

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Williamsville Village Hall, 5655 Main Street, Williamsville, New York, Tuesday, October 15, 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
Charles Specht, Director of Community Development

No invocation was given.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on September 23, 2013.

Unanimously carried.

Public Hearing

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to open the public hearing at 7:34 p.m.

Unanimously carried.

This public hearing was held to hear all persons interested in commenting on a proposed amendment to Chapter 103 of the Village Code to allow 2-way traffic on the east-west portion of Village Square Lane.

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

Mary Lowther, 120 N. Ellicott St. – Not in favor of this amendment; Believes it dangerous to allow 2-way traffic the length of Village Square Lane; It is already dangerous just entering from Main Street.

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The Village Board clarified the proposed amendment for Ms. Lowther by explaining the change would only affect the east / west portion of the street, and not the north /south portion of the street. The north/south portion would remain as one-way off of Main Street up to the bend in the street.

Ms. Lowther stated she has no issue with the proposal if it is not 2-way out of Main Street.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to close the public hearing at 7:38 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to leave the regular agenda to open a public discussion on the use of the Mill.

Unanimously carried.

Mayor Kulpa recapped the history of the Mill since the Village purchased the property, including where we are now.

Howard and Tara Cadmus, owners of Sweet Jenny's, discussed their recent proposal to lease the Mill for use by their company as retail and production space. Based on a show of hands, the audience felt Sweet Jenny's would be a good fit for the Mill.

Points brought forth by Howard and Tara Cadmus:

Phase 1 (first floor) - Would be ½ production and ½ retail. Patrons could view production of ice cream and chocolate. Phase 2 (lower floor) – Would set up tables and chairs and serve as a meeting room, for birthday parties, etc. Their plans fit most of the characteristics mentioned by the public as desirable uses of the Mill from public meetings. Outbuildings could be retail or bed & breakfast. Space is important to Sweet Jenny's as they need more space so they can grow their business further. Short term would be a lease. Long term would be purchase of the property.

Members of the audience who spoke and their topics:

- 1) *Nick Roth, 135 Oakgrove Dr.* – Had many questions about the finances concerning the Mill property.

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- 2) *Patrice Morris, 359 N. Ellicott St.* – Daughter works for Sweet Jenny’s; Thinks Sweet Jenny’s would be a good fit for the Mill.
- 3) *James Tricoli, 4 Columbia Dr.* – Opined that Iskalo’s interest in the Mill does not seem to be here as they are not present at this meeting.
- 4) *Mary Lowther, 120 N. Ellicott St.* – Is on the Board of Directors for the Farmers Market at the Mill and reported they thought Sweet Jenny’s would make a good fit for the market and would be in favor of this proposal; There have been 3 tenants in the Mill since 2005
- 5) *Jeff Kingsley, 18 San Mateo Ct., E. Amherst and former Village Trustee* – Former Chairman of the Mill Restoration Committee; Encouraged so far by this concept; He is very supportive; Wants public to know that it will cost more and take longer than they think; Village cannot enter into lease without SHPO approval; SHPO indicated that the Mill must be kept as a museum open to the public; ADA compliance is an issue; Urged all not to have unreasonable expectations on the proposal; Restoration of an historic property is complicated.
- 6) *Vic Paquet, 423 Howard Ave.* – Would like to see clear financials on the Mill at the next meeting; Need to consider the benefits.
- 7) *Steve Voigt, 18 Bridgehampton Circle, Amherst* – Important to have a responsible tenant; An occupied building is better than a vacant building; This is a mill not a hotel or a mall; Keeping the Mill operating as a mill is important; May be able to generate power at the Mill.
- 8) *Shawna Macy, Dodge Rd., Amherst* – Looks at the Mill from a mother’s point of view; Sweet Jenny’s has always been there; She would like to see it return to E. Spring St.
- 9) *Sergio Fornasiero, 5854 Main St.* – Will this process be opened up to other opportunities aside from Iskalo?
- 10) *Anne, (no address given)* – Asked if there are any other viable immediate options for the Mill; Would hate to see the Mill sit empty for another holiday season.
- 11) *Jennifer Tudor, 167 Hirschfield Dr.* – Why wouldn’t Village Board want to be a landlord?

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- 12) *Debbie Hanny, founder and former owner of Sweet Jenny's* – Mill was privately owned – not a new concept; Howard and Tara Cadmus are very trustworthy and honest; Would do a wonderful job.
- 13) *Sergio Fornasiero, 5854 Main St.* – Does proposal discuss a short term use?
- 14) *Burk Forrester, Nickel City Cheese and Mercantile, 78 E. Spring St.* - Nickel City is a new business that has opened in the former location of Jenny's Ice Cream; At present, it is the only business on E. Spring Street; Would like to see the Mill filled with a business like Sweet Jenny's that would attract customers to E. Spring Street; The Village should take advantage of the fact that someone wants to lease the building for this kind of business.
- 15) *Deb Steinbruckner, 86 Milton St.* – Owner of Village Artisans – Everything Howard and Tara are proposing is what was discussed at the community meetings; This is the best possible fit for the Mill.
- 16) *Ron Battaglia, Flynn Battaglia Architects* – Delighted to be involved with the Mill; Building is suited for retail use; Would be willing to help the Village explore this option; Worked on concepts with Iskalo; The Mill is a difficult site – not big and not a lot of parking.
- 17) *Ella Voss, Eagle St.* – Now works for Sweet Jenny's; Mill was always a destination for families when the Millers made and sold cider there; Sweet Jenny's would be a perfect fit for the Mill.
- 18) *Howard Cadmus* – Practicing real estate attorney; Not walking into this as a new small business; Tonight's interior sketch proposal was done in a day but thought has gone into this for years; If others are interested or a better fit, they would be happy with that; Were approached by someone from UB about producing energy; Will now bring forward the financials.

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

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

Unanimously carried.

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Glen Park Fund	\$255.31
Trust & Agency Fund	\$25,617.14
Debt Service	\$0.00
Community Development	\$0.00

Capital Fund	<u>\$10,737.29</u>
	\$257,284.37

GRAND TOTAL **\$257,284.37**

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:	001-5110-4161-0905 (Street Maint. – Repairs - 2007 Int’l Sander/Plow/Dump)	\$3477.00
	001-5110-4161-0907 (Street Maint. – Repairs - 1992 Autocar Dump w/Plow)	\$1773.00
	001-5110-4161-0910 (Street Maint. – Repairs – 2009 Ford F350)	\$26.00
	001-5110-4161-0915 (Street Maint. – Repairs – 2013 RAVO Sweeper)	\$4.00
From:	001-5110-4161 (Street Maint. – Repairs/Equip.)	\$5280.00
To:	001-5110-4000 (Street Maint. – Seasonal Help)	\$5798.00
From:	001-5110-1000 (Street Maint. – Personal Services)	\$5798.00
To:	001-1640-1001 (Central Garage-Personal Services/OT)	\$100.00
	001-7110-1001 (Parks-Personal Services/OT)	\$569.00
	001-8510-1001 (Community Beautification-Personal Services/OT)	\$233.00
From:	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$902.00

Unanimously carried.

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

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

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To:	009-7141-1000 (Glen Park-Personal Services)	\$258.00
From:	009-7141-4109 (Glen Park-Landscaping)	\$258.00
To:	009-7141-1000 (Glen Park – Personal Services)	\$163.00
From:	009-7141-4102 (Glen Park-Landscaping)	\$163.00

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 **2013-2014** fiscal year to account for an insurance payment received for damage to a light pole at 160 Monroe Drive:

Increase Revenue:	001-0001-2680 (Insurance Recoveries)	\$1400.00
Increase Expense:	001-5182-4270 (Street Lighting-Repair/Lights)	\$1400.00

Unanimously carried.

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

RESOLVED, that *Trustee Christopher J. Duquin* and *Trustee John “Al” Yates* are hereby appointed co-liaisons to the *Youth & Recreation Committee* for the **2013-2014** official Village year.

Unanimously carried.

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

RESOLVED, that the proposed amendment to Chapter 47 (Historic Preservation) and Chapter 112 (Zoning) of the Village Code, pertaining to sketch plan review and the review of projects by the Historic Preservation Commission and the Planning and Architectural Review Board, which was the subject of a public hearing held by the Village Board of Trustees on September 26, 2013, at Williamsville Village Hall, 5565 Main Street, is hereby adopted as **Local Law #8 of 2013.**

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Unanimously carried.

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

RESOLVED, that the following are hereby appointed to the *Lehigh Trail Committee* until the end of *the 2013-2014* official Village year:

- 1. Nancy Lutot of 146 Garden Parkway, Town of Amherst*
- 2. Lee Abeler of 274 Garden Parkway, Town of Amherst*

Unanimously carried.

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

RESOLVED, that the annual salary for Acting Justice is hereby set at \$1,000.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Water meter replacement project; Beautification Committee will be planting spring bulbs this Saturday at Main & Evans at 9am.

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

RESOLVED, that the Mayor is hereby authorized to sign the Penflex, Inc. Service Fee Agreement for the Village of *Williamsville Firefighter Length of Service Award Program*, for the period from November 1, 2013 to October 31, 2014.

Unanimously carried.

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

RESOLVED, that the following are hereby appointed to the *Beautification Committee* until the end of *the 2013-2014* official Village year:

- 1. Elizabeth Gregg of 6 E. Spring St.*
- 2. Edie Malizia of 251 N. Ellicott St.*
- 3. Edna Czyz of 132 Monroe Dr.*

Unanimously carried.

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

RESOLVED, that *Lou Terragnoli of 5854 Main St.*, is hereby appointed as the second *Alternate Member of the Zoning Board of Appeals* until the end of the *2013-2014* official Village year.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Improvements at Lehigh Trail; Glad to see everyone who came out tonight; Looking for more feedback on the Mill.

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

RESOLVED, that the following are hereby appointed to the *Youth & Recreation Committee* until the end of the *2013-2014* official Village year:

- 1. Anne Marie Duquin, 217 N. Ellicott St.*
- 2. Julie Yates, 204 Monroe Dr.*
- 3. Tricia Evans, 22 Columbia Dr.*

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BE IT FURTHER RESOLVED, that *Tricia Evans* of *22 Columbia Drive*, is hereby appointed *Chairperson* of the *Youth & Recreation Committee* until the end of the **2013-2014** official Village year.

Unanimously carried.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Tree planting is Sat., Nov. 2nd at 9:00am; Right-of-way restoration; DEC Grant application.

Trustee DeLano had no resolutions on the agenda.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Pumpkin carving event for children at the Noll Nature Center is on Oct. 26th, Noon – 3pm; Halloween party is on Oct. 26th at the Fire Dept. at 6pm; Family Movie Night at the Meeting House is Nov. 8th.

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

RESOLVED, that *Sheryl Duquette of 95 Mill Street*, is hereby appointed to the **Glen Park Joint Board** until **April 30, 2014**, to fill the unexpired term of Paul Steinbruckner.

Unanimously carried.

Staff Reports

Ken Kostowniak, DPW Crew Chief, reported on the following topic(s): Village parks are now closed for the season; Leaf pick up has begun.

Lynda Juul, Village Administrator/Clerk-Treasurer, reported on the following topic(s): Urged residents to call for an appointment for water meter replacement.

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ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to leave the regular agenda at 9:26 p.m. to open an Executive Session to discuss a potential law suit and the hiring of a specific individual.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to close the Executive Session at 9:51 p.m. and return to the regular agenda.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to adjourn the regular meeting at 9:51 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer