

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 26, 2022 at 7:30 p.m.

The Village Board meeting was opened at 7:37 pm by Mayor Rogers

Trustee Hunt led the Pledge of Allegiance at 7:37pm.

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

Also present: Judith A. Kindron, Administrator/Clerk-Treasurer
Kelsey Lieb, Deputy Treasurer
Charles Grieco, Village Attorney
Ben Vilonen, DPW Crew Chief

Absent: Eileen A. Torre, Trustee

ON MOTION by Mayor Rogers, seconded by Trustee Hunt, it was moved to approve the minutes of the regular meeting held on September 12, 2022.

Motion carried 4-0

Public Hearing

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

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:39 p.m. to open the public hearing portion of the meeting.

Motion carried 4-0

- 1.) Thomas Frank – 5403 Main St.** –It should include Village and Town LWRP.
- 2.) Kate Waterman-Kulpa- 81 Milton St.**-Request that public hearing remains open until HPC has a chance to comment.

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:45 p.m. to continue this public hearing at the October 11, 2022 meeting.

Motion carried 4-0

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Public Hearing

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

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:46 p.m. to open the public hearing portion of the meeting.

Motion carried 4-0

- 1.) Kate Waterman-Kulpa- 81 Milton St.-** Leave public hearing open until Planning Board meets and has a chance to comment. [*Trustee Lowther-would like to have maximum heights*]. [*Attorney Grieco- it is already in there*]. [*Trustee Lowther- Would like to see that alternates are alternated. Like to see Village utilize both instead of same alternate being used all the time*].

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved at 7:50 p.m. to continue this public hearing at the October 11, 2022 meeting.

Motion carried 4-0

ON MOTION by Mayor Rogers, seconded by Trustee Lowther, it was moved at 7:51 pm to open the public participation portion of the meeting.

Motion carried 4-0

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

- 1.) Nick Roth – 135 Oakgrove –** No comments on letter received from former Trustee Etu? Seems to be mistrust of HPC. Happy to hear about video conferencing. Support Mayor Rogers's appointment to HPC. Agree need diversity on committees. HPC does do good work. Economy of the Village. HPC should not be detriment to businesses. HPC take a 6 month hiatus.
- 2.) Eric O'Neill – 79 Oakgrove Dr. –** NYS is shell of itself due to heavy hand of government. HPC not directly beholdng to residents. Important to save history, but also need growth. More accountable to community.
- 3.) Cheryl Meyer – Willowbrook –** Thank Mayor for stop of dam. With all this rain, there's no flooding. Businesses are not suffering. Smell came from Amherst discharge into creek. Not fearful of flood right now. Use money to re-engineer. HPC – no accountability when not elected, hasty decisions cause problems. [*Deputy Mayor DeLano – re: dam- waiting on DEC*].
- 4.) Yakun Hu –Park Club Lane- Trying** to get involved in government. Religious tolerance in Williamsville believes due to philosophy. Interpretation of revelations. Trained chess player, computer science. Engineering training, apply theory to medicine.

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- 5.) **Thomas Frank – 5403 Main St.** – Would like LWRP plans included in HPC amendments; Dept. of Interior; National parks service; flood insurance.
- 6.) **Paul Krieter- 29 S. Ellicott** – Asked about condition of gazebo at Garrison Park? [*DPW Crew Chief Vilonen-cob webs on roof, no leaking. No return calls from roofer. Not life/health safety issue*]. How does reroofing get put into budget? [*Mayor Rogers – explained process*]. Can we be sure a proper appraisal is done before February? [*Deputy Mayor DeLano- budget issue, get quotes*].
- 7.) **Dan Rider – 38 Garden Pkwy.** – Asked about work session item of rezoning South Long park. Look at zombie lot too. Perennials – 3ft high, weeds along bioswales are tall along S. Long; Excuria Spa & Salon – looking for property tax relief. Not a fan of cutting real estate taxes for a profit. Look at concrete on handball wall. S. Long apartment building- no action in a long time. [*Attorney Greico –CEO to make recommendation to Village Board*].
- 8.) **Joe Stalteri – 23 Rinewalt St.** – Re: abolishing HPC – welcome work they are doing. Restoring can increase value. Share building – kind of in disrepair. Tree encroaching on building needs to be trimmed. The issue between barber & D’Avolio’s is ridiculous.
- 9.) **Kate Waterman-Kulpa – 81 Milton St.** –on behalf of HPC she thanked the Mayor for her complimentary comments at last Village Board meeting. Planning Board & Zoning Board also be placed on hiatus? [*Mayor Rogers-HPC should be an advisory board, not a decision making board*]. Asked the Board to educate themselves on Zoning.
- 10.) **Ray Herman – 114 Oakgrove.** –Disturbed by behavior just shown. Historic districts can be beneficial, but it needs residents to want it. [*Deputy Mayor DeLano –If we value historic value, and there is a group unhappy is that a reason to abolish? Do not want in the hands of elected. Come to a consensus*]. [*Mayor Rogers – People are concerned with haste of Board perception is reality*]. [*Deputy Mayor DeLano- Agrees with the fact that public comment not being allowed, is wrong*]. [*Trustee Lowther – HPC sees many many C of A’s. Share made their’s a very public issue. People are appointed and not answerable to Village Board. Share has been asked to be removed from HPC September meeting and come back to October meeting*].
- 11.) **Jan O’Neil–79 Oakgrove-** Seems like HPC was overstepping with Share issue.

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

Motion carried 4-0

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Report – Mayor Roger

Thank you to Brian Higgins who spoke out on getting Canadian border restrictions lifted as of October 1st

E.C. Association of Governments –resolution infringements of 2nd amendment. Will plan to bring forth a similar resolution at next meeting.

ON MOTION by Mayor Rogers, seconded by Trustee Lowther, 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:	001-3410-4160-3401 (Fire Protection/Truck Expense, Engine 1)	\$	1729.00
	001-3410-4160-3402 (Fire Protection/Truck Expense Engine 2)	\$	1729.00
	001-3410-4160-3406 (Fire Protection/Truck Expense Truck 6)	\$	2302.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	5760.00
To:	001-3410-4160-3409 (Fire Protection/Truck Expense Chief 9)	\$	785.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	785.00
To:	001-3410-4160-3492 (Fire Protection/Truck Expense Asst Chief 9-2 Truck)	\$	785.00
From:	001-3410-4160-0000 (Fire Protection/Truck Expense)	\$	785.00
To:	001-5110-4000-0000 (Street Maintenance/Seasonal Help)	\$	3592.00
From:	001-5110-1000-0000 (Street Maintenance/Personal Services)	\$	3592.00
To:	001-5110-4161-0906 (Street Maint./Repairs 2007 International 4300 Dump)	\$	66.00
	001-5110-4161-0910 (Street Maint./Repairs 2009 Ford F350 Green)	\$	63.00
	001-5110-4161-0915 (Street Maint./Repairs 2013 Ravo Sweeper)	\$	1882.00
From:	001-5110-4161-0000 (Street Maint./Repairs-Equipment)	\$	2011.00

Motion carried 4-0

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

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

To:	009-7141-4450-0000 (Glen Park/Miscellaneous)	\$	500.00
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From: 009-7141-4352-0000 (Glen Park/Park Maintenance) \$ 500.00

Motion carried 4-0

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

RESOLVED, that payroll and vouchers in the amount of \$436,231.74 covering the period from 8/29/2022 – 9/20/2022 are hereby approved as follows:

PAYROLL COVERING - 8/29/2022-9/11/2022	\$ 31,157.90
VOUCHERS COVERING- 9/7/2022-9/20/2022	
GENERAL FUND-	\$ 392,330.29
WATER FUND-	\$ 0.00
SEWER FUND-	\$ 753.52
GLEN PARK FUND-	\$ 1,035.56
TRUST & AGENCY FUND-	\$ 9,979.47
DEBT SERVICE-	\$ 0.00
COMMUNITY DEVELOPMENT-	\$ 0.00
CAPITAL FUND-	\$ 975.00
	\$ 405,073.84
 GRAND TOTAL	 \$ 436,231.74

Motion carried 4-0

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

RESOLVED, that the Village Administrator is hereby authorized to publish legal notice of a public hearing to be held by the Village Board of Trustees at 7:30pm on Tuesday October 11, 2022 at Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in expressing an opinion on the approval of Local Law #6 of 2022 - Local Waterfront Revitalization Program final acceptance.

Motion carried 4-0

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

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RESOLVED, that *Nicholas Wilcox* of *6 Nichter Road, Lancaster*, is hereby appointed as *Motor Equipment Operator* in the Department of Public Works, effective September 27, 2022.

Motion carried 4-0

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

RESOLVED, that the Village Administrator is hereby authorized to publish legal notice of a public hearing to be held by the Village Board of Trustees at 7:30pm on Tuesday October 11, 2022 at Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in expressing an opinion on the proposed Local Law #7 of 2022 on the Open Meetings Law amendment for Videoconferencing Procedures.

Motion carried 4-0

Report – Deputy Mayor DeLano

Tree Board finalizing plan for fall planting

Report – Trustee Hunt

Sat in on EAC meeting last week, already working on Earth Day 2023

Roles and responsibilities for Climate Smart Communities

Report – Trustee Lowther

Public Hearing tomorrow for HPC for Mill Historic District at 6:00pm; regular HPC meeting to follow

Meeting House Events Committee booking events

October 8th is Fire Dept. open house

Passing of Bill Grady, FF for 50yrs lifelong, hardworking, sadly missed

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

RESOLVED, that the proposal from Flynn Battaglia Architects, dated September 8, 2022 to continue the phased rehabilitation work of the asbestos abatement project at the Lehigh Valley Section House building, at a cost of \$13,200.00, plus the cost of hazard material project and air monitoring (through Stohl Environmental). The Mayor is hereby authorized and directed to execute said proposal on behalf of the Village of Williamsville.

Motion carried 4-0

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Staff Reports:

Deputy Treasurer: no report

Attorney Greico: no report

Administrator Kindron: no report

DPW Crew Chief: The set at Meeting House for production is amazing

ON MOTION by Mayor Rogers, seconded by Deputy Mayor DeLano, it was moved to adjourn the meeting at 8:49 pm.

Motion carried 4-0

Judith A. Kindron
Administrator/Clerk-Treasurer