

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 27, 1990 at 7:38 P.M.

Present: Lawrence R. Brenton, Mayor  
Robert V. Bindert, Trustees  
Ronald Daniels  
Yvonne Kaye  
Richard 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 7:38 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, the minutes of the regular meeting of the Board of Trustees held July 23, 1990 were approved.

Unanimously carried.

Mayor Brenton reported that the sidewalk rehabilitation has been completed on Main Street including the installation of the brick pavers in the commercial area on Main Street. Some tree grates must still be installed and that will be completed in a few weeks.

ON MOTION by Mayor Brenton, seconded by Trustee Daniels, vouchers in the amount of \$323,328.54 covering 7/20/90-8/8/90 were approved:

payroll fund w/e 7/28/90	\$	20,155.93
General fund		200,690.57
Water fund		27,595.91
Sewer fund		2,084.18
Trust & Agency fund		5,711.32
Glen Park Joint Activities fund		2,920.04
Capital fund		64,170.59
Community Development fund		<u>-0-</u>
*Grand Total*	\$	<u>323,328.54</u>

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Large Vouchers:

United Insurance Agency	\$	109,240.00
Erie County Water Authority	\$	26,973.58
Great Lakes Landscaping	\$	64,170.59
Mazzini Construction Co.	\$	31,942.47

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, vouchers in the amount of \$522,666.70 covering 8/9/90-8/23/90 were approved:

payroll fund w/e/ 8/11/90	\$	19,326.22
General fund		412,690.69
Water fund		29,678.13
Sewer fund		20.49
Trust & Agency fund		22,067.11
Glen Park Joint Activities fund		472.59
Capital fund		38,411.47
Community Development fund		-0-
*Grand Total*	\$	<u>522,666.70</u>

Large Vouchers:

Erie County Water Authority	\$	27,318.80
Marine Midland Bank	\$	37,362.04
Simon Ladder Towers, Inc	\$	349,690.00

Unanimously carried.

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

RESOLVED THAT Theresa L. Cummins, Village Clerk/Treasurer, is hereby authorized to attend the 35th Annual Fall Training School sponsored by the New York Conference of Mayors in Ellenville, New York, from September 24-28, 1990, and the costs, not to exceed \$550.00 to be paid by the Village of Williamsville.

Unanimously carried.

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Mayor Brenton stated his fourth resolution deals with the final Village presentation to Justice Doyle regarding the request of the Ciminelli Corporation to construct a street onto Evans Road. The Town of Amherst has submitted additional information dealing primarily with traffic studies, etc. that are germane to the issue. It is the advice of our attorneys that these submissions be studied, evaluated and if necessary, rebutted by the firm of Frandina Engineering who were employed by the Village previously in this project.

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

RESOLVED THAT Frandina Engineering, P.C., 3070 Delaware Avenue, Buffalo, New York, is hereby retained to prepare additional information for submission to Justice Doyle regarding their Traffic Study of May 31, 1990, pertaining to Ciminelli Development Company's proposed roadcut into Evans Street, at a cost not to exceed \$1,000.00.

Unanimously carried.

Mayor Brenton stated his fifth resolution calls for a public hearing to deal with Erie County Water Authority's increase in water rates to their customers. Since the Village purchases it's water from that agency we will also have to raise our rates to our customers.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, 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 10, 1990, 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 amend Section 65.40(A) (1) of the Village Water Code pertaining to water rates.

Unanimously carried.

Trustee Kaye reported that she is pleased that the new aerial truck for the fire department has arrived. The old one had been sold to the Village of Albion.

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Trustee Kaye also reported that the pool schedule for Island Park and Garrison Park has been reduced until the end of the season. We had several Pool Attendants depart prior to the end of their commitment, so we are working with a limited number of Pool Attendants, and will keep the pools open as long as possible. We have posted a sign at each pool giving pool hours between now and the pool closing date of Labor Day. A copy of the schedule is also available at Village Hall.

Trustee Kaye reported that "Savor the Flavor" was a tremendous success this year. We raised over \$4,000 to benefit the Village Parks. The Parks Committee, the Youth and Recreation Committee, and the Williamsville Business and Professional Association really deserve a special round of thanks. They're a tremendous group of very committed people who work very hard. The Jolly Boys were also wonderful in lending a hand in erecting a tent for us. It really was wonderful. A special thanks to the Parks Committee for all their hard work and diligence. They did a great job of not only running the Pepsi machine, the Popcorn machine and organizing all the events, but also counted over 35,000 tickets. In addition, all the monies for the Youth Board's activities and events were donated by Village businesses to cover all those expenses, so there were no funds taken out of the Youth Board budget to cover all the pony rides, face painting, the musical groups, the puppet show and clowns. There also has been a tremendous amount of very positive comments received from the community about this being a non-alcoholic event.

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

RESOLVED THAT the Village Clerk advertise for sealed bids for one 1990 Recirculating Air Sweeper for the Department of Public Works. Bids to be opened in the Village Clerk's office, 5565 Main Street on September 18, 1990 at 2:00 P.M., under the terms of the standard bidding resolution.

Mayor Brenton asked whether this vehicle has suction capability.

David Laubisch, Superintendent of Public Works, stated that it does. The vehicle will not only be able to sweep the streets, but it will also be used to clean receivers and suction the leaves from the curbside. Versus our current sweeper, which is strictly a street sweeper, this one will have multi-function capabilities.

Unanimously carried.

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Trustee Kaye referred to a map of Lehigh Memory Trail prepared by the Western New York Railroad Society. They presented information to the Board earlier this evening in terms of some of the things they would like to see happen on the land around Lehigh Memory Trail of the entrance of the Trail. It is up here for your review. It's a very interesting proposal, well thought out. We appreciate your time and energy in preparing it and presenting it this evening.

Trustee Sweeney stated he has no resolution this evening. He reminded the public that the Village Board will be holding a public hearing at our next regularly scheduled meeting, 9/10/90, on an application for an exceptional development permit at 26 W. Spring Street owned by Scipar Corporation. The Village Board has sent out information to various committees within the Village asking that their recommendations in this project be forwarded to the Village Board. At this time the Village Board has received four sets of recommendations.

Trustee Bindert stated he has no report and no resolution this evening.

Trustee Daniels summarized what has been happening with him with his duties being Liaison to various committees. On August 15th he represented the Environmental Committee at a meeting between the Department of Health and Environmental Conservation from the State to discuss the progress which is being made on the Pfohl Brothers Dump. Basically health information was discussed. They are going to initiate a cancer registry study which is more or less a cluster study of the incidences of cancer radiating from that dump site. It will include areas of Cheektowaga and specifically of interest to us, the Village of Williamsville. The cancer registry study entails accessing hospital records which are kept of all incidences of cancer throughout the state as they are reported and the area each person with cancer is from and their type of cancer. From that they hope to find a correlation, or lack of correlation between the Pfohl dump areas of the cancer study. They expect to have this information for this within about 4 months and will then decide on additional tests to be conducted such as dioxin and blood level tests on some of the residents around the area. They are doing a responsible job and trying to get a grasp and solve the whole problem of the Pfohl Dump.

Trustee Daniels stated, regarding the Beautification Committee, he attended a seminar at a nursery in the Springville-Orchard Park area. The nursery owns about 15,000 acres of tree land and an additional amount in Oregon. We hope to be purchasing trees for our replacement program through them, and thereby saving a considerable amount of money on the purchase of the trees by going directly to the grower. The other advantage is that they will be able to offer a greater variety of trees than we ever had before. They, for instance, grow 20 different varieties of Crabapples alone. Some that don't have fruit. Anything and everything in between.

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In Glen Park, we recently purchased a 48" walk behind mower. It is a more efficient way of mowing the lawn there since it frees up 2 employees we have seasonally to take care of more of the other pressing needs as well as cutting the lawn, weeding and trimming the trees, and removal of the dead ones from this area. The mower was purchased off the state bid list which saved us approximately \$1500.

Trustee Daniels stated that for several years the senior citizens have not had a swim program. They used to swim on Wednesday evening at Mill Middle School. This will be reinstated this year.

Trustee Daniels reported that the Performing Arts Committee is on the verge of releasing their schedule of events for the coming season and they are about doubling the number of performances offered. The first event, in October, will be for children, it's Jim Mackey's Marionette Theater, which was very successful last year. A folder of information for the entire year will be presented in a couple weeks.

Superintendent Laubisch reported that the roads that will be paved this year have been milled and Village residents will be informed at least 2 days prior to commencement of paving on those streets so that any inconveniences will be minimized. There will be handout notices given as to the day and time that paving will be commenced. Residents are encouraged to stay away from their street & to park at the nearest corner or location since once paving is started, they won't be able to ride on the fresh asphalt for at least 1 hour until it's been rolled and cooled sufficiently.

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

Unanimously carried.

Joe Kocsis, Trustee for the Western New York Railroad Historic Society, briefly summarized the plan that he earlier presented to the Board. This entails the development around the entrance of the Lehigh Memory Trail where the Lehigh Valley Railroad Depot is currently located on South Long Street. What we envision is restoring the building with all the original windows and with the platform fully restored. The building will become a community center for meetings, the headquarters for our society, a ticket office and also a storage and research area for various archives that the society has. We envision moving in an original Lehigh Valley Caboose and boxcar for display. Also, the construction of a demonstration track to demonstrate the operation of a railroad hand car and other track equipment.

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We envision using the existing telephone pole to restring the original telegraph lines and demonstrate the original dispatcher phones and telegraph systems which we don't believe exist in actual operation anywhere else in the country. The other 2 items that will be constructed are a replica of a section house which is similar to the one that used to be located in the Conrail triangle area. We also found a Lehigh Valley New York Central structure at Tonawanda Junction which is right near Ellicott Creek Park in the Town of Tonawanda. It's an old watchman shanty. That building will be moved onto the site with appropriate signal display and fully restored. The wood platform would be completely reconstructed, the parking area would be placed behind the depot, the grass area would be for special events for society and for the community.

Frank Mischler, 186 Evans Street, stated regarding Old Home Days, last Thursday night, it was reported that there was some debris in Ellicott Creek along the island. He borrowed some equipment from the DFW and he and the Jolly Boys went there yesterday and cleaned it up. Some debris was from Old Home Days and some was newer debris too. If there is anything else, let us know and it will be cleaned up.

Steve Baruffi, 136 Park Drive, stated he wanted to discuss 2 issues tonight. They concern traffic control and also security in the Parks. Concerning traffic control, he lives on Park Drive. As you are all probably aware, Garrison Park is bordered by Park Street and South Ellicott. Currently at the corner where Park Street and South Ellicott intersect, there is just a two-way stop sign. Traffic basically goes east and west on Park into South Ellicott and must stop. But for the traffic that goes north and south along Ellicott Streets, there are no traffic control devices. With the large pedestrian foot traffic this year in the park, he's noticed several instances where there have been very near misses in terms of bicyclists running through stop signs and motorists who don't stop or kind of glide through. It's created, in his opinion, a hazardous condition that he thinks could be alleviated by making the two-way stop into a four-way stop sign. In order to see what the interest of the general neighborhood was, on Saturday for about 2 hours he went door to door on South Ellicott and Park to see how they felt. Of the 21 households that he was able to contact, residents did sign a petition to demonstrate their interest in having a four-way stop sign. Nobody that he spoke with was opposed to having a four-way stop sign and everyone he talked with basically concurred that that would be the safest way to go. Mr. Baruffi urges the Board and also specifically the Traffic and Safety Committee to please give the problem serious consideration.

Trustee Kaye stated as Mr. Baruffi is aware, the Parks Committee did send a request to Traffic and Safety in the form of a letter in the beginning of the season making exactly that request for a four-way stop sign at Park and South Ellicott.

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If she remembers correctly, Traffic and Safety turned the Board down.

Trustee Bindert stated the Traffic and safety Committee tabled it because at the time it was brought up, they were holding a special hearing in regards to the Centerpointe. He said he would take the petition to their next meeting.

Mr. Baruffi stated in terms of security, the matter was discussed at the Parks Committee meeting and he is speaking on his own behalf now. It's been his experience from his informal observations of security that we have at both Island Park and Garrison Park, the security personnel in general seem to be basically inaccessible, uninformed as to what their duties are and basically when you need them or when you're looking for them, you can't find them. He would like to have the record reflect that fact, so next year when the contract comes up for bid, it will be on the record. He has made observations, and spoken with the security people about instances where he doesn't think they've acted appropriately or they could not be contacted. He would like to have the record reflect that he personally is not happy and would like his observations taken into consideration if the company submit bids when the contract comes up for renewal.

Mayor Brenton stated those are Mr. Baruffi's personal and independent opinions. Therefore, he doesn't think that would have an effect on the consideration of that firm, whoever it is.

Trustee Kaye stated she has gotten several calls personally from a variety of residents expressing concerns about this particular group of people. She has spoken with the security company on several occasions and talked with the security people as well. Some of those same problems and concerns still arise and still continue. This was a matter of a lengthy discussion at the last Parks Committee meeting since a variety of residents ( ) have called in with concerns or complaints.

Mayor Brenton suggested that the firm be informed in writing of these complaints, in effect indicating that these have been discussed previously verbally. Request a response in writing so that you have the information in the files rather than just heresay. In the event the event the Board should consider rejecting them as low bidder next year, we would want more than just verbal comments regarding the firm.

Trustee Kaye stated the Board has sent them copies of the job description and the Board did discuss with them what it was at the beginning of the season. We have had several calls of clarification to them when questions have come up.

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Trustee Sweeney said he is not familiar with the job description the present security firm follows. Does the current job description set responsibilities clearly identifying what the security officer's obligation is to respond to an individual? He would hate to see the Board getting into the position of dictating how the firm handles the public relations end of the business.

Trustee Kaye stated she will review that in depth since she doesn't remember the exact verbiage of the job description. There have been times when the residents around the park, in particular Garrison, have had to call the Town of Amherst Police because the security firm isn't anywhere around for extended hours at a time. Trustee Kaye stated there have been loud levels of noise. There have been several cars parked inside the park, people using the pavilion. Some of the calls have also discussed the way security has handled people within the park itself, in particular people walking through Garrison Park. One of the discussions we have had with security is about the fact there is no sidewalk that goes all the way around Garrison Park. There are many people that live on the adjoining streets in the area, who cut through Garrison Park and walk home. We're not necessarily talking about youths, we're talking about people who are walking home, technically after 10:00 P.M. We have spoken to the security people about the fact that when someone is trying to get from Garrison to Park or South Ellicott and simply walk through the Park after hours so they don't have to walk in the street in the dark, this does not constitute use of the park. That has been a problem voiced by many residents who actually take that route home that the security guards have not handled their walking through in a manner that they feel appropriate. We also lost a Johnny on the Spot there to vandalism. We have had a variety of problems.

Mayor Brenton stated as he has indicated before that these are pieces of the situation to document because we almost have to leave a paper trail. This situation is going to close as far as this year is concerned but should as a minimum be brought to the firm's attention. He thinks the current written record would be insufficient to prevent this firm being a low bidder in future years. In any event, they should certainly be made aware that we feel they are remiss in these particular areas and should they be low bidder next year, we could terminate their contract should they continue to not serve our best interest.

Maryanne Avery, 64 Garrison Road, stated she agrees with what Mr. Barufi said about the four-way stop. She, herself, has had close calls with some cars. She would also like to see enough lights on Park Drive so she can see where she is going. She would like to see better security in the parks. Her father is also concerned about cars driving back and forth over the Island Park bridge. The guards were talking off in the distance and did nothing to stop them.

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Peggy Santillo, 37 Rinewalt Street, thanked the Village Board for allowing "Savor the Flavor" festival on behalf of the Parks Committee and the Planning Committee. She thanked the Village office staff and DPW for their help which was greatly appreciated. She thanked the Village Board for allowing citizens who wanted to put this festival together to do it. She thinks this says something for the majority of our municipal residents who not only supported it but attended it and complimented us on it.

Ms. Santillo stated as Chairman of the Parks Committee, she also wanted to compliment the New York Railroad Historical society and the representative here today. She knows everyone on the Parks Committee would agree that these people are really unique. It was great to be out at the Erie County Fair and see the display of the Williamsville Depot and see crowds of people around it. She also commented that she received a call from a group in Depew, a neighborhood association that has very similar piece of land and they didn't know that there was a park with a restored train depot in the Western New York area which was attached to it and a walking trail so the whole group came out and they were really excited to see the whole set up.

They have a similar parcel out there that's being threatened with development that they now have gotten together and they are going to try and get their municipality to do something similar to what Williamsville has done. She thinks that also says alot for the Board.

David Laubisch on behalf of the DPW, men and himself, commended the committee that ran "Savor the Flavor" for the condition of the park when the event was over. If there were 3 pieces of paper on the ground when they got there in the morning, it was alot. The trash that was present in the park was piled in an orderly fashion. The Committee did a wonderful job on cleaning it up and he certainly would remiss if he didn't mention it at this time.

Trustee Kaye stated the Committee diligently tried to make sure that we left the park as clean as we had found it. Particularly, the Parks Committee stayed and made sure that every piece of trash was picked up. The Chairman of the Parks Committee, Peggy Santillo, at the very closure of the festival, stood up and made a plea to the public about coming up front and getting garbage bags that had been donated by Bells and picking up trash to help with the project. It was wonderful. We had alot of community support as well.

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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 8:25.P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk/Treasurer