

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held via zoom, on Monday, January 24, 2022 at 7:30 p.m.

The Village Board meeting was opened at 7:30 p.m. by Mayor Rogers

Trustee Torre led the Pledge of Allegiance at 7:30pm.

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 January 10, 2022.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to approve the minutes of the special meeting held on January 20, 2022.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:35 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.) **Dan Rider-38 Garden Pkwy.** – re: email 1/19/22 regarding snowbanks and unsafe, Main St. snowbanks. Safety hazard – Trustee Torre’s resolution to pay county unified approach against County rules.
- 2.) **Susan Fenster- 46 Columbia** – read statement
- 3.) **Shira Gabriel-136 S. Cayuga** – As a public official you represent people. Did research, Village more Democratic. Pay fine and move on.

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- 4.) **Joan Seamans- 5750 Main St.-**read statement
- 5.) **Kathleen Pitts-25 Milton St. –**read statement
- 6.) **Maria Testa-60 Monroe Dr.-**read statement
- 7.) **Raymond Herman-114 Oakgrove-** Unfair of business to ask customers to mask. Should Village pay fine? Village is singled out. Most states do not have mask mandates, yet NYS numbers are higher. Proves masks do not work. Not effective except for N95 masks.
- 8.) **Theodore Poulin-32 Highland-**read statement
- 9.) **Dave Bauer-102 Oakgrove Dr.-**Read statement on behalf of children. Great respect for your leadership Mayor. Community cohesive and caring. Stop blaming.
- 10) **Gene Sibick-34 Wick St.-**Lives outside of Village. Uses services in the Village. There was a poll taken by Amherst Bee- 85% do not support. Not about fine, about principal, go fund me page started so cost to taxpayers will be nothing. Cloth and surgical masks are ineffective. NYS Supreme court declared mask mandate as null, void, unenforceable [*Trustee Torre – re:Amherst poll, does not certify how many called in. Go fund me-yes Erie County will always have to be paid by Village.*]
- 11) **Nicole Weinstein -505 N. Forest-**Trustee Torre giving Mayor a hard time. Please provide mask proof. CDC claims mask don't work. Follow science that clothes don't do much. Let all have their own opinions.
- 12) **Liz & Doug Campese- 454 Getzville Rd.-**Patronize Village businesses, pro-freedom. All should have a choice. Will give business to those that allow choice. It's about principal. Follow the science. Masks do not work. It's like keeping mosquitos out with a chain link fence.
- 13) **Johanna Kutluhan -57 Brookside Dr.-** re: Amherst Bee poll – do not know how many voted. Online poll, unscientific poll. Textbook of inaccuracies. Re: scientific
- 14) **Tom Baurle & Christina-11 Columbia Dr-**Support of Mayor Rogers, EC Democratic Committee recently did a poll and it showed that Polencarz would lose to Mickey Kearns. Small local minority. Nobody is telling anybody not to wear a mask. County mandates were not following democracy. Thank you to those that have stood up. Amherst Bee poll, Mayor Rogers
- 15) **Cagatay Kutluhan-57 Brookside Dr.-**Read an email sent earlier today, infringement of human rights. NYS is under State of Emergency, stance does not represent Village residents.
- 16) **Dennis Hoban –184 California Dr –**Mayor is doing a great job. Not thrilled with Trustees Torre and Hunt, they should resign. 30 emails and 20 of those supported Mayor Deb. You lied. You should resign. Quoting John Wayne-“Life is hard, but harder if you are stupid”. [*Trustee Hunt – People speaking should not be attacking members of the Board. Feels remark crossed a line. Following NYCOM guide lines.*]. [*Attorney Greico-run the meeting the way the Board wants. Read guidelines that Board adopted.*].
- 17) **Micayla-5823 Main St.-Business owner-**Asked for 6 minutes, Board said No. Cross contamination. CDC, WHO, OSHA, John Hopkins handwashing 40-60 seconds, 100 times a day. Read comment re: masks. 100% behind the Mayor.
- 18) **Joanne Miechowski–113 Arend Ave.-**What is the scope of Village business and activities? A lot of statutes and laws that people are not happy with? How will it effect relationship with other government agencies? Read statement.

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19) John A.- 5754 Main St. – Speaker #2, does not speak for all Village residents. Those that showed up at December meeting and most at last January meeting very supportive of Mayor Rogers. What authority does Mark Polencarz have? Supreme Court ruled against. Move to have fine recalled. [*Attorney Greico –Decision issued today in Supreme Court by Judge in Nassau County. Highest NY court is NYS Appellate Court*].

20) Sam Spritzer-210 Evans St.-If move forward with legal action, we do not know what it will cost? Where will money come from? Will taxes go up?

21) Don Smith-201 N. Long-Thank both sides of debate. Tonight’s info very important. Decide based on facts. One group more disrespectful than others. Intelligence and personal integrity prevail.

22) James Burke-67 Hopkins- Individual choice, science is clear. Village is wonderful community. Shameful Village decided this. Safety should be forefront. Not ours to decide to not follow mandate. \$300.00 fine should be paid and move on.

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved at 8:58 p.m. to close the public participation.

Unanimously carried

Report – Mayor Rogers

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:	001-3410-4010-0000 (Fire Protection/Office Supplies)	\$ 80.00
From:	001-3410-2070-0000 (Fire Protection/Office Equipment)	\$ 80.00
To:	001-3410-4010-0000 (Fire Protection/Office Supplies)	\$ 60.00
From:	001-3410-2070-0000 (Fire Protection/Office Equipment)	\$ 60.00
To:	001-5110-4161-0901 (Street Maintenance/2020 Chevy Tahoe)	\$ 931.00
	001-5110-4161-0918 (Street Maintenance/2010 Ford F350XL Pickup Green)	\$ 77.00
	001-5110-4605-0000 (Street Maintenance/Safety Clothing & Accessories)	\$ 480.00
From:	001-5110-4161-0000 (Street Maintenance/Repairs/Equipment)	\$ 1008.00
	001-5110-4040-0000 (Street Maintenance/Education Expense/Travel)	\$ 480.00
To:	001-1620-4450-0000 (Building/Miscellaneous)	\$ 383.00
From:	001-1620-4230-0000 (Building/Building Maintenance)	\$ 383.00

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To:	001-7530-2000-0000 (Village Meeting House/Equipment)	\$ 181.00
	001-7530-4230-0000 (Village Meeting House/Maintenance)	\$ 174.00
From:	001-7530-4000-0000 (Village Meeting House/Opening/Closings)	\$ 355.00
To:	001-7520-4450-0000 (Historical Property/Miscellaneous)	\$ 115.00
From:	001-7520-4520-0000 (Historical Property/Plaques)	\$ 115.00
To:	001-8560-4340-0000 (Shade Trees/Trees-Removal)	\$ 2775.00
From:	001-8560-4360-0000 (Shade Trees/Trees-Replacement Regular)	\$ 2775.00

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)	\$ 353.00
From:	007-8120-4163-0000 (Sanitary Sewers/Sewer Cleaning & Televising)	\$ 353.00

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)	\$ 164.00
	009-7141-4450-0000 (Glen Park/Miscellaneous)	\$ 184.00
From:	009-7141-4102-0000 (Glen Park/Landscaping)	\$ 348.00

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 \$188,472.28 covering the period from 1/3/2022 – 1/16/2022 are hereby approved as follows:

PAYROLL COVERING - 1/3/2022-1/16/2022 \$ 44,442.40

VOUCHERS COVERING- 1/5/2022-1/18/2022

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GENERAL FUND-	\$ 81,031.47
WATER FUND-	\$ 0.00
SEWER FUND-	\$ 795.52
GLEN PARK FUND-	\$ 24,989.15
TRUST & AGENCY FUND-	\$ 15,659.01
DEBT SERVICE-	\$ 18,318.75
COMMUNITY DEVELOPMENT-	\$ 0.00
CAPITAL FUND-	\$ 3,235.98
	\$ 144,029.88

GRAND TOTAL: \$ 188,472.28

Unanimously carried

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

RESOLVED, that Trustee Christine Hunt is appointed as Liaison to the Historic Preservation Commission until the end of the 2021-2022 Official Village year.

Unanimously carried

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

RESOLVED that due to the recent stipulation bestowed upon the VOW by the ECDOH and to avoid the threat of additional fines being imposed upon the Village taxpayers; and

WHEREAS according to the ECDOH repetitive violations of 10 NYCRR 2.60 and/or Erie County Emergency Orders/Orders of the Erie County Commissioner of Health can result in the closure of Village Hall by Order of the Erie County Commissioner of Health

WHEREAS, An Act to Amend Chapter 417 of the Laws of 2021, signed into law on January 14, 2022, authorizes public meetings to be held remotely, so long as the public has the ability to view or listen to such meetings and such meetings are recorded and transcribed, so long as the State Disaster Emergency declared pursuant to Order 11 of 2021 or any extension thereof remain in effect;

THEREFORE BE IT RESOLVED, that all Village meetings will be held remote until further notice.

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Roll call:

Trustee Carson	NO
Trustee Torre	NO
Trustee Hunt	NO
Deputy Mayor Sherman	YES
Mayor Rogers	YES
Motion failed	3-2

Report – Deputy Mayor Sherman

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

WHEREAS, the Town of Amherst and Village of Williamsville may jointly apply for federal funds through the Community Development Block Grant and Home Investment Partnership programs as a “Metropolitan City”; and

WHEREAS, a Cooperation Agreement has been prepared describing the responsibilities of the Town and Village as joint applicants under these programs for funding under federal Fiscal Years 2022, 2023 and 2024; and

WHEREAS, the Department of Housing and Urban Development has agreed to the memorandum of understanding attached to the Cooperation Agreement originally adopted by the Board of Trustees on May 24, 2004, pertaining to the annual review of the agreement; and

WHEREAS, the State Of New York has added and Addendum to Contract for provisions that must be followed; and

WHEREAS, as a result of the Iran Divestment Act of 2012, any Bidder/Contractor/Vendor (or any assignee) must certify that it will not utilize on such Contract/Lease any subcontractor that is identified on the prohibited entities list;

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to enter into the Cooperation Agreement with the Town of Amherst for the Town’s “Metropolitan City” status under the Community Development Block Grant and HOME Investment Partnership Grant Federal fiscal years 2022, 2023 and 2024, subject to attorney approval.

Unanimously carried

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Report – Trustee Torre

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

RESOLVED, that the Village Board directs the Mayor to sign the Erie County Department of Health;s Stipulation and the \$300.00 Penalty be paid; and

BE IT FURTHER RESOLVED, that should the Mayor decline to do so, the Deputy Mayor be empowered to execute the Stipulation on behalf of the Village Board.

Roll call:

Trustee Carson	NO
<i>Read statement- motion to table this and let Erie County respond to us</i>	
Trustee Hunt	YES
<i>Trust science</i>	
Trustee Torre	YES
Deputy Mayor Sherman	YES
Mayor Rogers	NO
<i>By signing stipulation, Village admit to</i>	
Motion passed	3-2

Staff Reports:

Deputy Treasurer: no report

Attorney Greico: no report

Administrator Kindron: no report

DPW Crew Chief: Mayor asked about snow in fog lane. Crew Chief said cleared bump outs for State when they plow, it is States R-O-W

Director of Community Development DePriest: no report

ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved to adjourn the meeting at 9:23pm

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer