

**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 9, 2020 at 7:30 p.m.**

Trustee Matt Etu led the Pledge of Allegiance at 7:30pm.

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  
Charles Grieco, Village Attorney

The Village Board meeting was opened at 7:30 p.m. by Mayor Rogers

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved to approve the minutes of the regular meeting held on February 24, 2020, as submitted.

Unanimously carried

**Public Hearing**  
*Parking Enforcement on Private Property*

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 7:35 p.m. to open this public hearing.

No Comments

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 7:36 p.m. to close this public hearing.

Unanimously carried

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## **Public Hearing**

### *Reduce the number of Planning/Architectural Review Board*

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 7:38 p.m. to open this public hearing.

- 1) **Chuck Rizzone – 136 Los Robles** – Does not know why the reduction. Been on Planning Board for 15 years. Village will be loser, downsizing is not something he recommends.
- 2) **Wes Stone – 125 Lake Ledge Drive**- Member for 34 years, also representing Wally Pacer & Kate Kulpa tonight, as they were unable to attend. Strongly disagree with downsize. More is better. Larger Planning Board helps maintain a better quality of life.
- 3) **Nancy Boulden – 9 Clarian Court** – Overwhelmed with the authority given to an appointed board. Reduce number is not correct issue. Village needs more parking, spoke against Blocher project. Change Planning Board to recommending board. (Ms. Boulden submitted a written comment)
- 4) **Mary Lowther – 120 N. Ellicott** – Asked what prompted change [*Mayor Rogers explained*] not in favor of it, Village high income, professional residents. Too few people making big decisions. Look at putting new people onto the Planning Board. Important to put regular people on Planning Board. Too much power for 3 people (quorum) Re-think.
- 5) **Christine Hunt – 81 Evans** – Finds timing poorly. [*Attorney Greico explained, this will have no impact*]. Does not agree with it.

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 7:55 p.m. to continue this public hearing at the next Village Board meeting on March 23, 2020.

Unanimously carried

## **Public Hearing**

### *Prohibit excessive Offensive Lighting*

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 7:55 p.m. to open this public hearing.

- 1) **Amy Alexander – 153 Mill Street** – Thanked Board for addressing the issue. It does fail to address other issues. Looked at East Aurora's – more comprehensive (Ms. Alexander submitted a copy of East Aurora's lighting) many items are not being addressed. Happy to help. [*Attorney Greico attempt to have a more global approach*].
- 2) **Margaret Santillo – 37 Rinewalt St.** – Landlord put in timed LED lights. Thinks this code is great. [*Attorney Greico – what is currently in the code would address this issue*].

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 8:01 p.m. to continue this public hearing at the next Village Board meeting on March 23, 2020.

Unanimously carried

## **Public Hearing**

*Reduce Speed Limit on School Street from 30mph to 20mph*

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 8:05 p.m. to open this public hearing.

- 1) **Dr. Stewart Chen – 44 School St.** – 3/4/2020 met with neighbors. Looking for improved signage for reduced signage.
- 2) **Julie MacMurray – 40 Rinewalt** – Supports school zone limit reduction

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 8:06 p.m. to close this public hearing.

Unanimously carried

## **Public Hearing**

*Two Way Travel on School Street*

*[Trustee Etu – Board has received a number of emails from several residents. All opposed to one-way. Suggested timed left turns]*

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 8:07 p.m. to open this public hearing.

Unanimously carried

- 1) **John Ostroot – 144 Eagle** – Essential to have a second outlet. In favor of two-way
- 2) **Dr. Stewart Chen – (Interim Head of CCA) 44 School St.** – neighbor meeting would like to see status quo. School stand is for one-way, safety of children. Inconvenience of one-way is minimal. CCA bus loop.
- 3) **Kyle Witul – 75 Rinewalt** brought a power point. Two-way advocate. Resident's should be able to use the street that they pay taxes on. Road is 20' wide all the way. Don't focus on one building/focus on all. CCA should consider crossing guards, National Grid will move poles for free, Skyway bridge between buildings.
- 4) **Carol Descutner – 144 Eagle St.** – Problem for one-way

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- 5) **Margaret Santillo – 37 Rinewalt St/School St.** – 8 households have teachers. Difficult time with buses. Witnessed cars going wrong way. No accidents happen in area. No activity during daytime. Left turns on Main St. would be unsafe. School shot down resident suggestions. Thanked Board for how responsive they have been to this issue. Would like to see two-way.
- 6) **Gail Conshafter – Dean of Students a CCA – Grand Island, NY** – would like to be grandfathered in for timed one-way. CCA is pro one-way. Safety of students. Skyway-financial resources limited, historical campus. Building is used 7 days a week. [*Mayor Rogers explained why the Village cannot keep the timed one-way*]
- 7) **Bob Krieter – 26 Monroe** – Let school take out additional property for loop. Control your kids. 7:00-9:00 & 4:00-6:00 Main St is backed up. Towers want to open up gate.
- 8) **Tom Cornell – 27 Rinewalt St.** – In favor of two-way. Visibility of sign is poor. Safety issue when making one-way.
- 9) **Mary Lowther – 120 N. Ellicott** – going to Rinewalt around Main is a problem. CCA should hire crossing guards, safety patrols. Seniors looking for community service. Pro two-way.
- 10) **Joe Staltery – 23 Rinewalt** – at CCA meeting, watched afternoon buses, buses out around each other. School uses street as loading dock. CCA should consider bus loop. Has school considered purchasing Blocher Home? School wants to build dormitory. Pro two-way.
- 11) **Julie MacMurray – 40 Rinewalt St** – Driveway comes out on School. Bus loop is a good idea. Reduced speed limit & additional signage will reduce.
- 12) **Mark Hook – 64 St. Amelia Dr. Tonawanda** – Facilities Manager at CCA – matter of safety, general public is enemy. They ignore signage. Every year complains to APD.  
Streets are used as a cut through. Claims School St. was never designed to be a two-way street.
- 13) **Victor Merlot – 80 Rinewalt St.** – favor of two-way

[*Mayor Rogers will go off agenda to offer roll call vote on those two issues*]

[*Trustee Etu – timed left turn limits, motion for two-way street without right or left off Academy during same time as current*]

[*Deputy Mayor Piazza- does not want to vote tonight, what are the busiest times?*]

Mark Hook – 7:30-8:30/2:30-3:30

- 14) **Courtney Haney – 43 Rinewalt St.** Chapter 2B [*Crew Chief Vilonen – regard to Traffic signals, there is not a controlled stop at School & Academy*]

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 8:50 p.m. to close this public hearing.

Unanimously carried

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## **Public Hearing**

### *Parks Master Plan & Guidance Documents*

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 9:00 p.m. to open this public hearing.

Should have been advertised as March 23<sup>rd</sup>

- 1) **Thomas Frank – 5403 Main St** – Resolution for joint meeting between the Town of Amherst and the Village of Williamsville. Ellicott Creek watershed Amherst State Park \$479,000.00 Niagara watershed.

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 9:06 p.m. to continue this public hearing at the next Village Board meeting on March 23, 2020.

Unanimously carried

## **Public Hearing**

### *Chapter 47*

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 9:06 p.m. to open this public hearing.

- 1) **Mary Lowther – 120 N. Ellicott** – Member of HPC and in favor of code. Good for the Village.

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 9:09 p.m. to continue this public hearing at the next Village Board meeting on March 23, 2020.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Murphy, it was moved at 9:10 p.m. to open the public participation portion of the meeting.

Unanimously carried

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Member(s) of the audience who addressed the Board and their comment(s) [*Board of Trustees' comments are in italics*]:

- 1) **Julie MacMurray – 44 Rinewalt St** – Inquisitive of notifications – (specific radius) [*Trustee Etu – Zoning Board –within 100' of application*] [*Attorney Greico – Generally speaking, NYS law does not require mailings. Notice in publication of record (Amherst Bee) and websites*] [*Deputy Mayor Piazza – Not a perfect system, but cost of mailing for all public hearings would be costly*].
- 2) **Victoria D'Angelo – Paul Comeau – 216 Village Point** – reported on People Inc. proposed project. NMU Zone- Elected Village Board responsible to residents. Site plan with 500' radius. Project in character or not. SEQRA provide March 2<sup>nd</sup>. Environmental impact statement needed. Required under SEQRA law. Submitted information to be included with official minutes of meeting.

**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved at 9:25 p.m. to close public participation.

Unanimously carried

**Report – Mayor Rogers**

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, 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:	001-1210-4010-0000 (Mayor/Office supplies)	\$1331.00
From:	001-1620-2000-0000 (Buildings/Equipment)	\$1331.00
To:	001-3410-4160-3406 (Fire Protection/Truck Expense Truck 6)	\$778.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$778.00
To:	001-3410-4160-3409 (Fire Protection/Truck Expense Chiefs Truck #9)	\$95.00
	001-3410-4160-3491 (Fire Protection/Truck Expense Asst Chiefs Truck 9-1)	\$95.00
	001-3410-4160-3492 (Fire Protection/Truck Expense Asst Chiefs Truck 9-2)	\$95.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$285.00
To:	001-3410-4160-3491 (Fire Protection/Truck Expense 9-1 Truck)	\$451.00
	001-3410-4160-3492 (Fire Protection/Truck Expense 9-2 Truck)	\$451.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$902.00
To:	001-1410-4040-0000 (Village Clerk/Education Exp/Travel)	\$1745.00
From:	001-1410-4110-0000 (Village Clerk/Service Contracts)	\$1745.00

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To:	001-5110-4161-0901 (Repairs 2020 Chevy Tahoe)	\$105.00
	001-5110-4161-0905 (Repairs 2007 Int'l Sander/Plow/Dump)	\$466.00
	001-5110-4161-0906 (Street Maintenance/Repairs 2007 International 4300 Dump)	\$5277.00
	001-5110-4161-0923 (Street Maintenance/Repairs 2019-John Deere Mini Excavator)	\$973.00
	001-5110-4161-0926 (Street Maintenance/Repairs 2012 Chevy Tahoe)	\$105.00
From:	001-5110-4161-0000 (Street Maintenance/Repairs-Equipment)	\$6926.00

Unanimously carried

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

**RESOLVED**, that payroll and vouchers in the amount of **\$109,502.55** covering the period from 2/17/2020 – 3/3/2020 are hereby approved as follows:

**Payroll covering 2/17/2020 – 3/1/2020:** \$37,663.60

**Vouchers covering 2/19/2020 – 3/3/2020:**

General Fund	\$56,166.26
Water Fund	\$0.00
Sewer Fund	\$1,786.77
Glen Park Fund	\$0.00
Trust & Agency Fund	\$12,805.92
Debt Service	\$0.00
Community Development	\$0.00
Capital Fund	<u>\$1,080.00</u>
	\$71,838.95

**GRAND TOTAL:** **\$109,502.55**

Unanimously carried

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

**RESOLVED**, that Williamsville Firefighters Richard Maddigan, Chris Petrie, and Chris Manning are hereby authorized to travel to Indianapolis, IN from April 21, 2020 through April 25, 2020, to attend the FDIC Conference, where costs will be split with Hutchinson, with the amount to be paid by the Village of Williamsville not to exceed \$3,900.00.

Unanimously carried

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

**RESOLVED**, that pursuant to subdivision 5 of the General Municipal Law Sec 3-c the Village Board approves to override the tax levy limit for the fiscal year commencing June 1, 2020, is hereby approved as **Local Law 1 of 2020**.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Yates, it was moved at 9:30 p.m. to go off agenda.

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

**RESOLVED**, to adopt Local Law #2 of 2020 to amend Chapter 103 (Vehicle and Traffic) reducing the speed limit on School Street from 30mph to 20mph between the hours of 7:30am to 4:00pm pm school days.

Unanimously carried

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

**RESOLVED**, to adopt Local Law #3 of 2020 to amend Chapter 103 (Vehicle and Traffic) Subsection 8, to eliminate one-way travel on School Street

Roll Call: Trustee Murphy – Y  
Trustee Yates - Y  
Trustee Etu - N- Did not feel he was prepared

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Deputy Mayor Piazza – Y - recommends that CCA look at many of tonight's recommendations (ex. Crossing Guards, etc). The reduction of speed should help the safety of students.

Mayor Rogers – Y – commends everyone that got together with CCA to work on resolving issues. She was impressed with Mr. Witul's power point presentation.

Motion Passed 4-1

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

**RESOLVED**, that **Joan Scalfani**, residing at **68 Hirschfield Drive, Williamsville** is hereby appointed to the **Arts & Cultural Committee** until the end of the **2019-2020** official Village year.

Unanimously carried

**ON MOTION** by Trustee Etu, 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 23, 2020 at 7:30pm for the purpose of hearing all persons interested in commenting on the Historic Preservation Commissions' proposed designation as local landmarks of certain sites and features.

Unanimously carried

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

**RESOLVED**, that **James Lion**, residing at **127 Columbia Drive, Williamsville** is hereby appointed Chair to the Tree Board until the end of the **2019-2020** official Village year.

Unanimously carried

**ON MOTION** by Mayor Rogers, seconded by Trustee Etu, it was moved at 9:40 p.m. to return to regular agenda.

Unanimously carried

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**Report – Trustee Etu**

*Parks will be reviewing master plan & parks equipment. Recommend to Village Board in 2 weeks.*

**Report – Trustee Murphy**

*Stay safe in the Village this weekend with St. Patrick's Day event.*

**Report – Deputy Mayor Piazza**

*Planning for Glen Park Art Festival*

*Also coming 1<sup>st</sup> Tuesday in August, Town of Amherst has 4 concerts in Island Park this summer*

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

**RESOLVED**, that the Village Board of Trustees hereby approves the Volunteer Firefighters Service Award Program List of all 2019 active volunteer firefighters for the Village of Williamsville and hereby authorizes the Mayor to sign the authorization for Penflex, Inc. to use the data submitted for the 2019 records.

Unanimously carried

**Report – Trustee Yates**

*Beautification Committee planning Garden Walk, mural*

*Tree Board ordered saplings*

*Environmental Advisory Council working with Town of Amherst on the organic compost program.*

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

**Whereas:** On February 21, 2020, Governor Cuomo submitted a 30-day budget amendment entitled “Accelerated Renewable Energy Growth and Community Benefit Act” for the purposes of meeting the Governor’s goals for renewable energy, and

**Whereas:** This amendment would establish a new system for permitting and siting renewable projects, setting aside the current “Article 10 Siting Board” process, and

**Whereas:** Permitting will now be under the jurisdiction of a new entity – Office of Renewable Energy Siting (ORES), and

**Whereas:** the powers assigned to ORES will totally usurp and diminish local home rule, local zoning codes, local planning and Local Waterfront Revitalization Plans when permitting and siting renewable energy projects, and

**Whereas:** ORES will now have the power to

- Make available to developers “build – ready” sites

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- Develop “uniform permitting standards”
- “coordinate, approve, evaluate, issue, amend, transfer and enforce siting permits”
- Limit the ability of local governments to raise objections to proposed projects
- Direct local appeals to ORES decisions to litigation through the Article 78 process
- Prohibit local governments from requiring any additional approvals or permits

**Whereas:** By filling this action as a 30-day budget amendment, is ignoring and bypassing the legislative process of formulating policy through public input, public hearings and public debate in favor of a rushed and secretive process, and

**Whereas:** This amendment represents a blatant attempt to usurp local government’s historical and constitutionally power of home rule in the areas of planning, zoning and land use,

**Now therefore be it resolved** that the Association of Erie County Governments does hereby go on record strongly opposing this Governor’s attempt to dilute and usurp the roles and powers of local governments in New York State, and

Further be it resolved that The Association of Erie County Governments urges New York State Legislators to oppose this amendment and have it removed from the final budget document and,

**BE IT FURTHER RESOLVED,** that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, , Lieutenant Governor Kathy Hochul, Honorable Speaker of the Assembly Carl E. Heastie, Honorable Senate Majority Leader Andrea Stewart-Cousins, Honorable Democratic Minority Leader John J. Flanagan, Honorable Majority Leader of the Assembly Crystal People-Stokes, Honorable Minority Leader of the Assembly William A. Barclay, and the Western New York Delegation and Erie County Executive Mark Poloncarz and the Erie County Legislature, and Assembly Member Karen McMahon

Unanimously carried

**Staff Reports**

*Attorney Greico: No reports.*

*Deputy Treasurer Pasco: No reports*

*Director of Community Development DePriest: No reports*

*DPW Crew Chief: Ben Vilonen: Electronics & TV collection has commenced*

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**ON MOTION** by Mayor Rogers, seconded by Deputy Mayor Piazza, it was moved to adjourn the meeting at 9:50pm

Unanimously carried

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Judith A. Kindron  
Administrator/Clerk-Treasurer