

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, August 28, 1989 at 7:35 P.M.

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

Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Clerk/Treasurer

Absent: David Laubisch, Supt. of Public Works

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

Mayor Brenton read a Proclamation declaring August 27 - September 2, 1989, Operation Lifesaver Railroad Highway Safety Awareness Week in the Village of Williamsville, New York. (Copy attached).

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the minutes of the Regular Meeting of the Board of Trustees, held July 24, 1989 were approved.

Unanimously carried.

Mayor Brenton reported that the Main Street Rehabilitation Project is moving along nicely and he is pleased with the results. The brick pavers are going in and he has received many compliments regarding that program. Mayor Brenton thinks that at the end of next year when a portion of the other side of Main Street is done, the business area will look a great deal better and he hopes eventually the Village Board will follow through on the program and in future years complete it within the Business District.

Mayor Brenton also reported that he has received a request regarding rezoning of property on Academy Street from Mr. Charles Keily. It is presently a residential area. He has polled the Village Board informally as to the rezoning request and they feel that there will be no rezoning of this property or similar properties within the Village. Mr. Brenton has written to Mr. Keily with this answer. Mr. Keily's argument was very strong since he claims he is being surrounded with commercial enterprises. However, immediately to the North of him, it is still residential.

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Mayor Brenton has also received a request from Mr. Getter of 100 Evans Street. Mr. Getter has indicated that he has had sanitary sewer work done on his lateral and this cost him approximately \$1899.00. He has requested that the Village refund this money to him. He alleged that when a water line was installed on Evans Street in 1967, it was improperly installed. This has caused his sanitary sewer to fail because of the proximity of the water line. Our investigation reveals that this is very unlikely to have occurred, and if it would have occurred, it would have happened immediately after installation of the waterline. Therefore, the Board has no moral or legal obligation to reimburse this individual for his cost. There have been no known failures of sanitary sewer laterals in other adjacent areas of Evans Street. Mayor Brenton has written to Mr. Getter explaining that the Board cannot refund any money to him and it would be illegal to do so.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, vouchers in the amount of \$189,029.00 covering 7/24/89 - 8/14/89 were approved:

payroll fund w/e 8/3/89	\$	17,921.65
General Fund		125,859.12
Sewer & Water Fund		36,413.51
Trust & Agency Fund		4,526.79
Glen Park Joint Activities Fund		3,324.93
Capital Fund		768.00
Water Trust Fund		<u>255.00</u>
Grand Total	\$	<u>189,029.00</u>
Large Vouchers:		
Erie County Water Authority	\$	34,453.01
Britting-Gelia - Insurance	\$	71,614.00
Glen Park Joint Activity	\$	20,000.00

Unanimously carried.

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ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, vouchers in the amount of \$206,775.13 covering 8/15/89 - 8/27/89 were approved:

payroll fund w/e 8/17/89	\$	21,786.79
General Fund # 685		2,835.96
Sewer & Water Fund #		
Trust & Agency Fund # 303		12,223.84
Glen Park Joint Activities Fund #		
Capital Fund # 221		9,164.34
Community Development Fund # 116		4,036.50
Water Trust Fund # 8		41.65
Sub Total	\$	50,089.08
Warrant Sheets:		
General Fund		155,366.97
Water Fund		483.80
Sewer Fund		266.00
Glen Park Joint Activities		569.28
GRAND TOTAL		206,775.13
Large Vouchers:		
Christopher Construction	\$	46,028.40
J & I Disposal		23,931.50
Britting-Gelia Agency		29,304.00

Unanimously carried.

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

RESOLVED THAT the Village Clerk issue a refund check to Mr. Frank Erdman, 154 Highland Drive, for overpayment of water and sewer charges resulting from overestimated bills during the period of 10/1/82 to 1/1/89 as follows:

Water	\$662.69
Sewer	293.04
Total	<u>955.73</u>

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Mayor Brenton stated he investigated this entire procedure leading to the refunding of this money whereby the Village employees were not permitted to enter a particular business or resident for the purpose of reading a water meter during the course of the year. This has been a policy that the Water Department and Department of Public Works have grown with over the years. Mayor Brenton stated he takes strong exception to this procedure as a result of this particular bill. It will be the policy in the future to get an accurate reading on an annual basis or the Board will not provide water service to the customer anymore. Also, some citizens have been confronted with a water bill that is extremely high due to the fact that they have a leaky water system which over the years have been estimated and now come to the realization that they have been using a great deal more water than anticipated because it has been leaking away into the sewers. A policy will be adopted that the Water Department will get into a house once a year and if they don't, then service will not be provided for that particular resident or dwelling.

Unanimously carried.

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

RESOLVED THAT Village Clerk/Treasurer, Theresa L. Cummins, is hereby authorized to attend the 34th Annual Fall Training School for City and Village Officials at the Nevele Hotel, Ellenville, New York, from September 25-29, 1989, and the cost, not to exceed \$550.00, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Daniels reported that the Beautification Committee has just repainted both "Welcome to the Village of Williamsville" signs, one located at Union and Main and the other on Werhle Drive near Aero. Trustee Daniels would like to thank two residents for their work on this project; David Bauer and local artist, Dale Bosworth for doing the painting on the signs.

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

WHEREAS THE Village of Williamsville has advertised for sealed bids for One Aerial Platform and Box Fire Apparatus - 100 Foot Elevated Platform and Body, and

WHEREAS Simon-Ladder Towers, Inc., Ephrata, Pennsylvania, submitted their low bid of \$349,945.00, meeting all specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for the Aerial Platform and Box Fire Apparatus is hereby awarded to Simon-Ladder Towers, Inc., for their bid of \$349,945.00.

Mayor Brenton pointed out that the Board will be selling their present aerial ladder for \$75,000.00. That piece of equipment is about 20 years old and the Village Board is selling it to the Village of Albion. We will update our equipment.

Unanimously carried.

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

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

Roger Paolini-Chairman	63 Hecla	Buffalo, NY
Gary Stith	226 Highland	Williamsville, NY
Lucille Beardsley	78 Hillside Dr.	" "
Michael Levi	8425 Ericson	" "
Deborah Habes	401 Cadman Dr.	" "

Unanimously carried.

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Trustee Kaye reported that she would like to extend a special thanks to the Girl Scout Troop #450 which was at South Long Park today painting the swingsets, ladder to the slide and the teeter totter. They volunteered to help beautify the South Long Park. Also, this past month a Boy Scout troop did a similar project at Garrison, where Andrew Lamphear received his Eagle badge for organizing and executing the project at Garrison park. They painted the swingset and slide and built the retaining wall around it so we could put surfacing underneath it. Trustee Kaye gives a special thanks to both of those groups for their donations of service and dedication to the beautification of our parks and adding to the safety factor.

Also a special thanks to the Youth Committee for all their help on "Savor the Flavor" which was a wonderful success. Approximately 16 restaurants participated. There was a very large attendance, somewhere between 3,000 and 5,000 participants. The Parks Committee has met with members of the Youth Committee and Business Community about this year's affair, the good and the bad, and whether or not we should look at it again for the next year. The Island Park received approximately \$2,500 profit from the event, so the Parks Committee is analyzing the best way to utilize those funds to add to Island Park.

Also, Trustee Kaye stated that this upcoming Monday, Labor Day weekend, will be the last day that the pools will be open. She apologized for the days the pools have not been open. Several Pool Attendants went back to school and did not share their departure date with the Board. The Board has gotten other people to cover them. Trustee Kaye would like to thank everyone for being patient.

Trustee Kaye stated that we have received in our park 7 new picnic tables including one handicapped table, and a new large grill that's in the pavilion to service the large groups in there. Also, new benches are being installed at Garrison Park. The benches are made of redwood with wrought iron trim which will add to the ambience of that park. We have also had both pool houses painted this year in order to continue to beautify the parks.

The resolution to award contract for the exercising of the exercise trail is being withdrawn because members of the Board would like to have some additional time to analyze the bid information. The contract will probably be awarded at our next Board meeting.

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Trustee Kaye also reported that there has been some concern about the solidification of the pea gravel under the Big Toy unit. There has been much investigation and discussions with a variety of people including Big Toy. It appears that we did not receive the pea gravel we had ordered from the vendor, a local sand and gravel company which has now gone out of business. We are withholding payment for that material since we did not receive washed pea gravel as we had specified. On both August 9th and August 23, the Department of Public Works broke up the surface that had solidified and are continuing to monitor the process. We are investigating washing the gravel to avoid any additional build up that may be causing the solidification. This fall handicapped access ramps will be installed in Garrison Park by the Big Toy and the area where the swingsets are being refurbished and where a safety surface has been placed underneath.

Trustee Sweeney stated he has two resolutions dealing with the products of the Code Review Committee in a continuing effect to recodify the Village Code.

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

RESOLVED THAT the Village Clerk publish notice of public hearing to be held by the Board of Trustees on September 11, 1989, 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 repeal the current Unsafe Building Code, Sections 63.10 through 63.80 and add a new Section 63.01 to 63.07 entitled Unsafe and Unfinished Buildings to the Village Code.

Unanimously Carried.

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

RESOLVED THAT the Village Clerk publish notice of public hearing to be held by the Board of Trustees on September 11, 1989, at 7:35 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 repeal the current Demolition of Buildings, Sections 9.10 through 9.60 and add a new Section 9.00 entitled Demolition of Building; Blasting to the Village Code.

Unanimously carried.

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

RESOLVED THAT Wesley Stone, 33 N. Ellicott Street, is hereby appointed Chairman of the Village of Williamsville Planning and Architectural Review Board until the end of the 1989-1990 official Village year.

Unanimously carried.

Trustee Sweeney thanked the outgoing Planning Board Chairman, Richard Baer. He will remain a valuable member of the Planning Architectural Review Board.

Trustee Bindert reported that his resolution calls for a public hearing to eliminate parking on one side of Park Drive between Garrison Road and Oakgrove Drive. This was originally brought up about a year ago; however there was not a consensus to move forward. The Traffic and Safety Committee is still in favor of the proposal. It also has gained some momentum from the Parks Committee with the placement of the Big Toy. In addition, the Fire Department has sent the Board a letter stating there is some concern about access for fire trucks.

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

RESOLVED THAT the Village Clerk publish notice of public hearing to be held by the Board of Trustees on September 11, 1989, at 7:40 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 add Section 60.32 (26) (B) to the Traffic Code and would eliminate parking on the north side of Park Drive between Garrison Road and S. Ellicott.

Unanimously carried.

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

Unanimously carried.

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Maryanne Avery, 64 Garrison, stated that her neighbors on both ends of Park Drive have commented on the problems at Garrison Park. One of them is the pea gravel and she understands that from tonight's meeting they are going to flush that out. If it does not flush out, she feels it should be replaced before winter. They are also concerned about the parking on the South side of Park Drive. This will result in a worse mess than what is presently there unless some curbing is installed due to the springs in the park.

The other problem is Warren Miller's house on the corner of Garrison. The porch has been propped up at least 6 years and everyone is sick of looking at it. She knows there have been a number of offers to buy the house, also a long standing lease. She does not want to see the house demolished. It's listed as being built in 1850 which makes it an extremely old house. It's one of the few very old houses close to Main Street. Ms. Avery feels the Village should be able to do something to make it look presentable so the neighbors no longer have to look at a collapsing porch. She thinks we should either fix the porch or take it off, or paint it over and make it look like a decent house. She has also been informed that the garage is full of flammables. The police and Fire Department are not too happy about it. She would like to see something done about it before winter, because there is some concern about the roof caving in and that may be a fire hazard.

Mayor Brenton stated that installation of curbs is always at the request of abutting property owners. It requires 50% of the abutting property owners to sign a petition to have curbing installed which they must then pay for themselves. Regarding Mr. Miller's house, Mayor Brenton stated he had requested from the Building Inspector about a year ago information regarding the propped porch. His recollection was that after the Building Inspector's investigation there were no violations of the New York State Building Code. Whether or not the flammables in the garage constitutes a violation of any applicable statute, he is sure that Trustee Sweeney will follow up on that with the Building Department. If indeed there is storage of flammables in a residential garage that could be illegal, the Building Inspector or Administrator will go out to determine whether or not this is the case at which time the owner will be notified.

Harmon Wipple, 51 Garden Parkway, stated that Mr. York's house on South Long has proceeded with renovation to a point and now that porch is propped up also. His renovations seem to have stopped completely. Mr. Wipple stated that this is not a safe condition either.

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Mayor Brenton stated that as he indicated, a propped up porch is not illegal. It is subject to discussion with the property owner and this is a job for our Building Inspector. While the progress is very gradual on Mr. York's property, there has been some improvement.

Eldray Avery, 75 Rinewalt, questioned the footage on the cut that is coming onto Evans Street from the Centerpointe Meadow project. They have installed a sewer connection next to the Drexel Apartments.

Mayor Brenton stated the developer worked in the right of way. They have not attached to our sewer, but they have installed underground telephone conduit and piping to contain that conduit. There has been, to the best of his knowledge, no attachment to our sewer line. It is his understanding that they installed telephone cable conduit which even if the project was found to be not in compliance with our local laws, it would still be allowed because that would be the main source of home connections.

Mr. Avery questioned if they are allowed to come through Village property without permission from the Village.

Mayor Brenton stated that he has spoken with the Village Attorney. It was his feeling that the installation of the telephone conduit would not run against our local law.

Trustee Kaye stated they are within their legal right to do what they have done.

A lengthy discussion followed concerning the use of pea gravel in Garrison Park. Trustee Daniels reiterated that the pea gravel under the Big Toy is a hazard and called for the closing of the play structure until it is remediated. He stated he was at the Big Toy this afternoon and it has solidified again. It is his impression that since it is similar to the pea gravel at Elf Park, the problem will not be resolved by washing. It is impossible to wash the bonding agent in the gravel without removing it from the tray it is in. The day before the gentlemen from Big Toy came to supervise the Big Toy construction in Garrison Park, they worked at Elf Park putting foam padding under each impact area. They would not have done that or gone thru the expense if they had not thought there was a serious problem with the gravel caking. He also questioned if the pea gravel were to be washed, where would the water and the sediment go? It is encased in a wood stockade arrangement. No water nor sediment can escape from the area. He would like to see the area cordoned off from the public until it is remediated.

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Trustee Daniels stated that wheelchair access is impossible in pea gravel. In order to make the structure truly handicapped accessible, a material other than pea gravel must be used. The other problem is that pea gravel does not stay contained within the landscape timbers. It gets kicked around and does not contribute to the beauty of our parks. The rubber matting is visible and provides cushioning with a life expectancy of 10 years. He is requesting that rubber matting be installed and that the Big Toy be closed down until that time.

Trustee Kaye stated she was not aware that there was any solidification of the pea gravel today. She was planning to have the pea gravel washed as soon as possible. Safety of the children has always been her prime concern. She has had regular conversations with the principal and nurses at North Forest Elementary and what was purchased was washed pea gravel. Over the course of the years, there has been some compaction at the pressure points at South Forest. They did place rubber matting at these compaction points. We have never said rubber matting may not be an option in the Village. However, she would first like to get the gravel washed and then meet with Trustee Daniels to determine his source of information as to why washing the pea gravel will not solve the problem.

Mayor Brenton asked Trustee Daniels if he made the unsafe determination alone this afternoon or if someone else was present? Trustee Daniels stated that Hall Collier, Al Naish, Mary Anne Avery and Bill Kindel were also present.

Mayor Brenton stated that Trustee Kaye, as Liaison, should have been involved in this determination process. If there is an unsafe condition, it should immediately be communicated to those who have liaison to that area or to the Superintendent of Public Works, the Village Clerk, the Village Attorney or Mayor so residents will not be injured. He stated he does not want any injection of politics on this Board, whose function is to service the public and not engage in any politics. He assured the public that this will not be tolerated. He is dissatisfied with the posturing which appears to be occurring. Mayor Brenton stated that Trustee Daniels should sit down with Trustee Kaye to explore all areas and come to a conclusion as to our course of action.

Trustee Sweeney stated that it is his belief that the subject of pea gravel in the parks is on our working agenda and he was reserving his comments for discussion among the Board members since this portion of the agenda is intended primarily as a time for the citizens to voice their own opinions. Not hearing their interest in this at this time, he wasn't going to make an issue of it, but would like to discuss this further, later this evening.

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Trustee Kaye stated that there are several items to discuss on this subject. Being a liaison to the Parks Committee, there was a variety of questions to ask about pea gravel or surfaces to go underneath the equipment. The original recommendation for Big Toy that came from the Trustee that was in charge of the project at the time, Carolyn Schlifke, was for pea gravel. Trustee Kaye can trust thoroughly that she investigated it thoroughly as well as to the surfacing and the safety conditions. In addition to that, we as the Parks Committee, because we are basically all new to this, wanted to explore all the alternatives for surfacing underneath the Big Toy. In that consideration, there is an article distributed earlier and to which Trustee Daniels alluded to in the March issue of Parks and Recreation magazine which talked about surfacing - the kinds of surfacing that answers to your playground surface questions. It talked about replacing surfaces, the pros and cons of it and what should be underneath it. There is a statement in there about the pea gravel and the possibility of not using it. Also, looking at the alternatives, there is a Consumer Protection Agency Handbook of Public Playground Safety underplanning new playground surfaces which lists the pros and cons of all the different types of surfacing to go under these kinds of play equipment. It talks about the loose organic material, bark chips, the outdoor mats, the pea gravel, sand and shredded tires. It also talks about other types of surfacing such as asphalt and concrete. There are pros and cons to each of these particular items. We did meet with the residents to try to find out as a community, what they were looking for, as a Parks Committee what would be the best recommendation. There was a question of cost since the Board had not budgeted money for the underneath surface to accommodate a \$11,000.00 (~~appropriation for~~) rubber matting. Also, looking at the rubber matting that has been installed at Clearfield in the past year, there are serious problems with it, holding up ability and it's esthetic qualities as well. There's also as in Consumer Protection Agency some questions about fire to the circumset area. In looking at sand, the questions came from the residents concerning the possible transmission of toxoplasmosis in the sand. In terms of bark chips and wood chips, there was a concern from the existing resident regarding the possibility of not only organisms but small animals that may live and harbor in there. All three surfaces, pea gravel, sand and wood chips have the possibility of having something hidden in there. Also in looking at pea gravel, Jeff Olson Inc., who we purchased Big Toy from was asked for his recommendation since they install hundreds of play units across the country. His recommendation was pea gravel since the majority of the places across the upper New York State and surrounding area are continuing to use pea gravel quite successfully. Some are using sand but moving away from it and there are some places testing wood chips.

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Bark chips have not worked well but resilient wood chips have worked well and that is a possibility someone is testing. The results are not in on those yet. Communities that have budgeted funds are using rubber matting and some only in combination with other materials. In asking about the compaction problem that we heard about at South Forest, they had shared with us the concern that this compaction problem probably happened because of being one of the first in the area. They had not received washed pea gravel. The compaction problem was not significant, nor did the principal at South Forest feel that the compaction problem had been significant. They wanted to go ahead now that they had additional money in their budget for funding to add the rubber matting. Trustee Kaye went over point of impact as described earlier. We have said in the Parks Committee, it is always a possibility that we may look at that as an alternative as well as in addition to what we have. Continuing on the same note, we not only talked to the Principal at South Forest in terms of why they changed pea gravel, how they found any change in incident of accidents which they feel has not been a significant portion of accidents. The only accidents which they have had within the Big Toy at South Forest according to the Nurse and Principal are scrapes received from people slipping and falling and splinters. They have not had any broken bones from any falls onto the pea gravel. We continued on to Heritage Heights and spoke to the Principal and the Coordinator of that project to find out why they chose pea gravel to put under their facility. Their investigation showed that it was preferred. Heritage Heights also has one of the only two handicapped accessible play units within New York State. Under the handicapped accessible they put rubber matting over that portion of it and pea gravel under the rest of it with an additional ramp they are planning to add. In talking to everyone coordinating the handicapped project for them, they felt there was no concern or little concern about accessibility of wheelchairs into the pea gravel, if those people who were handicapped chose to go into that play facility. The play facility that is for the handicapped is for people with primarily upper body immobility. Also, at Saint Gregory the Great, they chose to put pea gravel into their play unit as well. In barring all the considerations and choices, the choice was made to go pea gravel. It was not brought to my attention as a Liaison by Trustee Daniels who noticed this safety consideration that we did have a solidification problem with that at the original time. Trustee Daniels brought it to the attention of David Laubisch on August 8th at 3:40 P.M. On August 9th at 7:30 A.M. the Department of Public Works was out there and breaking up pea gravel. Trustee Kaye spoke again to Jeff Olson about this problem and asked him for his recommendation and what might be the cause of it. There are possibly 2 causes.

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He felt relatively safe ruling out the first one and the second one he felt we had not received the part of the order which was washed pea gravel. The other possibility is that someone had maliciously dumped a chemical substance in there to solidify the pea gravel. The DPW did go over and break it up. Jeff Olson's first thought was that we probably had not gotten fully washed pea gravel. We would know that if the solidification was only a matter of a few inches down it could be broken through with a crow bar. As you are well aware, that is not the case and we had to go in, with the backhoe and break it up in it's entirety. We have continued our correspondence with him. They feel strongly that we received pea gravel that was not washed thoroughly. As you know the pea gravel that is under the play unit at Garrison Park and many other areas such as the swing set, was purchased by another vendor who is still in operation and we have not had that solidification. We have been monitoring this situation as well. Municipalities will be mandated to provide safety surfaces by 1991 and around other pieces of play equipment so they meet specific G-Force ratings. There are great questions in the community of playground and surfacing experts as to how the test was conducted for the article that was in March, 1989 playground recreation. It talked about the pea gravel situation. We have been mandated by the state to put in those safety surfaces underneath our playground equipment. Trustee Kaye and the Parks Committee feel very strongly that we shouldn't wait until that time, we should start now and do as much as we can to improve the safety conditions in our parks. That's why when we had volunteers such as the Scout group, that we went ahead and took it and said yes, let's add to the safety of that playground equipment. We just did a similar piece of equipment in Island Park and put it around the monkey bars. We will be putting that same kind of material with an underneath surface which we actually are testing the wood chips to see how those hold up and under what kind of conditions they work well in that piece of play equipment which is near the rest room. So we are moving forward in that attempt. If there is anything else, Trustee Kaye would certainly appreciate the information as being a Liaison so we would not have to wait long to have this rectified.

Trustee Daniels thanked Trustee Kaye for all the information but questioned if this will change of pea gravel problem in Garrison Park? Trustee Kaye stated no, we need to rectify this situation.

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Mayor Brenton stated that if the child concern is followed through consistently that we should have a committee from Village residents or Trustees go out in the town park and determine what might be an unsafe area. He is deeply concerned about these problems and feels the Board should get together to discuss them soon. When children are brought to this play equipment, there is always some personal risk to their own personal, physical well being. Although these can be attempted to be controlled, these things will always be with us. Mayor Brenton does not feel that this particular piece of equipment needs to be cordoned off and in the absence of any specific strong feeling on that subject from the Attorney, he would prefer to the Superintendent of Public Works go in there and break it up. Mayor Brenton concluded that we did receive pea gravel that was unwashed, or perhaps there was sabotage done to it at that location. He feels it would be a good idea to take a piece of that compacted material and have it analyzed at the laboratory. That would not have to be budgeted or funded because it does deal with perhaps vandalism of a nature that must certainly be controlled.

Maryann Avery, 64 Garrison Road, stated that she did not look at the pea gravel with Trustee Daniels. She looked at it at 7:00 A.M. this morning by herself and she did not think it looked bad. She kicked some of it back in. She was standing about 8" at the bottom of the big slide which is the fast one, which she feels is the dangerous slide. She would like to suggest that while we still have a Park Attendant, that every day in the beginning and probably the end of the day, rake the gravel from the center of the Big Toy. It is very thick and very high and it builds up there. He should rake it in front of the two slides and under the swing bars. After that, the Youth Committee and the Parks Committee should take turns checking it every couple of days. If someone stirs it up every couple of days, it's not going to solidify. If the flushing doesn't work the pea gravel should be replaced. She would like to point out that Big Toy sells their units all over the United States. New York State knows what they are doing because we were forced to have this kind of equipment. We could not have the old kind of equipment. The state knew that there was going to be pea gravel under it. If it's not safe, it's the state's fault. It is not the fault of Peggy Santillo or Trustee Kaye or anybody else on this Board. If the insurance people feel that it is very dangerous, then they should say straight out, don't buy this equipment. This is a little village and everybody in the town uses our parks because we are the only ones that have all this play equipment besides the schools. The town does not feel that need to put up play equipment and they don't. They neglect their parks. They mow the lawn and that's all. They have extremely old play equipment. Nobody says anything about it yet there is alot being said about the play equipment at Garrison Park.

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She does not like pea gravel or the Big Toy, but it's there. The kids enjoy it, the mothers like it.

Mayor Brenton recommended washing the pea gravel and a good flushing due to limited rainfall. He also recommended that if action were to be taken, that gravel be removed and wood chips be placed in those sensitive areas where someone might fall.

Harmon Wipple, 51 Garden Parkway, stated that as a member of the Parks Committee brought out at one meeting, the rubber mats are not the end of everything. They have had problems with it because while it will absorb the G-Force, children have broken legs and ankles because they are stopped so suddenly.

Mayor Brenton stated that even with whatever we do to provide for safety concerns, we will always be confronted with the fact that children can be hurt on play equipment.

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 close the meeting at 9:00 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer