

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5545 Main Street, Williamsville, New York on Monday, April 8, 1991 at 7:50 P.M.

Present: Ronald Daniels, Mayor
James Hayes Trustees
Yvonne Kaye
Patrick Kelly
Mary Lowther

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 of the Board of Trustees at 7:30 P.M., April 8, 1991 for the purpose of hearing all persons interested in discussing the 1991-1992 general fund, water fund, sewer fund, Glen Park Activities fund and debt service fund budgets.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the public hearing was opened at 7:50 P.M.

Unanimously carried.

Mayor Daniels stated the first public hearing addresses the new 1991-1992 Village budget, the general fund, water fund, sewer fund, Glen Park fund and debt service funds for this period and we request Village residents input in our budget process. Mayor Daniels gave an update of the budget process at this point in time. It's a very different, unusual type of year for us because of the great constrictions on the flow of money from the state level down to all the municipal levels beneath. The state budget has not been approved and also Governor Cuomo wants to end the trickle down of state funds into the municipalities. We are going to have a \$215,000 shortfall in the amount of money that we receive from the state when we combine chips, which is highway improvement money and the regular municipal aid, which are usually received. Therefore, we began the negotiations and procedures a couple months ago knowing that this money was going to be missing in the budget. Last year's rate was \$4.69 per thousand and we started at that point and sought to trim the budget as much as we could from every angle. In order to provide the same items that were funded in the previous year's budget it would have necessitated a 28% tax increase. Through a number of cuts in what we would normally like to do and without going into cutting services, we have managed to pare the budget down as of last week to approximately a 12% increase, which is a rate of about \$5.25 per thousand of assessed value. This is about a .56 per thousand increase.

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In addition, we did have an election and we have 3 new members on the Board, who up to recently, were not versed in the budget, or at least have not had the opportunity to have conferences and work sessions on it. The new Board met Saturday for a lengthy session and reviewed the budget. We did come up with even more possible savings at that meeting. We are going to look into leasing a vehicle for the DFW rather than purchasing it. There may be a cost savings there. Trustee Lowther is well versed in that type of procedure, working for a large auto agency in town. The other factor that we looked into is plugging in some of the Community Block Development Grant money which we receive on a yearly basis. Some of the improvement projects in the Village target areas which could be paid by these funds and then not be reflected in the taxes. There is also a possibility of an increase in the amount of sales tax revenue which the Village may share in and also there's a new legislation that may allow us to charge a higher utility tax. All these things, if passed, when factored in the budget would lower that bottom line figure of \$5.25. Right now, they're at the state level attempting to settle and resolve their budget. Therefore, we don't want to approve our budget until we absolutely have to. Normally we would move it in our next general meeting, which would be April 22. We will be instead, unless the state does come up with a surprise closure to their budget, postpone the adoption of Village budget until the last possible minute, which would be April 29th. However, if we don't hear from the state at that point, we are still required by law to file a budget and even if after that point we would receive state aid, we are tied into that budget and tax rate. So we are going to delay that procedure as long as possible in hopes that the state will possibly phase in this type of budget cutting crunch that all the municipalities are feeling.

Carolyn Schlifke, 192 Evans Street, stated she always finds budget time a very interesting time in the Village because if she is going to spend her money, she would like to know what she is spending it on. She picked up the general fund here at Village Hall. She has reviewed it and she does like to compare the current budget to the year before just to see where the money is going. She asked Mayor Daniels for a breakdown of the \$225,000 shortfall from the state.

Mayor Daniels stated it was actually \$155,000 in the regular state revenue sharing. We have 2 months that don't coincide with the state fiscal year, which won't be funded. That's April and May. That's another \$60,000. Actually the figure is \$215,000. He apologizes for the \$10,000 error.

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Ms. Schlifke stated she took her own tax bill and looked at it. If you go with the .56 per thousand raise, her tax bill will go up approximately \$68.00. In checking out what you're starting out with a tentative budget, she thinks that probably the thing that was most glaring to her as she looked at the figures was that the personal services amounts for most of the categories have decreased. She thinks this is either because this year it was not all expended and therefore, you felt you could get along with less next year. But it does total about \$29,000. She is concerned that DPW services in an emergency would not be jeopardized or that you are going to be over budget on those particular items.

Trustee Kelly stated that when he originally reviewed the budget he had a number of the same questions. Both Theresa Cummins and David Laubisch have answered them pretty well for him. If you kept looking through the budgets you'll come to the fact that in the sewer budget the salaries have increased substantially. In the Village Building itself and the DPW, some of the employee's time is spent on different accounts. In our meeting on Saturday we discussed that at great length. Historically about half of those salaries have been in the water fund and most of the rest was in the general fund. It was felt that the salaries were not properly being reflected for the amount of time employees spent in the sewer fund. So you'll see that there is a fairly large increase. It's about \$38,000 that was moved from the general to the sewer fund.

Carolyn Schlifke commented generally on the budget and listed items which had been or will be completed in this fiscal year which will not have to be addressed by the new Board. She also said that by checking item by item she did see where a very sharp pencil was used on this budget, whether it was by this Board or the previous Board, where items were cut by maybe only \$200-300.00 but they were cut. Ms. Schlifke also questioned the use of \$75,000 of surplus. She wondered how much surplus do we have left? She is concerned because as you probably have read in the paper the Town of Amherst has gotten themselves and a few other municipalities which have also gotten into problems because they do not have an adequate surplus. She remembers back about 3 years ago when all the insurances went up. If we had not had a surplus we would have been hard pressed to find \$90,000. So it is important that while you want to present a budget that is low to the people, you must be fiscally responsible and make sure that you are going to be able to pay your bills during the year and not go into the red at the end of the year.

Theresa Cummins stated you're looking at about \$190,000 total.

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Mayor Daniels stated this a a very difficult year to retain a surplus and still present a budget. We must make sure that we don't completely wipe out any surplus when we're trying to balance our current needs to what we project will be possible problems in the future. We did go line by line, item by item and look at last year's budget, what was actually spent and what we felt by the history would be spent this year. That's how we did cut here and there what seemed to be small amounts but in the end it contributed to lowering the amount of money required.

Trustee Hayes stated he would like to reiterate Mayor Daniels' opening comment about the budget. As a new member of the Board, it's particularly of concern to him when we have a budget hearing that we're talking about a budget that was submitted earlier. Obviously you have to have the public hearing on the budget that has been proposed but certainly with the issues that came up at the budget meeting on Saturday, it's his hope that we can take some action that will decrease the previously proposed rate before passing the final version of the budget. He's glad that that point has been made, that there is a differentiation between the 2 budgets, the budget that was proposed and the ongoing work that this Board will conduct.

Trustee Kaye stated she wanted to clarify. We're talking the possibility of probably about 10 to 15 cents on the tax rate when we talk about money from community development and some of the other items in the budget.

Mayor Daniels stated that's correct. It's unfortunate that it has hit at this point in time, with the recession going on. It was due to the fact that they lowered the personal income tax and then all of a sudden the recession hit and they didn't receive the income that they thought they were going to. This precipitated the whole budget crunch for the state and therefore for all the other municipalities. In a way he is sort of glad the state will be less involved in local government from the standpoint of having a fiscal hold and a determination of local policy. When you hold your own money and in smaller amounts you're able to deal with that with considerably less waste. Eurekaucracy is something that increases as each level of government gets larger. You become farther and farther away from the point at which this money is spent. On the state level, he's not sure they always know what the most important usage or priority is for the money that's going to be spent for the Village of Williamsville. The Board members live next door to you and if you don't like the way we're spending money you can knock on our door. A legislation in Albany with just a staff here or in Washington with the same scenario is more or less buffered by those people. However, it is a problem right now. It's something that he thinks is long overdue in a way and he thinks for the future this is the smart way to handle the money.

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ON MOTION by Mayor Daniels, seconded by Trustee Kelly, it was moved to close the public hearing at 8:12 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, Williamsville, New York on Monday, April 8, 1991 at 8:13 P.M.

Present: Ronald Daniels, Mayor
James Hayes Trustees
Yvonne Kaye
Patrick Kelly
Mary Lowther

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

The Clerk read the notice of public hearing of the Board of Trustees at 7:35 P.M. being held April 8, 1991 for the purpose of hearing all persons interested in expressing an opinion on the proposed sewer rent rates for the 1991-1992 year per Section 41 B1 of the Sanitary Sewer Rents Code.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved to open the public hearing.

Unanimously carried.

Mayor Daniels commented that last year's rate was .88 per thousand gallons of metered flow through the Amherst facility to which send our sewage. The Town has installed new computerized metering devices which have taken hold very recently and have increased the figures of what we apparently are discharging into the sewer system of the Town. These figures are much higher. The Town engineer suspects that the old meters were slow and sluggish and did not meter the exact flow. We need to have some communication with the Town and determine what the actual flow rate is and then we will determine what the actual cost per thousand gallons will be to Village residents. At this time we are holding with the .88 per thousand figure but that may go up as much as .20 per thousand depending on what the determination is to the accuracy of the new metering system in the Town.

Mayor Daniels commented we are keyed into this and we can only pay what the Town requests us to do. There's not a whole lot we can do about the rate. We do build a surplus into this account and as Carolyn Schlifke pointed out, you do need a surplus in your accounts in case there is a problem in the sewer fund. You also have to have enough money to pay for any upgrading or breakdowns in the system. That is also a consideration and we have to take that into account and provide a buffer for those emergencies.

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Trustee Kelly stated he wanted to note his concern about this fund. It's something that will have to be discussed in the next few weeks. Our concern is whether the increased salary factor in this budget, moving them over or realigning them, is going to affect how it's being billed in the future since we are appropriating a lot of surplus this year to cover expenses. His other concern, we are working on that now, is the new meters that the Town has installed. Our share of Town costs which were projected for \$300,000 will actually be \$342,000. Whether that's going to play a major factor in an increase in the future, he thinks we really have to study on that. Unfortunately, a lot of the information has to come from other agencies and it just takes a while to get back.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to close the public hearing at 8:19 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, April 8, 1991 a 7:43 P.M.

Present: Ronald Daniels, Mayor
James Hayes Trustees
Yvonne Kaye
Patrick Kelly
Mary Lowther

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

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:43 P.M.

Mayor Daniels stated that before we start the meeting we have a new Trustee who be sworn in as part of the proceedings of the meeting. Trustee Lowther would like to have Butz Avery administer the oath to her at this time.

Trustee Lowther made a brief comment prior to the oath. When she thinks of the Village of Williamsville and the preservation of the quality of life in the Village, she thinks of Butz Avery. In 1987 Butz formed the Williamsville Homeowners Coalition for Preservation in response to a massive commercial residential development bordering his neighborhood. Having been a life long activist in both the political arena and community service organizations, he was the natural leader in our Homeowners group. The younger members in our group had no experience in obtaining and interpreting documents. We did not know how to write a petition requesting our elected officials to act on our behalf. Butz Avery taught us everything he knew and still teaches us at every opportunity. Two years ago, Yvonne Kaye, a vice president in our Homeowners group, was elected Trustee for the Village of Williamsville. On March 19, the voters of the Village placed their confidence in my ability to represent them as a Trustee. My faith in this man has never wavered. He has never steered me wrong during the last 4 years. Instead, he has enriched my life, encouraged me and never shown anything but a positive can do attitude to everything I have attempted. It's with much respect, admiration and love that I ask Elroy Avery to administer the oath of office so I may officially be sworn in as a member of the Board of the Village of Williamsville.

Mr. Avery then administered the oath of office to Trustee Lowther.

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Mayor Daniels stated that completes the swearing in of the new members of the Board. Earlier today Congressman Bill Paxon administered the oath to Sharon Townsend as Village Justice, Trustee Kelly, Trustee Hayes and himself. In addition we had a flag presentation in front of Village Hall. Several weeks ago the American flag disappeared from the pole in front of Village Hall. It disappeared one evening and Trustee Hayes requested Congressman Paxon obtain a flag that has flown over the capital in Washington. He was kind enough to arrange for one and so we have a new flag flying in front of Village Hall from Washington D.C.

Mayor Daniels stated he has a proclamation to read. As some of you know, he's a musician, he is a member of the Buffalo Philharmonic. He was called by a group known as Opera Buffs in Western New York. They would like this week, April 7-14, declared Opera Week throughout Erie County and the city of Buffalo. The County of Erie, the Town of Amherst and the Village of Williamsville have done so. (Copy attached)

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the minutes of the regular meeting of the Board of Trustees held March 25, 1991 were approved,

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, it was moved to open a public hearing for the proposed general fund, water fund, sewer fund, Glen park fund and debt service fund budgets for 1991-1992 at 7:30 P.M. (The public hearing was closed at 8:12 P.M.)

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to open a public hearing for the proposed sewer rent rate for 1991-1992 at 8:13 P.M. (The public hearing was closed at 8:19 P.M.)

Unanimously carried.

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ON MOTION by Mayor Daniels, seconded by Trustee Hayes, vouchers in the amount of \$61,774.60 covering 3/22/91-4/5/91 were approved:

payroll fund	w/e 3/27/91	\$ 20,093.10
General fund		29,665.91
Water fund		4,731.62
Sewer fund		668.77
Trust & Agency fund		6,509.04
Glen Park Joint Activities fund		106.16
Capital fund		-0-
Community Development fund		-0-
	Grand Total	\$ <u>61,774.60</u>

Large Vouchers:

Niagara Mohawk	\$ 6,664.31
Notable Business Forms	3,187.18
Youth Board - Town of Amherst	6,804.00

Unanimously carried.

Mayor Daniels stated his second resolution involves the Erie County Environmental Management Council to which he was the representative from the Village for the past 2 years. He enjoyed it very much but finds that his time will be spent in other areas as he proceeds into the Mayoral functions and it needs another representative. One of the people on the Glen Park Joint Board, David Brody, is an attorney who has served on the Erie County Environmental Council in the past. His practice is in Environmental law and in fact has even taught Environmental courses at Rachel Carson College, which is a division of the University of Buffalo. He was a Sea grant law fellow which concerns coastal management issues and worked for ecology and environment. His practice is substantially involved in environmental law. His function will be to monitor the proceedings of this county board, which is comprised of people throughout the county, which advises the county on it's environmental issues. Some of the items that they discuss on a regular basis are tire burning facilities that are being discussed for Lackawanna, the Pfohl dump, which is very local here, siting of recycling facilities, coastal issues and the water front all in an advisory capacity to the county. Then he will report anything that would be pertinent back to this Board for it's input.

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

RESOLVED THAT David A. Brody, 74 N. Cayuga Road, is hereby appointed Village of Williamsville's representative to the Erie County Environmental Management Council for the 1991-1992 official Village year.

Unanimously carried.

ON MOTION by Trustee Hayes, seconded by Trustee Lowther, the following resolution was hereby adopted:

RESOLVED THAT the Village Board, acting as the Fire Commissioners of the Williamsville Fire Department, hereby appoints Anthony Castronova, 250 North Autumn Road, as a fireman in the Williamsville Fire Department.

Unanimously carried.

ON MOTION by Trustee Hayes, seconded by Trustee Kelly, the following resolution was hereby adopted:

RESOLVED THAT all funds presently on deposit in the Village Trust and Agency account to the credit of any Village committee shall be withdrawn forthwith and redeposited in the General Fund Revenue Account of the Village. The Village Clerk shall hereafter maintain a record of any monies deposited in such account to the credit of such Village Committee.

Any part of said funds not appropriated during the fiscal year of deposit shall, at the end of such year, be deemed General Fund surplus unless otherwise appropriated at the request of said committee.

Trustee Hayes stated this resolution is an attempt to bring 2 Trust and Agency accounts, the Savor the Flavor account with the Park Committee and the Planter Fund in conjunction with the Youth Committee, under the auspices of the general fund revenue and the Village Board. It's an attempt to bring those 2 accounts under the proper fiscal procedure and control of the Village Board. It is not an attempt to deprive and reallocate such funds that are in existence in those accounts to other areas of the Village budget.

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Trustee Kaye wanted to clarify that the monies we're talking about are those that the volunteers have raised either through Savor the Flavor or through the selling of the planters over the years. Those funds are, in fact, going to be deposited into a General fund account and will be credited to those particular Village committees so those committees can make the recommendations as an advisory group as to how these monies are to be spent and that if they do not request anything at the end of the year, that they would be appropriated to the general fund. Is that correct?

Trustee Hayes stated yes, your point is correct.

Trustee Kaye stated she thinks in working with particularly one of these groups, the Parks Committee on Savor the Flavor, the purpose of Savor the Flavor was not only to bring to the community a wonderful event that was very family oriented in a non alcoholic fashion but was primarily there to raise money for park improvements without raising money through taxation. This was one of the reasons the volunteers worked very hard and also that the Youth Committee worked very hard at selling the planters that they would be able to utilize that money in those appropriate committees towards the community in either a youth oriented activity or in a park. She just wanted to make sure that she was clear on what would actually happen to those monies and the intent of the resolution.

Trustee Hayes stated that as a practical concern, future budgets will show the amount of money that comes in as an addition to the budget and if there's requests made, those of course will be considered as expenditures for those 2 committees. So it's not a circumstance where those funds will be comingled in a sense and people won't be able to tell by a quick look at the budget how much money came in from each one of those activities. Certainly the volunteers that run those activities are doing a tremendous service to the Village and they deserve the recognition that's involved with that.

Mayor Daniels stated that there were 2 concerns that this resolution addresses. One is that it's actually good bookkeeping and simplifies the job of record keeping to have this money initially go into the general fund rather than the Trust and Agency and get redistributed out from there. The second item that was important to us, especially in fiscally trying times, is that we want to make sure we're aware of what every nickel is being spent for. What has occurred in the past is that there has been some discretionary spending of money by committees of that actually legally should go through the Village Board for redistribution.

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That's what we are attempting to clarify, not only for the 2 committees that at this point happen to be in that circumstance, but in any other committees where they may generate some income. That's not to say that the Village Board would look unfavorably on any request to redistribute that money but we would like to have knowledge of it's distribution and also approval of the project it is being used for.

Unanimously carried.

Trustee Kaye reported she has not had the opportunity to meet with her new committees to which she is liaison but she wanted to say some special thank yous to those committees that she has served on in the past. She said a special word of thanks to the DPW and to it's Superintendent, David Laubisch, for all his help in teaching her everything she did or didn't know that she wanted to know about garbage and refuse and sewers and running of the DPW. It's been a very informative educational process. She's gotten to ride on the trash truck. She certainly appreciates the hard work and effort of the DPW and the staff. It's been a pleasure being liaison to the DPW. Trustee Kaye also gave a special thanks to the Parks Committee which has also held a very special place in her heart. They've been a very unique, fun group to work with. They have accomplished alot over the past 2 years. There's been a long list of things that have happened from safety to additional benches, to picnic tables, to refurbishing of light posts, to work on the South Long Ball diamonds, the Memory Tree program in Lehigh, the completion of Lehigh Memory Trail, to water at the new pavilion. The Parks Committee needs to be credited with a great deal of hard work and their efforts to make these parks within the Village of Williamsville the best that they can be and we should be very proud of them.

Trustee Kaye also thanked Peggy Santillo, who has been the chairman of the Parks Committee for the past 2 years. She really inspired people to be motivated on projects and has done a wonderful job as chairman. She was instrumental in starting Savor the Flavor, which really was not only to give the community an additional festival and event that was very family oriented, non alcoholic, but to raise funds for the betterment and improvement out of the parks rather than through the taxation process. Trustee Kaye wished Carolyn Schlifke the best of luck. She knows the Parks Committee will be in good hands. Carolyn has done a great deal as her role as liaison to start many of these projects. Trustee Kaye also thanked Jonathan Guillome, who is in the audience tonight, for his work with the Lehigh Memory Trail, Memory Gardens, an area where you can buy a tree or a bush for celebration or in memory of and have a plaque and trees.

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All the members of the Parks Committee have developed special projects and interest. Matt Bierl and Steve Baruffi, who have worked very hard and remain on the Parks Committee, and Lisa Fessard, Maryanne Avery and Wally Pacer, who are no longer on the committee but who have all done a tremendous amount of work. Maryanne Avery was our secretary and Wally Pacer worked on signs and many other projects including Savor the Flavor. Lisa Fessard gave just unmentionable amounts of time and hard work as a dedicated volunteer. That's a committee that really could use additional members and it's her personal hope to see that committee numbers increase to reflect more residents who can have an opportunity to serve the Village.

Trustee Kelly reported he has had the opportunity to attend one Planning Board meeting and he is looking forward to working with them. They really have the needs and the heart of Village residents in mind in trying to make sure that things don't get out of hand with several developments in the area. We've also had several meetings with some of the Village staff regarding safety and inspections. It's our hope that we can revamp it to some degree and get some stepped up enforcement on some of the properties in the Village. It really appears to be an enforcement problem as opposed to recognizing the problem. A number of people are aware of the violations and there just hasn't been enough enforcement recently. In addition, the Youth Board will have it's first meeting tomorrow and he looks forward to seeing some of you there.

Trustee Kelly stated his first resolution is a bookkeeping matter. He thinks most of the audience knows if you have funds in a bank it's only insured up to \$100,000. Several times during the year several of our accounts are above that amount. Obviously, if one of the banks go belly up we're in problems. We're, therefore, requesting that an Escrow agreement be set up where the bank actually sets aside collateral, specifically ear marked for our accounts.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, the following resolution was hereby adopted:

RESOLVED THAT Mayor Ronald Daniels is hereby authorized to sign Three-Party Custody Agreement with The Chicago Trust Company of New York and Norstar Bank, N.A. for the purpose of establishing an Escrow Account for holding collateral against time deposits of the Village of Williamsville which are in excess of \$100,000.00.

Unanimously carried.

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Trustee Kelly stated his second resolution is something he considers as leftover from the previous Board and it's a matter that has to be addressed. Most of you are aware that the so called Essjay lawsuit was decided by Justice Doyle by a decision back in September of last year. Since that time, there's been a number of discussions between the previous Board and the attorneys that were retained by the previous Board, James Magavern and Mr. Milt Kaplan. Trustee Kelly then went into a little bit of background behind this resolution before introducing it. Specifically, first with respect to the lawfirm that was retained by the previous Board. Both gentlemen that have worked on the account have a tremendous background in municipal law. James Magavern is a past county attorney and has served in that capacity for a number of years. He has pretty much devoted most of his practice to representing municipalities in various functions. Milt Kaplan is of counsel to the Magavern firm and has been involved in municipal law since the early thirties. He is a **professor** at the University of Buffalo and in addition, he was responsible basically for rewriting the entire General Municipal Code for the state of New York in the 40's and 50's and is looked upon as a national expert in that area. They represented the Village throughout this lawsuit and unfortunately the Village lost. Justice Doyle handed down a rather lengthy decision back in September and then the parties entered into a number of discussions to see if we could settle the order that would give the Village a little bit more of an advantage than they they received out of Justice Doyle's decision. Unfortunately, it was getting nowhere and in December Justice Doyle issued an order and judgement and this is not as lengthy as the decision. "The plaintiffs, Ciminelli, moved for a preliminary injunction enjoining and restraining the defendant Village of Williamsville from enforcing Section 50.11E of it's Sidewalk and Street code against them by issuance of a stop work order or by taking any action to interfere directly or indirectly with the construction of Essjay Road to Evans Street. Defendant Village cross-moved for summary judgement declaring Ciminelli may not construct a road within it's boundaries without compliance with it's Street and Sidewalk code and that the Town of Amherst is not empowered to authorize Ciminelli to construct a road within the Village. Defendant Town cross-moved for summary judgement declaring that it is authorized to cause the extension of Essjay Road to Evans Street in ordering Ciminelli to proceed under the public improvement permit issued by the Town without further interference by the Village. The court has made and filed it's decision. It is hereby ordered that Ciminelli's motion and the Town's cross motion are granted and the cross motion of the Village is denied.

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It is further adjudged that the Town is authorized to cause the extension of Essjay Road to Evans Street and Ciminelli shall proceed to do so under the public improvement permit issued by the Town without further interference by the Village. It is further adjudged that the use of Essjay Road as extended to Evans Street shall not be limited to the residential area of Centerpointe and it is further adjudged that the request of the Village that the turning movements to and from Essjay Road at the Evans street intersection be limited to right turns only is denied at this time. It is further adjudged that upon the dedication of the extension of Essjay Road to Evans Street by Ciminelli to the Town, the Town shall own and be responsible for it's maintenance. There upon accordingly traffic control of the intersection of Essjay and Evans Street shall be the responsibility of the Town". The attorneys retained by the prior Board discussed in a number of sessions with the prior Board concerning how this should be handled and whether it would be feasible for an appeal. The opinion was expressed by them that it would not be feasible either monetarily or as a matter of law to bring forth an appeal at this time. One of the concerns that they had is that the Board may in fact or the Village may in fact lose further on appeal. We did keep certain rights. Trustee Kelly has had a number of discussions with Tom Troy concerning the resolution that's being brought borth. It's basically in the same form that was brought up in January. Trustee Kelly stated that many times in many municipalities there are roads that are owned and operated by other municipalities and that you may lose certain rights to it. For example, Main Street in the Village is not a Village road. The Village does have certain rights to do certain things on them but it also does not have rights to a number of other things. Likewise with Wehrle Drive and he believes there are a few other streets within the Village that have the same restrictions on them.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, the following resolution was hereby adopted:

RESOLVED THAT Mayor Ronald Daniels is hereby authorized to sign a stipulation discontinuing the action entitled "Ciminelli Development Co., Inc. and Frank L. Ciminelli, Plaintiffs, vs. the Village of Williamsville and the Town of Amherst, Defendants," containing the following terms:

1. The part of Essjay Road extension within the Village (the "Road") shall be owned and maintained by the Town.

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2. The responsibilities of the Town for maintenance of the Road shall include plowing and maintaining the Road surface, drainage facilities, curbs, and Road markings; the maintenance of any necessary traffic control signs erected on the Road by or on behalf of the Village; and the maintenance of any traffic signal the County of Erie may require to be installed by Ciminelli Development Co., Inc. or Frank L. Ciminelli at the intersection of the Road with Evans Street. These responsibilities of the Town may be modified by a subsequent inter-municipal agreement between the Town and Village.

3. The use of the Road shall be subject to control, supervision and regulation by the Village pursuant to applicable provisions of the Village Law, Vehicle and Traffic Law, and the provisions of any other applicable statutes, except as follows:

a. The Village shall not limit turning movements to and from the Road at the Evans Street intersection or restrict use of the Road to one-way traffic except upon further order of this Court.

b. Traffic control of the intersection of the Road at Evans Street shall be the responsibility of the Town and/or Erie County.

4. This Stipulation is based upon the unique circumstances of this case, and does not constitute a precedent with respect to any other case or any other circumstance.

5. The parties agree that the Court, if it approves, may enter an order on this Stipulation with the provision that the Court's decision of September 28, 1990, shall be deemed amended accordingly.

Tom Troy stated the only thing he might add for a little bit of amplification is that originally the Village Board had authorized our counsel to proceed on the narrow issue of jurisdiction. That appeared to be the weak point in the Judge's decision. It looked like the one area where we had a chance of possibly prevailing. It had the advantage also of being significantly less expensive. They wanted a minimum of \$20,000 in legal fees to proceed with the broader attack upon the entire decision and this was only going to cost us \$5,000 plus about \$1,000 in expenses.

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So it became relatively attractive, particularly since our counsel thought that at least we had a fair shot of winning on that one. In his own opinion, the other side must have sensed the weakness in the decision too because as it developed, as the counsel began negotiating back and forth as to the verbiage of the finder order which was going to be entered into the Court Clerk's office and would form the basis of any appeal, it became apparent that they were willing to stipulate and not deny us the rights that we have under the Village law and municipal law and under Vehicle and traffic law. They were prepared to concede all of these. The only thing that they couldn't concede was, of course, anything that was contrary to the court order or the decision of the court which was that we couldn't make that a one-way intersection. We also couldn't prohibit left hand turns. We couldn't limit access only to the residential areas. These were the 3 areas where the court had handed down it's decision very clearly and short of an appeal to the appellant division. There would be no way to change that. In essence, in recognizing that we were given and that they were willing to concede to us the area of Village jurisdiction over this intersection consistent with all the applicable laws, it seemed prudent and sensible to accept this stipulation because we wouldn't get any more than that on appeal. That was the opinion of our attorneys. That is the genesis of this resolution which Trustee Kelly has introduced here tonight. This is nothing new, it didn't pop up overnight. It's been in the possession of the Village since the end of January, he would say, with only minor modifications which he doesn't think really changed the substance. This stipulation has been around. Unfortunately, the Village hasn't acted on it and it tends to give the appearance that somebody is playing games, which simply is not a fact. This stipulation has been in the possession of the Village since the end of January. It's nothing new. Nobody's playing any games here. He doesn't think anybody would tolerate that.

Trustee Kelly stated this resolution is something that the lawfirm of Magavern and Magavern has recommended to us.

Attorney Troy stated yes. Each of these resolutions are the work of Magavern and Magavern lawfirm. The Village did not actually have any direct input into the verbiage that was used here. This all resulted from stipulations and negotiations among the 3 parties, Cimminelli's attorney, the Town attorneys and Magavern's office.

Trustee Kelly stated it's Magavern's office's opinion that this is the best we can do. Trustee Kelly asked Attorney Troy, in his position as Village Attorney, does he agree with that opinion.

Attorney Troy stated absolutely. He has been urging this for some time.

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Trustee Kaye stated she continues to have some concerns about this primarily from the standpoint that this is a brand new board and as a first act that we're really moving on this. As part of the old board, the last time we met with Magavern and Magavern to discuss the possibility of stipulation versus appeal was on January 14, 1991. She received a memo on January 17, 1991 discussing some of those options but the Board was not brought up to date or informed of where we stand on this until she received this resolution on Saturday afternoon. She had asked the Board earlier in the worksession and she is asking the Board again is that we table it so that we have discussion on it and have the opportunity to hear from Magavern and Magavern. She appreciates Trustee Kelly's rendition of it and Tom Troy's interpretation of it but this has been a major case within our Village almost 3 1/2 - 4 years. The Village has been involved long before she came on the Board 2 years ago. We've had indepth information about it in the past. The old Board did talk about the possibility of stipulation versus the possibility of appeal on a very limited basis of jurisdiction. We as a past Board did discuss those options but never came to a final resolution and she thinks as a brand new Board with never meeting to discuss this, she feels that she wants to be brought up to date and doesn't feel comfortable at this time making a vote on an item of this magnitude and significance. She wants to be perfectly clear before she votes on the long term ramifications and the pros and cons of this resolution. She is asking the Board that we table this motion, so we can have a discussion on this prior to the next meeting and then put it back on the agenda and vote on it in our meeting 2 weeks from now.

Trustee Lowther stated she agrees. She has serious problems at this point, having been a Trustee for only one week. She would like more information. Everything that has been done and discussed previously has been done in Executive Session, which means the public has no awareness of what's happened. There's no media reporting on it. She has had no information about this other than what the Homeowner Organization has done, which she has been a part of and what has just been generally rumored. She would like the real facts. She would like to be able to see the information from our attorneys. She is not comfortable in voting on this after 7 days in office without being able to at least look the file over. She thinks it's unfair to be asked to vote on a situation like this in a short period of time without being able to review this information.

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ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to table the resolution.

Roll Call:	Trustee Hayes	NO
	Trustee Kaye	YES
	Trustee Lowther	YES
	Trustee Kelly	NO
	Mayor Daniels	NO

Motion defeated.

Mayor Daniels stated with a 3-2 vote that brings us back to the original resolution which was seconded.

Roll Call	Trustee Lowther	Abstain for lack of information
	Trustee Hayes	YES
	Trustee Kaye	Abstain for being denied the ability for further information for clarification
	Trustee Kelly	YES
	Mayor Daniels	YES

Motion carried.

Trustee Lowther reported the last 2 agendas have indicated that the Environmental Committee meeting on the 25th of April was cancelled. This is not true. The Environmental Committee will be meeting this month, however, the meeting will be moved to Wednesday, April 24th due to a scheduling problem.

ON MOTION by Trustee Lowther, seconded by Trustee Kelly, the following resolution was hereby adopted:

RESOLVED THAT John Pruetz, Laborer in Glen Park, is hereby granted a 25 cent per hour raise to \$4.75 per hour effective April 15, 1991. Funds to be paid from the Glen Park Joint Activity Fund.

Unanimously carried.

Mayor Daniels stated that John was a faithful laborer last year in Glen Park. This year he knows his responsibilities and functions very well and has undertaken more responsibility as time goes by and we're getting a bargain for \$4.75 an hour.

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Superintendent David Laubisch reported on the recycling program which we've been monitoring very closely. If anything, he thinks it's over exuberance has lead to some small problems. There seems to be 3 items that seem to be causing some confusion as to whether they are recyclable or not and he would like to mention them in public tonight. One happens to be cardboard containers that contain food, example, a pizza box and cereal boxes. These items are not recyclable. They are to be put in with your regular garbage. Also, colored newsprint is not recyclable. By colored newsprint he means the glossy type newsprints, the best example of which is the K-Mart handouts that are included in the Sunday papers or magazines. There is information available at the Village Hall here that specifically identifies what is recyclable. The third item is only clear glass such as mayonnaise jars, pickle jars which are recyclable. No colored glass is to be put in with your recyclable goods. Outside of that he thinks the program is going very well. We had a tremendous response because this is greatly reducing the tonnage of garbage that is going down to the Occidental Waste to Energy facility.

Mayor Daniels stated we did sustain quite a bit of wind damage to trees in the Village as is obvious from the piles of brush at the curb. Due the great amount of it, you may see it there longer than usual. We are chipping that up as quickly as possible in conjunction with the rest of the services the DFW provides.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to suspend the rules for the purpose of public participation.

Unanimously carried.

Nancy Drost, 40 Park Drive, stated she is very upset and asked the Board why there was no Village resident input in the resolution that was just passed. She thinks it's a very crucial issue and it's been one of long standing. She really feels denied her rights as a Village citizen to speak out on something of such a large nature.

Mayor Daniels stated from a historical standpoint we all realize this issue has been around for a very long time. The attorneys have been working on this very diligently for a very long time. We have a great amount of faith and confidence in their ability. They're some of the most respected names in law practice of this type in New York state. Because we feel that through this procedure and all the time that's been spent on it, we've gotten as much input and varied opinions in the past that reflect all points of view and that the case has proceeded to such a narrow and specific point that the comments would have either been redundant or not specific to the actual lawsuit.

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The attorneys have said that there are no other options to us at this point in time. The stipulation is the only viable option and it certainly wasn't a hasty decision on the Attorney's part. Mayor Daniels personally feels that there was no place to go because of their input and he's been assured by Village Attorney, Tom Troy, that this indeed is the case. He and other attorneys are versed more than we are as a Board. The reason we retained them in the first place was they lent us the expertise that we as a Board don't have. We really need to rely on their information and input. He understands that this is an upsetting issue. He understands that this has divided the Village terribly. He understands that something has to be done in the future to pull it back together and this Board has the mandate to do just that **within** the period of that we're going to serve. Prolonging this issue any more, given the fact that there was no other place to go with it, would only prolong the divisiveness and the emotional quality that this has for the Village. We need to move on to issues we can do something about instead of crying basically over something we can no longer fight and expect to have changed. Mayor Daniels thinks that was our determination in moving this along.

Nancy Drost stated that as a resident of Park Drive, right off Garrison Road, she and many residents in the area are impacted by the traffic that comes from Essjay into Evans and Garrison. She feels the residents should have been given more information before a vote by the Board.

Trustee Kaye stated also as a point of historical interest, all discussions about this particular stipulation and appeal had been in Executive Session prior to tonight, which precluded the Board from having discussion in the public or in the press with it. We did have some discussions about stipulation, but we never finalized the fact that yes, we would go for stipulation. Trustee Kaye agrees with Ms. Drost whole heartily that the public should have been informed and we should have let people know what the intentions were or what the options or possibilities were rather than having it kind of spring on all of us and even though the Board knew that there were some possibilities, this was never clarified to the public.

Mayor Daniels stated that having sat on the Board through the bulk of the deliberations, he feels that we have explored and exhausted every option. Any input that a citizen would give now wouldn't substantively alter the course that's been outlined by the attorneys. Yes, some people would like that road to disappear. That's not going to happen. Yes, we'd like to determine the flow of traffic. That can't happen. We can't enforce that. Yes, we'd like to limit it to residents only in the 32 homes subdivision.

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That's not enforceable. Our attorneys were not optimistic at all of our chances in a court situation. It would have been throwing money away. There are no options. Public input is fine but if something is so, you can bemoan it forever but it won't alter the fact that it's there and can't be changed. It is his understanding that there were no options truly for the Village. We could sit here and give lip service to the people but we couldn't have done anything more than what our attorneys had recommended. You cannot go to court and fight something that you know you're going to lose and that's what they were saying would be the scenario there.

Ms. Drost said she would like the Village Board to be more responsive to the people and spend a little more time explaining it to the people. We heard the legalees. But she and other residents would like more explanation so we can feel the Board is really concerned about this issue and is trying to at least explain, more than just getting reports per say. Not that she's questioning the validity of them.

Trustee Kelly stated with all due respect, he thinks Ms. Drost is really putting it on the wrong Board. This matter was decided by a judge back on September 28, 7 months ago. Basically, the previous Board has been silent on the issue. It's been discussed all throughout the whole election as to everyone's feelings regarding it. With all due respect again to Trustee Kaye, her point about this narrow appeal that we might take, as he discussed earlier in introducing the resolution, it is both Magavern and Magavern's opinion and Tom Troy's opinion that the stipulation we're entering into takes care of what that narrow issue of appeal would be. Unfortunatley, the judge decided against us from day one. To waste additional tax payer dollars fighting something that was strongly decided against us, is a waste of tax payers funds. This stipulation in fact gives us some additional rights that the order did not give us. He thinks the issues have been discussed adnauseum during the campaign all the way from January through March. The fact that it hasn't been brought up by the previous Board, it has been decided 7 months ago, why wasn't there any issues or hearings on it at the time.

Ms. Drost stated that when Glen Park was being developed we were told there was no chance. She does hope that in the future when these things come up that the Board would be more responsive in at least letting people speak on these issues at the time that you're going to make a resolution or have a public hearing so people can at least have one last chance before you actually vote.

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Nat O'Brien, 47 Reist Street stated she agrees with Ms. Drost. This does affect all of us. The problem she has is last year when new sidewalks were put in, took a drain out at the hill on the corner where she lives at Glen and Reist. Now the water drains all down the hill with no sewer to go into and ends up right around the corner on Glen. There is a lake on the street every time it rains. Because no one stops at the stop signs, we're having a problem. There is a massive water build up at the lightest rainfall. We've called, we've complained about it. We were told the engineers looked at it and there was no sewer needed. We would like something done about it. We've called and she's been told her house is in the wrong spot. This house has been there for over 160 years. She's not complaining about the lawn being flooded or the basement being flooded, just it's a dangerous situation.

Mayor Daniels stated we'll look into that. Additionally, he doesn't know who she talked to at this point. He will find out and get back to her on her problem with the drainage.

Peggy Santillo, 37 Rinewalt stated she agrees with Trustee Kaye and Trustee Lowther in their request to delay a vote on your resolution tonight for 2 weeks. She thinks they made it very clear that they weren't necessarily going to vote against it but she thinks it was a reasonable, rational request and would not only have given both of these Trustees an ample opportunity to make a well informed decision, which is what we want our elected leaders to do, but would of also given the public a chance to ask some questions. It doesn't mean the resolution wouldn't have passed and it wasn't an okay resolution. It gives the impression and the appearance to the public that this was decided a long time ago and was on the Boards's mind to do this as soon as you were elected. She finds it very hard to believe the Board has had adequate time to review all the material. She thinks the request was reasonable and it would not have hurt to wait the 2 weeks.

Ms. Santillo also stated she has been the Parks Chairman for 2 years, she was a member for one year prior to that. Former Trustee Carolyn Schlifke was the one who appointed her originally and she's very pleased to hand over that responsibility back to her. She's very happy that the Board had the wisdom to appoint Carolyn Schlifke to replace her. After discussing some past and present projects with the Parks Committee, she very much intended to then turn over the reigns on her own. She agrees that committees need to be refreshed by new people being on them. However, she did not appreciate the form letter she received which was cold and did not even thank her for her 3 years of service.

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She thinks one of the things that makes the Village of Williamsville unique and one of the reasons she wanted to live here was because we are a small community and she thinks people deserve more respect than the Board showed and the way it handled the situation.

Ms. Santillo stated that on a more positive note, she was happy to do the service that she did. Anybody who knows her knows that she has always been interested in parks. She's worked very hard with a phenomenal group of people. They did extensive renovations and she briefly reviewed some of them. First, we raised close to \$10,000 through functions, like Savor the Flavor which we created. Our committee came up with that idea and collaborated with several groups. We created that festival and the money was specifically used to improve the parks with no cost to taxpayers. She thinks that's a major accomplishment. We also renovated every single one of the Village parks in a 2 year period. We opened Lehigh Memory Trail, which Trustee Schlifke wrote the grant for. We renovated Garrison Park. We renovated South Long Street, which was in terrible condition and that was going to be our major project this year, which she is sure the new committee will continue. We renovated many parts of Island Park and many other projects are now in the process. As long as she has lived in the Village, which is over 10 years, none of this, except for the work Carolyn Schlifke was doing, was being done before. She is also very happy to hear that this committee is so popular and that's why it was expanded to 9 members. Anybody who ever contacted us was immediately invited to come to a meeting but many people that came were so overwhelmed with how much work was involved that they didn't want to be appointed. Over the last 2 years we've had hundreds of volunteers and businesses involved in these park renovation projects. She commended Trustee Kaye for the incredible job she did as the liaison. She serviced as an advocate for the community members and Ms. Schlifke appealed to Trustee Hayes to continue that same process. She knows that Carolyn Schlifke will because she had the honor of working with her before. The last thing she wanted to do is to present Ms. Schlifke with the gift which says "Carolyn Schlifke, in appreciation for your time and effort, Lehigh Memory Trail, Village of Williamsville Parks Committee, 1990" since she was the one who wrote the grant that made that park possible.

Trustee Hayes stated he takes exception to the statement Ms. Santillo made about the way the reorganization of the Parks Committee was accomplished. Trustee Hayes read the letter that was sent by Mayor Daniels and Trustee Hayes, as the newly appointed Trustee Liaison on April 2, which was the day after the reorganization meeting.

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A copy of this was sent to Ms. Santillo as she referred to and also to the outgoing members of the Parks Committee. (Copy attached). Trustee Hayes stated he certainly takes exception to Ms. Santillo's insinuation that this is a cold letter.

Ms. Santillo stated the thing Trustee Hayes didn't show was the letter had "Dear Blank" with the person's name written in. She thinks the members deserved more than that.

Trustee Hayes stated there was no intent of treating anybody poorly and we wanted to thank very much the people who served on the committee and he feels we did that. Conversely, the statements that are made at these Village Board meetings that go unchallenged are often times the genesis of misunderstanding in the community. The reason he wants to respond to this is because he feels it's important to have both sides heard in these kind of discussions. Conversely, he's aware and he read during the previous month or 6 weeks ago a letter that was written by Ms. Santillo to the Buffalo News, Amherst Bee and the Metro Community News publicly questioning, impugning the integrity and the honesty of several members of this Board. He certainly didn't think that was fair and certainly didn't think that was an appropriate response from someone of her stature in the community. Rather than just get into an argument over it, he would much rather say that he feels that the Mayor and this Board and himself in signing those letters and in communicating with the members of the Parks Committee, who could not unfortunately be reappointed, were dealt in a very professional and courteous manner. He's sorry that Ms. Santillo doesn't agree with that.

Trustee Kaye commented that in terms of the form letter that was sent out, does it in fact say the words "thank you" in the form letter that was read?

Mayor Daniels stated there are other options for thank you and the contents of the letter was a thank you.

Trustee Hayes stated the minutes of the reorganization meeting will show that members of the committee were publicly thanked as well. They were also thanked in the press.

Trustee Kaye stated in terms of enlarging the committee, Trustee Hayes stated people could not be reappointed but in fact it is true that if, as she requested that evening, we put a resolution forward to increase the size of that committee, which had been basically running at 9 members for the course of the time, we could have enlarged the committee to adequately handle the events, keep those members, plus appoint those 2 new individuals, which at that time were have said to have been on a waiting list.

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However, to Trustee Kaye's knowledge as liaison, there had never been a waiting list. Anybody who ever requested to be on the Parks Committee was gladly invited. We looked forward to new people. We looked forward to more helping hands that would pitch in and give us not only input to the parks but would give us time and labor to work on them. Jim Maxson was the last person who had come to a meeting and he was appointed. In reality, the size of that committee could have been easily enlarged to accommodate all the people who had in fact requested to stay on the committee plus the additional people.

Trustee Hayes stated this matter was discussed fully and it was decided that this would be one of the first agenda items that would be taken up by the Parks Committee at their initial meeting under the leadership of their new chairman, Carolyn Schlifke. He fully expects that this will happen and that they will come back in their role as an advisory body and recommend whether or not the membership of the committee should be enlarged. He looks forward to the committee meeting and discussing that issue and coming back with a recommendation to this Board.

Harmon Wipple, 51 Garden Parkway, stated he has been a member of the Parks Committee and the Conrail Committee before that and he finds it awfully hard to believe that the Board can't use 3 more volunteers.

Trustee Hayes stated we can always use volunteers and that's why the committee has been directed to come back to this Board and advise whether or not the membership should be increased. If it is increased, we will forthwith appoint additional volunteers.

Maryanne Avery, 64 Garrison stated she has been on the Parks Committee for a couple of years. Our parks are very heavily used not only by people from the Town of Amherst but from other towns. They are very popular as you know and there is a lot of work to do. She frequently wondered why we didn't have more people on the committee because we certainly could have used them.

Maryanne Avery commented on the Essjay Road and Justice Doyle's decision. She is concerned that as the area is developed further the traffic in 5 or 10 years will really become a problem. She is concerned about high rises ringing the Village and affecting the quality of life of Village residents.

Ms. Avery also stated she has been told that the Village is willing to put in new storm receivers for people who complain. Is that the case?

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Mayor Daniels stated it's our intent to address problems that we feel are justified. If there is a storm sewer problem then it is addressed. Ms. Avery may be referring to the storm drain that was installed at Wellington and Cayuga today. This hopefully will solve a severe flooding problem of a resident that lives at that corner. When we were made aware of the problem he was told that we would do everything in our power within our budget to rectify the situation. There was no reason he should have had to experience that kind of water.

Ms. Avery asked the Board to look at Garrison Park and Park Drive because they have needed new receivers or the present one lowered because the water is not getting to it.

Trustee Kaye stated she discussed this problem with David Laubisch before she left liaisonship for the DPW and he had said as soon as the weather was appropriate that he would review the situation.

Ms. Avery also commented there is only one trash receptacle out in the park, it is just about filled to the top. There are branches laying around all over the place which apparently came down from the storm. She can't pick them up and put them in the can because it is filled to the top. It would be helpful if several more trash cans can be added and maybe the new Parks Committee can come out and pick up the braches.

Trustee Kaye then thanked Maryanne Avery for being the secretary to the Parks Committee.

Mayor Daniels commented that in the future he would like people to confine their comments to things that the Village has power to control. The whole Ciminelli development, high rises and density in the Town is not in our power to control. It's a Town issue. Village residents can expres their opinions in these issues at Town meetings. We would also appreciate no politicing on anyone's behalf nor political posturing from the residents. However, this is only a suggestion because, of course, residents do have the freedom of speech.

Mayor Daniels stated he has established regular daily office hours for the Mayor. Alot of the concerns that will be raised in meetings of this sort he would like to see directed through his office on a daily basis first and then in working with you he'll come to your house, he'll visit your sewer, he'll invite you in. He welcomes a conversation and a talk with you. We're here to serve the Village.

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If, after a meeting with him and discussing your problem, you have not gotten anywhere, you don't feel that he has satisfied your concern, the next step would be to come in front of the Board and air that concern. Many times we hear the problem for the first time here. You don't need to wait for that. You can call Village Hall and Mayor Daniels will get back to you the same day. He does have hours. He's always guaranteed being here 2 hours but as time has it, he's usually there 5 or 6. He wants to get back to an efficient form of government. He wants to get back to a responsive form of government. He wants to limit the number of problems in the Village that have to come to the Board by intercepting them at their first occurrence.. Also, if he feels something can be done, he will work very quickly and hard to solve the problem.

Dan Chase, 157 Highland stated he wanted to compliment the Board on the action tonight. He knows it's sometimes unpopular to do things. This Village has been through a long trying period. The Ciminelli case has been a very divisive issue. He thinks it's time that we put it behind us and we can go on with the rest of our lives. He thinks in this election, one of the issues was Centerpointe. This is a democracy and democracy spoke. It was not a landslide. The people want to put this behind us and they want to get on with the rest of their lives, so he compliments the Board on the courage in the face of alot of adversity to take those actions. He thinks you'll find that this Village will move forward. He really understands how Ms. Santillo feels. He wants her to know that she's not the Lone Ranger. He was a member of the Planning Board and one of the first actions of the newly elected mayor 4 years ago was to not reappoint him and that's just the way it is. When a new administration comes in, it's their right and prerogative to name the people that they want. He lived with that. He didn't have any problem with it. He's glad to see that membership in the committees will be open to all people. That is something that didn't happen in the past. He's glad to hear that those days are over.

Carolyn Schlifke, 192 Evans, stated she wants to clarify her own stand on this issue. She did not solicit the chairmanship of the Parks Committee. She was approached as to whether she would accept the chairmanship of the Parks Committee. She has served on Village Committees for over 15 years. She's served on all of them except Youth and Senior Citizens and the newly formed Performing Arts. She served either as a Trustee liaison or as an active committee member. She knows how important committees are to the Village. Committees do the leg work for the elected officials who don't have the time to do that type of work. But we must remember that committees are advisory. A committee is only as good as it's Trustee liaison.

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She would not have taken the position if she wasn't sure that Trustee Hayes is dedicated to the Parks of the Village and she believes he will do a good job. One member doesn't make a committee. It isn't only the chairman. You must have other members and you must have hard working members. Her appointment certainly cannot be construed as political. Anyone in the Village that knows her knows that she is not party affiliated with either party and that the only person she supported in this past election lost by 19 votes. Therefore, she'd like to think that her appointment to the Parks Committee is based on her past experience. She took over a Parks Committee that was really dying about 4 years ago when she still served on the Board. It took 2 years of very hard work to get that to be even a viable committee and it does take a long time to establish something like this. She hopes what she succeeded in doing in those 2 years and also the Parks Committee at that time succeeded in doing in those years was a basis for the Parks Committee that we have now, a committee that grew through dedication of people in the Village. She looks forward to working with this type of people, she looks forward to working with Trustee Hayes because as she stated before, a committee is only as good as it's Trustee liaison. Because the committee is advisory, all actions that result in any kind of productivity come from the elected official. That's what she'd like to see for the Parks Committee and she will work as hard as she had in the past.

Mayor Daniels stated her concern about not having been a political appointment is certainly correct. Were it not for her total dedication and her total honesty and her total concern for the Village, he would not have recommended her in this position. Mayor Daniels said he didn't want to lose the abilities that she had in the past demonstrated and the efforts that she made in the past. As we all know, most of the projects that were completed since her departure were initiated by her. It showed a great amount of hard work and dedication. He understands that the grants that she applied for, she followed through with very little help. She wrote the grants, she followed through on them. She pursued them doggedly and the things that we see in the parks right now have come to fruition only because of her efforts and that's why he was so interested in seeing her back on the committee. He is delighted, now that he can reveal this, that she likes Trustee Hayes because he knew that Trustee Hayes is a consummate persuader and if Mayor Daniels had called her, he's not sure what the results would be.

Trustee Kaye stated yes, much of Carolyn Schlifke's work has been the basis of the long range strategic plan. Trustee Kaye does disagree with Mayor Daniels though that all of the work that was done was **basically** from Carolyn Schlifke.

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She does take some personal objection because there are many projects we initiated during the past 2 years, that as an advisory Board, the members of that committee along with the committee chairman worked many long and hard hours. The impetus for several projects was there initially, but we certainly did not solely confine ourselves to those items and she would like to make that clear for a matter of public record, how hard and the initiative that was taken by this committee in the past 2 years.

Brian O'Brien, 47 Reist Street, stated we're back to the sewer in front of his house. There's something his wife didn't make clear. He came and did this about 8 months ago and was promised help at that time but then it basically became his problem again. He'd like to make it the Board's problem. Last time he was promised there would be help and nothing happened so he'd like to make this somebody else's problem besides his.

David Laubisch stated he believes he talked to Mr. O'Brien's wife last week. He stopped over and the problem he is referring to is in the roadway itself. Is this problem affecting your home directly? Is it draining into your home directly?

Mr. O'Brien stated that's his problem. He knows the DPW won't take care of his problem so he's making sure that the water in front where it's going to be knocking down motorcycles is the DPW's problem.

Mrs. O'Brien stated that cars are now driving over the sidewalk over our lawn when it rains since all you see is water. You can't see the road.

David Laubisch stated the receiver that was eliminated was on the hill and where the water actually ponds is on Reist Street. The answer is to install a storm receiver on Reist Street where it can effectively collect the water.

Mayor Daniels stated we'll make an appointment and he'll meet them over there.

Trustee Kelly stated both Reist Street and Glen Avenue are scheduled to be resurfaced this summer. It is something that he would like to have looked at before the street is resurfaced.

Mayor Daniels stated there are receivers on Glen near the park that have been covered up and are a problem as well that will be addressed with the new repaving, which by the way, will also encompass 2 of the lots in Glen Park. We hope to solve that problem as we pave. We are well aware of those issues at this time.

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Jack Wall, 326 Cadman, stated that what he's heard tonight doesn't surprise him in the least, but he hopes it's behind us. He hears obvious political connotations coming from the audience and members on the Board. He thinks it's time to put it to bed. Let's go on and do something worthwhile. Let's stop bashing the Town of Amherst because we get a lot from the Town of Amherst. Does anyone suggest that we cut off all the funding that comes from the Town and all the services that they provide us? Do we suggest we eliminate that and pick up that financial responsibility ourselves? He suggests before we do it, take a look at the cost because it would be very heavy to us. We are part of the Town of Amherst. Let's try to work together. Board members, I ask you and plead with you, let's stop the foolishness. Let's get together and go do the job.

Mayor Daniels stated we are working towards that and there is going to be a special committee set up by Trustee Hayes to address government issues so that we have greater cooperation on all levels of government that affect the Village of Williamsville, not only in a monitoring mode but also in an aggressive problem solving mode as well. That will be the subject of a future Board meeting very soon.

Trustee Kelly said the agenda states the next meeting is on the 22nd. We're going to discuss the budget a little further. Please note we are also going to have a meeting on the 29th to adopt the budget. It's not a usual meeting date, but he just wants to make everyone aware of it.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to adjourn the meeting at 10:00 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer