

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Wednesday, February 13, 2013 at 7:30 p.m.

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

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
Lynda L. Juul, Administrator/Clerk-Treasurer
Judy A. Kindron, Deputy Treasurer
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 January 28, 2013.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the continuation of the public hearing held on January 28, 2013 for the Picture Main Street Project.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to open the public hearing at 7:36 p.m.

Unanimously carried.

- ***Mayor Kulpa continued the public hearing of January 28, 2013 regarding the Picture Main Street Project.***

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved at 7:48 p.m. to hold the public hearing open until February 25, 2013.

Unanimously carried.

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Glen Park Fund	\$24.00
Trust & Agency Fund	\$16,139.33
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$12,298.00</u>
	\$202,225.32

GRAND TOTAL **\$236,027.32**

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 *General Fund* for the *2012-2013* fiscal year:

To:	001-1010-4010 (Board of Trustees-Office Supplies)	\$38.00
From:	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$38.00
To:	001-1620-2000 (Buildings-Equip.)	\$388.00
From:	001-1620-4070 (Buildings-Utilities)	\$388.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$41.00
From:	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$41.00
To:	001-3410-4160-3401 (Fire Protection-Truck Exp./Eng. 1)	\$866.00
	001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4)	\$150.00
	001-3410-4160-3407 (Fire Protection-Truck Exp./Rescue 7)	\$2337.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief Car 9)	\$1196.00
	001-3410-4160-3471 (Fire Protection-Truck Exp./ATV 71)	\$171.00
	001-3410-4160-3491 (Fire Protection-Truck Exp. /Chief Car 91)	\$40.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Chief Car 92)	\$180.00
	001-3410-4470 (Fire Protection-Building Maint.)	\$3626.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$4940.00
	001-3410-1000 (Fire Protection-Personal Services)	\$3,626.00
To:	001-3410-2010 (Fire Protection-Major Equip.)	\$1256.00
	001-3410-2020 (Fire Protection-Expendable Equip.)	\$1097.00
	001-3410-2060 (Fire Protection-Computer Equip.)	\$1591.00
From:	001-3410-4110 (Fire Protection-Service Contracts)	\$1256.00

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	001-3410-4630 (Fire Protection-Grant Writer)	\$1000.00
	001-3410-4161 (Fire Protection-Sm. Engine/Equip. Repair)	\$97.00
	001-3410-4180 (Fire Protection-Radio Repair)	\$1591.00
To:	001-5110-1000 (Street Maint.-Personal Services)	\$3492.00
	001-8162-1000 (Leaf Pickup-Personal Services)	\$1515.00
	001-7530-1000 (Village Meeting House-Personal Services)	\$498.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$5505.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$696.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$696.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump)	\$87.00
	001-5110-4161-0904 (Street Maint.-Repairs/1990 Int'l Dump)	\$905.00
	001-5110-4161-0905 (Street Maint.-Repairs/2007 Int'l Dump)	\$641.00
	001-5110-4161-0906 (Street Maint.-Repairs/2003 Ford F550 Dump)	\$18.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump)	\$1664.00
	001-5110-4161-0908 (Street Maint.-Repairs/2011 Chevy Silverado)	\$3.00
	001-5110-4161-0909 (Street Maint.-Repairs/1998 Ford F-150)	\$21.00
	001-5110-4161-0912 (Street Maint.-Repairs/2012 Cat Hi-Lift)	\$182.00
	001-5110-4161-0913 (Street Maint.-Repairs/1993 GMC Sewer Jet)	\$156.00
From:	001-5110-4161 (Street Maint.-Repairs/Equipment)	\$3677.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$2436.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$2436.00
To:	001-5110-1000 (Street Maint.-Personal Services)	\$696.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$696.00
To:	001-1640-2010 (Central Garage-Capital Improvements)	\$6991.00
From:	001-5142-4290 (Snow Removal-Salt)	\$6991.00
To:	001-7310-2000 (Youth Programs-Equip.)	\$70.00
From:	001-7310-4171 (Youth Programs-Halloween Parade)	\$70.00
To:	001-8510-4450 (Community Beautification-Misc.)	\$200.00
From:	001-8510-4160 (Community Beautification-Repairs)	\$102.00
	001-8510-4290 (Snow Removal-Salt)	\$98.00
To:	001-8510-4450 (Community Beautification-Misc.)	\$177.00
From:	001-5142-4290 (Snow Removal-Salt)	\$177.00
To:	001-9063-8000 (HRA-Flexible Spending Plan)	\$350.00
From:	001-9060-8000 (Hospital & Medical Insurance)	\$350.00

Unanimously carried.

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

RESOLVED, that the following budget *transfer* is hereby made in the *Sewer Fund* for the *2012-2013* fiscal year:

To:	007-8120-1001 (Sanitary Sewers-Personal Services-OT)	\$188.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$188.00

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 *2012-2013* fiscal year to account for FOIL payment on 1/23/13 for outside records reproduction:

Increase:	001-0001-2665 (Minor Sales-Other)	\$10.00
Increase:	001-1410-4450 (Clerk's Office-Misc.)	\$10.00

Unanimously carried.

ON MOTION by Mayor Kulpa, 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 funds donated from Friends of Williamsville Parks, Inc. on 12/31/12, for the resurfacing of Garrison Park basketball court:

Increase:	001-0001-2705 (Gifts & Donations)	\$4780.00
Increase:	001-7110-2010 (Parks-Capital Improvements)	\$4780.00

Unanimously carried.

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- *Mayor Kulpa thanked Noel Bartlo, Tracy Galuski and Brian Geary for their work with Friends of Williamsville Parks.*

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 **2012-2013** fiscal year to account for the use of DPW Capital Reserve to purchase a 2007 International 4300 dump truck:

Increase: 001-0001-0599 (Appropriated Surplus)	\$32,570.00
Increase: 001-5110-2000 (Street Maint.-Equipment)	\$32,570.00

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 **2012-2013** fiscal year to account for the use of DPW Capital Reserve to purchase a 2005 Freightliner M-2 dump truck:

Increase: 001-0001-0599 (Appropriated Surplus)	\$35,570.00
Increase: 001-1640-2010 (Central Garage-Capital Improvements)	\$35,570.00

Unanimously carried.

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

RESOLVED, that Christopher Petrie, Christina Haffa, John Pidgeon, Kelly Smith and Adam Oehmler of the Williamsville Fire Department are hereby authorized to attend the NYS Fire Academy Technical Rescue Conference, held in Montour Falls, NY, from 3/7/13 to 3/10/13, at a cost not to exceed \$1,175.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

WHEREAS, the Governor has proposed, as part of his Executive Budget, a provision that would greatly restrict the ability of local economic development agencies to use the exemption of state sales tax as a part of economic development incentive packages to spur job creation projects; and

WHEREAS, this provision restricts use of the sales tax exemption to just seven business categories of the “Excelsior Jobs” tax credit program; and

WHEREAS, many development projects important to rural, suburban and urban areas including main business district re-development, tourism projects, small business projects, commercial redevelopment and adaptive re-use projects will not qualify under this new provision; and

WHEREAS, projects that do qualify will now have to obtain the approval of Regional Development Councils and the Empire State Development Corporation, which will involve additional time and delay that could prove detrimental to development; and

WHEREAS, projects that qualify for the sales tax exemption will receive the benefit as a future tax rebate after the project is completed and, therefore, will not be able to use the benefit as equity in securing private financing; and

WHEREAS, the restrictions in the Governor’s proposal will restrict an important tool for incentivizing projects identified in numerous plans crafted throughout the state by the governor’s own Regional Development Councils;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville does hereby go on record as being opposed to this provision of the Governor’s Executive Budget and requests that the Western New York Senate and Assembly delegation work to remove the provision from any final 2013/2014 budget agreement; and

BE IT FURTHER RESOLVED, that the Governor and the Legislature focus efforts to reform industrial development agencies on ensuring that IDA incentives encourage Smart Growth principles and effective adaptive reuse of current urban cores; and

BE IT FURTHER RESOLVED, that the Village of Williamsville will host a public forum on April 4, 2013 to discuss appropriate and necessary IDA reforms

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and respectfully requests the attendance of the Governor, Lieutenant Governor, and Western New York Senate and Assembly delegation at this forum; and

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Governor, Lieutenant Governor, and every member of the Western New York Delegation.

Unanimously carried.

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

WHEREAS, vacant, abandoned, and foreclosed homes and structures have proliferated throughout New York State over the last five years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties; and

WHEREAS, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of a responsible party; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures and require good faith in obtaining a foreclosure; and

WHEREAS, the Village of Williamsville Board of Trustees supports the passage of said Bills;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Village of Williamsville support the passage of said Bills; and

BE IT FURTHER RESOLVED, that certified copies of this resolution be forwarded to Senator Michael Ranzenhofer and Assemblyman Raymond Walter.

Unanimously carried.

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Report – Trustee Yates

Trustee Yates reported on the following topic(s): Good turnout for Winterfest – Thanked DPW and Fire Dept. for their help; Youth & Rec’s next Family Movie at the Meeting House is on 3/8/13 and features “Ice Age: Continental Drift”.

Trustee Yates had no resolutions on the agenda.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Commended Trustee Yates and Trustee Duquin on a nice job on Winterfest; Tree planting; Right-of-way restoration will be tied to Spring tree planting.

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

WHEREAS, the Village Board of Trustees has accepted the proposal from Clinton Brown Company Architecture, PC to complete an Intensive Level Survey of Historic Resources; and

WHEREAS, Clinton Brown Company has submitted a letter agreement for such work, which has been reviewed and approved by the Village Attorney;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into said agreement with Clinton Brown Company.

Unanimously carried.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Glen Park Agreement with the Town.

Trustee Duquin had no resolutions on the agenda.

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Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): AUC; Thanked Deb Habes for the great success of the recent WBA sponsored fundraiser for the Williamsville Branch Library; Thanked the DPW for clearing the snow for the event.

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

RESOLVED, that the Village Board of Trustees hereby approves the *Volunteer Firefighters Service Award Program List* of all 2012 active volunteer firefighters for the Village of Williamsville and hereby authorizes the Mayor to sign the authorization for Penflex, Inc. to use the data submitted for the 2012 records.

Unanimously carried.

Report – DPW

DPW Crew Chief Ken Kostowniak reported on the following topic: The Village received the American Public Works Association Award for Environmental Project of the Year for the sanitary sewer project on N. Ellicott St.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to leave the regular agenda and open the Executive Session at 8:18 p.m. to address a personnel matter related to a grievance and two legal issues regarding notices of claim.

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 8:38 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the meeting at 8:38 p.m.

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Unanimously carried

Lynda L. Juul
Administrator/Clerk-Treasurer