

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, March 24, 2014 at 7:30 p.m.

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

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

Absent: Charles Specht, Director of Community Development

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to approve the minutes of the regular meeting held on March 10, 2014, as submitted.

Unanimously carried.

Three (3) Public Hearings:

ON MOTION by Trustee Kulpa, seconded by Trustee Piazza, it was moved to open the public hearing at 7:32 p.m.

Unanimously carried.

PUBLIC HEARING

The Administrator read aloud the legal notice as it appeared in the March 5, 2014 Amherst Bee.

The purpose of this public hearing was to hear all persons interested in commenting on a proposed local law to over-ride the property tax cap. Some fees will shift to the General fund. Water rates will go down, but tax will go up. Need to over-ride the property tax cap because of tax cap law.

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The members of the audience who addressed the Board and their topics [*Village Board responses in italics*]:

1. Dick Maslona, 123 Hirschfield Dr. – Sewer charge based on water consumption; Meters measuring flow; Hydrant fees.
2. Jim Tricoli, 4 Columbia Dr. – Sewer treatment at plant? [*Yes.*]; Basis for sewer charges.
3. Mary Lowther, 120 N. Ellicott St. – Opposed to property tax cap over-ride.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to close the public hearing at 7:43 p.m.

Unanimously carried.

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

Unanimously carried.

PUBLIC HEARING

The Administrator read aloud the legal notice as it appeared in the March 5, 2014 Amherst Bee.

The purpose of this public hearing was to hear all persons interested in commenting on the proposed 2014-2015 Budget.

The members of the audience who addressed the Board and their topics [*Village Board responses in italics*]:

1. Mary Lowther, 120 N. Ellicott St. – Thanked Trustee DeLano and Traffic & Safety Committee for their help with the petition regarding Belmont traffic;

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Old minimum for water was 4,000 gallons – New minimum will be 9,000 gallons; Water bills will go up \$11.00; Tax increase of \$65; Keep hearing water bills will offset water savings. *[How long it takes to see savings is still being worked out – working on total amount of work to be done. We are offsetting future rate increases. Village has kept minimum lower than the ECWA minimum. Some outliers may end up paying more, but everyone is heading down the same slope to savings. Water system is like a dog chasing its tail – can't get out from under itself. Savings will be long-term; Less savings near term.]* Savings are so far down the road, some residents won't see savings; ECWA surcharge – what will it be? \$3.00/1,000 gallons, with a 9,000 gallon minimum; *[Surcharge will be \$1.05 to \$1.50 to cover current debt, work to be done]*. Where will sewer charges be put? *[On tax bill.]*; Who reads water meter now? *[DPW does.]*; Any staff reductions? *[No. Dept. has already downsized.]*

2. Dick Maslona, 123 Hirschfield Dr. – AA rating for water for firefighting, so why getting rid of system? *[For future savings to rate payers.]*

3. Jim Tricoli, 4 Columbia Dr. – Has a relative who works for Sewer Dept. What size pipes? *(ECWA standards)*; Owe money to Erie County from the past? *[No, owe money to the Village's General Fund.]*

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the public hearing at 8:04 p.m.

Unanimously carried.

ON MOTION by Trustee Kulpa, seconded by Trustee Piazza, it was moved to open the public hearing at 8:04 p.m.

Unanimously carried.

PUBLIC HEARING

The Administrator read aloud the legal notice as it appeared in the March 5, 2014 Amherst Bee.

The purpose of this public hearing was to hear all persons interested in commenting on a proposed local law relating to unlicensed/unregistered

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vehicles. The issue is with unregistered vehicles that need to be removed. Will exempt vehicles of historic nature and vehicles for sale at a dealership.

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

1. Dick Maslona, 123 Hirschfield Dr. – Does this cover motorhomes, trailers, boats? [*Motor homes – Yes. Trailers – possibly, if plated. Boats – No. There is a separate section of the code that covers boats.*]

ON MOTION by Mayor Kulpa, seconded by Trustee Piazza, it was moved to close the public hearing at 8:08 p.m.

Unanimously carried.

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

Unanimously carried.

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

Debby Cambria, 87 N. Ellicott St. – Pros and cons of garden at Main and Evans; Asked status of this garden [*Water feature will be working this season and plantings will fill in and establish.*] Expressed displeasure with the design. [*Perennial landscape is a tribute to Village's role in the War of 1812; Beautification Committee worked thru the design and was public about it – Residents are encouraged to get involved.*]

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

Unanimously carried.

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Report – Mayor Kulpa

Mayor Kulpa reported on the following topic(s): Done with accepting proposals for the Mill; Have one proposal and one expression of interest; Will be working with Sweet Jenny's to move forward. Next Mill grant: Our architects are working on design; NYSOPRHP needs to generate a contract so we can begin work; On close-out of project will be able to transfer ownership; Budget process – Thanked the Administrator and Deputy Treasurer.

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

RESOLVED, that payroll and vouchers in the amount of **\$259,973.01** covering the period from **3/6/14** to **3/19/14** are hereby approved as follows:

Payroll covering: 2/24/14 – 3/9/14:	\$35,071.89
Vouchers covering 3/6/14 – 3/19/14:	
General Fund	\$141,366.94
Water Fund	\$7,242.40
Sewer Fund	\$36,064.41
Glen Park Fund	\$190.09
Trust & Agency Fund	\$11,599.78
Debt Service	\$14,687.50
Community Development	\$0.00
Capital Fund	<u>\$13,750.00</u>
	\$224,901.12
 GRAND TOTAL	 <u>\$259,973.01</u>

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:	001-1110-4140 (Village Justices-Translator Fees)	\$100.00
	001-1110-4110 (Village Justices-Service Contracts)	\$32.00
From:	001-1110-4620 (Village Justices-Publications & Updates)	\$132.00
To:	001-1210-4010 (Mayor-Office Supplies)	\$328.00
	001-1210-4450 (Mayor-Misc.)	\$68.00
From:	001-1010-4010 (Board of Trustees-Office Supplies)	\$100.00
	001-1010-4040 (Board of Trustees-Education Exp./Travel)	\$296.00
To:	001-1410-4030 (Village Clerk-Printing/Advertising)	\$48.00
	001-1410-4111 (Village Clerk-Internet Access/Website)	\$115.00
From:	001-1410-4110 (Village Clerk-Service Contracts)	\$163.00
To:	001-3410-4160-3405 (Fire Protection-Truck Exp./R-5)	\$689.00
	001-3410-4161 (Fire Protection-Sm. Eng. Equip. Repair)	\$375.00
From:	001-3410-4160 (Fire Protection-Truck Exp.)	\$1,064.00
To:	001-1620-4450 (Buildings-Misc.)	\$348.00
From:	001-1620-4160 (Buildings-Building Repairs)	\$348.00
To:	001-1640-2000 (Central Garage-Equip.)	\$848.00
	001-1640-4260 (Central Garage-Maint. Supplies)	\$791.00
	001-1640-4261 (Central Garage-Maint. Fees)	\$50.00
	001-1640-4450 (Central Garage-Misc.)	\$52.00
From:	001-1640-4160 (Central Garage-Bldg. Repairs & Maint.)	\$1,741.00
To:	001-3620-4041 (Safety Inspection-Mileage Reimbursement)	\$90.00
From:	001-3620-4110 (Safety Inspection-Service Contracts)	\$90.00
To:	001-5110-4000 (Street Maint.-Seasonal Help)	\$1083.00
From:	001-5110-1000 (Street Maint.-Personal Services)	\$1083.00
To:	001-5110-4161-0902 (Street Maint.-Repairs/2002 Int'l Dump w/Plow)	\$154.00
	001-5110-4161-0906 (Street Maint.-Repairs/2007 Int'l Dump)	\$1250.00
	001-5110-4161-0914 (Street Maint.-Repairs/2001 Trackless Sidewalk Plow)	\$83.00
	001-5110-4161-0918 (Street Maint.-Repairs/2010 Ford F350XL)	\$26.00
From:	001-5110-4161 (Street Maint.-Repairs/Equip.)	\$1513.00
To:	001-6410-4925 (Publicity-Marketing)	\$2436.00

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From:	001-1990-4000 (Contingency)	\$2436.00
To:	001-5142-1000 (Snow Removal-Personal Services)	\$3998.00
	001-7530-1000 (Village Meeting House-Personal Services)	\$2103.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$6101.00

Unanimously carried.

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 *Water Fund* for the *2013-2014* fiscal year:

To:	006-8340-1000 (Water Transmission-Personal Services)	\$3,150.00
	006-8340-1001 (Water Transmission-Personal Services/OT)	\$1,120.00
From:	006-1990-4000 (Contingency)	\$3,646.00
	006-1910-4000 (Unallocated Insurance)	\$624.00

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 *Sewer Fund* for the *2013-2014* fiscal year:

To:	007-1950-4100 (Tax & Assessment on Property-Refund of Village Taxes)	\$35,596.00
From:	007-1990-4000 (Contingency)	\$15,000.00
	007-8130-4220 (Sewage Treatment-Share of Town Costs)	\$20,596.00
To:	007-8120-1001 (Sanitary Sewer-Personal Services/OT)	\$100.00
From:	007-8120-1000 (Sanitary Sewer-Personal Services)	\$100.00

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 an increase in the amount of revenue received for fire protection services and an increase in the shared amount due to the fire district:

Increase: 001-0001-2262 (Fire Protection Service, Other Gov.)	\$8,112.00
Increase: 001-3410-4220 (Share-Fire District)	\$8,112.00

Unanimously carried.

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

RESOLVED, that Jim Zymanek and Holly Schiferle of the Williamsville Fire Dept. are hereby approved to attend the 2nd Annual Fire Conference at the NYS Fire Academy in Montour Falls, New York, from 4/11/14 to 4/13/14, at a cost not to exceed \$410.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED, that Williamsville Fire Chief Christopher Petrie is hereby authorized to attend the Tech. Rescue Conference 2014 at the NYS Academy of Fire Science in Montour Falls, NY, from March 27 - March 30, 2014, at a cost not to exceed \$510.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED, that Williamsville Fire Chief Christopher Petrie, and members of the Williamsville Fire Department Christina Haffa, Adam Oehmler and Kelly Smith, are hereby authorized to attend the Fire Department Instructor Conference 2014, in Indianapolis, Indiana, from April 8 – April 12, 2014, at a cost not to exceed \$5,034.00, to be paid by the Village of Williamsville.

Unanimously carried.

Report – Trustee Duquin

Trustee Duquin reported on the following topic(s): Annual Egg Hunt sponsored by the Village Youth & Recreation Committee is April 13th at 10 a.m. on Island Park - Thanked Sweet Jenny's for sponsoring this event.

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

WHEREAS, the Village of Williamsville is committed to creating a high level of openness and transparency in government; and

WHEREAS, the three principles of transparency, participation and collaboration form the cornerstone of an open government; and

WHEREAS, more government information should be published and made available via the Internet which will provide greater public access to information and a mechanism for public feedback and participation; and

WHEREAS, the demands of an across-the-board open government framework require the assistance of an Open Government Committee, to guide these initiatives; and

WHEREAS, goals and timetables should be established for development and implementation of an overall Open Government Plan to enhance and develop transparency, public participation, and collaboration in all Village activities;

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NOW, THEREFORE, BE IT RESOLVED, THAT:

(1) The Mayor shall designate a department head to serve as a liaison to the Open Government Committee. The liaison will lead the Open Government initiatives outlined in this Resolution, including working with Village departments and agencies to establish standards for publication of information and the most effective means for making such information available. The liaison will report to the Mayor regarding Open Government initiatives.

(2) The Village Board shall appoint an Open Government Committee. The Committee shall consist of five (5) members, including the liaison, and shall be chaired by an individual designated by the Mayor. The Committee shall meet regularly at such times as the Board decides.

(3) The Committee shall develop and publish an Open Government Plan. The Plan will detail, including specific actions and timelines, the steps that the Village will take to incorporate the principles of open government into its daily activities.

The Plan shall be formulated with the input of senior policy, legal, and technology leadership in the Village; open government experts; and the general public.

Components of the Open Government Plan shall include:

(1) **Transparency:** Steps the Village will take to conduct its work more openly and publish its information online, including ready public access to ordinances and regulations, policies, legislative records, budget information, and other information.

(2) **Public participation;** Description of how the Village will enhance and expand opportunities for the public to participate throughout each department's decision-making process, including instructions for online access to published information and opportunities for comment; methods for identifying stakeholders and other affected parties and encouraging their participation; links to appropriate websites where the public can engage in the Village's existing participatory processes; and proposed changes to internal management and administrative policies to increase public participation.

(3) **Collaboration:** Steps the Village will take to enhance and expand cooperation among its departments and agencies, other governmental agencies, private and nonprofit entities, and the public, to fulfill Village goals and obligations; including proposals to use technology platforms and links to appropriate websites to improve and inform the public about existing collaboration efforts, and use of

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innovative methods to obtain ideas from and to increase collaborations with those in the private sector, nonprofit and academic communities.

(4) A portal/place shall be established on the Village's website that will serve as the source for Village-wide and departmental activities with respect to this open government initiative.

(5) Each Village department and agency shall develop a schedule for making information available to the public and updating it on a regular basis. To the extent practicable and subject to valid restrictions, agencies shall publish information online (in addition to other planned or mandated publication methods), and in an open format. The open format will provide data in a form that can be retrieved, downloaded, indexed, searched and reused by commonly used web search applications and software.

(6) The Open Government Portal shall include a mechanism for the public to give feedback on and assess the quality of published information, provide input about what information should be a priority for publication, and provide input on the Village's Open Government Plan.

(7) Progress toward meeting the Open Government goals set forth in this Resolution shall be evaluated six months from the adoption date of this Resolution, again one year from the adoption date, and annually thereafter. The evaluation shall be released on the Open Government Portal and shall include criteria to be developed by the Committee.

Unanimously carried.

Report – Trustee Piazza

Trustee Piazza reported on the following topic(s): Thanked Trustee Yates for his work on the Meeting House audio and video system; Safe Routes to School grant – Some trees coming down this week in preparation for sidewalks; Arts & Culture meeting is tomorrow evening.

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

RESOLVED, that *Patricia Fulwiler of 208 Hirschfield Drive, Williamsville*, is hereby appointed to the *Historic Preservation Commission* until the end of the *2013-2014* official Village year.

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Unanimously carried.

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

RESOLVED, that the following fees related to Site Plan Review in the C-1, C-2, C-3, MU, and M-1 Districts are hereby approved:

Additions - \$500.00
New Builds - \$1,000.00

Unanimously carried.

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

WHEREAS, the Social Security Administration is planning on closing their Amherst Office; and

WHEREAS, the office services approximately 269 square miles of northern Erie County; and

WHEREAS, the Amherst Office covers a population of 384,515 according to the 2010 census and is expected to grow to 387,815 by 2018; and

WHEREAS, approximately 16.77% of the served population is age 65 and over as of 2013 and 18.74% of the served population is projected to be over 65 by 2018; and

WHEREAS, included in the Amherst Office's service area are 17 of the 36 nursing homes in Erie County; and

WHEREAS, People Inc., a not-for-profit agency serving families and people with disabilities as well as helping seniors live more healthy, independent and productive lives, opened an office in the same building as the Amherst Office so that the 200 employees could work closer with the 22 employees of the Amherst Office to help manage the cases of some 900 individuals receiving assistance; and

WHEREAS, the next nearest offices are in the City of Buffalo (9.1 miles away) and West Seneca (14 miles away); and

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WHEREAS, the elderly, poor and disabled who rely on Social Security Retirement Income and Disability Benefits and most need access to the office are the least likely able to utilize the internet or be able to travel an additional 9 miles to the nearest office should this office be closed;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville opposes the closing of the Amherst Office of the Social Security Administration and supports the Social Security Administration Accountability Act which would require the Social Security Administration to halt field office closings until they can report on case load data, service population and staffing levels at the field offices along with the process by which the offices were selected for closing; and

BE IT FURTHER RESOLVED, that the Village of Williamsville Board of Trustees directs the Village Administrator to forward this resolution to Rep. Higgins, Rep. Collins, Sen. Schumer, Sen. Gillebrand, Erie County Legislators Loughran and Rath; as well as to the Town/Village Boards of Akron, Amherst, Cheektowaga, Clarence, Grand Island, Lancaster, Newstead, Kenmore, and Tonawanda.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Meeting House improvements; Thanked Jolly Boys for donating towards a new projector; Meeting House event – “Behind the Scenes at the Chelsea Flower Show” is April 10th at 7:00 p.m. and is sponsored by the Village Beautification Committee; “March Masquerade Madness” event is now “Swing into Spring Party” at the Irishman Pub on March 29th, from 7-11 p.m. and is sponsored by Arts & Culture Committee; New inflatable movie screen for outdoor movies; Earth/Arbor Day in the Village is April 26th, 11:00 a.m. – 2:00 p.m. on Island Park.

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

WHEREAS, the Village of Williamsville Environmental Advisory Commission’s mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community; and

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WHEREAS, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

WHEREAS, we recognize that actions to protect and preserve the environment through education, partnership and positive action should be encouraged; and

WHEREAS, the Village of Williamsville wishes to recognize the 44th anniversary of *Earth Day*;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby proclaims *Earth Day* to be celebrated in the Village of Williamsville on

Unanimously carried.

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

RESOLVED, that the following Court equipment is hereby declared surplus, and will be disposed of via recycling:

- Asset # 399 2004 Cannon Copier

Unanimously carried.

Report – Trustee DeLano

Trustee DeLano reported on the following topic(s): Assistance from Riverkeepers (they partnered with us on EFC grant for Spring Street); Traffic & Safety meeting last Thursday re: traffic issues in N. Ellicott and Belmont area, Main and Rinewalt development, Main and Hirschfield development and school speed zone in front of South High School.

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

RESOLVED, that the fees related to rental of Island Park for large events, as outlined in the Island Park Rental Application, are hereby approved.

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Unanimously carried.

Report – Village Administrator Juul

The Village Administrator reported on the following topic(s): Proposed budget is available online and at Clerk's Office.

ON MOTION by Mayor Kulpa, seconded by Trustee Duquin, it was moved to adjourn the regular meeting at 8:56 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer