

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held Williamsville Village Hall, 5565 Main Street, Williamsville, New York, Tuesday, May 28, 2013 at 7:30 p.m.

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

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

Absent: Kenneth Kostowniak, DPW Crew Chief

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on May 13, 2013.

Unanimously carried.

Proclamation

The Village Board recognized National Safe Boating Week by signing a proclamation.

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

Unanimously carried.

The following members of the audience addressed the Board:

Carolyn Schlifke, 192 Evans St. – Village Hall was previously the Amherst Police Station; HAVA Grant for Meeting House improvements.

Thomas Frank, 225 Evans St. – Farmers Market; Niagara River Greenway; Niagara National Heritage area; TIP – Transportation Improvement Plan; Memorial Day ceremony; Power proceeds allocation; One Region forward.

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ON MOTION by Mayor Kulpa, 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:	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$466.00
	001-1210-1000 (Mayor-Personal Services)	\$1.00
	001-1210-4020 (Mayor-Postage)	\$1.00
	001-1210-4040 (Mayor-Education Exp./Travel)	\$1524.00
	001-1410-4010 (Village Clerk-Office Supplies)	\$147.00
	001-1410-4030 (Village Clerk-Printing/Advertising)	\$63.00
	001-1410-4040 (Village Clerk-Education Exp./Travel)	\$161.00
	001-1410-4600 (Village Clerk-computer Support)	\$438.00
	001-1410-4620 (Village Clerk-Lease Copy Machine)	\$569.00
From:	001-1210-4010 (Mayor-Office Supplies)	\$25.00
	001-1410-4110 (Village Clerk-Service Contracts)	\$170.00
	001-1410-2000 (Village Clerk-Equip.)	\$550.00
	001-1410-2010 (Village Clerk-Computer Software)	\$2000.00
	001-9060-8000 (Hospital-Medical Insurance)	\$625.00
To:	001-1620-4110 (Buildings-Service Contracts)	\$414.00
From:	001-1620-4230 (Buildings-Building Maint.)	\$414.00
To:	001-1920-4000 (Municipal Association Fees)	\$117.00
From:	001-1910-4000 (Unallocated Insurance)	\$117.00
To:	001-3310-4231 (Traffic Control-Signs/Maint.)	\$511.00
From:	001-3310-4240 (Traffic Control-Street Painting/Crosswalks)	\$511.00
To:	001-1640-1000 (Central Garage-Personal Service)	\$3934.00
	001-3410-1000 (Fire Protection – Personal Service)	\$536.00
	001-5110-1000 (Street Maint.-Personal Service)	\$62.00
	001-8170-1000 (Street Cleaning-Personal Service)	\$136.00
	001-8560-1000 (Shade Trees-Personal Services)	\$4013.00
From:	001-5143-1000 (Snow Removal-Personal Services)	\$5000.00
	001-8163-1000 (Trash Pickup-Personal Services)	\$3681.00
To:	001-3620-2000 (Safety Inspection-Equip.)	\$94.00
	001-3620-4041 (Safety Inspection- Mileage Reimbursement)	\$74.00
	001-3620-4490 (Safety Inspection-General Code Updates)	\$1204.00
From:	001-3620-4010 (Safety Inspection-Office Supplies)	\$35.00
	001-3620-4060 (Safety Inspection-Telephone)	\$140.00
	001-3620-4110 (Safety Inspection-Service Contracts)	\$395.00
	001-3620-4480 (Safety Inspection-NYS Code Updates)	\$477.00
	001-3620-4040 (Safety Inspection-Education Exp./Travel)	\$325.00

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To:	001-5010-4061 (Street Administration-Cellular Phones)	\$1.00
	001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner)	\$106.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump)	\$133.00
	001-5110-4161-0910 (Street Maint.-Repairs/2009 Ford F350)	\$16.00
	001-5110-4161-0915 (Street Maint.-Repairs/1991 Elgin Sweeper)	\$64.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F 350XL)	\$20.00
	001-5110-4161-0920 (Street Maint.-Repairs/1992 John Deere Backhoe)	\$710.00
	001-5110-4161-0921 (Street Maint.-Repairs/2008 Ford F250)	\$20.00
	001-5110-4161-4260 (Street Maint.-Maint./Supplies)	\$128.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$360.00
	001-5110-4040 (Street Maint.-Education Exp./Travel)	\$275.00
	001-5010-4040- (Street Administration-Education Exp./Travel)	\$563.00
To:	001-7110-1001 (Parks-Personal Services/OT)	\$329.00
	001-8170-1001 (Street Cleaning-Personal Services/OT)	\$23.00
	001-8560-1001 (Shade Trees-Personal Services/OT)	\$868.00
From:	001-5142-1001 (Snow Removal-Personal Services-OT)	\$1000.00
	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$220.00

Unanimously carried.

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

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

To:	006-8340-4030 (Water Transmission-Printing/Advertising)	\$42.00
	006-8340-4160 (Water Transmission-Line Repairs)	\$7015.00
From:	006-8340-4040 (Water Transmission-Education Exp./Travel)	\$370.00
	006-8340-4102 (Water Transmission-Leak Detection)	\$2450.00
	006-8340-4161 (Water Transmission-Repairs/Equip.)	\$240.00
	006-8340-4163 (Water Transmission-Repairs/Valves)	\$1500.00
	006-8340-4165 (Water Transmission-Paint Hydrants)	\$100.00
	006-8340-4600 (Water Transmission-Hydrant Overhauling)	\$500.00
	006-9060-8000 (Hospital-Medical Insurance)	\$1897.00
To:	006-8310-1000 (Water Administration-Personal Services)	\$239.00
From:	006-8340-1000 (Water Transmission-Personal Services)	\$239.00

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

To:	007-8120-2010 (Sanitary Sewers – Capital Improvements)	\$2000.00
	007-8120-4112 (Sanitary Sewers – Engineer)	\$3370.00
	007-8120-4114 (Sanitary Sewers – Engineer/SPDES Monthly & Annual)	\$308.00
From:	007-8120-4117 (Sanitary Sewers – Engineer/Siphon Flushing)	\$2500.00
	007-8120-4110 (Sanitary Sewers – Service Contracts)	\$1170.00
	007-8120-2000 (Sanitary Sewers – Equipment)	\$2000.00
	007-8120-4070 (Sanitary Sewers – Utilities)	\$8.00

Unanimously carried.

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

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

To:	009-7141-4351 (Glen Park-Supplies)	\$324.00
	009-7141-4450 (Glen Park-Misc.)	\$200.00
	009-7141-4500 (Glen Park-Art Festival)	\$1058.00
From:	009-7141-4352 (Glen Park-Park Maint.)	\$1582.00

ON THE QUESTION:

ON MOTION by Trustee Duquin, seconded by Trustee Yates, it was moved to **TABLE** this resolution.

Unanimously carried.

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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 the use of assigned funds:

Increase: 001-0001-0599 (Appropriated Surplus)	\$2846.00
Increase: 001-1420-4620 (Law-Attorney/Opinions)	\$2846.00

Unanimously carried.

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

RESOLVED, that the 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, and which was the subject of a public hearing held on May 13, 2013 by the Village Board of Trustees, at 5565 Main Street, Williamsville, New York, is hereby adopted as **Local Law 3 of 2013**.

Unanimously carried.

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

Unanimously carried.

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

WHEREAS, the owner of 96 S. Long Street was cited by the Code Enforcement Officer for a code violation under Chapter 72 (Property Maintenance) of the Village Code on May 7, 2013 for issues related to overgrown bushes blocking the

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sidewalk, brush and debris in the yard, and a section of fence that has fallen down and requires repair; and

WHEREAS, the property owner was given until June 1, 2013 to correct these violations; and

WHEREAS, as of May 28, 2013 the violation has not been corrected;

NOW, THEREFORE, BE IT RESOLVED, that effective as of June 3, 2013, the General Crew Chief of the Department of Public Works is hereby authorized to oversee entry upon the offending premises for the purpose of bringing the same into compliance; and

BE IT FURTHER RESOLVED, that the cost of bringing the premises into compliance shall be billed directly to the owner of the premises; and

BE IT FURTHER RESOLVED, that if the bill is not paid within 30 days, interest shall be added thereto until paid in full; and

BE IT FURTHER RESOLVED, that if such charge remains unpaid by the 30th day of April 2014, it shall be added to the 2014 Village tax assessed against the premises as per Section 72-8 of the Village Code.

Unanimously carried.

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

Unanimously carried.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Youth & Rec Street Hockey tournament is cancelled due to lack of registration – Will return in 2014; Success of Parks Day.

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

RESOLVED, that *Emily Eberhardt of 8575 Sunset Dr., Williamsville, New York*, is hereby appointed to the *Parks Committee* through the end of the **2012-2013** official Village year.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Annapolis graduation ceremony; Veteran Biker Day; Mount Vernon; Memorial Day; Safe Boating Week; Intensive Level Survey by Historic Preservation Commission.

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

RESOLVED, that the proposed modification to **Chapter 6 (Alarms)**, to allow the Village of Williamsville Building Inspector to enforce that chapter for alarm systems which detect medical emergencies, and which was the subject of a public hearing held on May 13, 2013 by the Village Board of Trustees, at 5565 Main Street, Williamsville, New York, is hereby adopted as Local **Law 4 of 2013**.

Unanimously carried.

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

WHEREAS, the Village and town share an interconnected sanitary sewer system, wherein the town of Amherst sends flow into the Village system, the village in turn sends that flow plus Village flow back into the Town system; and

WHEREAS, the town of Amherst owns the sole treatment plant servicing both systems;

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Sanitary Sewer Agreement with the Town of Amherst; and

BE IT FURTHER RESOLVED, that the Village is committed to exploring consolidation of the two systems and requests that the Town of Amherst jointly participate in such consolidation studies; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Town of Amherst Supervisor and all Councilmembers.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Cancellation of Youth Street Hockey Tournament; Youth & Rec Movie Night in Island Park is June 28th; Thanked Trustee Piazza for his service to our country.

Trustee Yates had no resolutions.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Memorial Day services; Trees on Main Street; Parks Day – Thanked those involved.

Trustee DeLano had no resolutions.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adjourn the meeting at 8:25 p.m.

Unanimously carried

Lynda L. Juul
Administrator/Clerk-Treasurer