

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Monday, May 13, 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
Christopher J. Duquin, Trustee
Daniel O. DeLano, 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 DeLano, it was moved to approve the minutes of the regular meeting held on April 22, 2013.

Unanimously carried.

ON MOTION by Trustee Duquin, seconded by Trustee Piazza, it was moved to open the first public hearing at 7:37 p.m.

PUBLIC HEARING

Proposed Modification to Chapter 6 (Alarms)

This is a proposed modification to Chapter 6 (Alarms), which would allow the Village of Williamsville building Inspector to enforce that chapter for alarm systems which detect medical emergencies.

The Administrator read aloud the legal notice as it appeared in the April 24, 2013 Amherst Bee.

No one from the audience addressed the Board.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the first public hearing at 7:39 p.m.

Unanimously carried.

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ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the second public hearing at 7:40 p.m.

Unanimously carried.

PUBLIC HEARING

Proposed modification to Chapters 73 (Public Order) and 112 (Zoning)

This is a proposed modification to Chapters 73 (Public Order) and 112 (Zoning), which would exempt Special Event Outdoor Seating from Planning Board review, and would modify the railing requirement for Seasonal Outdoor Seating on elevated platforms.

The Administrator read aloud the legal notice as it appeared in the April 24, 2013 Amherst Bee.

No one from the audience addressed the Board.

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

Unanimously carried.

Proclamation

The Village Board awarded a Proclamation to the WBA Community Enhancement Committee in recognition of their success in raising almost \$17,000 at their Love Your Village; Love Your Library 2013 Gala Fundraiser held on February 8, 2013. Several of the committee members who were present thanked the Board for the recognition.

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

Unanimously carried.

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No one from the audience addressed the Board.

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): Main Street Economic & Feasibility Study; Picture Main Street; Tree plantings; Right-of-way restorations.

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

RESOLVED, that payroll and vouchers in the amount of **\$138,069.62** covering the period from **4/22/13** to **5/05/13** are hereby approved as follows:

Payroll covering: 4/08/13 – 4/21/13:	\$34,155.36
Payroll covering: 4/22/13 – 5/05/13:	\$29,554.75
Vouchers covering 4/17/13 – 5/08/13:	
General Fund	\$33,920.01
Water Fund	\$35,622.93
Sewer Fund	\$2,142.90
Glen Park Fund	\$661.41
Trust & Agency Fund	\$2,012.26
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$0.00</u>
	\$74,359.51
GRAND TOTAL	<u>\$138,069.62</u>

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 transfers* are hereby made in the *General Fund* for the *2012-2013* fiscal year:

To:	001-1640-1000 (Central Garage – Personal Services)	\$3565.00
	001-3410-1000 (Fire Protection – Personal Services)	\$2432.00
	001-8560-1000 (Shade Trees – Personal Services)	\$4238.00
From:	001-5142-1000 (Snow Removal – Personal Services)	\$10235.00
To:	001-1640-1001 (Central Garage – Personal Services/OT)	\$132.00
	001-7110-1001 (Parks – Personal Services/OT)	\$65.00
	001-8560-1001 (Shade Trees – Personal Services/OT)	\$1009.00
From:	001-5142-1001 (Snow Removal – Personal Services/OT)	\$1206.00
To:	001-3410-2010 (Fire Protection – Major Equipment)	\$141.00
	001-3410-2020 (Fire Protection – Expendable Equipment)	\$40.00
	001-3410-4010 (Fire Protection – Office Supplies)	\$61.00
	001-3410-4160-3401 (Fire Protection – Truck Expense/Engine 1)	\$6.00
	001-3410-4160-3409 (Fire Protection – Truck Expense/Chief Car 9)	\$596.00
	001-3410-4180 (Fire Protection – Radio Repair)	\$616.00
	001-3410-4471 (Fire Protection – Building Repairs)	\$1027.00
	001-3410-4470 (Fire Protection – Building Maintenance)	\$512.00
From:	001-3410-4110 (Fire Protection – Service Contracts)	\$242.00
	001-3410-4160 (Fire Protection – Truck Expense)	\$1218.00
	001-3410-4620 (Fire Protection – Lease on copy machine)	\$601.00
	001-3410-4630 (Fire Protection – Grant Writer)	\$426.00
	001-3410-4460 (Fire Protection – Fire Prevention Expense)	\$512.00
To:	001-3410-4490 (Fire Protection – Uniforms)	\$345.00
	001-3410-4610 (Fire Protection – Health & Welfare)	\$35.00
	001-3410-2010 (Fire Protection – Major Equipment)	\$1500.00
From:	001-3410-2050 (Fire Protection – Turn Out Gear)	\$380.00
	001-3410-4040 (Fire Protection – Education/Travel)	\$1500.00

Unanimously carried.

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

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

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To:	007-8120-1001 (Sanitary Sewers – Personal Services/OT)	\$369.00
Increase:	007-8120-1000 (Sanitary Sewers – Personal Services)	\$369.00

Unanimously carried.

ON MOTION by Mayor Kulpa, 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 Court Grant received on 3/8/13:

Increase:	001-0001-3090 (State Aid-Grants)	\$740.00
Increase:	001-1110-2000 (Village Justice-Equip.)	\$740.00

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 *Glen Park Fund* for the **2012-2013** fiscal year, to account for payments received for the purchase of an engraved paver:

Increase:	009-0009-2773 (Appropriated Surplus)	\$141.00
Increase:	009-7141-4490 (Glen Park-Memorials/Pavers/Benches/Trees)	\$141.00

Unanimously carried.

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

WHEREAS, the Village Board wishes to adopt a Picture Main Street Plan intended to outline proposed improvements to Main and Spring Streets in the Village and to realize the land use and transportation vision contained in the Village of Williamsville Community Plan, a duly adopted comprehensive planning document within the meaning of Village Law Section 7-772; and

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WHEREAS, by resolution dated March 22, 2010, the Village Board determined that the Final Generic Environmental Impact Statement (FGEIS) for the Community Plan was complete for purposes of review under the New York State Environmental Quality Review Act (SEQRA), and thereafter caused a Notice of Completion of the FGEIS be duly filed and published; and

WHEREAS, upon its independent review and consideration of all comments concerning the proposed Community Plan and its independent review and consideration of the conclusions in the FGEIS, the Village Board, as lead agency, adopted a SEQRA Findings Statement on April 12, 2010 summarizing its findings with respect to the potential environmental impacts associated with the adoption of the Community Plan; and

WHEREAS, the Community Plan and FGEIS expressly contemplated the subsequent adoption of streetscape and other improvements along the Main Street corridor intended to encourage a safer, more pleasant and pedestrian-friendly environment along the Main Street corridor;

NOW, THEREFORE, BE IT RESOLVED, that, having undertaken its independent review and consideration of the conclusion in the Community Plan, FGEIS, the April 2010 Findings Statement, and all other relevant information in light of the environmental criteria contained in the SEQRA regulations, the Village Board, as SEQRA lead agency, does hereby adopt, pursuant to 6 NYCRR §617.10(d)(2), the attached Supplemental Findings Statement specifically related to the potential environmental impacts associated with the Picture Main Street Plan implementing the Community Plan, which is expressly incorporated therein by reference.

Unanimously carried.

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

WHEREAS, the Picture Main Street initiative was commenced in the Fall of 2011, with the goal of reclaiming Main Street for the pedestrian while preserving Main Street's ability to safely and efficiently handle the large volumes of traffic that traverse the Village each day; and

WHEREAS, pursuant to the State Environmental Quality Review Act, the Village Board has considered the potential environmental impacts associated with

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the Picture Main Street Plan, including its conformance to the preferred alternative identified in the Williamsville Community Plan and Generic Environmental Impact Statement, and adopted a Supplemental Findings Statement setting forth its findings and conclusions with respect to those potential impacts; and

WHEREAS, over the last 18 months the Village Board of Trustees has worked on the Picture Main Street Committee with a team of residents and business leaders, and all have collaborated with the New York State Department of Transportation on the Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Picture Main Street Plan is hereby adopted pending review by the New York State Department of Transportation; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and the Picture Main Street Plan will be sent to Senator Schumer, Congressman Higgins, NYS Senator Ranzenhofer, NYS Senator Maziars, NYS Assemblyman Walter, Senator Skelos, Assemblyman Silver, Governor Cuomo, Lieutenant Gov. Duffy, Legislator Loughran, Erie County Executive Poloncarz, Erie County Planning Commissioner White, Greater Buffalo Niagara Regional Transportation Council (GBNRTC) Executive Director Hal Morse, NYS DOT Commissioner Joan McDonald, NYS DOT Region 5 Director Darryl Kaminski, Buffalo Niagara Partnership Vice-President Craig Turner, NYS Development Corporation Regional Director Christina Orsi, UB President Tripathi, WNY Regional Economic Development Council Chair Howard Zemsky and Town of Amherst Supervisor Barry Weinstein.

Unanimously carried.

ON MOTION by Mayor Kulpa, 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 by the Village Board of Trustees on Monday, June 10, 2013, at 7:35 p.m., in Williamsville Village Hall, 5565 Main Street, Williamsville, NY, for the purpose of hearing all persons interesting in commenting on a proposed modification of Chapter 25 (Fences).

Unanimously carried.

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

RESOLVED, that Christopher Petrie, Williamsville Fire Chief, is hereby authorized to travel to Harrisburg, PA to attend the Fire Expo 2013, from May 16 to May 19, 2013, at a cost not to exceed \$980.00, to be paid by the Village of Williamsville.

Unanimously carried.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Picture Main Street Plan; Glen Park Agreement.

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

RESOLVED, that the Mayor is hereby authorized to enter into a license agreement with the Williamsville Preservation Foundation regarding the Farmer's Market for the 2013 season.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Planning Board; Zoning Board; Historic Preservation Commission.

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

RESOLVED, that the Village Administrator is hereby authorized to advertise for sealed bids for a **new street sweeper** for the Department of Public Works to be opened in the office of the Village Clerk, 5565 Main St., Williamsville, New York at 2:00 pm on Wednesday, June 12, 2013.

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized to advertise for sealed bids for an **articulated wheel loader** for the Department of Public Works to be opened in the office of the Village Clerk, 5565 Main St., Williamsville, New York at 2:15 pm on Wednesday, June 12, 2013.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Picture Main Street; Meeting House garden cleanup on 5/14; Shoes collected at EAC Earth Day; Youth & Rec sponsored Street Hockey Tournament is 6/8.

Trustee Yates had no resolutions.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Picture Main Street; Tree planting last weekend – planted 42 trees; Main Street tree planting of 108 trees; Parks Day is 5/18, 9am-Noon.

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

WHEREAS, the Village of Williamsville Historic Preservation Commission would like to have a professional consultant complete the nomination process for six local landmarks; and

WHEREAS, the HPC will then use the professional consultant's work and continue the nomination process until all sites/landmarks/districts identified by the consultants on the Intensive Level Survey of Historic Resources are complete (approximately 25 to 30 properties); and

WHEREAS, New York State has funding available through its Preserve New York and Certified Local Government (CLG) programs for items such as this;

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NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Commission of the Village of Williamsville is hereby authorized to apply for a Preserve New York Grant through the Preservation League of New York State, as outlined above; and

BE IT FURTHER RESOLVED, that the Village of Williamsville Historic Preservation Commission is hereby authorized to seek additional funding for such project from the NYS CLG Program, or other entities that may be discovered in the future.

On the question:

ON MOTION by Trustee Duquin, seconded by Mayor Kulpa, it was moved to amend the resolution.

Unanimously carried.

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

WHEREAS, the Village of Williamsville Historic Preservation Commission would like to have a professional consultant complete the nomination process for six local landmarks; and

WHEREAS, the HPC will then use the professional consultant's work and continue the nomination process until all sites/landmarks/districts identified by the consultants on the Intensive Level Survey of Historic Resources are complete (approximately 25 to 30 properties); and

WHEREAS, New York State has funding available through its Preserve New York and Certified Local Government (CLG) programs for items such as this;

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Commission of the Village of Williamsville is hereby authorized **to prepare and submit on behalf of the Village of Williamsville** a Preserve New York Grant through the Preservation League of New York State, as outlined above; and

BE IT FURTHER RESOLVED, that the Village of Williamsville Historic Preservation Commission is hereby authorized to seek additional funding for such project from the NYS CLG Program, or other entities that may be discovered in the future.

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Unanimously carried.

Report – Ken Kostowniak, DPW Crew Chief

Mr. Kostowniak reported on the following topic(s): DPW is starting another sanitary sewer manhole rehabilitation project today.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to adjourn the meeting at 8:20 p.m.

Unanimously carried

Lynda L. Juul
Administrator/Clerk-Treasurer