

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, NY, on Monday, January 10, 2022 at 7:30 p.m.**

The Village Board meeting was opened at 7:35 p.m. by Mayor Rogers

Trustee Carson led the Pledge of Allegiance at 7:35pm.

Present: Deborah L. Rogers, Mayor  
David F. Sherman Deputy Mayor  
Eileen A. Torre, Trustee  
Matt Carson, Trustee  
Christine L. Hunt, Trustee

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

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to approve the minutes of the regular meeting held on December 13, 2021.

Motion Carried 4-0  
Trustee Carson abstained

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved at 7:40 p.m. to open the public participation portion of the meeting.

Unanimously carried

Member(s) of the audience who addressed the Board and their comment(s) [*Board of Trustees' comments are in italics*]:

**Via Zoom**

- 1.) Joan Seamans-5750 Main St.** – Business owner for 31 years. No board member contacted her for her opinion. Concern about not following mandates and being sued. Agrees with mandates until we get through this.
- 2.) Shira Gabriel Klaiman- 136 S. Cayuga Rd.** – 75% will not shop in the Village if resolution is passed. Mr. Randy Klaiman falsehoods, enforce mandates, do not pass this resolution.
- 3.) Jessica Poulin-32 Highland Dr.-** Against resolution. Support mandates, want schools and businesses to remain open. Feels safe because of mandates, worried about liability to Village.

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- 4.) **Norman Sfeir- 85 S. Ellicott St.**-Health care professional- Pulmonary specialist.  
Opposed to resolution, flatten the curve, limit exposure.
- 5.) **Melissa Jorgenson-186 S. Cayuga** –Strong opposition to resolution.

**In Person**

- 6.) **Jim Doerfler-405 Cadman**-Re: parking signs – causes issues with guest. Not happy with decision, remove signs on outer loop.
- 7.) **Dennis Hoban-216 California Dr.**- Had covid twice. Feels board is doing a good job, serious about disease.
- 8.) **Rich Buchnowski-409 Cadman Dr.**-Re: Parking signs – feels it was a knee jerk reaction. Lived there 20 years and never seen an accident. Would like to have had more information before decision was made.
- 9.) **Dr. Gene Sibick-34 Wik St.**-Facts-cloth and paper masks do not work, N95 will factor out 95%.
- 10) **Amy Leach-8953 Amy Lee Lane**-Daughter spoke at last meeting. Thanked Mayor for speaking out. Supports constitution, get yourself healthy, standing with Mayor.
- 11) **Jack Rafferty -123 Autumn Creek Court**-Thanked Mayor and supports her personal freedom.
- 12) **TJ Stewart-Business Owner 5353 Main St.**-Why should I stay here?
- 13) **Nicole Weinstein -505 N Forest Rd.**- Support Mayor Deb, freedom of rights/choice. 12 year old cried in front of the board. Appreciate and thanked the Mayor.
- 14) **Nelson Torre-109 N. Ellicott**-Residents and businesses in Village must follow NYS and Erie County mandates. No Power here. Speaks reality and truth. Don't cast blame where blame does not fall.
- 15) **Thomas Frank-5403 Main St.**-CFA, LWRP, MOU Comprehensive Plan adjustments, climate change, infrastructure, Ellicott Creek Greenway, tourism, recreation.
- 16) **Samantha Trojan –168 N. Long** -12/1/21 email from previous Deputy Mayor, we care about rights.
- 17) **John Aerial-5754 Main St.**-4<sup>th</sup> amendment quoted. Will you hold me down and stick a needle in me? Asking board to oppose vaccine mandate. [*Mayor Rogers-a mandate is not a law, two separate things*].
- 18) **Nicole Weinstein**–family being holocaust survivor, giving kids/family choice, need to be given choice.
- 19) **Joan Seamans-(via zoom) 5750 Main St.** – would like board to put a pause on voting on resolution.

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved at 8:40 p.m. to close the public participation.

Unanimously carried

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**Report – Mayor Rogers**

*Mentioned passing of longtime volunteer of Mr. Joe Frese.*

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that the following *budget transfers* are hereby made in the *General Fund* for the 2021-2022 fiscal year.

To:	001-1110-4450-0000 (Village Justice/Miscellaneous)	\$ 35.00
From:	001-1110-4010-0000 (Village Justice/Office Supplies)	\$ 35.00
To:	001-1411-4810-0000 (Records Management/Elec. Records Mgmt)	\$ 15.00
From:	001-1411-4010-0000 (Records Management/Office Supplies)	\$ 15.00
To:	001-1620-2010-0000 (Building/Computer Equipment)	\$ 131.00
From:	001-1620-2000-0000 (Building/Equipment)	\$ 131.00
To:	001-1640-4450-0000 (Central Garage/Miscellaneous)	\$ 27.00
From:	001-1640-4070-0000 (Central Garage/Utilities)	\$ 27.00
To:	001-5110-4161-0901 (Street Maint./Repairs-Chevy Tahoe 2020)	\$ 547.00
	001-5110-4161-0902 (Street Maint/Repairs-2002 Int'l Dump w/Plow Frame)	\$ 6.00
	001-5110-4161-0903 (Street Maint/Repairs-2015 Dump Truck)	\$ 1427.00
	001-5110-4161-0904 (Street Maint/Repairs-2005 Freightliner)	\$ 9844.00
	001-5110-4161-0905 (Street Maint/Repairs-2007 Int's Sander/Plow Dump)	\$ 21.00
	001-5110-4161-0907 (Street Maint/Repairs-1992 Autocar Dump w/Plow)	\$ 241.00
	001-5110-4161-0908 (Street Maint/Repairs-2011 Chevy Silverado 3500HD)	\$ 83.00
	001-5110-4161-0910 (Street Maint/Repairs-2009 Ford F350(Green))	\$ 605.00
	001-5110-4161-0912 (Street Maint/Repairs- 2012 Cat 924K Hi-Lift)	\$ 150.00
	001-5110-4161-0915 (Street Maint/Repairs- 2013 Ravo Sweeper)	\$ 45.00
	001-5110-4161-0916 (Street Maint/Repairs- 2012 Chevy 2500/HD 4x4)	\$ 93.00
	001-5110-4161-0917 (Street Maint/Repairs- 2018 Chevy 3500HD 4x4)	\$ 835.00
	001-5110-4161-0918 (Street Maint/Repairs- 2010 Ford F350XL)	\$ 133.00
	001-5110-4161-0921 (Street Maint/Repairs-2008 Ford F250 Pickup)	\$ 21.00
	001-5110-4161-0925 (Street Maint/Repairs-2013 Mini Loader)	\$ 414.00
	001-5110-4161-0926 (Street Maint/Repairs-2012 Chevy Tahoe)	\$ 22.00
From:	001-5110-4161-0000 (Street Maint/Repairs-Equipment)	\$14487.00
To:	001-7110-2010-0000 (Parks/Capital Improvements)	\$ 7147.00
	001-7110-4165-0000 (Parks/Repairs-Shelter Maintenance)	\$ 128.00
From:	001-7110-2040-0000 (Parks/Capital Reserve)	\$ 7147.00
	001-7110-4161-0000 (Parks/Repairs-Lights)	\$ 128.00
To:	001-8560-4340-0000 (Shade Trees/Trees Removal)	\$ 28.00
	001-8560-4350-0000 (Shade Trees/Trees Maintenance)	\$ 32.00.
From:	001-8560-4350-0000 (Shade Trees/Trees-Replacement Regular)	\$ 60.00

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To:	001-3410-4010-0000 (Fire Protection/Office Supplies)	\$ 48.00
From:	001-3410-2070-0000 (Fire Protection/Office Equipment)	\$ 48.00
To:	001-3410-4160-3404 (Fire Protection/Truck Expense Rescue 4)	\$ 80.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 80.00
To:	001-3410-4160-3406 (Fire Protection/Truck Expense Truck 6)	\$ 1615.00
	001-3410-4160-3407 (Fire Protection/Truck Expense Rescue 7)	\$ 420.00
	001-3410-4160-3451 (Fire Protection/Truck Expense Utility 5-1)	\$ 660.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 2695.00
To:	001-3410-4160-3451 (Fire Protection/Truck Expense Utility 5-1)	\$ 113.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 113.00

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that the following *budget transfers* are hereby made in the *Sewer Fund* for the 2021-2022 fiscal year.

To:	007-8120-4110-0000 (Sanitary Sewers/Service Contracts)	\$ 533.00
From:	007-8120-4161-0000 (Sanitary Sewers/Repairs- Lines)	\$ 533.00

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the 2021-2022 fiscal year.

To:	009-7141-4352-0000 (Glen Park/Park Maintenance)	\$ 907.00
From:	009-7141-4102-0000 (Glen Park/Landscaping)	\$ 907.00

Unanimously carried

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that the following ***budget amendment*** are hereby made in the ***General Fund*** for the 2021-2022 fiscal year, to account for insurance check collected for Rescue 5.

Increase:	001-0001-2680-0000 (Revenue/Insurance Recoveries)	\$10468.00
Increase:	001-3410-4160-3405 (Fire Protection/Rescue 5)	\$10468.00

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that payroll and vouchers in the amount of \$324,950.81 covering the period from 12/6/2021 – 1/4/2022 are hereby approved as follows:

<b>PAYROLL COVERING - 12/6/2021-12/19/2021</b>	\$ 50,440.74
<b>PAYROLL COVERING - 12/20/2021-1/2/2022</b>	\$ 44,442.40
<b>VOUCHERS COVERING- 12/8/2021-12/21/2021</b>	
<b>GENERAL FUND-</b>	\$ 29,582.81
<b>WATER FUND-</b>	\$ 0.00
<b>SEWER FUND-</b>	\$ 2,057.13
<b>GLEN PARK FUND-</b>	\$ 207.40
<b>TRUST &amp; AGENCY FUND-</b>	\$ 15,606.43
<b>DEBT SERVICE-</b>	\$ 0.00
<b>COMMUNITY DEVELOPMENT-</b>	\$ 0.00
<b>CAPITAL FUND-</b>	\$ 8,602.20
	\$ 56,055.97
<b>VOUCHERS COVERING- 12/22/2021-1/4/2022</b>	
<b>GENERAL FUND-</b>	\$ 97,043.33
<b>WATER FUND-</b>	\$ 0.00
<b>SEWER FUND-</b>	\$ 1,896.63
<b>GLEN PARK FUND-</b>	\$ 163.96
<b>TRUST &amp; AGENCY FUND-</b>	\$ 13,596.83
<b>DEBT SERVICE-</b>	\$ 61,310.95
<b>COMMUNITY DEVELOPMENT-</b>	\$ 0.00
<b>CAPITAL FUND-</b>	\$ 0.00
	\$ 174,011.70
 <b>GRAND TOTAL:</b>	 <b>\$ 324,950.81</b>

Unanimously carried

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that the Village of Williamsville hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Standard Work Day	Name	Current Term Begins/Ends	Participates in Employer's Time Keeping System (Y/N)	Record of Activities Result
<b>Elected</b>					
Trustee	6	Christine L. Hunt	7/01/21-6/30/25	N	4.09
<b>Appointed</b>					
Acting Village Justice	6	Walter Pacer	7/6/21 – 7/5/22	N	0.57
Village Prosecutor, P/T	6	Thomas E. Webb, Jr.	7/6/21 – 7/5/22	N	1.2

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**RESOLVED**, that ***Christine Petrie*** is hereby appointed to the ***Zoning Board of Appeals*** until the end of the ***2021-2022*** official Village year.

Unanimously carried

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, the following resolution was adopted:

**WHEREAS**, the Village Board of the Village of Williamsville, New York, (the Village Board) recognizes that the Covid-19 virus will likely never be eradicated due to its mutations and that by managing it through declaring a State of Emergency and declaring mandates every time a new variant and/or spike in cases arises must not continue; and

**WHEREAS**, the Village Board recognizes the negative impacts on mental and societal health, schools, businesses, residents' rights and freedoms; due to State of Emergency declarations, mask mandates, vaccine mandates and lockdowns; and

**WHEREAS**, the Village Board recognizes that actions associated with vaccine mandates in the healthcare field have resulted in decreased capacity, due to job terminations, and severely limits the ability to hire and fill positions due to unvaccinated hiring restrictions, thereby increasing, rather than mitigating, the virus's risk to our community; and

**WHEREAS**, the Village Board recognizes that a long-term management plan is required to manage the Covid-19 virus and that Erie County and New York State should be proactively addressing hospital capacity issues that impact the health and well-being of our residents instead of suspending certain procedures; and

**WHEREAS**, the Village Board questions why Erie County is one of the only counties in New York that renewed, every thirty days, the Covid-19 State of Emergency since March 15, 2020. It is our belief that further extensions are not justified; and

**WHEREAS**, the Village Board supports proposed legislation in the New York State Senate that would require approval by Village, Town and City Governing Boards any County Executive's or County Health Board's extension of a State of Emergency beyond 30 days within their Village, Town or City; and

**WHEREAS**, the Village Board recognizes that the Covid-19 virus has become a long-term global endemic disease and requests that our Village residents, businesses, and schools have the right to determine for themselves their unique requirements for mitigating risks and the Village Board respectfully requests that New York State and Erie County not enter the Village of Williamsville for the purpose of enforcement of their Covid mandates or associated restrictions; and

**WHEREAS**, the Village Board supports similar concerns from other Village and Town leaders, such as those serving in Akron, Marilla, West Seneca, and Grand Island, whom are also respectfully requesting New York State and Erie County refrain from entering their Villages for the purpose of enforcement of Covid mandates and/or associated restrictions.

**NOW, THEREFORE, BE IT RESOLVED**, that the Village Board goes on record opposing any further New York State and Erie County mask mandates, vaccine mandates and other Covid-19 restrictions and the Village Board opposes their associated enforcement by outside agencies within the Village of Williamsville; and

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**BE, IT FURTHER RESOLVED**, that the Williamsville Village Clerk shall forward certified copies of this resolution to the Governor of the State of New York Kathy Hochul, Senator Edward A. Rath III, Assembly woman Karen McMahon, County Executive Mark Poloncarz, Legislator Jeanne Vinal and others as deemed necessary and proper.

Roll call:

**Trustee Hunt NO**

*Pandemic has led to controversy. Public health is good for people. Sees a 3 year cycle. Understands both sides.*

**Trustee Carson YES**

*Understand this is a divided issue. Resolution meets in the middle. Let businesses make their own rules.*

**Trustee Torre NO**

*As a Village government we must abide by all State and County. We should not grand stand, not wise to play with politics.*

**Deputy Mayor Sherman YES**

*Fire Commissioner of Williamsville Fire Dept. mandates personal choice by order of the Chief.*

**Mayor Rogers YES**

*Standing up for freedom and rights instead of mandates, give freedom of choice. Thank you all for your comments. Like hearing both sides. Afford freedom of speech has something to do with everyone in the Village.*

Motion passed 3-2

**ON MOTION** by Mayor Rogers, seconded by Trustee Torre, it was moved to go off agenda at 8:49pm.

Unanimously carried

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

**RESOLVED**, that the finalized scope of work from William Schutt & Associates for engineering services related to design fees that require additional work to the 2022 Cold Milling with Hot Asphalt Replacement Project, Storm Drainage Improvement and Gutter Installation Project, additional fees, are hereby approved in the amount of \$6,500.00 for the production of bid documents (plans and specs).

Motion Carried 4-0  
Trustee Carson abstained

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to go back to regular agenda at 8:50pm.

Unanimously carried

**Report – Deputy Mayor Sherman**

*Joe Frese was on board, Fire Dept., funny guy, service was very uplifting*

**ON MOTION** by Deputy Mayor Sherman, seconded by Trustee Torre, the following resolution was adopted:

**WHEREAS**, the next Village Election will be held on June 21, 2022; and

**WHEREAS**, the offices to be filled and the terms thereof, are as follows:

Two (2) Trustees for term of one (1) year each

**NOW, THEREFORE, BE IT RESOLVED**, that the Administrator is hereby authorized to publish a legal notice designating the date of the election, the offices to be filled and the terms thereof in the January 19, 2022 Amherst Bee.

Unanimously carried

**ON MOTION** by Deputy Mayor Sherman, seconded by Mayor Rogers, the following resolution was adopted:

**WHEREAS**, the next Village Election is to be held on Tuesday, June 21, 2022; and

**WHEREAS**, the hours of voting shall be from 12:00 noon until 9:00 p.m.

**NOW, THEREFORE, BE IT RESOLVED**, that said Village has one (1) election district which includes the entire area of the municipal boundaries of the Village of Williamsville; and

**BE IT FURTHER RESOLVED** that the sole polling place of holding such election shall be at Williamsville Village Hall, 5565 Main Street, Williamsville

Unanimously carried

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**Report – Trustee Hunt**

**ON MOTION** by Trustee Hunt, seconded by Trustee Torre, the following resolution was adopted:

**RESOLVED**, that, at the request of the Historic Preservation Commission, the Village Board approves the proposal from the Aurora Art Conservation for the evaluation of the Bertram Glover mural at the Bank of America building, 5529 Main Street, Williamsville to aid in future preservation of the mural, at a cost not to exceed \$400.00.

Unanimously carried

**Report – Trustee Torre**

**ON MOTION** by Trustee Torre, seconded by Trustee Hunt, the following resolution was adopted:

**RESOLVED**, that the Village Board of Trustees hereby approve the *Volunteer Firefighters Service Award Program List* of all 2021 active volunteer firefighters for the Village of Williamsville and hereby authorizes the Mayor and the Village Board to sign the authorization for Penflex, Inc. to use the data submitted for the 2021 records.

Motion carried 4-0  
Deputy Mayor recused

**ON MOTION** by Trustee Torre, seconded by Trustee Hunt, the following resolution was adopted:

**RESOLVED**, that the Mayor is hereby authorized to execute, on behalf of the Village of Williamsville, contracts with the Town of Amherst and Williamsville Fire Department/Hutchinson Hose Company, for fire protection for the year 2022 in the following districts:

- Autumn Harvest District #1
- Lamm Post District #2
- Lehn Springs District #3
- Mill Street District #4
- Park Club District #15
- Williamsville - Sheridan District #16

Unanimously carried

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**Staff Reports:**

*Deputy Treasurer: no report*

*Attorney Greico: no report*

*Administrator Kindron: no report*

*DPW Crew Chief: no report*

*Director of Community Development DePriest: no report*

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to adjourn the meeting at 9:09pm

Unanimously carried

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Judith A. Kindron  
Administrator/Clerk-Treasurer