

Minutes of a Public Hearing held by the Board of Trustees of the Village of Williamsville in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 27, 1987 at 7:40 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

The Clerk read the notice of public hearing regarding a proposed Exceptional Development Permit request by the owners of the Caldwell Building, to erect an addition to that building, which falls within the parameters of the Exceptional Development Section of the Zoning Code.

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, it was moved to open the public hearing at 7:45 P.M.

Unanimously carried.

Mr. Richard Sterben stated that an architect was coming to make a presentation on behalf of the owners of the Caldwell Building, but he had not yet arrived. He said they basically want to add a six story addition to the original building, with 2900 square feet per floor.

Trustee Kibby explained this would be Exceptional Development in this case, because it is over four stories. The plans have been to Traffic and Safety Committee and the Planning and Architectural Review Board. Both Committees are opposed to this addition, mostly on the basis of parking. However, the Board of Trustees must decide on the merit of the proposal.

Patricia Clark from the Williamsville Towers Association wanted to make a comment, but requested she be allowed to wait until the Architect had presented his plans. Because the Architect had not yet arrived, it was moved by Trustee Kibby and seconded by Trustee Schlifke at 7:45 to table the balance of the hearing until the end of the meeting.

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ON MOTION by Trustee Sweeney, seconded by Trustee Kibby, it was moved to return to the public hearing at 8:35 P.M.

Unanimously carried.

Mr. Richard Maides, Architect, made the presentation on behalf of the owners of the Caldwell Building. He said the present building is not suitable for smaller offices or executive type offices. The addition would be of the same type and same construction as the present building and would include an "executive tower" to be used for executive offices. They would not interfere with the landscaping or parking or anything else on the outside. The building would be more usable because each office would then have windows, which they now do not have.

Trustee Bindert stated that one of the objections came from Traffic and Safety Committee which felt there was not enough parking. Mr. Maides felt that many of the offices will be taken by present clients of the building. Trustee Kibby stated parking requirements are based on square footage of usable space for the building and based on the most liberal allocation, the building is short of parking.

Franklin Hoffman, 5854 Main Street, asked if the new addition could be put on a raised platform so as to provide parking underneath. Mr. Maides said this had been considered, but it would mean trading off office space for parking space.

Mr. Richard Sterben stated that many persons using the parking lot are from other buildings in the area. Trustee Schlifke agreed with this. She stated that a business who had prior authority to use the Caldwell parking lot has been told to vacate that section of the lot, because it was now needed by the Caldwell Building. Trustee Schlifke is also concerned where the excess cars will be parked when the addition is constructed, because the cars are overflowing onto side streets. The Village has to consider this application based on the square footage requirements, as provided by the Building Inspector, which indicate there is a shortage of spaces.

Richard Nachbar, a tenant of the Caldwell Building, has a corner office overlooking the parking lot and stated there are at least a dozen spaces always empty and probably two dozen cars that belong to other businesses.

Trustee Kibby read a letter from Chief Anthony Schueckler Jr. of the Williamsville Fire Department, who urged the

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Village Board not to support this addition. The new addition will make the north end of the main building not accessible to the aerial scope. At present the north side is the only one accessible to our scope. The other side can only be reached to the fifth floor.

Patricia Clark, who lives on the 5th floor of the Williamsville Towers, stated there are many cars that are in and out all day, as well as, those that are parked there the entire day. She questioned the use of stickers which had been proposed because although they would work for those people who work in the building but how would visitors to the building be controlled.

Trustee Sweeney stated there are truly conflicting demands on our land use. He represents the side that, if approved, will focus on taking some of the parking for landscaping per our Landscape Law. We tend to focus on parking because it is a tangible measure of the land conflict. The Environmental Committee will have to take a look at the aesthetic impact of this new additon. He has a problem with any building over three stories in height because of the increased density created.

Mayor Brenton stated the Board will not be making a decision tonight but will probably be voting on this proposal at the May 11th meeting.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the public hearing was closed at 9:15 P.M.

Theresa L. Cummins  
Village Clerk-Treasurer

Minutes of a Public Hearing held by the Board of Trustees of the Village of Williamsville in Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, April 27, 1987 at 7:46 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

The Clerk read the notice of public hearing regarding a Proposed Local Law which would amend Section 60.40(9) of the Traffic Code which would provide for a stop sign on the southeast corner of Orchard and Eagle.

ON MOTION by Trustee Bindert, seconded by Trustee Kibby, it was moved to open the public hearing at 7:46 P.M.

Unanimously carried.

Trustee Bindert stated that Traffic & Safety Committee recommended this stop sign be erected. He read a letter from Elaine Monk who stated there is a dangerous situation at that corner and asked the Village's help in correcting it. There is no stop or yield sign at this corner (going north on Orchard at Eagle). Even though this is a small street, persons who frequent offices on Main Street use this street because the Main Street parking lots back up to these streets. People not familiar with the area are inclined not to even slow down and an accident could easily happen.

No one from the audience spoke in favor of or against this proposed local law.

ON MOTION by Trustee Bindert, seconded by Trustee Schlifke, it was moved to close the public hearing at 7:50 P.M.

Theresa L. Cummins  
Village Clerk-Treasurer

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 27, 1987 at 7:35 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 read a proclamation designating "Older American Month" (Copy attached).

ON MOTION by Trustee Kibby, seconded by Trustee Sweeney, it was moved to approve the minutes of the public hearing on the Caldwell Building, which was adjourned to April 27, 1987.

Unanimously carried.

ON MOTION By Trustee Kibby, seconded by Trustee Bindert, it was moved to approve the minutes of the public hearing held April 13, 1987 on the General Fund, Water Fund, Sewer Fund, and Glen Park Joint Fund Budgets.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved to approve the minutes of the public hearing held April 13, 1987 on the proposed sewer rent rates for 1987-88.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, it was moved to approve the minutes of the public hearing held April 13, 1987 on designating SS. Peter and Paul Church as a Historic site in the Village of Williamsville.

Unanimously carried.

The Clerk read the notice of public hearing regarding a proposed Exceptional Development permit request by the owners of the Caldwell Building to erect a six story addition to that building. (The hearing was tabled to the end of the meeting. It was reopened at 8:35 P.M. and closed at 9:15 P.M.)

The Clerk read the notice of public hearing regarding a proposed local law which would amend Section 60.40(9) of the Traffic Code which would provide for a stop sign on the southeast corner of Orchard and Eagle. (The public hearing was closed at 7:50 P.M.)

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Mayor Brenton reported that at tonight's work session the Village Board entertained the possibility of returning the Migliore Company back to the reconstruction of the fire hall and Village offices and the determination was to adhere to our previous decision and that was to sever all ties with the Louis Migliore Construction Co. and complete the project without that firm. There will be resolutions dealing with this later in the agenda.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, vouchers in the amount of \$107,716.64 covering 4/13/87 thru 4/25/87 were approved.

payroll fund Bi-Week 4/15/87	\$ 13,353.03
General Fund	18,111.06
Water & Sewer Fund	39,880.94
Glen Park Fund	101.27
Trust & Agency Fund	6,557.47
Capital Fund	27,582.66
Community Development Fund	<u>2,130.21</u>
* Grand Total *	\$107,716.64

Unanimously carried.

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

WHEREAS this Board of Trustees has met at the time and place specified in the Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon;

NOW, THEREFORE, BE IT RESOLVED that the tentative 1987-1988 budget, changed, altered and revised as hereinafter set forth is hereby adopted and the several amounts stated in the column entitled "Adopted" in the General Fund, including the amounts required for the payment of principal and interest on indebtedness, be and they hereby are appropriated for the objects and purposes specified and the salaries and wages stated in the Salary Schedule of such budget shall be and they are hereby fixed at the amounts shown therein effective June 1, 1987.

Unanimously carried.

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

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WHEREAS this Board of Trustees has met at the time and place specified in the Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon;

NOW, THEREFORE, BE IT RESOLVED that the tentative 1987-1988 budget, changed, altered and revised as hereinafter set forth is hereby adopted and the several amounts stated in the column entitled "Adopted" in the Water Fund, including the amounts required for the payment of principal and interest on indebtedness, be and they hereby are appropriated for the objects and purposes specified and the salaries and wages stated in the Salary Schedule of such budget shall be and they are hereby fixed at the amounts shown therein effective June 1, 1987.

Unanimously carried.

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

WHEREAS this Board of Trustees has met at the time and place specified in the Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon;

NOW, THEREFORE, BE IT RESOLVED that the tentative 1987-1988 budget, changed, altered and revised as hereinafter set forth is hereby adopted and the several amounts stated in the column entitled "Adopted" in the Sewer Fund, including the amounts required for the payment of principal and interest on indebtedness, be and they hereby are appropriated for the objects and purposes specified and the salaries and wages stated in the Salary Schedule of such budget shall be and they are hereby fixed at the amounts shown therein effective June 1, 1987.

Unanimously carried

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

WHEREAS this Board of Trustees has met at the time and place specified in the Notice of Public Hearing on the tentative budget and heard all persons desiring to be heard thereon;

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NOW, THEREFORE, BE IT RESOLVED that the tentative 1987-1988 budget, changed, altered and revised as hereinafter set forth is hereby adopted and the several amounts stated in the column entitled "Adopted" in the Glen Park Joint Activities Fund, including the amounts required for the payment of principal and interest on indebtedness, be and they hereby are appropriated for the objects and purposes specified and the salaries and wages stated in the Salary Schedule of such budget shall be and they are hereby fixed at the amounts shown therein effective June 1, 1987.

Unanimously carried.

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

RESOLVED that the sewer rates for the 1987-1988 fiscal year be hereby set as follows:

\$.74 cents per 1,000 gallons of water consumed;

\$.70 cents per \$1,000 of total full valuation.

Unanimously carried.

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

RESOLVED that the Village of Williamsville Board of Trustees acting as Commissioners of the Williamsville Fire Department, hereby appoints the following person as a fireman in the Williamsville Fire Department:

<u>Name</u>	<u>Address</u>
Christopher Cozzarin	41 Wickham Drive

Unanimously carried.

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

WHEREAS the Village of Williamsville has advertised for sealed bids for 1987 Sidewalk Repair, and

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WHEREAS Sunshine Construction Co. submitted their low bid of \$1.85 square foot for 4 inch Reconstruction and \$2.75 square foot for 6 inch Reconstruction and \$1.75 square foot for 4 inch new sidewalk and \$2.35 for 6 inch new sidewalk;

NOW, THEREFORE, BE IT RESOLVED that Sunshine Construction Co. be awarded the contract for 1987 Sidewalk Repair at their low bid.

Unanimously carried.

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

RESOLVED that the Mayor is hereby authorized to sign lease agreement with Hutchinson Hose Company for use of Station #2, 5005 Sheridan Drive at a yearly rental fee of \$5,500.00.

Unanimously carried.

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

RESOLVED that Exceptional Development permit is hereby granted to Russell Salvatore, owner of the Little White House Restaurant to use an adjoining lot in an "R" district for commercial parking subject to the following:

A. Landscaping -

1. South line of addition adjoining residential property:  
Existing plants are not sufficient for screening as required under the Landscape Law Section 24.04-H which states ...."screening shall be provided by either a six (6) foot high solid fence or a six (6) foot high dense evergreen planting"... The arborvitaes existing are not to be removed but pruned back to harmonize with same on adjoining property; equivalent height new arborvitaes be planted to fill gaps between existing trees; the removal of existing scrub deciduous trees between the existing arborvitaes near fence. A ten (10) foot wide greenspace area between the existing chain link fence (3'high) and parking lot must be provided to

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allow for tree growth and protection from automobiles.

2. East line on Highland Drive:

It is required that taxus cuspidata (Japanese yews) of no less than forty (4) inches be planted staggered in a twenty (20) foot wide greenspace area between the parking lot and sidewalk with an exception: the five (5) plantings indicated on drawing next to the driveway should be lower height of a range of twenty (20) to twenty-four inches to allow clear visibility upon exiting parking lot.

B. Curbing and Lines -

It is required the pre-cast concrete curb bumpers and white parking lines as indicated on drawings must be included, and

FURTHER RESOLVED that this exceptional development permit will be immediately ~~revoked~~ if the property is not properly maintained.

Trustee Kibby stated this proposal has been subject to a public hearing, had been to the various committees and if approved tonight to allow commercial parking on a residential lot, it will be subject to strict regulations.

Barbara Shuller from Highland Drive stated there has been flagrant abuse of this lot in the past. She questioned what constitutes maintenance of the greenery? who would police it to make sure it is maintained? She asked whether the lighting issue had been resolved. She felt that until all the issues were resolved, the Board should not vote on it.

Trustee Kibby stated no lights were shown on the plans so therefore no new lights could be installed. The maintenance will be monitored by the Building Department.

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

Carried - Ayes (5), Noes (0)

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

RESOLVED that William Wutz, 3 Hillside Drive is hereby appointed to the Planning Board until the end of the 1988-1989 official Village year.

Unanimously carried.

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

RESOLVED that Alfred Naish, 126 Park Drive, is hereby appointed to the Parks Committee until the end of the 1987-1988 official Village year.

Unanimously carried.

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

RESOLVED that the following persons are hereby appointed to the Historic Preservation Committee until the end of the 1988-1989 official Village year:

<u>Name</u>	<u>Address</u>
Carolyn Shrauger	5100 Goodrich Road
Gladys Weller	129 Mill Street
Rosemary Sugg	91 Highland Drive
Richard Baer	50 Willowbrook Drive
Mitchell LaMancuso	9 North Ellicott Street

Unanimously carried.

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

RESOLVED that the Mayor is hereby authorized to sign contract with Professional Security Service, 134 West Campus Drive, Amherst, New York for protection of Island Park, Garrison Park and South Long Street Ball Diamond for a cost not to exceed \$11,437.50.

Unanimously carried.

Trustee Sweeney reported that the Old Home Day Committee will be having its first and perhaps its only meeting on May 5th at 7:30 P.M. in the Village Hall.

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

WHEREAS a resolution is required by the Village Board approving the use of Island Park when an activity is held for more than one day in the park, and

WHEREAS the Old Home Day Committee through its co-chairmen, Goerge Measer and Jean Gaulin have requested a permit for the 1987 Old Home Days,

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July 14 through July 17th, and have otherwise complied with requirements preliminary to granting of a permit,

NOW, THEREFORE, BE IT RESOLVED that the Village Board grants a permit for the Old Home Days Committee to use Island Park for their annual celebration from July 14 through July 17, 1987.

Unanimously carried.

Trustee Bindert reported that \$35,000 has been allocated by the State in the Supplemental Budget for the South Cayuga Road Youth Center in the Village. Officials said that offices will be moved into the addition thus freeing space for additional activities. Secondly, the Youth Board is again sponsoring beautification on Main Street. For a \$75 fee an attractive planter is placed in front of a location and is maintained throughout the summer. Also coming up is the annual Fishing Derby which will be held on June 14th from 1:00 P.M. to 4:00 P.M. in Island Park. There will be approximately 250 trout in the Creek and prizes will be awarded for the biggest fish.

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

RESOLVED that Douglas K. Sandburg, 81 Mill Street, is hereby appointed to the Traffic and Safety Committee until the end of the 1987-1988 official Village year.

Vote on Roll Call: Sweeney Aye; Kibby No;  
Schlifke No; Bindert Aye; Brenton Aye.

Carried.

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

RESOLVED that Richard Hill is hereby appointed Chairman of the Traffic and Safety Committee 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 on May 11, 1987 at 7:30 P.M. in the Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 60.32(2) of the Traffic Code regarding parking on Belmont.

Unanimously carried.

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

RESOLVED that the rate of pay for Williams Elliott, laborer in the Glen Park, be increased to \$4.50 per hour, effective April 1, 1987. These funds are paid from the Glen Park Joint Activity Fund.

Unanimously carried.

Superintendent of Public Works Laubisch stated that the Annual Trash pickup will be announced at the next meeting. He also reminded residents that grass clippings or leaves must be placed in containers before they are placed at the curb for pickup.

ON MOTION by Trustee Sweeney, seconded by Trustee Kibby, it was moved at 8:35 P.M. to remove from the table the public hearing on the Caldwell Building. (The public hearing was closed at 9:15 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved to suspend rules for two additional resolutions and public participation.

Unanimously carried.

Mayor Brenton stated the first resolution deals with failed concrete work at the rear of the new fire hall and the need for immediate replacement before the fire department moves their trucks to the new facility.

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

WHEREAS, the recently constructed concrete drive at the rear of the new Williamsville Fire Department facility at 5565 Main Street, has been found defective and requires immediate removal and replacement to allow for use by the Fire Department at the earliest possible date, and

WHEREAS, unless the required work is completed without delay, because of contract obligations to sell the present fire department facilities, the department may be placed in the position of being without proper facilities to house its equipment and being thereby unable to respond promptly and efficiently to fire calls within the district, thus endangering the lives, health, safety and property of the residents of the Village and the fire districts served,

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NOW, THEREFORE, under authority of Section 103(4) of the General Municipal Law, the Mayor is hereby authorized to execute without delay, a contract with Nichter Associates for completion of the necessary replacement work for a sum of \$9,777 for 1,536 sq. ft. and \$6.36 for each additional square foot to be constructed thereafter.

Unanimously carried.

Mayor Brenton stated the next resolution deals with the hiring of an architect to assure completion of this building as expeditiously as possible.

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

RESOLVED that William A. Hess, architect, is hereby appointed to perform construction inspection services for the Williamsville Village Hall and Fire Hall at an hourly rate of \$50.00 and with a total cost not to exceed \$5,000 as per his proposal of April 24, 1987.

Unanimously carried.

Mr. Tom Miller, 323 Evans Street, representing Upstage New York, requested clarification regarding the use of the pavilion in Island Park for this summer. He was looking for a firm commitment from the Board.

Mayor Brenton stated there has been a problem regarding the reconstruction of the present pavilion and construction for the new picnic shelter. We have hired an architect to make recommendations regarding the present pavilion and it is our understanding that no reconstruction of the present pavilion will take place until after the summer season.

Trustee Schlifke stated that Upstage New York had satisfactorily answered all the concerns of former Mayor Kuzon. The big question is how other organizations will also be able to use the pavilion. We have many organizations who yearly used the pavilion. The picnic pavilion which was to have been constructed is still in the planning stage. Other municipalities have had these donated and former Trustee Baer is approaching several community organizations to see if they will donate the shelter to the Village. This shelter would suffice for the other groups.

Trustee Bindert suggested renting a tent for the other organizations if the picnic shelter is not yet erected.

Mayor Brenton stated that Upstage New York deserved an answer right now so they could get on with their scheduling. He feels we should erect the picnic shelter with Village funds, which were

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budgeted last year, if necessary, if there are no donations forthcoming. Since all the trustees, except Mr. Kibby, were in favor of seeing another structure erected and the continuation of the program by Upstage New York, Mr. Miller was given permission to use the pavilion for his summer program.

Richard Hill questioned the \$80,000 grant for the development of the Conrail Property. Mayor Brenton stated we had budgeted \$5,000 in this year's budget to determine what we are going to do with the Conrail property. URS Company had made a proposal several years ago on its development, and it will be discussed tonight in the work session.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, it was moved to adjourn at 9:50 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk-Treasurer

## Election Results - Mayors Elections

<u>year</u>	<u>Total Vote</u>	<u>Candidates</u>	<u>Votes</u>
1979	1575	Keezer Meller	1053 517
1977	1446	Sheffer Baer	788 657
1975	1317	Mason Metz	882 238
1973	1467	Metz Frank	762 713
1971	187	Frank	178 (u)
1969	801	Frank	709 (u)
1967	1349	Frank Simmons	859 477
1965	1695	H. Tate Metz	1008 677
1963	107	Tate	105 (u)
1961	1246	Tate	1065 (u)
1959	139	Tate	139 (u)
1957	183	Tate	174 (u)

(u) ran unopposed