

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 26, 2018 at 7:48 p.m.

The meeting was opened with the Pledge of Allegiance led by Trustee Etu.

Present: Daniel O. DeLano, Jr., Mayor
Basil J. Piazza, Deputy Mayor
Deborah L. Rogers, Trustee
Matthew J. Etu, Trustee
John "Al" Yates, Jr., Trustee

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

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to approve the minutes of the regular meeting held on November 13, 2018, as submitted.

Unanimously carried.

Public Hearing

Proposed amendment to Chapter 84 of the Village Code (Signs)

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved at 7:50 p.m. to continue this public hearing which was previously left open by the Village Board at the November 13, 2018 meeting.

Unanimously carried.

Mayor DeLano reported the board is waiting for the revised version of the updated Sign Code from the consultants.

No one from the audience addressed the Board.

ON MOTION by Mayor DeLano, seconded by Trustee Etu it was moved at 7:51 p.m. to continue this public hearing at the December 10, 2018 Village Board meeting.

Unanimously carried.

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 26, 2018 at 7:48 p.m.

Public Hearing

A proposed amendment to Chapter 112 (Zoning) regarding the Management of Stormwater

Trustee Etu stated he believes there is a need for stormwater management for projects under one acre in size. This applies to projects between ¼ acre and 1 acre, or if a project creates 18 or more parking spaces.

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

Unanimously carried.

No one from the audience addressed the Board.

Deputy Mayor Piazza stated this fills a gap we should have filled in the past.

Mayor DeLano stated there is no negative feedback or comments tonight.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 7:54 p.m. to close the public hearing.

Unanimously carried.

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

Unanimously carried.

Member(s) of the audience who spoke and their topic(s):

1. *Bob Krieter, 26 Monroe Dr.* – Asked about feral cat issues. [*Mayor DeLano reported that residents with concerns live on Columbia Drive; gray area with funding for TNVR; this will prohibit feeding of community cats outside of TNVR.*] Have noticed fewer cats, but have a rat problem. Problem has extended across onto Cadman Drive.
2. *Thomas Frank, 5403 Main St.* – Stormwater management law; impervious surface ratios; International Joint Commission; NYSERDA; GBNRTC meeting for TIP.

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 26, 2018 at 7:48 p.m.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to close the public participation portion of the meeting.

Unanimously carried.

Report – Mayor DeLano

Mayor DeLano reported on the following topic(s): Hoped all had a happy Thanksgiving; hopes to see everyone at the WBA's holiday daytime events on December 1st, as well as at the Village's annual evening holiday celebration the same night.

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the 2018-2019 fiscal year:

To:	001-1620-4240 (Buildings – Paint/Carpet/Etc.)	\$208.00
From:	001-1620-4230 (Buildings – Building Maint.)	\$208.00
To:	001-1640-2000 (Central Garage – Equipment)	\$482.00
From:	001-1640-4161 (Central Garage – Parts)	\$482.00
To:	001-3410-2060 (Fire Protection – Computer Equipment)	\$936.00
From:	001-3410-2010 (Fire Protection – Major Equipment)	\$936.00
To:	001-3620-4450 (Safety Inspection – Misc.)	\$1,954.00
From:	001-3620-1000 (Safety Inspection – Personal Services)	\$1,954.00
To:	001-5110-4161-0900 (Street Maintenance – Repairs/2013 Nissan Leaf)	\$10.00
	001-5110-4161-0902 (Street Maintenance – Repairs/2002 Int'l Dump)	\$115.00
	001-5110-4161-0903 (Street Maintenance – Repairs/2015 Dump Truck)	\$200.00
	001-5110-4161-0904 (Street Maintenance – Repairs/2005 Freightliner)	\$8.00
	001-5110-4161-0905 (Street Maintenance – Repairs/2007 Int'l Dump)	\$2,684.00
	001-5110-4161-0909 (Street Maintenance – Repairs/2013 Ford F150 Pickup)	\$232.00
	001-5110-4161-0914 (Street Maintenance – Repairs/2018 Sidewalk Plow)	\$4.00
	001-5110-4161-0918 (Street Maintenance – Repairs/2010 Ford F350 XL)	\$809.00
	001-5110-4161-0919 (Street Maintenance – Repairs/2007 Chevy 4x4)	\$5.00
From:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$4,067.00
To:	001-5110-4610 (Street Maintenance – Physicals/Eye Exams/Safety Glasses)	\$188.00
From:	001-5110-4260 (Street Maintenance – Maintenance Supplies)	\$188.00
To:	001-7110-4162 (Parks – Repairs/ Pools)	\$995.00

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 26, 2018 at 7:48 p.m.

	001-7110-4165 (Parks – Repairs/Shelter Maint.)	\$19.00
	001-7110-4280 (Parks – Equipment Rental)	\$374.00
	001-7110-4450 (Parks – Misc.)	\$64.00
From:	001-7110-4169 (Parks – Repairs/Other)	\$420.00
	001-7110-4360 (Parks – Park Supplies)	\$530.00
	001-7110-4161 (Parks – Repairs/Lights)	\$502.00
To:	001-8510-4450 (Community Beautification – Misc.)	\$10.00
From:	001-8510-4340 (Community Beautification – Plants)	\$10.00
To:	001-8560-4160 (Shade Trees – Repairs)	\$80.00
From:	001-8560-4350 (Shade Trees – Tree Maint.)	\$80.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2018-2019* fiscal year to account for the motor vehicle accident claim on vehicle 9-2 for Main Street incident on 10/06/18:

Increase:	001-0001-2680 (Insurance Recoveries)	\$1,294.00
Increase:	001-3410-4160-3492 (Fire Protection – Truck Expense/9-2 Asst. Chief Vehicle)	\$1,294.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2018-2019* fiscal year to account for the motor vehicle accident claim on vehicle 9-2 for Hopkins Road incident on 10/18/18:

Increase:	001-0001-2680 (Insurance Recoveries)	\$2,193.00
Increase:	001-3410-4160-3492 (Fire Protection – Truck Expense/9-2 Asst. Chief Vehicle)	\$2,193.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2018-2019* fiscal year to account for the use of Glen Park Art Festival proceeds to cover the cost of Amherst Symphony Orchestra Concert expenses:

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 26, 2018 at 7:48 p.m.

Increase:	001-0001-2089 (Other Cultural & Recreational Income)	\$171.00
Increase:	001-7530-4460 (Village Meeting House – Arts & Cultural Committee)	\$171.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *Glen Park Fund* for the *2018-2019* fiscal year to account for the revenue from sale of pavers needed to cover costs of engraving:

Increase:	009-0009-2773 (Memorials – Pavers/Benches/Trees)	\$74.00
Increase:	009-7141-4490 (Glen Park – Memorials – Pavers/Benches/Trees)	\$74.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of **\$339,616.25** covering the period from *11/07/18* to *11/20/18* are hereby approved as follows:

Payroll covering 10/29/18 – 11/11/18: \$34,842.25

Vouchers covering 11/07/18 – 11/20/18:

General Fund	\$225,390.55
Water Fund	\$0.00
Sewer Fund	\$65,354.81
Glen Park Fund	\$2,290.15
Trust & Agency Fund	\$10,846.07
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$893.00</u>
	\$304,774.58

GRAND TOTAL: **\$339,616.83**

Unanimously carried.

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 26, 2018 at 7:48 p.m.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Halloween Parade; Holiday Market on Saturday, 12/1 – Christmas trees will be available for purchase.

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

WHEREAS, Daniel S. Mangold and Susan V. Mangold, record owners of the properties located at 144 and 146 South Cayuga Road (the “Properties”) in the Village of Williamsville, have offered to donate to the Village a Deed of Conservation Easement (“Conservation Easement”) placing certain restrictions upon approximately 1.84 acres of the Properties abutting Ellicott Creek and the property located at 208 South Cayuga Road (SBL No. 81.05-1-12.1) (“Conservation Area”), prohibiting the development and other intrusive or potentially destructive activities upon the Conservation Area; and

WHEREAS, the Village is amenable to accepting the donation of the Conservations Easement and the enforcement and maintenance obligations attendant thereto so as to protect the Conservation Area from future development and to conserve said area in a natural state; and

WHEREAS, the Village has considered the potential for any significant adverse environmental impacts associated with the acceptance of the Conservation Easement (the “Action”) pursuant to the State Environmental Quality Review Act (“SEQRA”);

NOW THEREFORE, BE IT RESOLVED, that the Village Board has determined that the Action will not result in any potentially significant adverse environmental impacts and hereby adopts a Negative Declaration, as defined in the SEQRA regulations, with respect to the Action, for the reasons set forth in Part 3 of the Environmental Assessment Form incorporated by reference herein; and

BE IT FURTHER RESOLVED, that the Village Board authorizes the Village to accept the conservation easement, subject to review and approval of any and all necessary legal instruments by the Attorneys for the Village.

On the question:

Trustee Rogers - Have had considerable discussions regarding this; lives across the street from the property and has walked it; heavily wooded wildlife refuge; not many areas like this in the village; doesn't care for the fact that the conservation easement only includes a portion of the property; feels this is for the greater good; Village Environmental Advisory Council is in support of this.
Vote – Yes.

Trustee Yates - Have all gone back and forth on this; has an environmental science background and wants to preserve this piece of property from an environmental perspective; doesn't agree with the route the homeowner wants to go but not beneficial to conservation if not approved; area could be

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 26, 2018 at 7:48 p.m.

changed if conservation easement is not acted on; struggles because the village becomes the policing agency in the future; would love for the village to own this and make it part of park land and protect it that way; doesn't want to see something happen adversely.

Vote – Yes.

Deputy Mayor Piazza - Quoted second Whereas section of resolution - in process of protecting conservation from future development and protecting in its natural state; both are very noble ideas.

Vote – Yes.

Trustee Etu - As liaison to Environmental Advisory Council, discussed this with the committee and all members are in favor of general premise; he is not and expressed that to them; all reasons other trustees mentioned already have protection in place in form of zoning ordinances that prohibit parcel from being developed in its current situation (single family residence); genesis of this comes, in his opinion, from a perspective of a developer threat that does not exist; puts undue burden on village to enforce human activity on a parcel we do not own; Community Plan identifies greenway connecting village property at Island Park to trails onto a property similar to this and adjacent property, however, those connections do not and will not exist; is a step toward that, but may not ever be that; engaging in activity that may become burdensome in a way that we are not prepared to deal with or staffed to deal with.

Vote – No.

Mayor DeLano - Agrees with Trustee Etu on a few of the issues regarding the enforcement and what we're prepared to do; is in favor of it because we have the opportunity to conserve this at this point; willing to take the risk of this being the first step in the ability for that land to be handed over to the village some day for a potential greenway; a chunk of that area is then prevented from ever being developed; knows this is a potential threat that may not be there; many thought Fisher Pond would never be developed; somebody is looking at that area and this prevents development; wildlife setting needs to remain; plenty of money and opportunities around here; if wildlife area went away, would rip out the heart of any type of wildlife setting we have.

Vote – Yes.

Motion carried. 4 – 1.

Report – Trustee Etu

Trustee Etu had no report.

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

RESOLVED, that the proposed *Stormwater Management Update Law of 2018*, which was the subject of a public hearing held by the Village Board of Trustees on November 26, 2018, is hereby adopted as **Local Law 13 of 2018**.

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 26, 2018 at 7:48 p.m.

Unanimously carried.

Report – Trustee Rogers

Trustee Rogers reported on the following topic(s): Thanked those who came out to the Meeting House last week for holiday preparation gathering. Holiday in the Village Tree Lighting on 12/1/18 – a resident purchased a lighted star for the tree in memory of Sebastian Bradley, a student at Forest Elementary School who passed away from brain cancer earlier this year.

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

RESOLVED, that *Community Development Block Grant funding* for the year **2019-2020**, in the approximate amount of \$40,000, which was the subject of a public hearing held by the Village Board on November 13, 2018, is hereby allocated for Williamsville Meeting House improvements.

Unanimously carried.

Report – Deputy Mayor Piazza

Deputy Mayor Piazza reported on the following topic(s): Will have food vendors at Holiday in the Village event; Lancaster Players performance is December 7-9 and December 14-16 at the Meeting House; ZBA meeting this week on 11/28; NYCOM Conference on 11/29; audit report for year ending 5/31/18.

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

RESOLVED, that the Village of Williamsville Financial Statements for the fiscal year ending May 31, 2018, and presented by Drescher & Malecki, LLP on November 26, 2018, have been reviewed by the Village Board, and are hereby accepted as the Official Financial Statements for the 2017-2018 fiscal year; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Williamsville hereby certifies that the records of the Williamsville Court were examined and audited by Drescher & Malecki, LLP in conjunction with the audit of the records of the Village of Williamsville for the fiscal year ending May 31, 2018, and as required by Section 2019-a of the Uniform Justice Court Act.

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 26, 2018 at 7:48 p.m.

Unanimously carried.

Staff Report(s)

Community Development Director DePriest reported on the following topic(s): Village tree lighting event on 12/1.

Mayor DeLano asked for a moment of silence for Village resident Deena Risman who recently passed away.

There was no Executive Session.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to adjourn the meeting at 8:37 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer