

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 27, 2017 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
John "Al" Yates, Jr., Trustee
Basil J. Piazza, Trustee
Deb Rogers, Trustee
Daniel O. DeLano, Deputy Mayor

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Rianne Lafferty, Acting Village Attorney
Charles Grieco, Village Attorney (*arrived after the meeting began*)
Maggie Winship, Director of Community Development
Ben Vilonen, DPW Crew Chief

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on October 23, 2017 as submitted.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to approve the minutes of the special meeting held on November 9, 2017 as submitted.

Unanimously carried.

The public hearing for the proposed local landmark designation of 5429 Main St. (Starbucks/Alex and Ani) was tabled until the December 11, 2017 Village Board meeting.

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

Unanimously carried.

Deputy Mayor DeLano announced that the Traffic & Safety Committee motioned to reject the proposal to eliminate parking on the east and north sides of Oakgrove Drive because it would increase speeds. Would like the Village Board to post temporary signs indicating No Parking for Village events such as Old

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Home Days, Oktoberfest, etc. He tabled his resolution until the Traffic & Safety minutes are officially approved.

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

1. Dave Bauer, 102 Oakgrove Dr. – He stated he is liaison for 21 residents who signed a petition; they had requested to limit the area to the east side of Oakgrove from #135 to Park Dr. only. Stated he was promised to receive data related to this. Feels disenfranchised. His group provided as much data to the Village Board as they could. Hopes good data is used.
2. Lauren Rybicki, 55 Oakgrove Dr. – Has become equally conflicted regarding No Standing on Oakgrove. Diligent posting during events is a good step. [*Mayor Kulpa – willing to go off agenda to pass a resolution to post during Village events: Castle, Art Fest, Oktoberfest, Old Home Days, other Village events deemed by the Village Board. Trustee DeLano asked Bill Tuyn to submit something re width vs speed. Will be included in Traffic & Saffety minutes.*]
3. Bob Whitney, 54 Oakgrove Dr. – Asked if Amherst Police Department is notified to post the signs. [*No, it is internal to the Village.*]
4. Thomas Frank, 5403 Main St. – Community Plan; Re-imagine Amherst; Master transportation plan; consolidated Funding Application; Niagara Power project; Westwood Pharmaceuticals Country Club; Multi-modal transportation.
5. Noel Bartlo, 55 California Dr. – Asked for update on Natale land swap. [*Passed resolution; working on land swap agreement; need to finalize and formally approve agreement.*] Asked if there is a time frame. [*Waiting to finalize the title.*]

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): No report.

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

RESOLVED, that payroll and vouchers in the amount of **\$1,040,157.20** covering the period from 10/18/17 to 11/21/17, are hereby approved as follows:

Payroll covering 10/16/17 – 10/29/17: \$40,566.63

Payroll covering 10/30/17 – 11/12/17: \$35,836.14

Vouchers covering 10/18/17 – 11/07/17:

General Fund	\$112,896.60
Water Fund	\$0.00
Sewer Fund	\$341,799.42
Glen Park Fund	\$2,226.47
Trust & Agency Fund	\$16,428.03
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$5,989.35</u>
	\$479,339.87

Vouchers covering 11/08/17 – 11/21/17:

General Fund	\$146,327.37
Water Fund	\$37.35
Sewer Fund	\$21,045.00
Glen Park Fund	\$506.32
Trust & Agency Fund	\$12,539.66
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$303,958.86</u>
	\$484,414.56

GRAND TOTAL: **\$1,040,157.20**

Unanimously carried.

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2017-2018* fiscal year:

To:	001-3410-4160-3406 (Fire Protection-Truck Expense/Truck 6)	\$602.00
	001-3410-4160-3404 (Fire Protection-Truck Expense/Rescue 4)	\$1,179.00
	001-3410-4160-3409 (Fire Protection-Truck Expense/Car 9)	\$73.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$1,854.00
To:	001-3410-4160-3451 (Fire Protection-Truck Expense/ATV 5-1)	\$198.00
From:	001-3410-4160 (Fire Protection-Truck Expense)	\$198.00

Unanimously carried.

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

RESOLVED, that Mark Kutner is hereby approved for Transitional Duty for a period of 30 days, effective 11/15/17.

Unanimously carried.

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

RESOLVED, that the Memorandum of Understanding with AFSCME Local 1783-C, which amends Article 5, Section 5.01 of the collective bargaining agreement and its appendices, is hereby approved.

Unanimously carried.

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

RESOLVED, that *Eric Czarnecki*, residing at *5256 Sheridan Drive, Williamsville*, is hereby appointed to the position of *Laborer* at a rate of pay of \$15.08 per hour, effective 11/28/17.

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Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to advertise for sealed bids for the purchase of a new rescue vehicle body for the Williamsville Fire Dept.; and

BE IT FURTHER RESOLVED, that bids will be opened in the office of the Village Clerk at Village Hall at 2:00pm on Wednesday, December 20, 2017.

Unanimously carried.

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

WHEREAS, the Williamsville Fire Department's 1998 Heave Rescue Truck #5 (asset #97) was declared surplus on August 14, 2017, to be sold via broker; and

WHEREAS, the Fire Department wishes to explore the possibility of selling the vehicle via sealed bid, and then going to a broker if a sufficient value is not received for the vehicle by sealed bid;

NOW, THEREFORE, BE IT RESOLVED, that the Village Administrator is hereby authorized to advertise for sealed bids for the sale of Heavy Rescue Truck #5; and

BE IT FURTHER RESOLVED, that bids will be opened at Village Hall at 2:15pm on Wednesday, December 20, 2017.

Unanimously carried.

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

RESOLVED, that Lynda L. Juul is hereby re-appointed as Village Administrator/Clerk-Treasurer from 11/1/17 to 10/31/19.

Unanimously carried.

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

RESOLVED, that Bound Tree Medical is hereby authorized as a preferred vendor for the Williamsville Fire Department

Unanimously carried.

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

RESOLVED, that Community Development Block Grant funding for 2018, in the amount of approximately \$34,000, is hereby allocated for the restoration of the Meeting House.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Trustee Yates, it was moved to leave the regular agenda to consider two new resolutions.

Unanimously carried.

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

RESOLVED, that the Village will post No Standing sign on the east side of Oakgrove Drive, from #135 to Park Drive during events including, but not limited to: Old Home Days, Glen Park Art Festival, Oktoberfest, and Taste of Williamsville; and

BE IT FURTHER RESOLVED, that the Village will take into consideration the posting of temporary No Standing signs on Oakgrove Drive should any event arise in the Village or in relation to the Castle property.

Unanimously carried.

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

RESOLVED, that *Julian Macy of 51 California Drive* is hereby appointed to the *Tree Board* through the end of the *2019- 2020* official Village year.

Unanimously carried.

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

Unanimously carried.

Report – Deputy Mayor DeLano

Deputy Mayor DeLano reported on the following topic(s): Thanked everyone who makes the Village “tick”; Regarding the Oakgrove situation, he has tried to be as fair about this as possible. Asked Fire Dept. for data but never received it. Sometimes requires conjecture. Traffic & Safety does not want to open the street up. It would become a cut through street. Worked diligently and was well thought out.

Deputy Mayor DeLano announced he was tabling his resolution regarding the adoption of Local Law 10 of 2017 related to No Standing on Oakgrove Drive.

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

RESOLVED, that the following Dept. of Public Works equipment is hereby declared surplus, to be disposed of via trade-in.

Asset #	Description	Date Acquired	Original Cost	Book Value
333	2001 Trackless Sidewalk Plow with V-plow and mower attachments	9/6/01	\$50,657.00	\$0.00
356	Snowblower Attachment	12/28/01	\$6,880.00	\$0.00

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	For Trackless Sidewalk Plow			
110	1991 Autocar Truck (#907)	1/1/92	\$75,555.00	\$0.00

Unanimously carried.

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

RESOLVED, that Change Order No. 3 for Occhino Corporation, amending the cost of ADA ramps, is hereby authorized at a *cost reduction* of \$18,023.52.

Unanimously

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Tree Lighting this Saturday; Concert at Meeting House on Friday at 7pm; Congratulated Mayor Kulpa on his win in the Amherst Supervisor race.

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

RESOLVED, that Mischler's Florist is hereby named as a preferred vendor for the planting and maintenance of the Main Street pots.

Unanimously carried.

Trustee Rogers reported on the following topic(s): Echoed Trustee Yates's sentiments regarding Mayor Kulpa; Mischler's donated live wreaths to the Meeting House and are very generous to the building.

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

WHEREAS, the Code Enforcement Officer of the Village of Williamsville has inspected the buildings at 101, 102, 122, 131 and 149 California Drive (“Subject Buildings”); and

WHEREAS, such inspection has identified various structural issues with the buildings; and

WHEREAS, the Subject Buildings have remained unoccupied for a period of over 16 months, and because of damage done by scrappers, including cutting of wall and floor joists to remove copper and other materials, these buildings constitute a hazard to health and safety; and

WHEREAS, in accordance with Section 15 of the Village Code, the Code Enforcement Officer has recommended demolition of the Subject Buildings in a letter to the Village Board of Trustees, dated November 15, 2017;

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Section 15-5 of the Village Code, the Village Board of Trustees hereby orders demolition of the above referenced properties, which is to be commenced within 15 days of receipt of the demolition order by the record owner of the Subject Buildings and which demolition shall be completed within 60 days of receipt to said order; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall constitute the demolition order specified in Section 15-5 of the Village Code and the Village Administrator is hereby directed to serve said demolition order upon the record owner of the Subject Buildings by certified mail, return receipt requested, or by personal service, as soon as practicable.

Unanimously carried.

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

RESOLVED, that the proposal from Flynn Battaglia for architectural services related to the restoration of the Art Glass Windows at the Meeting House, dated November 21, 2017, is hereby approved.

Unanimously carried.

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Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Thanked everyone for their condolences over the loss of his sister; Gave his best wishes to the future Town Supervisor.

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

RESOLVED, that Change Order No. 2 for Millherst Construction for the saw-cutting of the curb at the driveway of the VFW Post as part of the Rock Street project is hereby approved in the amount of \$300.00.

Unanimously carried.

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

RESOLVED, that Change Order No. 3 for Millherst Construction for labor and materials for placing light stone fill along the east edge of the VFW Post parking lot as part of the Rock Street project is hereby approved in the amount of \$3,378.00.

Unanimously carried.

Staff Report(s)

Community Development Director Maggie Winship reported on the following: Thanked the staff, committee members and Village Board members who volunteered to decorate the Meeting House for the holidays; Thanked DPW for the amazing Christmas decorations.

DPW Crew Chief Ben Vilonen reported on the following: Announced that leaf collection would end next week. Reminded residents not to comingle brush with leaves.

Deputy Mayor DeLano reported on the following: Reminded the community that the winter parking ban is in effect.

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ON MOTION by Mayor Kulpa, seconded by Trustee Rogers, it was moved to open the Executive Session at 8:35 p.m. for the purpose of discussing a personnel issue related to the hiring of a specific individual.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to close the Executive Session at 8:50 p.m.

Unanimously carried.

ON MOTION by Mayor Kulpa, seconded by Deputy Mayor DeLano, it was moved to adjourn the regular meeting at 8:50 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer