

**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, October 11, 2022 at 7:30 p.m.**

The Village Board meeting was opened at 7:40 pm by Mayor Rogers

Trustee Hunt led the Pledge of Allegiance at 7:40pm.

Present: Deborah L. Rogers, Mayor  
Daniel O. DeLano, Deputy Mayor  
Mary Lowther, Trustee  
Christine L. Hunt, Trustee  
Eileen A. Torre, 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 September 26, 2022.

Unanimously carried

## **Public Hearing**

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

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:42 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) Charlie Ciotto – 5411 Main St. –47 13A-Is this retroactive to past rulings? [Attorney Grieco-No]**

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:49 p.m. to continue this public hearing at the October 24, 2022 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 Hunt, it was moved at 7:50 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) Kate Waterman-Kulpa- 81 Milton St.-** see attached a written comments by Kate Waterman-Kulpa chair of HPC.
- 2.) Yukon Hu-100 Westchester-**Asked about technology used by the Board? (Not related to Public Hearing) Overhead plays a role in decision making.

**ON MOTION** by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:51 p.m. to continue this public hearing at the October 24, 2022 meeting.

Unanimously carried

## **Public Hearing**

Local Revitalization Project (LWRP): Consistency Review Law

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:52 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) Nick Roth-135 Oakgrove-** Was on the committee. Interested to see minor technical changes. Judy will forward that document.
- 2.) Thomas Frank-5403 Main St.-LWRP -** very important in context International Joint Commission (IJC) Demonstrated project for removing the dam.

**ON MOTION** by Mayor Rogers, seconded by Trustee Torre, it was moved at 8:00 p.m. to continue this public hearing at the October 24, 2022 meeting.

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Unanimously carried

## **Public Hearing**

Amendment on Open Meetings Law for Videoconferencing Procedures

**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, it was moved at 8:00 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 8:01 p.m. to close this public hearing.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, it was moved at 8:01 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.) **Cheryl Meyer – 90 Willowbrook** –re:Dam -Flood insurance between \$4000-20,000. Increase because of IAN deemed. Ability to put in weirs. Not flooded since dam has been removed. No one controls me. People came because they were concerned. Get along. 48 of 50 want a change. [*Trustee Lowther- We didn't have 48 speakers. You don't run the Village, we do*].Nonsense that value goes up with historic design. Think of way laws are enforced. Wants Code Enforcement to go out and look for
- 2.) **Yakun Hu –100 Westchester** – Internally tech staff? Email, private form of communication online forum, slack channel. Promotor of local technology. Host of technological advancement. Problem solving & decision making measures performance of Board productivity will increase.
- 3.) **Nick Roth –135 Oakgrove-** No response to a 5 page document 9/28 letter to mandate delivered to 9/27 packed by record crowd. Not a big deal if media hadn't picked it up. Standing room crowd. Majority of speakers spoke to oppose balance, transparency answers and change. Recommends 5 members watch recording of 9/27/22 public hearing. [*Trustee*

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*Torre stated "We are here for the people of Williamsville". The people have spoken. Letter to editor suggesting 2 additional districts. This is ludicrous. [Trustee Lowther –No*

*discussion about any additional historic districts at this time]. [Mayor Deb Rogers- I no way, shape or form rallied anyone to come to the meeting. Willing to work together with this board].*

- 4.) **Dan Hunt-75 Evans St** – Public Hearing people talked out of turn. No public order. Embarrassed that we must have an officer. Resolution #5-how does this have to do with running this Village. [Mayor Rogers-Historically there has been an officer during meetings for security. Resolution #5 is a resolution passed by Erie County. Requested municipalities to support ramifications of legal gun owners who do live in this Village].
- 5.) **Charlie Ciotta- 5411 Main St.** – Speak about winter. Plow snow along Main St. and the sidewalk plow. Mounds up to 6'. Quality of life-use \$35,000 for bathroom for O.T. for snow removal along Main St. I'm too old to shovel it. Get Business Association to pay to have snow cleared. Process of Code Enforcement is broken. Forced to file an Article 78. [Trustee Lowther-Bid – business improvement district, no cooperation from businesses].
- 6.) **Paul Krieter – 29 S. Ellicott** – Bathrooms? Study? [Mayor Rogers- explained Garrison gazebo roof-Williamsville Bank Mural- designated]. Where will it go? [Trustee Lowther-it is still there, no indication. Ellie Grenauer stated they may move into Bank location.
- 7.) **Thomas Frank – 5403 Main St.** –Dam removal and watershed approach. Amherst Central Park Charter. Opportunity for Climate Smart Historic Context, impervious surfaces. 3 wars connected here French & Indian Revolutionary, War of 1812. Army Corp of Engineers 30 Water Mills Manifest Destiny.

**ON MOTION** by Mayor Rogers, seconded by Trustee Lowther, it was moved at 8:45 pm to close the public participation.

Unanimously carried

**Report – Mayor Roger**

*Parks Committee has set Friday October 14<sup>th</sup> at 3:00pm for ribbon cutting at S. Long Park. Fire Department had a extremely well attended open house.*

**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, the following resolutions were adopted:

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

To:	001-3410-4160-3491 (Fire Protection/Truck Expense, Asst Chief 9-1 Truck)	\$	785.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	785.00

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To:	001-5110-4000-0000 (Street Maint. /Seasonal Help)	\$	1606.00
From:	001-5110-1000-0000 (Street Maint. /Personal Services)	\$	1606.00
To:	001-5110-4161-0900 (Street Maint. /Repairs 2013 Nissan Leaf)	\$	77.00
	001-5110-4161-0901 (Street Maint. /Repairs 2020 Chevy Tahoe)	\$	392.00
From:	001-5110-4161-0000 (Street Maint. /Repairs-Equipment)	\$	469.00

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, the following resolutions were 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)	\$	115.00
From:	007-8120-1000-0000 (Sanitary Sewers/Personal Services)	\$	115.00

Unanimously carried

**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/Miscellaneous)	\$	500.00
From:	009-7141-4352-0000 (Glen Park/Park Miscellaneous)	\$	500.00

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**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, the following resolutions were adopted:

**RESOLVED**, that payroll and vouchers in the amount of **\$217,260.37** covering the period from 9/11/2022 – 10/4/2022 are hereby approved as follows:

<b>PAYROLL COVERING - 9/11/2022-9/25/2022</b>	<b>\$ 36,826.73</b>
<b>VOUCHERS COVERING- 9/21/2022-10/4/2022</b>	
<b>GENERAL FUND-</b>	<b>\$ 160,562.50</b>
<b>WATER FUND-</b>	<b>\$ 0.00</b>
<b>SEWER FUND-</b>	<b>\$ 2,414.98</b>
<b>GLEN PARK FUND-</b>	<b>\$ 843.60</b>
<b>TRUST &amp; AGENCY FUND-</b>	<b>\$ 16,612.56</b>
<b>DEBT SERVICE-</b>	<b>\$ 0.00</b>
<b>COMMUNITY DEVELOPMENT-</b>	<b>\$ 0.00</b>
<b>CAPITAL FUND-</b>	<b>\$ 0.00</b>
	<b>\$ 180,433.64</b>
<b>GRAND TOTAL</b>	<b>\$ 217,260.37</b>

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by **no seconded**, the following resolution was adopted:

**WHEREAS**, the Village of Williamsville is a member of the Association of Erie County Governments, and

**WHEREAS**, the Association of Erie County Governments has a long, proud tradition of staunchly supporting the Second Amendment of the United States Constitution, and

**WHEREAS**, the Association of Erie County Governments supports and promotes safe and responsible gun ownership rights of residents across the State of New York, and

**WHEREAS**, in the wake of the evil, heinous actions against defenseless persons at Tops Market in Buffalo, the New York State Legislature, after that terrible tragedy seized the opportunity to rush through 10 new laws that are meant to erode the right of legal gun owners and punish the legal & legitimate businesses in the firearms industry, and

**WHEREAS**, shortly thereafter, the Bruen Opinion was handed down from the United States

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Supreme Court striking down the restrictive nature of laws limiting and pertaining to Pistol Permits in New York, and

**WHEREAS**, with the ink barely dry on New York's newest gun laws, the New York State Senate and Assembly, in response to the Bruen Opinion, rushed to pass S.51001 & A.41001 during an Extraordinary Session that essentially gutted the Second Amendment rights of citizens across New York State to carry their concealed firearm in public, and

**WHEREAS**, the New York State Sheriffs' Association recognized, these new laws as "punitive licensing requirements that aim only to restrain and punish law-abiding citizens who wish to exercise their Second Amendment Rights", and

**WHEREAS**, as Trustees of the Village of Williamsville and members of the Association of Erie County Governments, we take an oath of office to uphold the Constitution and this is clearly a flagrant violation of the constitutional rights of our citizens, taking away their ability to protect themselves and their loved ones and creating a bureaucratic boondoggle that ultimately seeks to disarm our residents, and

**WHEREAS**, the Village of Williamsville and the Association of Erie County Governments are opposed to the recent New York State actions restricting 2<sup>nd</sup> Amendment rights, now

**THEREFORE BE IT RESOLVED**, that the Association of Erie County Governments is committed to pursuing all legislative and legal remedies, either alone or in concert with other like-minded municipalities, counties and organizations, to overturn this assault on our Constitutional rights and,

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to Honorable Governor Kathy Hochul, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Senate Minority Leader Robert Ort, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly William A. Barclay and the Western New York Delegation, Erie County Executive Mark Poloncarz and the Erie County Legislature, The Association of Towns, and New York State Conference of Mayors.

*[Mayor Rogers- On the question – Fault that this comes from the Association of E.C. Governments. You all took an Oath to uphold the constitution of the United States. Reconsider your seat as a Trustee. This was brought forth by **Supervisor D***

Motion denied

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

**RESOLVED**, that the official date and time of *Halloween Trick or Treat* in the Village of Williamsville is hereby designated as Monday, October 31<sup>st</sup> from 6:00pm – 8:00pm.

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

**RESOLVED**, that the proposal from Kideney Architects dated July 5, 2022 for a Building Envelope Insulation Feasibility study at the Department of Public Works, 40 South Long St., Williamsville at a cost of \$9,800.00, is hereby accepted, and the Mayor is hereby authorized and directed to execute said proposal on behalf of the Village. [*Trustee Hunt-Will that come out of their (DPW) budget*]? Yes

Unanimously carried

### **Report – Deputy Mayor DeLano**

*Tree planting will be happening mostly on Mill & Main, North Central area  
October 29<sup>th</sup> is Youth & Rec Halloween Party - Glen will be closed from N. Cayuga to Mill.*

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

**RESOLVED**, that *Rimme St. George* residing at 51 Evans Street, Williamsville is hereby appointed as a member of the **Tree Board** through the end of the 2024-2025 official Village year

Unanimously carried

### **Report – Trustee Torre**

*Helped out with Amherst Food Scrap drop off at the Farmers Market (All Vegetable matter) can also drop off at Amherst Highway Department.  
Spotted Lantern Fly is very invasive.*

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

**RESOLVED**, the requested increase for Wm. Schutt & Associates for the Glen Park septic system, that includes the schedule and performance of additional topographic survey, and development of a second design option for the septic system, is hereby approved in the additional amount of \$3,250.00, to be paid for by the Glen Park Fund.

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**Report – Trustee Lowther**

*Beautification Committee planted over 3000 bulbs in pocket park*

*Working with Glen Park Joint Board to decorate for Halloween, they do a great job*

*Meeting House Events Committee next meeting is 10/17/22*

*HPC continue public hearing on 10/25/22 at 6:00pm with regular meeting to follow*

**Staff Reports:**

*Deputy Treasurer: no report*

*Attorney Greico: no report*

*Administrator Kindron: no report*

*DPW Crew Chief: no report*

**ON MOTION** by Mayor Rogers, seconded by Trustee Torre, it was moved at 9:03pm to open the Executive Session portion of the agenda to discuss:

- 1) Employment history of a particular person
- 2) Potential litigation against the Village

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 10:00pm to close the Executive Session and return to regular agenda:

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Torre, it was moved to adjourn the meeting at 10:00 pm.

Unanimously carried

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Judith A. Kindron

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Administrator/Clerk-Treasurer