

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, September 12, 2022 at 7:30 p.m.

The Village Board meeting was opened at 7:35 pm by Mayor Rogers

Deputy Mayor DeLano led the Pledge of Allegiance at 7:35pm.

Present: Deborah L. Rogers, Mayor
Daniel O. DeLano, Deputy Mayor
Eileen A. Torre, Trustee
Mary Lowther, Trustee
Christine L. Hunt, Trustee

Also present: Kelsey Lieb, Deputy Treasurer
Charles Grieco, Village Attorney
Ben Vilonen, DPW Crew Chief

Absent: Judith A. Kindron, Administrator/Clerk-Treasurer

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved to approve the minutes of the regular meeting held on August 22, 2022.

Unanimously carried

Public Hearing

Amendments for Technical Changes to Chapter 47 (HPC) of the Village code

ON MOTION by Mayor Rogers, seconded by Trustee Lowther, it was moved at 7:38 p.m. to open the public hearing portion of the meeting.

Unanimously carried

[Attorney Greico – explained clarifying changes/technical amendments]

- 1.) **Jeffrey Hahn – 99 N. Ellicott St.** – Do we (Village) have a defined Historic District?
[Attorney Greico- Not at this time].
- 2.) **Charlie Ciotta – 5411 Main St.** – Verbiage gives Code Enforcement officer too much power.
- 3.) **Cheryl Meyer – 90 Willowbrook** – comments not related to topic
- 4.) **Thomas Frank – 5403 Main St.** – comments not related to topic

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ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved at 7:54 p.m. to continue this public hearing at the 9/26/22 meeting.

Unanimously carried

Public Hearing

Amendments for Technical Changes to Chapter 112 (Zoning) of the Village code

ON MOTION by Mayor Rogers, seconded by Trustee Lowther, it was moved at 7:55 p.m. to open the public hearing portion of the meeting.

Unanimously carried

[Attorney Greico – explained clarifying changes change]

- 1.) Pat Kelly – 120 Oakgrove** – Questioned appeals process and appointments. *[Attorney Greico- answered regarding NYS Village Law]*
- 2.) Mary Lowther –120 N. Ellicott St.-** Resident changed the topography of property. Is this being addressed? *[Attorney Greico – addressed by Appeal to ZBA].* found in favor of resident; needs to be addressed.
- 3.) Yakun Hu –100 Westchester-** Comments not related to topic

ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved at 8:06 p.m. to continue this public hearing at the 9/26/22 meeting.

Unanimously carried

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 8:06 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.) Charlie Ciotta – 5411 Main St** – Concerned about snow plowing along Main St. Coordinate with State. Budget DPW overtime to remove snow from curb area along business district.
- 2.) Nick Roth-135 Oakgrove-** Repairs to dam? *[Deputy Mayor DeLano –Hung up in drawing phase].* FEMA application. *[Mayor Rogers –Pushing back to Spring of 2023 for*

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announcement]. Website being updated? [**Mayor Rogers** –*explained where we are in the process. Working out issues*]. Geek Squad? [**Deputy Treasure Lieb** – *They only repair equipment*]. Clerical issues of eliminated position? [**Mayor Rogers** – *Clerical issues are resolved. Working on website*]. Not a smart business practice.

- 3.) **Matt Carson-90 Oakgrove-** Consider postpone any work on dam at this time since need for emergency repair is over?
- 4.) **Cheryl Meyer – Willowbrook** –Keeping dam open is not keeping people from coming to the Village. HPC – Williamsville is 1 square mile. Much more prudent. Does not agree with having decision making with non-elected people.
- 5.) **Dan Hunt-75 Evans St.** – If Historic Village doesn't matter, then disband any volunteer Board and let Village Board make all decisions. Commissions here to preserve the history.
- 6.) **Yakun Hu-100 Westchester** – Follow up on Village website
- 7.) **Dennis Hoban – 216 California Dr.** –Welcome Mary Lowther and Dan DeLano. He is in tune with historic buildings. Love living in the Village (from 1985). Caution Board, restaurant on Main St. expand, will block view of Mill. Mill is not the Village (questioned Trustee Lowther on purchase price of Mill). Be cognizant of Businesses.
- 8.) **Dave Sherman –69 Columbia Dr.** – Talked to ECHD about rat issue. They placed rat boxes. 2 property owners will be given appearance ticket. On right track. Thank you. Spoke to a developer from Clarence while visiting. This Board is giving the Village a black eye to a great guy, business. Why so many speed bumps in process for Share. [**Deputy Mayor DeLano** –*Not this Boards decision*]. [**Mayor Rogers** –*This Boards influence is with those appointed to these commissions. Mayor addressed Mr. Schreck about letters received, forwarded to Trustee Lowther (Liaison to HPC) requesting that she shares them with HPC.*
- 9.) **Joel Schreck – 56 Monroe Dr.** –“It's not our decision” In favor of HPC, but not that they have the decision making & approvals. Too much power & no accountability there, biggest issue. [**Trustee Hunt** – *Claims to have been in same place as Mr. Schreck in 2019-2020 but it was Planning vs HPC*]. [**Deputy Mayor DeLano** – *Looking for more information to better understand. Certificate of Appropriateness of Design*]. Mass of structure and site line to Mill. Looking to use it for 4 seasons. Mass can't change.[**Deputy Mayor DeLano-** *Give HPC credit to match building. Would like to see this move along. Lack of information out there*]. [**Trustee Torre** –*Confused with upstairs patio & the apartment. They will have to look out at a patio*]? It is a year to year lease. He has talked to building owner with desire to take over space for offices. Explained site line to Mill. How do we get all members of HPC to show up at all meetings?
- 10.) **Joe Stalteri – 23 Rinewalt St.** Restaurants are notorious for failure. What happens if Share fails? Then we have a vacant business. DOT should do a traffic study for people crossing in front of the Irishman. Suggested another architect.
- 11.) **Yakun Hu-100 Westchester** – Submitted letter to Board. Gave a history of himself. [**Deputy Mayor DeLano** – *There is a difference between business and government*].
- 12.) **Thomas Frank – 5403 Main St.** –LWRP/Town of Amherst. Ellicott Creek dam. 911 Ceremony, Flood Plain, demonstration project for the dam.
- 13.) **Ray Herman-114 Oakgrove** – Comment on 5590, family owned building. Gave history. Doesn't really look the way it used to 20 years ago. Sympathetic to Mr. Schreck. Need flexibility when a merchant asks.

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- 14.) **Nick Roth – 135 Oakgrove** – No public comment at HPC meetings, is a detriment to the process. This board should make a public comment period at HPC meetings. Commented on costs of the Mill.

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 9:19 pm to close the public participation.

Unanimously carried

Report – Mayor Roger

Thanked Parks Committee & Volunteers for helping build the new playground at S. Long Park. Correction on back of Agenda – Monday October 10th – should be Tuesday October 11th for the Village Board Meeting.

October 8th Fire Department open house noon – 4:00pm

ON MOTION by Mayor Rogers, seconded by Trustee Torre, the following resolutions were adopted:

RESOLVED, that the following ***budget transfers*** are hereby made in the ***General Fund*** for the 2022-2023 fiscal year.

To:	001-3410-4160-3407 (Fire Protection/Truck Expense, Rescue 7)	\$	153.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	153.00
To:	001-3410-4160-3401 (Fire Protection/Truck Expense Engine 1)	\$	1214.00
	001-3410-4160-3402 (Fire Protection/Truck Expense Engine 2)	\$	1214.00
	001-3410-4160-3405 (Fire Protection/Truck Expense Rescue 5)	\$	695.00
	001-3410-4160-3406 (Fire Protection/Truck Expense Truck 6)	\$	4004.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	7127.00

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ON MOTION by Mayor Rogers, seconded by Trustee Torre, the following resolutions were adopted:

RESOLVED, that payroll and vouchers in the amount of **\$147,018.90** covering the period from 8/15/2022 – 9/6/2022 are hereby approved as follows:

PAYROLL COVERING - 8/15/2022-8/28/2022	\$ 39,035.37
VOUCHERS COVERING- 8/22/2022-9/6/2022	
GENERAL FUND-	\$ 91,451.49
WATER FUND-	\$ 0.00
SEWER FUND-	\$ 3,057.05
GLEN PARK FUND-	\$ 666.27
TRUST & AGENCY FUND-	\$ 12,808.72
DEBT SERVICE-	\$ 0.00
COMMUNITY DEVELOPMENT-	\$ 0.00
CAPITAL FUND-	\$ 0.00
	\$ 107,983.53
GRAND TOTAL	\$ 147,018.90

Unanimously carried

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

RESOLVED, that ***Willard Brooks***, residing at 34 Linwood Avenue, Williamsville, and ***Matt Carson***, residing at 90 Oakgrove Drive, Williamsville, are hereby appointed as members of the ***Parks Committee*** through the end of the 2022-2023 official Village year.

Unanimously carried

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

RESOLVED, that Change Order #1 to Occhino Corporation for the deletion of all paving, storm and curbing work on Monroe Drive from the 2022 Paving and Drainage Project, is hereby approved.

[Trustee Lowther-Why Monroe? DPW Crew Chief Vilonen –Because total bid was over budget].

Unanimously carried

Report – Deputy Mayor DeLano

Echo Mayors comments on the Parks Committee & Volunteer S. Long Park playground – Thank You.

Youth & Rec have Nature Day at Glen Park 9/24/22, 1:00-3:00 at Noll Nature Pavilion

Tree planting coming up, scouting for sites, 80-85 trees to be planted

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

RESOLVED, that *Paul Kreiter* residing on 29 South Ellicott Street, Williamsville is hereby appointed as a member of the **Tree Board** through the end of the 2024-2025 official Village year.

Unanimously carried

Report – Trustee Lowther

9/16/22 Meeting House Events Committee Meeting 6:30pm

9/27/22 HPC – 6:00pm Public Hearing on Mill District – 7:00pm Regular Meeting

Report – Trustee Torre

Amazing new playground

Thank you to all who volunteered

9/19/22 Environmental Meeting 7:00pm

Report – Trustee Hunt

Thank you Tom Frank for helping at the playground build

(Nathan & Eric) Parkitectis, DPW, volunteers – Thanks to all that participated

Arts, Culture & Diversity – helping to put together an event at the Meeting House. Waiting for confirmation on a date. Working in conjunction with school district and Holocaust Resource Center re: WWII & Holocaust survivors of that era.

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Staff Reports:

Deputy Treasurer: no report

Attorney Greico: no report

DPW Crew Chief: no report

ON MOTION by Mayor Rogers, seconded by Trustee Torre, it was moved to adjourn the meeting at 9:32 pm.

Unanimously carried

Judith A. Kindron
Administrator/Clerk-Treasurer