

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, July 15, 2024 at 7:30 p.m.

The Village Board meeting was opened at 7:27 pm by Mayor Hunt.

Deputy Mayor Torre led the Pledge of Allegiance at 7:27pm.

Present: Christine L. Hunt, Mayor
Eileen Torre, Deputy Mayor
James Celeste, Trustee
Jeffrey Hahn, Trustee
Amy Jackson, Trustee

Also present: Suzanne Canell, Administrator/Clerk-Treasurer
Charles Grieco, Village Attorney
Kristine Voight, Deputy Treasurer

ON MOTION by Mayor Hunt, seconded by Deputy Mayor Torre, it was moved at 7:28 pm to approve the minutes of the regular meeting held on June 24, 2024.

Unanimously carried

ON MOTION by Mayor Hunt, seconded by Deputy Mayor Torre, it was moved to open the public participation portion of the meeting at 7:28 p.m.

Unanimously carried

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

1.) **Cheryl Meyer, Village Resident**

Thanked the Mayor for coming to her house and talking about managing Music on Main. When this started Brian Kulpa assured us that Music on Main started would be just Thursday nights. Now it's all weekend through Sunday night. Village doesn't want to be Elmwood. Whoever is liaison to WBA should talk to them about it. When the creek gets high music gets louder. [*Mayor Hunt: We are discussing. Things have gotten a little out of the box so we are working on it. There are several businesses on Main not getting permits.*] Ms. Meyers stated there are businesses skirting the law by having band play inside but opening up the walls/windows so it can be heard outside.

2.) **Dan Hunt, Village Resident**

Agrees with Ms. Meyers. I can hear the music from my house as well. We should be able to sit in our yards and not hear music every night. Businesses are blatantly avoiding permits and rules. Not right that they just ignore them. Need some bite to rules enforcement.

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3.) **Jennifer Tudor, Village Resident**

Wanted to know if properties could be grandfathered in to blacktop over sidewalks rules. She is having it done now. *[Mayor Hunt: We have tabled it for now. Trustee Hahn asked what she was having done.]* She is having blacktop put in and doesn't see it as a slipping hazard. What she does see as a hazard are the grates at the end of the streets on the curbs. They are rusted and tore up from plows. Find those to be slippery. *[Mayor Hunt said to be sure to report issues like this on the website using the property information portal.]*

4.) **Doug Richardson, Village Resident**

Believes cement is worse than blacktop for slipperiness if worried about safety. Two streets alone had 35 driveways so it's a lot of people would be affected. Feel no blacktop rule adds significant expense that some folks will have a hard time with.

5.) **Joe Carden, Village Resident**

Has a blacktop driveway and can't put concrete because of slope. Not a lot of room on his street to turn around. Delivery trucks use his driveway all the time.

6.) **Thomas Frank, Village Resident**

Glen Park Joint Board resolution with Town of Amherst to update plan for Amherst Central Greenway. Second phase of walkable village as far as traffic mitigation. Also provides public engagement opportunity. State has adopted federal model of groundwater stabilization.

7.) **Paul Krieter, Village Resident**

The Village Board should something about 20 South Long, not just say they're working on it. Doesn't want to hear that anymore. Whether it comes from Mayor or attorney they're should be a timeline of communications. Suggests eminent domain. Nothing happens with parking enforcement either. If nothing happens, then take down signs in the Village.

ON MOTION by Mayor Hunt, seconded by Trustee Celeste, it was moved at 7:46 p.m. to close the public participation portion of the meeting.

Unanimously carried

Public Hearing

Proposed law amending Chapter 73 of the Village Code (Public Order) Section 3 (Prohibited Noise), to add new Section 73-10 (Enforcement, Penalties for offenses)

ON MOTION by Mayor Hunt, seconded by Mayor Hunt, it was moved at 7:47 p.m. to open the public hearing portion of the meeting.

Unanimously carried

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1.) **Dan Hunt, Village Resident**

What does enforcement mean? *[Mayor Hunt read the law as proposed.]* Mr. Hunt thinks there should be non-negotiable fines so that the court can't reduce them. What's the point if they only have to pay \$50 instead of \$500. *[Trustee Hahn asked Attorney Grieco what would be the process for that. Attorney Grieco stated we cannot tell the Judge what to do in the code. We could write in a minimum amount, but the Judge can still dismiss the case at their discretion.]*

2.) **Paul Krieter, Village Resident**

Make it a minimum fine, for example first violation \$500, second \$750, third \$1000, etc. If a Judge throws it out, it won't go away if it's a violation versus a fine. Put some teeth into it. If a business is playing music too loud but getting reduced fines, what is the point of complying? What is noise ordinance? *[Attorney Grieco clarified that business need a sound permit. There is a provision that provide for unreasonable noise. It does not have decibel guidelines.]* Let's put some teeth into what the noise limits should be. See what APD has in their cars to determine decibel levels. He believes the police officers don't bother enforcing because they know it won't go anywhere.

ON MOTION by Mayor Hunt, seconded by Trustee Celeste, it was moved at 8:02 p.m. to close this public hearing.

Unanimously carried

Public Hearing

*Proposed law amending Chapter 89 (Streets & Sidewalks)
to make the installation of a driveway a permitted action.*

ON MOTION by Mayor Hunt, seconded by Deputy Mayor Torre, it was moved at 7:47 p.m. to open the public hearing portion of the meeting.

Unanimously carried

1.) **Jennifer Tudor, Village Resident**

Have signed a contract to have my driveway done. Wanted to know where she falls in this. *[Mayor Hunt: The law has not gone into effect yet and won't until it's filed with the Secretary of State. If worse comes to worse, you just need a permit.]* Wondered if there could be a grandfather clause for the sidewalk changes. Asked if the responsibility for permitting is on the owner or the contractor. *[Mayor Hunt clarified it was contractor.]*

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2.) **Joe Carden, Village Resident**

Reseals his driveway every 3 years for the last 50 years. Does new rule mean he can't do that without a permit anymore? It is nonsense. *[Attorney Grieco clarified that there are design standards and dimensional requirements for driveways. This amendment is to say that people can come in and apply for permit to see if it complies with the code.]* Mr. Carden said he understand as it relates to new driveways, but not for just resealing.

3.) **Dan Hunt, Village Resident**

Can see getting permit for installation of new driveway or major changes to driveway, but not just to seal an existing driveway. Majority of people that have a blacktip driveway seal it themselves. Can see making this a requirement for business, but not for homes.

4.) **Paul Kreiter, Village Resident**

Can you define sealing? If it's just a coating on the existing dimensions of the driveway why would you need a permit? *[Mayor Hunt: wants to differentiate commercial vs. residential.]* Commercial companies need to paint stripes, spaces, handicapped spots, but for residential it's different.

ON MOTION by Mayor Hunt, seconded by Trustee Celeste, it was moved at 8:14 p.m. to close this public hearing.

Unanimously carried

Reports – Mayor Hunt

Businesses not getting Mayor's permits for amplified sound and requesting that they do. It is their duty. Asking as a courtesy that they do the right thing and apply for their Mayor's permits.

Amherst Symphony Orchestra – Celebrating America's Golden Age Concert on August 6, 2024, at 6:30 pm.

Thanked everyone for a great first year. Thanked Attorney Grieco for all of his work on the Village's behalf. Thanked Administrator Canell for a successful transition of administration. Thanked all the Village staff. Grateful for a dedicated Board to work with. Administration has worked tirelessly to close open accounting issues and bring a clear financial picture; updating our software program; grant successes with more to come such as the crosswalk at Milton & S. Cayuga, upgrades to the Island Park water line, upgrades to Glen Park including new bathrooms, Village hall updates are about to being to make us ADA compliant, FEMA dam study underway, and the Community Plan update grant was successfully awarded and program moving along.

For one year we have had many successes. Not much can be done without our wonderful DPW crew. Our committees are also doing great work. The revival of the Meeting House has been a wonderful success and can't thank that committee enough. Our website is being updated and our new Community Development Aide is doing amazing things with it to make it more user friendly for our residents. Looking forward to Year 2!

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ON MOTION, by Mayor Hunt and seconded by Trustee Celeste, it was moved to go off agenda at 8:19 pm.

Unanimously carried

ON MOTION by Mayor Hunt and seconded by Deputy Mayor Torre, the following resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized and directed to publish notice of public hearing to be held on August 12, 2024, at 7:30 pm to hear all persons interested in communicating on proposed local law amending Chapter 103 (Vehicles and Traffic) establishing school zone speed limits on West Spring Street and Grove Streets.

Unanimously carried

ON MOTION by Mayor Hunt and seconded by Deputy Mayor Torre, the following resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized and directed to publish notice of public hearing to be held on August 12, 2024, at 7:30 pm to hear all persons interested in communicating on proposed local law amending Chapter 103 (Vehicles and Traffic) Section 15 (Stop Intersections) to add a stop sign on West Spring Street.

Unanimously carried

ON MOTION by Mayor Hunt and seconded by Trustee Celeste, the following resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized and directed to publish notice of public hearing to be held on August 12, 2024, at 7:30 pm to hear all persons interested in communicating on proposed local law adopting a moratorium on short-term rentals in the Village.

Unanimously carried

ON MOTION by Mayor Hunt and seconded by Trustee Hahn, the following resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized and directed to publish notice of public hearing to be held on August 12, 2024, at 7:30 pm to hear all persons interested in communicating on proposed local law amending Section 21-5 regarding engineering cost recovery.

Unanimously carried

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ON MOTION, by Mayor Hunt and seconded by Deputy Mayor Torre, it was moved to go back on agenda 8:21 pm.

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

RESOLVED, that payroll and vouchers in the amount of **\$775,683.82** covering the period from **06/17/2024 – 07/12/2024** are hereby approved as follows:

PAYROLL COVERING 06/17/2024 – 06/30/2024	\$47,599.47
VOUCHERS COVER 06/17/2024 – 07/12/24	
GENERAL FUND	\$116,168.80
SEWER FUND	\$525,471.79
DEBT SERVICES FUND	<u>\$86,443.76</u>
GRAND TOTAL	<u>\$775,683.82</u>

Unanimously carried

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

RESOLVED, that the proposal from Fisher Associates for traffic engineering services at Main St/Reist St/Village Square Lane to determine if intersection meets the requirement for the installation of a Pedestrian Hybrid Beacon (HAWK signal) is hereby approved in the amount of \$7,000.00 to be paid from available American Rescue Plan Act (ARPA) funds.

Unanimously carried

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

WHEREAS, the Village of Williamsville applied for financial assistance from the Community Resiliency, Economic Sustainability, and Technology Program (CREST) for the purpose of funding the Crosswalk Project at Milton and S. Cayuga Road;

RESOLVED, that the Village of Williamsville is authorized and directed to accept these grant funds in an amount not to exceed \$219,500.00 for the project described in the grant application;

RESOLVED, that the Village of Williamsville is authorized and directed to agree to the terms and conditions of the grant agreement with the Community Resiliency, Economic Sustainability, and Technology Program (CREST) for the Crosswalk Project at Milton and S. Cayuga Road project;

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RESOLVED, the Village of Williamsville commits to making available the full amount of \$219,500.00 from the Village's general fund for the proposed project, with the understanding that funds will be reimbursed;

RESOLVED, that the Village of Williamsville is authorized and directed to agree to the terms and conditions of any required title to real property owned by the municipality and improved by the grant funds, which may be a duly recorded public access covenant, conservation easement, environmental review, permitting, and/or preservation covenant; and

RESOLVED, that the Williamsville Board of Trustees give the Mayor signing authority to execute the contract agreement and any amendments thereto, any required deed of easement, and any other certifications.

Unanimously carried

Report – Deputy Mayor Torre

Seconds the Mayor's comments thanking our staff and the Board for an excellent year. It's been a delight working with everybody.

Reminder to everyone that Old Home Days starts tomorrow and ends Friday 7/19. Kicks off at 6:30 pm with a parade down Main Street from Union Road to Youngs Road will be closed. All intersection roads with Main Street will be closed. Hope to see everyone at the parade!

ON MOTION by Deputy Mayor Torre, seconded by Trustee Hahn, the following resolution was adopted:

WHEREAS, the Village of Williamsville, Herein called the "Municipality", after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project; and

WHEREAS, the Village of Williamsville authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the Municipality deems it to be in the public interest and benefit under this law to enter into a contract therewith;

NOW, THEREFORE, BE IT RESOLVED by the Village of Williamsville Village Board:

1. That Mayor Christine Hunt or such person's successor in office, is the representative authorized to act in behalf of the Municipality's governing body in all matters related to State assistance under ECL Articles 17, 51 and 56 and/or any applicable federal grant provisions. The representative is also authorized to make application, execute the State Assistance Contract, submit Project documentation, and otherwise act for the Municipality's governing body in all matters related to the Project and to State assistance;

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2. That the Municipality agrees that it will fund its portion of the cost of the Project and that funds will be available to initiate the Project's field work within twelve (12) months of written approval of its application by the Department of Environmental Conservation; Total project cost of \$9,716,570.00 of which the required match of 25% or \$1,943,314.00 (grant request of \$7,773,257.00);
3. That one (1) certified copy of this Resolution be prepared and sent to the Albany office of the New York State Department of Environmental Conservation
4. That this Resolution take effect immediately.

Unanimously carried

Report – Trustee Hahn

Thanked Mayor for kind words. Code enforcement was front and center (new building codes, amplified music, parking and traffic enforcement, etc.) – all important issues. We need assistance from APD in enforcement. With Music on Main being such an active scene, could really benefit from some police presence.

Blocher Stone ready to be received at 1812 Garden. Assuming they will also do mulch at that time. Garden looks great.

ON MOTION by Trustee Hahn, seconded by Deputy Mayor Torre, the following resolution was adopted:

RESOLVED, that the proposal from Digital Surveillance Solutions (DSS) for the replacement of 4 cameras at Glen Park, to include supplying, installing, and configuring IP video additions is hereby approved in the amount of \$9,779.68 to be paid from available American Rescue Plan Act (ARPA) funds.

Unanimously carried

Report – Trustee Celeste

Also appreciates Mayor's comments. First year has been a great experience and a pleasure working with the Board and Village staff.

Went to the Touch a Truck event and really enjoyed it. Was a great event and very nice to see.

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

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RESOLVED, that the price quotation form Vehicle Service Group for a replacement vehicle rotary lift for the Village of Williamsville Department of Public Works is hereby approved in the amount of \$56,879.13, of which \$50,000 is to be paid from available American Rescue Plan Act (ARPA) funds, and the remaining balance of \$6,879.13 will be appropriated to Department of Public Works budget.

Unanimously carried

Report – Trustee Jackson

Looking forward to working with this Board and the new staff.

ON MOTION by Trustee Jackson, seconded by Deputy Mayor Torre, the following resolution was adopted:

WHEREAS, the Ellicott Creek Williamsville Flood Mitigation Service contract was awarded to Gomez and Sullivan Engineers, D.P.C., 8375 Seneca Turnpike, New Hartford, NY, for their bid amount of \$78,900, which represented a \$6,100 increase in estimate previously submitted in 2022;

WHEREAS, the Village was awarded a planning grant in 2023 from FEMA for the Ellicott Creek Flood Mitigation project in the amount of \$70,200 with a 90/10 cost share percentage;

WHEREAS, the Village of Williamsville appropriated \$6,100 for the increase in cost estimate to be paid from American Rescue Plan Act (ARPA) funds during the March 25, 2024, Village Board session;

BE IT RESOLVED, that the \$6,100 increase will not be paid out of available ARPA funds and will instead be appropriated to unrestricted funds from the Village's General Fund.

Unanimously carried

Staff Reports:

Attorney Grieco: No report

Administrator Canell: No report

DPW Crew Chief: Absent

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ON MOTION by Mayor Hunt, seconded by Trustee Hahn, it was moved to adjourn the meeting at 8:33 p.m.

Unanimously carried

The next Village Board meeting will be held on Monday, August 12, 2024, at Village Hall, 5565 Main Street, Williamsville, NY.

Suzanne Canell
Administrator/Clerk-Treasurer

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