

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 25, 2019 at 7:30 p.m.

The meeting was opened at 7:36 p.m. with the Pledge of Allegiance led by Trustee Yates.

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

Also present: Judith A. Kindron, Administrator/Clerk-Treasurer
Hazel J. Pasco, Deputy Treasurer
Charles Grieco, Village Attorney
Keaton DePriest, Director of Community Development

Excused: Ben Vilonen, DPW Crew Chief

Proclamation - Mayor DeLano presented a proclamation to long-time Village resident Carolyn Schlifke in honor and recognition of her many years of dedicated service to the Village community.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to approve the minutes of the regular meeting held on March 11, 2019, as submitted.

Unanimously carried.

Public Hearing

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

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 7:42 p.m. to continue this public hearing which was previously left open by the Village Board at the March 11, 2019 Village Board meeting.

Unanimously carried.

Members of the audience who addressed the Board and their comment(s):

1. John Benz, 34 Howard Ave. – Asked how much the Village spent on new sign code. Money wasted. We should just use Amherst's code. [Trustee Rogers – We used Steinmetz out of Rochester for \$12,000 - \$14,000.]

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2. Kate Waterman-Kulpa, 81 Milton St. – Is a Planning Board member; concerned about projecting signs. Should be part of the Architectural and Planning Board review process. *[Village Attorney Grieco – Appeals should go to the Planning Board. He will give his comments to CEO Tim Masters. Trustee Yates – Set back. Trustee Etu – Really town pole signs. Mono poles are excluded.]*
3. Mary Lowther, 120 N. Ellicott St. – Sidewalk signs; newspaper/periodical boxes chained to poles are a problem. A-frames are allowed but not chained boxes. *[Village Attorney Grieco - Freestanding sidewalk boxes such as for “Jobs” are not signs. It’s a first amendment issue. Trustee Etu – Main Street/NYS DOT regulate where they are located.]*
4. Kate Waterman-Kulpa, 81 Milton St. – Signs should not matter by size.

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved at 7:55 p.m. to close this public hearing.

Unanimously carried.

Public Hearing

Proposed designation of 5429 Main St. (Alex and Ani Building) as a local landmark

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved at 7:56 p.m. to continue this public hearing from the March 11, 2019 Village Board meeting.

Unanimously carried.

Those in attendance who addressed the Board and their comment(s):

1. Laura Smith, Esq., Attorney for owners of property at 5429 Main St. – Submitted a Building and Integrity Report that concluded that the building is a conglomeration of various styles over the decades. Clients’ are concerned they are being treated differently. It is an economic issue.
2. John Benz, 34 Howard Ave. – Client doesn’t want historic designation – let them do what they want. Move forward. Getting in their pocket.
3. Judy Catalano, 57 Park Club Lane – How much of a hindrance it would be if everyone took that attitude. We wouldn’t have an old village.

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4. Kate Waterman-Kulpa, 81 Milton St. – She is the chairman of the Village of Williamsville’s Historic Preservation Commission (HPC). Document is in line with how the HPC is viewed. 1950s addition; a 50 year look back is appropriate; includes mid-century buildings; MU standards on Main Street; colonial influences.
5. Chuck Akers, 170 S. Cayuga Rd. – Member of the HPC; national trends.
6. John Benz, 34 Howard Ave. – (the Village) it has become a city. Wasted \$800,000 on the Mill; Let Main Street do what they want.
7. Judy Catalano, 57 park Club Lane – It is a valuable, impressive, attractive building. Would like to see others rebuilt. Keep the Village old.
8. Laura Smith, Attorney for owner of property at 5429 Main St. – Agreement; legal standard is whether or not it meets the requirements set forth by the Village Board.
9. 9. Kate Waterman-Kulpa, 81 Milton St. – Colonial period extends to 1955.
10. Tony Bannon, 195 Garrison Rd. – HPC member; colonial revival and mid-century; signature element.
11. Mary Lowther, 120 N. Ellicott St. – HPC member and President of the Village of Williamsville Historical Society. 1960s – a mix and meld attempt to look colonial-ish, if there is such thing. It’s a building with integrity. Main Street buildings that have been designated as local landmarks are rented, however, newly built buildings are sitting vacant.

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved at 8:20 to close this public hearing.

Unanimously carried.

Public Hearing

Proposed local law amending Chapters 100 and 112 of the Village Code concerning the placement and operation of wireless telecommunication facilities within the Village.

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved at 8:21 p.m. to open this public hearing.

Unanimously carried.

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Mayor DeLano stated the design codes are a stop gap before 4/15/19.

Village Attorney Grieco stated it is for small wireless facilities. Current Village laws are old and outdated. Addresses technology. Placing standards to regulate Main Street which is state right of way. This is about 5-G technology.

Trustee Etu- devices are owned by utilities. Each provider has their own.

Village Attorney Grieco – FCC severely limits amount Village can charge.

Those in attendance who addressed the Board and their comment(s):

Dan Rider, 130 Milton St. – Does not like idea but likes idea of hiding them. *[Village Attorney Grieco – Draft laws include wording for removals.]*

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 8:31 to continue this public hearing until the April 8, 2019 Village Board meeting.

Unanimously carried.

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) *[Village Board comments in italics.]*:

1. Jordan Abrahms, 130 Milton St. – He is holding Natale accountable; hold utilities accountable to repair street; sidewalks on Los Robles; sink hole on Milton at Pasadena; *[Trustee Yates – Sink hole is due to water main break. Mayor DeLano – Had CEO Masters contact Natale to replace fence.]* Concerned with safety.
2. Joe Spino, 128 California Dr. – Half of sidewalk is missing. Pipes laying on sidewalk. Vacant house – you can see through it. Frustrated with this situation. They don't return calls. Dead ash tree.
3. Dan Rider, 38 Garden Parkway – Williamsville Apartment – no lock on gate. When building permits are issued, Village must have “teeth” in permit. Zombie house at 96 S. Long St. – will it be demolished soon? *[Mayor DeLano - Part of redesign of area.]* Look at drainage. Sidewalks in the winter. Sidewalk plow – hasn't see it all winter. In Ellicottville, they have 8.4 miles of sidewalks and they plow them in 2 hours. Should

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- take one guy 9 hours to plow entire Village. *[Mayor DeLano – The priorities are the streets and the business district, Garrison Park and Memory Trail walking path. Trustee Rogers – Memory Trail and S. Long are not plowed well. Trustee Etu – (sidewalk plow) was purchased for Main Street.]* What is the purpose of the sidewalk plow? Wants something in writing. *[Mayor DeLano – The policy needs to be better defined.]* Make it for all residents in the Village. *[Trustee Rogers – Is there money in next year's budget for sidewalk plowing? As a board, they need to define priorities. Trustee Etu – Put it on website.]*
4. Mary Lowther, 120 N. Ellicott St. – Water main break at 109 N. Ellicott St. Bad crater. Sidewalk plow – would like to see it used on residential streets regularly. There are Port-a-Johns on location at Eagle and Mill St. are in the right-of-way. Any kind of law? Wants it screened. *[Village Attorney Grieco – we can regulate it.]*
 5. Jeff Marcus, 97 Los Robles – Who should be addressed for the water main break?
 6. John Benz, 34 Howard Ave. – Bothers him about (Island Park wading) pool closing. Find money for this wading pool. Meeting House should be sold. Not happy with the money that's being wasted.
 7. Thomas Frank, 5403 Main St. – UBRI; transportation infrastructure; Imagine Amherst/Master Plan for 21st century; LWRWRP; Water Shed Revitalization Plan; 30 year cost of 2 trillion dollars; Ellicott Creek; Inter-municipal project; strategic geographic area; Picture Main St.; UB long term partnership; Village/Town to have quarterly meeting; wants a public meeting.
 8. Kathy Monahan, 67 Oakgrove Dr. – Is the Island Park wading pool closing or not? *[Trustee Rogers – Yes. It is closing. Mayor DeLano – Parks Committee is working on a Comprehensive Parks Plan. Trustee Etu – this is the year to pull the Band-Aid off. Going after grants. Parks improvements at S. Long.]*
 9. Carrie Ansell, 106 Milton St. – Is ice rink being considered? *[Trustee Etu – No.]* When is next (Parks) meeting? *[This Wednesday at 7:30pm.]*
 10. Kate Waterman-Kulpa, 81 Milton St. – Garrison wading pool has a limit of 75 people. Pools accommodate many camps and day cares. Re-survey Village parks. 96 S. Long St. (zombie property) – soliciting commentary. *[Trustee Rogers – New Survey?]*
 11. Tony Bannon, 195 Garrison Rd. – Remediation of parks? Time line? *[Mayor DeLano – Not yet. Plan is not complete at this time. Trustee Etu – Parks Committee has been given 3 months. Hoping for completion by 2025.]*
 12. Judy Catalano, 57 Park Club Lane – Are people aware of Town of Amherst pool facilities at N. Forest Rd.?

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ON MOTION by Trustee Yates, 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): Urged people to come to Village Board meetings instead of venting on social media. Trees on Main Street will go in soon.

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 *2018-2019* fiscal year:

To:	001-1410-2000 (Village Clerk – Equipment)	\$68.00
	001-1410-4600 (Village Clerk – Computer Support)	\$343.00
From:	001-1410-4010 (Village Clerk – Office Supplies)	\$68.00
	001-1410-4620 (Village Clerk – Lease Copy Machine)	\$343.00
To:	001-1410-4600 (Village Clerk – Computer Support)	\$225.00
From:	001-1410-2010 (Village Clerk – Computer Software)	\$225.00
To:	001-1411-4020 (Records Management – Records Disposal)	\$98.00
From:	001-1411-4010 (Records Management – Office Supplies)	\$98.00
To:	001-1620-2010 (Buildings – Computer Equipment)	\$81.00
	001-1620-4240 (Buildings – Paint/Carpet/Etc.)	\$1,142.00
From:	001-1620-4070 (Buildings – Utilities)	\$81.00
	001-1620-4160 (Buildings – Building Repairs)	\$1,142.00
To:	001-3410-4470 (Fire Protection – Building Maintenance)	\$16.00
From:	001-3410-4471 (Fire Protection – Building Repairs)	\$16.00
To:	001-3410-4470 (Fire Protection – Building Maintenance)	\$517.00
	001-3410-4160-3491 (Fire Protection – Truck Exp./Asst. Chief’s Vehicle)	\$961.00
From:	001-3410-4471 (Fire Protection – Building Repairs)	\$517.00
	001-3410-4160-3409 (Fire Protection – Truck Exp./Chief’s Vehicle)	\$148.00
	001-3410-4161 (Fire Protection – Sm. Engine Equip./Repair)	\$813.00
To:	001-3620-2000 (Safety Inspection – Equipment)	\$114.00
	001-3620-4100 (Safety Inspection – Professional Fees)	\$1,709.00
From:	001-3620-4010 (Safety Inspection – Office Supplies)	\$114.00
	001-3620-1000 (Safety Inspection – Personal Services)	\$1,709.00

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To:	001-3620-4450 (Safety Inspection – Misc.)	\$5,858.00
From:	001-3620-1000 (Safety Inspection – Personal Services)	\$5,858.00
To:	001-5110-4161-0901 (Street Maintenance – Repairs/2012 Chevy Tahoe)	\$340.00
	001-5110-4161-0903 (Street Maintenance – Repairs/2015 Dump Truck)	\$21.00
	001-5110-4161-0904 (Street Maintenance – Repairs/2005 Freightliner)	\$13.00
	001-5110-4161-0907 (Street Maintenance – Repairs/1992 Autocar Dump w/Plow)	\$214.00
	001-5110-4161-0908 (Street Maintenance – Repairs/2011 Chevy Silverado 3500HD)	\$399.00
	001-5110-4161-0912 (Street Maintenance – Repairs/2012 CAT Hi-Lift)	\$87.00
From:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$1,074.00
To:	001-7110-4162 (Parks – Repairs/Pool)	\$371.00
	001-7110-4165 (Parks – Repairs/Shelter Maintenance)	\$118.00
From:	001-7110-4161 (Parks – Repairs/Lights)	\$489.00
To:	001-7530-4070 (Village Meeting House – Utilities)	\$1,819.00
From:	001-7530-4230 (Village Meeting House – Maint.)	\$1,819.00
To:	001-7530-4440 (Village Meeting House – Fire Alarm)	\$29.00
From:	001-7530-4990 (Village Meeting House – Repairs)	\$29.00
To:	001-8010-4030 (Zoning – Printing & Advertising)	\$94.00
From:	001-8010-4040 (Zoning – Education Exp./Travel)	\$23.00
	001-8020-4040 (Planning – Education Exp./Travel)	\$71.00
To:	001-8162-4161 (Leaf Pick Up – Repairs)	\$1,377.00
From:	001-8162-4260 (Leaf Pick Up – Maint. Supplies)	\$314.00
	001-8162-4700 (Leaf Pick Up – Leaf Composting)	\$1,063.00
To:	001-8560-4340 (Shade Trees – Trees/Removal)	\$246.00
From:	001-8560-4450 (Shade Trees – Misc.)	\$246.00
To:	001-8161-4990 (Recycling – Recycling Contract)	\$992.00
From:	001-8161-4000 (Recycling – Recycling Containers)	\$200.00
	001-8160-4330 (Refuse & Garbage Contract – Dump Fees)	\$792.00

Unanimously carried.

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

RESOLVED, that the following *budget transfers* are hereby made in the *Sewer Fund* for the *2018-2019* fiscal year:

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To:	007-8120-4161 (Sanitary Sewers – Repairs/Lines)	\$983.00
From:	007-8120-4116 (Sanitary Sewers – Engineer/Monitor Maint.)	\$983.00
To:	007-8120-1001 (Sanitary Sewers – Personal Services/OT)	\$122.00
From:	007-8120-1000 (Sanitary Sewers – Personal Services)	\$122.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of **\$128,071.14** covering the period from 3/7/19 – 3/19/19 are hereby approved as follows:

Payroll covering 3/4/19 – 3/17/19: \$40,605.72

Vouchers covering 3/7/19 – 3/19/19:

General Fund	\$29,329.78
Water Fund	\$0.00
Sewer Fund	\$2,202.35
Glen Park Fund	\$344.44
Trust & Agency Fund	\$17,027.87
Debt Service	\$5,900.00
Community Development	\$0.00
Capital Fund	<u>\$32,660.98</u>
	\$87,465.42

GRAND TOTAL: **\$128,071.14**

Unanimously carried.

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

RESOLVED, that *Antonina Canazzi* of *600 Youngs Rd., Williamsville*, is hereby appointed as *Court Clerk, Part-time*, at a rate of \$20.00 per hour, effective 3/22/19.

On the question: Court Clerk is going out on medical leave.

Unanimously carried.

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

RESOLVED, that Adam Oehmler, Mike Measer, Dan McKeever of the Williamsville Fire Dept., are hereby authorized to travel to Indianapolis, Indiana, to attend the FDIC from 4/9/19 – 4/13/19 at a cost not to exceed \$5,344.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED, that Fire Chief Michael Measer is hereby authorized to travel to Verona, New York to attend the 11th Annual Fire & EMS Law and Management Conference from 3/28/19 – 3/31/19 at a cost not to exceed \$1,050.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

WHEREAS, the Williamsville Fire Department has received grant funding through Senator Ranzenhofer that is being administered through the Dormitory Authority of the State of New York (DASNY); and

WHEREAS, part of that grant includes upgrades and improvements to the HVAC system; and

WHEREAS, this project is being quoted through the U.S. Communities purchasing agreement;

NOW, THEREFORE, BE IT RESOLVED, that the proposal for the upgrades and improvements to the HVAC system is hereby awarded to Trane U.S., Inc. for their bid of \$140,750.00.

Unanimously carried.

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ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to leave the regular agenda 9:55 p.m. to consider two new resolutions.

Unanimously carried.

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

RESOLVED, that the Mayor is hereby authorized to sign the Master Municipal Agreement between the Village of Williamsville and the NYS Comptroller's Office Contract #D027408 to install traffic control devices and pavement markings on Mill St. from Mill St. north of Glen Ave. to Mill St. south of Glen Ave. and to install a pedestrian crossing with pedestrian activated rapid flashing beacons; and

BE IT FURTHER RESOLVED, that the sidewalks will be modified to facilitate accessibility and signage and striping will be installed; and

BE IT FURTHER RESOLVED, that the grant amount is for \$50,000.00.

Unanimously carried.

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

RESOLVED, that the Village Administrator is hereby authorized and directed to publish notice of a public hearing to be held at Village Hall, 5565 Main St., Williamsville, New York, on April 8, 2019 at 7:30 p.m. to hear all persons interested in commenting on a proposed local law amending Chapter 31 of the Village Code which would regulate Flood Damage Prevention.

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to return to the regular agenda at 9:56 p.m.

Unanimously carried.

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Report – Trustee Rogers

Trustee Rogers reported on the following topic(s): Called out for parks volunteers.

Trustee Rogers had no resolutions on the agenda.

Report – Deputy Mayor Piazza – No report.

Deputy Mayor Piazza had no resolutions on the agenda.

Report – Trustee Yates

Trustee Yates reported on the following topic(s): Beautification Committee Garden Cleanup Day is scheduled for April 13th, 9 a.m. - Noon; Thanked Carolyn Schlifke for all her years of service to the Village; Farmers Market opens for the season on 5/18.

Trustee Rogers had no resolutions on the agenda.

Report – Trustee Etu

Trustee Etu reported on the following topic(s): Second graders are coming to park to cleanup on 4/15; At the last Parks Committee meeting a comment was made by me on the Natale Land Swap agreement and it was taken out of context and mis-quoted. Thursday 3/21/19 met with DOT re lane widths.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to leave the regular agenda at 10:05 p.m. to consider a new resolution.

Unanimously carried.

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

RESOLVED, that the overnight winter parking ban is hereby lifted, effective immediately.

Unanimously carried.

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ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 10:05 p.m. to return to the regular agenda.

Unanimously carried.

Staff Report(s)

Director of Community Development DePriest reported on the following topic(s): Adding the lifting of the overnight winter parking ban to the Village Facebook page; vacant Main Street frontages as of 3/1/19 totaled 10; will be holding a roundtable discussion with IDAs, business owners and elected official regarding these vacancies and how to fill them.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved to adjourn the meeting at 10:06 p.m.

Unanimously carried.

Judith A. Kindron
Administrator/Clerk-Treasurer