

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village of Williamsville, 5565 Main Street, Williamsville, NY on Monday, January 23, 2023 at 7:30 p.m.

The Village Board meeting was opened at 7:32 pm by Mayor Rogers

Deputy Mayor DeLano led the Pledge of Allegiance at 7:32pm.

Present: Deborah L. Rogers, Mayor
Daniel O. DeLano, Deputy Mayor
Mary Lowther, Trustee
Eileen A. Torre, Trustee
Christine L. Hunt, Trustee

Also present: Judith A. Kindron, Administrator/Clerk-Treasurer
Kelsey Lieb, Deputy Treasurer
Charles Grieco, Village Attorney

Absent: Ben Vilonen, DPW Crew Chief

ON MOTION by Mayor Rogers, seconded by Trustee Lowther, it was moved to approve the minutes of the regular meeting held on January 23, 2023.

Unanimously carried

Public Hearing

Amendments for Technical Changes to Chapter 47 (HPC) of the Village code

ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved at 7:37 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) **Thomas Frank-5403 Main St.**-Should include Main St. to Glen Ave to Rock St. [**Mayor Rogers**-*This does not have to do with the Mill Historic District*].

[Trustee Hunt-Questioned about the references to Code Enforcement Officer]. [Attorney Grieco-Board can appoint the Town as Code Enforcement Officer during re-org. Need to have a work session with Village Board to discuss changes]. [Mayor Rogers-February 13th, 2023 work session to discuss Chapter 47 amendments & Chapter 12 amendments].

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:45 p.m. to continue this public hearing at the February 13, 2023 meeting.

Unanimously carried

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Public Hearing

Amendments for Technical Changes to Chapter 112 (Zoning) of the Village code

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:40 p.m. to open the public hearing portion of the meeting.

Unanimously carried

No comments

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:41 p.m. to continue this public hearing at the February 13, 2023 meeting.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:41 pm 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*]:

- 1.) **Joe Carden-45 Danbern Lane-** Thanked everyone for their help removing debris from the castle bridge.
- 2.) **Gerald Cantor- 930 Robin Lane-** Thanked Ms. Rogers for the stance she took against the masks and \$300.00 fine. Personal Thank You!
- 3.) **Cheryl Meyer-Willowbrook-**Ashamed of how the Board treated Mr. Nau. Update of the creek. Heated exchanged between Trustee Torre and Ms. Meyer. [*Trustee Torre-You are confused. You are wrong. Have her removed*]. [*Trustee Hunt-All remarks must be made to the Board and not individual persons*]. Not our (residents) responsibility to contact other property owners to take care of issues. Grants – budget is so tight, time to move towards the Town. Looking for the best solution for all. [*Mayor Rogers-Rules for thee; but not for me attitudes*].
- 4.) **Thomas Frank-5403 Main St. -** Central Park Greenway, One region forward, National Heritage Corridor. Relicensing of Niagara Power Project. Interconnection of Park Trails.
- 5.) **Dan Rider-38 Garden Parkway-** Regarding Building Dept. and lack of. Okay with Town doing inspections? Roads, streets and sidewalks. Not traffic or sidewalk control to Town. Not in favor of Town waiving any Village codes/requirements.
- 6.) **Jeff Hahn-99 N. Ellicott-** Can a citizen bring a complaint against a violation? Village Community Plan in early stages of being revised. Has this begun? [*Deputy Mayor DeLano-Are you interested in being on committee*]? This is a lengthy process? Meeting with HPC, PB and possibly ZB. [*Trustee Lowther- Fine line, Board cannot influence their*

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decisions]. Suggests that these Boards are functioning without oversight. [Attorney Grieco-HPC function of NYS law]. Feels the PB on major projects, this Board should have final say. Feels that lack of this has led to poor development. Some serious misses. Advocates that Village Board reviews plans and makes decisions. [Attorney Grieco-Nothing prevents the other Boards from having public participation. Not a referendum. Complies with Zoning code. Cannot deny because people don't want it].

- 7.) **Charlie Ciotta-5411 Main St.-** What is status of additional Hawk signals down Main St.? Loop around Main Street-alternate Route 5. [*Deputy Mayor DeLano-Talked to DOT. Concern is closeness of light at Los Robles. They will look at it. Pedestrian access loop in Comp Plan].*

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 8:21 pm to close the public participation.

Unanimously carried

Report – Mayor Rogers

Parks Committee has changed their February meeting date

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the 2022-2023 fiscal year.

To:	001-1640-4110-0000 (Central Garage/Service Contracts)	\$	28.00
From:	001-1640-4160-0000 (Central Garage/Building Repairs & Maint.)	\$	28.00
To:	001-3410-4160-3471 (Fire Protection/Truck Expense ATV 7-1)	\$	292.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	292.00
To:	001-5010-4450-0000 (Street Admin/Misc.)	\$	616.00
From:	001-5010-4040-0000 (Street Admin/Education Exp./Travel)	\$	616.00
To:	001-5110-4161-0914 (Street Maint./Repairs 2017 Wille Sidewalk Plow)	\$	57.00
	001-5110-4161-0917 (Street Maint./2018 Chevy 3500HD 4x4)	\$	474.00
	001-5110-4161-0926 (Street Maint./2012 Chevy Tahoe)	\$	65.00
From:	001-5110-4161-0000 (Street Maint./Repairs-Equipment)	\$	596.00

Unanimously carried

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

RESOLVED, that the following *budget transfers* are hereby made in the *Glen Park Fund* for the 2022-2023 fiscal year.

To:	009-7141-4450-0000 (Glen Park/Misc.)	\$	234.00
From:	009-7141-4352-0000 (Glen Park/Park Maint.)	\$	234.00

Unanimously carried

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

RESOLVED, that payroll and vouchers in the amount of \$205,044.20 covering the period from **1/2/2023 – 1/18/2023** are hereby approved as follows:

PAYROLL COVERING - 1/2/2023-1/15/2023	\$	41,716.57
VOUCHERS COVERING- 12/7/2022-12/21/2022		
GENERAL FUND-	\$	110,464.02
WATER FUND-	\$	0.00
SEWER FUND-	\$	2,523.09
GLEN PARK FUND-	\$	1,718.73
TRUST & AGENCY FUND-	\$	15,534.54
DEBT SERVICE-	\$	17,381.25
COMMUNITY DEVELOPMENT-	\$	0.00
CAPITAL FUND-	\$	15,706.00
	\$	<u>163,327.63</u>
GRAND TOTAL	\$	205,044.20

Unanimously carried

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Report – Deputy Mayor DeLano

Youth & Rec sledding party is February 4, 2023 from 1-4, Noll Nature, bring your own sled.

Snowman making contest.

Tree Board- the job they have done has paid off during blizzard. No power outages and no tree damage.

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

WHEREAS, the Village of Williamsville entered into a Contract and Agreement dated January 1, 2017 with Modern Disposal Services, Inc. to provide certain refuse, waste collection and disposal and recyclables collection, processing and marketing;

WHEREAS, the Village and Modern would like to extend the current Agreement for four (4) more years; and

NOW, THEREFORE, the Village and Modern stipulate and agree to the Extension Agreement, which is consistent with the December 22, 2022 agreement with the Town of Amherst and Modern Disposal; and

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees authorizes the Mayor to sign the final contract Extension Agreement with Modern Disposal Services, Inc. for four (4) years to include 2022 – 2026.

Unanimously carried

Trustee Lowther

WBA soup stroll is February 25, 2023 noon – 3

February 11- Meeting House – Friends of Harmony

Spoke to WBA about blizzard

Beautification will start up again in February

HPC meets tomorrow at 6:30pm

One resolution re: Mill District

This is the first Historic District in the Village

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

WHEREAS, the Historic Preservation Commission (the “HPC”) has identified several properties that would be considered eligible for designation as an historical district pursuant to Section 47-11 of the Village of Williamsville Code including the following properties:

15 Rock Street	SBL #69.17-2-33
42 East Spring Street	SBL #69.17-2-35
56 East Spring Street	SBL #69.17-2-26

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60 East Spring Street	SBL #69.17-2-26
78 East Spring Street	SBL #69.17-2-26
80 East Spring Street	SBL #69.17-2-26
5570 Main Street	SBL #69.17-2-30
5574 Main Street	SBL #69.17-2-29
5578 Main Street	SBL #69.17-2-28
5586 Main Street	SBL #69.17-2-27
5590 Main Street	SBL #69.17-2-25
5596 Main Street	SBL #69.17-2-24
5604 Main Street	SBL #69.17-2-21.1

WHEREAS, within the 13 identified properties, 10 are contributing and 3 are non-contributing; and

WHEREAS, the boundaries are specific to the streetscape viewshed to the Williamsville Water Mill property along East Spring Street from Main Street and Rock Streets, more explicitly:
North end: Municipally owned Glen Park is the northern boundary of the historic district
South end: Main Street is the southern boundary of the historic district
East end: Glen Park is the easterly boundary of the historic district
West end: Rock Street is the westerly boundary of the historic district; and

WHEREAS, the HPC may nominate an historic district if it meets the following criteria:

1. Contains properties which meet one or more of the criteria for designation as a landmark and which may have within its boundaries other properties or structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual characteristics of the landmark or landmarks located within the Historic District.
2. Constitute a unique section of the village by reason of possessing those qualities that would satisfy such criteria; and

WHEREAS, based upon the HPC's review of other information related to the Subject Properties, the HPC recommended the Subject Properties for designation as a local historic district to be known as the "Williamsville Water Mill Historic District", on November 4, 2022; and

WHEREAS, the HPC held public hearings on September 27, 2022 and October 25, 2022 in which the Subject Properties owners and any interested parties had the opportunity to present testimony or documentary evidence at the hearing regarding the historic, architectural or cultural importance of the proposed district; and

WHEREAS, upon review of the aforesaid materials, and after due deliberation concerning each of the statutory criteria set forth above the HPC nominated Subject Properties for historic district status; and

WHEREAS, the Village Board of Trustees held public hearings on Monday, December 12, 2022 and Monday, January 9, 2023 in which the Subject District and any interested parties had the opportunity to present testimony or documentary evidence at the hearing regarding the historic, architectural or cultural importance of the proposed district; and

WHEREAS, upon review of the aforesaid materials, and after due deliberation concerning each of the statutory criteria set forth above the Village Board of Trustees proposes to designate the subject properties as an historic district to be known as the "Williamsville Water Mill Historic District"; and

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NOW, THEREFORE, BE IT RESOLVED, that the Board of Trustees of the Village of Williamsville hereby designates the Subject Properties as an historic district based on its finding that it satisfies the criteria set forth in Section 47-11(A) of the Village of Williamsville Code.

Roll call	Deputy Mayor DeLano	Yes
	Trustee Hunt	Yes
	Trustee Lowther	Yes

Trustee Torre Yes “Historic preservation preserves the historic, agricultural, and aesthetic character of our Village community and helps provide a sense of place and consistency. Suburban sprawl makes more places look the same. It becomes important for communities, like ours, to keep their identities intact. Striking historic structures such as the Williamsville Watermill, the Eagle House Restaurant, Moorpat, Share Restaurant, and other buildings help to define our community and hint at its past. Our Village's history contributes to the pride we have as a community. Designating a historic district maintains that architectural and historical integrity. Such historic designations will help to protect our Village from losing grand buildings to demolition and unwanted urban sprawl. With a historic district designation, we are creating a symbol of our heritage, and character, and are preserving those important historic resources that make our Village so desirable. We owe it to the next generations to preserve all the richness that makes this Village so very special.”

Mayor Rogers No “The Village Board has had 2 public hearings. My job is to listen to the public. Majority that spoke were not in favor of the District. Some holes in the district. 5560 & 5564 not included is a mistake.

Motion carried 4-1

Report – Trustee Hunt

*Planning Board has a meeting February 6, 2023
Arts, Culture and Diversity have a calendar in place
February is Black History Month
March is Woman in History
Book fairs
May is Lantern making*

Report – Trustee Torre

February 2, 2023 Traffic & Safety meeting at 6:30pm

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Thank you to the Williamsville Fire Dept. for the CPR class

Staff Reports:

Deputy Treasurer: no report

Attorney Grieco: no report

Administrator Kindron: no report

DPW Crew Chief: no report

ON MOTION by Mayor Rogers, seconded by Trustee Lowther, it was moved to adjourn the meeting at 8:40 pm.

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer