

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Monday, March 26, 2018 at 7:30 p.m.

The meeting was opened at 7:30 p.m. with the Pledge of Allegiance led by Deputy Mayor Piazza.

Present: Daniel O. DeLano, Jr., Mayor
Basil J. Piazza, Deputy Mayor
Deborah L. Rogers, Trustee
Matthew J. Etu, Trustee
John "Al" Yates, Jr., Trustee

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Maggie Winship, Community Development Director

Excused: Ben Vilonen, DPW Crew Chief

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on March 12, 2018, as submitted.

Unanimously carried.

Public Hearing

Proposal to designate 5429 Main St. (Starbucks/Alex and Ani) as a local landmark

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

Unanimously carried.

On behalf of the property owners, Attorney Laura M. Smith of Harter Secrest & Emery LLP was present.

Ms. Smith's comments: Discrepancy on the year the building was built; Windows were redone in 2008; Multiple correspondence submitted – see letter of 3/22/18; Arbitrary and capricious; Many issues with the design.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 7:45 p.m. to close the public hearing.

Unanimously carried.

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ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to open the public participation portion of the meeting.

Unanimously carried.

Member(s) of the audience who spoke and their topic(s):

1. Carolyn Schlifke, 192 Evans St. – Issues with grass restoration due to sidewalk plow.
2. Scott Arhardt, 23 Swan Pl. – Re 5664 Main St – In the guest house in the back. Front became commercial in 1980/1981. People block the carport; there is gravel all over lawn from snow plowing; Needs signage put in by Village to prohibit parking.
3. Thomas Frank, 5403 Main St. – Union Rd. project; Removal of toll barrier; GBNRTC; NYSERDA funding; Erosion of infrastructure.
4. Carolyn Schifflke, 192 Evans St. – Crosswalk at Essjay Rd. and Evans St.

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved to close the public participation portion of the meeting.

Unanimously carried.

Report – Mayor DeLano

Mayor DeLano reported on the following topic(s): Spring tree planting; GBNRTC will be looking at area from Evans St. to Mill St. and from Main St. north for stop sign layout.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to adopt the following resolution:

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the *2017-2018* fiscal year:

To:	001-1010-4040 (Board of Trustees – Education Expense & Travel)	\$55.00
From:	001-1210-4040 (Mayor – Education Expense & Travel)	\$55.00
To:	001-1640-4440 (Central Garage-Parts)	\$7.00
From:	001-1640-4260 (Central Garage-Maint. Supplies)	\$7.00
To:	001-3410-4160-3491 (Fire Protection – Truck Expense/Car 9-1 Expense)	\$21.00

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	001-3410-4160-3492 (Fire Protection – Truck Expense/Car 9-2 Expense)	\$21.00
	001-3410-4160-3405 (Fire Protection – Truck Expense/Rescue 5)	\$375.00
From:	001-3410-4160 (Fire Protection – Truck Expense)	\$417.00
To:	001-5110-4000 (Street Maintenance – Seasonal Help)	\$330.00
From:	001-5110-1000 (Street Maintenance – Personal Services)	\$330.00
To:	001-5110-4161-0901 (Street Maintenance – Repairs/2012 Chevy Tahoe)	\$337.00
	001-5110-4161-0904 (Street Maintenance – Repairs/2005 Freightliner)	\$1,571.00
	001-5110-4161-0906 (Street Maintenance – Repairs/2007 Int'l Dump)	\$160.00
From:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$2,068.00
To:	001-5142-4161 (Snow Removal-Repairs/Plows)	\$883.00
From:	001-5142-4000 (Snow Removal-Repairs/Plow Trucks)	\$729.00
	001-5142-4460 (Snow Removal-Lawn Repair)	\$154.00
To:	001-5142-1000 (Snow Removal-Personal Services)	\$2,074.00
	001-8560-1000 (Shade Trees-Personal Services)	\$485.00
From:	001-8163-1000 (Trash Pickup-Personal Services)	\$2,559.00

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved to adopt the following resolution:

RESOLVED, that the following *budget transfer* is hereby made in the *Glen Park Fund* for the *2017-2018* fiscal year:

To:	009-7141-4102 (Glen Park-Landscaping)	\$594.00
From:	009-7141-4163 (Glen Park-Lighting Fixtures)	\$594.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for grant funds received from NYS Parks for the Intensive Level Survey of S. Cayuga Road:

Increase:	001-0001-3090 (State Aid-Grants)	\$12,000.00
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Increase: 001-7520-4099 (Historical Property-Grant Expenditures) \$12,000.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for Community Development Block Grant funds received for architectural services for the Meeting House Art Glass Window Restoration project:

Increase: 001-0001-5031 (Inter-fund Transfer) \$1,520.00

Increase: 001-7530-2010 (Village Meeting House–Capital Improvements) \$1,520.00

Unanimously carried.

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

RESOLVED, that the following *budget amendment* is hereby made in the *General Fund* for the *2017-2018* fiscal year to account for the use of assigned funds towards the E. Spring Street project:

Increase: 001-0001-0599 (Appropriated Surplus) \$13,052.00

Increase: 001-9950-9000 (Transfer to Capital) \$13,052.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of \$104,662.02 covering the period from 3/7/18 to 3/20/18 are hereby approved as follows:

Payroll covering 3/5/18 – 3/18/18: \$37,981.74

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Vouchers covering 3/7/18 – 3/20/18:

General Fund	\$43,043.89
Water Fund	\$0.00
Sewer Fund	\$452.01
Glen Park Fund	\$179.61
Trust & Agency Fund	\$14,864.77
Debt Service	\$7,900.00
Community Development	\$0.00
Capital Fund	\$240.00
	<u>\$66,680.28</u>

GRAND TOTAL: **\$104,662.02**

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Yates, the following resolution was adopted:

RESOLVED, that *Julie Budziszewski of 94 Grand Prix Drive, Cheektowaga, New York*, is hereby appointed *Senior Account Clerk Typist*, at a rate of \$19.50 per hour, effective April 2, 2018.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Yates, the following resolution was adopted:

RESOLVED, that the following Fire Department equipment is hereby declared surplus, to be sold via sealed bid:

Asset #	Description	Date Acquired	Original Cost	Book Value
393	2003 Ferrara Custom Pumper (Engine 2)	08/11/2003	\$300,000.00	\$0.00
394	2003 Ferrara Custom Pumper (Engine 1)	09/25/2003	\$300,000.00	\$0.00

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BE IT FURTHER RESOLVED, that the Administrator is hereby authorized to advertise for the sale of the two engines listed above.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Yates, the following resolution was adopted:

WHEREAS, the Village of Williamsville Tree Board's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community through its stewardship of the Village urban forest; and

WHEREAS, *Arbor Day* is celebrated during this time; and

WHEREAS, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

WHEREAS, we recognize that actions to protect and preserve trees through education, partnership and positive action should be encouraged;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees hereby proclaims that *Arbor Day* shall be celebrated in the Village of Williamsville on Saturday, June 2, 2018, including celebration activities and recognition.

Unanimously carried.

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

RESOLVED, that the Community Plan Update Committee is hereby created.

Unanimously carried.

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ON MOTION by Mayor DeLano, seconded by Trustee Yates, the following resolution was adopted:

RESOLVED, that the following are hereby appointed to the *Community Plan Update Committee*:

Wally Pacer, 87 Monroe Dr.
Ron Trigilio, 26 S. Ellicott St.
Jim Celeste, 89 Oakgrove Dr.
Dave Brody, 5888 Main St.
Bea Slick, 130 Hirschfield Dr.
Rick Andrews, 40 Stanton St.
Karen McMahon, 97 Los Robles
Kate Waterman-Kulpa, 81 Milton St.
Wes Stone, 125 Lake Ledge Dr.
Carolyn Schlifke, 192 Evans St.
William Tuyn, 141 Park Dr.
Tim Boyle, 97 Pasadena Dr.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Yates, the following resolution was adopted:

RESOLVED, that Colin Branka, residing at 175 N. Autumn Street, Williamsville, is hereby appointed as an Active Restricted member of the Williamsville Fire Department, effective April 1, 2018.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to leave the regular agenda to consider a new resolution.

Unanimously carried.

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

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of Highway Rehabilitation Project NY RTE 277 (South Union Road) from Wehrle Dr. to NY RTE 5 (Main St.) in the Village of Williamsville located in Erie County, PIN 5813.45, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the adjustment of existing sanitary sewer facilities pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project.

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville approves of the adjustment of existing sanitary sewer facilities and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the Village of Williamsville will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans, and

BE IT FURTHER RESOLVED, that the Mayor has the authority to sign, with the concurrence of the Williamsville Board of Trustees, any and all documentation that may become necessary as a result of this project as it relates to the Village of Williamsville, and

BE IT FURTHER RESOLVED, that the Clerk of the Village of Williamsville is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to return to the regular agenda.

Unanimously carried.

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Report – Trustee Rogers

Trustee Rogers reported on the following topic(s): Nature Play area in Glen Park

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

WHEREAS, the Village Co-op Market of Williamsville wishes to conduct a market study to evaluate the sales potential for a proposed natural foods co-op in Williamsville, as well as proposed sites for the location of the co-op; and

WHEREAS, the Village Co-op Market of Williamsville has obtained funding through Erie County and the Amherst Industrial Development Agency for such a study, but the funding must be run through the Village of Williamsville; and

WHEREAS, the Village Board of Trustees feels that the addition of a co-op market in the Village would be beneficial for both residents and businesses; and

WHEREAS, the Village Co-op Market of Williamsville will cover any costs that are in addition to the funding received through Erie County and the Amherst IDA;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Memorandum of Agreement with the Co-op Market of Williamsville.

Unanimously carried.

Report – Deputy Mayor Piazza

Deputy Mayor Piazza had no report.

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

WHEREAS, the Village Co-op Market of Williamsville has obtained funding through Erie County and the Amherst Industrial Development Agency to conduct a market study to evaluate the sales potential for a proposed natural foods co-op in Williamsville; and

WHEREAS the project will be officially contracted through the Village of Williamsville;

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Project Agreement Form with G2G Research Group for the study of a natural foods co-op, contingent upon execution by the Village Cooperative Market of Williamsville of the Memorandum of Agreement providing that the Co-op will reimburse the Village for any costs incurred by the Village in excess of the funds obtained from the Amherst Industrial Development Agency and the County of Erie.

Unanimously carried.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Thanked the Village Board for supporting the Co-op Market.

ON MOTION by Trustee Yates, seconded by Deputy Mayor Piazza, the following resolution was adopted:

WHEREAS, the Town of Amherst employs a Director of Community Development, whose professional services would also be of benefit to the Village of Williamsville for certain economic development related activities and projects; and

WHEREAS, the Town and Village have agreed to share the services of said employee;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign the Memorandum of Understanding with the Town of Amherst for the sharing of services of the Director of Community Development.

Unanimously carried.

Report – Trustee Etu

Trustee Etu reported on the following topic(s): Need to increase the number of active Village volunteers, especially for the Beautification Committee.

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ON MOTION by Trustee Etu, seconded by Trustee Yates, the following resolution was adopted:

WHEREAS, the Village of Williamsville Environmental Advisory Commission's mission is to advise and support matters that impact the beauty, biological integrity and environmental quality of the community; and

WHEREAS, we recognize that in order to provide a high quality of life in Williamsville, each one of us must be good stewards of our air, water, land, flora and fauna; and

WHEREAS, we recognize that actions to protect and preserve the environment through education, partnership and positive action should be encouraged; and

WHEREAS, the Village of Williamsville wishes to recognize the 48th anniversary of *Earth Day*;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville Board of Trustees hereby proclaims *Earth Day* to be celebrated in the Village of Williamsville on Saturday, June 2, 2018, with a variety of educational, earth-focused activities for the community.

Unanimously carried.

ON MOTION by Trustee Etu, seconded by Trustee Yates, it was moved to leave the regular agenda to consider a new resolution.

Unanimously carried.

ON MOTION by Trustee Etu, seconded by Trustee Yates, the following resolution was adopted:

RESOLVED, that the proposal from Flynn Battaglia Architects dated 3/22/18 and related to the Lehigh Valley Railroad Section House is hereby approved.

Unanimously carried.

ON MOTION by Trustee Etu, seconded by Deputy Mayor Piazza it was moved to return to the regular agenda.

Unanimously carried.

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Staff Report(s) - None

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved at 8:50 p.m. to open the Executive Session portion of the agenda to discuss pending litigation.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 9:50 p.m. to close the Executive Session portion of the agenda.

Unanimously carried.

ON MOTION by Trustee Yates, seconded by Trustee Etu, it was moved to adjourn the meeting at 9:50 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer