

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, February 27, 1989 at 7:32 P.M.

Roll Call Present: Carolyn M. Schlike, Deputy Mayor
Robert V. Bindert
Richard P. Sweeney, Trustees

Theresa L. Cummins, Clerk-Treasurer

Thomas V. Troy, Village Attorney

David Laubisch, Supt. of Public Works

Absent: Lawrence R. Brenton, Mayor
Michael W. Kibby, Trustee

In the absence of Mayor Brenton, Deputy Mayor Schlifke opened the meeting at 7:32 P.M. with the Pledge of Allegiance.

ON MOTION by Deputy Mayor Schlifke, seconded by Trustee Bindert, the minutes of the regular meeting held January 23, 1989 were approved.

Unanimously carried.

ON MOTION by Deputy Mayor Schlifke, seconded by Trustee Bindert, the minutes of a public hearing on the proposed use of the 1989 Community Development Funds held on January 23, 1989 were approved.

Unanimously carried.

ON MOTION by Deputy Mayor Schlifke, seconded by Trustee it was moved at 7:35 P.M. to hold a public hearing on a proposed local law which would amend Section 60.40 of the Traffic Code which would provide for stop signs to be erected at various "T" intersections throughout the Village.
(The public hearing was closed at 7:38 P.M.)

Deputy Mayor Schlifke reported that on January 27th we opened sealed bids for the construction of a new Island Park Pavilion. The low bid of \$110,900 was made by Senaca Hawk Co. from Hamburg, New York. This project has been in the works for about two years. There is a \$50,000 State supplemental grant that was received for this project about two years ago which although it is not sufficient for the whole project, it will take care of a good part of it. The contract has not been awarded to the low bidder at this time. Representatives of the company will be meeting with the Village Board after and will answer any questions the Village Board may have. It is hoped the contract can be awarded shortly. The new pavilion will be a great asset to Island Park. The existing pavilion is used by many school groups, family groups and organizations to hold their summer functions.

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Last year the Village set up a fee schedule which did bring a considerable amount of money into the Village. These fees that are earned should be put back into the parks since the parks are a great drain on our budget. It takes a lot of dollars to keep them in good condition and they are used by many people because of the shortage of this type of facility that we offer. This new pavilion can be an asset to the Village Williamsville.

ON MOTION by Deputy Mayor Schlifke, seconded by Trustee Sweeney, Vouchers in the amount of \$94,031.99 covering 1/24/89 thru 2/14/89 were approved:

Payroll Fund w/e 2/1/89	\$	13,579.86
* subtotal *		13,579.86
General Fund #	673	45,138.06
Sewer & Water Fund #	253	30,029.64
Trust & Agency Fund #	290	4,834.32
Glen Park Joint Activities Fund #	190	289.85
Capital Fund #	210	160.26
Community Development Fund #		
*Grand Total *	\$	<u>94,031.99</u>

Large Vouchers: J \$ I Disposal \$ 12,053.69
 Niagara Mohawk 8,359.97
 Protective Fire Eq. 4,865.00

Unanimously carried.

ON MOTION by Deputy Mayor Schlifke, seconded by Trustee Bindert, Vouchers in the amount of \$82,900.32 covering 2/15/89 thru 2/27/89 were approved:

Payroll Fund w/e 2/15/89	\$	18,185.98
* subtotal *		18,185.98
General Fund #	674	27,901.24
Sewer & Water Fund #	254	22,028.31
Trust & Agency Fund #	291	12,076.86
Joint Activities Fund #	191	57.15
Capital Fund #	211	2,650.78
Community Development Fund #		
* Grand Total *	\$	<u>82,900.83</u>

Large Vouchers: J & I Disposal \$12,053.69
 Designworks 2,650.78

Unanimously carried.

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

RESOLVED THAT Robert A. Schick, 114 N. Ellicott Street, is hereby appointed Laborer in the Department of Public Works effective February 28, 1989 at the rate of \$7.22 per hour.

Unanimously carried.

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

RESOLVED THAT Deborah M. Santarsiero, 425B Allenhurst Road, is hereby appointed Clerk-Typist, part time, in the Village Clerk's Office effective February 27, 1989 at the rate of \$4.25 per hour.

Unanimously carried.

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

RESOLVED THAT Theresa L. Cummins, Clerk-Treasurer, is hereby authorized to attend the Annual Conference of the New York State Government Finance Officers' Association in Albany, New York, from March 22-24, 1989, and the cost, not to exceed \$325.00 to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED, by the Board of Trustees of the Village of Williamsville, that Records Retention and Disposition Schedule MU-1, issued pursuant to Article 57A of the Arts & Cultural Affairs Law, and containing legal minimum retention periods for municipal government records, is hereby adopted for use by all municipal officers in disposing of municipal government records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A.

(a) only those records will be disposed of that do described in Records Retention and Disposition Schedule MU-1 after they have met the minimum retention period prescribed therein;

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(b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established time periods.

Unanimously carried.

Trustee Sweeney reported on the activity of the Northeast Solid Waste Management Board. This is a group of eleven municipalities exploring options for the disposal of solid waste. The main impetus of this committee are the provisions of the 1988 Solid Waste Management Act whereby the State mandates source separation of refuse and waste reduction. While the deadline in September 1992, the Northeast Board is planning on implementing a leaf and yard waste composting operation by next fall and are also aiming to have a solid waste recycling center running that would handle waste paper and newspaper as well as glass and light weight tin cans by this fall of 1989.

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

RESOLVED THAT the following Village of Williamsville residents are hereby appointed members of the Village Senior Citizens committee until the end of the 1988-1989 official Village year:

Marguerite P. Turri
5403 Main Street
Williamsville, N.Y.

Carmella Messina
8 West Spring Street
Williamsville, N.Y.

Unanimously carried.

Trustee Bindert praised the Williamsville Youth and Recreation Board for the outstanding job they did on this years Winterfest. The weather was outstanding, the affair was well attended. This is just another fine example of the dedication and service this committee is performing for our Village.

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

RESOLVED THAT Ralph Joly, 104 N. Cayuga Road, is hereby appointed to the Glen Park Joint Board until the of the 1990 - 1991 official Village year.

Unanimously carried.

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

RESOLVED THAT Gary VanDusen, 33 Hillcrest Drive, Eggertsville, New York, is hereby appointed as the police representative to the Traffic and Safety Committee until the end of the 1989-1990 official Village year.

Unanimously carried.

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

WHEREAS, the Town of Amherst created a Youth Board on September 11, 1972 in order to promote positive youth development and prevent delinquency among youth in the Town including the Village of Williamsville, and,

WHEREAS, the Town of Amherst created a Youth Bureau for the purpose of implementing policies and programs of the Youth Board, and,

WHEREAS, the Town of Amherst Youth Board and Bureau were created pursuant to Article 19A of the Executive Law of New York State, and,

WHEREAS, THE Town of Amherst has undertaken a full compliment of youth development, recreation and delinquency prevention programs pursuant to this state law and with the full support and encouragement of New York State, and,

WHEREAS, THE Governor's budget proposal would now eliminate all state funding to the Amherst Youth Board, Bureau and Recreation Department, totaling \$223,281 annually, including \$5,804 in state aid for the Village of Williamsville toward operation of the Williamsville Youth Center, and,

WHEREAS, this loss of state funding would have disastrous impact on summer recreation programs, recreation programs for the handicapped, the youth centers and out-reach programs, YES Community Service Program, Youth Employment and Teen Power Programs, counseling programs, and various drug abuse prevention programs, which collectively serve over 16,000 youth of the Town of Amherst and Village of Williamsville,

NOW THEREFORE, be it resolved that the Board of Trustees of the Village of Williamsville states its opposition to the changes in funding proposed by the Governor's budget relative to Youth Bureaus, Youth Service and Recreation Programs, and,

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THAT, the Williamsville Village Board favors retention of the existing method for distributing state-aid as outlined in Article 19A of the Executive Law, and,

THAT, the Williamsville Village Board requests the New York State Legislature to take the necessary action in this regard, and,

THAT, copies of this resolution be sent to our State Senator and Assemblyman, Majority Leaders, the Governor's office, Erie County Village Officials Association and the Association of the Erie County Governments.

Trustee Schlifke stated that she supports the Village Board sending this resolution to the state and commended the Town of Amherst for their support. They have asked for support of all residents because for the last seventeen years they have been developing a youth program that was sanctioned by the State of New York to deter crime and drug abuse. The town of Amherst has a successful program, partly due to the fact it has a wonderful volunteer system. The Governor's budget is now saying, now that you have established these programs, we will no longer fund them. Even though you are getting your labor for nothing, you must now tax the people of the Town of Amherst to keep the programs running. This is not sound fiscal planning on the part of the Governor.

Trustee Bindert stated he agrees with Deputy Mayor Schlifke. He cannot understand why the Governor wants to do away with state funding of all these programs and to shift the emphasis into local government. This will certainly be a hardship on the Town and Village.

Trustee Sweeney stated it is unfortunate that we learn of the size and range of programs through this type of situation. It seems everything was progressing for this group and then as an economy measure, at the State level, entire areas of the budget are slashed, creating much frustration among the youth who are directly served as well as members of the Town Recreation Department and numerous adult volunteers who have put in many hours developing those programs. To have the entire program slashed is totally unacceptable.

Unanimously carried.

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Superintendent of Public Works Laubisch reported the DPW along with a private contractor have been involved in pruning the trees in the Village. Some of the tree branches have grown out over the street and the trucks, fire trucks included, have been striking these branches. These dangerous branches are being trimmed. Also during the two weeks four water breaks have been repaired.

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

Unanimously carried.

Harmon Whipple, 51 Gargen Parkway, asked about the status of the International Chimney lease since it runs out on March 1st, and if there is anything to the rumor that the lease is being extended. Deputy Mayor Schlifke stated that Mayor Brenton has been handling that situation. Her only knowledge is from copies of correspondence she has seen. Some correspondence has been sent between Mr. Lohr and Mayor Brenton. Mr. Lohr is looking, for perhaps, an extension on a month to month basis or a three month basis. It is something that the whole board would have to make a decision on and inasmuch as there is not a full board tonight, it has not been discussed. Mr. Whipple stated that he thought at the end of the lease that would be it. Deputy Mayor Schlifke stated she did not know the feeling of the rest of the Board members or of Mayor Brenton. She doubts whether the Board will throw the man physically off the property on March 1st but a decision will have to be made shortly. The Village is developing their land into a recreatoin area and what International Chimney has there is not condusive to what we are trying to do. We are also studying the feasibility of a new DPW facility and have hired URS Co. to do a study and that is all in the works. The owner was certainly aware that his lease was up on March 1st and it is just in case of the Board sitting down and making up a decision.

Mary Lindow, 22 Garden Parkway, stated that the people of S. Long Street and Garden Parkway have put up with more than their share of problems from International Chimney. They want International Chimney removed from Village land immediately.

Ms. Lindow presented the Board with a petition which deals with refuse from Allentown Industries and Canterbury Court apartments. She wondered whether there is a Village law which states the garbage has to be covered and away from the street so other people do not have to look at it. Deputy Mayor Schlifke stated the Village does have a code which regulates dumpsters.

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All dumpsters must be kept with the lid down. Ms. Lindow complained about the large dumpster at International Chimney right near the street. Deputy Mayor Schlifke stated there are a lot of problems with dumpsters throughout the Village. They are to be maintained in a neat and sanitary method. Lids must be kept down and they are to be placed in an inconspicuous spot. Deputy Mayor Schlifke stated she will check this out with the Building Department and if the individuals are violating our codes they will be notified. If they do not comply they will be given a summons to appear in Court. (Mrs. Lindow read a petition regarding trash and Traffic in her area. Copy of petition attached.) Deputy Mayor Schlifke stated she will see that the petition reaches the proper people. She asked Fire Chief Schueckler if there was some reason the back entranceway had to be kept open. Chief Schueckler stated it was for emergency use of the fire trucks. Mr. Whipple stated these have been many problems with dumpsters in the entranceway to Canterbury Court Apartments and wondered if the street is a "dead end?" Deputy Mayor Schlifke asked Trustee Bindert to determine if this street was designated a "dead end" by a prior Board of Trustees. All the rest of the complaints will be referred to the Building Department who will determine what the Canterbury Apartments are doing which is against the Village Codes.

Cliff Horey, 106 Highland Drive, asked for clarification on how a businessman who closes his business at 5:00 on Friday evening is going to be able to place his trash out for a Monday morning collection? Deputy Mayor Schlifke stated many times the trash is put out at closing on Friday and sits there until Monday morning when it is picked up. This is against the code but it is a problem which has to be addressed. It is a monumental job to enforce any violations.

Ron Daniels, 117 Cadman Drive, asked if it is possible to have trash pickup on Saturdays. Deputy Mayor Schlifke stated the Village has changed pickup days a number of times trying to come up with the perfect solution. In the summer months pickup is twice a week. --On Monday so people who did yard work over the weekend could get rid of it and on Friday the businesses could place their heavy load on this date. There is no perfect solution to this problem.

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Mayor Brenton arrived at the meeting at 8:25 P.M.

Mayor Brenton stated a Saturday pickup is not feasible because the contractor would have to pay time and a half wages and the costs would escalate. As for the businesses on Main Street, the contractor is making a run about 9:00 A.M. so most businesses can have someone there to put trash out prior to that time.

Ron Daniels asked Mayor Brenton about the status of the International Chimneys use of the Village property, the lease which was expiring and the status of the depot. Mayor Brenton stated as far as the depot was concerned, he will be meeting with Mr. Lohr, who about two years ago, indicated he would sell the depot to the Village for \$10,000, which would be an unwise expenditure of Village funds. Their lease has expired and will be run on a monthly basis. We intend to build a Department of Public Works building in that area and will be engaged in that work in April or May to do preliminary ground work. Mayor Brenton will meet with Mr. Lohr to discuss his interest in the depot. Western Railway Society has stated the cost of rehabilitating the depot would be many thousands of dollars and Mayor Brenton stated he doesn't think the Village should commit themselves to this expense. If there was any possibility of it being rehabed by a private organization and used as a small office, this would seem to be the best possible solution.

Ron Daniels asked if this depot had been considered part of the park area being developed on the Conrail property. Mayor Brenton stated that since the area will be a strict park this had not been considered and because this area is wider than the normal 100 feet of the right-of-way, this is the area the DPW building will be constructed.

Mary Lindow asked if the Village owns the land and International Chimney owns the building, what is he going to do with the building? He should donate it to the Village. Ron Daniels stated he spoke with Mr. Lohr who indicated the depot will be moved. Mayor Brnton stated these types of negotiations should best be left to the Village Board. It does no good to have members of the community discussing these things before the Board has had a chance to do it. Darling Company has a lease which runs to June so one more month with International Chimney especially when we are thinking of entering into meanful negotiations with them regarding the depot, is not that long.

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Trustee Bindert was annoyed that the Mayor extended the lease without consulting the Board of Trustees. Mayor Brenton stated the lease has been extended because it has not been terminated. Trustee Bindert stated he recalled discussion during the last several years that this lease would not be renewed and now we have renewal of it.

Trustee Sweeney stated he would like to see the trustees enter into a formal discussion of this matter in the near future rather than have the lease continue indefinitely. Mayor Brenton stated this will not continue indefinitely but to ask the companies to vacate during the winter would not lead to amiable negotiations.

Yvonne Kaye, 72 Rinewalt Street, asked if there was a target date for International Chimney to exit the property. Mayor Brenton stated that if the DPW work is going to take place, we will probably be in construction by May.

Ms. Kaye also thanked the Board, on behalf of the Williamsville Homeowners Coalition for Preservation, for their action in issuing the Stop-Work order. They are pleased with the strong stand the Board took and wondered if the Village had been contacted by any representatives of the Ciminelli Corporation. Deputy Mayor Schlifke stated we have not been contracted by them. Ms. Kaye stated the Homeowners Group is also opposed to the new office which is proposed at Main and Evens behind the Chalmers residence. The proposal to build a two story office building will be presented at the next Planning Board meeting. They feel that forty-six (46) additional cars in this particular area will increase the congestion that already exists at this corner. Another question asked by Ms. Kaye was when did the Village anticipate awarding the contract for the pavilion and if all the avenues regarding restoration of the old pavilion had been exhausted. Deputy Mayor Schlifke stated the Board will be meeting with representatives of the low bidder after the public meeting to answer any questions Board members might have regarding the project. It is anticipated a decision will be made shortly so our target date for completion of the new pavilion can be met. Regarding the old pavilion, structurally it is in bad shape. The Village has done a lot of shoring up to keep its use feasible during the past few years. It is not handicapped accessible. The only way to make this building accessible would be to run a very long ramp out into the park which would be neither feasible nor attractive. The Village is looking for a ground level structure. Our storage in the present building is in a poor position with the door facing the creek. Therefore a truck cannot maneuver there and the materials must be carried there. The new building will have storage which will be adequate for DPW purposes.

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Mary Lindow asked whether one of the ball diamonds was being closed. Deputy Mayor Schlifke stated it was true because the Village has been plagued with calls from the Senior Citizens Housing that the balls are being hit over the fence, denting their cars and almost being hit with the balls. The Village attempted to solve the problem last year by putting a hood on the backstop closest to their parking lot but this did not work. The two ball diamonds are not laid out properly for simultaneous use. The balls from each diamond interfere with the other during play. Also the outfielders from the one diamond must run into the street to catch the balls. The Board decided for the safety of everyone concerned, the Village will close the diamond closest to the Senior Citizens. The remaining lot should be realigned but this cannot be done until the fall. Again it is a question of dollars. All the teams which participated last year have been notified. Mary Lindow felt the Village is closing the best field. She feels the other one should be closed.

Cliff Horey, 106 Highland, said the Village is going to rip a ball diamond down that has been there for sixty (60) years. The Senior Citizens have only been there for ten (10) years. He stated many state championships have been won on that diamond and it will never be replaced. He thinks we are ruining a good diamond. Deputy Mayor Schlifke stated that most of the teams who use these diamonds are from surrounding areas, outside the Village of Williamsville. They have played free here for many years. When we started charging a few years ago, there were many derogatory comments made because they cannot come into the Village of Williamsville any longer and play for free. The Village is trying to make a bad situation better and that is the choice the Board made.

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

Unanimously carried.

ON MOTION by Deputy Mayor Schlifke, seconded by Trustee Sweeney, the meeting was adjourned at 9: P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer