

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, February 24, 2020 at 7:30 p.m.

Keaton DePriest, Director of Community Development led the Pledge of Allegiance at 7:40pm.

Present: Deborah L. Rogers, Mayor
Basil J. Piazza, Deputy Mayor
Matthew J. Etu, Trustee
John Murphy, Trustee
John “Al” Yates, Jr., Trustee

Also present: Judith A. Kindron, Administrator/Clerk-Treasurer
Hazel J. Pasco, Deputy Treasurer
Keaton DePriest, Director of Community Development
Ben Vilonen, DPW Crew Chief

Absent: Charles Grieco, Village Attorney

The Village Board meeting was opened at 7:40 p.m. by Mayor Rogers

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved to approve the minutes of the regular meeting held on January 27, 2020, as submitted.

Unanimously carried

Public Hearing
Tax Cap Override

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 7:41 p.m. to open this public hearing.

Unanimously carried

- 1.) **Dan Rider** – 38 Garden Parkway – Looking for more information
- 2.) **Jordan Abrahms** – 130 Milton Street – Supports Village if necessary to override tax cap.

ON MOTION by Mayor Rogers, seconded by Trustee Etu, it was moved at 7:49 p.m. to close this public hearing.

Unanimously carried

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ON MOTION by Mayor Rogers, seconded by Trustee Yates, it was moved at 7:50 p.m. 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*]:

- 1.) **Joyce Troy** – 71 Mill Street – Never advised of Mill St. block crosswalk. Wants wording that property owner is not held liable. “Hold Harmless” indemnify from liability. Chip can’t see basis of it because it is not their property. Does not recommend doing anything more than what the current resolution states.
- 2.) **Kathryn Truesdale** – 89 S. Ellicott – Wants clarity so if there is a claim and there are legal fees. [*Attorney Grieco- states that it is no different than a tree in the right of way*]. [*Trustee Etu – it is not their property, therefore they are not responsible for it*]. She would like to see results of traffic study. [*Trustee Etu -No study was done, recommendation of Traffic & Safety*]. How was decision made? [*Trustee Etu explained the background. Residents requested. Location was chosen due to safety*]. Wants Village to notify homeowners if in the future other crosswalks will be installed. Wants Board to guarantee that in the future, property owner & surrounding owners will be notified.
- 3.) **Dan Rider** – 38 Garden Parkway – Complaint about Republic Waste, about truck driving through Hawk signal. Complained about the doors on the Meeting House.

ON MOTION by Mayor Rogers, seconded by Trustee Etu, it was moved at 8:26 p.m. to close public participation.

Unanimously carried

Report – Mayor Rogers

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the 2019-2020 fiscal year.

To:	001-1110-4040-0000 (Village Justices/Education/Travel Exp.)	\$49.00
	001-1110-4450-0000 (Village Justices/Miscellaneous)	\$89.00
From:	001-1110-4620-0000 (Village Justices/Publications & Updates)	\$138.00

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To:	001-1210-4020-0000 (Mayor/Postage)	\$1.00
	001-1410-4030-0000 (Village Clerk/Printing & Advertising)	\$86.00
	001-1410-4111-0000 (Village Clerk/Internet Access/Website)	\$148.00
From:	001-1410-4020-0000 (Village Clerk/Postage)	\$235.00
To:	001-1411-4810-0000 (Records Management/Electronic Records Storage)	\$61.00
From:	001-1411-4110-0000 (Records Management/Service Contracts)	\$61.00
To:	001-1620-4110-0000 (Buildings/Service Contracts)	\$23.00
From:	001-1620-4230-0000 (Buildings/Building Maintenance)	\$23.00
To:	001-1640-4450-0000 (Central Garage/Miscellaneous)	\$51.00
From:	001-1640-4260-0000 (Central Garage/Maintenance)	\$51.00
To:	001-1950-4000-0000 (Taxes on Village Properties)	\$790.00
From:	001-1950-4100-0000 (Refund of Village Taxes)	\$790.00
To:	001-1620-1001-0000 (Buildings/Personal Services-Overtime)	\$178.00
	001-7550-1001-0000 (Celebrations/Personal Services-Overtime)	\$939.00
	001-8163-1001-0000 (Trash Pickup/Personal Services-Overtime)	\$405.00
	001-8510-1001-0000 (Community Beautification/Personal Services-Overtime)	\$112.00
	001-8560-1001-0000 (Shade Trees/Personal Services-Overtime)	\$274.00
From:	001-5142-1001-0000 (Snow Removal/Personal Services-Overtime)	\$1908.00
To:	001-5110-4161-0901 (Street Maintenance/Repairs 2020 Chevy Tahoe)	\$120.00
From:	001-5110-4161-0000 (Street Maintenance/Repairs Equipment)	\$120.00
To:	001-5110-4161-0904 (Street Maintenance – Repairs/2005 Freightliner)	\$48.00
	001-5110-4161-0906 (Street Maintenance – Repairs/2007 Int'l 4300 Dump)	\$1129.00
	001-5110-4161-0908 (Street Maintenance – Repairs/2011 Chevy Silverado 3500HD)	\$102.00
	001-5110-4161-0916 (Street Maintenance – Repairs/2012 Chevy 2500 HD 4x4)	\$637.00
	001-5110-4161-0918 (Street Maintenance – Repairs/2010 Ford F350XL Pick-Up-Green)	573.00
	001-5110-4161-0919 (Street Maintenance – Repairs/2007 Chevy 4x4 w/Plow)	\$22.00
From:	001-5110-4161 (Street Maintenance – Repairs/Equipment)	\$2511.00
To:	001-7550-1000 (Celebrations/Personal Services)	\$1910.00
	001-8560-1000 (Shade Trees/Personal Services)	\$8767.00
From:	001-8163-1000 (Trash Pickup/Personal Services)	\$10,677.00
To:	001-7550-4460-0000 (Celebrations/Arts & Cultural)	\$404.00
	001-7550-4960-0000 (Celebrations/Committee Appreciation)	\$342.00
From:	001-7550-4540-0000 (Celebrations/Glen Park Art Festival)	\$404.00
	001-7550-4975-0000 (Celebrations/Main Street Block Party)	\$342.00

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To:	001-8020-4040-0000 (Planning/Education Exp/Travel)	\$255.00
	001-8020-4450-0000 (Planning/Miscellaneous)	\$22.00
From:	001-8010-4040-0000 (Zoning/Education Exp/Travel)	\$75.00
	001-1010-4040-0000 (Board of Trustees/Education Exp/Travel)	\$2020.00
To:	001-8162-4161-0000 (Leaf Pickup/Repairs)	\$4701.00
From:	001-5110-4161-0000 (Street Maintenance/Repairs Equipment)	\$4701.00
To:	001-8510-4450-0000 (Community Beautification/Miscellaneous)	\$160.00
From:	001-8510-4340-000 (Community Beautification/Plants)	\$160.00
To:	001-8560-4160-0000 (Shade Trees/Repairs)	\$65.00
	001-8560-4340-0000 (Shade Trees/Trees-Removal)	\$1385.00
	001-8560-4450-0000 (Shade Trees/Miscellaneous)	\$21.00
From:	001-8560-4280-0000 (Shade Trees/Equipment Rental)	\$1471.00
To:	001-3410-4160-3409 (Fire Protection/Truck Expense Chief Truck #9)	\$999.00
	001-3410-4160-3491 (Fire Protection/Truck Expense Asst. Chief Truck 9-1)	\$999.00
From:	001-3410-4160 (Fire Protection/Truck Expense)	\$1,998.00
To:	001-3410-4160-3451 (Fire Protection/Truck Expense 5-1)	\$77.00
From:	001-3410-4160 (Fire Protection/Truck Expense)	\$77.00
To:	001-3410-4160-3492 (Fire Protection/Truck Expense #9-2 Asst Chiefs Truck)	\$999.00
	001-3410-4160-3409 (Fire Protection/Truck Expense #- Chiefs Truck)	\$451.00
	001-3410-4160-3406 (Fire Protection/Truck Expense Truck 6)	\$39.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$1489.00

Unanimously carried

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

RESOLVED, that payroll and vouchers in the amount of **\$666,506.53** covering the period from 1/22/2020 – 2/18/2020 are hereby approved as follows:

Payroll covering 1/20/2020 – 2/2/2020: \$37,867.52

Payroll covering 2/3/2020 – 2/16/2020: \$42,809.94

Vouchers covering 1/22/2020 – 2/4/2020:

General Fund	\$131,627.13
Water Fund	\$0.00
Sewer Fund	\$4,946.00
Glen Park Fund	\$0.00
Trust & Agency Fund	\$14,106.93
Debt Service	\$30,465.63
Community Development	\$0.00
Capital Fund	<u>\$131,988.07</u>
	\$313,133.76

Vouchers covering 2/5/2020 – 2/18/2020:

General Fund	\$75,361.49
Water Fund	\$0.00
Sewer Fund	\$2,539.46
Glen Park Fund	\$744.33
Trust & Agency Fund	\$14,395.79
Debt Service	\$175,785.00
Community Development	\$0.00
Capital Fund	<u>\$3,869.24</u>
	\$272,695.31

GRAND TOTAL: **\$666,506.53**

Unanimously carried

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

RESOLVED, that the Village Clerk is hereby authorized and instructed to publish notice of a public hearing to be held on Monday, March 9, 2020 at 7:30 pm for the purpose of hearing all persons interested in a proposed local law amending Chapter 103 (Vehicles & Traffic) of the Village Zoning Code regulation parking of the Village Code.

Unanimously carried

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

**RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE
REQUESTING AMENDMENTS TO New York STATE'S CRIMINAL JUSTICE
REFORMS**

WHEREAS, while there was a need to reform New York's criminal justice statutes during the 2019 state legislative session, it is widely recognized that several of the drastic changes in the laws pertaining to discovery are overly broad and vague and are having unintended consequences at the municipal level; and

WHEREAS, the dramatically shortened time period in which prosecutors must disclose evidence to defendants and the broad expansion of the matters to which such discovery mandates apply will have significant cost, tax and justice implications for cities and villages with police departments, local justice courts or code/parking enforcement departments; and

WHEREAS, the discovery reforms mandate prosecutors disclose evidence to the defense within 15 days of arraignment for criminal charges (even if the defendant is not in custody); and

WHEREAS drastically enlarging the scope of material that a prosecutor must review and deliver within 15 days will overwhelm the ability of city and village officials and employees to prosecute cases while managing their misdemeanor and felony caseloads, and will make it impossible to prosecute vehicle and traffic and local code infractions and violations in compliance with the new discovery mandates; and

WHEREAS, arraignment must now take place within 20 days of desk appearance ticket issuance, thereby requiring justice courts, many of which convene monthly, to meet more frequently; and

WHEREAS, cities and villages will not reap savings from the bail reform's reduction of the burden on county jails; and

WHEREAS, municipalities are already challenged with operating within the now-permanent 2% tax cap and have not received an increase in general purpose state aid in 11 years.

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NOW THEREFORE BE IT RESOLVED ,THAT the Village of Williamsville supports the following set of amendments proposed by the New York State Conference of Mayors that are consistent with the intent of the criminal justice reforms but which will allow for more effective and affordable implementation:

- Ensure that cities and villages are provided with additional financial and operational support to offset the cost of these mandated measures;
- Allow 60 days for prosecutors to disclose evidence to the defense for criminal charges;
- Exclude from the accelerated discovery requirements any charge not involving a misdemeanor or felony;
- Adjust the 20-day arraignment requirement to accommodate local courts that meet on a monthly basis;
- Allow prosecutors to withhold sensitive information, such as victim contact information, without having to obtain a court order.

AND BE IT FURTHER RESOLVED that this duly adopted resolution of the Village of Williamsville be forwarded to Governor Andrew Cuomo, Senate Majority Leader Andrea Stewart-Cousins, Assembly Speaker Carl Heastie, Senator Michael H. Ranzenhofer and Assembly Member Karen McMahon, the New York State Conference of Mayors, and local media outlets.

Roll Call:
Mayor Rogers - Y
Deputy Mayor Piazza – Y
Trustee Etu – Abstain
Trustee Yates – Y
Trustee Murphy – Y

Motion Passed - 4-1

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

RESOLVED, that the Village Clerk is hereby authorized and instructed to publish notice of a public hearing to be held on Monday, March 9, 2020 at 7:30 pm for the purpose of hearing all persons interested in a proposed local law reducing the number of Planning Board members from 7 to 5 of the Village Code.

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Unanimously carried

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

RESOLVED, that the proposal from William Schutt & Associates for engineering services related to the 2020 Asphalt Replacement Project, is hereby approved in the amount of \$11,130.00.

Unanimously carried

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

RESOLVED, that the proposal from Wm. Schutt & Associates, PC, the Village's Engineer of Record, for engineering services related to the 3-WAY CROSSWALK at S. Cayuga Road and Milton Street, is hereby approved in the amount of \$10,520.00.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Trustee Yates, 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 Monday, March 9, 2020 at 7:30 p.m., in Village Hall, 5565 Main St., Williamsville, New York, for the purpose of hearing all persons interested in discussing proposed local law adding within the Public Order Section, lighting within the Village.

Unanimously carried

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

WHEREAS, The Village of Williamsville received a grant for a mid-block crossing that was installed at 71 Mill Street that created a change to the landscaping in the right-of-way; and

WHEREAS, the changes to the right-of-way require additional maintenance to the landscaping;

NOW THEREFORE, BE IT RESOLVED, the Village of Williamsville's Department of Public Works will maintain within 5 feet of the south end of the steps and to the north end of the landing, the landscaping and snow removal at the right-of-way at 71 Mill Street so as not to add an undue hardship to the property owner.

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Unanimously carried

Report – Trustee Murphy

Y&R Winterfest had snow, it was cold but it was fun

Meeting House March 1, 2020 at 2:00pm is the Irish sing-a-long

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

RESOLVED, that the Village Clerk is hereby authorized and instructed to publish notice of a public hearing to be held on Monday, March 9, 2020 at 7:30 pm for the purpose of hearing all persons interested in a proposed local law amending Chapter 103 (Vehicles and Traffic) which would reduce the speed limit on School Street from 30 mph to 20 mph during certain hours on school days of the Village Code.

Unanimously carried

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

RESOLVED, that the Village Clerk is hereby authorized and instructed to publish notice of a public hearing to be held on Monday, March 9, 2020 at 7:30 pm for the purpose of hearing all persons interested in a proposed local law amending Chapter 103 (Vehicles and Traffic) which would eliminate timed one-way travel on School Street of the Village Code, and discuss the permanent disposition of travel direction, permanent one-way or permanent two-way hence forth.

Unanimously carried

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

RESOLVED, that **Amy Alexander**, residing at *153 Mill Street, Williamsville* is hereby appointed *Chairperson* to the *Youth & Recreation Committee* until the end of the **2019-2020** official Village year.

Unanimously carried

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

WHEREAS, the responsibilities of the Meeting House Committee have been fulfilled & The Village of Williamsville has met all the recommendations from the committee. Therefore be it resolved that the Meeting House Committee is hereby dissolved as February 24, 2020.

Unanimously carried

Report – Deputy Mayor Piazza

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

WHEREAS, the responsibilities of the Glen Park Art Festival Committee have been fulfilled & The Village of Williamsville has met all the recommendations from the committee. The annual Glen Park Art Festival will continue under the management of the Village Preservation Foundation. Therefore be it resolved that the Glen Park Art Festival Committee of the Village of Williamsville is hereby dissolved as of February 24, 2020.

Unanimously carried

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

RESOLVED, that *Meaghan Zloty*, residing at *250 N. Union Road, Williamsville*, is hereby appointed to the *Arts & Culture Committee* until the end of the *2019-2020* official Village year.

Unanimously carried

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

RESOLVED, that *Kelly Stark*, residing at *71 Tristan Lane, Williamsville* is hereby appointed to the *Arts & Culture Committee* until the end of the *2019-2020* official Village year.

Unanimously carried

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Report – Trustee Yates

*Environmental Advisory committee - Marissa prepared checklist of what to ask applicants
Looking for UB intern to work on N. Long St. stream
Working on complete streets community for climate smart community*

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

RESOLVED, that **Dan DeLano, Jr.**, residing at *136 Park Drive, Williamsville* is hereby appointed **Chairperson** to the **Tree Board** until the end of the **2019-2020** official Village year.

Unanimously carried

Report – Trustee Etu

*Y&R did a very good job on winterfest
HPC meets tomorrow, holding public hearing on masonry walls & such
Will be purchasing 6 plaques (Basil stated that St. Peter & Paul does not want plaque)*

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

RESOLVED, that Catherine Waterman-Kulpa, Chair of the Historic Preservation Commission is hereby authorized to travel to Syracuse, New York for the 2020 New York Statewide Preservation Conference by the Landmark Society of New York, March 25 through March 28, 2020. Ms. Waterman-Kulpa has received a scholarship for the conference and classes. Travel costs not to exceed \$800.00.

Unanimously carried

ON MOTION by Trustee Etu, seconded by Trustee Yates, 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 Monday, March 23, 2020 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 Parks master plan and guidance documents.

Unanimously carried

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ON MOTION by Mayor Rogers, seconded by Deputy Mayor Piazza, to go off agenda at 9:15pm:

ON MOTION by Trustee Etu, seconded by Trustee Murphy, 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 Monday, March 9, 2020 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 comprehensive revisions to Chapter 47 (Historic Preservations) of the Village Code.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Trustee Yates, to return to regular agenda at 9:18pm

Unanimously carried

Staff Reports

Attorney Greico: No reports.

Deputy Treasurer Pasco: No reports

Director of Community Development DePriest: Y&R cancelled tomorrow

DPW Crew Chief: Ben Vilonen: No reports

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved to adjourn the meeting at 9:19pm

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer