

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

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

Present: Brian J. Kulpa, Mayor
Basil J. Piazza, Trustee
Daniel O. DeLano, Trustee
John "Al" Yates, Jr., Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Maggie Hamilton, Director of Community Development
Ben Vilonen, DPW Crew Chief

Excused: Christopher J. Duquin, Trustee

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on October 24, 2016 as submitted.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the special meeting held on November 8, 2016, as submitted.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 70-16 (Parks and Public Areas, Hours of Public Use) of the Village Code, which would change the closing time of all parks, except Glen Park, from 10:00 p.m. to dark.

**This public hearing was first held on October 24, 2016 and left open.*

ON MOTION by Mayor Kulpa, seconded by Trustee Delano, it was moved to continue this public hearing at 7:41 p.m.

Motion carried. 4 – 0.

No one from the audience addressed the Board.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved at 7:42 p.m. to continue this public hearing at the December 12, 2016 Village Board meeting.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

Motion carried. 4 – 0.

PUBLIC HEARING

Proposed modification to Chapter 103 (Vehicles and Traffic) of the Village Code, which would prohibit left-hand turns from California Drive onto Main Street.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to open this public hearing at 7:43 p.m.

Motion carried. 4 - 0.

The Administrator read aloud the legal notice as it appeared in the October 19, 2016 Amherst Bee.

Mayor Kulpa stated the impetus for this proposed modification to the Code is the proposed residential development project on California Drive. The Village Board will be walking this area with interested residents in the future.

Trustee DeLano discussed the study of traffic in the area that was completed by Natale Development and reviewed by GBNRTC. The intersection of Main Street and California Drive is graded F. May limit *No Left Turn* to peak hours (M-F, 7:00am-10:00am and 3:00pm-6:00pm).

Members of the audience who spoke and the topics of their comment(s) [*The Village Board's comments are in italics*]:

1. Joe Strapason, 128 California Dr. – People cheat restrictions like this; should be all the time.
2. Doug Richardson, 221 Hirschfield Dr. – Terrible corner; time would be confusing; should be all the time; hard to enforce.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved at 7:53 p.m. to hold this public hearing open until the next Village Board meeting on December 12, 2016.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

PUBLIC HEARING

Proposed amendment to Chapter 112-16 B (4) (Mixed Use Design Standards-Site Planning and Design) of the Village Code, as it relates to primary entrances of buildings.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to open this public hearing at 7:53 p.m.

Motion carried. 4 - 0.

Mayor Kulpa stated we are looking to clarify the code that all tenants in a building must have their primary entrances on Main Street or on the corner if facing a corner.

Member(s) of the audience who spoke and the topics of their comments [*The Village Board's comments are in italics*]:

Thomas Frank, 5403 Main St. – Unrelated topics. Was advised to speak at suspension of rules.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to close this public hearing at 7:57 p.m.

Motion carried. 4 - 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to open the public participation portion of the meeting. [*The Village Board's comments are in italics.*]

1. Carolyn Schlifke, 192 Evans St. – Is there a code that signs cannot be placed in the right-of-way? These signs are not attractive. Is there any progress on a crosswalk at Evans and Essjay? Who would put it in? [*Trustee DeLano stated the Village has added it to the list but needs to talk to Erie County.*] New trees on Evans with protective sleeves – needs one on the tree in right-of-way in front of her house. Garbage totes – new garbage contract does not allow for yard waste in garbage totes? [*Trustee Piazza stated that is correct. Garbage contractor cannot differentiate and would have to pay for disposal of yard waste.*]

2. Trey Measer, 5564 Main St. – Wall next to VFW Post 416 is a mess and needs to be cleaned up to free up parking.

3. Thomas Frank, 5403 Main St. – Mixed Use; Bicentennial Comprehensive Plan; Williamsville Toll Barrier; Power Project Re-licensing Agreement.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

4. Cheryl Meyer, 90 Willowbrook – Wants to make sure there will not be noise issues with 2017 events. Should do a survey to see what residents want. What specific steps will be taken? *[Mayor Kulpa stated there are 3 issues: 1.) Island Park events – need to add a back wall on the band shell. 2.) Music on Main – Have begun conversation with WBA about dates and times (not after Labor Day; not after 9pm; monitor noise decibels). 3.) Restaurants/bars playing amplified sound after 9pm indoors need air locks on doors so sound does not go outside.]* Frequency – Originally only on Thursday nights. *[Mayor Kulpa – Can't be every night on every block.]* Can tax structure be changed so commercial properties pay a higher tax rate? *[Mayor Kulpa – Can't say he agrees. Village of Kenmore has done that and it is not helping there.]*

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

Motion carried. 4 – 0.

Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): Craig Turner from Momentum Consulting was at Work Session regarding work related to attracting businesses to the Village. California Project update: have an unattractive park and area over there that does not fit the image of the area. May need to look at the reconfiguration of the area. Will be holding a meeting and walking the site in January. Saturday is the Village Tree Lighting Event at Village Hall which starts at 5:30pm. Williamsville Business Association has lots of activities planned during the day.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve all of Mayor Kulpa's resolutions #1 - #5, as written.

Motion carried. 4 – 0.

KULPA #1 – ADOPTED 4 - 0:

RESOLVED, that payroll and vouchers in the amount of **\$1,010,112.94** covering the period from 10/19/16 to 11/22/16, are hereby approved as follows:

Payroll covering 10/17/16 – 10/30/16:	\$38,861.13
--	-------------

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

Payroll covering 10/31/16 – 11/13/16: \$37,713.32

Vouchers covering 10/19/16 – 11/08/16:

General Fund	\$138,952.35
Water Fund	\$315.00
Sewer Fund	\$289,283.32
Glen Park Fund	\$3,982.85
Trust & Agency Fund	\$14,076.29
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$233,704.20</u>
	\$680,314.01

Vouchers covering 11/09/16 – 11/22/16:

General Fund	\$183,857.58
Water Fund	\$672.00
Sewer Fund	\$18,089.97
Glen Park Fund	\$265.25
Trust & Agency Fund	\$15,753.70
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$34,585.98</u>
	\$253,224.48

GRAND TOTAL: **\$1,010,112.94**

KULPA #2 – ADOPTED 4 – 0:

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2016-2017* fiscal year:

To:	001-1640-4450 (Central Garage-Misc.)	\$30.00
From:	001-1640-4260 (Central Garage-Maint. Supplies)	\$30.00
To:	001-1991-4000 (Provision for Longevity)	\$164.00
From:	001-1910-4000 (Unallocated Insurance)	\$164.00
To:	001-3620-4110 (Safety Inspection-Service Contracts)	\$10.00

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

From:	001-3620-4630 (Safety Inspection-Uniform Expenses)	\$10.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump)	\$2115.00
	001-5110-4161-0904 (Street Maint.-Repairs/2005 Freightliner)	\$42.00
	001-5110-4161-0905 (Street Maint.-2007 Int'l Dump)	\$2596.00
	001-5110-4161-0907 (Street Maint.-Repairs/1992 Autocar)	\$1688.00
	001-5110-4161-0908 (Street Maint.-Repairs/2011 Chevy Silverado)	\$742.00
	001-5110-4161-0909 (Street Maint.-Repairs/2013 Ford F-150 Pickup)	\$137.00
	001-5110-4161-0910 (Street Maint.-Repairs/2009 Ford F350)	\$19.00
	001-5110-4161-0912 (Street Maint.-Repairs/2012 CAT Hi-Lift)	\$2148.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford 350 XL)	\$11.00
	001-5110-4161-0919 (Street Maint.-Repairs/2007 Chevy 4x4)	\$636.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$10,159.00
To:	001-7110-4162 (Parks-Repairs/Pool)	\$20.00
From:	001-7110-4350 (Parks-Pool Supplies)	\$20.00
To:	001-7110-4450 (Parks-Misc.)	\$340.00
From:	001-7110-4360 (Parks-Parks Supplies)	\$340.00
To:	001-7530-4000 (Village Meeting House-Open/Close)	\$10.00
	001-7530-4450 (Village Meeting House-Misc.)	\$4.00
From:	001-7530-4230 (Village Meeting House-Maint.)	\$14.00
To:	001-8510-2000 (Community Beautification-Equipment)	\$19.00
From:	001-8510-4340 (Community Beautification-Plants)	\$19.00
To:	001-8560-4160 (Shade Trees-Repairs)	\$76.00
	001-8560-4280 (Shade Trees-Equip. Rental)	\$524.00
	001-8560-4360 (Shade Trees-Replacement/Regular)	\$2556.00
From:	001-8560-4350 (Shade Trees-Trees/Maint.)	\$3156.00
To:	001-8560-1000 (Snow Removal-Personal Services)	\$5978.00
From:	001-8140-1000 (Storm Sewers-personal Services)	\$5978.00

KULPA #3 – ADOPTED 4 - 0:

RESOLVED, that the following *budget transfers* are hereby made in the *Sewer Fund* for the *2016-2017* fiscal year:

To:	007-8120-4163 (Sanitary Sewers-Sewer Cleaning/Televising)	\$671.00
	007-8120-4164 (Sanitary Sewers-SPDES Permit)	\$110.00
From:	007-8120-4116 (Sanitary Sewers-Engineer/Monitor Maint.)	\$781.00
To:	007-1991-4000 (Sanitary Sewers-Provision for Longevity)	\$12.00
	007-8120-1001 (Sanitary Sewers-Personal Services/OT)	\$181.00

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

From: 007-8120-1000 (Sanitary Sewers-Personal Services) \$193.00

KULPA #4 – ADOPTED 4 - 0:

RESOLVED, that the following *budget transfer* is hereby made in the *Glen Park Fund* for the *2016-2017* fiscal year:

To: 009-7141-4430 (Glen Park-Sanitary Waste Disposal) \$437.00
From: 001-7110-4352 (Parks-Pool Supplies) \$437.00

KULPA #5 – ADOPTED 4 - 0:

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2016-2017* fiscal year to account for Garden Walk donations to be used to cover event expenses:

Increase: 001-0001-2705 (Gifts & Donations) \$79.00
Increase: 001-7550-4530 (Celebrations-Garden Walk) \$79.00

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adopt the following resolution:

WHEREAS, a contract with Momentum Public Affairs to provide public relations and public affairs consulting services was approved on March 28, 2016 in the amount of \$5,000.00; and

WHEREAS, a revised proposal has been submitted by Momentum Public Affairs for consulting services on a monthly retainer basis of \$2,000.000 per month for 12 months, with an additional \$6,000 in reimbursables, for a total contract amount of \$30,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the proposal from Momentum Public Affairs is hereby approved; and

BE IT FURTHER RESOLVED, that the Village shall be responsible for 50% of the contract, with the other 50% to be reimbursed by the Amherst Industrial Development Agency.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to adopt the following resolution:

RESOLVED, that the following Fire Department equipment is hereby declared surplus, to be donated to another fire department:

Fixed Asset # Value	Description	Date Acquired	Original Cost	Book
#308	Globe GX-7 Turnout Gear (1 set)	9/29/2000	\$1,320.00	\$0.00
#427	FDEX Turnout Gear (24 sets)	12/10/2004	\$27,661.00	\$0.00
#436	FDEX Turnout Gear (1 set)	1/24/2005	\$1,140.00	\$0.00
#423	FDEX Turnout Gear Coats (3)	2/14/2005	\$1,828.00	\$0.00
#459	FDEX Turnout Gear (4 sets, 1 coat)	5/31/2005	\$5,480.00	\$0.00
#460	OCC Turnout Gear (11 coats)	5/31/2005	\$2,201.00	\$0.00

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to adopt the following resolution:

RESOLVED, that Change Order #4 to Oddo Construction for work on the Fire Department Driveway Apron Replacement project, which extends the time of the contract through May 1, 2017, is hereby approved at no additional cost to the Village of Williamsville.

Motion carried. 4 – 0.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Meeting with GBNRTC regarding California Drive project; Tree planting – planted 55 trees; Thanked DPW Crew Chief Ben Vilonen, and Tree Board Chair Rich Sweeney,

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

RESOLVED, that *Douglas Richardson* of *221 Hirschfield Drive, Williamsville*, is hereby appointed to the *Glen Park Joint Board* through *June 30, 2019*.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

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

RESOLVED, that *Julian Macy* of *51 California Dr., Williamsville*, is hereby appointed to the *Tree Board* until the end of the *2016-2017* official Village year, to fill the unexpired term of Kathleen McCormick.

Motion carried. 4 – 0.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Referred everyone to the upcoming events listed on the back of the 1st page of the agenda.

Trustee Piazza had no resolutions on the agenda.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Upcoming events at the Meeting House.

Trustee Yates announced he was tabling his resolution regarding the installation of bollards on Village property on Rock Street.

Staff Report(s)

DPW Crew Chief Ben Vilonen reported on the following topic(s): Leaf collection is ongoing.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to open the Executive Session at 8:44 p.m. to discuss the hiring of a specific individual and a matter of active litigation.

Motion carried. 4 – 0.

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, November 28, 2016 at 7:30 p.m.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to close the Executive Session at 9:09 p.m.

Motion carried. 4 – 0.

ON MOTION by Mayor Kulpa, seconded by Trustee DeLano, it was moved to adjourn the regular meeting at 9:10 p.m.

Motion carried. 4 – 0.

Lynda L. Juul
Administrator/Clerk-Treasurer