

Minutes of the Public Hearing of the Board of Trustees of the Village of  
Williamsville held in the Williamsville Village Hall, 5565 Main Street,  
Williamsville, New York on Monday, March 23, 1992 at 7:36 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

Absent: David Laubisch, Supt. of Public Works

The Clerk read the notice of public hearing being held by the Board of Trustees of the Village of Williamsville at 7:35 P.M. on March 3, 1992 in the Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 103-16 of the Village Vehicle and Traffic code. The proposed local law would eliminate the current "no parking" ban on the west side of California Drive and would add a "no parking" prohibition on the east side of California from Main Street to Milton Street.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to open the public hearing at 7:36 P.M.

Unanimously carried.

Trustee Kaye stated this has been a recommendation from the Traffic and Safety Committee. We have also received several complaints from village residents who live on California. Basically, as you heard from the notice of the public hearing, this local law would change the parking from one side of the street to the other side between Main Street and Milton Street. It would also make it consistent along the same side of the street. Currently, as you go down California from Main Street, there is no parking on the west side of the street. This would be changed to the east side of the street. We are looking for that level of consistency all along the street. Right now it changes halfway down the street. So there's a lot of confusion regarding which side of the street the people should park on. Also, we have heard from residents and tenants in this first section of California between Main and Milton that there's always a tremendous amount of congestion on this part of the street. The proposal would also aid the Fire Department in case of a fire because it would remove the parking from the side of the street with hydrants and move it to the side of the street that has no hydrants. This is something the Fire Department would like to see wherever possible on village streets.

Trustee Kelly commented he has a petition that was signed by 7 people along 26 and 36 California Drive who are in support of the change in law and he wants that noted for the record.

Trustee Lowther stated she's happy to see that we will have some consistency along that street. She thinks when you have parking on both sides of the street within one street length, you can run into problems. She thinks it's a good idea and she is happy to see the fire hydrants cleared up too.

Trustee Kaye read a petition into the record that did come in. (Copy attached). She appreciates the residents interest in this and bringing it forward to the Traffic and Safety Committee.

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ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to  
close the public hearing at 7:41 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk/Treasurer

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

Thomas Troy, Village Attorney  
Theresa L. Cummins, Village Clerk/Treasurer

Absent: David Laubisch, Supt. of Public Works

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:34 P.M.

Mayor Daniels stated as a new courtesy to the younger people that attend the village meetings, a Student's Handbook has been prepared giving pertinent information regarding the Village of Williamsville.

Trustee Kaye asked Mayor Daniels if other students want to get these, where do they get them from?

Mayor Daniels stated we have a limited budget so if the students attend the meeting, they are welcome to one. As far as passing one out to every student in Amherst, it really isn't fiscally possible.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, the minutes of the regular meeting of the Board of Trustees held March 9, 1992 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, the minutes of the public hearing of the Board of Trustees to designate the Williamsville Cemetery as a historic site held March 9, 1992 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, the minutes of the meeting of the Board of Trustees to accept the election results held March 17, 1992 were approved.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved at 7:36 P.M. to open a public hearing on a proposed local law to amend Section 103-16 of the Vehicle and Traffic code - California Drive parking. (The meeting closed at 7:41 P.M.)

Unanimously carried.

Mayor Daniels reported we are moving ahead with the Northwest Solid Waste Board and the Comprehensive Recycling Analysis that the state requires. We're now in discussions on how best to proceed with the documentation that's required. Something that we are interested in doing, which isn't tied to the recycling analysis, is the use of the Town of Amherst's composting facility. His understanding is that we need to make a request if we want to use that recycling composting facility and the DEC will change the permit to allow us to use it. Mayor Daniels will keep the public apprised of how that is proceeding.

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Mayor Daniels stated as you know, we had an election last week and the turnout was very high for just 2 positions. He thinks that it was a good indication of the great amount of interest the village residents have in their government and the way which government is run. Mayor Daniels thanked the public for their interest.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, vouchers in the amount of \$46,242.35 covering 3/6/92-3/20/92 were approved:

payroll fund w/e 3/7/92	\$ 17,804.57
General fund	23,436.69
Water fund	654.42
Trust & Agency fund	4,346.67
Grand Total	\$46,242.35

Large Vouchers:

Niagara Mohawk Power Corp	\$6,971.49
Niagara Sanitation Co., Inc	6,614.75

Unanimously carried.

Mayor Daniels stated his second resolution regards a public hearing the board had on designating the Williamsville Cemetery at the corner of Reist and Main as a historical site. It's a very old and significant cemetery in the village area. Mr. Gartley Weller spoke very eloquently on it's behalf at the public hearing and the board will be ordering a plaque which will be affixed someplace in the cemetery so that it will be permanently designated a historic site in the Village of Williamsville.

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

RESOLVED THAT the Williamsville Cemetery, 5402 Main Street, is hereby designated a historical site in the Village of Williamsville, effective immediately.

Unanimously carried.

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

RESOLVED THAT the annual Village re-organization meeting is hereby set for Monday, April 6, 1992 at 6:30 p.m. in the Village Conference Room, 5565 Main Street, Williamsville, New York.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish a notice of public hearing to be held April 13, 1992 at 7:30 p.m. in the Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing the 1992-1993 General Fund, Water Fund, Sewer Fund, Glen Park Activities Fund and Debt Service Fund Budgets.

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Unanimously carried.

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

RESOLVED THAT the Village Clerk publish a notice of public hearing to be held April 13, 1992 at 7:35 p.m. in the Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in expressing an opinion on the proposed sewer rent rates for the 1992-1993 year per Section 78-2 (A) of the Sanitary Sewer Rents Code.

Unanimously carried.

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

WHEREAS, the Village of Williamsville determined that a 1978 Auto Car and a 1967 Ford Backhoe are surplus equipment, and

WHEREAS, the Village Board authorized the Clerk/Treasurer to advertise for sealed bids for the sale of this surplus equipment, and

WHEREAS, the sealed bids were opened on Thursday, March 19, 1992 at 2:00 p.m.,

NOW, THEREFORE BE IT RESOLVED, that the surplus equipment is hereby sold as follows:

- 1 1978 Auto car-to Mecca-Kendall Corp in Orchard Park for their high bid of \$5,000.00 ;
2. 1967 Ford Backhoe -to Wm. Marfurt for their high bid of \$3,550.00.

Unanimously carried.

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

RESOLVED THAT the DPW is hereby authorized to purchase one 1992 John Deere Model 310D backhoe loader under State Contract #P-000285 for \$27,250.00.

Unanimously carried.

Trustee Kelly stated that Superintendent Laubisch has pushed very hard for this equipment on the new state bid list. It is listed in the \$40,000 range so the order has to be placed at this time or we'd lose a tremendous savings. It is also his understanding that this will not be paid for until the new budget has been adopted and will be paid out of the 1992-1993 budget as opposed to this year's.

Mayor Daniels stated that it's not a bonded item but will be paid for in cash, which is always refreshing.

Trustee Lowther stated she wanted to verify that it will be a cash payment of \$18,700.

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Clerk Cummins stated it is a payment of \$27,250 but we'll be realizing approximately \$8,000 from the sale of the surplus equipment.

Trustee Kelly stated David Laubisch was here for the pre-work agenda and he has been excused to take some classes at Erie Community College. Trustee Kelly thanked him for the work the DPW did during the last snowstorm a week and a half ago. Most of the communities in Erie County had been shut down but he got through our village pretty well. There were minor spots with blowing and drifting snow but our crews did an outstanding job. For anybody who was out in the other towns and villages, there was quite a bit of difference compared to ours. It's nice to see that.

Trustee Kelly stated secondly, something Mr. Laubisch has been working on for sometime, that a previous board a number of years ago had turned down, was a mutual aid agreement with the other municipalities in Erie County. Presently, all the towns in Erie County, the City of Buffalo and 5 of the villages have a mutual aid agreement where they will help each other if they need equipment or extra men. A good example was Monroe County last year that was hit with a very severe ice storm and was shut down very badly.

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Right now we don't belong to that. One of his resolutions does cover that mutual aid agreement. Mr. Laubisch has pushed for this agreement as he thinks it's very important for the village. There is really no down side that Trustee Kelly can see. It allows the village to have other communities come in and help it if it ever had a large scale disaster. Certainly, the village, being as small as it is with 12 or 13 full time DPW employees, could never take care of any type of large scale disaster. It's nice to see that there are other communities available to help.

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

RESOLVED THAT Mayor Daniels is hereby authorized to enter into a Mutual Aid Agreement with other municipalities within the County of Erie for the purpose of extending Mutual Aid Assistance to other municipalities when requested by such other municipalities during a time of abnormal snow and work conditions.

Trustee Hayes commented the agreement stipulates certain responsibilities mostly on the communities that request the aid. Is that correct?

Trustee Kelly stated yes. There's also no requirement that we have to provide help. If it's determined by our own Superintendent of Public Works that we have excess men available or excess equipment, we can send them. There's no obligation that we do so. There's also provisions as to who's going to pay, if someone's hurt on the job, who's responsible for that, if equipment breaks down, who's responsible for that. It's a very well thought out agreement and something that he whole heartily supports.

Trustee Hayes stated generally, the costs of the laborers, the oil, the gas, the food and the lodging are all paid for by the requesting municipalities.

Trustee Kelly stated the only thing he sees that's not reimbursed is a situation where there is a major vehicle breakdown and then it's determined by a committee as to whether it was a result as to the work they were doing or whether it was normal wear and tear over time. It also doesn't provide for the additional benefits to the employees. For example, they're not going to pick up a portion of the payroll tax and they're not going to pick up a portion of the health insurance, which we have to provide anyway. He doesn't see it as anything that's costing us additional funds.

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Mayor Daniels commented in a small municipality, such as the Village of Williamsville, when you have towns involved in the same mutual aid agreement, it's fairly easy to see that the village would probably benefit to a greater degree than if we were a large unit. Obviously, if we had a disaster in the village area, we would have a need for large equipment that we don't own more likely than the town would need what the village has. Although, we certainly would contribute what they would request from us. From the board's standpoint, it's a very beneficial packet with no down side.

Unanimously carried.

Trustee Kelly stated his second resolution has to do with our insurance package. We do not presently have any resolution where the board goes on record as supporting the safety and welfare of the employees and who's responsible for that program. It's been suggested to the board by various insurance carriers that they should have such a resolution.

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

WHEREAS, the personal safety and welfare of our employees, as well as the general public, is a primary and continuing concern of the Village of Williamsville, and

WHEREAS, it is our goal to provide every employee a place of employment free from recognized hazards which are a potential cause for serious physical harm or health impairment,

NOW, THEREFORE BE IT RESOLVED, that in order to accomplish our goal, management will:

- Implement progressive accident prevention programs, systems, and techniques;
- Provide a work environment where identified occupational hazards are controlled when elimination is not feasible;
- Cooperate with government and labor to optimize employee safety and health, and

FURTHER RESOLVED, that Department Heads, Supervisors, and Foremen will:

- Be responsible and accountable for a superior level of employee protection and performance;
- Institute work practices which reflect the safest, most efficient methods available for accomplishing the required tasks; and
- Educate and train employees regarding "on" and "off-the-job" hazards, and

FURTHER RESOLVED, that all employees will:

- Be expected to perform their jobs in the safest and healthiest manner prescribed;
- Be expected to conduct themselves in a way that enhances their personal safety and that of their fellow employees; and,
- Be encouraged to cooperate and contribute towards the overall success of the safety program.

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Unanimously carried.

Trustee Kelly reported that the Home Occupation Review Committee that he formed a month ago is having it's initial meeting tomorrow evening. Anyone interested in Home Occupation and how it's affected by our law and it's enforcement is more than welcome to attend tomorrow night's meeting here at 7:30 P.M.

Trustee Lowther reported between now and the next Village Board meeting the Environmental Advisory Committee will be meeting here in Village Hall on March 26 and the Glen Park Joint Board will be meeting April 7th at Town Hall. Anyone who's interested in finding out what we're doing, stop in and see us.

Mayor Daniels asked Trustee Lowther if we have gotten the burlap bags. He has gotten a lot of requests from groups that want to go into the parks and clean. He thinks we need to decide on how we're going to utilize those bags and if they use the bags do they dump them and where do they dump the materials?

Trustee Lowther stated not yet. Just so the public is aware, the village did, through the Environmental Advisory Committee, buy burlap bags to be used during cleanups throughout the village rather than packing everything into plastic bags, which is environmentally unsound. In the hopes that we would recycle these bags, the Environmental Committee will be discussing how they can be allocated to groups who want to use them.

Trustee Hayes reported the Parks Committee has recommended that 8 benches, 12 trees and some assistance to the Railroad Historical Society for restoring the Signal House be expended from Savor the Flavor funds. All of that money is in the budget and appropriated to Parks because it is money that was raised by volunteers. We will be purchasing those items for the beautification of our parks. Six of the benches will be installed in Island Park and 2 will be going to South Long Street. Twelve trees will be purchased and 8 of those will be planted on Island Park and 4 will be planted over by the Allentown building to beautify that area. The one legality that we're going to check into is just how exactly to give support to the Railroad Historical Society for restoring the Signal House, if that can be made as an outright grant of \$100.00 or if materials have to be donated.

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He's going to be consulting with the Village Attorney before we move forward on just exactly how to accomplish that. The Parks Committee is going to be holding it's annual cleanup day and they've decided to split it up into two this year. Hopefully, if the snow is melted by the first week in May, we'll be ready to go with the cleanup over at Lehigh on Saturday May 2nd and then in Garrison and Island Park on Saturday, May 16th. The public will read a lot about it in the local media and we'll have an announcement posted here in Village Hall on the bulletin boards. If any residents or community groups are interested in helping out, please call Village Hall and we will get back to you with the exact specifics as we get closer to the cleanup days.

Trustee Hayes stated regarding the expansion at the airport, he has been able to set up an information meeting with the Niagara Frontier Transportation Authority Airport Project Manager on Monday, March 30th at 4:30 P.M. The meeting will take place at the NFTA Airport Project Facility, which is located at 195 Holtz Drive in the Town of Cheektowaga. There are several village residents who will attend that meeting. He's inviting any members of the Village Board or any citizen who is interested in getting information about the project to attend.

Trustee Hayes stated his third report tonight involves the Southeast Amherst Traffic Task Force that has been meeting since late last year and has had as it's task selecting a consultant to do a traffic study for the Garrison, Wehrle, Youngs Road section of our Vehicle and Traffic community. The consultant was selected at the meeting that was held on February 21st. However, we seem to have run into some difficulty at the town level with moving ahead on this project and he is bringing this up tonight because he wants village residents to be aware of what's happening and in asking our Town Board and Town Supervisor to move ahead on this very important traffic issue in our community. According to the local media, Supervisor Ward has publicly stated that he does not believe the town should be providing leadership in this area, that the town should not be the lead agency for bringing private funds to play in a traffic study. That's very discouraging to Trustee Hayes because he was very impressed, as a member of that committee, to sit with a very diverse and representative group of our community in trying to work together and to address in a positive fashion the traffic issue over in that sector. The participants who were involved in the community from the village included both himself as the formal representative, Trustee Kaye who attended informally as our Traffic and Safety liaison, Maryanne Avery, who is the president of the Williamsville Southeast Amherst Homeowner's Association, a representative from the New York State Department of Transportation, from the Erie County DPW, the Highway Department and Captain John Moslow from the Amherst Police Department. This issue seems to have become embroiled in the larger issue of development and the long since decided issue of Ingram Micro D.

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The state has constantly told the board that they will not help with lane widening or traffic improvements or traffic control devices until a traffic study is completed and for the first time, in recent memory, we have had a representative group come together, select an objective consultant, pay for that consultant's work with private funds, not with tax payer funds and now we have a circumstance where the supervisor is going to attempt to obstruct that process. So Trustee Hayes asks village residents to educate themselves on the issue, to contact him if they are interested and also to contact the members of the Town Board and the supervisor to remind them that we need their active participation and their leadership in this issue. It's very critical that we do something about the traffic situation in that area of our community.

Trustee Hayes reported that the Seniors Committee will meet this Wednesday evening at 7:30 P.M. and the Local Government Advisory Board will meet this Thursday morning, March 26th at 7:30 A.M.. Both of those meetings will be held here in Village Hall.

Trustee Kaye reported that BFI, who does collect our recyclables, has agreed to collect mixed glass and #3 plastics beginning May 4th of this year in addition to the other recyclables that they are presently collecting. Those also are to be cleaned and rinsed out in the same fashion as the the rest of your recyclables. Trustee Kaye stated she is very pleased to see the high level of participation in recycling. It looks like we will exceed the 15% that we had anticipated last year. The board had invited BFI to come to our work session this evening but they were unable to do so because of a prior commitment in West Seneca. However, they did fax a letter discussing the possibility of collecting magazines and aerosol cans. We will be discussing that later. They have quoted us a price for collecting magazines but they will not be able to collect aerosol cans at this time because of the solvents in them which are considered hazardous. In her verbal discussions with David Balzbierg, the district manager at BFI, he said he has spoken with the DEC about being able to take aerosol cans eventually from the Village of Williamsville. The reason the DEC is involved is because the permit which BFI holds for their Material Recovery Facility allows them to have no more than 5% of waste coming out of their facilities. They're finding that aerosol cans have added to increasing that level of waste because people in Amherst have been putting them in the recycling buckets still containing solvents and BFI has had to dispose of them in other ways rather than recycling them. That's why they are not able to take them at this time in the Village of Williamsville. BFI has given the village a price for magazines which we, the Village Board, will have to discuss the proposal. Also, as Mayor Daniels said earlier, we are still working on the preparation of our CRA. There was a letter, which Mayor Daniels referred to, from Richard Tobe, who is the Commissioner of Environmental Planning for Erie County. He addresses in his letter that Erie County has environmental quality funds available and suggests that municipalities call Sharon Smith, who is in charge of waste reduction and recycling, to ask about the availability of these grant funds. So Trustee Kaye did speak with Sharon Smith.

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As you may be aware, the village did receive \$60,000 in a recycling grant, which is basically a low technology recovery grant. In speaking with Albany, the village would also qualify to participate in this other grant since it's different from the other one we did receive. She will be pursuing what other monies are available that the Village of Williamsville might be able to take advantage of from this EQBA bond act.

Trustee Kaye reported she is very pleased to have received a letter from the Automobile Club of Western New York regarding the village receiving the Pedestrian Safety Citation award. (Copy attached) There is also a plaque which goes along with that letter which looks very similar to the plaques that are located in the board room. We have several years of consecutive plaques and she believes the last one was 1986. In looking at those plaques, Trustee Kaye took the initiative to call the AAA to find out why the Village of Williamsville had not received one and how we might go about having pedestrian safety citations again. We are going to apply again this year. It looks like we may qualify for 1991 in receiving another citation for the Village of Williamsville for pedestrian safety. She is very pleased to see that. It says a lot for the residents and for our Parking Enforcement Officer and for the Amherst Police in helping make this possible.

Trustee Kaye stated she has 3 resolutions tonight that all deal with Traffic and Safety. Her first one calls for a public hearing amending part of our Traffic and Safety code. Section 103-14 addresses alleys and parking in alleys and our code lists only one alley, which is between North Ellicott Street and Orchard Place but it does not have 2 other alleys which we do have in the Village of Williamsville. Those 2 alleys are between Swan and Eagle Streets and they run north and south. So we're talking about an easterly and a westerly alley. Mayor Daniels pointed those out on the map. They're very narrow alleys, 10' wide so we are looking to amend the Village Code to provide "no parking" on each side of these 10' alleys. We have had some complaints from residents that emergency vehicles have not been able to get down those alley ways. We have also been remiss in not naming those alleys. They're just called alleys. It was the recommendation of Trustee Kelly that sometime in the future we should look into actually giving these alleys names.

ON MOTION by Trustee Kaye, seconded by Trustee Hayes, the following resolution was hereby proposed:

RESOLVED THAT the Village Clerk publish notice of a Public Hearing to be held by the Board of Trustees in the Village Hall, 5565 Main Street, Williamsville, New York, on 4/13/92 at 7:40 p.m. for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section #103-14 of the Vehicle and Traffic Code. The proposed local law would add no parking on both sides of the alleys between Swan and Eagle Streets, north and south.

Mayor Daniels stated since neither alley has a name, he would like to include in this hearing the suggestions of names for those 2 alleys so that when we do put them into the code we can not just describe them but actually call them by name.

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

RESOLVED THAT the Village Clerk publish notice of a Public Hearing to be held by the Board of Trustees in the Village Hall, 5565 Main Street, Williamsville,

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New York, on 4/13/92 at 7:40 p.m. for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section #103-14 of the Vehicle and Traffic Code. The proposed local law would add no parking on both sides of the alleys between Swan and Eagle Streets, north and south.

FURTHER RESOLVED to include in a public hearing the possible naming of these alleys for the purpose of determining names for the alleys.

Unanimously carried.

Trustee Kaye stated her second resolution is to formalize a liaison position between the Traffic and Safety committee and the Fire Department. For many years there has been an unofficial Fire Department liaison to this committee. This resolution is attempting to have it as part of a resolution and it will designate an official Fire Department liaison with a 2 year term who would be recommended by the Fire Chief and then would be appointed by the Board of Trustees as the police liaison is now.

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

RESOLVED THAT an official Fire Department liaison, two year position, be created to aid and assist the Traffic and Safety Committee.

FURTHER RESOLVED, THAT the liaison position will increase the number of committee members from nine to ten.

Trustee Hayes stated it is his understanding, in talking with James Olivieri of the Fire Department, that there currently is a person on the Traffic and Safety Committee who is an active member of the fire company and is defacto acting as the liaison. Is that Trustee Kaye's understanding?

Trustee Kaye stated that is her understanding and that person, Ed Lavery, would remain for this year. Then it would come again for appointment at the reorganization when the chief would then submit Mr. Lavery's or another name for the two-year appointment.

Trustee Hayes stated it is also his understanding, in talking with Chief Olivieri, that he has every intention to ask Mr. Lavery to continue in that position as the formal liaison. Is that Trustee Kaye's understanding from our discussion this evening?

Trustee Kaye stated it is.

Trustee Hayes asked then what is the reason for increasing the committee?

Trustee Kaye stated that is to provide for additional public participation in this important committee.

Trustee Hayes stated it seems to him that Trustee Kaye's resolution and "FURTHER RESOLVED" don't logically follow each other. If we have someone who is appointed to the Traffic and Safety Committee who's acting as the defacto liaison from the Fire Department and she wishes to just officially designate him as such, her resolution should read that he be officially designated. Trustee Hayes doesn't follow what the

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"FURTHER RESOLVED" to expand the committee, why that would need to be incorporated in this instance.

Trustee Kaye stated possibly it could have been 2 resolutions.

Trustee Hayes asked Trustee Kaye if she would be willing to separate the two and present them tonight as separate resolutions?

Trustee Kaye stated yes, she doesn't have a problem with that.

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

RESOLVED THAT an official Fire Department liaison, two year position, be created to aid and assist the Traffic and Safety Committee;

FURTHER RESOLVED that this would be through the recommendation of the Chief of the Fire Department and then to be appointed by the Board of Trustees.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Kelly, it was moved to suspend the rules for an additional resolution.

Unanimously carried.

Trustee Kaye stated this resolution would deal with increasing the number of committee members of Traffic and Safety from 9-10.

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

RESOLVED THAT the Traffic and Safety Committee will increase the number of committee members from 9 to 10.

Mayor Daniels asked what is the justification for the increase? Is that committee not full? In fact, up until a meeting or two ago, there were two openings on that committee. The committee was working without full representation for quite a while.

Trustee Kaye stated as of last meeting, there was one opening. The meeting before that she appointed a member to that committee. It depends on what Mayor Daniels' perception is of "quite a while". Presently, it's now down one person.

Mayor Daniels stated he will not vote for this only because it seems to have functioned for quite a while without the full compliment and he fails to see the need for any more than 9 members for a Traffic and Safety Committee. That's a large committee. He just doesn't see the real need to expand that committee and he doesn't really like the precedent that it sets.

Trustee Hayes asked how many vacancies currently exist on the Traffic and Safety Committee at this time.

Trustee Kaye stated there presently is one. There are 8 members on that committee now and it is a committee of 9.

Trustee Hayes stated so there is, in fact, one vacancy and at the time that there is a vacancy, she is asking for it to be increased by one.

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Trustee Kaye stated if we had changed the order of the resolutions at this point of the resolution there wouldn't be a vacancy on the committee. She's trying to fill that vacancy this evening.

Trustee Hayes stated he's just trying to follow the logic of her resolutions. There is one vacancy and Trustee Kaye would have the board, under this resolution, expand the committee by one.

Trustee Kaye stated that's correct.

Mayor Daniels stated traditionally at reorganization, which occurs in 2 weeks, committees are traditionally reorganized for the coming year or sometimes 2 year terms are designated. At that time, each of the committee members presently serving are polled to see if they are interested in serving another year or two. Quite often, in Mayor Daniels' experience, people have taken that opportunity to bow out of that committee. Mayor Daniels commented that to expand a committee that we're not really sure what the compliment will be due to attrition two weeks before reorganization. It seems premature.

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He would like to see something like this, if it is warranted, put into effect after reorganization, when we know exactly how many people are on that committee and how many members we need to fill it again.

Trustee Lowther stated to go from 8 members, which we presently have, to 10 members may be a premature step. Perhaps we should have reworded these resolutions this evening and filled the position first. It just seems that they are out of order. It may not have been quite the right sequence.

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

Motion defeated.

ON MOTION by Trustee Kaye, seconded by Trustee Hayes, it was moved to close suspension of rules.

Unanimously carried.

Trustee Kaye stated her last resolution deals with filling the vacant position on the Traffic and Safety Committee which is an unexpired term of an individual who has resigned from the committee for personal reasons. This would be filling an unexpired term until the end in the 1992-1993 year. This appointment would continue through reorganization. Obviously, this is a member of our community who has been very active and he wishes to remain active in our community and she would like to appoint him to the Traffic and Safety Committee.

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

RESOLVED THAT Walter R. Pacer, 87 Monroe, Williamsville New York is hereby appointed to the Traffic & Safety Committee until the end of the 1992-1993 official Village year.

Trustee Hayes stated on January 29th he advertised in the Amherst Bee that there were several openings on village committees. Namely the Environmental Committee, the Traffic and Safety Committee, the Youth and Recreation Committee saying that each committee had one opening. Trustee Hayes had confirmed that with Trustee Kaye at that time. Does Trustee Kaye recall that discussion?

Trustee Kaye stated yes she does.

Trustee Hayes stated when he advertised that in the Amherst Bee, he had 3 village residents come forward and tell him that they were interested in serving on the Traffic and Safety Committee.

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At that time he sent Trustee Kaye a memo of which he has a copy of and he read it into the record. (Copy attached) At that time Trustee Kaye invited all 3 residents to attend the meeting. It's his understanding that 2 of the 3 did attend the Traffic and Safety meeting and then Trustee Kaye made a decision to propose the name of Thomas McMahon for appointment and he was in fact appointed. In the meantime, he has heard from both of the other individuals who had applied for membership and they have informed him that they have not yet heard from Trustee Kaye as to whether or not they would be appointed. One of the other two, he saw most recently who asked Trustee Hayes what was happening and would he in fact still be considered for appointment. Trustee Hayes asked Trustee Kaye if she has been in contact with these people?

Trustee Kaye stated the evening that David Quagliano and Thomas McMahon came to the Traffic and Safety meeting, Trustee Kaye had asked them both to please let her know as soon as possible if they would like to be members of the committee. She heard from Thomas McMahon immediately that he wanted to be on the committee but she hadn't heard from Mr. Quagliano about it.

Trustee Hayes stated perhaps because we have two other village residents who are interested and it appears to him, have made it a matter of record prior to tonight's suggestion for Mr. Pacer's appointment, that we forestall this resolution tonight and make a decision at the annual reorganization which is only 2 weeks away. That would give Trustee Kaye the time and afford these residents the courtesy of understanding what the process is. Would Trustee Kaye be willing to do that?

Trustee Kaye stated she appreciates his input. Prior to January Mr. Pacer had expressed an interest in joining this committee and due to the fact that he chose to run for the position of Trustee, he felt that it was not appropriate to join at that time and didn't want his joining the committee to be misconstrued. He has an interest in continuing to service the community and has a great interest in Traffic and Safety and has asked Trustee Kaye if there was still an opening. It's not the same opening as there was before when he expressed the initial interest, but there is a new opening and Trustee Kaye said yes and she would gladly recommend his name for appointment. He had expressed an interest prior to those 3 individuals. So if we're talking about a matter of timing or a waiting list, then that would be prior to it. She feels that Mr. Pacer has demonstrated a genuine interest in the community and would hope that he would not be denied this because of any concerns.

Mayor Daniels asked is it his understanding that Trustee Kaye forestalled this appointment which has been there vacant for a good deal of time until after the election?

Trustee Kaye stated no. Mayor Daniels misconstrued this. There was a vacancy on the committee. Trustee Hayes was correct in saying that he sent her names. She filled that vacancy. This other vacancy has occurred recently with a resignation.

Mayor Daniels asked when was the resignation? Was it after Mr. Pacer was declared as a candidate for Village Trustee?

Trustee Kaye stated it was recently. He has applied or made requests to serve on other committees and has not been appointed and she certainly would like to show him a level of respect. She believes this is the fourth time he has wanted to serve on a committee within this past year, the Parks Committee, the committee for Community Development that she had attempted to create and then when the Community Development Committee was not approved, he was invited by Trustee Hayes, along with other members of the community, to submit his name for the Local

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Government Advisory Committee. If her memory recalls, none of those individuals were selected for that opening but another one. She is now proposing Walter Pacer's name for the Traffic and Safety Committee. She thinks he is concerned with our community and would be an asset to the Traffic and Safety Committee.

Mayor Daniels stated he has no doubt Mr. Pacer would be an asset. He has a problem with the timing being 2 weeks before reorganization and there is a nebulous time frame as to who expressed an interest first. He would second Trustee Hayes' request that this issue be put in with reorganization on April 6th and discussed at that time. He also would like to see that committee full and certainly Mr. Pacer is very qualified if for no other reason than by the interest he obviously shows in the Village of Williamsville. However, he would like to see the whole list of interested residents and decide on the appointment at reorganization, as we do for all the other committees.

ON MOTION by Trustee Hayes, seconded by Mayor Daniels, it was moved to table the resolution at this time so that the board may further consider it at the reorganization meeting.

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

Motion defeated.

Roll call on the original resolution:

Trustee Lowther	yes
Trustee Hayes	no
Trustee Kelly	no
Trustee Kaye	yes
Mayor Daniels	no

Motion defeated.

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Trustee Kaye stated she is sorry to see Walter Pacer has been again denied the opportunity to serve on a committee. She has the feeling that if it comes up again during reorganization, that there will be found a way to deny him once again, which she thinks is very unfortunate to member of our community who wishes to volunteer.

Mayor Daniels stated Superintendent Laubisch is attending a class. He seconded Trustee Kelly's praise on the way the late snow fall was handled. Because he had driven around other parts of Western New York, he knows our community was in very good shape compared to the others.

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

Unanimously carried.

Carolyn Schlifke, 192 Evans Street, stated the first item she would like to discuss is the naming of the alleys. Years ago, there was another alley in the village. It is next to the Senior Citizen Housing and is now called Lehn Lane. She would like to suggest to the board, as they look for names for those other no name alleys, that in as much as these alleys serviced some of the more affluent residents of the Village of Williamsville many years ago, the board might look to the history of the Village of Williamsville and look to perhaps a past resident who owned one of those residences and name the road after one of the older residents.

Ms. Schlifke asked, regarding the Village Planning Board, why there is no portion set aside for public comment. She has attended many Planning Board meetings at the town and there is always a portion of the meeting where the public is asked for input. She has never heard anyone ask at our Planning Board meeting whether anyone wishes to speak other than the people who are bringing the projects before the Planning Board and she wondered if it was the village way of running the Planning Board or was there something in the structure of the Planning Board and why it is different than that of the town.

Trustee Kelly stated the Planning Board is set up by the State of New York. Although Trustee Kelly is liaison to the Planning Board, he can't tell them what to do. However, he thinks it is a great suggestion which he'll bring up to the new chairman right after reorganization. He knows that they examine each separate document and if they know someone is here on that specific matter, they do allow them the opportunity to speak but perhaps it should be announced at the beginning of each meeting that residents do have an opportunity to speak on individual projects. He knows of no one who has been denied the opportunity. He has attended every meeting this year and anyone that has desire to speak has been given the opportunity. It is something that he will send a memo to the Planning Board and ask that they make as a part of their regular agenda.

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Ms. Schlifke stated this past Tuesday, on Election Day, she and her husband pulled into the Meeting House parking lot which was almost full. She noticed a temporary "no parking" sign in front of the dumpster which services the small deli on Main Street. This was there so if the dumpster company came in to empty the dumpster, there would be no car parked there. Because of the sign, her husband did not park there but found one more available spot. Right after they parked, another woman came in, looked around, also looked at the space that said "no parking" and continued out the rear exit. Whether she ever came back to vote or not, Ms. Schlifke doesn't know. This has been an ongoing problem for many years since the building next door to the Meeting House does not have any parking of it's own and the fact that there is a restaurant business in there. They do require a dumpster. When she was the Trustee Liaison to the Meeting House, the village took a previous restaurant to court because they left their dumpster in the village Meeting House parking lot. Finally, we got them to move it behind the building. Now that it's behind the building, it must be serviced. She questions the fact that the village is losing 2 parking spaces in a very small lot, specifically designated to serve a village building. Perhaps there is some way, on the day the dumpster is going to be serviced, the people who run that establishment could move the "no parking" sign into place so that the dumpster could be serviced and at all other times that sign be removed because if somebody believes in signs, they're not going to park there. She doesn't know who put the sign there, the village or the owner of the building next door and she would question it even more if it were put there by the owner of the building because they do not own the parking lot.

Trustee Lowther stated she doesn't think the village owns any portable "no parking" signs.

Ms. Schlifke stated perhaps someone should contact these people. We are allowing them to come into the parking lot in order to service their dumpster. She really doesn't think that the parking should be lost to the residents in the Village of Williamsville.

Trustee Lowther stated she would be happy to write them a letter. She prefers that the dumpster is where it is now rather than on our lot which is the problem we addressed last year. We have now gotten them to move it off our property; however, she does see the need to let them have their dumpster be serviced. She will contact them and try to address this problem.

Mayor Daniels stated that the Williamsville Business Association is having an open house and is inviting everyone that's interested on Wednesday at 5:30-7:30 P.M. The Business Association is interested in letting other people know what they're all about. The upstairs museum part will also be open. He thinks Gartley Weller, from the Historical Society, will be there and people can go and view the items that they have up the stairs. Ted Young, from Ed Young's Hardware, is providing refreshments. Mayor Daniels welcomes all of the public on behalf of their Association. Please stop in and see the building and the association on Wednesday.

Trey Measer, 90 S. Ellicott, stated prior to last week's election there were some flyers sent around the village that talked about the village being \$100,000 in deficit at the end of this budget. Mr. Measer asked Mayor Daniels to tell us if it is true or not.

Mayor Daniels stated the flyer said that on 3/1/92 spending on 32 different budget lines totalled \$76,000. Projected overspending this year is \$100,000. He doesn't know where this information came from. This was paid for by the Village Party and since we have 2 members from

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the Village Party on our board, he would like to call on them to explain the \$100,000 overspending and then he will make some comments following that.

Trustee Lowther stated she thinks there is a big difference between "deficit" and "overspent". A deficit would be the budget in a hole and our budget is not in a deficit position; however, on March 1st the budget run that we did receive from our Clerk/Treasurer had many lines that were overspent within the budget report. It did amount close to \$75,000. She doesn't know what the exact total is but she knows there was one that was \$32,000 overspent, another that was \$26,000 overspent, so she's sure that that's what it is in reference to. Since we had been through 3/4 of our fiscal year and these totalled \$76,000 by adding another 1/4 you would be overspent by \$100,000.

Mr. Measer stated he thinks this leads the public to believe by the end of the year you're going to be \$100,000 overspent. Overspent what?

Trustee Lowther stated lines of the budget. It's very specific. It says budget lines. It does not say your entire village budget or that we are in a deficit position.

Mr. Measer asked Trustee Lowther if she could give some examples of items that were overspent.

Trustee Lowther stated street paving was one, street maintenance, personnel and labor was another. Those were the 2 large ones that she recalls that she discussed with the Clerk at that time.

Ms Measer asked what will that mean on the budget at the end of the year? Will we be under or over?

Mayor Daniels stated what has been very cleverly worded in here is that they selected certain lines in the budget which were overspent. Under the normal budgetary year there are transfers of funds from one budget line to another which balances the budget items. At a cursory review, it does appear that we are going to be \$100,000 over the budget by the end of the year but it's only certain budget lines that are overspent. When you take the budget as a whole, actually we are in very good shape. The original budget was \$1,794,593. The expenditures to date are \$1,439,814.22 and if you subtract out the Fire Service Aware Program of \$120,484, the expenses which applied to the original budget are \$1,319,330.22.

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Unexpended as of 2/27 when this budget was run was \$475,262.78. If you try to put that in proportion and reflect how we are doing at this point in time in the twelfth month fiscal year, you can take the budget figure for the whole year of \$1,794,593, divide that by 12 and you should spend an average of \$149,548.42 per month. We've gone through 9 months of the budget and that's where we see that we could have spent up to \$1,345,944.78. Actually, we've expended \$1,319,330.22. At this point in time on 2/27, we are under budget. That is, we have a surplus after 9 months of \$26,614.56. So we are not overspent. We actually have underspent by almost \$27,000, at this point, after 9 months of the budget. Obviously, when you get into elections, you try to pull out certain facts and rework numbers. In actuality, we are under budget and there is very little way we could have not raised taxes if we were overspent. Mayor Daniels thanked Mr. Measer for bringing this up. If people are worried about this, he certainly wants to clear the air.

Maryanne Avery, 64 Garrison Road, asked Mayor Daniels if he is aware that they are planning to widen Main Street from Garrison to Youngs Road. She questioned how this would be done since it would place buildings right on the street.

Mayor Daniels stated as far as he recalls, the widening is expected to happen in order to make the lanes the same width so that they don't constrict at the high school area. Right now that's a dangerous situation. However, he understood the widening would start at Hirschfield.

Trustee Kaye stated that New York State Department of Transportation are still in the planning process. When they have a plan that they can actually send for our review, they will send it to us so that we can review it and let people know.

Dan Chase, 157 Highland, stated he is very sincere when he second Mayor Daniels comments of commending Wally Pacer. He is an individual who cares about the Village of Williamsville. He must care or he would not have run for office. He exercises an American right. He is a very caring individual. He commends him. Mr. Chase does feel we have here a case of the pot calling the kettle black because he can recall after another election, when other people wanted to be appointed to a committee, that they were turned down and the comment was that they didn't care about the village. He really doesn't feel that was the reason Mr. Pacer was turned down for this appointment. This is his own observation and how he feels. Is it fair to appoint Mr. Pacer or anyone else before 2 other people who have applied earlier who could also be qualified or is this an attempt to influence the populace into now thinking Mr. Pacer is now being persecuted for running for office? Mr. Chase thinks that's not the case. The case is what's fair is fair.

Trustee Lowther stated it is her understanding from Trustee Kaye during our meeting this evening that she had been approached by Mr. Pacer long before these other people and that these other 2 persons expressed no interest in joining.

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She thinks there is being a mountain made out of a mole hill here and she is very unhappy to see this going on and on all evening since 6:30 P.M. According to the liaison these people did not follow through.

Trustee Kaye stated she had not heard from them directly. They both came to the meeting and she had left it with the two of them to please let her know if after coming to the meeting and experiencing the meeting in a group, if they would like to join the committee, to please let her know.

Mayor Daniels stated the bottom line is there are only 2 weeks until reorganization. Certainly, Mr. Pacer's name will be in the pool with all the others who have expressed interest. There seems to be a question of the timing here that he is not real comfortable with. If Mr. Pacer expressed interest long before, then certainly he would of been put on before. There's no reason why somebody can't join the committee at any point.

Trustee Kaye stated she is still not clear what the real difference is when there have been on other occasions that names of committee members have been put forward to fill positions prior to reorganization. She still feels that it was the proper thing to do and she personally feels that if it were any other name, we wouldn't have a problem here.

Trustee Kelly stated it seems to him that somebody who has criticized just about everything he's done in the past year on the board and has criticized other members of his party for just about everything they've done on the board, is not going to ever get his vote. Mr. Pacer worked very hard against Trustee Kelly. To the victor goes the spoils. When Bush won the election in 1988, you didn't see Mr. Bush appointing Mr. Dukakis to anything. Mr. Pacer is a very fine man and he gets along with him very well personally but Trustee Kelly is not about to appoint him to any committee when Mr. Pacer has worked very hard against everything Trustee Kelly has worked for.

Trustee Kaye asked is it her understanding if Mr. Pacer's name comes forward at reorganization, Trustee Kelly will not vote for him for any appointment?

Trustee Kelly stated he won't. He will be very public about it.

Mayor Daniels stated he thinks that's just natural human nature and that's just the way it happens.

Cliff Horey, 106 Highland Drive, stated he is on the Traffic and Safety Board. He wants to open a can of worms about the liaison officer from the Fire Department. We do have one from the Police Department, Lt. Van Dusen. Anytime the town gets complaints connected with the Village Traffic and Safety, they are given to Lt. Van Dusen who comes to the Village Traffic and Safety Board and we hash them out. Mr. Horey thinks it would be nice to have a fire liaison since the Fire Company has lots of problems in the village.

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He's too old to drive trucks now but the guys tell him there's cars parked on the street so we're trying to recommend having no parking on the side with the hydrants. Ed Lavery is a member of the Traffic and Safety Committee but isn't the liaison officer in the Fire Department. He asked if there is a chief's election and a new chief in May, who recommends the liaison, the current chief or the new chief. He believes the new chief should make the recommendation.

Trustee Kaye stated what Mr. Horey was suggesting was that in this position, we're talking that the Traffic and Safety liaison not be part of the reorganization but we wait until after the chief is elected. That's why we didn't technically fill a name right now in here but to wait until the chief is elected and have whoever the new chief is, put that name forward.

Trustee Kelly stated that's not what it says and if something is going to happen with respect to that there better be a resolution.

Trustee Kaye stated there doesn't need to be a resolution if, in fact, the board chooses to wait and to fill a vacancy. There hasn't been one in the past if, in fact, the board chooses to go in that manner. This enacted the position. It didn't talk about exactly when the position would be filled. That's a matter of the board to choose.

Ms. Schlifke stated that when the representation of the Amherst Police was established on that committee, it was done in an exofficio manner since not many of the Amherst Police are village residents. In her term of 10 years, we probably had 5 different Amherst Policemen on the Traffic and Safety Committee. They were always referred to as an exofficio member because they were not village residents. Then at another point, the committee decided that it would certainly be a good idea to have a Hutchinson Hose fireman on the committee. We had numerous people to choose from. There again, she can remember 3. Now Mr. Lavery, when he came on the committee, stayed for a long time. He isn't an exofficio member. He was a village resident member of a village committee but he brought to the committee all the information it needed in regards to the Fire Department. Why you feel you have to have a liaisonship to the Fire Department, she can't understand because you now have a member who represents and is a member of Hutchinson Hose. She doesn't understand the liaisonship.

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

Unanimously carried.

ON MOTION by Mayor Daniels seconded by Trustee Hayes, the meeting was adjourned at 9:25 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk/Treasurer