

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, NY, on Monday, November 22, 2021 at 7:30 p.m.**

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

Administrator Kindron led the Pledge of Allegiance at 7:30pm.

Present: Deborah L. Rogers, Mayor  
Matthew J. Etu, Deputy Mayor  
Eileen A. Torre, Trustee  
David F. Sherman, 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

Absent: Keaton DePriest, Director of Community Development

Proclamation: Kaitlyn Jorgenson FCAMC – re: Family Court Awareness Month

**ON MOTION** by Mayor Rogers, seconded by Trustee Hunt, it was moved to approve the minutes of the regular meeting held on November 8, 2021.

Unanimously carried

## **Public Hearing**

*Discussing Local Law 3 & 4 of 2021 to Opt Out of the Marijuana Regulation and Taxation Act*

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

Unanimously carried

- 1.) **Ann Rohrer – 44 Sabre Lane** – On school board for 15 years. Advocate for children. Shared some statistics, Zoning concerns about location.
- 2.) **Ray Herman-114 Oakgrove** – Revenues will be eaten up by extra legal expenses, Zoning, going against. [*Deputy Mayor Etu-NYS regulations 500 feet of school and 200 feet of church*]
- 3.) **Sally Yugarek-36 Country Pkwy**- Wait until control board has all the regulations.
- 4.) **Robert Whitney**-Retired Addiction Street Program at ECMC- Current users increase use, health concerns will get worse. Illicit market grows. Wait for State to see what they build in. CA – 60% have opted out.

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- 5.) **Ed Knab-128 Garrison Rd.**- Retired principal and teacher. Against recreational marijuana. Don't make it available to young people. Village is family friendly, keep it. Please vote yes to opt out.
- 6.) **Kaitlyn Jorgenson-confidential address**- Domestic violence survivor. Abuse by a marijuana user. Consider repercussions more than State. Additional safe guards.

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

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved at 8:01 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*]:

- 1.) **Thomas Frank-5403 Main St.** – LWRP, Enhanced Trail Connection; Ellicott Creek Watershed, 46 miles long; Niagara Riverkeepers.

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved at 8:06 p.m. to close the public participation.

Unanimously carried

**Report – Mayor Rogers**

*Met with Chief Chamberlin & Supervisor Kulpa. Top issues are speeding & smoking in parks. Discontent with ECDOH & mask breaks at Williamsville Schools. Dr. Brown-Hall thanked the Board for their support.*

*Happy Thanksgiving*

*Concerned with mask mandate & pushing shoppers to outside counties.*

Unanimously carried

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, 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:	001-3410-4160-3409 (Fire Protection/Truck Expense Chiefs 9 Truck)	\$ 57.00
	001-3410-4160-3451 (Fire Protection/Truck Expense 5-1)	\$ 26.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 83.00
To:	001-3410-4160-3491 (Fire Protection/Truck Expense Asst. Chief 9-1)	\$ 2,909.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 2,909.00

Unanimously carried

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

**RESOLVED**, that payroll and vouchers in the amount of \$291,239.69 covering the period from 10/25/2021 – 11/16/2021 are hereby approved as follows:

<b>PAYROLL COVERING - 10/25/2021-11/07/2021</b>	\$ 48,614.36
<b>VOUCHERS COVERING- 11/3/2021-11/16/2021</b>	
<b>GENERAL FUND-</b>	\$ 36,849.09
<b>WATER FUND-</b>	\$ 0.00
<b>SEWER FUND-</b>	\$ 671.97
<b>GLEN PARK FUND-</b>	\$ 121.53
<b>TRUST &amp; AGENCY FUND-</b>	\$ 12,634.19
<b>DEBT SERVICE-</b>	\$ 0.00
<b>COMMUNITY DEVELOPMENT-</b>	\$ 0.00
<b>CAPITAL FUND-</b>	<u>\$ 192,348.55</u>
	\$ 242,625.33
 <b>GRAND TOTAL:</b>	 <b>\$ 291,239.69</b>

Unanimously carried

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

**RESOLVED**, that **Christine Prusiecki**, residing at **61 Fairhaven Dr., Cheektowaga**, and **Michael Hannon** residing at **215 California Dr., Williamsville** are hereby appointed as members of the **Williamsville Fire Dept.**, effective December 1, 2021.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved to go off agenda at 8:10pm.

**WHEREAS**, the Village Board of Trustees (“Village Board”) has been considering adopting a Local Law, or Local Laws, opting out of hosting Adult Use Cannabis Retail Dispensaries (“Retail Dispensaries”) and/or On-Site Adult Use Cannabis Consumption Establishments (“Consumption Establishments”) pursuant to Section 131 of the Marijuana Regulation and Taxation Act; and

**WHEREAS**, the Village Board has determined that the adoption of such Local Law(s) is subject to review under the State Environmental Quality Review Act (“SEQRA”) as an unlisted action; and

**WHEREAS**, the Village Board completed Part 1 of a Short Environmental Assessment Form (“EAF”) in connection with such review on November 8, 2021; and

**WHEREAS**, the Village Board completed Parts 2 and 3 of the EAF at its work session on November 22, 2021, and has otherwise considered the potential adverse environmental impacts associated with the adoption of a ban on Retail Dispensaries and/or Consumption Establishments and has determined that no such potential adverse environmental impacts would result from such adoption:

**NOW THEREFORE BE IT RESOLVED**, pursuant to 6 NYCRR Section 617.7, the Village Board hereby determines that neither proposed Local Law No. 4 of 2021 (prohibiting the siting of Retail Dispensaries within the Village) nor proposed Local Law No. 3 of 2021 (prohibiting the siting of Consumption Establishments within the Village) would have any potentially significant adverse environmental impacts, for the reasons set forth in Part 3 of the EAF, which is incorporated by references herein, and thus adopts a Negative Declaration with respect to such proposed local laws.

Unanimously carried

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved to go back to regular agenda at 8:14pm.

Unanimously carried

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

**RESOLVED**, to adopt Local Law **3** of 2021 pursuant to Marihuana Regulation and Tax Act § 131 opting out of licensing and establishing on-site cannabis consumption establishments within the Village of Williamsville

Roll Call -	Mayor Rogers	Yes
	Deputy Mayor Etu	Yes
	Trustee Torre	Yes
	Trustee Sherman	Yes
	Trustee Hunt	Yes
	Motion Passed	5-0

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

**RESOLVED**, to adopt Local Law **4** of 2021 pursuant to Marihuana Regulation Tax Act § 131 opting out of licensing and establishing retail cannabis dispensaries within the Village of Williamsville

Roll Call -	Mayor Rogers	Yes
	Deputy Mayor Etu	No
	Trustee Torre	Yes
	Trustee Sherman	Yes
	Trustee Hunt	No
	Motion Passed	3-2

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**Report – Deputy Mayor Etu**

*Permissive Referendum – 24 Municipal Home Rule Law, file with 45 days and then referendum vote with 2 questions*

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

**RESOLVED**, that the Mayor is hereby authorized to sign the *Penflex, Inc. Service Fee Agreement* for the Village of Williamsville Firefighter Length of Service Award Program, for the period from November 1, 2021 to October 31, 2022

Unanimously carried

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

**RESOLVED**, that Willard Brooks of 34 Linwood Ave., Williamsville, and Greg Garten of 373 Reist Street, Williamsville are hereby appointed to *Parks Committee* through the end of the **2021-2022** official Village year;

Unanimously carried

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

**RESOLVED**, that the proposal from DiDonato Associates, PE PC for engineering services related to the inspection of the Island Park Bridge, is hereby approved in the amount of \$3,950.00.

Unanimously carried

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**Report – Trustee Torre**

*Happy Thanksgiving*

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

**RESOLVED**, that the Administrator is hereby authorized to advertise for a public hearing on Monday December 13, 2021 at 7:30pm to hear all those interested in discussing no parking on areas of Cadman Drive.

Unanimously carried

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

**RESOLVED**, that **Steven Schulz** of 126 N. Cayuga Rd., Williamsville, is hereby appointed to the ***Environmental Advisory Council*** through the end of the 2021-2022 official Village year.

Unanimously carried

**Report – Trustee Hunt**

*No Report.*

**Report – Trustee Sherman**

*Youth & Rec meets tomorrow.*

*December 4<sup>th</sup> Tree Lighting*

**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*

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved to go to Executive Session at 8:42pm.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved to adjourn the Executive Session at 9:43pm.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved to adjourn the meeting at 9:45pm

Unanimously carried

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Judith A. Kindron  
Administrator/Clerk-Treasurer