

**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 9, 2023 at 7:30 p.m.**

The Village Board meeting was opened at 7:36 pm by Mayor Rogers

Trustee Torre led the Pledge of Allegiance at 7:36pm.

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  
Ben Vilonen, DPW Crew Chief  
Charles Grieco, Village Attorney

Moment of silence for the Blizzard of 2022 and for #3. Very emotional couple of weeks.

**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, it was moved to approve the minutes of the regular meeting held on December 12, 2022.

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 7:39 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) **Jim Walford-48 Howard**-Works for secretary of Interior. No Board members on HPC are regular residents. Normal residents x2. Should provide summary report. No concluding reports provided.

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:45 p.m. to continue this public hearing at the January 23, 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 7:46 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 7:47 p.m. to continue this public hearing at the January 23, 2023 meeting.

Unanimously carried

## **Public Hearing**

*Williamsville Historic Mill District*

**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, it was moved at 7:47 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) **Jim Walfrand-48 Howard-Helps**, develops business. Explained Gaffer Historic District in Corning. Mid-century Historic District. Good community outreach. Here, they are looking to help one business. Take color. Norfolk City, VA. HPC- 2<sup>nd</sup> committee to look at to see if proper. Meet with every member of district. Must have 51% approval. Looked at it as Village for Historic District. Historic wall rebuilt if plow takes out. Who pays to rebuilt? Take into consideration. He would create a Main St. District from Reist to Water
- 2.) **Ray Herman-114 Oakgrove-** Member of HPC. No discussion with business owners. Just done. Not a corroborative process. Letter submitted by Tara Cadmus. Wonderful what she's done. Concerned with someone putting a 4 story building across from the Mill. Feels this is a Zoning issue. [*Attorney Greico-50' maximum, minimum 2 stories. Power to regulate in Historic Distric*]. Suggestion to regulate height of buildings, number of parking spaces.
- 3.) **Thomas Frank=5403 Main Street-**Original Mill was on the other side of the creek. Historic District should include Mill St. from Main St. to Glen Ave. Enormously historic area. Management & maintenance. National historic significance, hydro geographic topography.
- 4.) **Joe Salteri-23 Rinewalt**—Trustee Lowther said they got a good deal when they purchased the Mill. They recently purchased a house for \$750,000.00. Package things so they work in sync. [*Trustee Torre- recommends that you go back and watch work session form earlier tonight*].

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**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, it was moved at 8:10 p.m. to close this public hearing.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, it was moved at 8:17 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.) **Charlie Ciotta -5411 Main St** – Commend the guys for the work during the monster snow. Village should create a volunteer crew to tackle the snow removal during disastrous snows. Need for snow blower attachment. Recommends a wireless mic for each member to wear at meetings. Parking dilemma- Village consider working with businesses for a trolley. Electric trolley for summer months. [*Mayor Rogers-Code states residents and business owners are required to keep sidewalks clear. Suggested Trustee Lowther talk to WBA about a business improvement district*].
- 2.) **Nick Roth-135 Oakgrove-re:** Bee article from November 2022 about the dam with the Town. [*Deputy Mayor DeLano-engineers are looking at cost*]. [*DPW Crew Chief Vilonen-Still waiting to hear from FEMA on grant*]. LWRP – Deterioration of the dam regarding spring of 2021. Regional issue. What about Higgins?
- 3.) **Joe Carden-45 Danbern Lane-** Been here 54 years. Lost trees due to creek erosion due to gates going in & out. Gates open, less erosion. Property being destroyed. I beg you that you do not put gates in. Fran on Aero Drive, water almost in basement. Another on Creek Rd., 87 years old, water 4 feet from house. Help us! About 230 Village residents with this issue. Destroying his life. Can he put boulders across area? \$20,000 - \$30,000 to purchase boulders. Can't afford flood insurance.
- 4.) **Cheryl Meyer-Willowbrook-**Storm-How can we do better? Plow streets when it is safe. Crews ready when weather dissipates. Provide safe environment. Set up neighborhood communication. Clarification – who is responsible for debris at bridge? Property owner. Feels Village should contact property owner. [*Attorney Grieco-not Village property*]. [*Mayor Rogers-Should not be going onto private property without an agreement*]. [*DPW Crew Chief Vilonen- No access easements*]. [*Attorney Grieco-No clear answer on who owns the creek*]. [*Mayor Rogers-Safety of our crew is first priority. This is a topic with a bigger discussion for another time*].
- 5.) **Doug Richardson-221 Hirschfield-** Took offense to a comment made. Guys did an awesome job.
- 6.) **Thomas Frank-5403 Main St.-**Went to Towns 2023 Re-Org Meeting. Noticed a crack in the floor. Negative effect of erosion. Watershed and ground water table. UB One Region forward 1/27/23 application greenway. Walkable Williamsville interconnection, LWRP.

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- 7.) **Dan Rider-38 Garden Parkway**-Nothing will happen with dam without a plan. Remote control structure in Albany cost \$400 million. Snow removal- Main St. /S. Long snow bank in Village right-a-way.
- 8.) **Charlie Ciotta-5411 Main St.**-What is the purpose of the dam today? The debris at the bridge.
- 9.) **Joe Salteri-23 Rinewalt-Keaton** got a bum rap. Story of the awning? D'Avolio's. Village tried to have Town take over building dept. in the past and it didn't work out. So it probably won't work this time either. If he has an issue with a tree should he contact tree board? [*Deputy Mayor DeLano-you can email me*].
- 10.) **Dan Rider-38 Garden Parkway**- Sub-contracting to Town? Will this lead o another 20 S. Long?

**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, it was moved at 9:34 pm to close the public participation.

Unanimously carried

**Report – Mayor Rogers**

*No Reports*

**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, 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:	001-1411-4810-0000 (Records Mgmt./Electronic Records Storage)	\$	317.00
From:	001-1411-4020-0000 (Records Mgmt./Records Disposal)	\$	317.00
To:	001-3410-4160-3404 (Fire Protection/Truck Expense Rescue 4)	\$	99.00
	001-3410-4160-3407 (Fire Protection/Truck Expense Rescue 7)	\$	21.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	120.00
To:	001-3410-4160-3409 (Fire Protection/Truck Expense Chiefs #9 Truck)	\$	21.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	21.00
To:	001-3410-4160-3451 (Fire Protection/Truck Expense Utility 5-1)	\$	1687.00
	001-3410-4160-3407 (Fire Protection/Truck Expense Rescue 7)	\$	44.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	1731.00
To:	001-8140-4163-0000 (Storm Sewers/Drainage Improvements)	\$	75.00
From:	001-8140-4161-0000 (Storm Sewers/Repair Receivers)	\$	75.00

Unanimously carried

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

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

To:	007-8120-1001-0000 (Sanitary Sewers/Personal Services-Overtime)\$	466.00
From:	007-8120-1000-0000 (Sanitary Sewers/Personal Services)	\$ 466.00

Unanimously carried

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

**RESOLVED**, that payroll and vouchers in the amount of **\$206,507.10** covering the period from 12/5/2022 – 1/4/2023 are hereby approved as follows:

<b>PAYROLL COVERING - 12/5/2022-12/18/2022</b>	\$ 41,078.88
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<b>PAYROLL COVERING - 12/19/2022-1/1/2023</b>	\$ 48,488.19
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**VOUCHERS COVERING- 12/7/2022-12/21/2022**

<b>GENERAL FUND-</b>	\$ 45,152.87
<b>WATER FUND-</b>	\$ 0.00
<b>SEWER FUND-</b>	\$ 462.29
<b>GLEN PARK FUND-</b>	\$ 0.00
<b>TRUST &amp; AGENCY FUND-</b>	\$ 15,056.58
<b>DEBT SERVICE-</b>	\$ 4,125.00
<b>COMMUNITY DEVELOPMENT-</b>	\$ 0.00
<b>CAPITAL FUND-</b>	<u>\$ 0.00</u>
	\$ 64,796.74

**VOUCHERS COVERING- 12/22/2022-1/4/2023**

<b>GENERAL FUND-</b>	\$ 24,880.88
<b>WATER FUND-</b>	\$ 0.00
<b>SEWER FUND-</b>	\$ 1,335.91
<b>GLEN PARK FUND-</b>	\$ 0.00
<b>TRUST &amp; AGENCY FUND-</b>	\$ 17,939.00
<b>DEBT SERVICE-</b>	\$ 7,987.50
<b>COMMUNITY DEVELOPMENT-</b>	\$ 0.00
<b>CAPITAL FUND-</b>	<u>\$ 0.00</u>
	\$ 52,143.29

<b>GRAND TOTAL</b>	<b>\$ 206,507.10</b>
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**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, 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	7/01/22-6/30/25	N	4.09
<b>Appointed</b>					
Acting Village Justice	6	Walter Pacer	7/01/22-6/30/23	N	0.57
Village Prosecutor, P/T	6	Thomas E. Webb, Jr.	7/01/22-6/30/23	N	1.2

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, the following resolution failed:

**RESOLVED**, that James Nau residing at 121 Los Robles, Williamsville is hereby appointed to the **Planning and Architectural Review Board** until the end of the **2024-2025** official Village year.

On the question: he has required training.  
Trustee Lowther requested a roll call vote:

Deputy Mayor DeLano - No  
Trustee Torre - No  
Trustee Hunt - No  
Trustee Lowther - No  
Mayor Rogers - Yes

Motion Failed - 4-1

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

**RESOLVED**, that the following Village of Williamsville computer equipment is hereby declared surplus, to be destroyed and disposed of:

<b>Asset #</b>	<b>Description</b>	<b>Date Acquired</b>	<b>Original</b>	<b>Cost Book Value</b>
419	HP Tower	6/28/2004	\$1,261.00	\$0.00
437	HP Laptop	3/28/2005	\$2,017.00	\$0.00
497	HP Tower/Monitor	8/30/2005	\$1,056.00	\$0.00
829	Dell Tower/Monitor	11/24/2010	\$ 655.00	\$0.00
830	Dell Tower/Monitor	11/24/2010	\$ 655.00	\$0.00
835	Dell Tower/Monitor	3/31/2011	\$ 720.50	\$0.00
859	Dell Tower/Monitor	3/15/2012	\$ 648.56	\$0.00
948	Dell Tower	4/01/2013	\$ 723.49	\$0.00
993	Dell Tower/Monitor	3/20/2014	\$ 782.01	\$0.00

Unanimously carried

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

**RESOLVED**, that *Timothy Masters of 5106 Ridge Road, Lockport, as Code Enforcement Officer, Part-time*, employment is extended through February 13, 2023.

Unanimously carried

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

**RESOLVED**, that light duty is hereby approved for David Klein for the period through April 2023, at the time of his next medical evaluation.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 9:44pm to go off agenda:

Unanimously carried

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

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**RESOLVED**, that the Village of Williamsville Board of Trustees approves DPW employee Kevin Stahrr's request for a reduced work week, using his accumulated PTO to bring him to 40 hours per week, through May of 2023.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 9:45pm to go back to regular agenda:

Unanimously carried

**Report – Deputy Mayor DeLano**

*Thank you to DPW*

*Y&R having Movie night at Meeting House on 1/13/23*

*Y&R Sledding Party 2/4/23*

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

**WHEREAS**, the next Village Election will be held on June 20, 2023; and

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

One (1) Mayor for a term of four (4) years

Two (2) Trustees for terms of four (4) years each

One (1) Judge for a term of four (4) years

**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 18, 2023 Amherst Bee.

Unanimously carried

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

**WHEREAS**, the next Village Election is to be held on Tuesday, June 20, 2023; and

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

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**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, New York

Unanimously carried

**Report – Trustee Hunt**

*Arts & Culture Meeting Thursday 1/12/23 to plan an event*

**Report – Trustee Torre**

*Environmental Meeting 1/16/23*

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

**RESOLVED**, that the Village Board of Trustees hereby approve the *Volunteer Firefighters Service Award Program List* of all 2022 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 2022 records.

Unanimously carried

**ON MOTION** by Trustee Torre, seconded by Trustee Lowther, 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 2023 in the following districts:

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

Unanimously carried

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**Report – Trustee Lowther**

*Meeting House Committee meeting 1/16/23*

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

**WHEREAS**, the Village of Williamsville Historic Preservation Commission (“HPC”) are required by Section 47-4(h)(i) of the Village Code to complete four hours of training each year to more effectively carry out their duties (“Mandatory Training”); and

**WHEREAS**, this Mandatory Training must be approved by the Board of Trustees; and

**WHEREAS**, the Preservation Pennsylvania is offering virtual training on February 1, 2023, from 5:00pm – 7:00pm; and

**WHEREAS**, the topic covered in the Virtual Training is Centers of Innovation: Bell Labs Holmdel and Westinghouse R & D Center – Learn about famed mid-century architects, the modern corporate campuses they designed for innovation, and the potential for reuse; and

**WHEREAS**, the Board of Trustees finds that attendance at such training will be of benefit to the members of the HPC;

**NOW THEREFORE BE IT RESOLVED**, that the Village Board hereby approves the Virtual Training offered by the Preservation Pennsylvania as qualifying and mandatory Training required by Section 47-4(h)(i), and certifies that any member of the HPC who attends said virtual training shall earn two (2.0) hours of Mandatory Training for the February 1, 2023 program.

Unanimously carried

**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 Torre, it was moved to adjourn the meeting at 9:30 pm.

Unanimously carried

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Judith A. Kindron  
Administrator/Clerk-Treasurer