

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, February 28, 2022 at 7:30 p.m.

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

Trustee Hunt 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
Charles Grieco, Village Attorney
Keaton DePriest, Director of Community Development

Absent Ben Vilonen, DPW Crew Chief

Moment of silence for what is happening in the Ukraine

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to approve the minutes of the regular meeting held on February 14, 2022.

Unanimously carried

Public Hearing

2022-2023 Tentative Budget

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:33 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) Thomas Frank-5403 Main St.-LWRP-Village & Town/CFA Clarification.** Wants public input.

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:38 p.m. to continue this at the March 14, 2022 meeting.

Unanimously carried

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Public Hearing

Zoning Code regarding durational limits on land use approvals

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:39 p.m. to open the public hearing portion of the meeting.

Unanimously carried

- 1.) Kate Waterman-Kulpa comments read into minutes by Trustee Torre. [*Attorney Grieco- Stated that the local law is from recommendations based on working with the building dept.*].

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved at 7:49 p.m. to continue this at the March 14, 2022 meeting.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved at 7:49 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.) **David & Annette Schmidt-64 Academy**-Questions about flooding. Claim the road is not high enough, puddles on front lawn. August 2017 road was repaved, will email pictures.
- 2.) **Cheryl Meyer- 90 Willowbrook** – Status of the dam, attractive nuisance. Why don't we get rid of the dam? Wants action plan on what the Village will do. Feels laws benefit outsiders and not residents. Turn dam over to the Town.
- 3.) **Thomas Frank-5403 Main St.** – E.C. Dept. of Environmental and Planning State Park stairway that was flooded. Ellicott Creek Greenway \$450,000,000 to mitigate through 2050; UB/One Region Forward-clean energy/comp plan webinar March 3rd.
- 4.) **Dennis Hoban-216 California Dr.**-Commends Board for meeting tonight. Nice to see everyone. Hydro Electric power plant in Puerto Rico, Village should look into Ellicott Creek/Grant for hydro power.

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ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved at 8:15 p.m. to close the public participation.

Unanimously carried

Report – Mayor Rogers

Soup stroll. Record number attendees. ECDOH - Village received a call Friday afternoon. Informed WBA that some locations did not have food permits. Game time notice. Sanitarians sent out on Saturday. Are they (ECDOH) targeting all local food events to be inspected? Advising Village renters to contact DOH; if they will be selling any food at their events.

ON MOTION by Mayor Rogers, seconded by Trustee Torre, 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:	001-1010-4010-0000 (Board of Trustees/Office Supplies)	\$ 68.00
From:	001-1010-4040-0000 (Board of Trustees/Education Exp/Travel)	\$ 68.00
To:	001-1620-4450-0000 (Buildings/Miscellaneous)	\$ 282.00
From:	001-1620-4230-0000 (Buildings/Bldg Maint.)	\$ 282.00
To:	001-3310-2000-0000 (Traffic Control/Equipment)	\$ 161.00
From:	001-3310-4231-0000 (Traffic Control/Signs-Maintenance)	\$ 161.00
To:	001-3410-2050-0000 (Fire Protection/Turnout Gear)	\$ 49.00
From:	001-3410-2030-0000 (Fire Protection/Radio Equipment)	\$ 49.00
To:	001-5110-4161-0900 (Street Maintenance/Repairs 2013 Nissan Leaf)	\$ 25.00
	001-5110-4161-0907(Street Maintenance/Repairs 1992 Auto car Dump w/Plow Frame)	\$ 100.00
	001-5110-4161-0925 (Street Maintenance/Repairs 2013 Mini Loader)	\$ 1382.00
From:	001-5110-4161-0000 (Street Maintenance/Repairs Equipment)	\$ 1507.00
To:	001-5182-4110-0000 (Street Lighting/Contract for Lighting)	\$ 209.00
From:	0015182-4270-0000 (Street Lighting/Repair Lights)	\$ 209.00
To:	001-7530-4460-0000 (Village Meeting House/Arts & Cultural Comm/Diversity)	\$ 2500.00
From:	001-7550-4460-0000 (Celebrations/Arts & Cultural Committee)	\$ 2500.00
To:	001-5110-4000-0000 (Street Maintenance/Seasonal Help)	\$ 2255.00
From:	001-5110-1000-0000 (Street Maintenance/Personal Services)	\$ 2255.00

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To:	001-3310-1000-0000 (Traffic Safety/Personal Services)	\$ 397.00
	001-7535-1000-0000 (Lehigh Valley-Section House/Personal Services)	\$ 1917.00
	001-7550-1000-0000 (Celebrations/Personal Services)	\$ 1173.00
	001-8140-1000-0000 (Storm Sewers/Personal Services)	\$ 1531.00
From:	001-8163-1000-0000 (Trash Pickup/Personal Services)	\$ 5018.00
To:	001-1620-1001-0000 (Buildings/Personal Services-Overtime)	\$ 17.00
	001-7110-1001-0000 (Parks/Personal Services-Overtime)	\$ 225.00
From:	001-8162-1001-0000 (Leaf Pickup/Personal Services-Overtime)	\$ 242.00

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Trustee Torre, 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:	007-8120-1001-0000 (Sanitary Sewer/Personal Services-Overtime)	\$ 138.00
From:	007-8120-1000-0000 (Sanitary Sewers/Personal Services)	\$ 138.00

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Trustee Torre, 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:	009-7141-1001-0000 (Glen Park/Personal Services-Overtime)	\$ 118.00
From:	009-7141-1000-0000 (Glen Park/Personal Services)	\$ 118.00

Unanimously carried

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

RESOLVED, that the following *budget amendments* are hereby made in the **General Fund** for the 2021-2022 fiscal year, to account for DPW assigned funds to be applied to Project #843-2021 Road Reconstruction.

Increase:	001-0001-0599-0000 (Appropriated Surplus)	\$ 52,323.00
Increase:	001-9950-9000-0000 (Transfer to Capital)	\$ 52,323.00

Unanimously carried

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ON MOTION by Mayor Rogers, seconded by Trustee Torre, 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 the Grant payment received 8/16/21 on Project #839-Multi-Modal-Mill Street Mid-Block crossing

Increase:	001-0001-3090-0000 (State Aid-Grants)	\$ 50,000.00
Increase:	001-9950-9000-0000 (Transfer to Capital)	\$ 50,000.00

Unanimously carried

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

RESOLVED, that payroll and vouchers in the amount of **\$280,388.89** covering the period from 1/31/2022 – 2/22/2022 are hereby approved as follows:

PAYROLL COVERING - 1/31/2022-2/13/2022	\$ 49,069.87
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VOUCHERS COVERING- 2/9/2022-2/22/2022

GENERAL FUND-	\$ 51,318.50
WATER FUND-	\$ 0.00
SEWER FUND-	\$ 852.50
GLEN PARK FUND-	\$ 148.02
TRUST & AGENCY FUND-	\$ 100.00
DEBT SERVICE-	\$ 177,700.00
COMMUNITY DEVELOPMENT-	\$ 0.00
CAPITAL FUND-	\$ 1,200.00
	\$ 231,319.02

GRAND TOTAL:	\$ 280,388.89
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ON MOTION by Mayor Rogers, seconded by Trustee Torre, the following resolution was adopted:

WHEREAS, pursuant to Section 15-9 of the Village Code, the Village Code Enforcement Officer has inspected an accessory structure located at 267 Mill Street and determined that the structure constitutes an unsafe structure; and

WHEREAS, the Code Enforcement Officer has issued notices of violations directing the owner to secure said structure on numerous occasions, which notices have not been responded to by the owner; and

WHEREAS, on October 1, 2021, the Code Enforcement Officer referred the matter to the Board of Trustees recommending that the Village undertake emergency repairs to secure said structure pursuant to Section 15-9(C) of the Village Code; and

WHEREAS, on February 23, 2022 the Code Enforcement Officer re-inspected said structure and determined that no such repairs have been made and said structure continues to constitute an unsafe structure pursuant to Section 15-9(A) of the Village Code;

NOW THEREFORE BE IT RESOLVED, that the owner of the property located at 267 Mill Street complete the emergency repairs specified by the Code Enforcement Officer within 30 days of being served with a copy of this resolution by mailing to said owner's last known address and conspicuous posting on said property; and

BE IT FURTHER RESOLVED, that is said emergency repairs are not completed within 30 days of service of this resolution, the Attorneys of Record for the Village are authorized and directed to make an application to a court of competent jurisdiction for an order declaring said structure a public nuisance and ordering its emergency repair or demolition by the Village; and

BE IT FURTHER RESOLVED, that any and all costs incurred by the Village in seeking such relief and conducting such emergency repairs shall be a charge against the property and shall be added to the next taxes assessed against the property if not paid within 30 days of notice of such charges.

Unanimously carried

Report – Deputy Mayor Sherman

Meeting House- How to make it more viable. Clarity on future use of building.

HPC Mural- [Trustee Hunt- Valuable piece. Would like to preserve it]. [Mayor Rogers-No municipal use for Meeting House].

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Report – Trustee Carson

APD-CCA drive thru Easter event Friday April 8th 4:00pm-7:00pm. Planning Board vacancies.

ON MOTION by Trustee Carson, seconded by Mayor Rogers, 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 NYS Department of State Local Government Services provided virtual training in their Winter Webinar Series on the topics of Enforcement of Zoning and Other Local Laws on December 14, 2021, Planning Board Overview on January 4, 2022 and Zoning Board of Appeals Overview on January 11, 2022; 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 NYS Department of State Local Government Services provided virtual training in their Winter Webinar Series on the topics of Enforcement of Zoning and Other Local Laws on December 14, 2021, Planning Board Overview on January 4, 2022 and Zoning Board of Appeals Overview on January 11, 2022 and certifies that such participation shall satisfy six hours (2 hours each event) of the Required Land Use Training.

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Report – Trustee Hunt

No formal reports

Report – Trustee Torre

Glen Park Joint Board, Environmental Advisory Committee, Traffic & Safety- meetings coming up

Staff Reports:

Deputy Treasurer: no report

Attorney Greico: no report

Administrator Kindron: recognized past employee Paul McMenamin, 30 + year employee

DPW Crew Chief: no report

Director of Community Development DePriest: first u-tube – 7 logged on.

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to adjourn the meeting at 8:59pm.

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer