

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, December 28, 1992 at 7:58.M.

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

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

The Clerk read the notice of public hearing being held December 28, 1992 by the Board of Trustees of the Village of Williamsville at 7:30 P.M. in the Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 103-16 of the Village Vehicle and Traffic Code and prohibit parking on the North side of Main Street between Rinewalt Street and a point 90 feet east of Rinewalt Street.

ON MOTION by Trustee Kaye, seconded by Trustee Hayes, the hearing was opened at 7:42 P.M.

Unanimously carried.

Trustee Kaye stated this public hearing has come about because of concerns of visibility on the corner of Main and Rinewalt, particularly for those people trying to make a left hand turn onto Main Street. There was a similar situation at the corner of Main and Reist Street which we recently held a public hearing and changed the parking to move it 90' back from that corner to allow for visibility and reduce the possibility of a serious accident at that corner. That's exactly the same thing we are looking at doing here. This recommendation has come forward from our Traffic and Safety Committee. There was a concern that there was a potential accident waiting to happen because of the lack of visibility. Ninety feet from the corner is it in the middle of the sign for Stovroff and Taylor. It's a little farther than the building. Last night Trustee Kaye parked her car in front of the area immediately in front of Stovroff and Taylor's brick wall and got out to check the visibility to see whether or not we could leave a parking space there. Justice D'Angelo thought it would be helpful if we could leave at least one parking space there for deliveries. Trustee Kaye thinks that in looking at it we probably don't need the full 90' from the corner as we did on Reist Street so we are anticipating that it would probably move to a point less than that.

Robert Reiss stated he and his family have been residents of the Town of Amherst for over 20 years. He is a Professor of Law at the State University at New York School of Law, Amherst and an attorney in the State of New York. Along with his wife and friends, he is owner of a number of Main Street properties within the Village of Williamsville including the 90' which is the subject of tonight's hearing.

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5888, 5890 and 5892 which is the Stovroff and Taylor property as well. Mr. Reis spoke of purchasing property in the village, along with partners and friends and upgrading the property. He stated that the building at 5888 and 5890 Main is now and has always been retail and commercial. The parking in the area is similar to that throughout the village on both sides of the street. The cars are completely off the road and can be entered and exited with as much safety as anywhere along the entire length of Main Street where parking is permitted.

There is a heavy white line where the road ends and there is an area before the sidewalk starts where the cars park.

Mr. Reis presented photographs to the board members showing parking along Main Street. He stated that the parking in front of 5888, 5890 and 5892 Main Street is primarily for clients and customers of these buildings. Longer periods of parking by the tenants of these buildings is provided by off street facilities associated with the buildings. Obviously here as well as elsewhere in the village there is only a limited amount of off street parking available for these tenants, customers and clients. Restricting parking along Main Street in front of these three buildings would cause great financial and practical concern and harm to the customers, clients and the owners and tenants. It would create a hardship for UPS and other delivery and service vehicles. It would create a burden on the already strained parking situation in the village. We all know that the charm of the village lies in its predating the omnipresence of the automobile. Store fronts such as the 90' of Main Street in question reflected the diversity and history of the village and the history of these buildings. Restricting parking on Main Street and potentially forcing further encroachment to parking back into the residential areas does not solve any problems. Mr. Reis wondered why this 90' of Main Street has been singled out for special attention or perhaps been discriminated against. Why has this 90' of Main Street been singled out for the special attention of the village trustees? Why have repeated inquiries been made to the Village Building Department about the authorization for the parking lot in the rear which had previously been approved by Traffic and Safety and the Village Planning Board for the commercial use of the building? Is it because it is significant public health, safety, welfare issue or is it because a current member of the Village Board of Trustees lives at the far end of Rinewalt Street? We must all bear in mind that the legislative acts of the village trustees are not to vindicate the value preferences of individuals or even allowed in vocal segment of the community but to seek the public well being and good within the framework of our constitutional system. We must also insure that this hearing tonight extensively for the purpose of considering parking on Main Street does not become one which raises questions about the integrity of the political process in the Village of Williamsville. He has confidence that the village trustees will act in accordance with the high standards and integrity of their positions and consistent with the public trust proposed within their offices and not discriminate against the owners, tenants, clients and customers of these 90' of Main Street. He noted that the building itself has been cut at an angle for the purpose of allowing visibility onto Main Street to the left. At present, parking is not permitted within a certain distance from a corner or an intersection. The pictures show that the cars do stay back considerably beyond the buildings and if there is a specific concern that it should be set back from Rinewalt Street for visibility purposes, he thinks that it could be 10' or 15'.

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That would adequately serve the safety purpose and he thinks at the same time it would not harm the tenants and the owners of the buildings, nor would it be discriminatory. A "No parking from here to the corner" sign could be put in the area already restricted by law.

Trustee Kaye stated she does live on Rinewalt Street and there have been many residents who have come to her and said there is a visibility problem. She thinks that when you have a Trustee on your street there is a tendency for them to come more to that trustee with their concerns. She has also seen many cars on a regular basis pull right up to the corner. Mr. Reis is correct. The New York State DOT law states that there is no parking 20' from the corner. Unfortunately, that's not something that is always easy to enforce. Trustee Kaye stated that residents have come to her and have said that over the past 6 months they have felt that there has been an increased encroachment onto the residential street by people parking there weekdays 9:00 a.m. to 5:00 p.m. They wanted to know why there was such a big difference versus the many years that they had lived on the street. Her question to the building department was, is there some kind of change in use that has come about to make that happen and, in fact, the Building department informed her that there was not a change in use. So her inquiry to the building department was to be able to respond to the resident's questions.

Trustee Kelly asked Mr. Reis how long he owned the property and if he has been aware of any accidents at that corner.

Mr. Reis stated he believes they have owned it about 3 or 4 years.

As far as he knows, there have been no accidents.. He hadn't realized that there was any concern about the parking until he found out by accident that there was a hearing tonight. They had not been noticed of the hearing. He only found out because Justice D'Angelo indicated to him that there was a hearing. He certainly would encourage if there is a problem that some sign from the corner within the vehicle and traffic regulations be put up to indicate there is no parking but at the same time he requests that the board consider the impact that it will have on the people that are using these buildings.

Trustee Kaye asked instead of the 90' from the corner, is there some footage that he and maybe his tenants see that would be more workable that may solve the problem for visibility between past the 20' from the corner and less than 90'.

Mr. Reis stated he doesn't see that there would be a visibility problem if you look at the photographs between 15' and 20'. He certainly thinks that 20' would be more than an adequate look to the left for people. Right now, they do park closer. Our plan for the spring is to put some planters up there by the trees. These will make the area look nice and that will be a signal for people to park a little bit closer. He thinks that will also handle the visibility problem.

Mayor Daniels stated it does appear from the photos that people could park closer than they do which would allow more visibility to the left for people going east.

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This certainly would help the situation. Mayor Daniels would like to find out if there have been any accidents at that intersection over the last several years. Regarding the notification on these types of hearings, according to the village code, we are not required to advise the owners of abutting property of a public hearing on this type of issue. The only time we are required to notify residents is for a zoning change. Although that is the case, Mayor Daniels doesn't think it is a good policy. Because this has been brought up, he would like to make sure that when any of these types of public hearings are held that we notify the abutting owners of the property of the hearing in advance as a courtesy more than a requirement of law. Mayor Daniels apologized that Mr. Reis was not notified. In the future, we will just make that a standard procedure. There is going to be a lot of turmoil as we go. We don't ever want to give the impression that we are withholding information and trying to sneak things through. From this point on we will definitely make sure that people are aware of these hearings even though it is published in the Bee.

Paul Banas, a tenant in the building, stated he is a lifelong resident of the Town of Amherst. He is a mortgage broker and the nature of his business is that people would come in and park out in the front of the building and be there for approximately a 2 hour period. It's very convenient for them to park in front of the building. Sometimes they come during the evening and rather than park on a side street they park in front of the building. It's a nice convenience to have.

Victoria D'Angelo, resident of the village, stated she has been practicing law in the village for the whole term of her law practice for about 14 years. She lives on Lake Ledge and comes down Farber every day. She finds more of a problem and a safety hazard coming off of Farber than she does coming off of Rinewalt onto Main Street. She thinks the parking is terrible. Turning left onto Main Street is a terrible situation. It's a lot worse than anything we are talking about here. She parks on the side of the building of 5888 and she comes out to Rinewalt and makes a left turn to go home and she has never had a visibility problem. She just signed the lease in November, a long term lease which is very expensive for her and she has put a lot of money into this building for her law practice and has upgraded it, as Mr. Reis has done, drastically to the advantage of all the people of the village. Her clients are basically elderly and that's the only place they have to park. There should be parking in the front so they can have easy access. Because of her elderly clients, one consideration was the stairs. She could not rent a building that had stairs. This building has one step. There is one step off the pavement and that's why it was attracted to her and her clients are able to come in if they are disabled or elderly. So parking on Main Street is imperative. If they didn't have that parking, she doesn't know what she would do. Her lease would be basically worthless and it would be a very grave hardship upon her and her practice. She parks on the side or in the back as do her employees but the parking in front is imperative. When Trustee Kaye called her about the hearing she understood it was only 20' where we will still have space to park there. Twenty feet from the corner is fine and that is the code and for safety considerations. Beyond that is just excessive. She doesn't see the need to prohibit parking beyond that. There are only so many spaces there now and they are very useful for Mr. Banas and herself and for people that are not going to be there all day who are only going to be there an hour or two. They have no problem getting in and out. People have no problem seeing them as she has seen. It would really be a drastic measure if the board prohibited parking to 90'.

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Trustee Kaye asked if it is three parking places in front that we are talking about.

Ms. D'Angelo stated it is about four and we need all four of them.

Trustee Lowther stated as a past member of the Traffic and Safety Board before she was elected to this board, a change in parking is not the prerogative of any one trustee. They cannot say "I'm going to ban parking anywhere" or "I'm going to change this or that". What happens in the Traffic and Safety group is if a member professes that they see a problem somewhere the membership of this committee then takes a look at it and goes out and physically inspects it. They then come back and a recommendation is made and voted on by the majority of those board members. She hopes that Ms. D'Angelo is not being misled by thinking, from the comments that were made here this evening, that Trustee Kaye has decided that she is going to unilaterally ban this parking. Nothing could be further from the truth. She is really hopeful that Ms. D'Angelo understands that. The main concern is the safety of the residents of this village, not that anyone has a convenient access one way or another to a street or a parking area.

Trustee Kelly stated that he looked up the Traffic and Safety minutes from the meeting that brought it up and although there was a discussion of a number of matters, there was no discussion on this, just a resolution saying lets ban parking 90' east of Rinewalt. He wonders why there isn't anything in the minutes and if it is just an oversight can Trustee Kaye fill us in as to what happened at the meeting.

Trustee Kaye stated there was a discussion by the group. We discussed it in terms of we weren't exactly sure of how many feet to make it from the corner. That's how it got to be 90' from the corner and that's basically why we have a public hearing, to hear from people as to whether it should be 90' or some other distance. Certainly when we come to a public hearing, it's not cast in concrete in any way, shape or form.

Trustee Kelly asked Fire Chief Zymanek if he is aware of any fire safety reasons why it should be 90'.

Chief Zymanek stated we've never had any problems at that intersection at all.

Trustee Hayes stated perhaps as a follow up to Trustee Kelly's comments about the minutes and seeing no one here to speak in favor of the proposed change in the local law, is there any documentation that Trustee Kaye has received from residents putting the board on notice or putting herself as liaison to the Traffic and Safety Committee that this is, in fact, a hazard?

Trustee Kaye stated we haven't had it in writing. It's been a discussion limited to the Traffic and Safety Committee.

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Trustee Hayes stated one of his main concerns is that when we have a public hearing and something is put before this board as a grave concern of residents and then we don't see residents attend the public hearing to state their concerns publicly before the board. He understands people have conflicts in their scheduling and can't always attend, so he then looks for some kind of written comments before the board. He knows as a trustee who puts his phone number on just about everything that goes out all over the village that he has not received any calls or any explanations or concerns. Also, as a former resident of Farber Lane he would concur with what Justice D'Angelo said about the conditions on Farber Lane and he hopes that due diligence would be given to taking a look at that situation by the Traffic and Safety Committee in the future. There is no light on Farber, it is at the high school and that is part of the problem.

ON MOTION by Trustee Kaye, seconded by Trustee Hayes, it was moved to close the hearing at 8:30 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, December 28, 1992 at 7:56.M.

*Present: Ronald Daniels, Mayor
James Hayes Trustees
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Mary Lowther*

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

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7: 56 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the regular meeting of the Board of Trustees held December 14, 1992 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the minutes of the public hearing on local law to delete current Chapter 39 and adopt new Section 39.00 - Garbage, Refuse and Trash held December 14, 1992 were approved.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Hayes, it was moved at 7:58 P.M. to open a public hearing for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 103-16 of the Village Vehicle and Traffic Code and prohibit parking on the north side of Main Street between Rinewalt Street and a point 90 east of Rinewalt Street. (The public hearing closed at 8:30 P.M.)

Unanimously carried.

Mayor Daniels reported that we were successful in drilling a well on Farber Lane to take care of the water problem and we will work with that well now to improve the drainage in that area. Whereas 4 or 5 gallons a minute is acceptable flow into a well for drainage purposes, this one tests at 75 gallons a minute so it could probably drain the whole village if it had to. What that does mean in positive terms is that we can run some drain tile along the shoulder of Farber Lane and take care of many of the problems that they have. The other good news about the well is that it came in considerably under bid.

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Mayor Daniels stated our community development funds are generally used to improve the water system in the village. At this time we were able to take advantage of the computer model of our water system which had been developed by Nussbaumer and Clarke. We asked them to list priorities in our target area that should be addressed for best use of the monies that are available. Just before the meeting tonight, we received the completed study and by our next meeting we will have assessed it so we can make recommendations on which areas in which to use the community development monies.

Mayor Daniels referred to an article in Herrington Fair Port Post newspaper. The Village of Victor saved a considerable amount of money by using prisoners to work in the DPW. "At a suggestion of consultant Robert Hoffman who was recently hired to help the village work more efficiently, the highway department hosted seven prisoners and two deputies from the County Correctional Facility in Hopewell for three days putting the inmates to work painting the highway garage and clearing brush from around the creek bank near the old trolley track. The director of public works stated that he is satisfied with the program which effectively doubled the seven employee department and is planning future projects for prison workers. Mayor Daniels brought this up because it is another municipality's way of solving a budgetary problem.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$169,165.61 covering 12/11/92 - 12/23/92 were approved:

Payroll fund w/e 12/12/92	\$ 24,042.66
General fund	122,509.22
Water fund	4,756.38
Sewer fund	7,015.00
Glen Park fund	4,953.07
Trust & Agency fund	5,889.28

Grand Total \$ 169,165.61

Large Vouchers:

Chase Lincoln First Bank	\$63,648.75
Key Trust	\$36,600.00

No vote was cast by Trustee Kaye.

Motion carried.

Trustee Lowther reported the Glen Park Joint Board will be meeting in Amherst Town Hall on January 5th at 7:30 P.M. The repair work has been completed on the roof of the Nature Building. Unfortunately a large hole was created when a worker stepped through the roof when they were repairing it due to damage by carpenter ants.

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We had to have some custom milling done to replace the overhead wood in the building and we also had to replace the lights because they were full of water due to the leak in the roof. A portion of the drywall ceiling also fell down and had to be replaced. Repairs came in at approximately \$5,000. It was certainly something we didn't plan to budget this year and fortunately we have enough money in the budget to cover it.

Trustee Lowther reported the Environmental Advisory Council will be meeting on January 28th in Village Hall at 7:30 P.M.

Trustee Kelly reported the Planning Board is meeting January 4th here in Village Hall. Anyone who would like to attend should feel free to do so.

Trustee Kelly stated he believes all the trustees got a memo from our Administrator regarding a "Wish List." Although it is not indicated on the meeting schedule he believes we are next meeting with the Local Government Advisory Board the morning of the 13th or the 14th. He would like to have a tentative "Wish List" in place by then so some committee members can start looking for potential grants. He thinks the gist of the memo that was sent out is that a few of the members on the board feel they have a number of sources in various government entities. If we identify grants and go after them, we're more likely to get them than if we want to see if grants are being offered. What we're going to do is identify our needs and then start looking for available sources. We believe we may be more successful in getting grants that way.

Trustee Hayes stated he has no report this evening.

Mayor Daniels stated he was in Island Park and he noticed that the roofs were completely redone on the electrical building, the pump house building and also the bathrooms. He asked if the interior was going to be done next?

Trustee Hayes stated yes.

ON MOTION by Trustee Hayes, seconded by Trustee Kelly, it was moved to suspend the rules to change the order of the agenda.

Unanimously carried.

Trustee Kaye reported that the University Food Bank food drive went very well. We took a whole truck load of food to the University Food Bank and they were very appreciative.

Trustee Kaye also reported that Traffic and Safety Committee has received a request from the Town of Amherst Traffic and Safety Board to remove the stop sign at Eagle and Evans Street. There was much discussion about it at our last Traffic and Safety Committee meeting and the members felt that it would pose much more of a safety hazard by removing the sign. The reason for the request was the Town of Amherst Board felt that it would reduce traffic congestion along

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Evans Street but the traffic and safety concern here in the village is that we have Academy Christian School located within walking distance, Blocher Home and a church all in a very close proximity. Many people who cross that intersection never be able to cross it safely if we removed the stop sign. We were told by the Amherst Traffic and Safety Committee that they're looking at putting a light at Essjay and Evans. The committee said that when a light is installed at Essjay and Evans, we would be happy to talk about it again but basically the committee said they want a stop sign to remain at Eagle and Evans for people particularly, pedestrians to cross.

Trustee Kaye stated her resolution is to designate days for the 1993 Old Home Days. The board was late coming out for this meeting because of discussion about the proposed resolution and how to actually word it and whether it should be on the agenda this evening. We've had many discussions about the matter of a public forum and the surveys sent out by Trustee Hayes. Trustee Kaye said she felt this board hasn't had much discussion amongst its members on this particular matter and the concerns that were raised by the community. This was one of her initial concerns about bringing forth this resolution this evening but her colleagues have convinced her otherwise. She wants to be clear that implicit in this resolution is that there will be a meeting held between the Old Home Days Committee, representatives from the Jolly Boys and members of the village board before a permit is issued for Old Home Days to discuss the concerns that have been raised by village residents. Trustee Kaye wants to make that clear that there will be a meeting prior to that.

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

The Jolly Boys representing various charitable and civic groups having applied for a permit granting exclusive use of Island Park during the period of August 3, 1993 to August 6, 1993 inclusive for the conduct of Old Home Days and the required fee having been paid and there being no conflicting applications from any other person or group for use of the park during said period.

It is resolved that a permit be granted to the Jolly Boys for the exclusive use of Island Park for the conduct of Old Home Days during the period of August 3rd through August 6th 1993 inclusive subject to further approval by the Williamsville Fire Department, the Amherst Police Department and further subject to timely presentation to the Village Administrator prudent insurance of public liability in the amount of two million dollars naming the village as co-insurers and also proof of required extra insurance coverage for the sale of alcoholic beverages as contemplated by anyone or more of the participating groups as part of the event.

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Trustee Lowther stated there was a lot of discussion on this and while she will vote in favor of this resolution she has a real concern after having spoken to members of the Town of Amherst that the \$30,000 for the police overtime has been deleted from their budget. At this point, there apparently is great competition in that department as to where coverage is going to happen because of the World Games this year. There is real concern about sufficient police protection. She knows the Jolly Boys are not prepared to spend \$25,000 - \$35,000 to provide the police protection that has always been bought and taken care of by the Town of Amherst. So she will support the resolution with that information in there. That is her main concern on this resolution.

Mayor Daniels received a request about a month ago from Paul DeLaPlante, one of the Jolly Boys in charge of this particular event requesting an early approval of permit. Normally we don't approve it this early but because of the unusual circumstances surrounding this year, the fact that it is moved from July to August and the fact that the World Games will have a considerable crunch on the police budget and the fact that a lot of the overtime and vacation time will be used during that period and with little left for this event in August, they need more time to plan the event. Mayor Daniels thought that an early approval for this would give them the time. In constructing this resolution we outlined items we would require before the event could occur and feel that the more time they have to solve these problems would give them the extra running head start.

Trustee Hayes thanked the residents that participated in all the information gathering sessions that we had, the public hearing, those that sent him surveys and those who wrote or called. He thinks it represents a great deal of effort on the part of this board to solicit citizen input and make a decision based on that input and not in a vacuum. He thinks it is the most effort that's ever been expended by a village board in conjunction with this very important community celebration and that it is a model for cooperation in the future.

Trustee Kelly stated he is pleased that we are passing this resolution at this time. He thinks it is impossible to expect anyone to run a large event such as this without knowing in advance they are going to be granted a permit to have the event as required. It's important that a date be set down and a resolution be passed.

Trustee Kaye stated her concern is that this is very different from the normal way that Old Home Days have been handled. Traditionally the resolution is passed granting the permit after everything has been brought into the village and all the requirements met. Then it is issued in June or July. One of her biggest concerns is that the Town of Amherst has deleted \$30,000 of police overtime out of their budget specifically slotted for Old Home Days. In her conversation with Chief Askey about what kind of police protection he and his force would be able to provide, his comment was that he would provide the regular protection they do on any day to day basis but not the supplemental overtime that we see patrolling the streets or shooing cars out of Ed Youngs or Convenient's parking lot or traffic control. Other than the auxiliary policemen, we would not see policemen in the Island Park walking or patrolling out front. Chief Askey's comment to her was that he felt that 10 supplemental police were needed a day for 12 hours per day.

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Trustee Kaye had also asked him if it were possible to have the Old Home Days Committee and the Jolly Boys use school crossing guards who are out on unemployment at that time but Chief Askey told her that that was not a possibility. He said that in the past they had used 6 positions to cross in addition to the auxiliary police that they have used.

Unanimously carried.

ON MOTION by Trustee Kelly, seconded by Trustee Lowther, it was moved to excuse Trustee Kaye from the meeting.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED THAT Theresa L. Cummins, Village Administrator, is hereby authorized to attend the New York State Government Finance Officer Board of Governors meeting in Albany, New York, in January 7 & 8, 1992 and the cost, not to exceed \$200.00 to be paid by the Village of Williamsville.

Unanimously carried.

Mayor Daniels stated the state has given villages an option to remove village registration day from the requirements for election day at the village level. It's not mandated that we have a registration day. It's a recommendation that we can follow or not. There is some concern that that may be constrictive of the democratic process so we are going to modify the way it's been done in the past. Originally, we had longer hours for registration on that Saturday and also residents could call be phone to register or their names could be brought in on a list. It's always been his feeling that personal registration was a better way to go. So we changing the way village registration day will happen this coming March.

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

WHEREAS Chapter 217 of the Laws of 1992 amended Election Law to allow village to shorten the hours of registration for election day or abolish village registration day completely and,

WHEREAS the Village of Williamsville is desirous of continuing with a Village registration day, but with a reduced number of hours,

NOW, THEREFORE, be it resolved that the registration hours for the Village of Williamsville be shortened to twelve noon until 5 P.M. on March 6, 1993 and,

FURTHER RESOLVED that all registrations shall be in person, registration whereby only those persons who appear before the Inspectors of Election on registration day with some evidence of their qualifications to vote in the upcoming election will be added to the register of voters.

Unanimously carried.

Mayor Daniels stated his next resolution is in response to an accident that the village sidewalk plow had the last time it was out plowing. It never quite made it around it's whole route. As evidence of the interest in having sidewalks plowed in the village, the residents on those streets that did not get plowed, called out office particularly the Wellington area. The plow was involved in an accident with a tree and the cab was damaged to the extent of about \$9,000. It's a 1978 Bombardier snowplow and repairs equal the actual value of the plow therefore, the insurance company totaled out the vehicle. In order to continue plowing the streets, we're going to move to purchase a new machine from Bombardier to replace to old 1978 which was scheduled to be replaced in the next budget year in 1993. Therefore the actual effect on our budget is minimal and we did have the foresight in the last budget to set aside some capital reserve funding for any emergencies or large purchases in the future. This may come into play as one of the sources of money to pay for this particular vehicle if we can't find other areas in the budget from which to take the funds.

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

WHEREAS the 1978 Bombardier Sidewalk Snow Plow was recently involved in an accident, and

WHEREAS the cost of repairing it equaled or exceeded the current market value of the equipment and the plow was declared a total loss by the insurance company, and

WHEREAS a new sidewalk plow must be purchased immediately in order for the Village to continue its snow plowing service during the 1992-1993 winter months,

NOW THEREFORE the Village of Williamsville Board of Trustees determines the purchase of a new sidewalk plow to be an emergency purchase and directs the Supt. of Public Works to immediately purchase a 1992 Bombardier, Model SW48DA from Tracy Road Equipment, East Syracuse, New York at a cost not to exceed \$41,167.00.

Trustee Lowther commented that this is a purchase that we will not be bonding, it will come out of the current budget year.

Mayor Daniels stated the costs will be offset to some degree by the insurance on the vehicle and possible trade in value on the 1978 unit.

Unanimously carried.

Mayor Daniels stated his fifth resolution has appeared on the agenda in various forms for several meetings and that's the approval of engineers for the Castle Creek subdivision of eight homes off of Garrison Road. We had an extreme amount of interest in supplying them good water pressure for fighting fires and at the same time we're interested in helping Willowbrook which has what we determine to be insufficient fire flow at their hydrant as well. In asking for this sufficient water supply to Castle Creek we also required engineering services to design something that could effectively improve the entire area over there. we are selecting an engineer who will give us a couple of options, in water line set ups, one including a lateral connect at the rear of both of those roads, the westerly side of both of those roads which would create a loop system. There may be a chance that loop will not be required and the pressure will be sufficient without that connector but we've asked the engineer to design it both ways and test the system without it. If it's insufficient, we can add it to it and it will already have been engineered as an option.

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

RESOLVED THAT TVGA, Engineers are hereby appointed to provide professional engineering services relative to the design and preparation of specifications for a waterline along Garrison Road, Willowbrook Drive and the Castle Creek subdivision for a fee of \$10,035.00, and a rate of \$36.00 per hour for inspection services, per their proposal of November 13, 1992.

Trustee Kelly stated that none of this is for the waterlines that the developers are putting in the Castle Creek subdivision but it relates solely to the waterlines along Garrison and Willowbrook. He is approving this resolution reluctantly but we had an opinion from our village attorney advising that we must provide sufficient water service to the new subdivision so he is voting in favor of it.

Trustee Lowther stated as we discussed in the work session, she will be voting against this. She has a real problem with this project. She has been involved with this particular project for a number of years as far back as when its public hearings were held on the property and the initial plans drawn up. Five or six years ago, as a member of the Environmental Advisory Council, we worked to reduce the number of homes in the project because we felt it would be a better project with fewer homes. At this point we are talking about eight homes being developed off of Garrison Road on Castle Creek. While there are actually no water lines being paid for by the village into the Castle Creek development this project would never had happened and we never would have replaced these lines at this particular point in time if the developer was not there. So to say that it has nothing to do with the development she doesn't think is completely accurate.

Trustee Kelly stated he wants to make it clear that he didn't say that but secondly a previous board voted to grant a permit and he doesn't have a right as a board member sitting here now to go against the advice of our attorney who said that we must provide adequate water. That's the reason for his vote.

Trustee Lowther stated she understands that and she agrees with that. Trustee Kelly is certainly welcome to his opinion. Trustee Lowther doesn't agree with our village attorney on this particular point. Mr. Troy and Trustee Lowther have discussed it around and around several times and he still maintains that his view is the correct view and she doesn't agree with it and that's her prerogative as a member of this board. She feels if this was going to happen and we had financial participation by the property owner she would be more comfortable with it. We have been advised by the fire department that there are four areas in the Village of Williamsville that have insufficient fire fighting pressure and this is one of them. She's happy to see that a portion of this project will improve that pressure and we won't have a fire hazard or a fire problem with water pressures for fighting fires. She just cannot support it at this time.

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Trustee Hayes stated we need to be perfectly clear that because of the exceptional development that was passed by the previous board and the circumstance that we are in now as a board to provide this service that if all voted the way Trustee Lowther is voting this evening, we probably would be facing a lawsuit by the developer because we are required by law to provide this service.

Trustee Lowther stated that is certainly possible but that does not in any way affect her vote. She is concerned that we aren't addressing the low water pressures and low fire fighting pressures in the other three areas of the village. She thinks that is a serious problem. There are ways that she would have supported this resolution but it was not acted upon by this board. So to unilaterally sit there and say that if we all voted like Trustee Lowther we'd be up the creek and we'd be sued she thinks is a very foolish statement to make.

Trustee Kelly stated in light of what Trustee Lowther stated he wants to make it clear that he is not ignoring the other parts of the village that have insufficient water pressure. In fact today we received a report on how to spend our community block grant funds and it's going to be spent on improving water quality. As he reported earlier, we've been waiting for the water modeling study to be completed in order to discuss how the whole system is going to be improved. He doesn't think anyone on this board has ever said that they are not in favor of improving the other areas of the village. Right now we have a development where the developer was granted a permit 3 years ago and we still haven't provided water to him so we are facing a potential lawsuit. At the same time we have an opportunity to take care of a problem on Willowbrook and all along Garrison Drive and he is pleased that we are doing it. He's not happy that we have to spend money but it's money well spent to provide for a number of our residents.

Mayor Daniels stated that the eight new homes are going to be some of the most expensive homes in the village which means more tax funds coming in to the village which, in a way, will offset the installation of the lines. It will improve the Willowbrook area and the hydranting on Garrison Road as well.

Trustee Lowther stated his point is well taken but it also should be noted that it will be many years before we begin to see any returns on the monies that we do expend on this water project especially after the bonding costs are added to it.

Roll Call:

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

Motion carried.

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Trustee Hayes stated his first resolution involves authorizing the Williamsville Fire Dept to sell the American LaFrance 1977 pumper truck. After advertising that this piece of equipment is for sale, we've had a sn offer. In anticipation of our new pumper that the board authorized several months ago, the chief has informed the board that he is very pleased that the Newstead Fire Company made a bid of \$50,000 for the pumper. According to the chief and the people on the truck committee it appears to be a very good offer and one that the village board should accept on their recommendation.

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

RESOLVED the Williamsville Fire department is hereby authorized to sell the American LaFrance 1977 1500 Gallon pumper truck to the Newstead Fire department for a sum of \$50,000.00.

Unanimously carried.

Trustee Lowther stated Trustee Hayes did mention that it was advertised and it was her understanding from Chief Zymanek that it wasn't an advertised bid but that they came to us and said they knew it was for sale.

Trustee Hayes stated to clarify the word advertise, what he meant to say was that word that we had a truck for sale was bandied about. It was not advertised in the newspapers. Also, an appropriate Contract of Sale is being drawn up by the village attorney and will be submitted for the appropriate signatures and an exchange will take place within short order of us receiving our new pumper.

Trustee Hayes stated the second resolution he has this evening is to authorize Mayor Daniels to sign a contract with the Town of Amherst for the Youth Center that is used by so many of our residents. It's a standard operating contract, one that is signed every year and the budgeted monies of \$6, 804 payment to the town is in the village budget this year.

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

RESOLVED that Mayor Ronald Daniels is hereby authorized to sign a contract with the Town of Amherst for financing and operation of the Williamsville Youth Center for the period of January 1-December 31, 1993.

Unanimously carried.

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Trustee Hayes stated his next resolutions authorize our volunteer firemen to travel within their duties as Williamsville firemen and also in their position as elected representatives of the Firemen's Association across the State of New York. We pass similar resolutions each year.

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

WHEREAS, Michael Wutz, a volunteer fireman of the Williamsville Fire Company has been elected as an Executive Committee Representative to the Fireman's Association State of New York, and

WHEREAS, by virtue of his position it will be necessary for him to do extensive traveling throughout the State of New York, and

WHEREAS, in order to ensure that he is covered during such travels and while on official duty as an Executive Committee Representative to the Firemen's Association State of New York by volunteer firemen benefits provision, his travel must be approved by the Village Board of the Village of Williamsville, and

WHEREAS, it is in the public interest that he pursue such activities with the Firemen's Association State of New York,

NOW, THEREFORE, BE IT RESOLVED that Michael Wutz, a volunteer fireman of the Williamsville Fire Company, is hereby authorized to travel throughout Erie County and the State of New York and such other locations as may be necessary from time to time in order to carry out his duties representative to the Executive Committee of the Firemen's Association State of New York, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the State Insurance Fund, 199 Church Street, New York, New York 10007, and

BE IT FURTHER RESOLVED that the Village Clerk be authorized to carry out the instructions of this resolution. This resolution shall remain in effect until December 31, 1993.

Unanimously carried.

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

WHEREAS, Irv Lorich, a volunteer fireman of the Williamsville Fire Company has been elected as a regional representative to the Legislative Conference, and

WHEREAS, by virtue of his position it will be necessary for him to do extensive traveling throughout the State of New York, and

WHEREAS, in order to ensure that he is covered during such travels and while on official duty as a representative to the Legislative Conference by volunteer firemen benefits provision, his travel must be approved by the Village Board of the Village of Williamsville, and

WHEREAS, it is in the public interest that he pursue such activities with the Legislative Conference,

NOW, THEREFORE, BE IT RESOLVED that Irv Lorich, a volunteer fireman of the Williamsville Fire Company, is hereby authorized to travel throughout Erie County and the State of New York and such other locations as may be necessary from time to time in order to carry out his duties as a regional representative of the Legislative Conference, and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Irv Lorich, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the State Insurance Fund, 199 Church Street, New York, New York 10007 and

BE IT FURTHER RESOLVED that the Village Clerk be authorized to carry out the instructions of this resolution. This resolution shall remain in effect until December 31, 1993.

Unanimously carried.

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

WHEREAS, Evor Williams, a volunteer fireman of the Williamsville Fire Company has been elected as a regional representative to the Legislative Conference, and

WHEREAS, by virtue of his position it will be necessary for him to do extensive traveling throughout the State of New York and

WHEREAS, in order to ensure that he is covered during such travels and while on official duty as a representative to the Legislative Conference by volunteer firemen benefits provisions, his travel must be approved by the Village Board of the Village of Williamsville, and

WHEREAS, it is in the public interest that he pursue such activities with the Legislative Conference,

NOW, THEREFORE, BE IT RESOLVED that Evor Williams, a volunteer fireman of the Williamsville Fire Company, is hereby authorized to travel throughout Erie County and the State of New York and such other locations as may be necessary from time to time in order to carry out his duties as a regional representative of the Legislative Conference, and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Evor Williams, and

BE IT FURTHER RESOLVED that a copy of this resolution be forward to the State Insurance Fund, 199 Church Street, New York, New York 10007, and

BE IT FURTHER RESOLVED that the Village Clerk be authorized to carry out the instructions of this resolution. This resolution shall remain in effect until December 31, 1993.

Unanimously carried.

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

WHEREAS, Paul Oehmler, Jr. a volunteer fireman of the Williamsville Fire Company has been elected as Chairman of the Firemen's Association State of New York Emergency Medical Services, and as regional representative to the Legislative Conference, and

WHEREAS, by virtue of his positions it will be necessary for him to do extensive traveling throughout the State of New York, and

WHEREAS, in order to ensure that he is covered during such travels and while on official duty s Vice Chairman of the Fireman's Association State of New York Emergency Medical Service and as representative to the Legislative Conference by volunteer firemen benefits provisions, his travel must be approved by the Village Board of the Village of Williamsville, and

WHEREAS, it is in the public interest that he pursue such activities with the Firemen's association State of New York and the Legislative Conference,

NOW, THEREFORE, BE IT RESOLVED that Paul Oehmler, a volunteer fireman of the Williamsville Fire Company, is hereby authorized to travel throughout Erie County and the state of New York and such other locations as may be necessary from time to time in order to carry out his duties as Chairman of the Firemen's Association of New York Emergency Medical Services and as a representative of the Legislative Conference, and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Paul Oehmler, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the state Insurance fund, 199 Church Street, New York, New York 10007, and

BE IT FURTHER RESOLVED that the Village Clerk be authorized to carry out the instructions of this resolution. This resolution shall remain in effect until December 31, 1993.

Unanimously carried.

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

WHEREAS, Donald A. Schueckler, Jr., a volunteer fireman of the Williamsville Fire Company has been elected as a regional representative to the New York State Association of Fire Chiefs, and

WHEREAS Donald A. Schueckler, Jr. has also been elected to the Erie County Fire Advisory Board, and

WHEREAS, by virtue of his positions it will be necessary for him to do extensive traveling throughout the State of New York, and

WHEREAS, in order to ensure that he is covered during such travels and while on official duty of the New York State Association of Fire Chiefs and the Erie County Fire Advisory Board, by volunteer firemen benefits provisions, his travel must be approved by the Village Board of the Village of Williamsville, and

WHEREAS, it is in the public interest that he pursue such activities with the New York State Association of Fire Chiefs and the Erie County Fire Advisory Board,

NOW, THEREFORE, BE IT RESOLVED that Donald A. Schueckler, Jr. a volunteer fireman of the Williamsville Fire Company, is hereby authorized to travel throughout Erie County and the State of New York and such other locations as may be necessary from time to time in order to carry out his duties as a regional representative of the New York State Association of Fire Chiefs, and a member of the Erie county Fire Advisory Board and

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Donald A. Schueckler, Jr. and

BE IT FURTHER RESOLVED that a copy of this resolution be forward to the State Insurance Fund, 199 Church Street, New York, New York 10007, and

BE IT FURTHER RESOLVED that the Village Clerk be authorized to carry out the instructions of this resolution. This resolution shall remain in effect until December 31, 1993.

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Unanimously carried.

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

Unanimously carried.

Trey Measer, 90 South Ellicott asked about the cost of the roof at the pavilion in Glen Park cost? He also asked about the age of the building and what it is used for.

Trustee Lowther stated we had an original estimate of \$4,500 but with the of the cost of the new lumber. The cost was about \$4,900. She said the building is 15 years old. However, nothing has been done to it in the last 15 years since it was built.

Trustee Lowther stated we use it for Winterfest and as a storage area for lawn mowers and equipment that is used to maintain the park. We're moving into an area now where we are going to be giving nature information. In the past we have given puppet shows to children in that area, we've had a number of public events such as Glen Park Appreciation Day. It's been used for some public meetings for other committees.

Mr. Measer asked if it is heated and why is such an expensive building used for storage..

Trustee Lowther stated there is a wood heater in there and there is also an electric heater that unfortunately was damaged beyond repair by a tractor which it hit the heater and destroyed it. The reason that it is used for storage is that we don't have another facility. At this point we're looking at building a small storage facility to keep them so we can open this as a nature center which was originally one of the reasons it was built under the grant that built Glen Park. She doesn't really the town or the village have really lived up to their responsibilities as far as this building is concerned. We proposed this as a nature education center and it hasn't been used for that purpose. We're going to turn it into that.

Mr. Measer asked who pays for the roof?

Trustee Lowther stated the Glen Park Joint Board. They have an independent budget each year paid for 50% by the town and by the village.

Mr. Measer asked what do we budget per year for that committee?

Trustee Lowther stated normally it is \$17,500 per municipality for a total of \$35,000. Last year, in light of the state aid budget cuts we reduced our request by 10% and unfortunately it is squeezing us this year because we didn't anticipate this large expense.

Mr. Measer asked if it takes \$35,000 a year to operate Glen Park?

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Trustee Lowther stated yes but you have to remember it includes security for the entire summer. We pay for that ourselves. It includes for employees to cut the grass.

Mr. Measer asked who pays for that?

Trustee Lowther stated the Glen Park Joint Board. They administer this budget. It pays for all the utilities it pays for repairs, it pays for dredging out the ponds when needed, it pays for repairs for the ponds, it pays for gravel for all the paths and this past year we repaved about 50% of the park. There's a tremendous amount of work that needs to be done. We rarely end up with a surplus.

Mayor Daniels stated he thinks the day is going to come when it is going to become more and more expensive to maintain. Hopefully there is a surplus built up because you are going to run into things that weren't a problem before that will be in the future. We did pave one of the lots as well and the others will need it and the buildings will need maintenance. It's really a barebones amount.

Trustee Lowther stated it sounds like an enormous amount but when you start talking about hiring personnel and all the associated costs, one of the biggest items in our budget has been security and unfortunately we need it. We've got this huge, beautiful park right in the middle of the village. There's no police patrolling it so we do have to hire our own people.

Maryanne Avery, 64 Garrison Road stated she thinks that Trustee Kaye was given a cheap shot in regards to this hearing on Rinewalt and Main Street parking situation. Obviously, should Trustee Kaye care to run again this could be used to say that she was being partisan and obviously she was asked to do this by her neighbors. She wouldn't have brought this up on her own because it wouldn't have been very smart. Ms. Avery believes people are having trouble. At around 4:00 P.M. if you try to get across the street there on foot on Rinewalt, you are really taking your life in your hands. You've got trucks, buses, cars coming and going. It's a mess in there because that's where the street narrows and it's quite a mess. She doesn't think the people here understand that the state considers this a mess too. She doesn't know what's going to happen in the future. She hardly thinks it's fair to pick on Trustee Kaye as somehow being political using a lot of political influence, which Ms. Avery doesn't think Trustee Kaye has. Also, Ms. Avery can't understand where in the Town of Amherst did this request come from, do we delete the stop sign at Evans and Eagle.

Trustee Lowther stated the Town Traffic and Safety Committee made that request. She saw the copy of the written request from them. She doesn't know who it came from.

Ms. Avery stated she finds this unbelievable. She wouldn't mind telling each and every one of those members of the Town Traffic and Safety Board exactly what she thinks of them. There is no way that a human being on foot can get across there in the afternoon without some kind of a sign. She doesn't know what is the matter with these people.

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All they think about is the traffic. They don't think about people who are on foot or on bicycle in this town. They simply do not realize that the village is full of elderly people and that this particular neighborhood is full of elderly people. How are they going to get across the street? They are not supposed to get across the street apparently the same way they don't dare cross Main Street. She doesn't know how many senior citizens have told her "I've stopped crossing Main Street, it's useless, I can't possibly run and I can't get across that fast." So they are stuck on that side of the street. As far as the Traffic and Safety Board is concerned they can stay on whatever side of the street they happen to be on at that time of day. She thinks this is disgusting and she is going to tell them so.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved at 9:25 P.M. to adjourn the meeting.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer