

Minutes of a Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 8:05 P.M.

Roll Call	Present	Lawrence R. Brenton, Mayor	
		Robert V. Bindert	
		Michael W. Kibby	Trustees
		Carolyn M. Schlifke	
		Richard P. Sweeney	
		Theresa L. Cummins	Clerk-Treasurer
		Thomas V. Troy	Attorney
		David Laubisch	Supt. Public Works

The Clerk read the notice of public hearing regarding a proposal to designate S.S. Peter & Paul Church, 5480 Main Street, as a historic site in the Village of Williamsville.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the public hearing was opened at 8:05 P.M.

Unanimously carried.

Trustee Schlifke stated that the Village Historical Preservation Code allows the Village to study and designate historical sites within the Village limits which we feel are part of our heritage. S.S. Peter & Paul Roman Catholic Church is one of the most predominant buildings on Main Street. It was constructed in 1866. Trustee Schlifke read excerpts from "A Guided Tour" book about the church (Copy attached).

The Historical Society has filled out a historical evaluation sheet on this property.

No one from the public appeared to speak for or against this designation.

Mayor Brenton commented that the last communication with the church was with the diocese in 1985 when the Bishop indicated that they did not want the building designated as a historical site. He would like to have some indication from the people involved before the Board votes on this as to whether there has been a change in their attitude. He does not think that this designation should be imposed on them if they do not want it.

Trustee Schlifke said she would go back to the Historic Preservation Committee with this. However the Preservation Code adopted in 1982 states that the Committee has the right to recommend to the Village Board any site in the Village of Williamsville worthy of that designation. Most preservation councils do work that way since many owners would destroy what is part of our heritage that should be preserved. This designation does not prohibit any changes to the interior of the building. It just effects exterior work. When someone comes in for a permit to change the exterior

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the Building Inspector will contact the Historical Preservation Committee and they
will review the changes before a building permit is issued.

At the present time, there is a plaque on the building designating it as a Town
of Amherst historical site.

ON MOTION by Trustee Schlifke, seconded by Trustee Kibby, the public hearing was
closed at 8:15 P.M.

Theresa L. Cummins
Village Clerk-Treasurer

2

Minutes of a Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York, on Monday, April 13, 1987 at 7:50 P.M.

Present:	Lawrence R. Brenton	Mayor
	Robert V. Bindert	
	Michael W. Kibby	Trustees
	Carolyn M. Schlifke	
	Richard Sweeney	
	Theresa L. Cummins	Clerk/Treas.
	Thomas V. Troy	Attorney
	David Laubisch	Supt. Public Works

The Clerk read the notice of public hearing being held for the purpose of hearing all persons interested in discussing an Exceptional Development Permit for an addition to the Caldwell Building.

ON MOTION By Mayor Brenton, seconded by Trustee Kibby, it was moved to open the public hearing.

Unanimously carried.

Trustee Kibby stated that since we have received a number of requests to adjourn this meeting because this is the first night of Passover, we will hold off all comment on this topic at this meeting.

ON MOTION By Trustee Kibby, seconded by Trustee Schlifke, it was moved to adjourn this public hearing to April 27, 1987 at 7:30 P. M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer

Minutes of a Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:55 P.M.

Roll Call

Present

Lawrence R. Brenton, Mayor

Robert V. Bindert

Michael W. Kibby

Carolyn M. Schlifke Trustees

Richard P. Sweeney

Theresa L. Cummins, Clerk-Treasurer

Thomas V. Troy Attorney

David Laubisch Supt. Public Works

The Clerk read the notice of public hearing regarding the proposed 1987-1988 General Fund, Water Fund, Sewer Fund and Glen Park Fund budgets.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the public hearing was opened at 7:55 P.M.

Unanimously carried.

Mayor Brenton stated this hearing is to discuss how we spend your money. The breakdown provided by the Village Clerk shows how the \$3.28 per thousand is spent. This represents a 5% increase over last year's tax rate. The increase is due to the loss of federal revenue sharing money, the increase in the insurance rates, and an increase in employee costs due to a new negotiated labor contract. If a house is valued at \$60,000, that house will pay \$7.20 more a year in General fund Village taxes. The rest of the funds are being held constant.

No one from the public appeared to speak on any of the proposed budgets.

Trustee Schlifke asked how much an average homeowner with a \$60,000 house would pay in Village taxes next year. The Clerk stated they would pay \$196.80

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, the hearing was closed at 8:00 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer

Minutes of a Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 8:01 P.M.

Roll Call	Present	Lawrence R. Brenton, Mayor	
		Robert V. Bindert	
		Michael W. Kibby	Trustees
		Carolyn M. Schlifke	
		Richard P. Sweeney	
		Theresa L. Cummins	Clerk-Treasurer
		Thomas V. Troy	Attorney
		David Laubisch	Supt. Public Works

The Clerk read the notice of public hearing on the proposed 1987-1988 Sewer rent rates per Section 41.20(d) of the Sewer rent code.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the public hearing was opened at 8:01 P.M.

Unanimously carried.

Mayor Brenton stated this hearing concerns our proposed sewer charges for the 1987-1988 fiscal year. It covers the cost of treating our sewage at the Town of Amherst plant and our portion of debt at that plant as well as our sewer maintenance costs. The rates are not going up this year. They will be 74¢ per thousand gallons of water and 70¢ per thousand on the full value.

No one from the public appeared to speak.

ON MOTION by Trustee Kibby, seconded by Trustee Sweeney, the public hearing was closed at 8:04 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

Roll Call	Present	Lawrence R. Brenton, Mayor
		Robert V. Bindert
		Michael W. Kibby Trustees
		Carolyn M. Schlifke
		Richard P. Sweeney
		Theresa L. Cummins, Village Clerk
		Thomas V. Troy, Village Attorney
		David Laubisch, Supt. of Public Works

Mayor Brenton opened the meeting at 7:45 P.M.

ON MOTION by Trustee Kibby, seconded by Trustee Bindert, the minutes of the regular meeting of March 23, 1987 were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Bindert, the minutes of the Reorganizational meeting of April 6, 1987 were approved.

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee Kibby, it was moved at 7:50 P.M. to open the public hearing for the purpose of hearing all persons interested in discussing an Exceptional Development Permit for an addition to the Caldwell Building. (The public hearing was adjourned to April 27, 1987 at 7:54 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved at 7:55 P.M. to open the public hearing on the 1987-88 General Fund, Water Fund, Sewer Fund and Glen Park Fund Budget. (The public hearing was closed at 8:00 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved at 8:01 P.M. to open the public hearing on the proposed 1987-88 Sewer rates. (The public hearing was closed at 8:04 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved at 8:05 P.M. to open the public hearing on the proposal to designate S.S. Peter and Paul Church as a historic site in the Village of Williamsville. (The public hearing was closed at 8:15 P.M.)

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

Mayor Brenton reported that we had received notification today from Senator Floss's office and Assemblyman Sheffer's office that the Village will be receiving \$80,000 from the supplemental budget for development of the Conrail Property into parkland. This will be in addition to the \$5,000 that we have budgeted for 1987-88 to determine the best way to develop the property.

Mayor Brenton also reported that in the last week a letter was issued to Louis Migliore Construction Co. invoking the terms of our contract, paragraph 20.2, with the firm which ceases our association with the firm due to the fact that the firm is way over the date for completion of this building.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the following resolution was adopted:

Vouchers in the amount of \$111,643.03 covering March 24, 1987 thru April 13, 1987 were approved as follows:

payroll fund	bi-week 4/1/87	\$	13,480.59
	* subtotal *		13,480.59
General Fund	#629		40,725.82
Sewer & Water Fund	#209		5,488.74
Trust & Agency Fund	#246		8,860.66
Glen Park Jt. Activities	#146		85.37
Capital Fund	#174		43,001.85
	* Grand Total *	\$	111,643.03

Large vouchers were for Niagara Mohawk, Mar-Wal Construction and Marine Midland.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, the following resolution was adopted:

RESOLVED that Change Order 001 (Final) is hereby approved for the Sanitary Sewer Rehabilitation Program (C-36-1244-01) with M. C. Morgan Contractors, Inc. in the amount of \$10,999.50 decrease. The purpose of the change order is to closeout the contract by finalizing the actual quantities performed for each work item and adjusting the payment amounts accordingly as well as the extension of the contract completion date from 10/21/84 to 10/28/84.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the following resolution was adopted:

WHEREAS the Village has advertised for the sale of one 1969 Ford Van as surplus Department of Public Works equipment, and

WHEREAS Robert E. Andrews submitted the only sealed bid for this equipment,

NOW, THEREFORE, BE IT RESOLVED that the 1969 Ford Van is hereby sold "as is" to Robert E. Andrews for his bid of \$57.90.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the following resolution was adopted:

WHEREAS the Village of Williamsville has advertised for sealed bids for Garbage and Trash Pickup in the Village, and

WHEREAS J&I Disposal, Inc. of Clarence, New York submitted their low bid of \$117,185.00,

NOW, THEREFORE, BE IT RESOLVED that J&I Disposal, Inc. be awarded the contract for the Garbage and Trash Pickup at their low bid of \$117,185.00.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, the following resolution was adopted:

WHEREAS the Village of Williamsville has advertised for sealed bids for one Combination Rescue Ambulance for the Williamsville Fire Department, and

WHEREAS J. W. Carney, Inc. of Buffalo, New York submitted their low bid of \$58,750.00,

NOW, THEREFORE, BE IT RESOLVED that J. W. Carney, Inc. be awarded the contract for the Combination Rescue Ambulance at their low bid of \$58,750.00.

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Schlifke, the following resolution was adopted:

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

RESOLVED that Marie Wendling and Jo Anne MacKay are hereby appointed to the Glen Park Joint Board until the end of the 1989-1990 official Village year and that William Elliott is appointed until the end of the 1987-1988 official Village year.

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Schlifke, the following resolution was adopted:

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees on Monday, April 27, 1987 at 7:30 P.M. in the Village Hall for the purpose of hearing all persons interested in discussing a proposed local law which would provide for a stop sign on the south east corner of Orchard Place at Eagle Street.

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that DeLeuw, Cather & Company of New York, Inc. are hereby appointed to perform a Traffic Impact Study of the Essjay Road/International Drive Development and its impact on Evans Street per their proposal of March 17, 1987 and April 7, 1987 at a cost not to exceed \$3,950.00.

Unanimously carried.

ON MOTION by Trustee Schlifke, seconded by Trustee Bindert, it was moved to suspend the rules to modify a resolution which appeared in the Agenda.

Vote on Roll Call: Trustee Bindert, Aye; Trustee Sweeney, No; Trustee Schlifke, Aye; Trustee Kibby, No; Mayor Brenton, Aye;

Carried - Ayes (3); Noes (2)

ON MOTION by Trustee Bindert, seconded by Trustee Schlifke, the following resolution was proposed:

RESOLVED that Alan E. Taylor, Richard M. Hill and John Tammaro are hereby appointed to the Traffic and Safety Committee until the end of the 1988-1989 official Village year.

ON MOTION by Trustee Kibby, seconded by Trustee Sweeney, it was moved to table the entire resolution as originally proposed:

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

RESOLVED that Alan E. Taylor, Richard M. Hill and John Tammaro are hereby appointed to the Traffic and Safety Committee until the end of the 1988-1989 official Village year, and

FURTHER RESOLVED that Alan E. Taylor is hereby appointed Chairman and Richard M. Hill appointed Vice Chairman of the Traffic and Safety Committee for the 1987-1988 official Village year.

Vote on Roll Call: Trustee Sweeney, Aye; Trustee Schlifke, No; Trustee Kibby, Aye; Trustee Bindert, No; Mayor Brenton, Aye;

Motion fails - Ayes (3); Noes (2)

Trustee Kibby proposed the following resolution:

RESOLVED that Richard M. Hill and John Tammaro are hereby appointed to the Traffic and Safety Committee until the end of the 1988-1989 official Village year.

Motion failed for lack of a second.

A vote taken on the original motion to appoint Alan E. Taylor, Richard M. Hill and John Tammaro.

Vote on Roll Call: Trustee Kibby, Aye; Trustee Bindert, Aye; Trustee Sweeney, Aye; Trustee Schlifke, Aye; Mayor Brenton, Aye;

Carried - Ayes (5)

ON MOTION by Trustee Schlifke, seconded by Trustee Kibby, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION By Trustee Bindert, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that George Saliby is hereby appointed Seasonal Laborer in Glen Park effective April 9, 1987 at the rate of \$3.75 per hour and his salary to be paid from the Glen Park Joint Activity Fund.

Unanimously carried.

Trustee Kibby stated that the Village Attorney and Building Department Clerk have been working on revising various sections of the Village Code and will be bringing forth the Sign Code shortly for the Board's action.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

ON MOTION by Trustee Kibby, seconded by Trustee Sweeney, the following resolution was adopted:

RESOLVED that Mayor Brenton is hereby authorized to sign agreement for the sale of 5570 Main Street to Niagara Frontier Founders Realty Corp. in the amount of \$340,000.00.

Trustee Schlifke questioned whether the recommendations from the Village Board and Committees were part of the contract. Attorney Troy stated that the addendum had been approved without alteration of any kind.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, the following resolution was adopted:

RESOLVED that Mayor Brenton is hereby authorized to sign agreement with Erie County Partnership for participation in the Summer Youth Employment Program for the period July 6 - August 14, 1987.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Bindert, the following resolution was adopted:

RESOLVED that the Mayor is hereby authorized to enter into a Municipal Cooperation agreement with the Town of Amherst for mutual exchange of highway equipment pursuant to the provisions of Article 5-G of the General Municipal Law.

Unanimously carried.

Trustee Schlifke stated after the reorganizational meeting, she will be leaving as liaison of the Environmental Council and Traffic and Safety Committee and will be moving on to the Village Parks. She expressed her appreciation to the members of the Committees for the years she has worked with them.

ON MOTION by Trustee Schlifke, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that the Williamsville Historical Society is hereby appointed Village Historian for the 1987-1988 official Village year.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

ON MOTION by Trustee Schlifke, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that the following residents are hereby appointed to the Parks Committee until the end of the 1987-1988 official Village year:

<u>Name</u>	<u>Address</u>
Diana Mesler	94 Cadman
Marie Eyre	67 Oakgrove
David Fusani	72 Highland
Cheryl Mordaunt	129 Hirschfield

Unanimously carried.

ON MOTION by Trustee Schlifke, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that Michael Maraschiello is appointed Gardener/P.T. effective April 15, 1987 at the rate of \$4.00 per hour.

Unanimously carried.

ON MOTION by Trustee Schlifke, seconded by Trustee Bindert, the following resolution was adopted:

RESOLVED that Kenneth A. Moser is appointed consultant for the renovation work on the Island Park Pavilion at a cost not to exceed \$5440 per his proposal of February 26, 1987.

Mayor Brenton questioned what happened to the concept of the picnic shelter? Trustee Schlifke stated this will still go up and former Trustee Baer is working on this aspect of it as well as the possibility of an outside organization funding the picnic shelter.

Unanimously carried.

ON MOTION by Trustee Schlifke, seconded by Trustee Kibby, the following resolution was adopted:

RESOLVED that Mayor Brenton is hereby authorized to sign an agreement with the Village of Williamsville Historical Society granting said Society the right to exclusive use of the balcony area of the Village Meeting House and designating the Village of Williamsville Historical Society as Management Committee of said facility.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 13, 1987 at 7:45 P.M.

Trustee Sweeney stated he had the pleasure of meeting with the co-chairmen of the Old Home Day Committee, George Measer and Jean Gaulin, who informed him that July 14th - July 17th are the dates for the Old Home Days this year and they asked our cooperation again this year regarding this event.

Superintendent of Public Works Laubisch stated that Spring Cleanup will probably take place in May after arrival of our new packer. He also commented on our water loss program. This past week Mr. Dehn found a leak on Glen Avenue at North Cayuga. The leak was 32 gallons a minute or 46,080 gallons a day. The leak was dug and repaired and the main was off for only seven minutes.

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, it was moved to suspend rules for public participation.

Unanimously carried.

Louis Migliore, Migliore Construction Co. appeared to question the Board about the Change Orders that had been submitted for approval. Has the Board been advised to pay them? Also if Migliore has been defaulted have the other primes also been put into default? This project had four prime contractors. There were delays by all contractors during this project.

Mr. Richard Delo stated the Change Orders had been reviewed and the majority have been approved but, because of the possibility of defaulting, they have not been recommended to be paid until we know where we stand legally.

Mr. Migliore stated he had prepared a statement for the Board which has been distributed to them regarding some of the problems which have occurred on the job. He feels what remains to be completed are very minor. There is nothing which would stop full use of the building.

Mr. Weldon Smith, the roofer d/b/a Cold Process Roofing spoke on behalf of his firm who have a large amount outstanding from Mr. Migliore. He realizes there were leaks but they were repaired prior to the last rain even though they were caused by other contractors storing material on the roof without properly protecting the new roof. He asked if the Board could come to some agreement so he could receive payment as quickly as possible.

Bill Pidgeon, Chairman of Firemen's Building Committee stated there is a leak in the hose tower which has not been addressed.

Mr. Smith stated he will look into it the first thing in the morning.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday April 13, 1987 at 7:45 P.M.

Mr. Pidgeon stated he supports the Board's findings. Many things have to be addressed quickly so the Fire Department can move into a facility that is complete.

Mayor Brenton reminded everyone that the intent of the April 10, 1987 letter from himself to Migliore Construction still remains in force until such time as other action is taken.

James Migliore asked if the other contractors were also in default. Mayor Brenton stated that if they were in default he would have reported that tonight also.

Mayor Brenton stated that procedurally all situations will now be discussed at the public meeting. The public will be more aware of what the Board is doing and all issues will get a proper airing in public and will provide a record of all that transpires.

ON MOTION by Trustee Kibby, seconded by Trustee Sweeney, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION by Trustee Schlifke, seconded by Trustee Bindert, it was moved to adjourn the meeting at 9:25 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer