

Minutes of the regular meeting of the Village of Williamsville Board of Trustees held at Village of Williamsville, 5565 Main Street, Williamsville, NY on Monday, March 28, 2022 at 7:30 p.m.

The Village Board meeting was opened at 7:30 pm by Mayor Rogers

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

Present: Deborah L. Rogers, Mayor
David F. Sherman Deputy Mayor
Eileen A. Torre, Trustee
Matt Carson, Trustee
Christine L. Hunt, Trustee

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

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved to approve the minutes of the regular meeting held on March 14, 2022.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved at 7:35 pm 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.) **Cheryl Meyers-90 Willowbrook**-Wants more info on dam. Shared information re: flood insurance. Quality of life has deteriorated over the last 15 years. Pause, wait a year to see what happens. Due to natural flow, maybe able to eliminate need for flood insurance.
- 2.) **Randy Klima-136 S. Cayuga Rd.**-No more flooding & ponding in the road.
- 3.) **Thomas Frank-5403 Main St.**- Amherst Central Park, CFA, LWRP, Wendy, School Districts, Workforce Development, FEMA,etc.
- 4.) **Doug Richardson-221 Hirschfield** – Agrees with Building Dept.

ON MOTION by Mayor Rogers, seconded by Deputy Mayor Sherman, it was moved at 7:57 pm to close the public participation.

Unanimously carried

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Report – Mayor Rogers

Cancelling meeting on Monday April 11, 2022

Deputy Treasure's last night tonight. She is moving to Tennessee

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

RESOLVED, that the following *budget transfers* are hereby made in the *General Fund* for the 2021-2022 fiscal year.

To:	001-1410-2010-0000 (Village Clerk/Computer Software)	\$ 51.00
From:	001-1410-4010-0000 (Village Clerk/Office Supplies)	\$ 51.00
To:	001-1620-4070-0000 (Buildings/Utilities)	\$ 271.00
	001-1620-4110-0000 (Buildings/Service Contracts)	\$ 57.00
From:	001-1620-4160-0000 (Buildings/Building Repairs)	\$ 328.00
To:	001-1640-4160-0000 (Central Garage/Bldg Repairs/Maintenance)	\$ 241.00
	001-1640-4260-0000 (Central Garage/Maintenance Supplies)	\$ 592.00
	001-1640-4450-0000 (Central Garage/Miscellaneous)	\$ 37.00
From:	001-1640-4161-0000 (Central Garage/Small Equipment Repairs)	\$ 870.00
To:	001-3410-2050-0000 (Fire Protection/Turnout Gear)	\$225.00
From:	001-3410-2030-0000 (Fire Protection/Radio Equipment)	\$225.00
To:	001-3410-4160-3409 (Fire Protection/Truck Expense-Chiefs 9 Truck)	\$ 81.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$ 81.00
To:	001-5010-4050-0000 (Street Admin./Drug & Alcohol Testing)	\$100.00
From:	001-5010-4040-0000 (Street Admin./Education Expense & Travel)	\$100.00
To:	001-5110-4161-0900 (Street Maint./Repairs 2013 Nissan Leaf)	\$101.00
	001-5110-4161-0901 (Street Maint./Repairs 2020 Chevy Tahoe)	\$ 82.00
	001-5110-4161-0903 (Street Maint./Repairs 2015 Dump Truck)	\$122.00
	001-5110-4161-0904 (Street Maint./Repairs 2005 Freightliner)	\$ 56.00
	001-5110-4161-0907 (Street Maint./Repairs 1992 Auto Car Dump w/Plow Frame)	\$ 96.00
	001-5110-4161-0908 (Street Maint./Repairs 2011 Chevy Silverado 350 HD)	\$296.00
	001-5110-4161-0918 (Street Maint./Repairs 2010 Ford F350XL Pickup)	\$ 30.00
From:	001-5110-4161-0000 (Street Maint./Repairs – Equipment)	\$783.00
To:	001-5142-4161-0000 (Snow Removal/Repairs-Plows)	\$ 28.00
From:	001-5142-4000-0000 (Snow Removal/Repairs-Plow Trucks)	\$ 28.00
To:	001-7550-4450-0000 (Celebrations/Miscellaneous)	\$ 48.00
From:	001-7550-4400-0000 (Celebrations/Holiday Decorations)	\$ 48.00

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Unanimously carried

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

RESOLVED, that the following *budget transfers* are hereby made in the **Sewer Fund** for the 2021-2022 fiscal year.

To:	007-8120-4070-0000	(Sanitary Sewers/Utilities)	\$ 146.00
From:	007-8120-4161-0000	(Sanitary Sewers/Repairs-Lines)	\$ 146.00

Unanimously carried

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

RESOLVED, that the following *budget transfers* are hereby made in the **Glen Park Fund** for the 2021-2022 fiscal year.

To:	009-7141-4109-0000	(Glen Park/Insurance)	\$ 382.00
	009-7141-4352-0000	(Glen Park/Park Maintenance)	\$ 70.00
From:	009-7141-4102-0000	(Glen Park/Landscaping)	\$ 452.00

Unanimously carried

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

RESOLVED, that the following *budget amendment* are hereby made in the **Glen Park Fund** for the 2021-2022 fiscal year, to account for over budgeted revenue and expense for paver purchases.

Increase:	009-0009-3773-0000	(Memorial Pavers/Benches/Trees)	\$ 230.00
Increase:	009-7141-4490-0000	(Memorial Pavers/Benches/Trees)	\$ 230.00

Unanimously carried

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

WHEREAS, The Village owns the right-of-way (“ROW”) along East Spring Street, a village street; and

WHEREAS, a portion of the ROW has extended, and currently extends, beyond the traditional roadway to abut the building facades of two structures located on 5590 Main Street (S.B.L. #69.17-2-32) (commonly known as 5590 Main Street and 78 E. Spring Street) (“5590 Main Street”); and

WHEREAS, pursuant to a license agreement dated May 2, 2016, the owner of 5590 Main Street, or its tenants, have occupied an approximately 132’ x 10’ strip of the ROW as shown on the sketch attached and incorporated by reference herein (“ROW Strip”) for use as patios; and

WHEREAS, the use of the ROW Strip has not interfered with the East Spring Street roadway or the remaining sidewalk on the east side of East Spring Street; and

WHEREAS, at the request of the Village, an independent “Restricted Appraisal Report” was provided by GAR Associates, LLC on October 11, 2021 which established a “sales comparison approach value” of \$33,000; and

WHEREAS, following a public hearing on September 13, 2021, the Village Board of Trustees, on October 12, 2021 adopted a resolution determining that the discontinuance and transfer of the ROW Strip to the 5590 Main Street LLC (“Purchaser”) would have no significant adverse environmental impacts, formally discontinuing the portion of the East Spring Street ROW occupied by the ROW Strip and authorizing the sale of the ROW Strip to Purchaser for the sum of \$33,000; and

WHEREAS, Purchaser declined to purchase the ROW Strip for the amount of \$33,000 and subsequently commissioned a separate professional appraisal of the ROW Strip, prepared by Real Property Services, LLC, dated November 4, 2021, which appraisal established a “full use” value (also based upon a “sales comparison approach”) of the ROW Strip in the amount of \$25,800; and

WHEREAS, Purchaser has offered to purchase the ROW Strip for \$29,400.00 (“Offer Price”), representing the mid-point between the appraised value calculated by the Village’s appraisal and that calculated by the appraisal ; and

WHEREAS, the Village has determined that the Offer Price represents the fair market value of the ROW Strip;

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees hereby authorizes the sale of the ROW Strip to Purchaser, or its designee, for a price of not less than \$29,400.00, subject to negotiation of a mutually agreeable contract of sale, and authorizes and directs the Mayor to sign such contract of sale and any and all other documents necessary to consummate such sale.

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Roll Call -	Mayor Rogers	Yes
	Deputy Mayor Sherman	Yes
	Trustee Hunt	No- <i>We don't have a contract? It's just an offer-Attorney Greico explained, not uncommon for Board to act prior to agreement</i>
	Trustee Carson	Yes
	Trustee Torre	No- <i>does not believe in selling Village property</i>
	Motion Passed	3-2

ON MOTION by Mayor Rogers, seconded by Trustee Carson, it was moved at 8:10 pm to go back to regular agenda:

Unanimously carried

Report – Deputy Mayor Sherman

First movie night at the Meeting House went well. Keaton was a big help.

Report – Trustee Hunt

ON MOTION by Trustee Hunt, seconded by Deputy Mayor Sherman, the following resolution was adopted:

RESOLVED that *Patrice Hannotte* of **359 North Ellicott Street, Williamsville** is hereby appointed as a member to the **Arts, Culture and Diversity Committee** until the end of the 2021-2022 Official Village year.

Unanimously carried

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ON MOTION by Trustee Hunt, seconded by Trustee Torre, the following resolution was adopted:

RESOLVED, that the Mayor is authorized and directed to sign the 2022 Certified Local Government Grant Application for Residential Design Guidelines; and

BE IT FURTHER RESOLVED that the Village of Williamsville acknowledges it is responsible for a match of 40%, to be made up of cash, in-kind services, or a combination of both.

Roll Call -	Trustee Torre	Yes
	Trustee Carson	No - <i>high price tag</i>
	Trustee Hunt	Yes
	Deputy Mayor Sherman	No
	Mayor Rogers	No
	Motion Failed	2-3

Report – Trustee Carson

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

RESOLVED, to adopt Local Law #1 of 2022 to amend Chapter 112 (Zoning) to amend and harmonize existing provisions establishing durational limits for land use approvals for the Village of Williamsville.

Roll Call -	Mayor Rogers	Yes
	Deputy Mayor Sherman	Yes
	Trustee Carson	Yes
	Trustee Torre	No
	Trustee Hunt	No - <i>sees no benefit</i>
	Motion Passed	3-2

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ON MOTION by Trustee Carson, seconded by Mayor Rogers, 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, April 25, 2022 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.

Unanimously carried

Staff Reports:

Deputy Treasurer: no report

Attorney Greico: no report

Administrator Kindron: requested to have attorney present at HPC

DPW Crew Chief: no report

Director of Community Development DePriest: Youth & Rec Easter Egg scavenger hunt begins this Friday.

ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved to adjourn the meeting at 8:20 pm.

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer