

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held in Village Hall, 5565 Main Street, Williamsville, New York, on Monday, April 14, 2014 at 7:30 p.m.

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

Present: Brian J. Kulpa, Mayor
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

Excused: Christopher J. Duquin, Trustee
Basil J. Piazza, Trustee
Charles Specht, Director of Community Development

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to approve the minutes of the regular meeting held on March 24, 2014, as submitted.

Motion carried. 3 – 0.

PROCLAMATIONS

Mayor Kulpa awarded proclamations to the following:

- Cornell Grey Overfield – Achievement of Eagle Scout Rank
- John Patrick Roetzer – Achievement of Eagle Scout Rank
- Maple West Elementary School – 2013 National Blue Ribbon School Award

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

Motion carried. 3 – 0.

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The member(s) of the audience who spoke and their topic(s): [*Village Board responses in italics*]

1. Tom Pilot, Shabby Chic Boutique, 5544 Main St. – Issue with parking on Main St. and people moving their cars only several inches to bypass the 2-hour parking limit.

2. Carolyn Schlifke, 192 Evans St. – Thanked those who put on the Chelsea Flower Show event at the Meeting House – Funds will go towards beautification of the Meeting House garden – Used to be 3 trees at rear of Meeting House and a split rail fence - Rear of building used to look as nice as the front – Should maintain this for residents who live there; Asked what is going on at S. Long Park [*DPW is re-grading the soccer field with dirt from the S. Cayuga waterline project.*]; Attended the HPC public hearings – there is a lot of confusion with building owners – Asked what is the difference between a local landmark and a historic site? [*Local landmark is a Village designation - Changes to exterior of building have to be approved by the HPC.*]; Impact of water turnover on tax bill and water bill [*Sewer charges that are a user fee going back onto the tax bill from the water bill.*]; How will people know what can be taken as a deduction on their taxes? [*Two distinct lines on the tax bill for sewer – one based on assessed value and one based on water consumption.*]

3. Tom Frank, 5403 Main St. – Picture Main Street; Blue Bike Program

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

Motion carried. 3 -0.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): Safe Routes to School Grant – Construction in 2014; Spring Street Project SEQRA – Construction likely in 2015; Work at Williamsville Water Mill taking place this summer; Congress for New Urbanism – June 4 – 7.

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

RESOLVED, that payroll and vouchers in the amount of **\$225,462.35** covering the period from **3/20/14** to **4/06/14** are hereby approved as follows:

Payroll covering: 3/10/14 – 3/23/14: \$37,692.51

Payroll covering: 3/24/14 – 4/06/14: \$32,384.71

Vouchers covering 3/20/14 – 4/09/14:

General Fund	\$82,692.23
Water Fund	\$45,783.55
Sewer Fund	\$2,582.82
Glen Park Fund	\$82.79
Trust & Agency Fund	\$26,961.85
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$29,666.50</u>
	\$187,769.84

GRAND TOTAL \$225,462.35

Motion carried. 3 – 0.

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 **2013-2014** fiscal year:

To:	001-1410-4111 (Village Clerk-Internet Access/Website)	\$200.00
From:	001-1410-4161 (Village Clerk-Audit)	\$200.00
To:	001-1640-4260 (Central Garage-Maint. Supplies)	\$145.00
From:	001-1640-4440 (Central Garage-Bldg. Parts)	\$145.00
To:	001-5010-4040 (Street Administration-Education Exp./Travel)	\$2.00
From:	001-5010-4010 (Street Administration-Office Supplies)	\$2.00

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To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$898.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$898.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump)	\$295.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar Dump)	\$968.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Trackless Sidewalk Plow)	\$86.00
	001-5110-4161-0921 (Street Maint.-Repairs/2008 Ford F250 PU)	\$367.00
	001-5110-4161-0906 (Street Maint.-Repairs/2007 Int'l 4300 Dump)	\$802.00
	001-5110-4161-0906 (Street Maint.-Repairs/2007 Int'l Dump)	\$421.00
	001-5110-4180 (Street Maint.-Repairs/ Radio)	\$402.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$2,518.00
	001-5110-4600 (Street Maint.-Clothing Allowance)	\$823.00
To:	001-7520-4020 (Historical Property-Postage)	\$137.00
From:	001-7520-4030 (Historical Property-Printing & Advertising)	\$37.00
	001-7520-4520 (Historical Property-Plaques)	\$50.00
	001-7520-4030 (Historical Property-Training)	\$50.00
To:	001-8163-4330 (Trash Pickup-Dump Fees)	\$143.00
From:	001-8160-4330 (Refuse & Garbage Collection-Dump Fees)	\$143.00
To:	001-5142-1000 (Snow Removal-Personal Services)	\$3,368.00
	001-7530-1000 (Village Meeting House-Personal Services)	\$2,397.00
	001-5142-1001 (Snow Removal-Personal Services/OT)	\$2,901.00
	001-1640-1001 (Central Garage-Personal Services/OT)	\$8.00
	001-7110-1001 (Parks-Personal Services/OT)	\$182.00
	001-7530-1001 (Village Meeting House-Personal Services/OT)	\$227.00
	001-8170-1001 (Street Cleaning-Personal Services/OT)	\$8.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$5,765.00
	001-3310-1001 (Traffic Control-Personal Services/OT)	\$93.00
	001-8162-1001 (Leaf Pickup-Personal Services/OT)	\$90.00
	001-8163-1000 (Trash Pickup-Personal Services/OT)	\$80.00
	001-8745-1001 (Flood & Erosion Control Services/OT)	\$100.00
	001-8162-1000 (Leaf Pickup-Personal Services)	\$2,963.00

Motion carried. 3 – 0.

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 *Glen Park Fund* for the *2013-2014* fiscal year:

To:	009-7141-1000 (Glen Park-Personal Services)	\$5,000.00
	009-7141-4109 (Glen Park-Insurance)	\$344.00

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	009-9030-8000 (Glen Park-Social Security)	\$383.00
From:	009-9010-8000 (Glen Park-NYS Retirement)	\$719.00
	009-7141-4102 (Glen Park-Workers Comp.)	\$131.00
	009-7141-4102 (Glen Park-Landscaping)	\$4,877.00

Motion carried. 3 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, 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 Sewers-Personal Services/OT)	\$194.00
From:	007-8120-1000 (Sanitary Sewers-Personal Services)	\$194.00

Motion carried. 3 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, 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 additional Meeting House rentals to use on cost of opening/closing expenses:

Increase:	001-0001-2410 (Village Meeting House-Rentals)	\$100.00
Increase:	001-7530-4000 (Village Meeting House-Opening/Closing)	\$100.00

Motion carried. 3 – 0.

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

RESOLVED, that the following Fire Dept. equipment is hereby declared surplus, and may be disposed of via sealed bid, once a replacement vehicle has been obtained and put into service: **Asset #391 – Rescue #7 – 2002 Ford F350**

Motion carried. 3 – 0.

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ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, the following resolution was adopted, as amended:

RESOLVED, that the Williamsville Fire Department is hereby authorized to purchase a 2015 Chevrolet Tahoe or equivalent, including emergency lighting, lettering and storage organizer, to replace the existing Rescue #7, at a cost of approximately \$52,000.00 to be paid out of the Fire Department's Capital Reserve Account; and

BE IT FURTHER RESOLVED, that the purchase will be made in accordance with the Village's procurement policy.

Motion carried. 3 – 0.

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

**VILLAGE OF WILLIAMSVILLE
SEQRA DETERMINATION FOR
SPRING STREET GREEN
RECONSTRUCTION PROJECT**

WHEREAS, the Village Board of the Village of Williamsville (the "Board") has been awarded a grant from the New York State Green Innovation Grant Program (GIGP) in connection with the proposed Spring Street Green Reconstruction Project, which will involve the narrowing of a portion of Spring Street between Rock Street and Main Street, the replacement of the existing road pavement, and the installation of green infrastructure elements, including vegetative strips and bio-retention planters/rain gardens, to reduce the amount of stormwater runoff, improve water quality and enhance the visual environment (the "Project"); and

WHEREAS, the Board has reviewed the Green Infrastructure Feasibility Study prepared by DiDonato Engineering & Design Professionals, and prepared and reviewed Part 1 of a Full Environmental Assessment Form, and has further consulted with its engineering consultant and legal counsel with respect to the potential for environmental impacts resulting from the Project; and

WHEREAS, the Board has reviewed the Project with respect to the Type II criteria set forth in 6 NYCRR 617.5 and has concluded that the work involves:

- Maintenance or repair involving no substantial changes in an existing structure or facility (6 NYCRR §617.5(c)(1))

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- Replacement, rehabilitation or reconstruction of infrastructure or facility, in kind, on the same site, including upgrading buildings and sewer infrastructure (6 NYCRR §617.5(c)(2));
- Repaving of existing highways not involving the addition of new travel lanes (6 NYCRR §617.5(c)(4));
- Street openings and right-of-way openings for the purpose of repair or maintenance of existing utility facilities (6 NYCRR §617.5(c)(5));
- Extension of utility distribution facilities, including sewer connections, in connection with any Type II activity (6 NYCRR §617.5(c)(11)); and

WHEREAS, actions or classes of actions listed in the State Environmental Quality Review Act ("SEQRA") regulations as Type II have been "determined not to have a significant impact on the environment" and "are not subject to review" under SEQRA (6 NYCRR § 617.5(a));

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Project as contemplated constitutes a Type II action in accordance with the SEQRA regulations and therefore has been determined not to have a significant impact on the environment (and that any such impacts are expected to be environmentally beneficial).
2. No further review of the Project is required under SEQRA.
3. A copy of this resolution shall be forwarded to the New York State Environmental Facilities Corporation and any and all other interested and involved agencies.

Motion carried. 3 – 0.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Semi-annual Spring Tree Planting Day is Sat., May 3rd – Meet at 9am at the Fire Hall; Traffic & Safety will be discussing issues with parking on Highland Dr. – DPW, Fire and buses have difficulty getting through - Looking at eliminating parking on one side; Recent street tree removals are in conjunction with Safe Routes to School Grant.

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

RESOLVED, that the Mayor is hereby authorized to sign the Architectural/Engineering Consultant Contract submitted by Watts Architecture and Engineering for architectural and engineering services as related to the Safe Routes to School Grant, in an amount not to exceed \$48,616.00.

Motion carried. 3 – 0.

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

RESOLVED, that the proposed local law to add to the Village Code Chapter 102, “Vehicles, Abandoned” to allow regulation of abandoned vehicles on private property, which was the subject of a public hearing held on March 24, 2014, in Village Hall, 5565 Main Street, Williamsville, New York, is hereby adopted as **Local Law No. 2 of 2014**.

Motion carried. 3 – 0.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Thanked Deb Habes and Beautification Committee for April 10th program at Meeting House; Thanked DPW for work at the Meeting House; Friends of Harmony Concert; Earth & Arbor Day is April 26th in Island Park.

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

WHEREAS, the owner of 52 Hillside Drive was cited by the Code Enforcement Officer for a code violation under Section 302.2 of the NYS Property Maintenance Code on March 27, 2014, for issues related to an unprotected open excavation in the front yard; and

WHEREAS, this is also a violation of Chapter 72 (Property Maintenance) of the Village Code; and

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WHEREAS, the property owner was given until April 6, 2014 to correct these violations; and

WHEREAS, as of April 11, 2014, the violations have not been corrected;

NOW, THEREFORE, BE IT RESOLVED, that 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 such charge remains unpaid after fifteen (15) days, it shall be added to the 2014 – 2015 Village tax assessed against the premises as per Section 72-8 of the Village Code.

Motion carried. 3 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to leave the regular agenda at 8:32 p.m. to open the Executive Session to discuss threatened litigation.

Motion carried. 3 – 0.

ON MOTION by Trustee Yates, seconded by Trustee DeLano, it was moved to close the Executive Session at 9:00 p.m. and return to the regular agenda.

Motion carried. 3 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to adjourn the regular meeting at 9:01p.m.

Motion carried. 3 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer