

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, NY, on Monday, December 13, 2021 at 7:30 p.m.

The Village Board meeting was opened at 7:32 p.m. by Mayor Rogers

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

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 (**by zoom**)
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 Trustee Hunt, it was moved to approve the minutes of the regular meeting held on November 22, 2021.

Unanimously carried

Public Hearing

No Standing on select areas of Cadman Drive

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved at 7:34 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 7:35 p.m. to close this public hearing.

Unanimously carried

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

Unanimously carried

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Member(s) of the audience who addressed the Board and their comment(s) [*Board of Trustees' comments are in italics*]:

- 1.) **Samantha Trojan-168 N. Long** – Spoke against masks, especially for children. Encourage board to stand up against mandate.
- 2.) **Dr. Eugene Civic-Dentist –Retired NU Professor of Biology-** Offered information of ineffectiveness of cloth masks. Anything less than N95 does not filter virus. Personal choice, nobody telling us what to do.
- 3.) **Ben Trojan-168 N. Long St.-** Overwinter Coffee Owner – Explained issues the businesses have had to deal with in the past 20 months.
- 4.) **Nicole Weinstein & daughter Peyton-505 N. Forest-** Williamsville resident for 16 years, freedom of choice. Against mask & vaccine mandates.
- 5.) **Anastasia Nikolaeva-253 Wedgewood Dr.-**Choice should be respected. Discriminated against due to unvaccinated status.
- 6.) **Doug Pachinet-Royal Parkway-Federal, State, Local-** don't care about people. Unconstitutional, diabolical. Do something to change this.
- 7.) **Thomas Frank-5403 Main St.-** When is public LWRP meeting? Comment on Amherst Trail into Amherst State Park. Ellicott Creek greenway, 2025 Bicentennial of Erie Canal. Relicensing of Niagara Power Project.
- 8.) **Dennis Hoban -184 California Dr.-**Mason-willing to fight for freedom. Quoted John Wayne “life is harder, even harder when your stupid”. Asked board members if it makes sense that your wear a mask into & then when you sit down you can remove it. [*Trustee Torre explained she did not like that Mr. Hoban was making a joke about it*].
- 9.) **Tom Baurle-11 Columbia Dr.-**Commend Mayor Rogers on her stand. Was vaccinated/got covid. Asked Deputy Mayor Etu if he thinks the mandates will hurt businesses? [*Deputy Mayor Etu said “What will hurt is when the people bring their attitude to the front door and then unleash on staff that are trying to comply*]. Mayor Deb Rogers supports businesses.
- 10) **John Rizzola-5754 Main St.-** Does not support mask mandates. Mandate is not a law.
- 11) **Darrick Castronova-288 Mill – (investment property at 408 Mill) –** 4 houses outside of Village. Masks should be a person's choice. Be courageous & lead well. Read law of loitering that prohibits masks.
- 12) **Dr. Eugene Civic-**Amherst Bee Poll on County mask mandate- 85% against & 15% in favor.
- 13) **Peyton Weinstein-505 N. Forest Rd. –** Mask & vaccine mandate are not law.

[*Mayor Rogers – comments were not as the Mayor, but as a parent. Received 125 emails in 1 ½ weeks. 12% were not in support. The other 88% were in support*] (*has emails if anyone would like to see them*).

[*Trustee Sherman- agrees with Mayor, individual decision*]

[*Trustee Torre- she too, received hundreds of emails, against Mayor Rogers, she did not print them out and bring them with her, public asked for them. She is not going to compete with the Mayor*]

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14) Samantha Trojan- Why was Mayor Rogers left off email response, when all other Board members were on it?

15) Tom Baurle-11 Columbia Dr.- 1791 Society- No legal basis for this mandate, listen to the people. To Eileen- where are all the people that sent her emails. Not 1 person spoke in favor of mandates.

16) Tori Leach – 8953 Amy Leigh Lane - Clarence High School student – Extra credit for public policy class. Feels Mayor Rogers is very empowering. Respects everyone’s choice and feels everyone should respect her choice too. May lose college scholarship due to vaccine requirement. [*Mayor Rogers – Stand by your convictions and stay true to you*].

17) Matt Carson- 90 Oakgrove – What can we do? [*Mayor Rogers-What do all the Board members feel about a vaccine mandate? Who will support a press release stating against a vaccine mandate?*] [*Deputy Mayor Etu- Supports*][*Trustee Sherman- supports*][*Trustee Hunt- 25 people in attendance of 5000 residents. Not at a mandate. Cannot support at this time*]. [*Trustee Torre – does not support*].

18) Peyton – Father was vaccinated, then go covid, almost died. Peyton will choose not to be vaccinated.

[*Mayor Rogers, Deputy Mayor Etu and Trustee Sherman/ majority of the Board will issue a press release that the Village of Williamsville is opposed to a vaccine mandate*].

19) Unidentified-masks provide a false sense of security. Mandates are not working. Separating people.

ON MOTION by Mayor Rogers, seconded by Trustee Sherman, it was moved at 9:38 p.m. to close the public participation.

Unanimously carried

Report – Mayor Rogers

Merry Christmas & Happy New Year

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:	001-1410-2010-0000 (Village Clerk/Computer Software)	\$ 34.00
	001-1410-4030-0000 (Village Clerk/Printing & Advertising)	\$ 168.00
	001-1410-4110-0000 (Village Clerk/Service Contracts)	\$ 173.00
From:	001-1410-4020-0000 (Village Clerk/Postage)	\$ 375.00
To:	001-8140-4161-0000 (Storm Sewers/Repair Receivers)	\$ 261.00
From:	001-8140-4162-0000 (Storm Sewers/Repair Sewers)	\$ 261.00
To:	001-8560-4340-0000 (Shade Trees/Removal)	\$ 169.00

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	001-8560-4350-0000 (Shade Trees/Maintenance)	\$ 714.00
	001-8560-4451-0000 (Shade Trees/Environmental Adv. Committee)	\$ 25.00
From:	001-8560-4360-0000 (Shade Trees/Replacement)	\$ 908.00
To:	001-3410-4010-0000 (Fire Protection/Office Supplies)	\$ 76.00
From:	001-3410-2070-0000 (Fire Protection/Office Equipment)	\$ 76.00
To:	001-3410-4160-3409 (Fire Protection/Truck Expense Chiefs 9-Truck)	\$ 10.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 10.00
To:	001-3410-4160-3492 (Fire Protection/Truck Expense Asst. Chiefs Truck 9-2)	\$ 84.00
	001-3410-4160-3406 (Fire Protection/Truck Expense Truck 6)	\$2,537.00
	001-3410-4160-3405 ((Fire Protection/Truck Expense Rescue 5)	\$ 210.00
	001-3410-4160-3407 ((Fire Protection/Truck Expense Rescue 7)	\$ 525.00
	001-3410-4160-3402 ((Fire Protection/Truck Expense Engine 2)	\$1,289.00
	001-3410-4160-3401 ((Fire Protection/Truck Expense Engine 1)	\$1,592.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$6,237.00

Unanimously carried

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 *Sewer Fund* for the 2021-2022 fiscal year.

To:	007-8120-2000-0000 (Sanitary Sewers/Equipment)	\$ 848.00
From:	007-8120-4163-0000 (Sanitary Sewers/Sewer Cleaning/Televising)	\$ 848.00

Unanimously carried

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

RESOLVED, that the following *budget amendment* are hereby made in the *General Fund* for the 2021-2022 fiscal year, to account for 2021 Garden Walk over budget expenses.

Increase:	001-0001-2705-0000 (Gifts and Donations)	\$ 110.00
Increase:	001-7550-4530-0000 (Celebrations/Garden Walk)	\$ 110.00

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

RESOLVED, that payroll and vouchers in the amount of **\$659,411.23** covering the period from 11/8/2021 – 12/5/2021 are hereby approved as follows:

PAYROLL COVERING - 11/8/2021-11/21/2021	\$ 50,109.21
PAYROLL COVERING - 11/22/2021-12/5/2021	\$ 43,855.47
VOUCHERS COVERING- 11/17/2021-11/30/2021	
GENERAL FUND-	\$ 223,518.54
WATER FUND-	\$ 51.22
SEWER FUND-	\$ 330,285.17
GLEN PARK FUND-	\$ 1,550.00
TRUST & AGENCY FUND-	\$ 28,472.44
DEBT SERVICE-	\$ 22,500.00
COMMUNITY DEVELOPMENT-	\$ 0.00
CAPITAL FUND-	\$ 2,924.65
	\$ 609,302.02
GRAND TOTAL:	\$ 659,411.23

Unanimously carried

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

RESOLVED, that the Village of Williamsville Financial Statements for the fiscal year ending May 31, 2021, and presented by Drescher & Malecki, LLP on November 22, 2021, have been reviewed by the Village Board, and are hereby accepted as the Official Financial Statements for the 2020-2021 fiscal year; and

BE IT FURTHER RESOLVED, that the Board of Trustees of the Village of Williamsville hereby certifies that the records of the Williamsville Court were examined and audited by Drescher & Malecki, LLP in conjunction with the audit of the records of the Village of Williamsville for the fiscal year ending May 31, 2021, and as required by Section 2019-a of the Uniform Justice Court Act.

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

RESOLVED, that light duty is hereby approved for David Klein for the period through March 2022, at the time of his next medical evaluation.

Unanimously carried

Report – Deputy Mayor Etu

ON MOTION by Deputy Mayor Etu, seconded by Trustee Sherman, 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 National Alliance of Preservation Commissions provided virtual training on July 10, 2020 and July 17, 2020 through their Commission Assistance & Mentoring Program; and

WHEREAS, topics covered in the Virtual Training included legal basics, standards and guidelines for design review, alternative materials, meeting procedures, role of commissioner, infill design, public outreach and community engagement; 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 National Alliance of Preservation Commissions 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 have earned six hours of Mandatory Training for the July 10, 2020 and July 17, 2020 programs.

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

WHEREAS, the members of the Planning Board, Zoning Board of Appeals and Historic Preservation Commission (“Land Use Boards”) of the Village of Williamsville are required by state and/or local law to complete four hours of training each year to more effectively carry out their duties (“Required Land Use Training”); and

WHEREAS, the enabling statutes mandating this Required Land Use Training further provide that such training be approved by the Board of Trustees; and

WHEREAS, the Preservation League of NYS provided virtual training on the topic of Specialty Topics in Preservation on October 29, 2021 from 9:00am – Noon; and

WHEREAS, the Board of Trustees finds that attendance at such training will be of benefit to the members of the Planning and Architectural Review Board;

NOW THEREFORE BE IT RESOLVED, that the Village Board hereby authorizes the members of the Planning and Architectural Review Board to participate in the Preservation League of NYS virtual training on Specialty Topics in Preservation on October 29, 2021, and certifies that such participation shall satisfy three hours of the Required Land Use Training

Unanimously carried

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

WHEREAS, the **Village of Williamsville Lehigh Valley Section House Exterior Asbestos Abatement Project**, was duly advertised, and bids for the project were opened at 2:00 p.m. on Wednesday, December 8, 2021; and

WHEREAS, TWO (2) bids were received for the project;

NOW, THEREFORE, BE IT RESOLVED, that **Contract for the Lehigh Valley Section House Exterior Abatement project** is hereby awarded to Arric Corporation of Depew, New York for their low bid amount of \$14,900; with add Unit Price #1 - \$85.00 per lineal foot to grind stucco and add Unit Price #2 \$1,685.00 per window (asbestos abatement)

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

RESOLVED, that the Proposal from Stohl Environmental for professional services for construction administration for Asbestos Related Services for Project Monitoring During Abatement at Williamsville Section House 150 Milton Street Williamsville, New York is hereby approved at a cost of \$3213.00

Unanimously carried

Report – Trustee Sherman

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

RESOLVED, that *Linda Pacer* of *45 Wellington Ct., N., Williamsville*, is hereby appointed to the *Meeting House Events Committee* until the end of the 2021-2022 official Village year.

Unanimously carried

Report – Trustee Torre

ON MOTION by Trustee Torre, seconded by Deputy Mayor Etu, it was moved to go off agenda at 9:45pm.

Unanimously carried

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

RESOLVED, that Local Law No. 5 of 2021, amending Chapter 103 to prohibit standing along certain sections of Cadman Drive, which was the subject of a public hearing on December 13, 2021 is hereby adopted.

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ON MOTION by Trustee Torre, seconded by Deputy Mayor Etu, it was moved to go back to regular agenda at 9:46pm.

Unanimously carried

Report – Trustee Hunt

Nice picture of the Board in front of the Christmas tree, request Bee to print it

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

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Etu, it was moved to adjourn the meeting at 9:49pm

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer