

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, June 8, 1992 at 7:38 P.M.

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

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 7:38 P.M.

Mayor Daniels stated Superintendent David Laubisch is absent because he is at a conference on highways at Cornell for a couple of days.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, the minutes of the regular meeting of the Board of Trustees held May 26, 1992 were approved with the following resolution amended:

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$45,711.54 covering 5/16/92-5/21/92 were approved:

payroll fund w/e 5/16/92	\$ 22,497.90
General fund	16,044.21
Water fund	138.68
Sewer fund	11.22
Glen Park fund	273.83
Trust & Agency fund	<u>6,745.70</u>

Grand Total \$ 45,711.54

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, the minutes of the public hearing of the Board of Trustees held May 26, 1992 to amend Section 112-2 Zoning Code were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, the minutes of the special meeting of the Board of Trustees held May 29, 1992 were approved.

Unanimously carried.

Mayor Daniels reported he attended the Williamsville Lions Club dinner at the Protocol restaurant this past weekend. It was their 40th anniversary and was a very nice affair.

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Mayor Daniels congratulated them on their longstanding devotion to this community. Mayor Daniels sees that Butz Avery is feeling much better now. He was in attendance and was past president of that organization as well as Rita Marchionda, whose husband was president 2 years, the only president who served 2 terms in the Lions Club.

Mayor Daniels reported an interesting situation that has been ongoing for many years and that is that the village has had a problem with water and flooding on North Long Street. Drainage ditch #9 in the Amherst system, starts in Cheektowaga, goes through Snyder along the thruway area, travels down Union Road, goes under the Cardiology Center, under Main Street and finally exits around McDonalds restaurant at Union and Main. It enters into an open ditch that really looks like a stream but it's not a listed stream. It forms a pond in back of the residences there, Riester's pond. A castle-like stone structure is located there with a bubbly type stream that comes out of that and also some interesting odors from sulfur. Anytime that there has been heavy rains in the past, that stream surcharges and the runoff from the area it services has historically caused flooding in the area to the north of Riester's pond, which is approximately the upper half of North Long Street. This year Mayor Daniels has started to receive interesting calls. In the past, the residents have all been very much interested in diverting quite a bit of the water so that that flooding didn't occur. The board has had many meetings with Councilman Hal Collier and Paul Bowers, the Head Engineer of the Town of Amherst, to come up with several different plans in order to reduce the amount of water going into that stream during the Spring and Fall. Now he has started to receive calls from the neighbors there complaining that there is not enough water in the stream. They now say that the ducks that have been living there are starting to inhabit the swimming pools instead of the ponds because there's not enough water in the stream and it's starting to smell and they've been noticing an increase in mosquitoes. Please bring back the water. Mayor Daniels stated we now have the reverse problem and we're going to try to give them more water.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, vouchers in the amount of \$194,062.62 covering 5/22/92-6/4/92 were approved:

payroll fund w/e 5/30/92	\$ 18,689.16
General fund	98,067.76
Water fund	62,739.40
Sewer fund	8,360.61
Glen Park fund	1,402.95
Trust & Agency fund	4,746.34
Capital fund	<u>56.40</u>
Grand Total	<u>\$194,062.62</u>

Large Vouchers:

L R Frank & Associates	\$37,932.98
PERMA	35,851.00

Unanimously carried.

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

RESOLVED THAT Theresa L. Cummins, Village Administrator is hereby authorized to attend the Board of Governors of New York State, Government Finance Officers Meeting in Albany, New York on June 10 & 11, 1992 and the cost not to exceed \$100.00 to be paid by the Village of Williamsville.

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Unanimously carried.

Mayor Daniels stated his third resolution comes from the Erie County Water Authority, who are in the process of constructing a geographic information system and creating a computerized model of the entire Erie County Water Authority system and all the lines therein. In addition to that, they are going to model all the other utilities, electric, gas and phone. All those things will go into this system eventually. They're asking for the village's support for 2 bills before the state legislature since their charter must now be changed.

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

WHEREAS, the Erie County Water Authority has been working on the development of a geographical information system (GIS); and

WHEREAS, the Erie County Water Authority has now completed county wide aerial photography; and

WHEREAS, in order to operate a GIS system jointly with others, some changes are required in the Erie County Water Authority Charter,

NOW, THEREFORE BE IT RESOLVED, that the Village of Williamsville Board of Trustees records its support of the following bills in the NY State Legislature: A8451 and S6807; and

FURTHER RESOLVED, that certified copies of this resolution be forwarded to: the Erie County Water Authority, Senator John Sheffer, Assemblyman Richard Anderson, Assemblyman Miller and Senator Marino.

Mayor Daniels noted that there is no monetary involvement or commitment on the part of the village through this resolution and that anything of a monetary or any kind of relinquishing of authority over and above what Erie County Water Authority already has would be the subject of another request by Erie County.

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As everyone on the board knows, the village did it's own computer modeling of the water system through Nussbaumer and Clarke, so the village is in good shape as far as knowing how our system operates, what condition all the pipes are in and the functions and the needs of our system. This is merely an extension of that and the village will offer it's support but anything that would entail a monetary contribution or transfer of authority would certainly not be covered by this support.

Unanimously carried.

Trustee Lowther stated the Glen Park Board is sponsoring an event called Glen Park Appreciation Day. It is to be held on June 28th, Sunday afternoon, 1:00 P.M. - 4:00 P.M. We're trying to raise the awareness of our citizens regarding Glen Park. We found that many of the residents of the village, newer families and younger families, are not aware that Glen Park, at one time, was an amusement park. They're not aware that at one time it was scheduled to be developed with housing units and or commercial buildings. They think that the park was always as it exists today. We want to spread the word among people in the community that this isn't the way it always was. Because citizens got involved, that's the reason the park is the way it is today. We have hired Earth Spirit for the afternoon and will have nature walks for the public. We are having a historical display put together with old pictures from the Amherst Museum. We'll also be having a continuous showing of the Glen Park video which shows the building of the park and we'll also have the puppet show about water fowl that we are showing to the children so that the children will understand not to feed the ducks, even though it's a favorite activity. Our feeling is if we can get to the kids, we may be able to stop some of the duck feeding which has created a health problem and could create a health hazard. The next meeting of the Glen Park Joint Board will be July 7th at 7:00 P.M. at the Nature Building. During the summer we like to have our meetings there so we can check out the park and take a walk through it. Trustee Lowther hopes everyone will join us on June 28th for Glen Park Appreciation Day.

Trustee Lowther stated the Environmental Committee has been at work. We would like to come up with a one page flyer encouraging residents to home compost. At some time in the future, we're hopefully going to be able to join the Town of Amherst composting facility to have our yard waste removed and composted. However, a lot of people have expressed in the past that they would like to have a small compost pile at home for their own vegetable peelings, weeds and grass. It's a very simple thing to do and we would like to promote that activity for our residents. We welcome any information from the public and any suggestions as to items that should be included along with that information. We're still working towards a household hazardous waste pick up to be held in the Town of Amherst this Fall sponsored by Erie County. She should have more information on that in the next couple of meetings. The next meeting of the Environmental Advisory Council will be in Village Hall on June 25th at 7:30 P.M. and the public is welcome.

Trustee Lowther stated her first resolution deals with an appointment to the Glen Park Joint Board. The Glen Park is jointly owned by the Village of Williamsville and the Town of Amherst. The Village of Williamsville has 5 members appointed to the board and the Town of Amherst has 4. We've recently had a vacancy. In looking over the membership, we realized that all 9 members of the board were village residents. The appointment she is making this evening is going to be a town resident. It's Joan Fishburn who has been long involved with the Glen Park. For the last 10 years she has worked with the Amherst Symphony Orchestra and has planted the flowers on Main Street at her own expense with the Amherst Symphony Women.

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

RESOLVED THAT Joan Fishburn, 67 Blossomheath, Williamsville, New York is hereby appointed to the Glen Park Joint Board until the end of the 1993-1994 Village year.

Unanimously carried.

Trustee Lowther stated the second resolution has to do with Community Development. We've made a preliminary allocation of the funds that we are expecting to have for community development this year. The amount involved is \$42,350.00. There's a number of areas that we'd like to address with these funds. We've allocated some money to update the restrooms in Island Park to make them handicapped accessible. We have a large amount of money being allocated towards water improvement, which we have tried to do every year to help improve our water lines. We also are going to have to make our Village Hall entrance handicapped accessible because of the American Disabilities Act and the legislation that recently went into effect. We've also allocated money towards housing rehabilitation, which we have always done in past years.

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

RESOLVED THAT the 1992-1993 Community Development Funds in the amount of \$42,350.00 are hereby appropriated as follows:

Handicapped Bathrooms in Island Park	\$5,000.00
Water improvements in target area	25,850.00
Rear Door of Village Hall-Handicapped Accessible	1,500.00
Housing rehabilitation	<u>10,000.00</u>
	<u>\$42,350.00</u>

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Trustee Hayes stated and he thinks Trustee Kaye will concur with him, that this resolution is the result of work that was done several months ago and it represented a joint effort in terms of Trustee Kaye's position as the liaison for Community Development Block Grant funds and Local Government Advisory Board. The \$5,000 that's being allocated for the bathroom in Island Park is also going to be matched by a \$5,000 Parks Committee budget line item so that \$10,000 will be made available in total for that project. A rather lengthy, in depth and he thinks very productive discussion was also held about what our commitment will be for housing rehabilitation in the village. These monies are available to deserving residents and we had a rather lengthy discussion about the priorities the village has had in the past for the use of these monies and he is very pleased to support the resolution that comes forward tonight to expend it in this manner.

Trustee Kaye thanked Trustee Hayes for his kind words. She also noted that because of that joint meeting, we have increased the amount for housing rehabilitation from \$8,000 - \$10,000. If any residents who qualify need to have work done on their home, they can contact the Town of Amherst and request an application for Housing Rehabilitation, then they will process it for the village.

Unanimously carried.

Trustee Hayes reported this Sunday, June 14th from 1:00 P.M. - 4:00 P.M., the Youth Committee is holding the annual Fishing Derby in Island Park. The committee encourages residents with children to come out for that very successful event. He thanked the members of the Youth Committee who have worked so hard to organize this event for us once again. We're looking forward to good weather and good fishing. Trustee Hayes reported the Amherst Traffic Task Force, to which he is the village liaison, will be meeting this Wednesday at 2:00 P.M. in Town Hall. The purpose of the meeting will be to review some of the initial reports from the traffic consultant on the traffic counts that have been taken. This is something that we have eagerly awaited and he looks forward to sharing the information with the public at our next Village Board meeting.

Trustee Hayes stated his first resolution involves the annual establishment of the opening and closing dates and the hours of operation for our wading pools in Island and Garrison Park. This resolution comes forward with the unanimous recommendation of the Parks Committee.

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

RESOLVED THAT the hours for the Island Park and Garrison Park pools for the 1992 summer season are as follows:

Dates open: from June 27th to September 7th
Hours open from 11:00 a.m. to 8:00 p.m. daily

Unanimously carried.

Trustee Hayes added that the village has received a large number of applications for the position of Pool Attendant. He has sorted through those and will be interviewing candidates for the position. We were very pleased with the pool attendants we had last year. One or two of them have applied again this year and are looking to return. We have a large number of qualified young people and some parents who have applied this year and are interested in working with the pool supervising the children there. Trustee Hayes stated he will be bringing forth the names of the pool attendants at the next board meeting.

Trustee Hayes stated his second resolution involves an appointment to the Parks Committee. As the board and public knows, we have received the resignation of Matt Bierl from the Parks Committee. Matt was instrumental on working on special events such as "Savor the Flavor" and in establishing the first annual "Craft Fair" that the Parks Committee held last year. We will miss him and his participation and his hard work on the committee.

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

RESOLVED THAT Karl Stewe, 71 S. Ellicott Street, is hereby appointed to the Parks Committee until the end of the 1992-1993 of the official Village year.

Unanimously carried.

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

RESOLVED THAT Jeffrey Schieder, 44 Highland Drive, is hereby appointed Flower Caretaker, effective the week of June 22, 1992 at the rate of \$4.25 per hour.

Unanimously carried.

Trustee Hayes pointed out that normally the Village Board has appointed two young people to the position of Flower Caretaker. This year only one was appointed primarily due to the decrease in the level of participation from the Business Association in purchasing planters.

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They are still available and if there are businesses on Main Street that would be interested in getting more information about the planters, they can contact him.

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

RESOLVED THAT James Zymanek, James Oliveri, D. Anthony Schueckler, Jr., and Albert Weisser are hereby authorized to attend the N.Y.S. Chiefs Conference in Kiamesha Lake, New York from June 14 -June 17, 1992 and the cost, not to exceed \$300.00 each is to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Hayes stated his fifth resolution involves a contract that exists between the village and LaSalle Ambulance for advanced life support and basic life support service to our residents. LaSalle Ambulance has gone to the City of Buffalo, sought and has been granted a rate increase for their services with that contract. They also have gone before the Town of Amherst and now come before the Village of Williamsville asking us to approve the increase in the amount that they charge our residents for ambulance service. This is a proposal that was discussed in depth at the Amherst Fire Chiefs Association meeting and was endorsed at that meeting after a discussion. The Town of Amherst has considered this and approved it. Trustee Hayes has personally spoken with Chief Zymanek from our Fire Company and he assures that while it's never a good position to pass these charges on or endorse these charges to our residents, it is, in fact, necessary and there has been a precedence for it with other ambulance companies.

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

RESOLVED THAT the Village Board hereby approves the LaSalle Ambulance Proposal dated May 21, 1992 which increases their rates as follows; and

	<u>FROM</u>	<u>TO</u>
ALS Base Rate	\$214.50	\$322.50
BLS Base Rate	190.50	190.50
Mileage	4.00	5.45
Oxygen	10.00	26.80

FURTHER RESOLVED that Mayor Daniels is hereby authorized to sign amendment to their contract reflecting these changes.

Unanimously carried.

Trustee Kaye reported that at the last meeting of the Traffic and Safety Committee, there was much discussion about poor visibility for cars turning on to Main from Reist. This has been part of an ongoing discussion. A motion was made to call for a public hearing to amend the code on Main Street so there would be no parking or standing on the north side of Main Street for a distance of 90' east of Reist Street. Presently, we have it for approximately 30'. That, unfortunately, may take away 2 additional parking places on Main Street; however, the consensus of the Traffic and Safety Committee has been that they feel that it's warranted because of the visibility problems. She will be

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calling for a public hearing at our next meeting to discuss the situation on Main and Reist. Also, at our next Traffic and Safety Committee meeting, Pat Armitage, our parking Enforcement Officer, will be attending to discuss the problems that she sees with parking enforcement in the village. If any of the public would like to attend, they are always welcome. That will be at 7:30 P.M. here in Village Hall on June 18th. Also, there's been an ongoing discussion of the Eagle/Evans corner. We are looking at putting up a sign on Eagle which would be "No parking here to the corner", which would be 20' west of Evans. That would come just to the inner edge of Mr. Strohman's driveway. That is in compliance with the New York State Vehicle and Traffic code. We've had much discussion with Gary Van Dusen, an Amherst Police Officer, who serves as the liaison between the village and the Amherst Police Department about how we let residents know that that is a New York State law. His feeling was it was best for us to erect that kind of sign or signs in areas where we do have consistent problems within the village. We'll be working on getting that sign up. Trustee Kaye thanked Mr. Strohman for his patience.

Trustee Kaye reported regarding recycling, she will be attending both the Northeast and the Northwest Solid Waste Board's meetings within the next 2 weeks. Each of those will be talking about completion of the village's CRA and solid waste management plans. She will also shortly be calling for a public hearing to update the village code asking for an amendment to our recycling code that would allow for a licensing of operators who would pick up recyclables at institutional and commercial facilities who presently have dumpsters. We have received a proposed code from Erie County, a sample resolution and after Attorney Troy and Administrator Cummins had looked at it, they raised some questions about it. Attorney Troy has drafted a proposal that better meets the needs of the village. She will be giving the public more detail on that in the future. Also, regarding the composting facility with Amherst, she has asked Attorney Troy to meet with Town Attorney John Lane to talk about the intermunicipal agreement that's needed for us to begin taking our leaves over to the Amherst Compost facility.

Trustee Kelly reported on insurance. The Board had a special meeting two Fridays ago where we changed the Insurance Broker of Record. Some of the public may have seen the article in the local newspaper concerning it. What we did, in effect, was pick up much better coverage than we presently have and at the same time drop our premiums by about \$40,000.

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This has been the result of a year long investigation on his part and several months of information amongst the board members. He is really pleased that the committee was able to affect a savings for the board but more importantly, properly insure the village.

Trustee Kelly reported on Safety and Inspections. We have a continuing problem, in this particular instance, at 37 Oakgrove regarding a building that has a severe number of violations. Trustee Kelly has attempted to persuade the Building Inspector to request the board to condemn the building but unfortunately, he did not take Trustee Kelly's request. However, this brought a full discussion among the board members of some of the problem areas we have in the village. We'll be looking for stepped up enforcement with those problem houses. Trustee Kelly assured the public that we're not looking to be strict enforcers for every little minor violation or to hurt those who can least afford it like our fixed income seniors. His concern is with the absentee landlords who could care less about their property and force the neighbors to live with it. He's looking to enforce the code with respect to those people who tend to flaunt it and anyone who wishes to discuss the matter with him, he is available at just about any time to talk about it further. He does want to thank some of the residents from Oakgrove, specifically Clark Graves, who gave us a very passionate discussion of what he's had to put up with as the next door neighbor to this property for the past 10 years.

Trustee Kelly reported with respect to the Home Occupation Review Committee, by statute that committee has now ended it's investigation. At this point, they have a draft report that they're circulating among the committee members and he would expect that by our next board meeting we will have their report as to what they looked into on behalf of the Home Occupation.

Trustee Kelly reported the Local Government Advisory Board has met and set forth a summer schedule which is broken down into some subcommittees. Probably the most serious issue that we'll be tackling in the next year has to do with the water study. We're anxiously awaiting the final results of our engineering report and we'll be working on that in the future.

Trustee Kelly stated he hasn't forgotten about Ms. Schlifke and is still working on the berm issue. He has spent about 10 hours up at the Law Library going through various village and town codes throughout the state and has yet to find anyone that has a very specific statute. The Town of Amherst is about the only one that he found that even discusses it and it sets up no criteria. It just says that the Planning Board can look into them in certain commercially zoned areas. One interesting way that he is thinking of attacking the problem is for example, the Amherst code does have a section regarding yard drainage. If we define things properly, we may be able to do something there. It's an issue that can be quite scary when you think about the fact that there is nothing to prevent anyone in the village from dumping a pile of dirt in the middle of their yard and calling it a berm.

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With respect to this specific problem on Evans Street, he knows that our Building Inspector has met with both the contractor and with the homeowner in an attempt to persuade them to tone it down. Trustee Kaye advised him that she knew the homeowners and that she would speak with them on his behalf.

Trustee Kaye stated she met with Alex and Barbara Schmidt and asked them exactly what they planned to do with it and was it going to be left in it's present condition. The Schmidts advised Trustee Kaye that their goal is to have it look like the berms at Hidden Ridge. It will be spread across the back of their property, lowered and flattened. It will not have that high peak-like appearance that it has right now. It will be lowered and it will also be sprinkled all year round. They plan to plant grass and trees in it and sprinkle it. Mr. Schmidt has guaranteed Trustee Kaye that it will look like the berms in Hidden Ridge. Barbara Schmidt did say she was a little concerned about it at first but when she saw what it would eventually look like, she was very pleased with it. She asked Trustee Kaye to convey that they have not meant to offend anyone with their berm and did not realize that it would be such a cause for controversy or cause the board to look at putting in legislation about berms. They are hoping to make it look very beautiful and very nondescript so that it really will not be noticeable through the trees.

Trustee Kelly asked if they said how high it was going to be.

Trustee Kaye stated Mr. Schmidt didn't say exactly He wouldn't commit to how high it would be. He did tell her that it would be lower than it presently is now.

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

RESOLVED THAT Local Law #4-1992, Amend Section 112-2 of the Zoning Code, which was the subject of a public hearing on May 26, 1992, is hereby adopted.

Unanimously carried.

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

RESOLVED THAT Mayor Daniels is hereby authorized to sign the 1992 County-Town/Village Stop DWI Contracts covering the period January 1 - December 31, 1992.

Unanimously carried.

Trustee Kelly stated this is a program which returns some funds to communities that participate in a certain type of a DWI contract with the Sheriffs. It's a benefit to the village to have some funds returned to help the village with law enforcement.

Trustee Kelly stated his third resolution dealt with 37 Oakgrove and is being withdrawn at this time since he does not have the Building Inspector's support for condemnation.

Mayor Daniels stated it is to be noted the board is not washing it's hands of the issue of 37 Oakgrove and that there will be a number of citations issued to the owner. Ms. Schlifke had also asked about the status of the townhouses on Essjay. Mayor Daniels has called Bill Star from Ciminelli's office who said they have no plans in the foreseeable

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future to construct anything there although they are going to start work on the townhouses in the town area below the private home area. The ones along that would actually be in front of the Schmidt property, they have no plans to develop in the near future.

Trustee Kaye stated in her conversation with the Schmidts, they said that Mr. Ciminelli has tried to get the Schmidts to buy that whole parcel of property. Mr. Schmidt did share a letter with Trustee Kaye from the Ciminelli Development Corporation that discussed the fact that they were anticipating shoe horning in 8 units in that area.

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

Unanimously carried.

Mr. Zacker, 109 Glen Ave, asked whether there was anything being done about SCIPAR.

Mayor Daniels stated he has read nothing about SCIPAR in the last year and the village has had no communication from them. He understands the company is doing very well and would assume that sooner or later something will be done. Mayor Daniels stated it probably wouldn't be a bad idea to give them a call because it was a pending issue and at one point we are all very much involved because of the historic significance of those tunnels. If it's unsafe the board can think about looking into condemning it.

Mr. Delo stated we were going to condemn it but because it's a dual ownership it's in the courts. They know the village is not happy and is ready to condemn it. They have not communicated with him yet. It's really a fire and safety hazard.

Trustee Kaye asked what would be the status of the tunnels in that condemnation. Are we talking about condemning the building in the front or the entire portion of it that would include the tunnels. That's been a question with the Historical Preservation Society. She knows that we, as a board, about 2 years ago surveyed that property and surveyed the tunnels underneath.

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Mr. Delo stated it would all have been rebuilt by now but because the village, in it's wisdom, decided that the tunnels were worth a fortune, they let it go. They had an architect, they had drawings all done but now they have expanded elsewhere. Now they have no need to expand, at least the last time he talked to them a year ago. We might end up having it demolished. He doesn't see how we can force anybody to preserve a portion of it.

Trustee Lowther stated she doesn't think anyone's intent is to force anyone to preserve them; however, when we did go through there 2 years ago, they were very amenable to try and preserve at least one of them. They were not of a mind to go and start ripping and tearing and losing those tunnels.

Mr. Delo stated he doesn't think we should wait much longer. It should be repaired or demolished because it's unsafe.

Trustee Kaye asked if Mr. Delo could call SCIPAR on that.

Mr. Delo said he could do that.

Trustee Kelly stated you might give them a time period.

Elroy Avery, 75 Rinewalt, stated on behalf of the Williamsville Lions he would like to thank Terry Cummins and her staff for their help on the Lions proclamation, the whole board for their approval of it and the Mayor for presenting it at the dinner.

Ms. Schlifke, 192 Evans Street, asked in regards to the ceremony for Glen Park whether the village would use that opportunity to designate it the historic site. That was passed by resolution quite a few years ago.

Trustee Lowther stated the Glen Park Board decided at this point they would not want to purchase the plaque, which she was told would run about \$600.00. There is a plaque up on Main Street designating the park, not necessarily as a historical site, but they didn't feel the need for another plaque at this point or have a location in mind for it.

Mayor Daniels stated the price that Trustee Lowther quotes is high. He met with the representative of Alphabet Design at the Pierce Arrow Factory. Depending on the size of the plaque, the cost is probably closer to \$300.00 - \$350.00. The turn around time could be 6 weeks or less but he got the impression the Glen Park Board didn't want to move forward with that. He's ordered the plaque for the cemetery and for Saints Peter and Paul Church but did not for Glen Park because he was waiting for their board to tell him what to do.

Ms. Schlifke asked if he was using the standard plaques that have been approved by the Historic Commission.

Mayor Daniels stated yes. It's the same design that is in front of the Academy School. It's the same plaque.

Trustee Lowther stated the cost would be higher because there would be quite a bit of additional lettering and the cost is based on the number of letters. There was also a lot of disagreement about the date that should be used and what it finally boiled down to was the Glen Park would rather not spend what they considered a significant amount of money on the plaque. They would rather see it put into the park for improvements which are needed rather than pay for a plaque because the plaque had to have been purchased by the Glen Park Joint Board.

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Ms. Schlifke stated that wasn't the way it was set up many years ago. There always was a budget line item for plaques and it was under historical preservation. The individual areas where these plaques were placed never paid for the plaques. They were designated spots by the Historical Preservation Commission, approved by resolution of the board and the Historical Preservation Commission supplied the plaques. Glen Park wouldn't have to supply the plaque at all and the lettering is standard. They do give you so many letters on the brass plate that goes on the cast iron plate. The cast iron plate is a standard design which was approved many years ago and they are supposed to be uniform throughout the village.

Mayor Daniels stated as far as the payment, there is not enough money in our budget. Since Glen Park is a joint board and is mutually supported by the town and the village, they sustain any plaque because we're already paying for Glen Park and it's maintenance. It should not come out of Historic Preservation solely from the village account when it's a jointly owned property.

Ms. Schlifke stated she disagrees because the Village Board is the one that passed a resolution designating it as a historic site. The Town of Amherst had absolutely nothing to do with it and whether or not you have a joint board for the operation of the park, she still believes that the Village of Williamsville could foot the bill for the plaque. That's her opinion.

Ms. Schlifke stated in regards to the removal of the parking at Reist and Main, it always was a very bad corner. She had made a suggestion years ago to a Village Board and couldn't get the support. Main Street to the east of Mill Street has a 2 hour parking limit and the rest of the village is presently 1 hour. It had been her suggestion many years ago that from Reist to the west to Union Road should also be 2 hours. There are never any cars parked in front of the cemetery. You have so much congestion on Reist Street in front of those residences that if people going to the beauty shops, in that block, could park on Main Street for 2 hours, it would greatly relieve the problem on Reist street.

Trustee Kelly stated that the Businessman's Association has requested 2 hour parking throughout Main Street. It's presently in front of the Traffic and Safety Committee.

Ms. Schlifke stated that has been proposed before but at that time the board didn't want to make a change. In the other parts of the village, she thinks 1 hour parking keeps the cars moving but down at the west end where there is so much room on Main street and no cars parked, she believes that it's no further to walk from in front of the cemetery than it is from down Reist Street. It's a terrible situation there on Reist Street. It isn't really wide enough for parking and yet you hate to take the parking away from the people that live there.

Trustee Kaye stated if she understands Ms. Schlifke correctly, what she is suggesting is to change the code so that the parking from the cemetery to Union Road would be 2 hours vs one hour.

Ms. Schlifke stated that's correct, which is the same way as it is on the east end of the village.

Trustee Kelly stated he knows a lot of businessman have voiced their concerns. The larger stores are gone and there are a lot of smaller stores. At the same time, there are also many smaller eating areas and

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it really is almost impossible to park and eat and get back within an hour. There's been a lot of discussion about that.

Trustee Kaye stated Pat Armitage basically does not ticket them for one hour in those 1 hour areas so it is basically 2 hours. People who have parked 2 hours or more do receive a ticket. So there is a gracious leeway in the 1 hour. At the past Traffic and Safety Committee meeting the majority felt that 1 hour was sufficient taking into account the fact that she does have this significant grace period which is double the time that is allotted. There are areas in the village that Ms. Schlifke has noted where 2 hours may be more appropriate.

Ms. Schlifke stated if you remove 3 spaces from Main Street, there will be 3 more cars on Reist and as she stated, she thinks if you push them down a little ways it might help. It's something to consider.

Ms. Schlifke stated that the village not having any codes regarding berms, bothers her a little bit. She thinks the village has been lulled into a sense that the village is fully developed so we don't have to protect against certain things, but there are a few areas that are left and she thinks that serious consideration should be given to the writing of some type of code. Regardless, she's going to have to look at a mountain of dirt but it could protect someone else down the road. She has to hope that the people will do the honorable thing and make it more attractive. Certainly, she can't think that they would want to look at that pile of dirt from the other side either. It really has to be knocked down a considerable amount because you couldn't begin to cut grass on anything that high and that steep. She is also concerned about the parcel that is owned by Ciminelli and what will be done there. She talked to a very close associate of Mr. Ciminelli not too long ago at a Town Board meeting and he stated to her that they have plans for that parcel. He did not say they meant to go ahead with them in the very near future but he did say that that they had plans.

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Her main concern is the entrance, where it's going to be because we can't afford to have cars coming at us from another direction. We have enough right now. That is a major concern of the people that live in that particular area. The fact that the land will be developed, she has no problem with that at all. It will bring some tax dollars into the village, which is something she always felt should occur on that piece of land. Her only problem is what it's going to look like and if the board doesn't move now to do something in the line of a code to protect the residents, the board may be stuck with someone saying, "well he did it, I can do it too". Nobody ever thought of anything like this berm, that anyone would ever want to do such a thing, especially when the house isn't even close to the road. They're doing it probably to protect themselves. As somebody said, "I could dump this big pile in my back yard also if I didn't like what I was looking at in the yard behind me if I wanted to protect myself". So she thinks the board should move and move quickly to protect the rest of the village from this type of situation.

Trustee Lowther stated there is another berm in the neighborhood.

Ms. Schlifke stated she knows that. It was an issue of a lot of discussion way back when she was on the board. She will take that berm any day. She knows there were a lot of people in the village that weren't pleased with it but a berm that is 3' above the crown of the road and nicely landscaped, if Mr. and Mrs. Schmidt do the same thing, she'll be very happy.

Mayor Daniels stated there's a lot of factors involved with berms as well. Obviously, if someone puts a berm up that negatively affects their neighbors as far as the flow of water, that's something the board can enforce. It's not necessarily the height as much as the effect on the abutting properties. There's a lot to be considered in a code of that nature. We should talk about it.

Henry Strohman, 116 Eagle street, stated he wants to congratulate those members of the board and the Mayor for their appearance in the parade. Everyone looked pretty good. Mr. Strohman thanked Trustee Kaye for her efforts on the parking problem at Eagle and Evans. He looks forward to increased participation by our Building Inspector about some of these zoning problems that exist. Regarding the berm that is being built on Evans Street, he doesn't know how many people know much about trees but those trees that are being buried are going to die. Unless they cut that berm down, you can kiss the trees good-bye. You might as well cut them all down now instead of subjecting Ms. Schlifke and all her neighbors to a bunch of dead trees and then have a battle over that. He thinks if you look up at the corner of Evans and Main where they did construction in the rear, they did construct some wells around the trees. If they want to preserve the trees, that's the way it ought to be done. The way they're burying the trees now, even if they cut the height down halfway, or 3/4 of the way, they would still kill the trees.

Mr. Strohman stated about a month ago he made a discovery about a lawsuit that the village had brought against a resident in regard to a violation of the zoning law.

Trustee Kelly stated Mr. Strohman has advised him it had been dismissed by the Town of Clarence. He has asked our Clerk in the Building Department to get a copy of that and he hasn't received it yet. As soon as he gets a copy of it he will provide Mr. Strohman with one.

Mr. Strohman stated it's very frustrating because that case was brought some time ago and each time he asked about it he was advised that the

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wheels of justice turn slowly, that it would be getting it's place on the calendar. However, since it was dismissed last October, he is amazed that nobody on the board knew anything about it. He is amazed the current Building Inspector knew nothing either or he certainly would have told the board. He would like to find out what happened.

Trustee Lowther asked what is the procedure on something like that.

Trustee Kelly stated it's very rare that something gets moved to another jurisdiction. It regards the fence at the corner of Evans and Eagle. They happen to be related to Judge Robinson. So Judge Townsend had excused herself as a conflict, and Judge Robinson at the time excused himself. It was transferred to Clarence. At that point in time, once it's in the court system, Trustee Kelly has no control over it. He had just been waiting for notification of the results. It had been adjourned several times and Mr. Strohman had informed Trustee Kelly that it had been dismissed but Trustee Kelly hasn't heard the reasons why and he's a little frustrated about that. There's a lot of problems with respect to that particular permit. Our former Building Clerk had issued a permit. They took a fence down and another fence was put back up. There was some sloppy paperwork with respect to that. The law is pretty clear that they should have erected it parallel to the side of the house. It was erected in the same place it was before, which is close to the sidewalks. The village issued a citation to have it removed and prosecuted it and we just haven't heard back as to official results. It is frustrating that we didn't hear the results officially.

Mr. Strohman stated it does create a problem for the village in the wintertime because he does have a small driveway there to provide off street parking for one of his vehicles. His gate is always left open which means the sidewalk plow can't make it down the street. This puts pedestrian traffic into the street and that means little children as well as elderly people. It's not a good situation.

Trustee Kelly stated he agrees with Mr. Strohman. The village has sent our Building Inspector, the police and the Parking Enforcement Officer to review the situation. It's obviously a big problem at that intersection. The guy keeps getting cited, pays some fines and other ones he fights. It's very frustrating and Trustee Kelly knows even more so for Mr. Strohman.

Mr. Strohman asked how many tickets does the resident get before he gets in trouble?

Trustee Kelly stated those are all non-moving violations. He could get 5000 of them if he paid them all. It doesn't make sense to Trustee Kelly why he doesn't take the step of moving the vehicle to where it belongs. Pat Armitage has been called adnauseum and she spends a good deal of her time over there and the police do also.

Mr. Strohman stated he doesn't believe there have been any tickets recently because the resident parks where Mr. Strohman can easily see the windshield.

Trustee Kelly knows Ms. Armitage has been requested to go there. We'll continue to request her surveillance.

Mr. Strohman stated the resident insists on having signs on this truck which is very nice. Of all the trucks we have in the neighborhood, he's the only one that has a sign.

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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, it was moved to adjourn the meeting at 8:48 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer