

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, May 22, 1989 at 7:45 P.M.

Present: Lawrence R. Brenton, Mayor
Robert V. Bindert
Ronald Daniels Trustees
Yvonne Kaye
Richard P. Sweeney

Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Treasurer
David Laubisch, Supt. Public Works

Mayor Brenton opened the meeting with the Pledge of Allegiance at 7:45 P.M.

ON MOTION By Mayor Brenton, seconded by Trustee Daniels, the minutes of the regular meeting held May 8, 1989 were approved.

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee Sweeney, the minutes of the public hearing regarding the designation of Glen Park, April 24, 1989 and May 8, 1989 were approved.

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee Kaye, the following Voucher in the amount of \$129,099.41 covering 5/09/89 thru 5/22/89 were approved.

payroll fund w/e 5/10/89	\$ 14,337.13
* subtotal *	14,337.13
General Fund # 679	40,201.81
Sewer & Water Fund # 260	29,165.12
Trust & Agency Fund # 267	44,284.07
Glen Park Joint Activities Fund # 197	100.00
Capital Fund # 215	600.00
Community Development Fund #	
Water Trust Account Fund # 5	411.28
* Grand Total *	<u>\$ 129,099.41</u>

Large Vouchers:

Erie County Water Authority	\$ 27,580.85
Niagara Mohawk	\$ 6,172.06
Amherst Youth Board	\$ 6,804.00

Unanimously carried.

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

RESOLVED THAT Sherry M. Brink, 130 Richfield Drive, is hereby appointed Legal Steno, Part Time effective June 1, 1989, at the rate of \$5.25 per hour.

Unanimously carried.

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

RESOLVED THAT the following budget transfers are hereby made in the Water Fund:

FROM		TO	
6.1990.4	4,900.00	6.8340.401	2,270.00
6.8340.407	280.00	6.8340.402	590.00
		6.8340.403	170.00
		6.8340.4161	620.00
		6.8340.445	1,290.00
		6.8340.461	90.00
		6.9040.8	150.00
	<hr/>		<hr/>
TOTAL	<u>5,180.00</u>		<u>5,180.00</u>

Unanimously carried.

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

RESOLVED THAT the following budget transfers are hereby made in the Sewer Fund:

FROM		TO	
7.1990.4	3,880.00	7.8120.416	1,150.00
		7.8120.445	620.00
		7.9730.6	2,110.00
	<hr/>		<hr/>
TOTAL	<u>3,880.00</u>		<u>3,880.00</u>

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, May 22, 1989 at 7:45 P.M.

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

RESOLVED THAT the following budget transfers are hereby made in the General Fund:

FROM		TO	
1.1990.4	30,000.00	1.1110.419	2,220.00
1.1910.4	37,939.00	1.1410.403	140.00
1.3310.4231	2,700.00	1.1410.404	300.00
1.3410.422	16,500.00	1.1410.412	2,570.00
1.3410.416	466.00	1.1410.445	210.00
1.5110.425	7,000.00	1.1420.410	10,680.00
		1.1620.423	1,110.00
		1.1640.407	190.00
		1.1640.4071	105.00
		1.1640.4261	80.00
		1.3410.205	650.00
		1.3620.401	400.00
		1.3620.411	90.00
		1.3620.448	100.00
		1.3620.462	20.00
		1.5010.404	230.00
		1.5110.4273	58,930.00
		1.5110.445	480.00
		1.5142.4161	1,140.00
		1.5142.429	410.00
		1.5142.445	180.00
		1.7310.417	5.00
		1.7550.441	2,020.00
		1.7630.445	1,790.00
		1.8140.410	690.00
		1.8140.4162	2,420.00
		1.8170.416	3,920.00
		1.8560.4160	1,340.00
		1.8560.445	90.00
		1.9040.8	2,090.00
		1.9710.7	5.00
TOTAL	<u>94,605.00</u>		<u>94,605.00</u>

Unanimously carried.

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

RESOLVED THAT the Village Clerk is hereby authorized to make additional budgetary transfers at year end after all adjustments and Accounts Payable have been placed upon the books.

Unanimously carried.

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Mayor Brenton stated that the following resolution deals with a grant which he has been actively involved in. A request was made to the then Senator Floss and Assemblyman Sheffer and we received \$75,000 from the New York State Supplemental Budget. These funds will be used for the beautification of an area from East Spring Street to Grove Street. Unfortunately one businessman in the area does not want to replace all the concrete within his area and should this occur, the area of work may be extended to another area and by-pass his area.

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

RESOLVED THAT the Village Clerk is hereby authorized to advertise for sealed bids for the Main Street Revitalization project. Bids to be opened on June 20, 1989 at 2:00 P.M. in the Village Clerk's office, 5565 Main Street, under the terms of the standard bidding resolution.

Unanimously carried.

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

RESOLVED THAT the engineering firm of Nussbaumer and Clarke, Inc., 310 Delaware Avenue, Buffalo, New York, is hereby appointed to provide general engineering services to the Village of Williamsville for the 1989-1990 official year, per their letter of December 6, 1988.

Unanimously carried.

Trustee Bindert reported that the Youth and Recreation Committee has a very active program planned for the Youth for the summer. It starts with the Fishing Derby on June 11th from 1-4 P.M. On July 13th there will be a 50's night in Garrison Park; on July 18th a Bike Rodeo and Skateboard Rodeo; on July 27th a Family night out; on August 3rd a Folk Sing-a-long in Garrison Park; on August 10th a Nature Day in Glen Park Gazebo; on August 17th a Family night out in Garrison Park which includes the Amherst Jazz Ensemble and a movie; on August 24th a Stuffed Animal Picnic and Story Hour in Island Park; and August 31st is a Clown around day and Magic Show in Island Park. He commended the Board for the energetic program they have been running.

Unanimously carried.

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

RESOLVED THAT Stephanie P. Sweeney, 325 Mill Street, is hereby appointed Seasonal Laborer, part-time, in Glen Park from June 1, 1989 to September 1, 1989, at the rate \$4.50 per hour. Salary to be paid from the Glen Park Joint Activities Fund budget.

Unanimously carried.

Trustee Daniels stated the Environmental Committee meeting will be held Thursday night at 7:30 P.M. in the Auditorium. A slide and video presentation will be given on the recycling program which is now taking place in the Village of Hamburg and other municipalities in New York State and which we will be starting within the near future.

ON MOTION By Trustee Daniels, seconded by Trustee Sweeney, the following resolution was presented:

RESOLVED THAT D. Anthony Schueckler, Jr., and James Olivieri are hereby authorized to attend the Fire Chief's Convention at the Concord Hotel in Kiamesha Lake, New York, from June 11 - June 15, 1989 and the cost, not to exceed \$525.00 each to be paid by the Village of Williamsville.

ON MOTION By Mayor Brenton, seconded by Trustee Bindert, it was moved to amend the resolution to include "D. Anthony Schueckler, Jr. and James Olivieri, or alternates".

Unanimously carried.

Vote on the original resolution as amended.

Unanimously carried.

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

RESOLVED THAT Evor Williams and Joseph Greer are hereby authorized to attend the Fire Prevention Training School at the Montour Falls Training Academy in Montour Falls, New York, from June 2 - June 4, 1989, and the cost not to exceed \$100 each to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED THAT the following residents are hereby appointed to the Beautification Committee until the end of the 1989-1990 official Village year:

NAME	ADDRESS
Mary Ann Piazza	186 N. Long Street
Phyllis Piazza	186 N. Long Street
Basil Piazza	186 N. Long Street
Sharon Daniels	117 Cadman Drive
Gail Shaw Rawstern	194 Oakgrave Drive
Rocky Rawstern	194 Oakgrove Drive
Douglas Shaw	194 Oakgrove Drive
Pamela DeVillier	356 Cadman Drive
Deborah Habes	401 Cadman Drive
Joan Deinhart	115 West Royal Pkwy
Janet Lester	175 N. Long Street
Lynn Riley	230 N. Long Street

AND FURTHER RESOLVED THAT Mary Ann Piazza is hereby designated Chairman of the Beautification Committee for the 1989-1990 official Village year.

Unanimously carried.

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

WHEREAS, the Town of Cheektowaga and Occidental Chemical Corporation executed on May 10, 1988 a solid waste disposal agreement (herein referred to as the "Cheektowaga Contract") under which Occidental will provide a disposal service for up to twenty five years, and

WHEREAS, Section 24 of the Cheektowaga Contract expressly provides other municipalities with the opportunity to exercise an option to participate in the terms and conditions of the Cheektowaga Contract, and

WHEREAS, the Village of Williamsville has an opportunity to exercise aforesaid option and is desirous of so doing, and

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WHEREAS The Cheektowaga contract resulted from a public bidding process and subsequent contract negotiations undertaken by the Town of Cheektowaga, on behalf of the Village of Williamsville and other municipalities for the purpose of obtaining the best possible disposal prices for a workable and secure long term disposal service, which is considered to be increasingly important to the further economic development and well-being of the Village of Williamsville, as the available and permitted disposal capacity in New York State diminishes and thereby becomes a more precious and difficult resource to obtain, and

WHEREAS, the Village of Williamsville has completed negotiations with Occidental Chemical Corporation regarding appropriate modifications to Exhibit D of the Cheektowaga Contract, with aforesaid negotiations resulting in a separate proposed long term disposal contract between the Village of Williamsville and Occidental Chemical Corporation which will provide the Village of Williamsville with the same disposal service and prices that are provided to the Town of Cheektowaga Contract, and,

WHEREAS, based on an environmental assessment of the proposed action, it has been determined that the proposed action does not have any significant environmental impact,

NOW, THEREFORE, BE IT RESOLVED THAT Mayor Lawrence R. Brenton is hereby authorized to sign a contract with Occidental Chemical Corporation for the providing of long term disposal of solid waste, and,

BE IT FURTHER RESOLVED THAT Mayor Brenton is hereby authorized to execute the short Environmental Impact Statement that has been prepared with respect to the proposed action and any and all other documents and instruments to effectuate the purpose of this contract and this resolution, subject to the final review and approval as to form by the Village Attorney.

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, May 22, 1989 at 7:45 P.M.

Trustee Kaye thanked the Volunteers who came out on Saturday to clean up the Conrail area. Approximately 80-90 people worked from 9:00 A.M. to 4:00 P.M. including 4 hours of pouring rain and did a tremendous amount of work. She also thanked the businesses in the area who contributed food, beverages and cash. - from Jenny's and Pepsi to the banks; also Eagle House, Ed Young, Stitch Wichery, Holiday Motel, Burger King, Santoro's and Mr. Donut, Main-Village Pharmacy and Mr. Saia who allowed the use of his home on S. Long Street as a public restroom. Barb Brewer, engineer from URS estimated that between \$12,000-15,000 worth of labor was done that day.

Trustee Kaye also announced that this Wednesday there will be a meeting between the Parks Committee and Youth Recreation Committee to discuss the new Big Toy playground piece which will be put in Garrison Park.

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

RESOLVED THAT Walter Pacer, 87 Monroe Drive, is hereby appointed to the Parks Committee until the end of the 1989-1990 official Village year.

Unanimously carried.

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

RESOLVED THAT Richard P. Harvey, 37 Monroe Drive, is hereby appointed Seasonal Laborer in the Department of Public Works effective May 22, 1989 at the rate of \$4.50 per hour, and

RESOLVED THAT Todd C. Anderson, 78 Olney Drive, Eggertsville, New York, is hereby appointed Seasonal Laborer in the Department of Public Works, effective May 22, 1989, at the rate of \$4.25 per hour.

Unanimously carried.

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

RESOLVED THAT the Village Clerk is hereby authorized to advertise for sealed bids for the sale of one (1) used 1987 International R-190 Dump Truck which has been determined to be surplus equipment by the Superintendent of Public Works. Bids to be opened at 2:30 P.M. on June 20, 1989 in the Village Clerk's office, 5565 Main Street, under the terms of the standard bidding resolution.

Unanimously carried.

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

WHEREAS, the Village of Williamsville has advertised for sealed bids for one Single Axle Truck Chassis, and,

WHEREAS, Hanson International Trucks, Inc., submitted the low bid meeting all specifications,

NOW, THEREFORE, BE IT RESOLVED that Hanson International Trucks, Inc., be awarded the contract for one Single Axle Truck Chassis for their low bid of \$34,990.00 which met all specifications.

Unanimously carried.

Trustee Sweeney reported that as liaison to the Building DEpartment he has completed video taping of the Main Street business signs. Should any questions arise as to whether signs were up at a certain date or who had an approved sign, this video tape should answer all the questions.

Superintendent of Public Works Laubisch reported that next Monday Memorial Day, there will be a regular garbage pick-up in the Village.

ON MOTION By Mayor Brenton, seconded by Trustee Daniels, it was moved to suspend rules for public participation.

Unanimously carried.

Elroy Avery, 75 Rinewalt Street, questioned the refusal of a businessman to have his sidewalk replaced. Why can't his be replaced just like the residents were last year. Mayor Brenton stated the Village will be treating the business people just like the residents. They will have to pay fifty percent (50%) of the concrete repair only. Regarding the pre-blast surveys which are being conducted regarding Center-pointe project, Mr. Avery wondered whether the Village had been contacted about a survey on the water tank. Mayor Brenton stated the Village had not been notified as yet and if we are not contacted by Friday, we will contact the corporation to get the pre-blast survey done. Mr. Avery also asked for some information regarding the Meeting House. Trustee Kaye stated the smoke detector has now been fully installed. At this time we are waiting for the Historical Society to give the Village a schedule of fees, hours of operation, etc. Trustee Daniels asked if the dedication of the building is to be June 11th? Trustee Kaye stated she was not aware of a dedication date.

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Cliff Horey, 106 Highland requested softball be put back on both diamonds on S. Long Street. Trustee Kaye stated that both diamonds are open this year. The Parks Committee has designated one for youth play and one for adult play. They will be monitoring it for this season before making a recommendation to the Board as to whether they should be aligned or one should be closed, youth play on both or adult play on both.

Harmon Whipple, 57 Garden Parkway, stated on the area where they are constructing Stereo Advantage it appears they are filling in one ditch. They are putting eight inches (8") or nine inches (9") corrugated pipe in there. If we have a heavy rain there could be a problem. Mayor Brenton stated the plans have been approved by the Town of Amherst. He will have Superintendent of Public Works Laubisch look at it tomorrow. The Building Department can tell us what is required and if the work should be stopped.

Trustee Daniels proposed as a feasible idea, as part of the Beautification Committee's work to make the Village attractive, a series of flags attached to telephone poles on Main Street, in keeping with the different seasons. - Easter bunnies, tulips, etc.

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

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee Sweeney, the meeting was adjourned at 8:35 P.M.

Unanimously carried.

Theresa L. Cummins
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, June 12, 1989 at 7:35 P.M.

Present: Lawrence R. Brenton, Mayor
Robert V. Bindert Trustees
Ronald Daniels
Yvonne Kaye

Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Clerk/Treasurer
David Laubisch, Supt. of Public Works

Absent: Richard Sweeney - Trustee

Mayor Brenton called the meeting to order with the Pledge of Allegiance at 7:35 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the minutes of the regular meeting of the Board of Trustees held May 2, 1989 were approved.

Unanimously carried.

Mayor Brenton reported that he met with a businessman that has indicated resistance to the replacement of sidewalk in the Main Street area in conjunction with the Main Street rehabilitation project. He stated that we are going to develop some figures to determine how much sidewalk the businessman would have to replace in this entire property area. He would be responsible for 50% of the sidewalk which would be replaced. He will not pay for the brick pavers. A decision has not yet been made of his total area.

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, June 12, 1989 at 7:35 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, vouchers in the amount of \$227,841.03 covering May 22 through June 12, 1989 were approved:

payroll fund w/e 5/24/89	\$	18,893.15
6/07/89		<u>14,730.59</u>
subtotal		33,623.74
General Fund # 680		38,882.84
Sewer & Water Fund # 261		612.49
Trust and Agency Fund # 298		9,937.84
Glen Park Joint Activities Fund # 198		128.78
Capital Fund # 216		92,747.43
Community Development # 113		2,093.00
Water Trust Account # 6		<u>129.50</u>
subtotal	\$	178,160.59
1989/1990 Account Funds Warrant - General	\$	22,029.82
- Water	\$	27,414.11
- Sewer	\$	<u>236.51</u>
Grand Total	\$	227,841.03

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

RESOLVED THAT the position of Building and Zoning Clerk is hereby created in the Village Building Department, effective June 1, 1989.

Unanimously carried.

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

RESOLVED THAT Judith Ames is hereby appointed to the position of Building and Zoning Clerk, effective June 1, 1989, at the rate of \$8.00 per hour.

Unanimously carried.

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

RESOLVED THAT the position of Clerk-Typist/part time is hereby created in the Village Court Department, effective June 1, 1989.

Unanimously carried.

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

RESOLVED THAT the Village Clerk/Treasurer, Theresa L. Cummins, is hereby authorized to attend the New York State Government Finance Officers Board of Governors meeting in Albany, New York, on June 23, 1989 and the cost, not to exceed \$125.00 to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish a notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on June 26, 1989 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 amend Section 7.03 of the Building code.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved to suspend the rules for public participation for the purpose of considering an additional resolution not on the agenda.

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, June 12, 1989 at 7:35 P.M.

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

RESOLVED THAT the Village Clerk is hereby authorized to advertise for sealed bids for the replacement of a Waterline on Gordon Street. Bids to be opened in the Village Clerk's Office, 5565 Main Street, Williamsville, New York, on July 14, 1989 at 2:00 P.M., under the terms of the standard bidding resolution.

Unanimously carried.

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

Unanimously carried.

Trustee Kaye reported that the progress of the pavilion in Island Park is on schedule. Trustee Kaye has been assured that it will be completed by July 7th at the latest. The week of the 26th, the roofers will be there to put on the roof and they will then be working on the landscaping and some painting.

Trustee Kaye stated how lovely the rededication of the Meeting House was and expressed her thanks to Gartley Weller, who is absent this evening, who did a lovely job in organizing it.

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

RESOLVED THAT Michael Kiebala, 139 Cadman Drive, is hereby appointed Seasonal Laborer in the Department of Public Works, effective June 1, 1989, at the rate of \$4.50 per hour.

Unanimously carried.

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

RESOLVED THAT Mayor Lawrence Brenton is hereby authorized to sign Change Order No. 1 for the Reist Street Waterline which extended the contract completion date from May 14 to May 22, 1989.

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, June 12, 1989 at 7:35 P.M.

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

RESOLVED THAT the wading pools in Island and Garrison Park will officially open on Friday, June 23, 1989, and close, Monday September 4, 1989 and

FURTHER RESOLVED that the weather permitting, the pools will be open daily from 11:00 A.M. to 7:00 P.M.

Unanimously carried.

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

RESOLVED THAT the following residents are appointed pool attendants for the 1989 Summer Season: (6/23/89 -9/4/89)

NAME	ADDRESS	RATE
Scott McKee	5 Columbia Drive	\$4.00 per hr.
Marjory Jaeger	135 Northledge Drive	\$4.00 per hr.
Dawn Harvey	37 Monroe Drive	\$4.00 per hr.

Trustee Kaye stated that these people have worked this position in the past and we are looking for additional people.

Unanimously carried.

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

RESOLVED THAT Glen Park is hereby designated a historical site in the Village of Williamsville, effective immediately.

Unanimously carried.

Trustee Bindert reported that the Fishing Derby was almost cancelled because of the rain and the flood gates had to be opened. As it turned out, because there were already prizes and such, it was decided to have the Fishing Derby. He stated that residents caught more fish this year than they ever did in previous years. The Fishing Derby was a big success.

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

RESOLVED THAT Karrie Klawitter, 107 Evans Street, and Dana Gugino, 156 Garrison Road are hereby appointed Flower Caretakers effective June 29, 1989 at the rate of \$3.75 per hour.

Unanimously carried.

Trustee Bindert stated that the Village is proceeding on moving back the guard rail and in conjunction with this, we are requesting a public hearing to see if it would be advisable or not to have one-way traffic on Spring Street.

When there is diagonal parking, it will be creating a situation that might be a little dangerous to back up to get out of a parking space if there is two way traffic.

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

RESOLVED THAT the Village Clerk is hereby authorized to publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on June 26, 1989 at 7:35 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which would add Section 60.42 (7) to the Village Code which would designate E. Spring Street as a one-way street from Main Street to Cayuga Road.

Unanimously carried.

Trustee Daniels reported that he did attend the rededication at the Meeting House yesterday and felt it was a beautiful and moving ceremony. In conjunction with that, we had some musicians who played for the opening which was a precursor of an idea to start a performance series in that facility which could combine all the performing arts. It could be sold as a series and the proceeds from that would generate income for the Historical Society. Right now we are looking for a Board of interested people who might want to work as an overseer to this series which would be a nice addition to the Village and would probably run from September to May. The seating is limited to approximately 185 seats with a very nice close, intimate atmosphere where one could actually meet the musicians or actors/actresses. Trustee Daniels feels that this could add to the culture of the Village of Williamsville.

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Superintendent of Public Works David Laubisch reported that June 13 and June 27th are regularly scheduled trash pick-up weeks in the Village of Williamsville. The trash pick-up starts Tuesday and will continue until all the trash is picked up in the Village of Williamsville.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, it was moved to suspend rules for public participation in this meeting.

Unanimously carried.

Al Naish, 126 Park Drive, representing the Garrison Park Homeowners Association and a number of people on a petition regarding the Big Toy in Garrison Park, stated that 119 people were surveyed of the surrounding area. 110 people have opposed. Therefore it has been determined that 92% of the residents are not in favor of destroying or altering the character of this park. The Garrison Park Homeowners Association feels that the park should utilize the needs of all the people using the park.

At this point, Mr. Naish read a part of an article in the Amherst Bee last week which clearly defines their position. In addition a letter was presented that was sent to Mayor Brenton, to the Trustees, which lists their other concerns regarding the park.

- 1) Impact of increase of traffic and parking.
- 2) Increased security problem

The letter questioned whether delivery and installation dates could be postponed while other options are considered.

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Trustee Kaye stated that the Youth and Parks Committee have worked very hard and picked Garrison for the Big Toy because play equipment had already been installed in S. Long and Island Parks. Carolyn Schlifke, a past Trustee, who has worked on the project, and who is here tonight might be able to give some insight as well as Sandy Leonardis who is on the Parks Committee. Trustee Kaye stated that the scheduled date of June 24th was accepted by bids which were made in early April. The two committees have been working jointly since last summer on this project. We could change the installation date to early fall. The unit would have to be paid in full. We have paid 80% for the unit now and it is on it's way from Tacoma, Washington, into New York state and it is to be delivered shortly. An additional \$1400.00 would have to be paid for a new supervision date in addition to the \$1400.00 which has been contracted for. A storage fee would have to be as well.

Shirley Thomas, 125 S. Ellicott stated she has lived here 30 years. Her questions are, 1) Is this beyond the point of stopping?, 2) Why was the community not notified?

Trustee Bindert stated that he feels it is almost unstoppable and this was announced at public meetings. This was done as a betterment for the Village as a whole. Shirley Thomas questioned who makes the judgement for what's good for the Village. Trustee Bindert stated this is the responsibility of the Board of Trustees.

Carol Lanphear, 88 Highland Drive, Chairman of the Youth's Recreation Board, questioned whether all of the names on the petition were not given accurate facts about this piece of equipment. Carol explained that the Big Toy is not a larger piece of equipment than what is already in the park. It is less than 1% of the size of the park. The reason that people were not called door to door is because the functions of the Youth and Park's Committee is to provide for the people, to update the park. This piece of equipment is made largely out of treated wood which was felt would make an attractive addition to the park that would look nice among the trees. It is almost the same size as the present piece of equipment in Island Park. The new piece is 27' x 31'.

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A letter to the Mayor stated that Elf Park at Forest Elementary School has an abysmal safety record. The Nurse and Principal at Forest Elementary school stated that no one had asked them about their safety record. They were outraged because the allegations are untrue. Pieces of metal equipment are being removed from the park area because these are what the children are getting injured on. The old swings and slides do not meet safety standards. It is the Committees intention to replace equipment which had to be removed.

The equipment is being purchased with money that was donated for youth; therefore, it is not an additional amount of money for the taxpayer. The Committee did not believe the new equipment would be an attraction to people coming from outside the Village.

Stephen Baruffi, 136 Park Street, stated he feels that this idea is laudatory; however, this was not announced publicly for general notice. The people would like to be heard and other alternatives should be considered.

Carolyn Schlifke stated that the people in the neighborhood would not be individually notified of a public hearing. Therefore, if the residents are not aware of what is going on in the Village, they would not be aware of a public hearing.

Trustee Kaye stated that she looked at alternatives, such as where does it belong, where does it best fit. Trustee Kaye went to Heritage Heights School on Sweethome Road last Saturday to speak with installers of the Big Toy and the Principal. They commented that it was vandal proof, aesthetically pleasing, and had a high safety record. They also said that children would not get lost, there is no place for people to hide in the unit, there were no closed spaces and it was durable. When Trustee Kaye was campaigning door to door in the Garrison area, the residents knew of the proposed installation in Garrison Park and did not state any opposition.

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Stephen Baruffi stated that when campaigning Trustee Kaye asked where should it go in the park and not whether the residents like it or not. He does not feel he has heard any valid reasons and that there has not been any disinformation. He also stated that he has not heard anything regarding traffic and parking problems.

Mayor Brenton stated that there has been disinformation according to the material gathered from Forest Elementary school, also it is not anticipated that this piece of equipment will draw a great number of children from outside the area.

Trustee Kaye stated that in terms of usage, she asked Jeff Bloom, the Recreation Director for the Town of Amherst, and the people at Big toy and their comments regarding usage were similar. They feel that there are several Big Toys in the area already. It's not a new kind of play equipment for the children, so children would not flock to it, wherever it is placed.

Regarding possible placement in Glen Park, Attorney Troy stated that Glen Park, by the basis and foundation of it's existence, is designed to specifically exclude any devices or paraphanelia which would stimulate activity, so it would be completely inappropriate. The Village is not the sole owner of the park, it is owned jointly with the Town, so any decision would have to be approved by the Town also.

Trustee Kaye stated that at S. Long , there is a possibility of realigning the baseball diamonds. The Village does not want to cut down the opportunity to be able to realign them properly to have proper interplay by installing additional equipment. Also, the equipment located is newer and to place the Big Toy unit there, would require some of the newer equipment to be removed. Last year the Parks Committee put together a master plan for the parks for the '89-'90 season and it included a wooden climber play structure to go into Garrison Park.

Trustee Daniels stated that there are a group of residents who are dissatisfied with this situation. He noted that at the last meeting, nothing was brought up regarding this situation. He stated that there is a strong possibility that there will be more people driving to Garrison Park leaving very little space available for parking. He also suggested that the wading pools at Island and Garrison Parks, be for Villagers only.

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Trustee Kaye said she met with Peggy Santillo, Park's Chairman,
at Heritage Heights School last Saturday. Peggy Santillo spoke
with the installer and other representatives in an effort to
resolve the problem. Trustee Kaye stated they are trying to
look at the area resident's concern as well.

Santo Leonardis, 205 Garrison Road, stated that he has been a
resident of the Village since 1950. The information regarding
the Big Toy has been brought up for the past 1 1/2 years and is
available on the 2nd and 4th Monday. The minutes are
available, the information is in the newspaper and the
contracts are posted in the Amherst Bee. He doesn't feel the
people are participating. He did make contact with the people
along Oakgrove and Garrison and they were all in favor.

Helen Epstein, 158 N. Long Street stated that there are no baby
swings and a wet dirty sandbox in Garrison Park. If the swings
and slides are taken away because they are unsafe, there will
be nothing for the young children to play with.

Margaret Rusch, 69 Columbia Drive is concerned that Garrison is
not updated. The one slide that is proposed to being taken
down is much too high for little children. Ms. Rusch stated
that she spoke with Trustee Kaye and they plan on putting
infant swings on the swing set across the way where there is a
smaller slide. She stated she knows o a child who has died
because the child simply fell off the swing and hit his head.
She also stated that the seesaw and acrobatic equipment is too
big. Ms. Rusch feels that some people are angry because the
decision was taken away from them; however, she is in full
support of the new play structure.

Julie Worczsak, 82 S. Ellicott Street, stated that last week
she spoke with Laurie Mushrock from Jeff Olson's Co. and posed
a hypothetical situation such as our situation. Ms. Mushrock
said there would be no problem postponing the installation date
and there would be no additional charge of \$1400.00 storage fee
and with adequate advance notice, no other charge would be
incurred. Julie Worczsak stated that she doesn't feel there
will be any more charges until September, which would give time
to investigate the S. Long site. She went to that site and
didn't see anything updated more than what was at
Garrison Park.

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Trustee Kaye stated that a supervision fee would be charged,
and she spoke with Jeff, the owner of Jeff Olson's company.
She also stated that she went over the details with Jeff Bloom.
The equipment is on the way and since this is the height of the
season, this may not be adequate notice.

Ms. Worczak stated their group did not share disinformation and
brought up the \$11,000 rubber mat that is being considered as a
base and would like to know why is sand okay while the
sandboxes are being taken out for possible toxoplasmosis. Also
why hasn't pea gravel been considered as an option? She also
wondered where the \$11,000 would come from to purchase the mat
and why the most expensive piece of equipment was purchased.

Trustee Kaye stated that there are 4 options: Bark chips, sand,
pea gravel and a rubber mat which are available to us. The
rubber mat has not been decided on as yet because of the
controversy of the play equipment. In speaking with Jeff
Bloom, she has determined that bark chips, pea gravel and sand
are the least expensive. The Big Toy piece of equipment was
purchased because it met all specifications.

Ms. Worczak stated that this toy is not meant for preschoolers,
which is why it is not put at preschools. It's put where there
are kindergardeners
s and up. Ms. Worczak stated that the park does not need a
unit such as the one proposed. It needs something that is
universally used by children of all ages, such as a slide or
swing set. She feels that Garrison Park does not have the
space or this unit.

Carolyn Schlifke stated that there is no way you can choose a
unit that is going to suit your children this year because the
children are going to get older. Therefore, units are for a
general age that children can use from the ages of 5-10 and get
the most usage.

Trustee Kaye stated that 26 people had phoned or written in
from the Village were in favor.

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Marilyn Downing, 18 Columbia Drive, has spoke with a few people
who have signed the petition and heard a number of rumors and
feels that some people signed the petition because of those
rumors.

John O'Niel, 102 S. Ellicott signed the petition and was told
that the unit would be large and not fit into the scene of
things. Mr. O'Niel wanted to know if this could be put off or
put it someplace else. He feels there are other alternatives.
Perhaps the people could sit down and come up with something
amenable to everyone.

Shirley Thomas questioned, is there someway we might be able to
work together?

Dick Hill, 18 Brookside Drive, stated that there has been a
Committee working for 2 1/2 years who are being told that they
are not qualified. He doesn't agree that the only people
qualified are the people living next to Garrison Park.

Shirley Thomas stated she doesn't think their group is saying
the Committee are not qualified. She feels that they should
not determine the character of the park and how to maintain it.

Trustee Kaye stated that the purpose of the Parks Committee is
to determine what's best for Village Parks.

Harmon Whipple, 32 Garden Parkway, stated that the residents do
not want anything in Garrison Park.

Meredith Klien, 102 S. Ellicott, has a background in therapy
and recreation, feels that there is so much activity going on
with the equipment, and in some ways this discourages
creativity for youngsters to play on their own. Ms. Klein
feels that this is the only park that is a little different.

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Trustee Daniels questioned the installation date being the 24th. He stated that at the meeting he attended there was concern about the base material and there were problems with all 3 options. The chips may be from diseased trees. Trustee Kaye stated they could buy chips which were resistant to disease. Pea gravel specifications will be in tomorrow. Williamsville Gynecology/Obstetrics was contacted re: toxoplasmosis and about the possible transmission of it in sand. Some additional research is being done to see if from a medical standpoint, there would be a hazard to a pregnant woman. Rubber has been recommended as the safest and easiest base to maintain, yet, it is the most expensive. Trustee Kaye stated that the rubber matting has not been totally eliminated, because a determination has not been made of what would go under the toy. Trustee Daniels questioned whether 12 days left was enough time to come up with the money for the rubber matting or other base. Trustee Kaye stated that it may be a possibility. Trustee Daniels had understood the recommendation from the government that the base had to be rubberized. Trustee Kaye stated they do not have to be rubberized, they have to follow a G force which all 4 options do, based on the depth of the material that is given. She also stated the decision would be made after the determination of the unit.

Al Naish stated that at the last meeting, sand was a viable option. How would the G force be maintained? He also questioned what the terms of hiring someone from the DPW were.

Dan Chase, 157 Highland thinks that 12 days is not enough time and the entire matter should be tabled.

Mayor Brenton concluded this topic and asked to hear anyone who still wishes to make a comment and had not previously been heard.

Maryanne Avery, 64 Garrison, stated that this interaction is positive. She has lived across Garrison for 29 years. She feels that it is a question of esthetics and that it is nice that people care about the neighborhood.

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Charles Rizzone, 136 Los Robles came to talk about in 1985, 1987, and 1989, damaging floods which occur in this village. Mr. Rizzone stated that he came before Mayor Brenton requesting help with the sanitary and storm sewer in his area and did receive it and appreciates it. Mr. Rizzone stated that the abatement work did not work and the backyards on Los Robles are being used as ponds. He stated that there were 15" of water in his basement and there was 3' of water in people's backyards across the street from his. Mr. Rizzone stated that he was told that there is not sufficient capacity for removal of that amount of water. Mr. Rizzone questioned what can be done to relieve the water in Williamsville more quickly now? Mr. Rizzone stated if we have to talk to the Town of Amherst to increase the Main-Union sewer line, then that is what has to be done. Mr. Rizzone questioned what is the procedure to determine when the flood gates should be removed? He also questioned why it took so long to remove the larger portion of the gates last Friday night?

Mr. Laubisch stated that at 3:14 P.M. the gates were removed. The gates have to be removed in a gradual process so the neighbors downstream are not flooded and to alleviate the water upstream of the gates. Before the gates were pulled, the concern of money that was paid to have fish stocked in the creek did not come into view because of the tremendous amount of money that was involved with flooding. At 3:30 P.M. Mr. Laubisch called the airport and they stated the heaviest part of the storm had passed. The second set of gates were removed at 5:14 P.M. and at 8 P.M. Mr. Laubisch was in contact with Paul Bowers for the Town of Amherst and there were no problems downstream from the runoff and no problems were referred to his department from upstream. Problems from runoffs were caused because of the tremendous amount of water that came down. Mr. Rizzone questioned is Los Robles upstream or downstream? Mr. Laubisch stated upstream. Mr. Rizzone also questioned if there has been a study on the gates in the last 30 years.

Mayor Brenton stated that Mr. Laubisch could contact the Corps of Engineers and see if they will be able to provide some help.

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Mr. Rizzone questioned when can we tell the Town of Amherst to increase the capacity so the backyards would not have to be used as ponds? Mayor Brenton said he is not sure if the Town of Amherst holds the responsibility since they do not handle a good portion of the area that Mr. Rizzone is indicating. Some of it is serviced by drainage ditch #9 which is Town of Amherst owned and does run partly through the Village and it adequately handled the water which provides some relief for Mr. Rizzone's area. Mr. Rizzone wanted to know if the Town of Amherst could expend some money in the future to improve the capacity so his backyard will stop flooding. Mayor Brenton stated that this question would be better addressed to the Town Board of Hal Collier.

A gentleman from Garden Parkway, stated that there is a slight inclination where he is and there was essentially a river going through Joan Balk's property. There is a new sewer there and it couldn't handle 1/4 of the water with the force of it.

Mary Lowther, 122 Chalmers, is a member of the Environmental Advisory Committee. Ms. Lowther stated that last January and February they met with Hal Collier and Dave Pratt from Pratt and Huth who is the engineer. They were there to address a problem on N. Long Street which is the drainage area that services the neighborhood. It does not go into the creek, it goes down N. Long Street and down into the Morningside district as Mr. Collier told them. Mr. Collier said the only way to improve it would be to dredge drainage ditch #9 and if that failed then it would require a multi-million dollar project.

Mr. Rizzone questioned Mr. Laubisch whether drainage ditch #9 is maintained on a regular basis. Mr. Laubisch stated that behind N. Long Street, the ditch is under the control of Amherst.

Ms. Lowther stated that Mr. Collier said written permission would be required from all property owner along that ditch. Several residents would not allow his equipment to come onto their property because they did it several years ago and damaged several properties.

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Helen Epstein stated that she lives right in back of the creek and people behind her on N. Union Street built a stone wall about 7' high and when the water comes around and hits the wall, it spews over into everybody's property. They narrowed the creek so that now it is about 1 1/2' wide and about 6"-7" deep. The millions of gallons of water are going into their yards and basements. Something should be done to make the creek deeper and wider, or putting some pipes in there to drain it in the other direction. There is one sewer on her street and it runs in front of her house and runs under her driveway and water was pouring over the sewer and going down the street until there was about 3' of water in the street. Can't something be done to save her property? There is filth in the water.

Mayor Brenton stated that an answer to that would be appropriately made by the Town of Amherst.

William Spence, 162 N. Long Street, stated that he has lived in the Village on and off for the past 30 years and has never had flooding problems. According to his survey, drainage ditch #9 is for a stream. Mr. Spence spoke with Mr. Larry Clare who is in charge of the Environmental Conservation Department and at the time there was a flood similar to last week, and they found toilet paper and human waste in back of the creek. Mr. Clare sent out 2 of his people to check the water and it was determined that it was human waste. This creek is filling up with sewage and there is toilet paper in his backyard. There is only one exit on N. Long Street that drains the water. There are 4 manholes in and around 162 N. Long Street. Mr. Spence questioned how Cheektowaga, Amherst and Williamsville got permission to drain into their backyards.

Mayor Brenton stated that according to very old maps, there was always a creek there and it is now drainage ditch #9 and it has been utilized in years gone by through additions from Cheektowaga, etc. This is not something the Village can stop because it is not in the Village. Mr. Spence's front property is in the Village but the rear property isn't.

Paul Olczak, 185 N. Long Street, stated that every time it rains he stands outside with rakes trying to clear off the sewer lines. The water goes up to his front steps and he is 40' from the street. He is at the bottom of a troft and a car got stuck and the water was inside the well of the car. There was more than 1' of water in the street.

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Mayor Brenton stated that storm sewers along N. Long Street
would cost approximately \$300,000. The entire community needs
to be taken care of and the Village cannot afford it.

Mr. Spence stated that he spoke with Mr. Collier who stated
that if the sewers that were originally on Main Street were
reopened or reinstalled, the problem might be alleviated.

Mayor Brenton stated he is not sure he agrees with that
position. He would appreciate it if Mr. Collier would contact
one of the Village of Williamsville representatives when he has
any comment regarding the Village.

Mr. Rizzone stated that a 20 million job has been done on
Ellicott Creek which did not really help relieve the pressure
on the gates. Haven't we improved the ability of the water to
go faster because of all that money spent?

Mr. Laubisch said he could not comment on whether or not that
project will directly affect the flow but commented that the
gates have to be removed at a gradual pace to bleed off the
water upstream. If we move too rapidly, it will cause a surge
downstream. Mr. Laubisch believes the gates were removed in
timely fashion last Friday. Mr. Rizzone questioned whether we
have to live with this problem? Does it cost too much to do
something about it?

Trustee Kaye stated that when she was on the Environmental
Committee last year, they had looked in the backyards to see
what the situation was and tried to get together with Mr.
Collier. It was her understanding that Mr. Collier was going
to do a survey to see if the people would have their backyards
dredged.

Mr. Spence stated that the residents wouldn't mind having them
dredged, but they could not be given a commitment that there
would not be anymore water.

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Helen Epstein stated that the people are not going to want to live on N. Long anymore. She doesn't. She wants to move if somebody doesn't help them soon. Trustee Daniels stated that perhaps Mr. Collier should be contacted again. The Environmental Committee should work on this project and meet with the residents of N. Long.

Mr. Spence questioned if he can be given any kind of assurance that they won't be seeing anymore sewage. Trustee Kaye stated it was her understanding that the DEC would do some tests for waste. Mr. Spence also questioned if the sanitary sewers are strictly sanitary sewers. Mr. Laubisch stated they are. Mr. Spence questioned why then was there so much pressure in those sanitary sewers that it blew the plug out of the toilet in the basement?

Mr. Laubisch stated that there was tremendous pressure throughout the entire sanitary system, not only on N. Long but on other sections of the main trunk lines which drain the Village.

Mayor Brenton assured that the environmental question will be looked into by the Environmental Committee.

Hattie Snyder, 211 Oakgrove, stated that she lives about 500' from the creek and has been living there since 1925. She was very happy to say that she did not have a drop of water in her basement from this storm. The lower end of her yard was a little lake but overall she was pleased.

William Whitehead, 223 Garrison Road, stated that he has a proposal to build an 8 lot subdivision called Castle Creek Trail and would like to know the status of that development.

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Mayor Brenton stated that Trustee Sweeney, who is absent this evening, was going to evaluate various concerns that had been brought to the Board's attention. One of the primary concerns that Mayor Brenton recalls is that the Village Board and many of the residents who live adjacent to the proposed project were not convinced that Mr. Whitehead had adequately addressed the drainage problem should the development proceed. Mr. William Tuyn from Pratt and Huth Engineering, stated he had a meeting with Mr. Sweeney at the Department of Environmental Conservation. Mr. Sweeney asked if a concept and utility plan could be prepared showing the outline of proposed rear yard drains and how that would work. Mr. Tuyn submitted the plans to the Board.

Mayor Brenton accepted the plans and stated they will be forwarded to the Building Department and asked that Mr. Tuyn state his plans here publicly tonight in regards to storm drainage and runoff.

Mr. Tuyn explained that they are going to put in some rear yard drains. There will be storm sewers underneath the street. The houses will be graded to the rear yards and then the water will be conveyed to the creek.

Mayor Brenton questioned what would happen to the surface water when the lines are surcharged and could not handle it. Would the surface water then run over onto the abutting property?

Mr. Tuyn stated that most of the water will be directed to the creek. Depending if the surface waters were high enough, some flood water would be inundating the entire area.

Mayor Brenton questioned whether the rear property lines would be graded so that in the event in the failure of these rear drain lines, the swale would continue the water and be sloped toward the creek. Mr. Tuyn stated the swale will be 2' higher than the backyard drains.

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Mr. Tuyn explained that the general terrain in this area is flat so they would use Type B Block drainage which means the house is the highest point on the lot and the storm runoff drains away from the home towards the street. The swale would come down to 5' inside the property line. Mr. Tuyn stated that this is a concept plan and the whole purpose is to make sure that the development is consistent with the ordinances in place.

Trustee Daniels stated that it is hard to see how more homes will not effect the area negatively. He asked if Mr. Whitehead had any discussions with Mr. Meyer. Mr. Whitehead stated he is not interested in joining him in this venture. Trustee Daniels stated that Mr. Meyer indicated that he would deed the 1' strip in exchange for a 30' buffer in his backyard.

Mr. Whitehead stated Mr. Meyer was willing to allow 2 lots. In 1983 the main concern of the project was to scale the project down and the Board agreed. The project was started in 1959. He is planning a brand new subdivision with up-to-date materials fully engineered to drain all of the water into the creek where it is draining now. Mr. Whitehead stated that Mr. Tuyn is an expert and has stated that there is a 10' pitch to the creek. Trustee Daniels stated that since he is not an expert, he will go to the DEC and will speak with Rebecca Anderson and get her opinion.

Mayor Brenton stated that since the proposal has now been submitted, the Board will evaluate the information.

Mr. Whitehead questioned if they could get together to shoot some grades. Mayor Brenton stated that that would be appreciated.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, it was moved to adjourn the meeting at 10:10 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk Treasurer