

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5655 Main Street, Williamsville, New York, Monday, September 23, 2013 at 7:30 p.m.**

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

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

Invocation – Mayor Kulpa

**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, it was moved to approve the minutes of the regular meeting held on September 9, 2013.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee DeLano, it was moved to approve the minutes of the special meeting held on September 16, 2013.

Unanimously carried.

**Public Hearing**

**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, it was moved to open the public hearing at 7:41 p.m.

Unanimously carried.

This public hearing was held to hear all persons interested in commenting on a proposed modification to Chapters 47 and 112 of the Village Code as they pertain to review of projects by the Historic Preservation Commission and the Planning and Architectural Review Board.

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The Administrator read aloud the legal notice as it was published in the Amherst Bee on September 11, 2013.

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

*Sylvia Scott, 5854 Main Street, Williamsville Towers* – Expressed disappointment with the ruling of the Zoning Board meeting last week regarding the requested variances for the proposed project for property at Main and Rinewalt.

Discussion of the subject of the public hearing centered on process and the proposed local law, the requirement for sketch review, etc.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, it was moved to close the public hearing at 8:11 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 following members of the audience addressed the Board:

- 1) *Peter Warn, Town of Amherst resident* – Following up and stepping aside from chairmanship of Glen Park Joint Board at conclusion of next meeting.
- 2) *Chris Bonaventura, 230 Oakgrove Dr.* – Developing draft master plan of Glen Park; Sent to liaisons for review; Happy to answer any questions from the Board; Will attend next work session.
- 3) *George Gates, 197 Cadman Dr.* – Noll Nature Center is missing tables and chairs - needed for annual pumpkin carving event; If intending to charge to Glen Park budget, the missing items are not the fault of the Glen Park Joint Board – should be charged elsewhere.

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**ON MOTION** by Mayor Kulpa, seconded by Trustee Yates, 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):* Gave background on why the Village has a requirement for 2-story buildings; Thruway toll barrier movement issue – pushing for immediate congestion relief and high speed toll barrier.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$818,242.64** covering the period from **9/05/13** to **9/18/13** are hereby approved as follows:

<b>Payroll covering: 8/26/13 – 9/08/13:</b>	<b>\$31,186.76</b>
<b>Vouchers covering 9/05/13 – 9/18/13:</b>	
General Fund	\$63,583.38
Water Fund	\$1,218.92
Sewer Fund	\$514,349.64
Glen Park Fund	\$1,298.94
Trust & Agency Fund	\$10,501.50
Debt Service	\$187,662.50
Community Development	\$0.00
Capital Fund	<u>\$8,441.00</u>
	<b>\$787,055.88</b>
<b>GRAND TOTAL</b>	<b><u>\$818,242.64</u></b>

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 **2013-2014** fiscal year:

To:	001-5110-4161-0901 (Street Maint. – Repairs - 2012 Chevy Tahoe)	\$393.00
	001-5110-4161-0902 (Street Maint. – Repairs - 2002 Int’l Dump Truck)	\$3543.00
	001-5110-4161-0904 (Street Maint. – Repairs - 2005 Freight liner)	\$2000.00
	001-5110-4161-0905 (Street Maint. – Repairs - 2007 Int’l Sander/Plow/Dump)	\$1053.00
	001-5110-4161-0906 (Street Maint. – Repairs - 2007 Int’l 4300 Dump)	\$221.00
	001-5110-4161-0907 (Street Maint. – Repairs - 1992 Autocar Dump w/Plow)	\$596.00
	001-5110-4161-0908 (Street Maint. – Repairs - 2011 Chevy Silverado)	\$922.00
	001-5110-4161-0912 (Street Maint. – Repairs - 2012 Cat. Hi-Lift)	\$82.00
	001-5110-4161-0915 (Street Maint. – Repairs - 2004 Johnson Sweeper)	\$48.00
	001-5110-4161-0916 (Street Maint. – Repairs - 2007 Chevy 4x4)	\$138.00
	001-5110-4161-0919 (Street Maint. – Repairs - 2007 Chevy 4x4)	\$131.00
	001-5110-4161-0920 (Street Maint. – Repairs - 1992 John Deere Backhoe)	\$2660.00
	001-5110-4161-0921 (Street Maint. – Repairs - 2008 Ford F-250)	\$21.00
	001-5110-4161-0925 (Street Maint. – Repairs - 2013 Mini Excavator)	\$582.00
From:	001-5110-4161 (Street Maintenance – Repairs - Equipment)	\$12390.00

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 **2013-2014** fiscal year:

To:	001-5110-1001 (Street Maint. - Personal Services-OT)	\$351.00
	001-7110-1001 (Parks - Personal Services-OT)	\$58.00
	001-7550-1001 (Celebrations - Personal Services-OT)	\$566.00
	001-8170-1001 (Street Cleaning - Personal Services-OT)	\$95.00
	001-8510-1001 (Beautification - Personal Services-OT)	\$826.00
	001-8560-1001 (Shade Trees - Personal Services-OT)	\$560.00
From:	001-5142-1001 (Snow Removal - Personal Services-OT)	\$2456.00

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 amendment* is hereby made in the *General Fund* for the **2013-2014** fiscal year to account for the balance due from NYS for the records Management grant (Project#0580-13-3968):

Increase Revenue: 001-0001-3090 (State Aid-Grants)	\$1868.00
Increase Expense: 001-1411-4099 (Records Management-Grant Expenditures)	\$1868.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfer* is hereby made in the *Sewer Fund* for the **2013-2014** fiscal year.

To: 007-8120-1001 (Sanitary Sewer Personal Services-OT)	\$132.00
From: 007-8120-1000 (Sanitary Sewers-Personal Services)	\$132.00

Unanimously carried.

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

**RESOLVED**, that the following *budget transfer* is hereby made in the *Glen Park Fund* for the **2013-2014** fiscal year.

To: 009-7141-1001 (Glen Park-Personal Services-OT)	\$437.00
From: 009-7141-1000 (Glen Park-Personal Services)	\$437.00

Unanimously carried.

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**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, a motion to assign trustee liaison-ships was brought forth.

***ON THE QUESTION:** Trustee DeLano noted that “Tree Board” needed to be added to the list.*

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adopt the following resolution, with the amendment to add “Tree Board” to the list as suggested by Trustee DeLano:

**RESOLVED**, that Village Board liaison-ships are assigned as follows:

**MAYOR KULPA**

1. Amherst Police
2. Executive Safety Committee
3. Fire Department
4. Insurance
5. Personnel
6. Records Management Committee
7. Arts & Culture Committee
8. Beautification Committee Co-liaison
9. Environmental Committee Co-liaison
10. Lehigh Trail Committee Co-liaison
11. Meeting House Committee Co-liaison

**TRUSTEE PIAZZA**

1. Beautification Committee Co-liaison
2. Department of Public Works Co-liaison
3. Historic Preservation Commission Co-liaison
4. Planning and Architectural Review Board
5. Zoning Board of Appeals
6. Williamsville Business Association Co-liaison
7. Senior Citizens
8. Amherst Utility Coop

**TRUSTEE DUQUIN**

1. Inter-Governmental Agency
2. Glen Park Joint Board Co-liaison
3. Parks Committee Co-liaison
4. Tree Board Co-liaison

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**TRUSTEE YATES**

1. Glen Park Joint Board Co-liaison
2. Environmental Committee Co-liaison
3. Meeting House Committee Co-Liaison
4. Williamsville Business Association Co-liaison

**TRUSTEE DELANO**

1. Department of Public Works Co-liaison
2. Historic Preservation Commission Co-liaison
3. Lehigh Memory Trail Committee Co-liaison
4. Parks Committee Co-liaison
5. Traffic & Safety Committee
6. Tree Board Co-liaison

Unanimously carried.

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

**RESOLVED**, that the position of *Director of Community Development* is hereby created in the Village of Williamsville.

Roll Call:	Duquin	Yes
	Yates	Yes
	Piazza	No
	DeLano	Yes
	Kulpa	Yes

Motion carried. 4 – 1.

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

**RESOLVED**, that *Charles Specht, of 57 Densmore St., Buffalo, New York*, is hereby appointed to the position of *Director of Community Development*, at a salary of \$59,000.00, for the 2013-2014 official village year.

Roll Call:	Duquin	Yes
	Yates	Yes

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Piazza	No
DeLano	Yes
Kulpa	Yes

Motion carried. 4 – 1.

**Report – Trustee Yates**

*Trustee Yates reported on the following topic(s):* Welcomed Charlie Specht to the Village.

Trustee Yates had no resolutions this evening.

**Report – Trustee DeLano**

*Trustee DeLano reported on the following topic(s):* Welcomed Charlie Specht; Fall tree planting day is Sat., Nov. 2 at 9:00 a.m. – Meet at Village Hall; Proposed sketch plan review process.

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

**RESOLVED**, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Tuesday, October 15, 2013, at 7:30 pm, at Williamsville Village Hall, 5565 Main St., Williamsville, New York, for the purpose of hearing all persons interested in commenting on a proposed modification to Chapter 103-8 of the Village Code (Vehicles and Traffic – One Way Streets), which would allow two-way traffic on the east-west portion of Village Square Lane.

Unanimously carried.

**Report – Trustee Duquin**

*Trustee Duquin reported on the following topic(s):* Consolidation with ECWA and requirement to override the property tax cap when overall cost will go down; Working with local representatives; Main St. and Rinewalt property.

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**ON MOTION** by Trustee Duquin, seconded by Trustee Piazza, a resolution was brought forth to cut the grass at 5870-5872 Main St.

***ON THE QUESTION**, the Board discussed other property maintenance issues at this property that can be seen from the Williamsville Towers next door.*

**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, it was moved to adopt the following resolution with the amendment to direct the Building Dept. to examine the property from the Williamsville Towers:

**WHEREAS**, the grass at the property at 5870-5872 Main Street has been allowed to grow to a height greater than 8 inches, which exceeds the height allowed by Chapter 11-2A (Unlawful growth of weeds, grass or poisonous plants) of the Village Code; and

**WHEREAS**, the owner of the property at 5870-5872 Main Street was issued a violation notice dated September 9, 2013 by the Code Enforcement Officer to cut the grass no later than September 16, 2013; and

**WHEREAS**, as of today's date, September 23, 2013, the grass has not been cut;

**NOW, THEREFORE, BE IT RESOLVED**, that the Village of Williamsville Department of Public Works is hereby ordered to enter onto said property at 5870-5872 Main Street to cut the grass, and charges, if not paid before, shall be added to the next Village tax bill; and

**BE IT FURTHER RESOLVED**, that the Building Dept. is hereby directed to examine the buildings and property located at 5870-5872 Main St. from the Williamsville Towers, to determine whether other property maintenance issues exist.

Unanimously carried.

**Report – Trustee Piazza**

*Trustee Piazza reported on the following topic(s):* Zoning Board meeting last week; AUC; ECWA meeting last week; Pre-construction meeting for meter replacement project; Oktoberfest this weekend.

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

**RESOLVED**, that permission is hereby granted to Adnan Saddiqui of 67 Reist St. for the installation of wooden curbing in the right-of-way adjacent to his property, as per his request to the Village of Williamsville Board of Trustees, which was discussed at the Board's September 9, 2013 work session; and

**BE IT FURTHER RESOLVED**, that all work shall be performed in accordance with the terms and conditions of the Department of Public Works General Crew Chief, and

**BE IT FURTHER RESOLVED**, that the Village of Williamsville shall not under any circumstances be held responsible for any damage to the above work; and

**BE IT FURTHER RESOLVED**, that any repair or replacement shall be at the property owner's expense.

Unanimously carried.

**Staff Reports**

*Ken Kostowniak, DPW Crew Chief, reported on the following topic(s):* Yarussi Construction will be sending out letters to all residents in early October regarding the water meter replacement project.

*Lynda Juul, Village Administrator/Clerk-Treasurer, reported on the following topic(s):* Welcomed Charlie Specht.

*Charles Specht, Director of Community Development, reported on the following topic(s):* Thanked the Board for their support.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to leave the regular agenda at 9:11 p.m. to open an Executive Session to discuss a contractual matter related to the potential lease of the Mill.

Unanimously carried.

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**ON MOTION** by Mayor Kulpa, seconded by Trustee Duquin, it was moved to close the Executive Session at 10:03 p.m. and return to the regular agenda.

Unanimously carried.

**ON MOTION** by Mayor Kulpa, seconded by Trustee Piazza, it was moved to adjourn the regular meeting at 10:03 p.m.

Unanimously carried.

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Lynda L. Juul  
Administrator/Clerk-Treasurer