

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

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

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

Absent: Thomas Troy, Village Attorney

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:50 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, the minutes of the regular meeting of the Board of Trustees held June 24, 1991 were approved.

Unanimously carried.

Mayor Daniels reported the Village held a July 4th fest in the park which was quite well received. It seemed to work very well except for the rain which cancelled about half of the program. We had the Buffalo Philharmonic and the people who stayed, which were in surprising numbers, acted as little lightening rods. He thinks it proves there was alot of enthusiasm generated for this type of program. Here again is another case of Island Park being a great magnet for these types of events. As you know we have "Savor the "Flavor" coming and Old Home Days will be in the park from the 16th - 19th. There's a craft fair scheduled. There's a Youth Board activities scheduled for the whole summer there and at Garrison including movies and music for the children. We'll keep on trying to provide alot of extras in the Village that the residents have come to appreciate.

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ON MOTION by Mayor Daniels, seconded by Trustee Kelly, vouchers in the amount of \$82,106.19 covering 6/21/91-7/3/91 were approved:

payroll fund w/e 6/29/91	\$ 20,363.05
General fund	52,869.92
Water fund	934.19
Sewer fund	500.91
Trust & Agency fund	6,864.89
Glen Park Joint Activities fund	573.23
Capital fund	-0-
Community Development fund	-0-
Grand Total	<u>82,106.19</u>

Large Vouchers:

Niagara Mohawk	\$ 7,728.63
Magavern & Magavern	\$ 8,093.15
Glen Park Joint Fund	\$ 17,500.00

Unanimously carried.

Mayor Daniels stated his second resolution involves the reconstruction and upgrading of the DFW building at 40 S. Long Street. We have initiated a renovation of that building and we are now ready to go out for bids on all of the different phases of that renovation hoping to have the work begin in August.

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

RESOLVED THAT the Village Clerk advertise for sealed bids for the following contracts for Reconstruction of the Department of Public Works building at 40 S. Long Street:

- 1: General Construction - Interior
- 2: Heating, Ventilation and Air Conditioning - Interior
- 3: General Construction - Exterior (Roof)
- 4: Plumbing
- 5: Electrical

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Plans will be available at 26 N. Cayuga Road, Williamsville, New York on July 15, 1991 at a cost of \$50.00 for each set of plans. Bids will be opened on July 30, 1991 at 2:00 P.M. in the Village Clerk's Office, 5565 Main Street, Williamsville, New York.

Unanimously carried.

Trustee Kaye reported on the status of NOREC. They have requested that we make a decision by July 17th in terms of continuing to stay a permanent member of the NOREC facility. We have met with BFI this evening and with Gerry Knoll from NOREC as we did at our last meeting as well. What the Board has requested is that we wait for a vote and decision on that issue until after tomorrow's meeting of NOREC which they're going to discuss a five year opt out plan. So there is the possibility that the Board will be having a special meeting to vote on NOREC.

Trustee Kaye stated in regards to recycling we have received as a Village our first quarters report from BFI regarding our participation. In terms of tonnages for our first 3 month period of time, which ended on May 31, we had a tonnage of 75 tons of paper and corrugated, 12 tons of clear glass, approximately 2 tons of plastic and approximately 3 3/4 tons of tin cans. BFI was able to sell the paper and corrugated which they collected for us at a market price of \$20.00 a ton and we received a check from BFI in the amount of \$378.30. None of the other 3 items have been shipped during that period basically because they are waiting to have a large enough supply of those materials to be able to sell. Trustee Kaye took a tour of the BFI facility last Tuesday and it's primarily a dump on the floor operation. The truck comes in and they dump our materials on the floor. In speaking with them, it will take a year or so for the Village to collect enough tin cans to ship to market. She looks forward to voting on NOREC shortly, which we have been a member of for quite a while. She will report on that at the next meeting.

Trustee Kaye stated her resolution this evening is to call for a public hearing to amend a section of the Village Traffic code. Basically what this change would do would "extend no parking on Reist Street 30' north of West Spring Street." This has been an area of great concern. During the past year there have been several people who have parked on the corners and in the area right directly across from the parking lot which exists behind Leons Hair Salon, which has caused a real traffic and safety problem. It's gone before the Traffic and Safety Board and we've received letters of concern from residents in the area accompanied with pictures. We've had them come in. We've gone out and looked at the area.

