

**Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village Hall, 5565 Main Street, Williamsville, New York, on Tuesday, June 25, 2018 at 7:30 p.m.**

The meeting was opened at 7:30 p.m. with the Pledge of Allegiance led by Trustee Rogers.

Present: Daniel O. DeLano, Jr., Mayor  
Basil J. Piazza, Deputy Mayor  
Deborah L. Rogers, 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  
Ben Vilonen, DPW Crew Chief

Excused: Matthew J. Etu, Trustee

Proclamation - Mayor DeLano presented a proclamation to Calvary Episcopal Church to commemorate the 40<sup>th</sup> anniversary of the Calvary Episcopal Church Carillon Series.

**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, it was moved to approve the minutes of the regular meeting held on June 11, 2018, as submitted.

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to approve the minutes of the special meeting held on June 19, 2018, as submitted.

Motion carried. 4 – 0.

**Public Hearing - Continued**

*Proposed amendment to Chapter 112 of the Village Code (Zoning), which would regulate chicken coops as accessory structures*

**ON MOTION** by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to continue the public hearing at 7:36 p.m.

Motion carried. 4 – 0.

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No one in the audience addressed the Board.

**ON MOTION** by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 7:37 p.m. to close this public hearing.

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to open the public participation portion of the meeting.

Motion carried. 4 – 0.

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

1. Larry Brenton, 31 Monroe Dr. – Completion date for S. Long project? *[End of calendar year.]* Contractor equipment is behind the depot and they are pressed for space with Touch a Truck event coming up. Thanked International Chimney for their assistance. Any comments on Airbnb? *[Mayor DeLano – Board is not interested in regulating because it is owner-occupied. Trustee Yates – Has stayed in Airbnbs for years. Does not necessarily bring negative issues. If skirting hotel tax law can look into information. Attorney Grieco – Bed tax in Erie County is a county tax. Deputy Mayor Piazza – If absentee person/landlord, it is against the law. If you are aware of that, make it known to the Village.]*
2. Tom Stackhouse, 201 Siegfried Dr. – International Chimney has said the Railway Society can use their lot for the Touch a Truck event this year.
3. Fran Noonan, 46 Park Dr. – Iskalo property; On Milton St., 122 and 149 California have been purchased by Natale Development and are vacant. At Meeting House – Pictures of houses on Main Street in the historical society. If Iskalo purchases other houses on Park Dr. and tears them down, their street will look like the area near Yotality. *[DeLano – Iskalo hasn't confirmed they are tearing down 24 Garrison Rd. It is under debate. Zoning of merged parcels - calling for a public hearing to clean up that section of the code. Knows Iskalo sent a letter to the residents. Public Hearing will clean this up.]* This would completely change the complexion of the neighborhood. *[Grieco – Village Board is working to clean up the provision that someone may try to argue that zoning would change when parcels are merged. No one has come to the Village to make that argument. ZBA has statutory right to determine what that section of the code means. Yates - Can make code clear but cannot prevent them from going to ZBA for a variance.]*

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4. Debbie Cambria, 87 N. Ellicott St. – Signs regarding new speed limits are up, but drivers are maniacs. Need rumble strips or raised medians. *[DeLano – Village was awarded a PSAP grant for pedestrian improvements and may be able to consolidate funds into one area such as this. Main and Cayuga, at tennis shop, need signage on the light so people can see it if inch up past the sign. Multi modal funding for flashing beacon on Mill.]*
5. Richard Cuccinota, 146 California Dr. – California between Los Robles and Cayuga is falling apart. *[Paving later this year.]* Natale is not maintaining the property or cutting the grass. Window on office is broken. Tree branches on sidewalk. *[DeLano – Meeting them later this week regarding the land swap. Egress from Natale project to S. Long St.]*
6. Amy Alexander, 153 Mill St. - Would like to request that the Village consider a noise ordinance. Neighbor has installed an outdoor sound system that is very loud – she can hear from inside her house. *[Grieco – Section 73-7 of the Code is our noise ordinance.]* Amherst’s code is somewhat specific. *[Board will look at Amherst’s code.]*
7. Carolyn Schlifke, 192 Evans St. – Putting village on notice about something that happened over the weekend at Sts. Peter and Paul Church. Planted flowers on Saturday, there on Sunday and found the flowers torn out. May happen in other areas of the Village. Construction cones were also thrown all over Main Street. *[DeLano – there are more and more cameras everywhere that can be accessed by the police.]*
8. Dan Rider, 38 Garden Pkwy. – Rode bike down Lehigh Trail – dead ash trees along trail that could fall down onto the trail. Any news on S. Long zombie house? Natale Development on California. Sent Village Board a Google map with a plan. Hopes board will look at a complete solution for that area. When will Natale come up on Village Board schedule? *[Land swap is only item for Village Board at this time.]* Would like the Village Board to look at parking on north side of Depot – may not be enough room. As far as moving Section House – all buildings can be moved. *[DeLano – Part of historical significance is being in its original location.]*
9. Anthony Messina, 206 N. Autumn – Natale project - egress has made this an issue. People cut through and speed down their street. Concerned about egress to S. Long and that Town is going to require those residents to install sidewalks.
10. Bob Luden, 146 Garden Pkwy. – Concerned about traffic going down Garden Pkwy. to Cayuga.
11. Mary Lowther, 120 N. Ellicott – Status of Code Enforcement Officer? *[Interviewing.]* Cars parking on front lawn on Evans St. Section House and Depot area. Will nullify ability to get on national register if Section House is moved. If roadway is put in, it will interfere with Depot events. She is on HPC. Losing historic homes in the Village. Owners don’t maintain or heat them then they want to demolish them. Village needs to do a better job on these buildings. Need to be cognizant on what is going on. *[Need to*

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*keep code enforcement in house, but looking at potential inter-municipal agreement with the Town.] DPW are eyes on the road. Demolition permit needs work.*

12. Thomas Frank, 5403 Main St. – Glen Park Joint Board meeting; Joint services between the Village and the Town; Comprehensive Plan; Ellicott Creek shoreline stabilization; E. Spring St. Project; Consolidated funding application; Dead ash tree in Glen Park; Waterkeepers; Erosion issues; Ellicott Creek Watershed.

13. Dan Rider, 38 Garden Pkwy. - If leave Section House where it is, it's on an island. It's a stand alone building.

**ON MOTION** by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to close the public participation portion of the meeting.

Motion carried. 4 – 0.

**Report – Mayor DeLano**

*Mayor DeLano reported on the following topic(s):* Main Street construction project; Need to maintain driver safety.

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

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

To:	001-5110-1000 (Street Maint. – Personal Services)	\$441.00
	001-8560-1000 (Shade Trees – Personal Services)	\$737.00
From:	001-7110-1000 (Parks – Personal Services)	\$1,178.00
To:	001-1640-1001 (Central Garage – Personal Services/OT)	\$70.00
From:	001-5142-1001 (Snow Removal – Personal Services/OT)	\$70.00
To:	001-3410-2020 (Fire Protection – Expendable Items)	\$54.00
	001-3410-2050 (Fire Protection – Turnout Gear)	\$1.00
	001-3410-4160-3407 (Fire Protection – Truck Expense/Rescue 7)	\$688.00
	001-3410-4160-3451 (Fire Protection – Truck Expense/2015 Ford F350XL)	\$140.00
From:	001-3410-4160 (Fire Protection – Truck Expense)	\$743.00
	001-3410-4070 (Fire Protection – Utilities)	\$140.00
To:	001-5110-4000 (Street Maintenance – Seasonal Help)	\$441.00
From:	001-5110-1000 (Street Maintenance – Personal Services)	\$441.00

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To:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$262.00
	001-5110-4161-0901 (Street Maintenance – Repairs/2012 Chevy Tahoe)	\$11.00
	001-5110-4161-0921 (Street Maintenance – Repairs/2008 Ford F250)	\$18.00
From:	001-5110-4161-0903 (Street Maintenance – Repairs/2015 Dump Truck)	\$12.00
	001-5110-4040 (Street Maintenance – Education Exp./Travel)	\$83.00
	001-5110-4600 (Street Maintenance – Clothing Allowance)	\$196.00
To:	001-7110-4070 (Parks – Utilities)	\$558.00
	001-7110-4162 (Parks – Repairs/ Pools)	\$1,904.00
	001-7110-4450 (Parks – Misc.)	\$304.00
From:	001-7110-4161 (Parks – Repairs/Lights)	\$708.00
	001-7110-4169 (Parks – Repairs/Other)	\$780.00
	001-7110-4350 (Parks – Pool Supplies)	\$117.00
	001-7110-4660 (Parks – Tree Maint. & Replacement)	\$1,161.00
To:	001-8510-2000 (Community Beautification - Equipment)	\$75.00
	001-8560-4451 (Shade Trees – Environmental Advisory Committee)	\$38.00
From:	001-8510-4110 (Community Beautification – Serv. Contracts/Main St. Weed Control)	\$113.00

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, 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 revenue from the Glen Park Art Festival:

Increase:	001-0001-2089 (Other Cultural & Recreation Income)	\$2,660.00
Increase:	001-7750-4540 (Celebrations – Glen Park Art Festival)	\$2,660.00

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, 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 use of the Meeting House assigned funds toward the art glass window project:

Increase:	001-0001-0599 (Appropriated Surplus)	\$9,533.00
Increase:	001-7530-2010 (Village Meeting House-Capital Improvements)	\$9,533.00

Motion carried. 4 – 0.

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

**RESOLVED**, that payroll and vouchers in the amount of **\$547,316.35** covering the period from 6/6/18 to 6/19/18 are hereby approved as follows:

**Payroll covering 5/28/18 – 6/10/18:** \$45,033.44

**Vouchers covering 6/6/18 – 6/18/18:**

General Fund	\$46,453.04
Water Fund	\$42.85
Sewer Fund	\$342,085.40
Glen Park Fund	\$539.99
Trust & Agency Fund	\$16,265.76
Debt Service	\$94,665.63
Community Development	\$0.00
Capital Fund	<u>\$2,230.24</u>
	\$502,282.91

**GRAND TOTAL:** **\$547,316.35**

Motion carried. 4 – 0.

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

**RESOLVED**, that the proposed amendment to Chapter 103 (Vehicles and Traffic), which would reduce the speed limit on California Dr. from Milton St. to Los Robles from 30 mph to 25 mph, is hereby adopted as **Local Law 8 of 2018**.

Motion carried. 4 – 0.

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

**RESOLVED**, that the proposed amendment to Chapter 103 (Vehicles and Traffic), which would add stop signs on California Drive at the intersection of Los Robles, is hereby adopted as **Local Law 9 of 2018**.

Motion carried. 4 – 0.

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

**RESOLVED**, that *Keaton DePriest* of 44 Lucille Dr., Cheektowaga, NY, is hereby appointed as *Director of Community Development*, effective June 27, 2018, at a salary of \$50,000 per year.

Motion carried. 4 – 0.

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

**RESOLVED**, that Mark Kutner is approved for transitional duty for an additional period of 30 days, effective July 10, 2018, pending receipt of appropriate medical documentation.

Motion carried. 4 – 0.

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

**WHEREAS**, sealed bids for the sale of two 2003 Spartan Gladiator rear mount fire engines were advertised and duly opened and ready publicly at 2:00pm on June 13, 2018; and

**WHEREAS**, the asking price for each truck was a minimum of \$120,000.00 each, with a required deposit of 10% due upon notification of bid acceptance, and the balance due when the trucks become available in October or November 2018; and

**WHEREAS**, one bid was received for the purchase of both trucks for \$134,567.89 each;

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**NOW, THEREFORE, BE IT RESOLVED**, that both fire engines are hereby sold to South Lockport Fire Company, Inc. for the total sum of \$269,135.78.

Motion carried. 4 – 0.

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

**RESOLVED**, that the following change orders are hereby authorized to 4 Guys Fire Trucks Inc.:

Rescue Vehicle	\$37,636.00
(2) Pumper Trucks	\$401.00

**BE IT FURTHER RESOLVED**, that funding of \$36,196.00 is being provided by a grant through Senator Michael Ranzenhofer.

Motion carried. 4 – 0.

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

**RESOLVED**, that Rachel Wenner, residing at 30 Mill Street, Williamsville, is hereby appointed as an Active Member of the Williamsville Fire Dept., effective July 1, 2018.

Motion carried. 4 – 0.

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

**RESOLVED**, that Colin Branka, residing at 175 N. Autumn St., Williamsville, is hereby appointed as an Active Member of the Williamsville Fire Dept., effective July 1, 2018.

Motion carried. 4 – 0.

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**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, it was moved to leave the regular agenda to consider two new resolutions.

Motion carried. 4 – 0.

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

**RESOLVED**, that the proposal from Wm. Schutt Associates dated June 1, 2018 for the 2018 Cold Milling with Hot Asphalt Replacement Project is hereby approved in the amount of \$12,156.00

Motion carried. 4 – 0.

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

**RESOLVED**, that the Administrator is hereby authorized to publish legal notice of a public hearing to be held on Monday, July 23, 2018, at 7:30 p.m., at Village Hall, 5565 Main street, Williamsville, NY, for the purpose of hearing all persons interested in commenting on a proposed amendment to Chapter 112-12 of the Village code, (Zoning), which would specify how lots spanning multiple zoning districts are regulated.

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, it was moved to return to the regular agenda.

Motion carried. 4 – 0.

**Report – Trustee Yates**

*Trustee Yates reported on the following topic(s):* Yard waste must be separated from garbage and recycling. Totes with yard waste in them will not be picked up.

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**Report – Trustee Rogers**

*Trustee Rogers had no report.*

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

**RESOLVED**, that the Administrator is hereby authorized to publish notice of a public hearing to be held on Monday, July 23, 2018 at 7:30 p.m. at Village Hall, 5565 Main St., Williamsville, NY, for the purpose of hearing all those interested in commenting on a proposed amendment to Chapter 84 of the Village Code (Signs).

Motion carried. 4 – 0.

**ON MOTION** by Trustee Rogers, seconded by Deputy Mayor Piazza, it was moved to leave the regular agenda to consider a new resolution.

Motion carried. 4 – 0.

**RESOLVED**, that the proposed amendment to Chapter 112 (Zoning), which would regulate chicken coops as accessory structures, is hereby adopted as **Local Law 10 of 2018**.

Motion carried. 4 – 0.

**ON MOTION** by Trustee Rogers, seconded by Trustee Yates, it was moved to return to the regular agenda.

Motion carried. 4 – 0.

**Report – Deputy Mayor Piazza**

*Deputy Mayor Piazza reported on the following topic(s): Yard waste policy; Recycling - Should not recycle certain items; Vandals on N. Long St. – Stealing items out of unlocked vehicles. Lock your vehicles every night.*

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**Staff Report(s)**

*Administrator Juul reported on the following topic(s):* Last day to pay taxes without penalty is July 2, 2018.

*Mayor DeLano reported on the following topic(s):* Thanked everyone for their support and trust in the election.

**ON MOTION** by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 9:28 p.m. to open the Executive Session portion of the agenda to consider a personnel matter related to the hiring of a specific individual and a personnel matter.

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, it was moved at 10:18 p.m. to close the Executive Session portion of the agenda.

Motion carried. 4 – 0.

**ON MOTION** by Mayor DeLano, seconded by Trustee Yates, it was moved to adjourn the meeting at 10:18 p.m.

Motion carried. 4 – 0.

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Lynda L. Juul  
Administrator/Clerk-Treasurer