

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, January 25, 1993 at 7:31 P.M.

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

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

Absent Yvonne Kaye, Trustee

The Administrator read the notice of public hearing being held January 25, 1993 at 7:31 P.M. by the Board of Trustees for the purpose of hearing all persons interested in discussing the cable TV franchise renewal.

Trustee Kelly stated he is holding the public hearing today as liaison to the Local Government Advisory Board. The board has broken out into several subcommittees, one which has been studying the cable franchise contract. Our franchise expires in June or July of this year and we will be renegotiating for a new contract. The Federal Communications Agency requires that a public hearing be held before the new contract is negotiated to allow any citizen to have input on any topics related to the cable TV franchise. The contract was renewed in 1977 and is now up for renewal again. It contains items such as how the facilities are set up in the area, what its capacity and design will be. Currently, Adelphia Cable has tremendously expanded their systems in the Southtowns and they are slowly moving this way. One of the things we want to put in the contract is when the expansion is going to get here and what type of new enhancements we are going to have. In addition, we want to extend some consumer protection standards with respect to some senior citizen discounts. Also, there has been a charge for each set that it is hooked up in a home, and we're looking to see if we can get that feature waived and change it to one change per household. We're also looking at a shorter term contract rather than a longer term because of the huge change in the technology in the last few years. Trustee Kelly then introduced Ed Rath III who is the chairman of our Cablevision subcommittee.

Ed Rath III introduced Gus Palmisano and Tom Haywood from Adelphia Cable. They are here to listen to the public's concerns, inquiries and questions the public regarding the cable contract. This public hearing is the opportunity for the public to voice their opinion, gripes, concerns and desires in relation to the cable contract. As the Cable Contract Committee is working we are looking at a lot of other cable contracts throughout the area and ascertaining what they've looked at and what they deem is important.

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Mayor Daniels stated we have received some information recently from the New York State Cable Commission which is quite complicated. It's not an easy issue to wade through. We've also received a rough draft of the town franchising agreement, which takes effect about three months before the village's does. It may be a case of looking very closely at this Amherst agreement and then tailoring theirs to our needs.

Mr. Rath stated there are a lot of issues that relate both to the village and the town and the village may piggyback on what the town does. He invited anyone who wants to make a comment to come forward now and do so.

Lynn Millane, Councilman and Deputy Supervisor for the Town of Amherst and liaison to the Ad Hoc Cable Committee, stated the contract the village has is the Town of Amherst Board Contract. This is the first draft that is suggested by the Cable Committee. It has not been submitted to the town board.

David Mason, 347 Evans Street stated he lives in the Village of Williamsville. What is the difference between Adelphia in Amherst and the contract for the village? He only thought there was one Adelphia from this area.

Trustee Kelly stated there is one Adelphia but each municipality controls the franchise within their geographical borders. For Adelphia to have any cable at all in the Village of Williamsville, they must contract with us because they run their lines through our right of ways. However, there might be different provisions in different municipalities.

Mr. Mason asked if there is a difference in price. Is it one in the same?

Trustee Kelly stated there is no difference in price. It is the same.

Mr. Mason asked why should he have to call when Adelphia Cable is off the air so that he gets credit on his bill? He doesn't understand that. He did complain that Adelphia Cable was off the air. The first time he was told that it would have to be four hours, the next time, nobody said any time at all. Adelphia Cable knows when they are off the air. He would like to have a credit issued every time Adelphia Cable goes off the air and he doesn't want to have to call because Adelphia Cable is increasing its rates faster than he can pay the bill and he's getting nothing for it.

Thomas Haywood, General Manager of Operations for Adelphia Cable stated he thinks we have two issues here. One, Mr. Mason is talking about an outage situation. It is difficult for Adelphia Cable to pinpoint exactly where outages occur, wherever it happens in any of our towns and how many streets and how many people are off. Our objective is to make sure the outage doesn't occur but to give everybody credit in that area is very difficult for Adelphia Cable. If Mr. Mason calls in because he has a problem, the law states if it is out for more than four hours, we give 24 hour credit. If he calls Adelphia when it out for only two hours, Mr. Haywood guarantees he will get 24 hour credit. That's one issue. The other issue is on the rates. Adelphia Cable is a middle man.

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They buy services from ESPN, CNN and USA. They go out and sign 300 million dollar baseball contracts and 115 million football contracts. Those services raise Adelphia rates so in turn we have to raise our rates to the public. We're the messenger, we're not the actual services that come to the public's home. That is why we have to raise our rates. Our costs have gone up 311% since 1989 so obviously we, in turn, have to get that money back from the towns and the people.

Mr. Mason stated Adelphia doesn't come out and ask the public if they want to watch some programs. He may not want to watch football or baseball. He doesn't want to pay the increase.

Mr. Haywood stated they would love to give people only the programming that want it but ESPN comes in and says "Mr. Haywood, we want to be in every single home throughout your cable system. If only 2,000 people want it, not the 160,000 we have out there, we're going to bill you for 160,000" because they have advertisers that want to be viewed by 160,000 people, so they are going to bill Adelphia for all that. That's why you saw the tiers of our additional services go away because in the past people did pay two or three dollars for what they wanted but that's the programmers coming to us and saying "we want to be in your basic standard service". We are at the mercy of the programmers.

Mr. George Schwartz stated he doesn't live in the Village of Williamsville but he does get Adelphia Cable. This past summer Adelphia took it upon themselves, they put an ad in the paper saying that they were going to close down Channel 25. He called the Adelphia office and asked why they stopped Channel 25. Adelphia said all programs on Channel 25 will be shown on Channel 10, therefore, he didn't lose anything. But what about Channel 10? He wasn't getting Channel 10. When he called the clerk told him the amount charged for each channel is about four cents a day. When he figured it out, it came to a few dollars. He called up several days later and got a different story. Mr. Haywood said he is at the mercy of these big corporations. When Adelphia cuts a channel off, we're at their mercy.

Mr. Haywood stated Mr. Schwartz is referring to the Olympics. We had to make that decision because our system is being rebuilt right now.

Mr. Schwartz asked why wasn't he reimbursed and why he has to come to Adelphia for reimbursement.

Mr. Haywood stated it's difficult for them to reimburse any persons for that particular reason. He said that by law all we have to do to change our line up is to inform our subscribers. We send this information to all the residents telling that we are going to remove this channel and substitute another. This was an experiment with Pay Per View on the Olympics. He hopes it doesn't happen again.

Mr. Schwartz stated he lost out. Thousands of other subscribers lost out. What Mr. Haywood is telling him is that they are following the law and that by law they don't have to reimburse him.

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Is this a fair proposition? He paid for Channel 25 and he didn't get it. They are following the law, then the law is no good.

Mr. Haywood stated was Mr. Schwartz got 25, what he didn't get was 10. That is a local channel with programming that we originate. We took that programming off. Mr. Schwartz lost out. Mr. Schwartz asked if it is fair. Mr. Haywood stated you have to look at is it fair to the people who wanted the Pay Per View event of the Olympics? Mr. Schwartz asked is it fair for what we are paying? Mr. Haywood stated in Mr. Schwartz' particular situation, it was not fair to him.

Mr. Schwartz stated Adelphia is going to follow the law but is not interested in whether it is fair or not?

Mr. Haywood stated Adelphia cares what their customers want. The only way Adelphia is able to get what the customers wanted, the Pay Per View Olympics, we had to do something with our alignment and that is what we did. For that particular instance, it was for 16 days.

Mr. Schwartz stated the Cable Commission in Albany is a very weak organization. They have no power. He called them. They told Mr. Schwartz they have no power.

Mr. Haywood stated they have no power in that particular instance but they have lots of power. They can turn Adelphia off if they find out that our cable is not properly operating and we are leaking into the atmosphere. They are very strong. He has had incidents where they have come and said, to turn this channel off because something isn't fixed. That can happen. They are very strong in certain areas. The law to notify the people to allow the change is a New York State Law. We hope that situation doesn't occur again because of our rebuild when we'll go from 36 channels to 80 channels.

Mr. Rath said Mr. Haywood just referred to the upgrade. He understands it is already in effect in West Seneca and Cheektowaga. When will residents of the town and village receive the upgrade.

Mr. Haywood stated he hopes that in the Amherst area and the village, will start rebuilding in the end of the summer. Mr. Rath asked if there will be any notification and what it will entail. Mr. Haywood stated that both the village and the town will be notified of the date that we are going to hope to start. There are two issues, weather and equipment. The design will start in about 30 days.

Trey Measer asked what the upgrade will mean to village residents and how will that affect our rates?

Mr. Haywood stated additional channels, less outages and clearer pictures. Adelphia will probably run approximately 30 miles of fiber optic technology in Amherst. Right now the village is fed from the Town of Tonawanda head end with amplifiers approximately every 2,200 yards. They need power so if the power goes out in Tonawanda, the cable will go down here.

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In the fiber optics, we're taking the signals with no amplification all the way to a node within a 3 mile radius of areas within the town and the village. There is no way that that signal will be stopped from Tonawanda to here. Regarding the rates, Mr. Haywood stated we will have to see when we rebuild. It is a 25 million dollar rebuild of the whole entire system. There's a new re-regulations of cable that will come down in April that will have a calculation of how we can raise our rates. That's by the FCC

Mr. Measer asked if they raised rates in West Seneca because of this new line system.

Mr. Haywood stated we raised rates in West Seneca by .35 and we get C-Span, Entertainment and several other channels. He thinks there are nine.

Mr. Measer asked what is the rate in West Seneca?

Mr. Haywood stated \$23.30.

Mr. Mason asked is that with a second set also?

Mr. Haywood stated a second set is \$3.00 additional. The reason for the fee for the additional set is because if you compare it with the telephone, with two telephones you have one line coming in, you can only use that one telephone. If someone picks up the other line, you can't make two separate calls. With cable television, you can watch two different channels. They are being governed by the FCC. There is a CLI program whereby we have trucks just riding around our system to make sure there are no leaks in the system. When people make cuts at will in our cable, they can radiate the cable into the air. It is transmitted in an aeronautical frequency and we can interfere with planes so we have to police that. No matter who did the connection inside, the FCC makes sure it is fixed by the cable company. That's our problem. That's why we do charge for the additional sets.

Mayor Daniels asked if there would then be a problem in getting that charge removed in the negotiations that are going on?

Mr. Haywood stated it would be very difficult.

Mayor Daniels stated there is a basic cable rate of broadcast service for 11 channels. Right now our rate is \$22.95 and then there is the other rate which is \$8.00 a month for the 11 basic channels. That is not a real well known feature. He was pretty much unaware of that until he started getting them into negotiations. Mayor Daniels asked if Adelpia is going to be required to make more people aware that there is a basic cable service? It is his understanding also that the charge that the municipality can charge Adelpia is based on the basic \$8.00 rate rather than on the \$22.95 rate.

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Mr. Haywood stated we have to send literature once a year to the home and that is on that literature, the broadcast basic. It costs \$14,000 a year to send that information out.

Mayor Daniels asked what the percentage of people that take advantage of the \$8.00 rate is?

Mr. Haywood stated he couldn't give Mayor Daniels that number but it is very low. Adelpia's in the entertainment business. People like Cable TV and like the additional channels.

Mayor Daniels asked Mr. Haywood if he feels it's not lack of knowledge of that, it's just that most people know that it is available but choose the greater amount of channels for the extra money.

Mr. Haywood stated yes.

Trustee Hayes commended the Local Government Advisory Board for their work in this area. He thinks the Local Government Advisory Board continues to show it's concern for our community and a level of dedication when studying these issues. The time that was spent on this issue, he understands, was great. It involved some traveling to a distant community to attend an all day seminar to learn more about the cable television system in our community. As a member of this board, he is grateful to the citizens who participated in that process and brought the forward information to us as a board. Also, he wants to praise the cooperative effort that has gone on between the Village of Williamsville and the Town of Amherst with regard to this issue. Once again, it's an opportunity for our communities to work together for the benefit of our citizens. He thinks this has once again happened as was demonstrated by Councilmember Millane's presence here tonight and her efforts with our citizens panel.

Trustee Hayes asked about franchise fees that are currently received by the Village of Williamsville in conjunction with the contract. What are they currently and have there been some proposals to change the structure of the franchise fee that's received by the municipality?

Trustee Kelly stated presently we receive 3% which, back at the time that we instituted the contract, was the norm. It seems that most of the new contracts are going at 5% and that's what we are going to be pushing for and that's also the maximum that we are allowed to charge under law.

Trustee Hayes asked if there could be some growth from 3% to 5%? Trustee Kelly stated yes. Trustee Hayes asked has any information been uncovered by the committee from the community about basic service needs provided by the cable company? He noticed that there are other municipalities in Western New York who have heard from members of the community in which they have asked for greater access at places like senior citizens complexes, fire halls, community centers. Have we heard anything from our village community about those kind of increased needs?

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Mr. Rath stated we are exploring those issues right now i.e., public access for public programming, perhaps access for a police event, police instructional video and basic athletic access. We're exploring that issue right now in working with the town to make sure all the avenues are looked at closely.

The most important thing in Williamsville and the Town of Amherst with the senior citizen population is to include a senior citizens discount.

Mr. Haywood stated for the senior citizen discount we have free installation right now. That could be saving up to \$50.00. There is only one town that has a senior citizens discount and that is being negotiated now. Other than that, no other municipality has a decreased monthly service at this particular time. We do give senior citizens a reduced installation price and we also have the broadcast basic that we developed for senior citizens which is the \$8.00 a month service.

Marina Woolcock, Chairman of the Government Study Committee, stated she wants to echo Trustee Hayes' comment about the cooperative effort that the town' Government Cable TV Committee and our committee have shared over the last several months. Councilwoman Millane told Ms. Woolcock that she would like to have an ad hoc member from the village and there would only be a few meetings to come to. Ms. Woolcock has learned extensively from Ms. Millane and her committee that cable TV is a much more involved issue than when the original contract was signed in 1968. The original contract for the Village of Williamsville was four pages. It was signed by then Mayor Neil Frank and goes back an awful long ways and now we are talking about public access to a greater degree than we had in the past. She has heard from the community very clearly that they would like to see more public access sports events such as high school sports events being televised on a more regular basis. She would like to see our village board meeting televised to our community occasionally. Many of our senior citizens can't come out to meetings and she thinks they are interested in their government. We are pursuing that avenue as an important part of we do in our community. Ed Rath has been wonderful to work with on this project and she appreciates his work. It's much more complex than she ever thought it was going to be and we're still working on it and we're still looking for public input into the process. We're available. Administrator Cummins is in the office 9:00 A.M.-5:00 P.M. Anyone is welcome to comment on the work the committee is doing.

Trustee Kelly stated if anyone has comments in the future they can address them to him or to anyone on the board by mail. We will make sure that they be heard.

ON MOTION by Trustee Kelly, seconded by Trustee Hayes, it was moved to close the hearing at 8:02 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

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*Present: Ronald Daniels, Mayor
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Thomas Troy, Village Attorney
David Laubisch, Supt. of Public Works*

Absent Yvonne Kaye, Trustee

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:30 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the regular meeting of the Board of Trustees held January 11, 1993 were approved.

Unanimously carried.

ON MOTION by Trustee Kelly, seconded by Trustee Lowther, it was moved at 7:31 P.M. to open a public hearing on cable TV franchise renewal. (The hearing was closed at 8:02 P.M.)

Unanimously carried.

Mayor Daniels reported a joint effort has taken place between the village and some of the area businesses, which is a village map. It is a very nice rendering of the one square mile we live in, on one side and on the other side there are tons of facts about the village, all the services that we provide, the village organizational chart, how the government works, information on all the committees that serve on a volunteer basis and information on the parks, information on historical sites and recycling information. There are some new things that have come along in recycling. For instance, we are now adding magazines and empty aerosol cans that we will collect and recycle. That information is in here as well as the trash schedule and all the more common building department questions like how many animals can be kept in the house, what types of animals can be kept, landscaping, fences, firewood and where to call for complaints. It's a very comprehensive map that will be distributed to every home in the village by Jeff Schieder, who is doing the distribution as an Eagle Scout project. Mayor Daniels thanked Jeff who will start distributing these on February 6th. He is saving the village a lot of money in mailing and distribution. This system worked very well for us. Earlier in the Fall when we had a collection of old phone books and we had another Eagle Scout, Paul Olczak, collect over 1,200 phone books throughout the village for recycling. Mayor Daniels thanked the businesses who paid the advertising and for making it a free information guide to all the residents in the community.

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Mayor Daniels stated another student who asked if he could do something for the village is in the audience today. As part of the Participation in Government Classes at the high school, students are required to put in a certain number of hours in community activities. At the time that this student called him, they were in the midst of whether or not to buy a new sidewalk plow because our other one was involved in an accident, needed replacing or not depending on what residents felt about the service. Mayor Daniels asked Murph Piazza to a little telephone survey of the residents in the village to give him of an idea of the way the residents felt about sidewalk plowing.

Murph Piazza presented the results of his survey concerning the sidewalk plowing service. While conducting his survey on the sidewalk plowing service, he ascertained various reasons why people want the village to continue or discontinue plowing sidewalks. Out of 31 people that he surveyed, 21 wanted the village to continue and 10 people wanted the village to discontinue plowing sidewalks. Of the 10 people that did not want plowing service, some did not want it because the plow tears up their lawn and seven people did not want it because they think it is an unnecessary tax and fills their driveway up with snow. Of the 21 people who wanted it to continue, 12 people said it makes it easier for children and teenagers to get around, two people said plowing makes it easier for the mailman to deliver mail and seven people wanted to continue because it enhances the appearance of the village.

Mayor Daniels asked Mr. Piazza what was his reception on the phone as he asked people for information? Telemarketing is a very tough way to do business.

Mr. Piazza stated most of the time he didn't mention that he was a student. He had some people assume he was working for the village. Sometimes when they didn't know who he was they were a little rude and they wanted to know who he was. One lady refused to answer his questions, then when he told her he was a high school student she immediately was very warm. For some reason she had this perception of high school students being innocent. One lady wouldn't answer any of his questions because it was in the middle of the Bills/Oilers game. One other lady immediately hung up on him when she realized he was doing a survey.

Mayor Daniels stated this is a great learning experience for kids. So often in the Participation in Government Classes students don't get any real "hands on" experience. He thinks government is one place where you'll get a lot of negatives on our side of the table and it's always nice to get a positive once in a while. Mayor Daniels thanked Mr. Piazza for doing this survey. Another classmate, Jeff Kominski, is doing a survey on the parks, the trash service and the garbage service and Mayor Daniels is hoping that he will come and give his overall survey results as Mr. Piazza did.

Mayor Daniels reported that for the past several years the Small Business Administration has sponsored matching grants for tree planting. The idea behind it is if a municipality will utilize the planting services of a local nursery or two, they will pay 50% or less of the planting project. We applied last year but were not successful. The town, however, was successful in applying.

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He thinks they got about \$19,000 which matched with \$19,000 from the town and did several planting projects around the town. Mayor Daniels said he applied for it last week and hopefully we will be successful.

Mayor Daniels stated the gentleman who spoke about the senior citizens in the village brings up a point he was going to report on. We have just issued a bond for the village covering a number of capital projects. Part of the application included population and housing characteristics. Very interesting village statistics include the medians in the state as opposed to the village for the age of our population. It affects not only the seniors but also the school system because of the percentages and the number of people per household. The median age in the village in 1990 is 43.1. The state average median is 33.9. We're almost 10 years older than the average in the state for our community. The percentage of school age people is 12.1 as opposed to 16.7 statewide so we have 4.6% less students in school than the state average median. The percentage of working age people is 54.1% as opposed to 63.2%. So we have only a little over half the people of working age and this all because of our percent of 65 year or older residents and that percent is 27.9%, almost 28% of the village. Statewide, it's 13.1%. We're about 14% higher than the state average. That's a considerable percentage. We have a large responsibility to represent the seniors in the community given one in every four residents is a senior citizen over 65. The number of persons per household because of that also is down to 2.1 as opposed to 2.6 average in the state because of the seniors where there is only one or two people living in a lot of the households. It's an interesting statistic on the demographics of our village.

ON MOTION by Mayor Daniels, seconded by Trustee Hayes, vouchers in the amount of \$97,673.69 covering 01/08/92 - 01/21/93 were approved:

Payroll fund w/e 01/13/93	\$ 18,334.44
General fund	69,348.09
Water fund	3,846.88
Sewer fund	401.87
Glen Park fund	786.95
Trust & Agency fund	<u>4,955.46</u>
Grand Total	\$ <u>97,673.69</u>

Large Vouchers:

Tracey Road Equipment	\$37,512.00
Occidental Chemical Corp.	\$6,684.04

Mayor Daniels stated it is to be noted that the sidewalk plow that we purchased from Tracey Road Equipment, \$37,512.00 is on that voucher.

Unanimously carried.

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Mayor Daniels stated the second resolution applies to the upcoming March 16th election and the next three resolutions apply to that.

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

WHEREAS the next general Village election for officers will be held on March 16, 1993 and

WHEREAS no person shall be entitled to vote at any Village election whose name does not appear on the register of the Election District in which he claims to be entitled to vote, and,

WHEREAS it is the duty of inspectors of election to prepare such register of qualified voters for the district for which they are appointed, and

WHEREAS the Village Board has determined that in-person registration shall be held for the upcoming election.

NOW THEREFORE BE IT RESOLVED that the inspectors of election shall meet on the 6th day of March 1993 at the Village Clerk's Office, 5565 Main Street, beginning at 12:00 noon and ending at 5:00 P.M. to commence the preparation of the register for the forthcoming Village election and,

FURTHER RESOLVED that at least ten (10) days prior to registration day set in this resolution, a copy shall be posted in at least one conspicuous public place in each election district.

Mayor Daniels commented this has been changed slightly from years past in that we did allow telephone registration. This year we will only allow in person registration. We have also shortened the hours from 12:00 -9:00 P.M. to 12:00 P.M. to 5:00 P.M.

Unanimously carried.

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

RESOLVED THAT the Board of Trustees of the Village of Williamsville has determined that more than one-half of the voters qualified to vote at the forthcoming election for the Village officers were registered at the last preceding general election; that taking registration for the forthcoming election will be accomplished more efficiently and economically at a single place and by a single board of inspectors of registration; and it hereby appoints Mary Ann Piazza, Marion Blocher, and Ethel Henning as a single Board of Inspectors to conduct registration for such forthcoming election for each of the three Village election districts.

The compensation of inspectors shall be \$5.00 per hour and Ethel Henning shall be Chairman of Registration. Registration for the forthcoming election shall be conducted on March 6, 1993 from noon until 5:00 P.M. at the office of the Village Clerk, 5565 Main Street, Williamsville, New York.

Unanimously carried.

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

RESOLVED THAT the following be and they hereby are appointed inspectors of election and alternates for the General Election of the Village of Williamsville to be held on March 16, 1993 to be paid at a fee of \$45.00 each:

District #1 Inspectors- Mary Ann Piazza, Chair.,
Norma Flynn
Mary Wetzel
Frank Raimondo

District #2 Inspectors- Ethel Henning, Chair.,
Velma Giamberandino
Peggy Coutlakis
Rita Andrews

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District #3 Inspectors- Marion Blocher, Chair.,
June Cucinotta
Eleanore Horey
David Mason

BE IT FURTHER RESOLVED THAT the following are appointed alternate inspectors: Lois Bechmann, Harry Lacey, Eugene Skelly, Paula Zagora,

BE IT FURTHER RESOLVED THAT Ethel Henning is the Chairman of the Election Inspectors, and,

BE IT FURTHER RESOLVED THAT in the event of absence or inability of any of the above to serve, the Mayor is hereby authorized and empowered to appoint a substitute.

Unanimously carried.

Trustee Kelly followed up on his call, for a wish list from the committees so that the Local Government Advisory Board can study the availability of grants. So far the only one he has had any response from is the Meeting House Committee. He would like the board members to review each of their committees to see if there is anything we can look for. Trustee Kelly stated that he read the same report regarding our population. There are a few other things he wanted to point out he thought were very interesting. He was quite surprised that the median average income in our village is over \$45,000. It's approximately \$10,000 higher than the U.S. average for 1990. He thought our village was a lot poorer than that and it was nice to see that only 5.3% of our community is below the poverty level as opposed to 13.1% for the state and the federal government. The median value of our housing is \$88,000 although he thinks the fire district shudders when they see that over a third of our housing stock is over 50 years old. Some of the statistics you get from the census are pretty interesting. Maybe from now on we'll make it a point to bring an interesting point or two to each of the meetings.

Trustee Lowther reported the two committee meetings she will be having in the next week, Thursday evening the Environmental Committee will be meeting here in Village Hall at 7:30 P.M. and next Tuesday the Glen Park Joint Board will be meeting in the Amherst Town Hall at 7:30 P.M. In Trustee Kaye's absence tonight, Trustee Lowther will be handling her resolution which is to call for a public hearing on parking on the north side of Milton Street. That area has been posted all along but there's been no official resolution in our code to cover the signs that we do have posted right now.

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, January 25, 1993 at 7:30 P.M.

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

RESOLVED THAT the Village Clerk publish notice of public hearing to be held by the Board of Trustees on Monday, February 8, 1993 at 7:30 P.M. in Village Hall 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 Milton Street from Cayuga Road to the west end of the street.

Unanimously carried.

Trustee Hayes reported that tomorrow evening at 7:30 P.M. a public information session will be held here in Village Hall to receive information on the Williamsville Southeast Traffic Study, not to be confused with the Williamsville Southeast Homeowners Association. It's been brought to his attention when he describes it in that manner, it gets confused with the Homeowner's Association. Although the homeowners were represented on the Task Force that did study this project, it's not to be confused with that organization. The session will take place here tomorrow evening at 7:30 P.M. The public is invited to come and listen to the Amherst Planning Department present the highlights of the study, to ask questions, to gather information and to make public comment. This study has been going on for several months now and is the result of more than a year's worth of work by representatives from the village, the town, the state and the county government as well as a Williamsville Southeast Homeowners Association representative. He would encourage as many residents as possible to plan on attending that information session tomorrow.

Trustee Hayes reported the Parks Committee continues its work and its discussions regarding the reconstruction of the lavatory in Island Park to bring it up to the level of requirements for handicapped accessibility. He is looking forward to a post board discussion on the status of that and continuing our efforts to bring that up to speed.

Superintendent of Public Works , David Laubisch, reported that the Northwest Solid Waste Board, of which the City of Tonawanda, the Town of Amherst, the Town of Tonawanda, the Town of Grand Island, the Village of Kenmore and the Village of Williamsville are members, has completed a comprehensive recycling analysis, (CRA). This was started last year in March of 1992 and involved analyzing the entire waste stream not only in the village but also in the other communities. In the year 1992, 4.29 pounds of solid waste is generated by each person within the village and the other member communities. That is per person, per day in the member communities. There was an exhaustive amount of research done to analyze each item that is collected, including paper which comprises 29.1%, plastic 7.7%, ferrous metals 4.7%, food waste 20.3%, wood 4.4%, landscaping debris 14.6%, assorted textiles- rock, brick, other nonferrous materials roughly 8% and hazardous materials compromised 2.2%.

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With each member community we totally analyzed the solid waste stream to see what we have to do to further enhance our recycling program. This document was completed and submitted to the DEC on November 30, 1992 and we are waiting for its approval.

Trustee Kelly asked Mr. Laubisch to tell the board the results of the lead testing.

Superintendent Laubisch stated he understands the tests have passed but We don't have the final results yet. His understanding, however, is that they were very favorable and there were no problems.

Mayor Daniels stated we are required to test lead. It is a mandate which we have to pay for. A certain number of households have to be tested for lead. In this case, households built between certain years were identified. Even then the households have to be tested on an ongoing basis for lead and that is one of the environmental mandates that the village and every other community is under at this point.

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

Unanimously carried.

Maryanne Avery, 64 Garrison thanked Mayor Daniels for sending her that information he got from Mr. Johnson regarding the tower. She wondered if Mayor Daniels knew how high up a half of a degree is.

Mayor Daniels stated he hopes that an informational meeting will occur and that he'll be able to attend. It is his understanding it will be held in Cheektowaga.

Trustee Hayes stated he received a letter, as the other board members did, from Mr. Reis about the situation at the corner of Rinewalt and Main Street. As he was absent from the last meeting, he wondered if there was some kind of status report on where that particular hearing has wound up or if we can expect Trustee Kaye to bring forward some kind of resolution some time soon on this matter.

Mayor Daniels stated it is in her hands. Because she is not here puts us at a loss to say where that matter is. He also received a letter from Justice D'Angelo basically asking for a common sense approach to the problem so that it is not an overkill solution. We're monitoring that and he would assume that we will have that on the agenda fairly soon to dispose of it one way or the other.

Robert Reis stated he's done a lot of thinking since the December 28th meeting that he attended on this subject. The only question he thinks, as was pointed out then, is the impact the parking on Main Street has for those people coming out of Rinewalt and turning left onto Main Street and whether there is a Traffic and Safety problem there.

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He did drive up and down the streets of Williamsville as everybody does and he looked at most of the corners in Williamsville and what he was looking for, at that point in time, was to see whether there were the No Parking, No Standing signs that one often sees within the 15' from the corner or whatever the state mandated rules are. He did see signs but they weren't No Standing and No Parking. What they were is one hour or two hour parking signs. He does believe that there is a problem on most of the corners in Williamsville in turning onto Main Street because Main Street is a major thoroughfare, it is very congested. He knows he has had difficulty turning out of other streets besides Rinewalt. It's a question of patience. This particular building has been commercial for 30 or 40 years. In fact, over the past 10 years that he has been aware of it, it was a wicker store and a jewelry store and the two retail in the downstairs area. In the time that he has been involved, which has been 3 1/2 or 4 years, it was mostly the wicker store and over that period of time, as he indicated in his letters, he's been, as far he knows, the only one that has complained about parking in the front of the wicker store. The reason was that there were always trucks there, vans, flags, signs, furniture on the sidewalk and he wasn't complaining, but not as much as the tandem tractors that were there. His question is why there never were any complaints prior to this, why this was never an issue prior to this on this corner and what has changed. The only thing that he can see that has changed is that the building has changed in its exterior appearance and the retail stores aren't there any longer. In fact, there are now offices there and with the exception of the time that the renovation was occurring over the past six months and year cleaning up the building and when furniture was delivered last Thursday and the truck pulled up on the sidewalk to bring some furniture in, there really aren't the problems that have existed there for the last decade. There's no longer the wicker furniture, the flags, the big signs which really were much more of an obstruction. He would certainly agree with Justice D'Angelo that common sense should prevail and if there is a safety problem then certainly there should be a restriction imposed there as there ought to be elsewhere. As far as he knows, he personally has never seen or heard of an accident on that particular corner. He has witnessed, shortly after leaving there, however, a big one on Main and Evans as he has seen over and over again. He also thought about that area and that the people on Rinewalt do have much more of a choice as far as ingress and egress because they can use School Street which is one way going the other way and they can exit out onto Evans or they can through Eagle Street or they can exit out by Academy which also has its own problems. He doesn't want to belabor it. He's sure it ought to be studied but he thinks that the problem is more endemic than just Rinewalt and Main. He believes the village really has to consider stepping back on the corners of most streets because he thinks there is a general problem and wouldn't want to see this selectively identified.

Trustee Lowther stated Captain Hegelberger from the Amherst Police Department did provide us with a printout of the accident report for that block and she bets it had 30 accidents on it in the last year and a half or so.

Mr. Reis doesn't have any question about it but that block is not all traffic generated at that intersection. It had to be more specific. You have the Williamsville Towers, you have an incredible density of people turning out into the middle of that street coming out of the Caldwell Building.

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From his limited experience in the village, that corner has not been a problem as much as everybody making egress onto Main Street. He wouldn't want to see it inappropriately identified with that corner. On the other hand, he thinks his concerns are the same as all of the board members. If there was a real safety problem there and it was identified that way as with other intersections, he would be the first to say the board should restrict parking. He would not like to see it happen for the wrong reasons.

Mayor Daniels stated the accident report unfortunately didn't give the specifics of the accidents. It did not say "people turning left out of Rinewalt Street were involved in the accident". That very well may be a representative number of accidents at any given block in the village. The question was how many accidents were on that block. It doesn't tell you how many were caused by the cars parking in front of Mr. Reis' building. That makes it very difficult to use it as a compelling issue. The other streets are very difficult, Reist, North Long, South Long, any of the streets coming out onto Main Street share the same problem basically and it's one that if we were to go 90' on every intersection, there would virtually be no parking on Main Street.

Trustee Hayes stated he appreciates Mr. Reis' comments here tonight. Trustee Hayes question is one of procedure. He believes that we've had one, now this is two meetings since the public hearing on the question. He understands that the comment period is still open but he is unclear as to when the citizens who have spoken on both sides of this issue can expect some kind of resolution of the issue.

Mayor Daniels stated he will have to send a note or try to contact Trustee Kaye as a courtesy and find out where she is with the procedure. Trustee Kaye hasn't gotten back to him on it or the other Trustees as well.

Trustee Hayes stated he thinks the board has most of the information we need to make a decision and he would urge a speedy decision on this whole question.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, it was moved at 8:40 P.M. to go into Executive Session for the purpose of discussing the labor negotiations on the union contract.

Unanimously carried.

During Executive Session, the Board unanimously affirmed the decision of Mayor Ronald Daniels set out in his memo of January 14, 1993 to A.F.S.C.M.E. Local 1783-C rejecting the grievance of village employee Douglas Washburn.

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

Unanimously carried.

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ON MOTION by Mayor Daniels, seconded by Trustee Kelly, it was moved at 9:15 P.M. to adjourn the meeting.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer