

Minutes of the Public Hearing of the Board of Trustees of the Village of
Williamsville held in the Williamsville Village Hall, 5565 Main Street,
Williamsville, New York on Monday, September 11, 1989 at 7:55 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
David Laubisch, Supt. of Public Works

The Clerk read the notice of public hearing being held for the purpose of hearing all persons interested in a proposed local law which would repeal Section 9.10-9.60 of the Building Code as it applies to Demolition of Buildings and add a new Section 9.00 entitled Demolition of Buildings-Blasting to the Village Code.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved to open the public hearing at 7:55 P.M.

Unanimously carried.

Trustee Sweeney stated there will be no vote by the Village Board on the proposed change in the local law this evening but expects that two meetings from this evening there will be a resolution on this local law. Section 9.00 of the local laws of the Village of Williamsville concerning demolition of buildings and blasting currently exist as local laws in the Village. They are being reworded; streamlined and in part reorganized. The change in the local laws that are proposed deal largely with the fee structure. The set fee for a demolition permit would be eliminated and a flexible fee would be established annually by resolution of the Board of Trustees. Most of the other provisions continue from the previous law. Blasting is a special permit that is required and is obtained from the Mayor rather than the Board of Trustees. There is a decreased amount of criteria provided in the proposed revision of the local law in terms of the standards to be applied to a blasting permit. This does not prevent the Mayor, in his review, from obtaining whatever agreements are believed necessary in terms of the magnitude or the duration of blasting to be proposed.

There was no comment from the public regarding the proposed changes of the local law concerning demolition of buildings-blasting.

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Trustee Sweeney stated the hearing record will remain open on the proposed local law for 10 days. If anyone would like to comment in writing to the Village Clerk, himself, or the Building Department, those comments will be made available to the Board of Trustees before action is taken on this proposed change.

Trustee Kaye stated that in Section B, Blasting, she was hoping that the code would be expanded to add who would be allowed to conduct the blasting, the hours of operation, storage of explosives and pre-blast survey information. She would like to see those items as part of the local law so the Village has criterias for blasting.

Mayor Brenton stated that at certain times some blasting may be necessary for some limited types of sewer lines. His concern is requiring surveys since many of the jobs are very small and of limited nature. What Trustee Kaye is referring to is a housing development or something of that nature. A limited amount of blasting should not require any type of pre-blasting survey.

Trustee Kaye questioned the size of the charge that Mayor Brenton would not require the pre-blast surveys.

Mayor Brenton stated that if you are going to install utilities, the blasting is going to be very extensive for a whole street, whereas some homes presently do not have accessibility to a sanitary sewer system, but do use a septic system. As the septic systems fail, it might become necessary for these homes to have sanitary sewer lines installed from the sewer main up to the residence. In order to do so, some limited amount of blasting may have to be completed. Mayor Brenton doesn't think pre-blasting surveys should be required under those situations.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved to closed the public hearing at 8:06 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer

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The clerk read the notice of public hearing being held for the purpose of
all persons interested in a proposed local law which would repeal Section
63.10-63.80 of the Building Code as it applies to unsafe and unfinished
buildings and add new Section 63.01 to 63.07 entitled Unsafe and Unfinished
Buildings to the Village Code.

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

Unanimously carried.

Trustee Sweeney stated that the text of the proposed code has been
available in the Village office since the last meeting. Anyone who has not
been able to acquire a copy of the code and who would like to make written
comments to the Village Board, the Building Department, or himself
individually, can do so within the next 10 days following the close of the
hearing. Those comments will be considered by the Village Board before
action is taken on the proposed code.

Trustee Sweeney's proposed schedule for this code adoption would be to
summarize any comments that are made as part of the public hearing and any
comments that are made by Village Committees, for the consideration of the
Village Board at the next Board work session. There will be no vote on the
code this evening. The soonest a vote would take place would be the third
public meeting from tonight which would be the beginning of November.

Trustee Sweeney stated that the unsafe and unfinished building code is an
existing local law which is being reworded. Most of the requirements are
being carried forward from the existing Village Code of Unsafe Building. A
major addition or change to the code is to insert a section concerning
unfinished buildings.

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This provides that if within two years following the issuance of a building permit, the Building Department is not notified of the completion of the work and a certificate to occupy is not issued by the Building Department, then that unfinished work would be subject to review by the Building Department and the Village Board with possibilities of the Village Board requiring completion of the work as originally provided for in the Building permit and/or further action to make the finished action safe.

There was no comment from the public regarding the proposed local law amending the Village law concerning unsafe and unfinished buildings.

Trustee Kaye stated that adding a section about unfinished buildings is beneficial to the Village Community. We will have more control over unsafe buildings that are out there.

Trustee Daniels questioned if he was putting on a family room onto his house and he had a permit and does not have a final inspection within 2 years, would that have to be re-inspected to make sure it is a safe structure?

Trustee Sweeney stated it is an interesting question which he is not certain of. Basically, the trigger would be the issuance of a certificate to occupy which would not occur for a private residence that is already existing and occupied. At the same time, if 2 years have passed and we are not notified of completion of that work authorized by the building permit, that would provide opportunity to the Building Inspector, the Village Code Enforcement Officer to refer the situation to the Village Board. Trustee Sweeney stated he is uncertain what would happen in a single family residence.

Trustee Daniels stated that there is a person in the Village who has had problems with their construction, which is quite a major undertaking in their home. He knows that residents have complained over a several year period regarding his inability to complete this project. This will enable us to put some pressure on that person to require him to complete that project.

Trustee Sweeney stated that Trustee Daniels is confirming the basic intent which is to hasten the work along to insure the hazards to health and safety are eliminated and provide for timely completion, construction or renovation of a project. When we get into enforcement provision then it's a case of the Board's discretion and the severity of the public nature of the hazard and or the safety condition of the building. Trustee Sweeney cannot give a simple answer in the case of a single family home that's existing.

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Cliff Horey, 106 Highland Drive, questioned how does a person get a permit
for an unsafe building? He's got to have a building permit and finish it
within 2 years. Who says it's an unsafe building?

Trustee Sweeney stated that's a determination made by the Village Board.
There is a provision for the recommendation by the Code Enforcement or
Building Inspector and in many cases that is how such an unsafe condition
would come to the Village Board for action. It would be a recommendation
by the Code Enforcement Officer and Building Inspector. There is a
provision in this amendment for the Code Enforcement Officials to make an
inspection, produce a report and make a recommendation to the Village
Board. The Village Board in many cases would be acting upon the
recommendation of it's Building Department and Code Enforcement Officials.

ON MOTION by Trustee Sweeney, seconded by Trustee Kaye it moved to close
the public hearing at 7:54 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of
Williamsville held in the Williamsville Village Hall, 5565 Main Street,
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Present: Lawrence R. Brenton, Mayor
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Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Clerk/Treasurer
David Laubisch, Supt. of Public Works

The Clerk read the notice of public hearing being held for the purpose of hearing all persons interested in a proposed local law which would amend Section 60.32 (26.B) of the Traffic Code and eliminate parking on the north side of Park Drive between Garrison Road and South Ellicott Street.

ON MOTION by Trustee Bindert, seconded by Trustee Sweeney, it was moved to open the public hearing at 8:07 P.M.

Unanimously carried.

Trustee Bindert stated that last year a similar proposal was discussed in a public hearing and no action was taken on it by the Village Board. The Traffic and Safety Committee is still concerned about the parking situation in the area. Several members of the committee are here in attendance tonight and he hopes they will express their concerns. About 3 or 4 months ago the Parks Committee did send a letter to the Traffic and Safety Committee expressing several concerns. One was to eliminate parking on one side of Park Drive between Garrison and South Ellicott Street. There was also a letter sent from the Fire Department stating that they were unable to have a fire truck go down Park Drive between South Ellicott and Garrison Road because of the cars obstructing the way with parking on both sides. Dick Hill, 18 Brookside Drive, questioned if parking would be removed on the North side of Park Drive.

Trustee Bindert stated it would.

Carolyn Schlifke, 192 Evans Street, stated that she held the last public hearing on this issue and at that time, being liaison to the Traffic and Safety Committee, the recommendation was to remove the parking from the park side, the south side. At that hearing Mr. Miller, a property owner of Park Drive, did speak out against the proposal because he felt it would be pushing more cars over to the North side of Park Drive which is where he owns his property.

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Ms. Schlifke stated she has no personal feelings about North or South, she just wants to make it clear that at the last public hearing, discussion was made to remove the parking from the park side which is the south side and that it was brought to the Traffic and Safety Committee by the Parks Committee. When people park on the park side of the street, they dig up grass. There is a low spot and the water lays there and it becomes muddy. At that time it was suggested to remove it from the Park side and move it to the north side. After the only property owner on that street came forth and spoke out against it, the Board never voted on it.

Cliff Horey, 106 Highland, stated that he is a member of the Traffic and Safety Committee and the reason that it was suggested that people park on the park side is that only one space is lost where there is a fire hydrant.

On the north side of Park Drive there is a triple driveway and 2 garages for a loss of 5 car spaces. With parking on the north side, the kids will get out of the car and run out in between the cars across the street. That's where they get hit. He suggests parking on the park side rather than have a child get hit by running out between cars from the north side of the street. You also gain 4 parking spaces.

Dick Hill, 18 Brookside Drive, stated he agrees with Mr. Horey and suggested the Village could put a sign up saying keep off the park lawn.

Steve Baruffi, 136 Park Drive, a member of the Parks Committee, thinks the proposal for parking on one side is a good one. From what he has heard, parking on the south side makes good sense to him. Where he lives on Park Drive between S. Ellicott and Oakgrove, going west, there is currently parking on both sides of the street. It seems to him that the width of that section of the street that he lives on is about the same width as from South Ellicott to Garrison. Mr. Baruffi is concerned that when parking is eliminated on one side of Park from South Ellicott to Garrison, there is going to be further congestion on that part of the street that he lives on.

He also has a concern about difficulty in getting out of his driveway and about the fire trucks when there are cars parked on both sides of the street. He would like to ask that the Board consider removing parking from one side of Park all the way to Oakgrove. If someone is concerned about what side the parking will be on, possibly a solution could be alternate parking on certain days.

Trustee Bindert stated it would be appropriate for Mr. Baruffi to petition his neighbors on that street to get their feelings on the proposal and then present it to the Board who would turn it over to the Traffic and Safety Committee. One of the problems is that when you start to eliminate parking, you are pushing it somewhere else. However, Trustee Bindert does appreciate Mr. Baruffi's comments and stated the Traffic and Safety Committee can look at that section of Park Drive also.

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Cliff Horey, 106 Highland Drive, questioned if there is no parking on the north side of Park Drive from Garrison to Main? Trustee Bindert stated he thinks there is.

Mary Lowther, 122 Chalmers, stated she commented at the last public hearing regarding the fact that there should be parking on only one side of the street because of the fire truck hazard. The problem is that once it rains for probably 7 or 8 months out of the year, you can't park on the major portion of the southern side of Park Drive because it's solid mud and it's under water. She feels if 50% of the parking is going to be taken away on Park Drive, it's more or less incumbent on the Village Board to do something about improving it, whether they put in gravel or extend the shoulder. There are going to be people who park out in the middle of the street because they don't want their kids to get their feet wet or they will be parking on Garrison and the kids will be getting out on Garrison Road which is certainly not a preferable alternative. Ms. Lowther would like to see some improvement along the edge of the park. She drove by it today and it's all gouged and dug out.

Al Naish, 126 Park Drive, stated he had a suggestion of putting in concrete curbing, filling it in with topsoil and dressing the park up a little bit. He sees no difference between the width of Park Drive between Garrison and South Ellicott as between South Ellicott and Oakgrove. With the increased traffic that has been there this summer, cars will be taken off the one side and shoved between Oakgrove and South Ellicott. The problem is being moved up one block. He feels this problem should be considered carefully. If the Traffic and Safety has already considered the safety of moving vehicles to one side of the street, why doesn't that carry on across the street where it is exactly the same?

Trustee Bindert stated the reason is that he didn't request Traffic and Safety to look at that portion of the street. He only made a simple request for elimination between Garrison and South Ellicott. Trustee Bindert stated that Mr. Naish is right and he is sure that the Traffic and Safety Committee will look at the situation between S. Ellicott and Oakgrove.

Mr. Naish stated he doesn't think a petition will be truly advantageous. He did call a few neighbors and they did say they would like to park on their side of the street. In further discussion with them, there is the ultimate problem of safety, such as a fire in one of the houses. Mr. Naish stated they have the same problem on Sunday mornings with double parking because of the Methodist church. Although this is only for one hour, there is a possibility of a danger here.

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Trustee Sweeney stated that this is a public hearing with a proposal to remove parking on the side of the park facing or joining the park itself. He is in favor of that restriction. It is part of the reason the Board did not have action on the previous public hearing. There was not a consensus on the proposed action. His preference is still to protect the park at some length by having parking on the opposite side. However, in this case, his own preference has to yield to the fact that there is a safety problem.

He thinks there are a number of streets that are as narrow as Park Drive. While there are problems at times with parking on both sides, he doesn't think the problem further west of Ellicott Street is, at present, such that we need to restrict parking to one side for the entire length between Ellicott and Oakgrove. Trustee Sweeney feels the issue that is raised is real and the Traffic and Safety will have to monitor the situation.

Mr. Naish questioned if there were a fire on his street and the fire truck can't get down it, what happens?

Mayor Brenton stated that the Fire Chief requested the Traffic and Safety Committee to remove parking from that section of Park Drive between South Ellicott and Garrison. Mayor Brenton is sure that if the Fire Chief had any other concerns, he would address those concerns to the Traffic and Safety Committee as he did. The Traffic and Safety Committee obviously has only one property owner to deal with on Park Drive so we don't have the impact of what side the parking is going to be removed. Normally, when parking is to be removed, the Traffic and Safety Committee will poll each and every household to determine whether or not those households are in favor of removing parking from one side of the street. Upon receiving that information they will make their recommendations to us. This is a simple procedure and these steps are not just something that occur. There is a definite plan with reason.

Trustee Bindert stated that the only request made to the Fire Chief was to check to see if the Fire Truck would go down Park Drive between Garrison and South Ellicott.

Trustee Daniels stated that therefore it was not determined by this inspection whether it is the same problem between South Ellicott and Oakgrove. He does not see how that could possibly not be a problem since the widths of the streets are pretty identical. In fact, you could pull farther over into the park area than you can in the residential area that's the next block over. He is not sure if polling the residents is necessary.

It's a question of protecting the residents so that fire trucks can get through there. It is also impossible for 2 cars going in the opposite direction to pass each other when there is parking on both sides of that street. One car has to go in reverse and back up all the way up to Oakgrove in order to let the other car go by.

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Trustee Daniels also feels the park needs border treatment. He realizes that curbing is very expensive but he doesn't like to see things done that have to be undone later and doesn't think that is a wise way to spend taxpayer dollars. If only some curbing is put up at a time, it will be done right and be far superior to all the half measures that have been done to save money. With other projects the Board is willing to go over the budget if it's an obvious improvement such as the Main Street area which is a considerable amount of money. There is no reason why the same thing can't be done around the park to make that also as beautiful. He thinks curbing is an answer here.

Mayor Brenton stated that Trustee Daniels can apply through the state of New York for a grant for that particular type of remedial work. He would also like to remind Trustee Daniels that many residents of the community frown on curbs. If he does want some type of remediation done in that particular area similar to the Main Street Rehabilitation project he can apply for a grant. This has been done over the years where storm sewers have been installed through New York State input, none from the Village. Mayor Brenton has written many grants and former Trustee Schlifke has also been able to obtain grant money and feels Trustee Daniels should consider those suggestions in order to obtain grants.

Trustee Daniels stated he would like to pursue some grants and he is sure Mayor Brenton would be more than willing to help him with his experience.

Mayor Brenton stated he is always willing to help anyone.

Trustee Kaye stated that at the last Parks Committee meeting it was brought up that if this local law is approved, the parking would be on the park side. The Parks Committee would investigate some method of border treatments so we don't further erode into the park and have a muddy situation.

ON MOTION by Trustee Bindert, seconded by Trustee Kaye, it was moved to close the public hearing at 8:30 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of
Williamsville held in the Williamsville Village Hall, 5565 Main Street,
Williamsville, New York on Monday, September 11, 1989 at 7:42 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
David Laubisch, Supt. of Public Works

Mayor Brenton called the meeting to order with the Pledge of Allegiance at
7:42 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Daniels, the minutes of the
regular meeting of the Board of Trustees held August 28, 1989 were
approved.

Unanimously carried.

ON MOTION by Trustee Sweeney, seconded by Trustee Kaye, it was moved at
7:45 P.M. to open a public hearing on a proposed local law which will
repeal Section 63.10 - 63.80 of the Building Code as it applies to unsafe
and unfinished buildings and add a new Section 63.01 to 63.07 entitled
Unsafe and Unfinished Buildings to the Village Code. (The public hearing
was closed at 7:54 P.M.)

Unanimously carried.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved at
7:55 P.M. to open a public hearing on a proposed local law which will
repeal Section 9.10 - 9.60 of the Building Code as it applies to demolition
of buildings and add a new Section 9.00 entitled Demolition of Buildings -
Blasting to the Village Code. (The public hearing was closed at 8:06 P.M.)

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Sweeney, it was moved at
8:07 P.M. to open a public hearing on a proposed local law which will amend
Section 60.32 of the Traffic code and eliminate parking on the north side
of Park Drive between Garrison Road and South Ellicott Street. (The public
hearing was closed at 8:30 P.M.)

Unanimously carried.

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Mayor Brenton reported he has written a letter to Supervisor Sharpe of the Town of Amherst requesting that he be contacted when expenditures of money for storm line improvements are considered because he is liaison to that particular area in the community.

Adelphia Cable Communications indicates that the rate for some of their services will be increased as of November 1, 1989. The basic monthly service which includes 13 programming services goes up \$2.50 a month. Your cable plus service will now be included as part of basic services. Subscribers presently receiving basic cable and cable plus will enjoy the decrease in their monthly bill of \$2.75 a month. The various charges will be available for review in the Village office.

In last week's Amherst Bee there was a letter that indicated concern over the treatment of Village parks, in particular Garrison Park, in regard to the Big Toy. Allegations were also contained in that letter by Councilman Kindel of the Town of Amherst. Mayor Brenton stated he feels it necessary to reply to that letter in order to shed proper light on the subject so that the proper perspective is given on the situation.

Mayor Brenton also stated he received a draft of Great Lakes Management Agenda and Governor Cuomo's address to the state. This will be a program to establish a plan for the Great Lakes Basin for the next 25 years which Mayor Brenton thinks is very worthwhile. Their first meeting will be held in this area in the Wick Social room in the Wick Center at Daemen College on September 26, 1989 at 7:00 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, vouchers in the amount of \$89,478.27 covering 8/28/89 - 9/11/89 were approved.

payroll fund w/e 8/30/89	\$	15,484.04
subtotal		15,484.04
General Fund #		20,193.80
Sewer & Water Fund #		4,594.96
Trust & Agency Fund #		5,022.56
Glen Park Joint Activities Fund #		3,201.73
Capital Fund #		40,981.18
Grand Total		89,478.27
Large Vouchers: Niagara Mohawk		5,894.70
Great Lakes Landscaping		39,938.00
Frontier Special Services		1,957.00

Unanimously carried.

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Mayor Brenton stated that his second resolution deals with the Sidewalk Rehabilitation project and a particular portion of it which lies in front of 5500 Main Street. In that area there are unsafe sidewalk slabs between the curb and the front property border. Due to the fact that the property owner did not participate in the Sidewalk Main Street Rehabilitation program, we are going to have these unsafe slabs repaired. It is necessary and appropriate to have a resolution to that effect. These areas have been inspected by the Village Building Inspector. He has prepared a schematic drawing whereby each slab is properly identified. A copy of this schematic drawing will be sent to property owners so they can easily identify those areas which need to be replaced. The Village has a local law which pertains to this area and does provide for the method of replacement. It also provides that the Village replace the unsatisfactory and unsafe sidewalk should the owner not complete it in the prescribed time frame.

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

RESOLVED THAT pursuant to Section 50.12 of the Village Sidewalk Code--Unsafe Sidewalks, (Repairs), the Village Board hereby determines that specific concrete slabs forming part of the public sidewalk in front of premises 5500 Main Street are hereby declared unsafe based upon the report of prior inspection of same by the Village Building Inspector and the Superintendent of Public Works, and those sections as designated in the report must be replaced at owner's expense.

Trustee Sweeney questioned some of the slabs shown on the drawing Mayor Brenton referred to. There is a triple section of sidewalk slabs. It is his understanding that the public sidewalk is generally only regarded as a single 4' slab section. He would like clarification as to whether there is any obligation on the part of the Village to participate in improvements that are not part of the public sidewalk.

Mayor Brenton stated there is no obligation on the part of the Village to participate in any improvements such as this. In this particular case, the Village Board has the right to participate in any manner that they want. At this stage of the game he doesn't think it has yet been decided. However, any area between the curb and the property line that is treated with concrete is therefore within the public right of way because that is a sidewalk. There is no way one can construe concrete slabs that are adjacent with each other as anything other than a sidewalk. From the curb to the property line is indeed sidewalk.

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Elroy Avery, 75 Rinewalt Street, questioned the property listing as just
5500 Main Street? How about saying 5500 Main Street is from 5200 - 5400?

Mayor Brenton stated that the establishment is known as 5500 Main Street
which is all inclusive of that piece of property. That is based on the tax
roll listing.

Unanimously carried.

Trustee Kaye reported that the restoration of the Lehigh Valley Railroad
Station on South Long has begun by the Railroad Historical Society. They
are planning to have an Open House for the public on Saturday, September 23
and Sunday, September 24 so the community can view it in it's "before"
stages. In speaking to Tom Stackhouse, president of that association, he
stated the plans are to scrape the front and park side of that building
and paint it this year before winter sets in. She is quite pleased to see
the beautification of that area.

Trustee Kaye stated we will also be working in the next week or two on
reseeding Island Park and Garrison Park to restore the grass in the hope of
giving it a healthy start before next season sets in.

Trustee Kaye also stated that the inferior pea gravel that we received for
under the Big Toy unit has been removed and we now have new surfacing
underneath. Trustee Kaye would like to thank the Department of Public
Works for moving it so quickly and in a short period of time so there was
very little inconvenience to the public.

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

RESOLVED THAT the Rules and Regulations are hereby approved for
the use of the Village Meeting House, and

FURTHER RESOLVED THAT the Use Permit which outlines use fees is
also approved effective immediately.

Trustee Sweeney stated he would like to see a procedure wherein the fees
for Village sanctioned groups would be waived. What he has in mind is the
possibility of the Environmental Committee, the Planning Committee, and the
Senior Citizens Committee using that public building without the need of
some type of cash transfer from a sanctioned Village Committee to a Village
Management Group and alot of paperwork. He also would like to see the
possibility of citizen use of that public facility with a waiver of all
fees. This is something he asks for in future consideration.

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Trustee Kaye stated that the \$15.00 ~~fee set by the Historical Society which is the~~
management group ~~covers most of the groups that Trustee Sweeney~~
has mentioned. Basically the \$15.00 is a custodial fee only that they
would pay someone to open and close the building and make sure that
everything was in order. We will try to make sure there is opportunity for
the community's use. A clause can be included that says change in fee
structure is possible without notice.

Trustee Daniels stated that he would agree with Trustee Sweeney that if a
Volunteer Committee which is an arm of the government is involved, there
will be no need for a custodian since the Trustee liaison will be present.

Trustee Kaye stated that Gartley Weller had expressed that if it were a
Trustee opening or closing the building, there's a possibility that we
could waive the fees, but his great concern is that we don't pass out alot
of keys to the building, which she agrees with whole heartily.

Mayor Brenton stated the keys should remain in the Village Hall. Any key
for public use should be maintained in the Village Hall and returned when
it has been used.

Unanimously carried.

Trustee Kaye stated this following resolution deals with the Williamsville
Exercise Trail, sometimes referred to as Conrail, or the bike path on the
section of land between South Long and Cayuga. This resolution deals with
awarding the bids so that the final creation of the park can take place.
All the landscaping can be done this fall so that we can have it ready to
open for use for the public. Trustee Kaye explained that there are 3 items
in the resolution. There is a base bid which covers work that is done
under provisions of the grant which was received by the Village from New
York state. There are also 2 alternate bids. We are accepting portions of
these bids. ~~The specs were written~~ so that we could pick and choose
what would fit and work the best. We picked certain items in alternate,
one and two which would reduce the cost, save money and would complete the
park and make it very appealing to all of us who would use it. The first
alternative deals with the exercise area and the installation of the 9
stations and the landscaping around and surfacing underneath those
stations. Alternative #2 deals with slope clearing primarily in the area
near Wellington Court. That area requires cleaning out of the shrubs and
vines and alot of the debris and doing planting of the ground covers. This
would keep it under control and there would be a flowering ground cover
that would be very pretty during the year. The base bid includes planting
of all the trees and shrubs, benches, trash receptacles, bike racks, a few
floral areas and planting of grass seed and any clearing and grubbing that
needs to take place.

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

WHEREAS the Village of Williamsville has advertised for sealed
bids for Landscaping of the Williamsville Exercise Trail between
South Long Street and South Cayuga Road, and

WHEREAS Great Lakes Landscaping, Inc., of Amherst, New York,
submitted their bid meeting all specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for Landscaping
of the Williamsville Exercise Trail between South Long Street and
South Cayuga Road be awarded to Great Lakes Landscaping, Inc., as
follows:

Base bid (entire base bid)		\$ 40,555.50
Alternate #1 - Exercise Area	\$	
Bid Item #1		2,325.00
Bid Item #2		3,500.00
Bid Item #3		1,100.00
Bid Item #4		6,101.00
Bid Item #5		192.00
Bid Item #5a		192.00
Bid Item #6		<u>1,749.00</u>
Total Alternate #1		15,159.00
Alternate #2 - Slope Clearing & Planting		
Bid Item #1	\$	1,500.00
Bid Item #2		500.00
Bid Item #3		15,000.00
Total Alternate #2		17,000.00
TOTAL CONTRACT	\$	<u>72,714.50</u>

Mayor Brenton stated as a reminder we do have New York State paying for a
good portion of this expenditure of \$80,000.00. A good portion of this
project is covered from some of that grant.

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Trustee Bindert stated that all the Board except the Mayor toured the park
several weeks ago to see what the base bid entailed and also the 2
different alternate bids, and including the different plantings and where
the benches were going to be placed. Basically he is in favor of getting
the project rolling. We have been in the planning stages for about 2 1/2
years now. The price is a little higher than he thought it was going to
be, we have an \$80,000.00 grant and a portion of the land was sold earlier.

We are still a little ahead of the game.

Trustee Kaye stated that it is very exciting that the landscapers will
start in a few weeks and will take just 2 weeks to complete the project.
She would like to thank Carolyn Schlifke who was so instrumental in getting
the grant and working so hard in making this happen.

Unanimously carried.

Trustee Sweeney stated that as a member of the Village Code Review
Committee, he has a resolution concerning the sections of the Village Code
dealing with zoning, which calls for a public hearing in November. The
zoning code of the Village is a planning document which helps to shape the
character of the community. He considers his efforts and those of the
committee and the Board of Trustees in adopting and rewording the existing
zoning ordinance a significant achievement, a significant opportunity for
public input into the basic organization and the future direction of
development of the Village. The zoning code itself is a 60 page document.
He would like to make a special note that if anyone in the audience wants
to obtain a copy to please write and advise the Building Department or
leave word this evening with the Village Clerk. We will make the full
document available to the public at minimal cost and/or have copies of the
document available for review in the Village Hall. If there seems to be a
significant public interest we will make copies available at the
Williamsville Public Library.

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 November 13, 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 will repeal
the current Village Zoning Code Section 70.00 through Section
70.610 and will adopt a new Chapter 70.00 Zoning Code.

Unanimously carried.

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Trustee Bindert reported on the Spring Street situation where a sum of money was appropriated in last March's budget for moving the guard rail and installing diagonal parking. This was proposed by the Williamsville Businessmen's Association. At the time, Trustee Bindert and other members of the Board felt it was a well thought out plan to put in more parking in an area that desperately needed it. However, further checking by Dave Laubisch, our Department of Public Works head, revealed this is not the case. Cars require 19' for diagonal parking. The street is approximately 30' wide. Adding 5' to that when the guard rail is moved gives 35'. You have to allow 19' for the car to back out. This results in the loss of parking on the other side of the street. Therefore, you are in a no-win situation and no parking would be gained. You would undoubtedly have to go to one-way traffic and even then you would have a bad situation. After discussion with the other Board members, it was decided not to pursue this project.

Trustee Bindert stated his resolution deals with a blanket agreement between the Village and the Town of Cheektowaga for community Block Grant funds.

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

RESOLVED THAT the Village of Williamsville Mayor, Lawrence R. Brenton, is hereby authorized to sign a new three-year Cooperation Agreement for Community Development Block Grant funds between the Town of Cheektowaga and the Village of Williamsville for the 1990, 1991 and 1992 program years.

Unanimously carried.

ON MOTION by Trustee Daniels, seconded by Trustee Bindert, it was moved to suspend the rules for adding a resolution not on the agenda.

Unanimously carried.

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

RESOLVED THAT the Village Board acting as Fire Commissioner for
the Williamsville Fire Department hereby appoints the following
Firemen:

NAME	ADDRESS
Jeffery K. Richter	90 Ellen Drive
Thomas J. Petrie	197 Briarhurst

Unanimously carried.

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

Unanimously carried.

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

Unanimously carried.

Carolyn Schlifke, 192 Evans Street, stated that if there is a problem next
Spring with the floor of the pool in Island Park, it may be due to the fact
that 8 or 10 young people were using it for a skateboard rink. Ms.
Schlifke did not approach these people and does not think the guard was on
duty and does not have any suggestions as to how it could be stopped. She
believes it could cause a problem with the paint being chipped or damage
being done to the surface of the floor of the pool. They also were using
their skateboards on the slides and on the Youth equipment. While she
doesn't know if they would do too much damage there, she imagines the
Village would be involved in a lawsuit if they were hurt.

Ms. Schlifke also stated her concerns about elimination of parking on one
side of Park Drive. She believes it is a good idea and the suggestion by
the Fire Department should be taken seriously. One illegally parked car
can keep a fire truck from going down the street. The same problem exists
right now quite often on Eagle Street between Evans and North Ellicott.
One house was being painted, another having a considerable amount of
construction done to it. Some of the "No Parking" signs on the south side
of Eagle Street are missing. Workmen who are not familiar with the area
come in the area and park where they shouldn't.

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The other day we were lucky to get one car between 2 parked cars on either side of the street on Eagle. The south side is supposed to be signed for "No Parking". Sometimes removing the parking doesn't solve the problem. There was also a "No Parking" sign that laid on the ground for about 2 weeks on Evans Street across from the Blocher Home, which has now disappeared and no sign has been put up. Ms. Schlifke said she would like to see a little closer control of signs in the Village. She does alot of walking and is very familiar with where the signs belong and where they don't belong as she served on Traffic and Safety for many years. She knows the Village signs are catalogued and thinks it is very important that they be kept up and not fall down, disappear and never be replaced. It causes problems for everybody.

Ms. Schlifke questioned Mayor Brenton regarding the 5500 Main Street sidewalk. She wondered why the Village was not coming to an agreement with the owner of that property so that his property could be treated in the same manner as that the rest of Main Street.

Mayor Brenton stated the owner of the property does not want to be involved in the Main Street Rehabilitation program. There will be no brick pavers in that area nor tree grates or benches. Since it would be difficult to remove only certain hazardous slabs of concrete under the Rehabilitation program, it was determined by the Village Attorney that the Code be followed and the owner be advised to repair his sidewalk.

Ms. Schlifke stated that the whole area from the brick wall out to the curb is right of way. What is the jurisdiction of the Village and what is the responsibility of the property owner?

Mayor Brenton stated it is the responsibility of the property owner under our local law.

Ms. Schlifke stated that it is unfortunate that any business owner in the Village of Williamsville is unconcerned with where he has his business and what it looks like. She stated that he owns property in Snyder and the corner of Harlem Road which is a very attractive building which is well maintained. He has never been a good neighbor in the Village of Williamsville. We personally tried to get him to do something about his parking lot because it is a disgrace. If this is allowed on this side of Main Street, you can expect the exact same thing right across the street next year when the Village receives another \$75,000 from the State of New York. It seems very unfortunate that somewhere along the line some compromise could not have been made so that we don't have this eyesore right in the middle of what is supposed to be a beautification program.

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Mayor Brenton stated the property owner was contacted by himself and the
Williamsville Businessmen's Association. A compromise was suggested but
the expenditures were too large for the property owner. Great effort was
expended to get the owner to participate in the program.

Ms. Schlifke stated she is aware of all Mayor Brenton's efforts in that
particular area and it seems very unfortunate that there isn't something
that could be done. Also in conjunction with the Rehabilitation project,
for years the tree areas have had bricks around them and now the bricks
have been removed and piled up around the trees. She did not see the bid
form for this beautification and she is curious as to what kind of
treatment is going to be done around the trees because it is very important
that they be allowed to absorb more moisture than they have in years past.
Ms. Schlifke knows from being liaison to the Beautification Committee and
planting trees on Main Street, that it was one of the biggest problems they
had, because when a tree is completely surrounded by a non-porous substance
as concrete or blacktop, the trees and especially the newer trees do not
get enough moisture. Every year some are lost due to the fact that they
are not watered. She hopes there will be some kind of a porous product
placed around the trees, even if they are covered with grates.

Mayor Brenton stated that the contractor has given us a price to treat the
trees so that they will absorb moisture and also prevent weeds from
growing.

Ms. Schlifke stated she is very happy to see that the Conrail Park is
moving along and that the landscaping will be done. The prices seem a
little higher than what was planned, but she is sure that more work is
being done than had originally been planned. Ms. Schlifke is glad to see
that Trustee Bindert mentioned the fact that a piece of the Conrail
property sold for \$60,000.00 which was almost the bond issue for the
purchase of the whole property. As it turns out, the Village will have a
very nice park for a minimal amount of money and she thinks that is what is
important.

Ms. Schlifke stated that Senator Sheffer's Newsletter deals with important
concerns for our area including solid waste disposal and Ellicott Creek
improvement. The solid waste issue will have a dramatic effect on future
budgets and she suggested the Village keep in close contact with Senator
Sheffer on this subject. Regarding Ellicott Creek, she wondered if any
additional meetings had been held on the Pfohl landfill and the impact on
Ellicott Creek. She thinks Ellicott Creek is important to the Village of
Williamsville.

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Trustee Daniels stated that Michael Hayes, who is an Attorney, contacted
Senator Sheffer's office initially and sent a letter requesting complete
fencing of the area. Several meetings were held with the Department of
Environmental Conservation with the idea of remediating the whole area.

Ms. Schlifke questioned whether there were anymore meetings regarding the
sample testing. She remembers a meeting about it a while ago but has not
heard anything lately.

Trustee Sweeney stated that both Trustee Daniels and himself were involved
in sampling water quality. There has been active participation by the
Village Board. The results have not been made public as yet. He is going
to a meeting tomorrow evening, the Erie Niagara Regional Planning Board,
to go over the June sampling.

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

Unanimously carried.

Mr. Laubisch stated that paving will start this Thursday and the Solid
Waste Board has applied for \$30,000.00 to initiate the recycling program.
There should be a reply in the near future.

ON MOTION by Mayor Brenton, seconded by Trustee Daniels, it was moved to
close the meeting at 9:30 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer