

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, October 9, 2018 at 7:34 p.m.

The meeting was opened with the Pledge of Allegiance led by Mayor DeLano.

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

Also present: Lynda L. Juul, Administrator/Clerk-Treasurer
Judith A. Kindron, Deputy Treasurer
Charles Grieco, Village Attorney
Ben Vilonen, DPW Crew Chief
Keaton DePriest, Director of Community Development

Excused: John "Al" Yates, Jr., Trustee

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved to approve the minutes of the regular meeting held on September 10, 2018, as submitted.

Unanimously carried.

Public Hearing

Proposed amendment to Chapter 84 of the Village Code (Signs)

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 7:36 p.m. to continue this public hearing which was previously left open by the Village Board on September 24, 2018.

Unanimously carried.

The Mayor announced that discussion will be continued at a special Village Board work session to be held on October 16, 2018.

No one from the audience addressed the Board.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 7:38 p.m. to continue this public hearing at the October 22, 2018 Village Board meeting.

Unanimously carried.

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Public Hearing

*Proposed amendment to Chapter 103-16 of the Village Code ((Vehicles and Traffic)
to add No Standing on Danbern Lane*

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 7:39 p.m. to open this public hearing.

Unanimously carried.

Trustee Etu presented information on the history of Danbern Lane. The road is only 14' wide and was originally a private lane, which was eventually turned over to the Village. Parking has become an issue since a new home was built on the street. It is a safety hazard due to the fact that it restricts fire access down the roadway.

Members of the audience who addressed the Board:

1. Larry Brenton, 31 Monroe Dr. – Depiction of street is correct. PVC waterline was installed on Danbern at less than frost depth.
2. Gregory George, 50 Danbern La. – There was a fire on Danbern when his family owned the home – would have burned completely without fire access; Two feet of the 14' wide road is missing due to construction. Hopes this is approved as a no standing zone.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 7:47 p.m. to close this public hearing.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, 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. Bob Bennett, 96 Columbia Dr. – Thanked Mayor DeLano for his communication over the last 2 days regarding feral cat issue – spoke to Feral Cat Focus – will try to contact the feeders to rectify. \$25 - \$30 per cat for TVNR. Would be responsibility of feeders. Neighbor has seen rats. *[Mayor DeLano – Village will likely have to tweak its code to*

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address this issue. Hopefully this will be addressed when FCF speaks to the residents feeding the cats. Working with residents and FCF to come up with a humane solution.]

2. Sharon Dowd, Feral Cat Focus – As colonies are trapped, spayed and neutered, numbers will decrease. Many are semi-friendly. Young kittens can be adopted.
3. Larry Brenton, 31 Monroe Dr. – Happy to see in Buffalo News that there is action on Airbnbs on the part of the Village Board. Salt building being placed on zombie lot on S. Long St.? *[Yes. Intent is to move side yard there, probably next year.]* What is the zoning there? *[NMU.]* Need to be conscious of what things are changing. Trucks will be loaded in the middle of the night and are required to have backup indicator. Would that be wanted in close proximity to your home? Asking board to reconsider this. Can use Town of Amherst, DPW lot, etc. Private agency should examine what property is available. Airbnb issue was covered well in the Amherst Bee. Other items people are unaware of. Need greater info placed into the hands of the public. Village Administrator should provide the Buffalo News with what transpires at a meeting, *[Mayor DeLano – Bee is the newspaper of record. This is what the minutes are for.]* If transmitted immediately, everyone will be aware. People are not being informed right now.
4. Ed Zabel, 24 Pasadena Pl, - When will the road reconstruction start? *[Mayor DeLano – Nov. 1 if not sooner.]* There is no “No Parking” sign when traveling east on California on the north side. *[Mayor DeLano - will look into this.]*
5. Carolyn Schlifke, 192 Evans St. – Has lived on Evans for 67 years. Need speed enforcement on Evans. Doesn’t see any enforcement. The 5 ton truck limit sign is not being obeyed. Signal at Essjay and Evans – cars don’t come to a full stop at the intersection when turning right onto Essjay. Should not put a crosswalk on that side of the intersection. Happy about the appointment of code enforcement officer. There is an issue with cars parking on the grass on Evans closer up towards Main St. Absentee landlords don’t make renters take care of the outside of the home. *[APD was asked to put a speed trailer in this area and increase enforcement.]*
6. Larry Brenton, 31 Monroe Dr. – Unregistered cars on private property – should go street by street. Did this in the past. Building Dept. clerk was driven by a DPW employee.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, 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): All lanes on Main St. are open; HAWK signal will be installed at end of October or early November; all Main St. work to be complete

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by Thanksgiving with the exception of sod; trees will be replaced on Main St. immediately afterward; Village paving to begin November 1st or sooner; feral cat issue – working with residents and Feral Cat Focus organization to come to a humane solution; received funding for mid-block crossing on Mill St. near Glen Ave.; no schedule yet for Garrison improvement by Erie County prior to Village taking over; High Intensity crosswalk being installed on Garrison; Union Rd. construction not being completed this year.

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

RESOLVED, that the following *budget transfer* is hereby made in the *General Fund* for the 2018-2019 fiscal year:

To: 001-5110-4161-0918 (Street Maintenance – Repairs/2010 Ford 350 XL)	\$686.00
From: 001-5110-4161 (Street Maintenance – Repairs/Equip.)	\$686.00

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 \$105,107.12 covering the period from 9/19/18 to 10/2/18 are hereby approved as follows:

Payroll covering 9/17/18 – 9/30/18: \$32,841.33

Vouchers covering 9/19/18 – 10/2/18:

General Fund	\$44,386.02
Water Fund	\$2,745.30
Sewer Fund	\$20,910.53
Glen Park Fund	\$266.67
Trust & Agency Fund	\$3,957.27
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$0.00</u>
	\$72,265.79

GRAND TOTAL: \$105,107.12

Unanimously carried.

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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., related to the purchase of two new fire engines:

(2) Akron 3” Deck Guns	\$35,752.00
Dry Hose lay	\$1,346.00
Pre-Paint Electrical Modifications	\$5,780.00
Pre-Paint Finish Modifications	\$7,490.00

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, 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, 2018 to October 31, 2019.

Unanimously carried.

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

WHEREAS, there is now pending before the New York State Supreme Court, a lawsuit under Index No. 808594-2014 entitled TIMOTHY ABATI v. VILLAGE OF WILLIAMSVILLE ET AL. (“Lawsuit”); and

WHEREAS, the Village denies any liability or wrongdoing whatsoever, but has determined that it is in the best interest of the Village to settle and resolve any and all existing and/or potentially existing disputes relating to the Lawsuit (“Settlement”);

NOW, THEREFORE, BE IT RESOLVED, that the Village Board hereby authorizes the payment of \$50,000 towards the Settlement of the Lawsuit, in exchange for a General Release and a dismissal of the Lawsuit with prejudice; and

BE IT FURTHER RESOLVED, that the Mayor, Village Administrator/Clerk-Treasurer and/or the attorneys for the Village are hereby authorized and directed to perform any and all such actions as are necessary to finalize the Settlement.

Unanimously carried.

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

RESOLVED, that *Timothy Masters of 8470 Mountain Rd., Gasport, NY*, is hereby appointed as *Code Enforcement Officer*, at a salary of \$65,000.00.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was motioned to leave the agenda to consider two new resolutions.

Unanimously carried.

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

RESOLVED, that Williamsville Fire Chief Michael Measer is hereby authorized to travel to Nashville, TN for the Firehouse Expo from October 16, 2018 through October 20, 2018, with costs related to lodging, meals and local transportation to be paid by the Village of Williamsville in an amount not to exceed \$1600.00; and

BE IT FURTHER RESOLVED, that Hutchinson Hose Company will cover costs related to conference fees and airfare.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to sign the Memorandum of Understanding for the year 2017 between the Erie County STOP-DWI Office and the Village of Williamsville.

Unanimously carried.

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

Unanimously carried.

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Report – Deputy Mayor Piazza

Deputy Mayor Piazza reported on the following topic(s): Community Development Block Grant funds are available to those in need of assistance.

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

RESOLVED, that the Village Administrator is hereby authorized to publish a Notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville on Tuesday, November 13, 2018 at 7:30 p.m., in Village Hall, 5565 Main St., Williamsville, New York, for the purpose of hearing all persons interested in discussing the proposed use of 2019-2020 Community Development Block Grant funds.

Unanimously carried.

In Trustee Yates's absence, Deputy Mayor Piazza moved forth his resolutions.

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

RESOLVED, that the CGI Communications 2018 Community Video Program agreement dated September 10, 2018 is hereby approved.

Unanimously carried.

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

RESOLVED, that the official date of *Halloween Trick or Treat* in the Village of Williamsville is hereby designated as Wednesday, October 31st.

Unanimously carried.

Report – Trustee Etu

Trustee Etu reported on the following topic(s): Encouraged those not involved to become active on a Village committee.

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

RESOLVED, that *Jean Stadelman*, residing at *56 Garrison Rd., Williamsville*, is hereby appointed to the *Parks Committee* until the end of the *2018-2019* official Village year.

Unanimously carried.

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

RESOLVED, that the proposed amendment to Chapter 103-16 of the Village Code (Vehicles and Traffic) which would add “No Standing” on both sides of Danbern Lane for the entire length of the road, is hereby approved as **Local Law 12 of 2018.**

Unanimously carried.

Report – Trustee Rogers

Trustee Rogers reported on the following topic(s): Thanked Sue Kogutec for her assistance with photos at the Meeting House and Village Hall.

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

WHEREAS, the Village of Williamsville currently owns a collection of eleven photographs, taken by Cornelius Deazley, that are displayed at both the Meeting House and Village Hall; and

WHEREAS, Cornelius J. Deazley (1887 – 1963) was a lifelong resident of the Village of Williamsville, son of Oliver and Katherine Deazley who were among the early well-known residents of the Village with their homestead located at the corner of Orchard Place and Eagle Street; and

WHEREAS, Cornelius J. Deazley, was a photographer who used a box camera and a holder for a single 4” x 5” glass negative on which his images were burned and was able to capture a collection of images that provide a true look back in time to everyday life in the Village in the early 1900s; and

WHEREAS, Sue Kogutec, Village resident, made a surprise discovery of five boxes full of Mr. Deazley’s old glass negatives, unseen and stored for over 100 years, which she purchased from an estate sale in the Village to share with future generations; and

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WHEREAS, the Meeting House Committee, in honor of the Cornelius Deazley Collection, wishes to name the side room at the Meeting House in his honor;

NOW, THEREFORE, BE IT RESOLVED, that the Village of Williamsville hereby names the side room at the Meeting House the “DEAZLEY ROOM”.

Unanimously carried.

Staff Report(s)

DPW Crew Chief Vilonen reported on the following topic(s): Leaf collection begins October 22nd.

Community Development Director DePriest reported on the following topic(s): Photo of Cornelius Deazley in the auditorium; Beautification Committee is seeking volunteers for the garden fall cleanup event on Saturday, October 13th from 9:00 a.m. to Noon at Heritage Garden of 1812 (Main & Evans); Village newsletter will be out early next week; info in hallway on HAWK signal.

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved to open the Executive Session at 8:56 p.m. to discuss the hiring of a specific individual.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to close the Executive Session at 9:18 p.m.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to adjourn the meeting at 9:18 p.m.

Unanimously carried.

Lynda L. Juul
Administrator/Clerk-Treasurer