

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, June 10, 2019 at 7:00 p.m.

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

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
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 May 28, 2019, as submitted.

Unanimously carried.

Public Hearing

Amendment to revise the Zoning Map

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 7:38 p.m. to open this public hearing.

Unanimously carried.

1. Paul Krieter, 29 S. Ellicott – What is R3M & what is the difference W/R3
R3 – Single/Doubles – R3M- higher density multi family
2. Bob Krieter, 26 Monroe – What is the difference? # of units allowed
3. John Nickerson, 66 Pasadena – Why are you bringing this forward tonight? [Matt – purely coincidental]
4. Dan Rider, 38 Garden Pkwy – 76 S. Long – if he sells is it currently MU?
5. Thomas Frank – 5403 Main St – Relocation of DPW where Industrial zoned value of property of car dealer now empty. [Chip needs to weeks to proposed law].

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6. Dennis Hoban , 216 California Dr – What is the advantage to doing this? [*Matt- To prevent commercial building on current residential, this is to clean up Zoning map. 40 S.Long, 86 Depot, 40 Garden Pkwy, 96 S. Long, 150 Milton are all Village owned*] Parks don't belong in a Commercial district. Wouldn't it be better to make it part of the park? [*Trustee Yates – Extra step to protect*]
7. Joe Spina, 42 California – Even though park land, it is zoned MU R3- lowest it can be zoned – No. R-1. [*Trustee Etu – R3 is lowest zoned in the area, this makes it consistent*].
8. Larry Brenton, 31 Monroe – Complemented Board for looking into this. Great job! If parkland, could a road go through it? [*Trustee Etu asked of Atty.Grieco; by state law it is protected as a park. Part of it has never been designated as parkland. This makes it alienable. Park land alienation depends on what is being proposed*]. Larry – wants parkland zoning.
9. Jordan Adams, 130 Milton St. – By changing this zoning, does it change anything for putting a road on these properties? [*Board: No*] This was a huge dense industrial area, trying to move it to a residential area.
10. Larry Brenton, 31 Monroe – Re-iterate- want to see it made impossible for a road to go

ON MOTION by Mayor DeLano, seconded by Trustee Yates, it was moved at 8:17 p.m. to continue this Public Hearing at the June 24, 2019 Village Board Meeting.

Unanimously carried.

<p style="text-align: center;">Public Hearing</p>
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<p style="text-align: center;"><i>Local Law #5 Chicken Coops</i></p>

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

Unanimously carried.

1. Amy Alexander, 153 Mill St. – Proud owner of 6 chickens, thanks the Board for their work on the chicken coop.

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

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Deputy Mayor Piazza, it was moved at 8:21pm 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*]:

Mayor DeLano – 3 minute time limit to be strictly enforced. Rule of order, nobody is to approach the bench unless asked.

Trustee Rogers – explained it is for their safety.

Mayor DeLano – who is here re: road out to S.Long? 75% of Audience. Flyers went out, this is a pre-mature discussion. Plenty of moving parts. What is in place?

1. Village acquired 96 S. Long
2. Parks master plan – park survey working on plan.

Not in Place:

1. Parks Plan – working on it.
2. Archology of area of Historic Campus of Section House,(which Village acquired in Land swap)
3. DPW side yard home not settled yet.
4. Funding does not exist for this. Rough conservative estimate is ¼ million (\$250,000)

Still in the process of discussing this.

1. Build road for a private developer.
2. Where will money come from?
3. No sunset on decision of plan.

All kinds of moving pieces.

Trustee Etu – Address information on the flier – personally committed to find different scenarios. No manipulation of public support. Parks survey is split 50/50. Trustee Etu explained response from survey. No conclusion can be drawn because of the poorly constructed question. Safety of the people is important.

1. Beth Lucia, 59 Pfohl Place – re: Exemptions for seniors. She will return at a future meeting to discuss.

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2. Matt, 85 Mill St – Did Natale Submit traffic study? Planning Board, Traffic & Safety, GNRBTC posted? [Dir. Of Comm. Dev. – *said yes- California, Los Robles, Milton St., etc. 150 properties. Natale adding 90 Apartments, 32 Town Houses. doubling, keeping number of entrance/exits*].
3. Dennis Hoban, 216 California –
 - a. No curbs, no sewers
 - b. Before Darling site was sold he had about 51 signatures to study this. Nothing done.
 - c. He lives on California and claims he won't be able to get out of his driveway. "Stupid" [Trustee Rogers – *when property was zoned, it was aggressively over zoned for multi-unit properties*] Darling had 8 people working in the yard. Town of Amherst did a study saying 934 cars/trucks every day. [Mayor DeLano- *study said it didn't down grade intersections. Curbs – putting road thru a park it better be safe*].
4. Larry Brenton, 31 Monroe Dr. – Curb prices will always cost 25%-30% more. Why are we talking about this driveway-not road, don't understand. As Mayor he purchased Depot/Memory trail property is dear to him.
5. Joe Spina, 42 California – Traffic study- clarify if good for neighborhood, quality of life for area residents. Doubling traffic is not what neighborhood wants. Road itself – residents were appeased by intent that this road would be built. Manipulation or not, it was the resident belief.
6. Debbie Steinbruckner, 86 Milton St. – Land swap for DPW side yard? Why doesn't driveway go through side yard? Quality of life is more important than Section House. [Trustee Etu – *Dirt road from old side yard*]. Why? [Trustee Rogers – *Planning Board approved it without road*]. Dennis Hoban – Planning Board does not let you speak. [Atty. Grieco – *almost always allow public to speak*].
7. Tim Boyle, 91 Pasadena – Traffic study Natale paid for? How many vehicles travel down California daily? Reports tend to lean to person who pay for it. How many will this project add? Under impression there would be a second exit. [Trustee Rogers – *received a letter from a resident, prompted discussion. Topic is white elephant in the room. Full site plan approval from Planning Board*].
8. Larry Z., 70 Los Robles – Planning Board has done a lot of work on this project. 2nd exit on Milton will be closed when another exit to S. Long becomes possible. Has to do with if fire trucks can get into parking lot. [Trustee Etu – *Planning Boards motion was not that a 3rd exit would be made, but if in the future Milton driveway is unrestricted. Developer could not propose a road on land it does not own. Natale was here this evening*]. [Trustee Rogers – *Their response was they would be interested if DPW building would be for sale, they would get first right of refusal*].
9. Kathy Pitts, 25 Milton – When do we anticipate to finish development? [Trustee Rogers – *spring of next year concentrating on Town houses first*]. After they are done building, would there still be room to add the road? Yes, driveway – 20ft wide. 2 lane drive on public park land.
10. Tim Boyle, 91 Pasadena – Any legal means to stop development?

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11. Carrie Ansell, 106 Milton – demo at 6:40am. [*Trustee Yates: sent email to Tim Master CEO*]. [*Trustee Etu: noise ordinance issue, contact APD*].
12. Thomas Frank, 5403 Main St. – Impervious surface ratio to qualify for funding. Hydro per ography, 1850 Village of Williamsville incorporated, LWRP funding, 200yr. anniversary of Canal, National Heritage Corridor, and opportunity here.
13. Joe, 128 California Dr. – when zoning decreased, 5 lots were up zoned. How will California handle? Too narrow. Will need additional stop signs & signals. Feels he will never get out of his driveway. Stop sign at Los Robles. Back fence still not up. Smells like they hit an old septic tank.
14. Dennis Hoban, 216 California – Any recourse to Planning Board’s decision? Can Board disapprove Planning Board? NO [*Trustee Piazza – Separate Board that makes its own decision*]. [*Trustee Etu – Board appoints 3yr terms on a rotating basis*]. [*Many members have been on the Board for over 5yrs. Four hours training every year*].
15. Larry Z., 70 Los Robles – Election year- can we hear from candidates? [*Trustee Yates – feels it needs a responsible action*]. [*Trustee Etu – doesn’t live in this part of the Village. There was good intents & long view vision that went into Comp Plan. Situation is difficult for your area. As an engineer he is bound & determined to find a way. What will be when this is complete? Currently nobody knows. Parks liaison. S. Long park is a travesty. 8 acres of green space in a dense urban area. No good answer to this. Looking for best result*]. [*Trustee Rogers – Why area was zoned with so much density for that area. It will affect quality of life for residents in area. Cost is hurdle, it would need to be bonded. Idea for land swap was to make Historic District/Campus would not include a road/driveway through the middle of it. See value in each argument and not knowing where we will be in the future. Always has Village at heart*].
16. Joe Spino, 42 California – to call it a strip of asphalt through the park. Compared to other area parks with roads through them. [*Trustee Etu – this road does not service the park at all*].
17. Dan Rider, 38 Garden Pkwy. – Volunteerism has been mentioned tonight. Traffic & Safety is lacking volunteers. Volunteer!!! Thank you to the Mayor & Board for Union Road project.
18. Amy Alexander, 153 Mill St. – Lives on a busy road, it is possible to get out of your driveway. Connectivity of S. Long park & Memory Trail, roadway will severe park. Does not want to see the road until it’s built & you see how it functions before dissecting park.
19. Ed Zable, 24 Pasadena Pl. – Who determines elevation of property of Natale project? Storm water drainage issue. [*Trustee Etu – Project has addressed*] “No Parking here to corner” Pasadena/California. [*Trustee Rogers – no sign has been put up 20’ from corner, ticket cars*]. [*Attorney Grieco – part of NYS Traffic & Safety Law*]. S.E. corner on California at Pasadena. [*Trustee Rogers – we will let Doug know*].
20. Debbie Steinbruckner, 86 Milton St. – Don’t care about people & kids in neighborhood. Rebuttal to Amy Alexander’s comments
21. Jordan Abrahmns, 130 Milton -Get water fountain fixed at S. Long. Look at plan on drawing if it will fit. Runs behind, international chimney. Demo activities 7:00am, noise violation 8:00am. Natale website says 30 Townhouses. Clarification – they said they will do foundation all at once. How much will Cadman cost? Estimates include \$675,000.00, includes \$205,000 to be additionally bonded. Signage on Union Road

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- about merging – State Rd. Tree on Pasadena is on a 45degree angle. [DPW Crew Chief Vilonen – DPW to look into it]. Thank you for direction to get street light fixed. [Trustee Etu – Water fountain was never metered. Asked DPW to look into it]. Men’s stall in Island Park bathroom does not latch.
22. Dennis Hoban, 216 California – How much revenue will be taken in? [Trustee Etu – Don’t know what assessment will be]. IDA? [No], questioned the retention pits on E. Spring outside of Moor Pat & S. Long, looks like an accident waiting to happen. [Trustee Etu – Storm water planters to clean storm water. Brand new Grant money for green infrastructures].
23. Joe Spina, 42 California – question configuration of Union Rd. Thanked Mayor for his service (didn’t realize it was not his last meeting).
24. Larry Brenton, 31 Monroe – commented on Trustee Etu and Trustee Rogers position on road. Road would defy common sense. Board represents entire Village not just the neighborhood.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, it was moved at 10:07 p.m. to close this public hearing.

Unanimously carried.

Report – Mayor DeLano

Mayor DeLano reported on the following topic(s):

1. Caviat by Planning Board does not expire. Comes down to money.
2. Investigated Ash Trees for additional inoculations with Nick Roth & DPW Crew Chief Ben Vilonen. Removing about 15 trees.

ON MOTION by Mayor DeLano, seconded by Trustee Etu, 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:	001-3410-4470 (Building Maintenance)	\$50.00
From:	001-3410-4440 (Central Alarm)	\$50.00
To:	001-3620-4450 (Safety Inspection – Misc.)	\$304.00
	001-3620-4450 (Safety Inspection – Misc.)	\$613.00
From:	001-3620-1000 (Safety Inspection – Personal Services)	\$304.00
	001-3620-1000 (Safety Inspection – Misc.)	\$613.00
To:	001-7530-2010 (Village Meeting House/Capital Improvements)	\$62.00
From:	001-7530-2040 (Meeting House/Reserve-House)	\$62.00

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To:	001-8560-4340 (Shade Trees/Trees - Removal)	\$1614.00
From:	001-8560-4280 (Shade Trees/Equipment Rental)	\$1614.00

Unanimously carried.

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

RESOLVED, that the following ***budget amendments*** are hereby made in the ***General Fund*** for the ***2018-2019*** fiscal year to account for the use of 2018 Art Festival (revenue to cover over budget expense)

Increase: 001-0001-2262 (Fire Protection Svc Other Gov)	\$12,847.00
Increase: 001-3410-4220 (Fire Protection/Share-Fire District)	\$12,847.00
Increase: 001-0001-3090 (State Aid Grants)	\$16,000.00
Increase: 001-7520-4099 (Historical Property/Grant Expenditures)	\$16,000.00

Unanimously carried.

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

RESOLVED, that the following ***budget amendment*** is hereby made in the ***Glen Park Fund*** for the ***2018-2019*** fiscal year to account for sale of Glen Park engraved pavers to residents to cover cost of engraving services from Wagner Monuments (revenue earned is over budgeted amount).

Increase: 009-0009-2773 (Memorials – Pavers/Benches/Trees)	\$185.00
Increase: 009-7141-4490 (Glen Park Appropriations – Memorials/Pavers/Trees/Benches)	\$185.00

Unanimously carried.

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

RESOLVED, that payroll and vouchers in the amount of **\$233,470.09** covering the period from 5/22/19 – 6/4/19 are hereby approved as follows:

Payroll covering 5/13/19 – 5/26/19: \$40,097.57

Vouchers covering 5/22/19 – 6/4/19:

General Fund	\$151,150.01
Water Fund	\$0.00
Sewer Fund	\$17,954.93

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Glen Park Fund	\$214.44
Trust & Agency Fund	\$18,287.78
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$5,765.36</u>
	\$193,372.52

GRAND TOTAL: \$233,470.09

Unanimously carried.

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, the following motion was adopted:

RESOLVED, that the following are hereby appointed *Seasonal Recreation Attendants* for the **2019** summer season:

Name	Address	Rate per hour
Achinger, Lauren	131 Valley Brook Lane, E. Amherst	\$12.00
Baginski, Willow	83 Oakland Dr., Williamsville	\$12.00
Batt, Theresa	121 Highland Dr., Williamsville	\$12.50
Bauda, Victoria	34 Greencastle Lane, Williamsville	\$12.25
Lewis, Marisa	4550 Harris Hill Rd., Williamsville	\$12.00
Moll, Samantha	49 Heritage Dr., Lancaster	\$12.00
Reeves, Sidney	29 Fennec Lane, E. Amherst	\$12.50
Zirnheld, Alyssa	136 Hillpine Rd., Cheektowaga	\$12.25

Unanimously carried.

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

RESOLVED, that light duty for **David Klein** is hereby approved for the period 5/09/19 through 7/31/19.

Unanimously carried.

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

RESOLVED, that **Keith Hehr** of **225C Evans Street, Williamsville** is hereby appointed as **Motor Equipment Operator** in the Department of Public Works, effective immediately.

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Unanimously carried.

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

RESOLVED, that Williamsville Fire Chief Richard Maddigan is hereby authorized to travel along with Tim Garrison, Chris Petrie and Jim Maddigan to Syracuse, NY for the NYS Chief's Trade Show on June 14, 2019.

Unanimously carried.

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

RESOLVED, that the proposed amendment to Chapter 8 (Animals) of the Village Code regarding the feeding of community cats pursuant to Best Feeding Practices, is hereby approved as Local Law 4 of 2019.

Unanimously carried.

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

RESOLVED, that additional funds in the amount of \$19,347.93 for additional work request No. 2 for DiDonato Associates, is hereby approved to cover additional inspection services related to the E. Spring St. project.

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to publish notice of a public hearing to be held at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, on Monday, July 22, 2019 at 7:30 p.m., for the purpose of hearing all persons interested in commenting on a proposed amendment to Chapter 103 (Vehicles and Traffic) regarding standing on a portion of Rinewalt Street.

Unanimously carried.

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Report – Trustee Etu

Homecoming on Main was an exceptional success. Environmental had their Earth Day event. My daughter & 3 of her friends sold lemonade & limeade to make a donation to Clean Water of Great Lakes.

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

RESOLVED, that the Administrator is hereby authorized to publish notice of a public hearing to be held at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, on Monday, July 22, 2019 at 7:30 p.m., for the purpose of hearing all persons interested in commenting on a proposed amendment for Demolition of Buildings.

Unanimously carried.

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

RESOLVED, that the Administrator is hereby authorized to publish notice of a public hearing to be held at Williamsville Village Hall, 5565 Main Street, Williamsville, New York, on Monday, July 22, 2019 at 7:30 p.m., for the purpose of hearing all persons interested in commenting on proposed regulations of short term rentals in the Village of Williamsville.

Unanimously carried.

Report – Trustee Rogers

Get out & vote on June 18th from noon to 9:00pm. Thank you Amy Alexander for getting the Chicken law to where it needs to be.

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

RESOLVED, that the proposed amendment to Chapter 112 Zoning of the Village Code regarding Chickens in the Village, is hereby approved as Local Law 5 of 2019.

Roll Call:

Mayor Delano	No
Deputy Mayor Piazza	Yes
Trustee Etu	Yes
Trustee Yates	Yes
Trustee Rogers	Yes
Motion Approved	4-1

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Report – Deputy Mayor Piazza

Kudo's to both Trustee Yates & Dir. Of Comm. Dev. Keaton Depriest for a very successful event. Reminder that Village elections are important. Please come out & vote.

Report – Trustee Yates

Thank you to all involved with Homecoming on Main. Town of Amherst has a compost program. Deb Habes is a very important person and we will miss her.

Staff Report(s) –

Dir. Of Comm. Dev. Keaton Depriest – Thanked all who helped out at Home Coming on Main

ON MOTION by Mayor DeLano, seconded by Trustee Rogers, it was moved to adjourn the meeting at 10:22 p.m.

Unanimously carried.

Judith A. Kindron
Administrator/Clerk-Treasurer