

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 Tuesday, December 9, 1991 at 8:04 P.M.

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

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

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, it was moved to open a public hearing at 8:04 P.M.

Unanimously carried.

The Clerk read the notice of public hearing being held December 9, 1991 at 7:30 P.M. in the Village Hall, 5545 Main Street, Williamsville, N.Y. for the purpose of hearing all persons interested in expressing an opinion on a proposed local law to amend Section 103-15 of the Village Vehicle and Traffic Code to provide for a stop sign on Oakgrove Drive at Hirschfield.

Trustee Kaye stated this public hearing refers to a traffic and safety matter. It proposes a change in the Traffic and Safety Code and would amend Section 103-15 by providing for a stop sign on Oakgrove at Hirschfield in the easterly direction. This has been discussed by the Traffic and Safety Committee and our Parking Enforcement Officer has requested that we provide for a traffic sign at this intersection. It's a problem intersection and it has been for quite a while. Traffic and Safety unanimously decided the Board hold a public hearing on this stop sign and they strongly felt this was a necessary item.

Trustee Kaye stated we presently do have stop signs on Hirschfield at Oakgrove at north and south. This would actually be making a "T" intersection.

Carolyn Schlifke, 192 Evans Street, stated probably one of the biggest misconceptions of people is that stop signs will solve all the problems on our streets. The person who now is sliding around the corner on Oakgrove leading onto Hirschfield, she's afraid will continue to slide around the corner without stopping even if you put up a stop sign and she would almost guarantee you that probably 99% of the people that will be doing this will live right in the area. It's a proven fact that most people that live in the area of the stop signs ignore them because they become so used to them.

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They also become so used to the fact that many times the traffic volume is not sufficient to warrant the stop signs. But over the years somebody felt that they should go up and therefore they almost create a more dangerous situation because one person relies on the stop sign and the other one doesn't. Mrs. Schlifke stated she did serve on the Traffic and Safety Committee for about 10 years and she also was a liaison to that committee for 2 years when she was on the Village Board. During that time she attended many seminars and spoke to many traffic experts. One of the things they all stated was that stop signs are probably one of the most misused traffic control devices municipalities have. They're put up usually because residents in a neighborhood have requested them. The point she would like to make is that we have so many stop signs in the Village that she would like the Board to perhaps look a little deeper into the situation when additional stop signs are requested. We should make sure that they meet the New York State standards for stop signs. There are certain criteria which should be followed such as volumes of traffic on the 2 roads. Also, stop signs should always be placed on the road with the least volume of traffic. In other words, there probably should have been a stop sign on Oakgrove but not on Hirschfield. The ones on Hirschfield were probably put up because it's a very long street and the neighbors felt that the stop sign would stop the speeding. However, speeding is not one of the criteria for a stop sign. If you look at Chalmers Street there are 4 stop signs in a row on Chalmers, while the intersecting streets, which are least traveled, do not have stop signs. They're not correctly put up but the people on Chalmers probably wanted the stop signs in order to stop the speeding. So the Village is littered with this kind of traffic device which really are incorrectly installed. All Mrs. Schlifke is asking is that before more stop signs are installed, the Board examine the situation carefully.

Trustee Kelly stated addressing the specific intersection, Oakgrove ends right there with no stop sign. What is your opinion about that?

Ms. Schlifke stated a long time ago, when she served on Traffic and Safety, she was told that "T" intersections do not have to be signed, the same as Trustee Kaye advised her at the last meeting that the access road leading into Essjay did not have to be signed. In other words, you don't park in an access road and you do not come out of a "T" intersection without coming to a stop. The sign is not a necessity for the educated driver. Of course we don't have an awful lot of educated drivers around. So it's a problem. She understands that.

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By putting the stop sign up you may feel that you're getting the Village off the hook but you're really not making the intersection any safer than what it is unless you could post somebody there for 24 hours a day to ticket everybody that goes through the stop sign because they're going to continue to do so if there is no traffic on Hirschfield. She doesn't believe the traffic volume on Hirschfield and Oakgrove qualify for stop signs.

Trustee Kelly stated he has a couple questions regarding how Traffic and Safety decides on these things. Did anyone from Traffic and Safety actually go to the Town to check accident reports to see if there has been any accidents in the area? Has it been done historically? Is it something we should be doing?

Trustee Kaye stated the Traffic and Safety Committee has not requested accident information for that particular intersection but they will be doing that. Also, Traffic and Safety has a retired Amherst policeman as a member of the committee. Our Parking Enforcement Officer brought this intersection to our attention and asked us to look at it. There was a lengthy discussion about it at Traffic and Safety about whether or not there was a need to move forward with a public hearing. We can take all the information together with the accident reports and analyze it and make a decision.

Trustee Lowther stated for the record that stop signs on Chalmers don't work. She's lived there for 7 years and to this day she still comes to a complete stop at Gordon and Arend because those don't have signs but she knows that people go through the stop signs on an extremely consistent basis. So they aren't very effective there.

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, it was moved to close the public hearing at 8:14 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 Tuesday, December 9, 1991 at 8:02 P.M.

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

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 8:02 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the regular meeting held by the Board of Trustees on November 25, 1991 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the minutes of the public hearing of the Board of Trustees for a proposed local law to amend Village and Traffic Code - "No Parking" on east side of Evans Street- held November 25, 1991 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the minutes of the public hearing of the Board Trustees for a proposed local law to amend Village and Traffic Code - four-way stop sign at South Ellicott and Park held November 25, 1991 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the public hearing of the Board of Trustees for historical designation of S.S. Peter & Paul Church held November 25, 1991 were approved.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, it was moved to open a public hearing at 8:04 P.M. on a proposed local law to amend Section 103-15 to provide a stop sign on Oakgrove at Hirschfield. (The public hearing was closed at 8:14 P.M.)

Unanimously carried.

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Mayor Daniels thanked the Evergreen Seniors for inviting him to their luncheon at St. Paul's Lutheran Church. It was very well attended and the food was excellent. Mayor Daniels thanked Elana Janus and the Youth Board for the Christmas sing along yesterday, which started in the overtime segment of the Bills game. It was still very well attended. This is another function of the Youth Board that makes the Village a unique place to live.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$83,965.68 covering 11/21/91-12/5/91 were approved:

payroll fund w/e 11/30/91	\$19,749.41
General fund	53,002.43
Water fund	679.56
Sewer fund	306.69
Trust & Agency fund	5,528.57
Glen Park Joint Activities fund	123.02
Capital fund	<u>4576.00</u>
Grand Total	83,965.68

Large Vouchers:

M & T Bank	\$36,299.27
City Fence	2,957.50

Unanimously carried.

Mayor Daniels stated his second resolution involves the DPW and will create a part-time Clerk's Typist position in that department. We feel that this position will add efficiencies not only from answering calls from people who do have problems that the department can handle but also there's a certain amount of paperwork that comes to the department that could be handled more efficiently by a part-time secretary or a clerk/typist position in the department. We are creating the position at this time. There will be more research into the exact work required and the exact job description of this person. This is the first step towards that goal and we will, after this resolution is passed, develop very specific cost saving measures that will help the DPW provide better service.

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

RESOLVED THAT the position of Clerk-Typist/ Part-time is hereby created in the Department of Public Works, effective immediately.

Roll Call:	Trustee Hayes	yes
	Trustee Lowther	no
	Trustee Kaye	no
	Trustee Kelly	yes
	Mayor Daniels	yes

Trustee Kaye stated presently there is no money in the budget for this position. If we had money in the budget, a job description and hours and dollars attached to this position and the DPW Superintendent also felt that he wanted to move forward with it at this time, she would vote yes.

Trustee Hayes stated it is his understanding that currently there is an \$11.00 an hour laborer in the DPW, one or several, that is involved in doing routine clerical work at the DPW. It has been expressed for several weeks and several months to the Board by the Superintendent, both formally and informally, that to have the position of a part-time clerk/typist would be of great advantage in getting men out on the road, doing work for which they were hired. It's with that understanding that he voted to support the creation of this position and he looks forward to the continued discussion on how to increase the efficiency of the DPW.

Motion Carried.

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

RESOLVED THAT City Fence, Inc., 6047 Transit Road, East Amherst, N.Y. (14051) is hereby awarded the fence replacement contract for the DPW (Alternate Bid #1) for their total low cost of \$12,480.00.

Trustee Kelly stated this is the first part of the second phase of the DPW reconstruction. The fence was originally budgeted at \$14,000 so it's under budget and in addition we have one of the adjoining landowners contributing significantly to the cost so it will cost the Village approximately \$8,300 - \$8,400. We are quite pleased that the bids continue to come in under budget.

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Mayor Daniels stated a \$6,000 cost savings was realized in this 8' high fence, which is similar to the one that was recently installed at Lehigh Memory Trail. It will be consistent with the other fences and the good side will face out, all the way around.

Unanimously carried.

Trustee Kaye reported she met with Marketing Manager Mark Neff from Day Star Recycling this past week. He shared some updates which have occurred in the industry. Day Star has been in recycling for approximately 12 years, primarily in Canada and has moved into the states only recently. Also, Trustee Kaye has spoken with BFI, who presently collects our recyclables and we will be discussing them taking some additional materials after the first of the year. It's in the very formative stages right now. In reading the bids which they supplied to NOREC, Trustee Kaye noticed that BFI was offering to pick up #3 plastics and magazines. With that information, Trustee Kaye called BFI and asked them what the possibility was for those items to be picked up in the Village. They will be starting that up around the first of the year and are planning to contact us then. During our first 6 months of recycling, we picked up 221 tons of recyclables, which is about 11 tons more than we had anticipated. Trustee Kaye will keep everyone abreast on any changes in recycling as they come about.

Trustee Kaye reported she attended the Youth Board's event last night and it was very nice. It didn't seem like it was winter with the kind of weather we've had, however; it was a very nice event. She thanked the Youth Board. They deserve a special thanks for all their hard work.

Trustee Kaye stated her resolution will adopt a local law which was the subject of a public hearing on November 25th, and provides for a four-way stop sign at the corners of South Ellicott and Park Drive. Garrison Park is located there and the Parks Committee had requested this four-way stop sign for a long time. We have a petition that came in from residents of that area and Traffic and Safety has made the recommendation for these signs. Unfortunately, we may have people who will occasionally go through or slide through these intersections even though they are signed but it is Trustee Kaye's feeling and the feeling of the Traffic and Safety Board that this really is a very positive endeavor.

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

RESOLVED THAT Local Law #8-1991, which amends Section 103-15 of the Vehicle & Traffic code and provide for a four-way stop sign at South Ellicott Street and Park.

Unanimously carried.

Trustee Lowther reported that the Performing Arts Group had a very successful two-day Christmas event at the Meeting House this past weekend. This coming week on Wednesday, December 11th and the following Tuesday, December 17th we are going to again be having our dinner theatre with holiday music and a choice of dinners at the Little White House. The evening begins at 6:30 P.M.. The dinner is a 7:00 P.M.. The cost is \$20.00 per person. We hope some of you can join us there since it's a very nice event.

Trustee Lowther reported that the Glen Park Joint Board will not be having a meeting during December. Our next meeting will be January 7th at Town Hall.

Trustee Lowther reported the Environmental Committee met last week. There are a number of students from Williamsville South who are very interested in what the committee is doing. We have one student who is a Village resident who would like to become a member and will be attending our next meeting on January 23rd. She wants to make sure that it's something that she can put the time into and become involved. Trustee Lowther is very happy to see the student involvement in the Environmental Committee because she thinks it's very interesting to them as far as having to do their community service and finding something real positive that they're interested in, which is what the group does. So it's worked out all the way around and she's very happy to have the input of the students in this group.

Trustee Kelly reported as liaison to the Youth Board, he would like to commend all the members for their holiday caroling and party last night. Scott Norwood decided to make it a little less filling at 7:00 P.M. but everyone had shown up by the end and it was very nice. Trustee Kelly thanked David Laubisch for his efforts in getting the bonfire lit and the Fire Department in the work of putting it out.

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

RESOLVED THAT Mayor Daniels is hereby authorized to sign on behalf of the Village 1992 Youth Contract with the Town of Amherst in the amount of \$4,179.00.

Trustee Kelly commented that this contract was budgeted for \$6,804, so again we have a pretty significant savings over what was previously budgeted.

Unanimously carried.

Trustee Hayes added his congratulations to the Youth Board for a wonderful event last evening. It really was a way to get started in the holiday spirit. Also, it was his pleasure to be able to speak to the Evergreen Senior Citizens today at their Christmas luncheon on the topic of Senior Citizens Tax Exemptions. He reminded any senior citizens who are interested in applying for those exemptions that the deadline is December 31 for next year's Village senior citizens tax exemptions.

Trustee Hayes reported that at the December 23rd meeting he will report on the December 17th meeting of the Williamsville Southeast Amherst Traffic Task Force study. As he reported at our last meeting, the Task Force is going to continue in their effort to find a Traffic Study Consultant to begin work on that very important issue.

Trustee Hayes also reported there is no Parks Committee meeting until January and there will be no Senior Citizens meeting until January so happy holidays to both those committees.

Trustee Hayes reported that the Local Government Advisory Board will hold its next meeting on December 19th at 7:30 A.M. here in the Village Hall Conference room. The agenda for the meeting will be three-fold. The first topic that we will be discussing involves the review of a proposal pertaining to a procurement policy on purchasing that all municipalities need to adopt before the end of the year. The second topic includes a presentation by Mr. Don Dehn of our Water and Sewer Department who will update the members on the current status of the water system. He's been conducting a study over the past several months and the Advisory Board has been asked to take a look at this information and to make some recommendations. We have some serious decisions facing us about our water system as a Board and the Local Government Advisory Board has been interested in offering some assistance. The last topic that will be discussed will be an update on the status on the Village Administrator proposal. Anyone that's interested is welcome to attend the meeting.

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Trustee Hayes stated his first resolution involves a circumstance that has been brought forward by our Village Clerk/Treasurer, who also functions as the Registrar of Vital Statistics for the Village of Williamsville. By act of the New York State legislature, municipalities may now collect \$10.00 for certified copies of birth and death certificates. Currently, the law provides for the Registrar of Vital Statistics to keep those funds for performance of the duties. His resolution this evening asks that those funds be turned over to the General Fund of the Village of Williamsville to be used to help fund services for Village tax payers. Trustee Hayes wants to comment in introducing this legislation, this was brought to his attention by our Village Clerk/Treasurer. He is indebted to her for her vigilance in this matter and for her suggestion at her own personal loss, it seems, to bring this forward for the betterment of the Village of Williamsville.

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

RESOLVED THAT hereafter all fees for copies of Birth and Death Certificates shall be appropriated to the General Fund.

Unanimously carried.

Trustee Hayes also commented that this resolution does not relate to any statutory fees that are allowed to the Registrar by Section 4124 of the Public Health Law. He has been advised by the Village Attorney that there are sums of money that go to the Registrars from Albany in the amount of \$.50 per certificate and \$.50 for the issuance of burial transmittal certificates. This resolution does not relate to that statutory requirement.

Trustee Kaye asked how much money is he talking about? In his article in the Bee, he talked about \$2,000 - \$3,000 annually and that's the first place where she got to read that this was going to happen. That article said "we have no plans whatsoever to adjust the Village Clerk/Treasurer's salary as a result of this shift in funds." She knows we discussed this earlier and she wondered how much in fact are we talking about when you take out the statutory fees, so we let the public have a clear understanding of how much money is involved.

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Trustee Hayes stated the information that was provided to him by the Village Clerk/Treasurer can be summarized as follows. In 1988 forty certificates were issued at \$5.00 netting approximately \$500.00, 34 in 1989, 51 in 1990 and 52 from the period of 1/1/91 to 12/9/91. Of those 52 some were at \$5.00 and some were at the new rate at \$10.00, which the state allowed to be collected as of 10/18. So far this year the Village Clerk/Treasurer has collected \$1,380. Trustee Hayes pointed out that while it's very difficult to predict how much revenue will be generated as a result of death and birth certificates, given the fact that there has been an increase in both the elderly population at the nursing home in the Village and with this new increase or doubling of the fees, the Village could probably expect somewhere in the neighborhood of \$2,000 - \$3,000, but that is an estimate.

Trustee Kaye asked how much of the \$10.00 is in statutory fees?

Attorney Troy stated that statutory fees do include reasonable and necessary expenses in addition to the \$1.00. He would think since the statute does say that if the Village appropriates these funds, they have to give her a salary or a stipend for such work that she does as a Registrar separate from her function as a Village Clerk. Therefore, some amount of that \$10.00 would probably have to be appropriated by the Village Board for the purpose of creating a salary fund for the Clerk in her capacity as Registrar over and above the dollar which she gets for each burial permit and death certificate. That's the only place it could come from.

Trustee Lowther asked how is this being accommodated. The fee that we are going to give to the Clerk/Treasurer. It's not contained in this resolution.

Attorney Troy stated there's no reference to it at all. It's still a matter that has to be negotiated. All this talk is about the appropriation of that fund and now the Board, if they appropriate the entire fund, is going to have to give her a salary.

Trustee Lowther asked can we appropriate the entire fund without giving her a salary increase?

Attorney Troy stated no, not a salary increase, a salary stipend. He doesn't like to use the word stipend because that's a bit harsh. He thinks as long as the Board takes the next step, which is to negotiate a salary arrangement with the Registrar in this matter, there shouldn't be any problem.

Trustee Lowther asked then we will not be getting the full fund because we are going to have to negotiate something back?

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Attorney Troy stated you'll take it out of the General Fund. The whole \$10.00 for each certificate will go to the General Fund and then her salary as Registrar will then come out of the General Fund too.

Trustee Kaye asked Trustee Hayes when will he be presenting that information or will we be discussing that at a Board meeting?

Trustee Hayes stated that stipulation is not a part of his resolution this evening. He was just advised by the Village Attorney this evening about the requirement for that and if that's something that the Village Board wants to enter into negotiation and bring forward at a future time, he would participate in that discussion. He doesn't intend to spearhead it.

Trustee Kaye asked didn't she understand Attorney Troy just saying under that Public Health section of the law we're required to pay her some kind of stipend?

Trustee Hayes stated the Village Attorney has advised him tonight that this resolution does not relate to the statutory fees. So the resolution stands on it's own merits. If in the future the Village wants to enter into negotiations about such compensation that should be due to the Registrar of the Vital Statistics, that is a separate matter. It could be brought forward at another time.

Trustee Kaye stated it is her understanding that Trustee Hayes is not planning to move that forward or discuss that portion.

Trustee Hayes stated that's correct, not this evening.

Trustee Kaye asked at some time in the future?

Trustee Hayes stated he doesn't plan to bring that forward.

Mayor Daniels stated he would like to put that item on our agenda for the next meeting to discuss in consultation with Clerk Cummins and arrive at what the Board feels to be satisfactory remuneration. Trustee Hayes has pointed out that would be something that isn't covered by this resolution which stands on it's own.

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Trustee Kaye stated it's important for our audience and members to know that the reason why we're 20 minutes late in coming out was the discussion between Trustee Hayes and Attorney Troy regarding this resolution. She hopes that in the future they can have their discussions prior to or include us as a Board in that kind of discussion so we would all be apprised of this information in advance. If these matters were discussed in the work sessions we could have saved this amount of time, worked out this resolution and complied with Section 4124 of the Public Health Law to have that stipend for our clerk, who as you pointed out, so generously has given up her fees.

Trustee Lowther asked Attorney Troy if this resolution takes affect immediately, which it does, we can go ahead and approve this resolution without setting a stipend?

Attorney Troy stated yes but he thinks the Board is mandated to consider under Section 4124 some kind of salary in lieu. Attorney Troy stated he thinks the intention is clear that the Board intends to address this issue at the next meeting.

Trustee Hayes stated his second resolution involves a situation which has been brought to his attention as the liaison to the Parks Committee. The Western New York Railroad Historical Society is interested in refurbishing the Signal House that was pulled out of the weeds and the underbrush at the Lehigh Memory Trail and was set up at the Long street entrance to the trail. Their intent and desire is to refurbish and restore that building back to it's original facade. They have written a letter to Trustee Hayes which was discussed at a recent Parks Committee meeting. They have asked that the Village transfer possession and control of that building to them for the purposes of refurbishing it.

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

RESOLVED THAT the Mayor be authorized to transfer possession and control of the Lehigh Signal building located on the Lehigh Memory Trail to the Western New York Railway Historical Society with such limitations and restrictions as are reasonable and necessary.

Unanimously carried.

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Trustee Kaye stated she is pleased to see that this is going to be refurbished. When she was Trustee/Liaison on the Parks Committee and they were working on Lehigh Memory Trail, part of the concept plan was to utilize this building and to move it forward. Darling had offered to move it and we were waiting at that time to refurbish it with the help of the Western New York Railroad Society. She is pleased to see that this is continuing to move forward and it will be refurbished.

Superintendent David Laubisch reported we re still picking up leaves at curbside. The 2 snowfalls have put us behind schedule. Secondly, there are no more regularly scheduled trash pickups. Anyone requiring this service can call the office between 9-5 as they are compiling a list of stops.

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

Unanimously carried.

Maryanne Avery, 64 Garrison, asked regarding the Town Traffic Task Force why Trustee Hayes requested that Centerpointe traffic should be included in the study.

Trustee Hayes stated that the Village is very concerned about what is happening in the southeast Amherst/Williamsville section but that the map or the proposal did not take into account any traffic flow from the northward direction into the Village that might ultimately wind up in the southeast portion. He is concerned that the Centerpointe area needs to be included in the study. He thinks that position was supported by Trustee Kaye, who was also at the meeting. She took it a step further and suggested that this area be looked at as a secondary consideration as well as the concern that Ms. Avery expressed at the last meeting about the traffic coming from Cheektowaga. These have been included in the request for proposals as secondary bid concerns.

Ms. Avery expressed her concern as to why this area was being included as it had been studied many times. She wonders if Mrs. Woodward is using this study to put pressure on the county to get Wehrle widened and Youngs widened and wonders if Mrs. Woodward wants Evans widened too.

Trustee Hayes stated he has no answer to that question and that is something Ms. Avery will have to ask Councilman Woodward.

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Ms. Avery stated Trustee Hayes may not be aware of the motivation but there has to be some reason for this study. She is just concerned that they're either thinking about widening Evans or Mr. Ciminelli is still worried about another access road south. She knows they want that. Trustee Hayes hasn't had this background but a group of us have lived through this day by day for several years so this kind of thing is a little sensitive.

Trustee Hayes stated what was discussed at the Task Force meeting was originally putting out one proposal, an initial proposal for bid. Then when we brought up other connected issues such as the issue of Cheektowaga and the issue of the northern traffic flow, it was suggested by Councilman Woodward that we were expanding the study beyond the scope of what it could handle. The map showing Evans Street is being provided to those who are asked to make up a proposal and Evans Street is a secondary concern, it's not the primary concern of the traffic study.

Wally Pacer, 87 Monroe Drive, questioned Trustee Hayes about the resolution adopted at the last meeting making Edward Robinson Temporary Justice. He believes Trustee Hayes had mentioned at that time that it nets out to a savings for the Village in terms of salary. Is that correct?

Trustee Hayes stated the resolution raised Judge Robinson's salary to that of a full-time Justice would, in effect, result in a cost savings because then the salary of the Acting Justice position would not be expended.

Mr. Pacer stated the Acting Justice was Edward Robinson last year for \$1,600. Where's the net savings? Why not have the Acting Justice act in that capacity for 3 months until the election is held?

Mayor Daniels stated that is something that we could have done.

Mr. Pacer stated his salary could be kept at \$1,600. However, Judge Robinson will be getting one quarter of \$5,400 for the 3 months that he's going to be on the bench, which is over and above the \$1,600 he would otherwise get.

Mayor Daniels stated he doesn't get his \$1,600. His salary amounts to somewhere around \$100.00 for each session that he sits in. The Village Justice salary is somewhere around \$5,200 - \$5,300 which averages out to \$100.00 per week. We will not pay him for his Acting Justice salary from 1/1 - 4/6 but will pay him the Justice rate during that period, although his title is not going to change.

Mayor Daniels stated in other words we will be saving a quarter of the year's salary of Acting Justice or \$400.00 - \$500.00

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Mr. Pacer asked why not just pay him his Attorney Justice salary?

Mayor Daniels stated we could have done that but as a humanistic gesture, because he was doing the job of the Justice, we felt the salary be commensurate with the position.

Mr. Pacer asked how many times a year does the Acting Justice work for the \$1,600.00

Mayor Daniels stated it depends on how many times Sharon Townsend, who happened to be the Justice, either disqualified herself or was due to illness unable to sit and that varied year to year. It's not an often occurrence.

Mr. Pacer stated it is misleading for Mayor Daniels and Trustee Hayes to come out in the paper and say it's a net savings. It's a net savings when you are not being overly generous or what have you. We've created an Acting Justice position and somebody has decided that instead of using him as an Acting Justice in that position while the Board waits to either wait to have a new Justice elected or appointed. To simply give him Sharon Townsend's proportionate salary, he doesn't see other than equity and that's fine, that's nice of the Board to be generous to somebody, but he's an Acting Justice, pay him that and don't tell Mr. Pacer that you are saving the taxpayers money.

Mr. Pacer asked, secondly, if the Board can tell him how many hours this part-time clerk in the DPW is going to be working. He asked if the position would be civil service and what the duties would be.

Mayor Daniels stated the number of hours are undetermined. Would this person be doing work presently done by the Village Clerk? We have to apply to civil service to create the position.

Trustee Hayes stated we're making this position available to fulfill an immediate need that exists in the DPW. Any other duties are undetermined at this point.

Mr. Pacer stated one of the memos that he did get from the Local Government Advisory Board from Terry Cummins indicates a shift of duties from her employees to the DPW. He wants to know, especially for future reference when it comes to a decision on the Administrator's position, what this DPW employee is going to be doing, what you envision that person doing. You rationalized it with an \$11.00 an hour person and putting that person on the road but are you in essence going to dump other clerk's duties onto this person? Is this person just going to be for DPW, are you going to unload other things on this person, are you creating another job for the sake of another job?

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The one thing he has heard from Trustee Hayes and Government Studies Committee, as well, is that we're eliminating a one person at \$11.00 an hour and he has a feeling that the Board is going to rationalize this job in terms of helping to create the Administrator's position that Terry Cummins is looking for.

Mayor Daniels stated if the purpose is to make the government more efficient and run smoother with a transmission of concerns into solutions, then that's what we're going to do. Mayor Daniels doesn't think we have to earmark any part of the functions of the government to be only carried out by one person in it. He thinks what we're trying to do is look at the most efficient way to run the DPW. In addition, to make it a cost effective move, if that person, he or she, can in addition to the tasks assigned save us money and time by taking over some of the duties that are now performed at Village Hall, so be it. We have not entered into enough discussions to determine exactly what the job description is going to be. We intend to start that immediately now that this resolution has passed and we are going to be doing some intensive looking into the functions of the DPW and also the office staff here.

Mr. Pacer asked why create the position before you decide whether it's absolutely necessary and what the position is going to entail. He has a memo that says this person will answer phones, complete vouchers. Right now most of this work is done by Clerk employees. Do you really need it if most of this work is done by Clerk's employees?

Trustee Kelly stated it's not being done by Clerks and employees. Right now it's being done by the foreman. This was brought to our attention in July when our Superintendent of Public Works told us that he had some concerns that the people with the most knowledge in the DPW, the people who operate the heavier equipment in the DPW, the foremen, were being stuck in the office preparing all the vouchers to send over to the Village Clerk for payment. They're spending their time recording complaints about refuse, recycling or streets. These men are making a lot of money and they're being forced to work overtime on many occasions to get their work done. If we had a clerk/typist there to take care of and respond to some of those complaints, it would be an effective savings to us because we wouldn't be paying out as much overtime. One of the reasons that it was passed today was to study it a little further as to how much time are we going to have the person work. Obviously, with it being part-time, it's going to be 20 hours or less. The question is can it be done more effectively by this person than by a foreman who then has to work overtime. At this point, we have not funded it, we haven't decided on who's going to fill it. We've just created a position.

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Mr. Pacer asked is this person going to work entirely on serving the public and doing vouchers? A memo from Clerk Cummins to the Government Studies Committee says she anticipates that this person will do some of the work that her employees are doing.

Clerk Cummins stated what she was referring to in that memo is that once Superintendent David Laubisch's people get done with their part of the vouchers, etc., they are sent to the Clerk's office to be finished by her employees. Clerk Cummins stated they will not be doing her employees work, but that person's going to finish up the DPW work that her employees presently complete. What we envision is to train the new clerk to do the entire DPW work so that when it is sent to Village Hall, it's ready to put on the computer. Right now if there's a question on the vouchers or the payroll, they have to call the Superintendent of Public Works and the processing is delayed. With the new clerk it will be simpler. Any questions will be handled by the DPW. When they come to the office they are ready for processing. Clerk Cummins is not looking for them to take over clerk's work, we want DPW work to be done at DPW, finished 100%, ready to come up here, put on the computer to be processed.

Mayor Daniels stated we haven't decided what's going to be the final procedure. We'll make sure that Mr. Pacer is apprised of it every step of the way and we will have a job description that will be finalized and nothing will be passed or anyone hired until everyone has full knowledge of what we're doing. We are not trying to create some kind of haven for employment for people here. What we're trying to do is create efficiencies and make things run more smoothly. By running more smoothly and efficiently, we're going to save money.

Trustee Hayes stated certainly there have been requests and there continue to be requests for positions and for staff support that are far beyond the level of clerk/typist. We heard some of those tonight from our DPW, we hear some of those in continuing discussions of the Local Government Advisory Board but this Village just cannot afford to add that kind of personnel so we make compromises in areas that we can. If those areas involve putting an \$11.00 an hour supervisor out on the road and hiring somebody at \$5.00 or \$5.50 an hour part-time without benefits to do the work, then let's do it in the most efficient manner and that's what we're attempting to do with this resolution.

Mr. Pacer stated he agrees with the idea with trying to keep the budget in line and not create positions. He's not sure that having seen what he has here that the Board has thought this out well enough yet.

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Trustee Lowther stated there was a lot of discussion about this this evening. That was part of the reason why we were late. The reason she didn't support the resolution was because she still doesn't know how many hours a week anyone at the DPW offices is doing clerical work. Is it 1 hour a week, is it 20 hours a week? Usually a part time position is 20 hours a week. That is why she could not support it at this time. Also, the Superintendent of Public Works had questions and was not 100% behind this resolution this evening. This will be his employee so she could not support this resolution even though the Board did, in fact, pass it this evening.

Trustee Kaye commented she felt the Board should complete the job description first, budget the money, figure out how much time we really wanted and what we wanted the person to do before actually creating the position. From a management standpoint, we are then talking about running government like a business. That's technically how a business traditionally runs. With no funds allocated in the budget for this position, her concern continues to be that we removed approximately \$20,000 in overtime at budget time with the understanding that we would be putting that back in when the state monies were restored. Right now there are no dollars or overtime in our present budget; however, we've spent approximately \$7,000 this year so we will have to deal with that in the future and she doesn't want to be cut short.

Carolyn Schlifke, 192 Evans, asked Trustee Lowther if the Meeting House could be decorated with a wreath so that we are in keeping with the spirit of the season and with what is being done along Main Street by the businesses.

Trustee Lowther stated she thinks there is no problem; however, she had been told previously that we were not allowed to put any kind of hooks into the building.

Carolyn Schlifke stated we've always had a large wreath above the door in the wooden area and she thinks that there is either a nail or a hook there. She doesn't think that Gartley Weller would object to it because it's been there many times before.

Trustee Lowther stated she would take care of it.

Ms. Schlifke asked regarding death certificates, can you get additional death certificates or birth certificates through the Village? Ms. Schlifke stated the reason she asks is because she was involved in such an issue 5 or 6 years ago now. She purchased additional death certificates at the Town of Amherst Town Hall because she was told to go there by the undertaker. She wondered how you differentiate between where people go in order to get these particular types of certificates.

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Trustee Kelly stated it really ends up to where they're pronounced dead. For example, if he died in his house on Oakgrove, chances are the ambulance is going to take him to Millard Fillmore Hospital and he's going to be pronounced dead there officially - Town of Amherst. The only real place that we get it is, for example, the Saint Francis Home where they're actually pronounced dead there and they're taken away to the funeral home.

Ms. Schlifke stated she is concerned about the increase of the fee to \$10.00 per copy. A death certificate comes at a time when a family is in turmoil and to her it just seems like just another way to gouge the public.

Trustee Kaye stated she agrees with her. She hears that a lot from her banking clients, that they're very concerned that the death certificate fees have risen to \$10.00 and she hears a great deal of dissatisfaction from the public and they do feel gouged from that standpoint. The majority of the banks have said that they want original stamped ones. There are some real concerns that a bank's internal process doesn't allow them yet to utilize any copies that are stamped by a notary and they are very frustrated from that from an internal banking standpoint also.

Henry Strohman, 116 Eagle Street, commented on the hearing the Village had on the stop signs. He doesn't know who's going to enforce these stop signs and as far as he is concerned, the Village can save their money.

Mr. Strohman stated he heard that Judge Robinson is the Acting Justice in the Village. Apparently, he was a back up Justice in the Village. Is that correct?

Mayor Daniels stated that's correct. As the Acting Justice he would serve when the Village Justice was unable to serve.

Mr. Strohman asked was that an automatic move from Acting Justice to what we would now call full-time Justice?

Mayor Daniels stated no, it would not be automatic. He could have appointed another Justice to fill in for the period until the election but whoever fills that role would have to run in March for the remainder of Sharon Townsend's term, which will be 3 years. He could have appointed someone in that role and paid them the salary and kept Judge Robinson in his appointed role as Acting Justice.

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He could have just had Judge Robinson move up into the Justice position without any additional remuneration and just had him work that position for the period of time until after the election at his Acting Justice salary or he could have done what he did do and to fill the position, ask him to move up and out of consideration, for the fact that he was actually doing the job of the Village Justice, pay him in accordance with that. It's similar to someone taking over the role of someone else in a supervisory position and then assuming that salary in an interim basis. It seemed very consistent for him to do that.

Mr. Strohman stated the Board is aware we've had our problems over in the Eagle/Evans area. A number of these problems stem from one individual who seems to have well connected relatives. It seems to him that this was not the best service you could perform for the residents in the area because this happens to be one of the sources of our trouble. Hopefully, we're going to live through this until April or whenever he's done and he certainly hopes he doesn't run for Justice because we took care of him in the Town.

Mayor Daniels stated he can't run for Justice because he not a resident of the Village.

Mr. Strohman asked where does this leave us on our fence problem?

Trustee Kelly stated that's in the Town of Clarence.

Mr. Strohman stated he knows it but why is in the Town of Clarence?

Trustee Kelly stated to avoid any appearance of impropriety by having Judge Robinson involved. For example, if Trustee Kelly was the Village Justice and one of his children is arrested for something, certainly he's not going to hear it. So whoever's the Judge, you have the same problem.

Mr. Strohman asked in view of the troubles we've had, why of all people, this particular one?

Trustee Kelly stated he has been the Acting Justice for a number of years. It is only a temporary appointment so we don't have to have somebody to #1, have to go away to school and be trained, #2, he's already familiar with who the clerks are and how the courts run. If you're going to have an interim appointment, why hire somebody that will require 2 or 3 months to learn the job when they're only going to have it for 3 months? That's the input that he gave to the Mayor. Certainly, he doesn't agree with what's been going on with how he's tried to influence different things on that corner but he can't hear that anyway. It has to go to a different court so we've avoided that problem anyway. By having someone at least familiar with the court

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system isn't going to totally disrupt the system for the hundreds of other people that will be coming into court from January to April 6th.

Mr. Strohman stated this thing has been in the Town of Clarence for quite some period of time. He thinks it almost seems as though it's being dragged for some reason.

Trustee Kelly stated unfortunately, once it's in the court system, we can't do anything. We've advised the Village Prosecutor to push it and they have to listen to what the Judges say. If the Judge adjourns it, well then we have to publicize that fact and make sure that person doesn't get elected the next time around.

Mr. Strohman stated it certainly doesn't appear that the Board did a lot for the neighborhood with this appointment. We live with this guy. When the Judge comes over and visits, he parks his car at the stop sign between 2' and 3' from the edge of pavement. What do you do about that? You think somebody is going to give him a ticket?

Trustee Kelly stated they should, they should give it to anyone.

Mr. Strohman stated you can save your money on the stop signs. If they don't even check this corner, how are they going to check an obscure corner like Hirschfield and Oakgrove? They don't even know it exists.

Trustee Kaye commented that in October she wrote to Chief Askey in asking for additional enforcement on Evans street, not only for the speeding, but also for the truck traffic as well. She has had conversations with Officer Van Dusen who's on Traffic and Safety and with Captain Moslow as recent as this past Wednesday about Evans Street again and the need for enforcement on that street for these kinds of infractions. We had this conversation about your exact corner that yes, they do need to be ticketing and she has been told that they will ticket whenever they see it. Our Parking Enforcement Official has said that she will ticket it as well whenever she sees it.

Mr. Strohman stated he thinks the Village Board has been very cooperative. In the matter of traffic enforcement he doesn't see that the Board can do anything. He doesn't know what we pay the Town of Amherst for police protection or enforcement, but if we don't pay anything, we're sure getting our money's worth.

Mayor Daniels stated the Enforcement Officer we have tickets when she is on duty quite vigorously. The problem is and has been historically that Amherst gets the impression that we have somebody there all the time so they don't pay as much attention

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as they should. The problem was less when the police department was here on Main Street too. It was much better.

Mr. Strohman stated he thinks one of the greatest deterrents for speed on Evans street is not the police department but the fact that there is a gentleman who lives down on Evans Street, who's apparently a Fire Inspector and has a nice yellow car. He parks it where it can be seen. Recently, they've given him a two-tone.

Mayor Daniels stated he doesn't think that Judge Robinson's interim appointment really affects the case that's pending in the Clarence court. He looked at it more as a cost savings than anything else.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, it was moved to go to Executive Session to discuss upcoming labor negotiations.

Unanimously carried.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved to adjourn at 11:55 P.M.

Theresa L. Cummins  
Village Clerk/Treasurer