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Pat Armitage, who issues tickets for the Village of Williamsville, has written a memo regarding this area as a safety concern and also recommended no parking in this particular section.

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

RESOLVED THAT the Village Clerk publish notice of public hearing to be held on July 22, 1991 at 7:35 P.M., in the Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed local law which would prohibit parking on the east side of Reist Street from Main Street to 30 feet north of West Spring Street.

Unanimously carried.

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

RESOLVED THAT Frank Mischler, 186 Evans Street, is hereby appointed Chairman of the Environmental Committee until the end of the 1991-1992 official Village year.

Unanimously carried.

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

Unanimously carried.

Trustee Lowther stated in her second resolution the Village is going to institute the voluntary position of Tree Warden. As everyone knows the Village is full of trees. We are working constantly to make sure that they're maintained, that they're pruned properly, that they're fertilized and that they are taken care of if they're injured, dead or damaged. By having a voluntary position of tree warden we feel we could have a better handle on what's happening with the situation. It would alleviate some of the problems we've had with trees being planted too close to wires, too close to houses, too close to streets in the improper, illegal right of way.

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

WHEREAS, the maintenance of municipalities, is extremely important to the Village for both aesthetic, and budgetary reasons, and

WHEREAS the beauty of the trees could be significantly improved through a continual inspection program, which identifies problems in a timely fashion,

THEREFORE, the volunteer position of **TREE WARDEN** is hereby created, the duties of such position to include, but not be mandated:

1. Minor pruning, weeding, fertilization.
2. Canvassing Village to identify dead, injured or unhealthy municipal trees, and filling out a form indicating that attention must be given to them.
3. Meeting with any resident requesting on sight inspection of a municipal tree.
4. Advising the Department of Public Works about all trees needing attention.
5. Identify locations needing replanting of municipal trees. Coordinate Spring and Fall tree planting.

Mayor Daniels stated notification is hereby given that that position does exist if anyone in the community knows somebody interested in filling that particular capacity. It would be great. It would be someone who has alot of interest in Village trees, somebody who would not mind taking the time out to walk or ride or drive around the Village streets to visually inspect the trees.

Unanimously carried.

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

Unanimously carried.

Trustee Hayes read a statement on the merits of the Service Award Program for volunteer fire fighters in the Hutchinson Hose company. (Copy attached).

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Trustee Kelly reported there is a Youth and Recreation meeting tomorrow. He strongly encourages anyone interested to join up since we have 2 vacancies on the Youth Board. We're actively looking for more people to be involved. This summer we have events scheduled 12 of the 14 weeks. The 3 that we have coming up that we should be aware of are during Old Home Days. There's a number of activities for the youths specifically planned for them with prizes and awards. Savor the Flavor has a number of things scheduled for youth and there are a couple of movies scheduled for Island Park.

Superintendent David Laubisch had no report this evening.

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

Unanimously carried.

Tony Schueckler, a past chief of the Hutchinson Hose Company, a current Board of Director and a lifetime resident of the Village of Williamsville stated September 1, 1989 the State Legislature and Governor enacted legislation that allowed for a Service Awards Program for the volunteer in New York state. Our own fire company started looking into it shortly thereafter. The main reasons for the Service Awards Program are to encourage members to join the fire company but as a big part to keep the members active and keep them involved in the fire company and get more longevity out of them. The Service Awards program basically is somewhat of a pension program but the firemen don't necessarily resign or get out at the age they are entitled to start collecting money. Basically the Fire Department looked at a lot of options over the years since 1989. We sat down and met on it. We sat with the town companies in a joint venture over the years. In November of 1990 we approached the Village Board at that time in regard to the pension plan and the Village started looking at the different aspects. Shortly after that a lawsuit was enacted by the New York State Conference of Mayors, so our Village Board, at that time in 1990, took a hold on the position of the pension system. A lot of things have happened back and forth with that lawsuit. It's still up in the air. The fire company once again is bringing our request for the pension back to the Village. We would like to see a pension plan go forward in our fire district. The plan type would be a defined benefit. The defined benefit would be paid to eligible firemen in the amount of \$20.00 per month for each qualified year of service not to exceed 40 years. Entitlement age would be 60 years of age. Each eligible volunteer fire fighter participant would receive credit for 5 back years of service.

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No matter how long they have been members in the fire company, even 35 years, they'll only get credit for 5 back years. That's state law. Vesting will be 100% completion after 5 years of service. Every firemen involved in this pension program will have to complete 5 full years of service. There will be no partial vesting. If he drops out within that 5 year period, any monies that were put aside in the plan for him would fall back to the plan and thus reduce the cost of the plan to the Village of Williamsville. A firemen would be allowed to come in at 18 years old. There again the 5 year plan would kick in and actually wouldn't be locked in until 23 years of age. We also would like to see a death and disability plan go with it, a life insurance death benefit of \$10,000 in value or the greater of the policy. The qualifications of our membership will be based on the following: For a fireman to be eligible for 1 year of service, each year he wants to be in this Service Awards Program, he will be required to achieve 50 points of fire fighter service. There's numerous ways a fireman can get this service. He can attend drills. He'll get one point for each drill at a 2 1/2 hour duration with a maximum of 20 points. For every meeting he attends will be one point. Training courses - he can achieve up to 25 points on a graduated scale for the number of hours he puts into it. Participation and fire department response, which is our call fire and first aid - he'll obtain 30% but he would have to achieve a 10% rating of our calls. This wouldn't be a problem for any fireman in our fire department. Our by laws are a little stricter. It calls for firemen to make anywhere between 15 and 25% on a scale depending on their seniority in the fire department. Miscellaneous activities - there's a 30 year cap on that on the points for fire department responses. Miscellaneous activities or work details are other things that are necessary. One point per activity, 15 points maximum. Those are usually in a 3 hour duration. If a fireman held an elected office, he could achieve after the completion of one year 25 points for that depending on the office. It's a graduated point system. The chief being the highest at 25 points who puts the most time in by far over anyone in the fire company, graduated down to 10 points for various Boards in the fire company or appointed positions in the firematic end. There's a graduated scale for that which the Board should all have a copy of. Basically a delegate or anyone appointed to serve on a committee by the chief or the president could also achieve up to 5 points. After the completion of 50 points that would entitle a fireman to achieve one year of service. He'll have to continuously do this over the period of years to achieve the maximum. For any year they do not complete, they do not qualify for pension for that particular year. The other big reason the fire company would like to see the Village go through with this is not just to benefit our firemen but it's also to stay competitive with their fire companies.

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Three fire companies around us have already adopted plans and there's nothing actually stopping any of our members from turning over to another fire company or basically moving in and getting some of their past time counted. We feel this would also be a benefit to maintain the membership we have. We're not looking to bolster our membership. It's sitting at about 60 members right now and it's been running an average between 58 and 65 people for the past 10-15 years. We're really a fortunate area here because we're not sitting in a slump as some of the other fire companies are. We've been able to maintain this amount of membership and maintain a good quality of membership. That's one of the big factors why we would like to see this adopted. The Village approached us on a couple items which we met downstairs on and he is happy to report that the fire department has agreed to a cap of members of 65 and that we establish a waiting list. This has to be changed in our bylaws which we can't change tonight but this membership has agreed to put this in the form of a bylaw change which will be brought up at our annual election in December. The fire company was also approached by the Village, regarding the financial aspect, because of the different budgets between the Town and Village. The firemen would like to go one step further with the Village in this aspect and probably be one of the first ones in the area to do this. We would like to donate to the Village the first 2 years of the buy back when they're due. Another words, when the premium is due on June 1, 1992 we would donate 1/5 of the buy back. It's actually 20% of the buy back which would be graduated over a 5 year period and we would be willing to donate 2 years of that buy back. Rather than have 40 or 60 people come up here to discuss this, we're just going to allow for one other member to speak on this pension program.

Trustee Lowther asked when Tony was discussing the points, he mentioned there's a 30 year cap on having to get points, was it her understanding that 50 points per year have to be obtained to get your maximum 40 year benefit if that's the plan?

Mr. Schueckler stated there's no 30 year cap. You have to obtain 50 points per year. If you have a bad year, your benefits aren't lost but no donation is made for that year. If you come back, say the next year because of maybe an illness or your job takes you away from it for that year, then the payments would pick up the following year. However, our bylaws kick in here also, which is if a guy was low enough that that wouldn't happen, he better have a good reason because he's going to be put on probation in the fire company.

Mayor Daniels asked for a little clarification on the donation of funds from the fire department to the Village.

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Mr. Schueckler stated he knows the Board has not committed to a 5 or 10 year buy back but looking at it from a financial aspect the Village is probably better with a five year buy back because you're not paying interest penalties on all that money. The fire department in the 5 year buy back, if the 5 year buy back is considered and adopted by the Board, the fire department is willing to pay the first 2 years of the buy back on their due date which would probably be June 1st of that year, the start up of that year.

Mayor Daniels asked what would the amount approximately be of that?

Mr. Schueckler stated around \$54,000 per year. That's rough figures based on what we have but we're pretty close. We've committed to the 2 years.

Mayor Daniels stated that's incredible. We asked a loan for the Town's share and the fire company comes back and gives the Board 2 years free.

Mr. Schueckler stated basically the Village would just have to pay the premium for that year's service. Our feeling was number one, looking out in this room here and the firemen that you have present, probably without exaggeration, 80-85% that are here tonight are all tax payers in this fire district. So it's not only affecting the tax payers that are sitting out as the public audience, it's affecting the tax payers that are firemen. We felt that our circumstances are good right now. We are in a good position to do this. Maybe 3 years from now we're not. Right now we're in a good position to do this. We had saved some funds for another purpose and we felt that these funds could be used. We realize these are tough times. It's tough times with the state, it's tough times with the town. Obviously it spills onto the Village. We feel that 2 years down the line things are probably, hopefully going to be on a more promising side. It'll give the Village a chance to plan for this a little further in advance. We feel that the initial investment of the premium will be enough for the Village to eat without having to eat the first 2 years of the buy back.

Mayor Daniels stated he wonders what the Trustees will have to say about this.

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Mr. Schueckler stated the fire department believes this contribution is totally legal. It's not something we just jumped into tonight. We've been researching this. We weren't able to make it public. Pending any ramifications, it would actually have to come in the form of a donation to the Village of Williamsville who would then turn around and make a payment to the insurance company at that time. If there's any further legislation that prohibits this, obviously we would have to retract this but from what we've seen and researched, basically as long as you're paying it, the money is not a factor where it comes from.

Mayor Daniels stated he's sure it's unprecedented. He's never heard of any other company doing that. It's very heart warming.

Trustee Kelly asked if the buy back for 2 years is under the 5 year program?

Mr. Schueckler stated we based our facts and figures tonight on what we voted on under the 5 year. If it went to a 10 year we would obviously have to graduate it some other way. In looking at the way costs are inflated over a 10 year plan, it's probably not in the Village's best interest to be involved in a 10 year plan because they're really slapping some interest penalties on you.

Trustee Hayes asked what kind of discussion has the membership engaged in regarding the timing of having the act on this request in terms of setting up a public referendum and going to the public with it.

Mr. Schueckler stated basically we like to see the Village do this. Obviously we don't want to see it happen with a primary or general election because traditionally people do not take a good look at the items at the top of the agenda. We'd like to have a separate referendum sometime this year so the program could be implanted June 1st of next year in the Village's next fiscal year. We'd like to see this referendum take place sometime in the near future but as a separate referendum where the fire department can go out and actually educate the people and explain to them what they're voting on, how it's going to affect them financially and do a good job with the public on it. We don't want to just dump this on the public and make them feel what they're getting and that it's maintaining a valuable asset that they have and we want to maintain the integrity of our fire department. Our membership feels that this Service Awards Program is the best way to go.

Trustee Lowther asked if the Village Clerk had any updated information on the lawsuit from NYCOM.

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Clerk Cummins stated we've received nothing.

Trustee Lowther asked if there was any comment on what would happen if we go ahead and pass this and then NYCOM does come down with a decision in their favor?

Mr. Schueckler stated we've researched this through the New York State Association of Fire Chiefs and basically all assets in this program would be frozen there. Obviously the actuarial costs that you see have to be paid for because that happens no matter what would happen to the money in the policy. If the lawsuit was reversed and all firemen's pensions were declared illegal, the monies would go back to the governing agencies and that in turn would have to be used to defray the tax costs or the operations costs of the fire department over the upcoming years.

Trustee Lowther stated her concern is that we wouldn't be tied into something with an insurance company or whoever is underwriting the program that we would not be able to retrieve the funds.

Mr. Schueckler stated the Fireman's Association has been told the lawsuit has a good chance of being killed.

Mayor Daniels stated that is his understanding too. It's on very shaky ground at best.

Trustee Kelly stated we don't have the full plan in front of us so he's asking some questions that are in the plan itself. Say for example someone comes in at the age of 23, puts his 10 years in and stops. He's entitled to a benefit at the age of 60. Are we still paying every month on this individual until he turns 60?

Mr. Schueckler stated no. Once he withdraws from the fire company or doesn't complete his percentage we stop paying on him, however, the monies that he has in the fund still get interest and he will receive a graduated benefit at age 60. It's going to create a record keeping problem for us. We're going to have to maintain a lot of records but basically we'll have to adjust our bylaws accordingly. Some of the officers will pick up a new duty or there will be a new person directed to maintain this pension program because we will have to keep long range records, which we actually do now anyways. We have to keep records for years. We have records dating back to the 30's on firemen. We have to keep them now so it's not really that much more.

Trustee Kelly stated the \$6 or \$10 fee - he's looking at the EJH proposal. It seems that that's a better one that's been put together. The \$6.00 per program participant, when that person leaves they still have to keep track. Are they going to be charging that per participant?

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Mr. Schueckler stated it's basically per participant of that year. There again it's based on what the actuarial cost involved here is, the fact that they have to look over the full participation rate of the fire department for that year. We have to send a full report to them. They in turn have to produce a full report to the Board as a governing agency and a full report to the fire department.

Trustee Kelly stated for example, 20 years from now there's going to probably be 90, 100, or 200 people that have been participants in this plan and may have qualified and they have to be kept track of every year. Is that \$10 or \$15 or whatever per participant?

Mr. Schueckler stated he believes that's just for active participants of the plan. We'll get a clarification on that. Actuarial costs, as you can see between the 2 plans, do fluctuate.

Trustee Kelly stated his only consideration for that is that the plan itself will remain the same but is the administrative fee going to grow tremendously?

Mr. Schueckler stated there again he thinks each company, it's something that the Village and the fire company will have to look at with the individual companies and the actuarial costs and how they base their actuarial costs. He's sure there's going to be some competition between companies in that aspect as you can see by the range of prices that we've seen in that.

Trustee Lowther asked Mr. Schueckler if the point schedule was the same as the one that was adopted with his resolution of November 13-14.

Mr. Schueckler stated our point schedule hasn't changed but if you compare it to some of the other fire companies it's got a couple other items in it which other fire companies haven't done. Our bylaws are a little stricter than the point system. Our firemen won't really be doing anything more than they're already doing now. It's a time that they can live with. We did make a couple of adjustments in the point system to try to tailor it around our bylaws.

Trustee Lowther asked what's miscellaneous activities?

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Mr. Schueckler stated miscellaneous activity would be a work detail or something along that line. We have periodic work details to clean up after a fire, for example, stand by for first aid on Old Home Days. There's a lot of little activities where we have to assign a fireman a duty and he is sitting there for a minimum of 3 hours, then he would fall into that miscellaneous category. It's just a place where we can't plug them. It's not a call because fortunately an incident didn't happen but yet it's something that has to be done to benefit the fire company.

Trustee Kaye asked if the fire company has a preference in terms of who votes, whether it's just Village residents or people within the entire district.

Mr. Schueckler stated our fire company doesn't really have a problem with that. Basically we want to educate the people that are going to vote on this and that will be our next step once the Village has given the fire department the green light that they're interested in this and ready to go. Our plan is next to get out through our mailing system and send something out to the tax payers. Same as we did when we moved across the street here. Just to let them know what's going on. We always like to keep our taxpayers informed on what's going on. That's our full intent.

Mayor Daniels stated he does know there is a determination now that if the fire district extends beyond the corporate limits of a Village into a town that the mandatory referendum need only be taken place within the Village limits. As a courtesy to extend it to that area in the districts outside the Village limits is certainly a possibility but it's not something that is a requirement. The other factor involved is that it is much easier to monitor an election just within the Village limits because the districting is all set so that there's no question about who can or cannot vote. His recommendation would be to keep it within the Village limits but he certainly would want to make sure that the Trustee is aware of everything that is going on.

Mr. Schueckler stated no matter what happens here we plan on educating the whole fire district. There's no 2 ways about it. Our fire district is a little more unique than some of them because we do cover other districts, one district is one building. We researched ways on how they're going to vote for it because there's no actual residents. This is the lamppost itself on Wehrle Drive and no one has an answer on how they can even vote on this issue. In allowing the town areas to vote, there are some questionable items on how it would happen. The big item is how we would get an accurate census because no polling census around is done for the fire district that would encompass our particular areas. They don't fall into any geographical location or any political subdivision.

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Bill Wutz, 3 Hillside Drive, stated he has lived in this Village for over 50 years. He's been a member of this department since 1944. He spends a lot of time in this fire service, a lot of good expensive time. He thinks the Village of Williamsville should be proud of this group who are second to none in fire protection and first aid who have been around a long time. This fire department has been in existence since 1836 under many different names. We feel that the men who are devoting their time and service in the average of approximately 500 to 1000 hours a year per man is a very cheap price to have to pay. You get the best deal in town. Consequently, there is nobody in this organization that is unionized or goes on strike, no vacations, no sick leave, no time off. These guys are here when you need them. At this time he would feel that the people of the Village of Williamsville should be very proud to say that we are the first ones in the Town of Amherst to be able to put this Service Awards Program to the front. He thinks that the men and the people of this Village deserve the best that they can get and right now we're doing that.

Mayor Daniels stated we know we've got it, we just want to keep it. We have submitted so far 2 proposals from 2 separate companies. Basically, they're quite similar with some minor differences. We would expect maybe one more proposal to come in. We suspect that one too will be quite similar. At that point we will sit down as a Board and it could be as soon as a special meeting to discuss NOREC, which will have to be called before the 17th and at that point discuss the proposals, any suggestions that we might have and then get back to the fire department with any recommendations we have for improvements or what we would like to see changed, if anything. At that point, if everything is in agreement, call for the mandatory referendum with a specific date in mind pending availability of voting booths within the Town figuring the primary and regular election in November and the impounding of machines during that period. If that meets with everyone's approval, the next step would be to determine the beginning date of this program and the fact that the fire department is contributing a major portion of the Village share for 2 years. It gives us a great amount of flexibility and it seems like it would be a matter of keying in when we would like the fiscal year to start. As you know the Town and Village fiscal years are different. We would like the Town to be able to kick into the program as soon as possible after it's implemented so that the Village doesn't have to up front that money. That would be the agenda, the programming of this, the timing of it. It should move along quite quickly now and we're closing in on some affirmative actions. He thinks we all want to see what's best for the Village as a whole.

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Trustee Kelly stated it's about time we got something similar to this. It's a matter of what form it takes for him to vote on it. He's most concerned about what insurance companies are doing this because obviously some insurance companies are much better rated than others. He'd like to see a little more information concerning the past history of what the planned actuaries have done with other plans, who they have represented and how their programs have come off. Trustee Kelly is really encouraged that we're finally getting to the point where we can vote on something that is long overdue. This Village couldn't exist if we had to have a fully paid fire department. This is one small way we can help keep our volunteers who work hard for us. He's looking forward to putting something together that's good for everyone.

Trustee Kaye stated she's very proud to be a part of this process as well, to reward all the hard work for all of the firemen. As some of you may know, she is a true fire house brat. Her father was in the fire department for 37 years with the Buffalo Fire Department. She grew up basically in Engine 37. She truly understands the level of hard work and dedication that all of you have put in. She is very honored and proud to be one of the fire commissioners here and be able to help move this forward once we iron out some of the details and appreciate your generosity in helping us make that more possible by your donation. Thank you.

Richard Sweeney, 325 Mill Street, stated as a previous Board member who got some initial information concerning the Firemen's Service Award Program, he kind of developed a skeptical attitude toward it, however, the more information he finds the more he likes it and the more he thinks the Village should go ahead with this referendum provided that there is ample coverage of the features, the benefits, the merits of the program to the public before it gets to the vote. Having experienced what he feels was in part tax payer retribution, he thinks it's very important to get the good side of the message across before the bill becomes known.

Mr. Sweeney stated in regards to NOREC and trying to get the message out and bring out the benefits of any given program before the bill comes known; he's not sure that anyone in terms of solid waste management knows what the ultimate bill is going to be. This is an issue where even longer than his service as a past Village Board member, he has been a student of municipal planning, cooperation and largely the failure in the Western New York area of municipalities to adopt cooperative programs that seem to be outstanding examples in national magazines for solutions to solid waste and environmental problems.

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He's really been disappointed to see what happens in Erie County every time there is a budget cut, what happens to their Department of Environment or Environment and Planning, cooperative agencies like the Erie Niagara Regional Planning Board. He thinks there really has been a dismal record of municipal cooperation. He's not here to rehash ancient history but to make the pitch from his experience for the Village Board to make a strong positive statement and to help to influence the Town government into making this NOREC proposal a reality. Unfortunately, in his view, the Town of Amherst while having a mixed environmental record has certainly had a rather parochial go it alone attitude towards cooperative programs be they emergency services, highway cooperations, and snow plowing. There are some exceptions, but overall the Town of Amherst has paid top dollar and has gotten good, excellent programs which are totally under their control or they have decided not to be involved. Unfortunately, he thinks the record is already clear at this point that the Town of Amherst is very likely to turn down NOREC unless they receive some encouragement and some very definite message from the town taxpayers and the Village government certainly should be a strong voice of support for NOREC and should be a strong vote or a strong influence on the Town. He thinks the facts have not fully come out in terms of what the bill is but he thinks the track record of what has happened in New York is quite clear. New York is not going to be an area that has only 1 or 2 dumps. We will likely have a competitive commercial situation, but at the same time the costs of those services is becoming more and more a monopoly of a few select companies that really are in a position to know what the proposals are. He doesn't want to accuse them of collusion, but it's not truly a competitive situation. They are in a situation where they are getting the government, New York state, and federal agencies to basically guarantee their market by passing increasingly restrictive solid waste disposal laws and at the same time to make it so expensive for anyone to get into the business that it really is becoming more and more a monopoly in Western New York. Mr. Sweeney has been a participant in solid waste disposal from a government agency perspective for some 20 years. He was involved in some of the comprehensive planning in Chautauqua County. He has been able to sit back and see some of that record. He's not really coming to try and present some insider or expert views, he's simply trying to present what he sees as a clear track record that the Village of Williamsville has truly been in a leadership role in NOREC and in a number of environmental matters including solid waste and recycling up to this time.

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We're in a unique situation of being able to continue that role of leadership and he would strongly encourage this Village Board to exercise a leadership role by taking a quick vote and trying to influence the Town or you can sit back and say "we want to have a cooperation with the town" when the town clearly is interested in going alone, abandoning this intermunicipal program. He doesn't see a strong environmental advocate on the current town board.

Trustee Kaye thanked Rich Sweeney. She wants to express to him and those in the audience that NOREC is the way to go and feels it would be a very beneficial long term to the Village and expressed that to her fellow Board members, verbally and in a letter to them that was presented prior to the last board meeting.

Trustee Hayes reiterated something that was said previously in the work session about NOREC. Some of the concerns that he has with regard to that, he certainly appreciates former Trustee Sweeney's comments tonight and he thinks that this Board is taking a very careful look at what's happening but all with the mind set of wanting to do what is best for the Village of Williamsville - what's the most prudent for the Village, what's the most prudent for our residents and our taxpayers. He's not so sure that it is as important to him as a Village of Williamsville Board member to want to do things and to take actions to be a leader of what the Town does. Certainly, they have their own difficulties, their own problems, their own issues to address and we want what's best for every resident in this area. He is deeply committed to making the right decision for Williamsville. If that means taking some time to make a decision, studying the information that's out there as it changes on a daily basis, that's his commitment to environmental concerns for our residents. He appreciates Trustee Sweeney's comments that he made tonight and he appreciates Trustee Sweeney's experience in this area.

Mayor Daniels stated the Board doesn't want to give the impression to anybody that we are not in favor of NOREC. We think that the concept is a good one. It gives us options, not only to contract out for another company to pick up our recyclables to take to the facility but also to pick it up ourselves internally and take it to the facility which is a valuable option as well. What Trustee Hayes says though is true. It is still changing. There is a meeting tomorrow at 4:00 P.M. which this will be discussed again. Things are still in flux. We have the bottom line here tonight of having no advantage at all to approving the NOREC concept before the deadline so far as the Village residents go.

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There's no advantage to approving any kind of money to be set aside until all the issues surrounding it are settled with the bigger players. Obviously a town with 110,000 residents is going to control the situation more than a Village of 6,000. To think that we're a major player in this is another story of the tail wagging the dog, which we don't believe is the case. Mayor Daniels thinks our best option, when the smoke clears and it will be before the deadline he believes, is to look at what's best for the Village then and select the proper course for the residents. It will be the most fiscally responsible act that we can do.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, 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 8:54 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer