

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, February 25, 2013 at 7:30 p.m.**

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

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 Duquin, it was moved to approve the minutes of the regular meeting held on February 13, 2013.

Unanimously carried.

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

Unanimously carried.

- ***A public hearing was held regarding a proposed modification to Chapter 47-3(d)(5) – (Historic Preservation), which would modify the requirements for Historic Preservation Commission membership.***

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the first public hearing at 7:42 p.m.

Unanimously carried.

**ON MOTION** by Trustee Duquin, seconded by Trustee Piazza, it was moved to open the second public hearing at 7:43 p.m.

Unanimously carried.

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- *A public hearing was held regarding a proposed modification to Chapter 70-13 (Parks and Public Areas) to allow dogs in Glen Park.*

**ON MOTION** by Trustee Duquin, seconded by Trustee Yates, it was moved to suspend (leave open) the second public hearing at 8:04 p.m.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, it was moved to open the third public hearing at 8:06 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 to close the public hearing at 8:12 p.m.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, 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):

*Peter Warn, 225 Lehn Springs Dr.* – Resolution passed by Town has conflicting “whereas” statements (between library and Town Hall).

*Thomas Frank, 225 Evans St.* – Satish Mohan; Army Corps of Engineer Study; City of Buffalo green ordinances; Congress for New Urbanism; National Water Trail System.



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**GRAND TOTAL**

**\$250,252.89**

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:	001-1640-1001 (Central Garage-Personal Services/OT)	\$15.00
	001-8560-1001 (Community Beautification-Personal Services/OT)	\$93.00
From:	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$108.00
To:	001-3410-4160-3404 (Fire Protection-Truck Exp./Rescue 4)	\$175.00
	001-3410-4160-3407 (Fire Protection-Truck Exp./Rescue 7)	\$561.00
	001-3410-4160-3492 (Fire Protection-Truck Exp./Chief Car 9-2)	\$159.00
	001-3410-4160-3409 (Fire Protection-Truck Exp./Chief Car 9)	\$80.00
	001-3410-4160-3410 (Fire Protection-Truck Exp./Command Trailer T-10)	\$860.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$1835.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$976.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$976.00
To:	001-5110-1000 (Street Maint.-Personal Services)	\$ 1448.00
	001-7530-1000 (Village Meeting House-Personal Services)	\$3226.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$4674.00

Unanimously carried.

**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)	\$15.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$15.00

Unanimously carried.

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- *Mayor Kulpa tabled his resolution regarding the pocket park.*

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic(s): Planning and Zoning Board coordination; Youth & Rec Movie Night at the Meeting House on March 8<sup>th</sup>.*

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

**WHEREAS**, the Village of Williamsville Environmental Advisory Commission's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community; and

**WHEREAS**, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

**WHEREAS**, we recognize that actions to protect and preserve the environment through education, partnership and positive action should be encouraged; and

**WHEREAS**, the Village of Williamsville wishes to recognize the 43rd anniversary of *Earth Day*;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board of Trustees hereby proclaims *Earth Day* to be celebrated in the Village of Williamsville on Saturday, April 20, 2013, with a variety of educational, earth-focused activities for the community.

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Duquin, 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:

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Asset #109 - 1990 International 4900 Dump Truck (#904) VIN#1HTSDTVN6LH245512

Unanimously carried.

**ON MOTION** by Trustee Piazza, seconded by Trustee Duquin, it was moved to leave the regular agenda at 8:32 p.m. to complete the Short EAF and Negative Declaration with respect to the turnover of the water system to ECWA.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to return to the regular agenda at 8:44 p.m.

Unanimously carried.

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

**WHEREAS**, the Board of Trustees of the Village of Williamsville has been studying the feasibility of transferring its water delivery system to the ownership and operation of the Erie County Water Authority ("Water Authority") , from whom the Village already obtains its water supply; and

**WHEREAS**, the Village has held a number of public information sessions and public hearings on the issue of such transfer; and

**WHEREAS**, the Board of Trustees has determined that transferring the water system to the Water Authority is in the long term best financial interest of both the Village and the users of the water system; and

**WHEREAS**, the Board of Trustees has considered the potential for any significant adverse environmental impacts associated with such transfer and determined, pursuant to the State Environmental Quality Review Act, that no such impacts are likely to occur, as reflected in the Negative Declaration, dated February 25, 2013, incorporated by reference herein; and

**WHEREAS**, the Water Authority has indicated that it is willing to assume ownership and operational responsibility for the Village water system so long as certain improvements to the system are made to ensure that it complies with Water Authority standards; and

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**WHEREAS**, the Board of Trustees and the Water Authority have agreed to a framework for completing such improvements and transferring ownership of the Village Water system to the Water Authority, as memorialized in a Memorandum of Understanding annexed to this resolution, as a necessary initial step in consummating the formal transfer of the water system to the Water Authority;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor is hereby authorized to execute the Memorandum of Understanding on behalf of the Village.

Unanimously carried.

- *Mayor Kulpa thanked Trustees Piazza and Duquin, Administrator Juul, Ken Kostowniak of the DPW and Village Attorney Grieco for their work on this project. He also thanked the ECWA Commissioners for their attention to this matter.*

**Report – Trustee Yates**

*Trustee Yates reported on the following topic(s): Youth & Rec Family Movie Night at the Meeting House is March 8<sup>th</sup> at 7pm.*

Trustee Yates had no resolutions on the agenda.

**Report – Trustee DeLano**

*Trustee DeLano reported on the following topic(s): Main Street tree planting day is May 4, 2013; Restoration of the public right-of-ways throughout the Village.*

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

**WHEREAS**, the Village of Williamsville Tree Board's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community through its stewardship of the Village urban forest; and

**WHEREAS**, *Arbor Day* is celebrated during this time; and

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**WHEREAS**, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

**WHEREAS**, we recognize that actions to protect and preserve trees through education, partnership and positive action should be encouraged;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville Board of Trustees hereby proclaims that *Arbor Day* shall be celebrated in the Village of Williamsville on Saturday, April 20, 2013, including celebration activities and recognition.

Unanimously carried.

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

**RESOLVED**, that *Doug Richardson of 221 Hirschfield Drive, Williamsville, New York*, is hereby appointed to the *Parks Committee* until the end of the *2012-2013* official Village year.

Unanimously carried.

**Report – Trustee Duquin**

*Trustee Duquin reported on the following topic(s):* Water system consolidation with ECWA; Expressed pleasure in seeing Glen Park Joint Board members appear at this meeting; Thanked Trustee Yates for setting up the drop box for trustees to use with tablets.

**ON MOTION** by Trustee Duquin, seconded by Mayor Kulpa, 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, April 8, 2013, at 7:35 p.m., for the purpose of hearing all persons interested in commenting on a proposed new section of the Code, Chapter 75, entitled Rental Property Registration.

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Unanimously carried.

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

**WHEREAS**, the Village of Williamsville wishes to use various social media outlets to disseminate information about the Village, including Facebook, Twitter, and others;

**NOW, THEREFORE, BE IT RESOLVED**, that the following is hereby adopted as the Social Media Policy for the Village of Williamsville:

**VILLAGE OF WILLIAMSVILLE  
SOCIAL MEDIA POLICY**

The Village of Williamsville may establish and maintain “social media” accounts for the purpose of communicating with residents. The accounts shall have at least one designated administrator. The administrator shall be an elected official and/or an employee approved by the Village Board. The administrator will act in accordance with all rules and regulations established by the social media account. The administrator shall use social media to communicate Village sponsored or sanctioned events that benefit the community. The page shall not be used to advertise persons, groups, businesses, and/or corporations for the sole benefit of those persons, groups, businesses and/or corporations, and the administrator shall immediately remove any and all postings that violate this policy.

Unanimously carried.

**Report – Administrator Juul**

*Administrator Lynda Juul reported on the following topic:* Budget meeting dates are: Saturday, March 2<sup>nd</sup> at 8:30 a.m.; Wednesday, March 6<sup>th</sup> at 6:00 p.m.; Saturday, March 9<sup>th</sup> at 8:30 a.m.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to leave the regular agenda and open the Executive Session at 9:01 p.m. to address a personnel matter related to a grievance.

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Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee DeLano, it was moved to close the Executive Session and return to the regular agenda at 9:25 p.m.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to leave the agenda at 9:25 p. m. to consider a new resolution.

**ON MOTION** by Trustee Piazza, seconded by Trustee Duquin, it was moved to adopt the following resolution:

**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 Patrick Sweeney, upon which tentative agreement has been reached on February 25, 2013.

Roll Call:	Duquin	Yes
	Yates	Yes
	Piazza	Yes
	DeLano	Abstain
	Kulpa	Yes

Motion carried. 4 – 0.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the meeting at 9:28 p.m.

Unanimously carried

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Lynda L. Juul  
Administrator/Clerk-Treasurer