

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, June 22, 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

David Laubisch, Supt. of Public Works

Mayor Daniels called the meeting to order with the Pledge of Allegiance  
at 7:38 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of  
the regular meeting of the Board of Trustees held June 8, 1992 were  
approved.

Unanimously carried.

Mayor Daniels reported that Garrison Road, a county road, is in extreme  
need of repaving. Mayor Daniels has written several letters and the  
former Mayor, Lawrence Brenton, also wrote letters to the county  
requesting that they repave Garrison Road. Two of the letters Mayor  
Daniels wrote were never answered. He also wrote a letter to Mary Lou  
Rath, the County Legislator, on the issue and sent a third letter to  
John Gugino who is Deputy Commissioner of Highways in Erie County.  
Three days later Mayor Daniels was driving down Garrison and they were  
not patching it once more. That was the answer to his request to have  
that road resurfaced. Right now he thinks there is no question in  
anybody's mind that it's a very bumpy road and it's costing every tax  
payer money, whether they live here or not, in wheel alignments and  
weakened springs. The receivers are recessed to the point of being so  
deep that drivers are getting jostled in trying to weave in and out of  
the fairly narrow road to avoid those hazards. Finally, Mayor Daniels  
got a response after phoning John Gugino. (Copy of letter attached)  
Mayor Daniels stated it is interesting to note that 3 years ago Mr.  
Gugino sent a very similar letter to former Mayor Lawrence Brenton  
saying that the next year this road would be repaved. Mayor Daniels  
wanted to remark on that. He thinks that the county needs to look at  
their road system and reassess the money that they need or at least try  
to work out a way to pave the roads that they have.

Mayor Daniels stated he has received correspondence from the Erie County  
Water Authority requesting the board's presence at the third annual  
formal meeting. A dinner will follow at Adams, on Como Park Boulevard  
in Cheektowaga, where traditionally you're given wine and dined. The  
meeting is to unveil their new geographic information system which is a  
computerized modeling of the water system in Erie County with links to  
all the other utilities and the value of that is probably going to be  
considerable for the county.

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However, it's interesting to note that this is the third one of these affairs and in the other 2 years right after this wonderful dinner they raised our water rates 8 cents a thousand 2 years ago and 7 cents a thousand last year. Mayor Daniels is making a prediction from past experience that there will be another 7 -8 cents a thousand raise in our water rates after this wonderful dinner at Adams. That's his prediction and he will be able to report on that by the next board meeting. If so, he's going to again, as he did last year, object to the raise in rates and even if that fails, at least ask for sufficient time in order to adjust the rates that the village charges so that the village doesn't end up paying the difference before we can assess that onto our village water system.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$69,173.65 covering 6/5/92-6/18/92 were approved:

payroll fund w/e 6/13/92	\$ 23,089.59
General fund	35,322.63
Water fund	118.70
Sewer fund	1.65
Glen Park fund	335.10
Trust & Agency fund	7,425.98
Capital fund	<u>2,880.00</u>

Grand Total \$ 69,173.65

Large Vouchers:

Niagara Sanitation Co., Inc.	\$6,614.75
Universal Play Systems	1,217.09

Unanimously carried.

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

RESOLVED THAT the following are hereby appointed Seasonal Laborers in the Department of Public Works from 6/24/92 until September 7, 1992 at the rate of \$4.25 per hour:

<u>Name</u>	<u>Address</u>
Marc McClure	403 Mill Street
Adam Anstett	60 Los Robles
David Anderson	78 Olney Drive

Unanimously carried.

Trustee Hayes reported the Youth Committee held a very successful Fishing Derby last Saturday, June 14th, in Island Park. It was attended by youths both from the Village of Williamsville and the Town of Amherst.

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While attendance was down slightly over last year, he thinks a good time was had by everyone that attended. The winning catch was a 15 1/4" trout. So we can be pleased that some of the fish, at least 5 of them that were stocked into the creek for the day's event, were actually caught. There were also a number of other sunfish and other types of fish that were brought out that won a few prizes for the youngsters. Trustee Hayes thanked the members of the Youth Board who spent so much time organizing the event and manning the registration desk and the prize award desk during that day and especially the chairman of the board, Carol Lanphear, for all her help and support in that endeavor.

Trustee Hayes reported that the Parks Committee is continuing its efforts to plan for Savor the Flavor, 1992, which we hope will be the biggest and best yet. We continue to meet before our Parks Committee meetings at 6:30 P.M. to make sure all of the details are together. The date of "Savor the Flavor" is August 19th. We look forward to tremendous participation, both from village restaurateurs and village and Town of Amherst residents. Trustee Hayes also reported that residents will begin to see some of the fruits of the "Savor the Flavor" money going into our parks. Last year, we raised pretty close to \$5,000 and have used that money to beautify and preserve our village parks. There will be several park benches installed over the next week or so, six of them in Island Park near the creek and 2 over in the South Long Street play area for people's convenience when they're using that park. Also, a bulletin board type has been created by our newest Parks Committee member, Mr. Karl Stuewe, which will be used to advertise public events. That sign will be installed in Island Park.

Trustee Hayes stated the Senior Citizens Committee is adjourned during the months of June and July so he has no report. They will be meeting again in August.

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

RESOLVED THAT D. Anthony Schueckler, Jr., 1st Asst. Chief, is hereby authorized to attend the Ladder Tower Service/Maintenance School in Ephrata, PA, from June 24- 27, 1992 and the cost, not to exceed \$450.00, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Hayes stated his second resolution involves the confirmation of elections of the Fire Chief in Hutchinson Hose Company, the Williamsville Fire Department, that were held a few months ago. It is a matter of state law that the Village Board acting as Fire Commissioners approve those elections and that should be done shortly after the company holds its own elections every year.

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

RESOLVED, THAT the Village Board, acting as the Fire Commissioners of the Williamsville Fire Department, hereby approves of the following firemen elected chiefs for the 1992-1993 year:

Chief	James Zymanek
1st Asst. Chief	D. Anthony Schueckler, Jr.
2nd Asst. Chief	Thomas Meldrum

FURTHER, resolved that a copy of this resolution be forwarded to the Fire Company for their files.

Mayor Daniels commented that the board has been remiss in the past and as far as he knows it's been possibly 15 or more years since we approved these elections. Sincere apologies to all the other chiefs and Assistant Chiefs for never having been approved and we will certainly make this a part of our regular procedure in the future.

Unanimously carried.

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

RESOLVED THAT the following are hereby appointed Pool Attendants from June 27 - September 7, 1992 at the rate of \$5.00 per hour:

- 1) Lori Woodward 272 Countryside Lane  
Williamsville, NY 14221
- 2) Gayle Hayes 191 Columbia Drive  
Williamsville, NY 14221
- 3) Amy Barbarossa 50 Deer Run Road  
Williamsville, NY 14221
- 4) Megan Sadkowski 31 Walton Drive  
Snyder, NY 14051
- 5) Kelly Graham 66 Misty Lane  
East Amherst, NY 14051
- 6) Christina Vastola 25 Harwood Drive  
Snyder, NY 14226
- 7) James Lanphear 88 Highland  
Williamsville, NY 14221



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The Business and Professional Association did have a member in attendance and after a lengthy discussion about the pros and cons of their request, the Traffic and Safety Committee passed a resolution requesting that the Business Association undertake a survey of all the businesses and professional individuals along Main Street, even those who are not members of the Association, to find out how those businesses feel about the possibility of 2 hour parking. We have, in the past, had other businesses come to the board and request less parking such as 15 minute parking and 1/2 hour parking rather than 1 hour parking we now have. So the committee is discussing it. July and August will give the Business Association enough time to conduct the survey and come back to the committee with some additional information. If any residents have any comments, the committee certainly would be interested in hearing how the residents of the village feel about any possible change in parking time, whether it's the entire length of Main Street or just sections of Main Street.

Trustee Kelly stated he knows that half of Main Street now is 2 hours parking. Was any study done as to how it affects those businesses that are in the 2 hour zone?

Trustee Kaye stated there was discussion. She did attend Tuesday's meeting of the Retail Merchants Committee and there was discussion that the 2 hour parking, which is at the east and west ends of the village, seems to be fine. It isn't a problem but on the east and west ends of the village, there are different types of businesses. The middle of the village seems to have many businesses that are in and out, the laundry, the dry cleaners, drop things off and pick things up, the Donut Shop and haircuts. That was the real question. There was some discussion at the Retail Merchants Committee meeting as well as Traffic and Safety whether or not it would be better to have some sections that would have 15 minutes, 1/2 hour parking and 2 hour parking and then the question of enforcement came about. We will be continuing to discuss this but she would like to hear from the residents as to what their feelings are as well.

Trustee Kaye stated her resolution is to call for a public hearing regarding parking at the corner of Reist and Main. There is a great concern by the Traffic and Safety Committee that there is a visibility problem for those people pulling out of Reist Street and trying to make a turn onto Main, particularly at peak hours. It is a potential traffic accident waiting to happen because many people have a tendency to creep out into the lane of traffic so they can see. This public hearing will discuss removing some additional parking on Main Street from Reist Street to a point 90' east of Reist Street to allow for that visibility. There also has been some discussion that an upcoming public hearing could be held to discuss making the portion of Main Street in front of the cemetery 2 hour parking to help for the parking that the committee may eliminate on this part of Main Street.

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

RESOLVED THAT the Village Court publish notice of public hearing to be held at 7:30 P.M. on July 27, 1992 in the Village Hall for the purpose of hearing all persons interested in discussing a proposed Local Law which would amend Section 103-16 of the Vehicles & Traffic Code and provide for "No Parking" on the north side of Main Street from Reist Street to a point 90 feet east of Reist Street.

Unanimously carried.

Trustee Kelly stated the next Planning Board meeting will be July 27th, which is the same date as one of our board meetings. It is open to the public and anyone who would like to attend is more than welcome. We are going to have a general discussion at the next Planning Board session concerning signs along Main Street and whether there should be some changes to the sign code. It appears that there are some problems with the signs and it's enforcement. We want to look into that in a little more detail.

Trustee Kelly reported that we have finally received the computer system for the court system and it's going to be installed within the next week or two. We're hoping that with the computer we will be able to schedule cases in a more systematic manner and to cut down on a number of costs including stenographers and perhaps the availability of the Prosecutor. He would expect that the bugs should be worked out by the end of this summer and we can start to get cases scheduled in a more logical fashion after that.

Trustee Kelly reported the Home Occupation Review Committee has finished meeting. Trustee Kelly has a rough draft of their report, which will be circulated among the members of the committee so they can add their individual comments. By the next meeting the trustees will all have a copy of the report and the committee recommendations.

Trustee Kelly reported that regarding berms, he is finding the topic a lot more difficult than he originally thought. For those who haven't been at previous board meetings, we have a new home in the village that has built what people call a berm, which our codes don't prevent for residential building. In reviewing our codes and comparing them to other municipalities, we're finding that most municipalities don't plan for berms unless they're planned in conjunction with a large development. Our village landscaping code does not apply to residential properties and it's not really appropriate to put it under zoning. Since our next Planning Board meeting is not until July 27th, we hope we can have this wrapped up by that time.

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It's a grave concern to him, as he said at the last meeting, that anyone could basically build a mountain in their yard and call it a berm and as long as the water doesn't go on to their next door neighbor's yard, they're safe in having it. We're going to be reviewing that in detail and hopefully we'll be able to find something that will be available for all. One of his concerns is that he doesn't want to do this haphazardly and then find out that residents can't put small garden beds in their back yard because they are slightly higher than the land next to them. It is going to take a little bit of time but he'd rather do it right than get something on the books quickly and find it has to be changed right away.

Trustee Lowther reported that Glen Park Appreciation Day will be held Sunday, June 28th from 1:00 P.M. to 4:00 P.M. There are flyers available if anyone wants more information. Being this is the first year, we're trying to keep it on a small scale. There will be guided nature walks, a wonderful video that was put together by the people who originally worked on the building of Glen Park some 15 years ago, a puppet show for the children that discusses feeding the ducks. It should be a really nice afternoon for everyone. Many people don't realize that Glen Park was not always as it is now. It was an Amusement park for many years and it was later slated, after the amusement park burned, to be developed with houses, condos, and commercial buildings. So, we're delighted that it's a natural asset to our village and we'd like to share that information with the residents and other members of the community. Our next meeting for the Glen Park will be held in the Nature Center, July 7th at 7:00 P.M. Anyone in the community who's interested in stopping in is welcome.

Trustee Lowther reported the Environmental Committee has been working on a flyer for home composting. Trustee Lowther has been working with the members of the committee to compile some information and put it together in a one page brochure to let people know they can do some composting in their back yard and help cut down on our waste.

Trustee Lowther reported she attended this week's Amherst Conservation Council. We are working towards getting the county to come out and have a household hazardous waste pick up early this Fall in conjunction with the village and the Town of Amherst. We're working very hard to get that together and set a date on that. This is free and open to the public.

Superintendent of Public Works David Laubisch reported this last weekend at South Long Street there was some minor vandalism and also in Island Park. He requested that any village residents that happen to notice this going on should call Village Hall and anonymously let the village know the people that are doing this. We would appreciate it. There is a picnic table missing from South Long Street. The table was just placed there in such a fashion that it could be moved. Now we've had to chain the tables to a tree. Mr. Laubisch doesn't like to do this but if the tables are going to keep disappearing, this is necessary.

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Also, some of the swing seats were damaged in that area this weekend. If residents see any vandalism going on, any help would be appreciated.

Mr. Laubisch reported he recently attended a Superintendent of Public Works school in Ithaca, New York, sponsored by the Cornell Local Road program. Some of the more interesting topics that were covered were inroads that have been made in paving. Polymers that are added to the current asphalt cements are put on the road have greatly increased the elasticity of these materials. The biggest enemy in paving today is cracking and the addition of polymers to asphalt greatly reduces the cracking and thus prolongs the life of pavements. One of the other inroads made is the mix and place process. The majority of the village streets were constructed in the late 1950's, early 1960's. Technology involved today with road building is completely different than what was used in that era. A mix and place process is now available where they take the existing asphalt that is on top of the road, the road base underneath, that being the crusher stone, and mix the entire road surface and crusher stone underneath together and then they add stabilization materials to that. The benefit to this is that we use the materials that are there now which eliminates buying more materials to build a new road. You can do half of the road at a time. The benefit is obvious there. The village residents are not inconvenienced in as much only half of the road is torn up at one time. When it's torn up it's mixed, spread and rolled, we're looking at finishing an 800' stretch of street easily within 4 hours. It's rolled and is immediately accessible again to the public and then we just move over on the other side of the street and do the same process there. The real savings is using the materials that are in place with the technology that's available today. You get a good stable base back under the roads. That was one of the more interesting highlights.

Mr. Laubisch reported on a public service highlight. There was discussion of rabies. He's sure people have heard about that in the paper concerning raccoons, etc., different animals that are indigenous to this area. The rabies scare is real. Although there have been no reported incidents of rabies in Western New York, there have been raccoons that have been found rabid in neighboring counties very close to Erie County. The good news is the shots that that at one time were necessary to cure this disease are no longer used. He's sure everybody's heard the uncomfortable stories about shots that are injected into the stomach or abdomen to prevent rabies in the event a person was bitten. Today it's a simple matter of 5 shots in the arm. They're no worse than flu shots. The point of this discussion is that some people have been bitten by animals and because of the horror stories arising from the rabies vaccine shots, they have not gone for treatment. It's not painful anymore. Once the rabies disease takes place, it is 99% of the time fatal.

Mayor Daniels stated Trustee Kelly mentioned the computerization of the court system, last week we received our computer for the DPW as well. A lot of things will be handled there that were handled here, some of the payroll operations, etc.

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We are looking at purchasing several programs, one for the water system and another, a complaint answering system. We do have a secretary there from 9:00 A.M. - 1:00 P.M. everyday to receive complaint calls from our residents. A call would be entered into the computer system, the time and date of the call and the type of complaint. A hard copy would then be sent to the DPW, one comes to the Village Hall and the Administrator. The complaint gets handled by one of the workers in the department and the date and time is logged in when of when that call was serviced and comments on the call and what the outcome was. The resident who called in then gets a hard copy sent to them. There's a full circle and it's a very good way to monitor complaints, requests, or any kind of service that a village resident would want from the department and it streamlines that system. We're on the brink of having that become a reality and this will make the village a lot more efficient.

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

Unanimously carried.

Jane Bullwinkle, 50 North Long Street, stated she and her neighbors are here tonight because they need to be represented by this Village Board regarding a severe problem they are experiencing relative to Forest Stream, which is a tributary that runs between Union and North Long Street and originates somewhere in the Wehrle Drive area. The natural function of the stream has been interrupted producing very unnatural conditions which are adversely affecting the residents along the stream. Both the natural and the runoff water has been diverted from the stream and it's been abruptly cut off this year especially early in the Spring before any of the water tables were down or any of the hot weather ensued. She's lived there for the past 13 years. Her older neighbors have told her that never has the creek or the pond itself been dry or not have water in it. When she moved in, there was a constant flow of water that came down through the pipes from Wehrle Drive. Along with that there's a well that feeds the pond but the well has never really been enough to keep that pond filled. It's been the natural spring that also came down and filled that area. As years progressed, more and more water was diverted. When they installed the sewer lines, they took out the bridge on Union Road and Main Street. A lot of water had been diverted at that time. They called the town, they called the village, they said nothing had been done. Through the grapevine and in talking to engineers, people in the water department and the highway department, they were told that part of the stream was actually put into the sewer system. After more complaints, suddenly the water started appearing again running down the creek. When Stereo Advantage built their warehouse, more water was just cut off. They called the village, they called the town, and were told absolutely nothing had been done. She heard it through the grapevine that they were diverting water temporarily. It was going to come back. Sure enough, some of it did come back, not as much as they had before, but a trickle of the water came back.. However, this spring the flow has been cut down to absolutely nothing.

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There isn't a trickle of water coming down there except for when it rains and we get the runoff water. They've been told nothing's been done, however; 2 ponds have recently been created over in the thruway area. What's this done to us, the residents that live around there? Some of which are represented here tonight and others have been represented on a petition. 3/4's of her backyard has been affected by this. The creek cuts through the middle of her backyard. It's not a drainage ditch. It's 15' - 20' wide. When it's emptied, you're talking about a bog that if she stepped into, she would sink in up to her ankles. The smell is absolutely awful. She can't go out in the backyard, she can't picnic, she can't invite people to her house. This particular piece of property, as with the rest of her neighbors, was unique. People would come over and they couldn't believe that they had such an oasis in the yard. It's an absolute mess. To give an example of some of the other things they are living with, the last rainfall that they had that wasn't as heavy as the one they had now, was enough to take everything off the thruway and everything off McDonalds parking lot and the Senior Citizens Center and dump it into her backyard. She went out there and she's talking 15' across for 6 houses in a row, she was looking at a cigarette butt every 3". A giant ashtray sitting in her backyard. This is what she's got to go out there and look at. She is one of the few people in this area who pray for rain during the summer so she can invite a few people over to the house and they can sit outside. It's destroyed everything for them. The people who bought on North Long Street weren't looking for a house, they were looking for a home and they found something very unique and wonderful and that dream has been totally taken away from us. It's devalued their property. Their questions to the board are is the Village of Williamsville still a nice place to live or is it just a shopping center and business district for the people of the village and the Town of Amherst? They want to know how the village and town are going to correct the problem which has been created.

Mayor Daniels stated he has talked to Paul Bowers, the Town Engineer and asked him what has the town done to change the amount of water that's gone into the ditch #9 system. Mr. Bowers said the town hasn't done anything. His question now is how do we find out more information than that. The only thing he can suggest is to schedule a meeting at the engineering building to look at the maps and then go over to the thruway. He hasn't seen any retention ponds there. He remembers when this was first a problem and Jonathan Guillaume can attest to the fact that Hal Collier was very much involved and concerned with the residents to the north of Ms. Bullwinkle who were getting flooded to the point that it was surcharging some of the septic system that are still in that North Union area and flooding their backyards with toilet paper and raw sewage. At that time, Hall Collier had this rather grandiose scheme for diverting that water through a 62" line that would have gone through Mr. Guillaume side lot across Glen Ave. The engineer has suggested that there might be an underground spring that is, through natural change of course, been diverted because now they're getting some erosion in the tennis court area at the pool facility on North Forest. What we need now, Mayor Daniels assumes, is to insist that the town implement some

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plan to discover where this water is going and what happens to it that it's not the same as it always has been in the past. He would like to set up some kind of meeting with the village, town engineering and the residents and try to discover what's wrong with that stream and what the options are. Mayor Daniels did contact Pat Lucey, who is in charge of the mosquito spraying. They also have these mosquito traps that they set out. The town will be sending residents releases to sign for mosquito control. The problem is, we will probably be able to solve the mosquito problem much quicker than the water problem, but we need to address the water flow and we'll work as fast as we can on that.

Ms. Bullwinkle stated she does have a petition that was signed and this goes beyond where the dam is.

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It's the people down the other end of the street too who have said that they've noticed a change in the way the water runs.

Trustee Kaye asked Mayor Daniels if he had spoken to the Town of Cheektowaga to see if they have done anything.

Mayor Daniels stated no but the Town of Amherst has. Their questions were the same as ours. Apparently, the water in their area has not been as high as it has been in the past. They were wondering if Amherst had any solutions to that. One of the other theories forwarded to Mayor Daniels was that every time someone builds in the area, they have to address their own drainage problems. One of the common ways are retention ponds. Amherst is full of them as well especially to the north of us where in order to not negatively impact neighbors of a new development, they have to control their own water problem. As areas get built up, land builders internally control the water within their development, it no longer goes into the regular channels that were there before. This could have contributed to the problem as well. There again, it is only theoretical. It sounds funny that it would hit all at once. It sounds like there is an obstruction in the pipe. Apparently, they popped some of the manhole covers and did not see any water in there at all. Mayor Daniels doesn't know how far to the south they have gone with that type of exploration but certainly you have to keep pressure on the town. Mayor Daniels will walk the area with them just like he did with the people when they had the reverse problem.

Trustee Lowther stated she thinks a stream has either disappeared or dried up or somehow something happened under the ground that it just naturally closed itself.

Ms. Bullwinkle stated there's a great deal of water over on Wehrle where the streams oriented. There's supposed to be a lot of them there right now. Somehow, between us and them, it's not happening.

Trustee Lowther asked on Wehrle near Union? Is that the area Ms. Bullwinkle is referring to?

Ms. Bullwinkle stated Wehrle near Lehn Springs.

Mayor Daniels stated it comes from several different areas. It comes from the thruway hill area as well.

Trustee Kaye asked Mayor Daniels to contact the Town of Cheektowaga and ask them what they may have done because as Trustee Lowther said, she has walked that area also. We heard from Councilman Collier that the Town of Cheektowaga was a major contributor to the problem of overflow of water.

Linda Breitbach, 70 North Long Street stated she has lived there since 1978 and has had continuous problems with the pond on and off.

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Imagine buying your dream house here in the village looking out your backyard seeing a pastoral setting, Willow trees, gorgeous stone structure dating back into the 1920's, the houses and ornamental well and over 200 ducks that we would feed 100 lbs of grain from the Mill every month. Now we're down to a couple of ducks and our well water dropped, about 8" from what it used to be in the past, due to the water table dropping. Even our pond is not staying full. Half the time last summer we'd look out into the left of the bridge, we had mud, no water at all where we normally would have had the storm sewer runoff. To the right we would have the amount of water our well was pumping out. It's just so pathetic to be at the same property that was bought 14 years ago and see very few ducks. We never ever had a mosquito problem before because of the large duck population. Now every time they build, every time they work on the thruway, we notice. They just don't have water. Last summer it was an absolute disgrace in our backyard. It's just esthetically very unappealing. Everyone's saying it takes money to fix this. She doesn't care at this point. Spend the money. We'll do anything to get this problem fixed. We have to get some answer here, a long term solution and we can't turn off our well, that's not the answer and we don't fix upstream from us. We can't even fill in half of our back yard because when it rains, then they're going to have a river through there. If this system has been created, then it has to be maintained.

Mayor Daniels stated we need to sit down and identify what the problem is so we know what we're talking about in order to fix it. Right now there are 3 or 4 things that it may be and one of them may not be something anyone can control. Another one might be that can help the situation. The first thing is to identify the problem.

Ms. Breitbach stated Mr. Bowers told her that there's plenty of water on Wehrle to divert but it would take more money to run it over there than some other place.

Mayor Daniels stated he will call Mr. Bowers in the morning and get back to the Bullwinkles or Breitbachs.

Jonathan Guilluame, 100 North Long Street stated he is right below the dam of this now fairly full stagnant pond. He also has a pond on his property and he sees the mud. He has about 4-5 ducks who are now walking in the mud. All of the things that have been said are true about the creek running through their yard. It's a recognized drainage system for the town and the village and it's a recognized flood path for floodwater. It just has to be serviced because it is a recognized storm ditch.

Trustee Lowther stated one of the problems the board ran into a few years back was the fact that all the backyards are private property and in order to do any work would have required easement from each of the property owners. At this point she would like to have the town get in with the TV cameras and determine the problem.

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Mayor Daniels stated the pipe system could have something wrong with it. That's something we should check right away and one of the things he is going to see if the town will do right away.

Ms. Bullwinkle stated they've talked to the town many times. The town is very aware of their situation. Hal Collier has been at her house numerous times and realized the situation needs help. She would seriously have the town start checking the areas where there is construction. Every time somebody starts some construction, the water gets cut off. Stereo Advantage Warehouse made a big difference. She's been told nothing was done to divert the water but it used to be there and now it isn't.

Mayor Daniels stated when he was looking at it, it appeared that they were channeling it more and covering it over with concrete so that it was an enclosed pipe instead of an exposed ditch but it's a coincidence that the construction would coincide with less water in the ditch. Mayor Daniels stated he will get on it in the morning and get back to her after he has talked to the town engineer.

Carolyn Schlifke, 192 Evans Street, stated that she believes that there has been some misunderstanding either by some members of the board or by Mr. Guillaume regarding the staking of the new trees and the planting of the trees in Island Park. On May 26 she believes Mr. Guillaume spoke to the board and neither she nor Trustee Hayes were at the meeting. She's sorry she wasn't here then because she could have clarified a lot of things. Administrator Cummins had called her about the delay of planting the trees, until the board could look at the area where they were going and make sure that met with their approval. She told Ms. Cummins that she had no authority to either stop the planting of the trees or to authorize planting the trees, that it had to be someone on the board and that she wasn't going to touch that decision. Those were her remarks. The minutes make it sound as if Trustee Hayes voiced the most concern about this. There had been a Parks Committee meeting and being a little early she and Trustee Hayes walked into the park and saw Mr. Guillaume putting in the stakes. Ms. Schlifke asked Trustee Hayes if the board had approved the location of these trees and Trustee Hayes said they hadn't. There was no mention in that conversation whether these trees were going to affect Old Home Days, which is not a concern of the Parks Committee. It's a concern of the Village Board. The board approves it, the board must decide whether something the committee wants to do in the park is going to interfere in any way. All the committee is interested in is beautifying the parks. There was absolutely no mention of Old Home Days yet she gets the feeling from what she reads in the minutes is that Trustee Hayes and her are upset with the placement of the trees because it might interfere with Old Home Days. Mr. Guillaume did not attend the Parks Committee meeting, so therefore, there was no way she could know that the trees were going to be planted the very next day. There was also a lot of discussion that the board should have known the trees were to be planted because it was mentioned in the Parks Committee minutes all year long. The first mention was in the minutes of April 17th.

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Then there was a change in the Village Board and Parks Committee membership. At that April 17th meeting, the committee held a discussion and it evolved about the installation of the benches along the driveway leading to the pavilion. Mr. Guillaume, being one of the few holdover members from the previous committee, gave the background history of the tree planting and the bench locations and Mr. Bierl, who also was on the committee and a holdover member, felt that there would be no interference with Old Home Days. Trustee Hayes had said that there was no criticism at that time as to the work that was done. The concern was not to have a communication problem, and it was felt that Trustee Hayes, as liaison, would have to carry the discussions to the board work session so that the board would know what the committee plans to do in the park. So it was her understanding at that time that any time the Parks Committee was going to do anything in the middle area of the park, prior approval of the elected officials should be received first because they are the people who must then deal with other committees and other functions.

Ms. Schlifke cited various meetings at which additional trees for completion of the avenue and also along the bank area at the pavilion. At the November 1991 meeting, Mr. Guillaume quoted prices for the trees and at the February 1992 meeting the committee asked Trustee Hayes to get board approval to authorize expenditures of "Savor the "Flavor" funds and Trustee Hayes took these various items to the board which included the purchase of 12 trees, 3 to be placed on the Island avenue, 2 near the Island point, 3 on the side banks and 4 at the Allentown building. The last mention of trees was at the Parks Committee meeting of Wednesday, April 15th which stated "trees ordered, Jonathan will stake." The Parks Committee meeting of May 20th, 1992 "trees, Jonathan met with Jennifer Lorenzini, placed an order from Gleason Nursery, Jonathan sets stakes in ground, possible problem with placement. Village Board to approve installation. See attached letter." Ms. Schlifke doesn't know what the attached letter was because it didn't come with her copy of minutes. She has to think that perhaps it was the letter that was sent on May 22nd to the Village Board by Mr. Guillaume. She has to bring up this letter because she feels it's a misquote and it's misleading. In the letter he states "Today I received a call from Gleasons. They are informing me they were told not to plant on the service road. I contacted Terry Cummins and was informed that Mr. Hayes and Mrs. Schlifke felt that the board would not like where the stakes were, that they might interfere with Old Home Days." She has to object to that statement because as she stated previously, there was absolutely no mention of Old Home Days between Trustee Hayes and herself that evening. She thinks the problem here is a problem of procedure and the only question in both of their minds was whether the board had approved their location. That's the only question that they had in their minds. She has to assume that it was on that assumption that Trustee Hayes put a stop to the planting of the trees just until they could be approved. The trees are now in.

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She just does not like the inference that, as chairman of the Parks Committee, she does not have the best issues of the park as primary but rather that she bases what she does on what will affect a function that is held in this village for 3 or 4 days a year when, as Mr. Guillaume stated, the park is here all year and it's for all the residents. She just wanted to clarify that. There seemed to be a lot of problems about board members thinking that everyone should have known where the trees were going to be because it was in minutes but they were very vague. She, herself, did not know where those trees were going since this was a program that was started before she became chairman. If there was a program or a plan, she has never seen it because nothing was passed on to her by the previous Parks Committee. The committee, as it stands now, had no objections to continuing and finishing this plan which started as a project of a previous committee but there were members on this board that voiced some objections last year when she took over and when the original trees and benches were installed that they wanted to be advised of what the committee planned on doing. That's the only reason that she feels that there should have been some period of time between the night that the stakes went in and the very next day when those trees were going to be planted.

Trustee Lowther stated she doesn't think anyone doubts her sincerity as the chairman of Parks Committee. However, this sounds more like a communication problem within Ms. Schlifke's committee. How could the committee approve of expenditures of the "Savor the Flavor" money and not make it. Ms. Schlifke's business is to either find a plan from someone, either in Village Hall and then go out and see where the trees are going to be planted, not the night before.

Ms. Schlifke stated Mr. Guillaume was in charge of staking the trees. She expected him to come into the Parks Committee meeting to tell them where they were and wait for board approval. Ms. Schlifke stated the stakes should have been put in and then the committee perhaps advised the stakes were in, the board would have had a chance to look at it and then Gleasons could have come a week later or something to that effect.

Trustee Lowther asked Ms. Schlifke if she had made that request of Jonathan before he got the approval of the Parks Committee to stake them so she could examine them?

Ms. Schlifke stated no, she was absent from the April meeting when he said that he would do the staking and contact Gleasons. So the first she knew about it was when she returned which was just a week before the May meeting.

Ms. Schlifke stated she picked up the minutes and read them and felt that there was some confusion perhaps on the board as to what had actually happened. If she had been here that night, it probably could have been clarified right at that moment.

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Trustee Hayes said he can understand her point about procedure and he certainly shares her opinion about the way advisory committees operate in the village. He considers it his responsibility to make certain, as Trustee/Liaison to the Parks Committee, that the board is informed to the best of his ability about actions that take place within the village. It might seem to a number of people that what Ms. Schlifke is talking about is nit picky of a certain issue. Trustee Hayes understands that she has experienced, at a personal level at times in the past, when things are made a matter of public record and go uncorrected the difficulty that can occur down the road and he understands that that is what she is attempting to do tonight. For the record, Trustee Hayes would like to say that Old Home Days had absolutely nothing to do with the decision to stop those trees from going into Island Park. He also at his first opportunity upon returning from California, where he was on vacation when this matter arose, explained to the board the situation circumstance at a work session. He thinks the board is clear and were clear at that time, that he explained to them about what happened. He thinks they understand that it was a procedural issue and he thinks they understand that there was a communication problem because of his absence at the board meeting in which this arose. He was the one who directly ordered Gleasons not to plant the trees until such time as the board could be notified and, in fact, made sure that he contacted the people who were on the board who expressed no opinion or reservation of opinion about the planting the following day. Once he had received their okay, he's speaking now of Mayor Daniels and Trustee Kelly, because from reading the minutes, it appeared that Trustee Lowther and Trustee Kaye had publicly said that they had no problem with where the trees were being planted, he then ordered Gleasons to go ahead and plant the trees. So Ms. Schlifke is right, it's a question of procedure and that's the way he will continue to operate as the liaison to the Parks Committee and informing this board of advisory decisions. He understands why Ms. Schlifke felt it was necessary to take the time this evening to correct the record.

Trustee Lowther asked if the board is going to be approving everything that happens on the Parks Committee.

Trustee Hayes stated the board is going to be informed and given the opportunity to object to any structural changes on the municipal property as long as he is liaison to the Parks Committee and the volunteer advisory committees are not going to make those decisions without the board's prior notice and approval or the opportunity to disagree because he feels that that's the board's responsibility. In the past, unfortunately, that hasn't always happened and we have known what the consequences of that action has been. We have suffered that as a board over the past year. That, he thinks, is divisive, it's divisive of the board, it's divisive of the community and it certainly is divisive of the volunteers who offer a lot of hard work and effort to get things done on behalf of the community.

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He will continue to offer the board the opportunity to understand, as he did again tonight with the sign that is going to be placed in Island Park, that the board is notified because that, in fact, prevents what has happened in the past which was that trustees would come back and say we never knew the benches were going in the park, we never knew the trees were going in, we never knew that there was a sign going in. He doesn't want that to continue to happen because he thinks it's divisive.

Trustee Kaye commented that in terms of the past trees and benches and sign, she doesn't think that anyone ever installed those with the intention having be divisive. She wants to make the record clear about that as well.

Trustee Hayes stated he had said that was the result. He didn't mean that was the goal of doing something like that. He said unless all the board members are informed and have the opportunity prior rather than later to state their opinion, the result can be that it's divisive because then there is arguing about improving the parks, which we all want to see done.

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 go into Executive Session to consider personnel issues at 9:17 P.M.

Unanimously carried.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, it was moved to return from Executive Session at 12:10 A.M.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, it was moved to adjourn the meeting at 12:11 A.M.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer