to exceed \$9,984; and

BE IT FURTHER RESOLVED, that the \$754 difference between the proposal and the grant award will be paid by the Village of Williamsville.

ON THE QUESTION, Mayor Kulpa commented that this Intensive Level Study of Historic Resources is not a designation of a Historic District but rather lays the foundation for possible designation of such in the future. The Village would like property owners to apply on their own for historic designation, but at this time we do not have a historic district.

Unanimously carried.

ON MOTION by Trustee DeLano, seconded by Trustee Yates, 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, February 25, 2013, at 7:35pm at Village Hall, 5565 Main St., Williamsville, New York, to hear all those interested in expressing their opinion on a proposed modification to Chapter 47-3(D)(5) of the Village Code, **Historic Preservation**, which will modify the requirements of membership for the Historic Preservation Commission.

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ON THE QUESTION, Trustee DeLano stated that the reason for the proposed modification was to include the Planning Board in the process of HPC review of qualifying projects.

Unanimously carried.

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

RESOLVED, that *Jonathon James Duval of 299 Mill Street, Williamsville, New York*, is hereby appointed to the *Historic Preservation Commission* to fill the requirement of historian, through the end of the **2013-2014** official Village year.

Unanimously carried.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): The official Village Facebook page now has over 900 “Likes”; Glen Park Joint Board has recommended that leashed dogs be allowed in Glen Park – there will be a public hearing called for tonight on the subject.

ON MOTION by Trustee Duquin, seconded by Trustee Yates, 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, February 25, 2013, at 7:40pm at Village Hall, 5565 Main St., Williamsville, New York, to hear all those interested in expressing their opinion on the proposed modification of Section 70-13 of the Village Code, ***Parks and Public Areas***, which would allow dogs in Glen Park.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Zoning Board of Appeals met on January 16th – They are hopeful of a resolution to the request for variances; there will be no Planning Board meeting in February; AUC will be looking at new companies.

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

RESOLVED, that the following Department of Public Works equipment is hereby declared surplus, and will be disposed of via sale to the highest responsible bidder through Auctions International:

Asset #325	2001 Chevy Impala (901)	VIN #2G1WF52E719303419
Asset #494	2003 Ford F550 Pickup Truck (906)	VIN #1FDAF57F73EA64520

Unanimously carried.

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

RESOLVED, that the Village water rates, which were the subject of a public hearing on Monday, January 14, 2013, are hereby adopted and are effective immediately:

Inside Village	\$5.37	per 1,000 gallons
Outside Village	\$8.06	per 1,000 gallons
Minimum Bill	\$21.48	per 0-4,000 gallons
Williamsville Central	\$6.71	per 1,000 gallons

Unanimously carried.

Board Comments:

Trustee Duquin stated that we will be turning over the water to ECWA and water bills will go down.

Mayor Kulpa stated that we are very close to a Memorandum of Understanding with ECWA. It will take about a year to turn over to ECWA. It should prove to be a favorable step for Village residents.

Trustee Piazza stated the water charges approved tonight will not be permanent, but we have to pay down the debt. Future water rates will come down.

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Report – Trustee Yates

Trustee Yates reported on the following topic(s): Youth & Rec will present Family Night at the Movies at the Meeting House on February 8 at 7:00 p.m. – The movie will be “Madagascar 3”; Winterfest will be held on Sunday, February 10th, from Noon to 4:00 p.m. in Glen Park – Volunteers are needed.

Trustee Yates had no resolutions this evening.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to open the Executive Session at 8:25 p.m. to address a personnel issue related to a request for a leave of absence; a personnel issue related to disciplinary action; and a legal issue related to a settlement agreement.

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 8:50 p.m.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to sign the Agreement and Release Settlement made and entered into and by and among Jon and Judy Tallman and the Village of Williamsville, New York.

Unanimously carried.

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

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adjourn the meeting at 8:56 p.m.

Unanimously carried

Judith A. Kindron
Deputy Treasurer