

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

Present: Ronald Daniels, Mayor
Yvonne Kaye - Trustees
Patrick Kelly
Mary Lowther
Basil Piazza

Theresa L. Cummins - Administrator
Thomas V. Troy - Village Attorney

Mayor Daniels opened the meeting at 5:10 P.M. and noted that all were present with the exception of Supt. of Public Works David Laubisch, who is at the Cornell Local Roads School in Ithaca, New York. The representative from the Town of Amherst, Bob Hook, who was present at the Academy School meeting, is also in Ithaca at the training school.

Mayor Daniels stated this meeting was called for the purpose of discussing Garrison Road and there are a number of residents here regarding Garrison Road, including Molly Knibloe who started the process a while ago with a petition and Bill Whitehead, who is building the subdivision off Garrison Road, and is here to talk about sidewalks.

Molly Knibloe discussed the importance of sidewalks on Garrison Road and stated in a conversation with Mr. Whitehead, he said he would be willing to place his sidewalks on Garrison Road rather than in the cul-de-sac (Currently the Village Code requires sidewalks to be constructed when a new home or development is built.)

Bill Whitehead stated about 400 feet of sidewalk is involved in this trade. He would agree to place the long sections from Garrison to the rear of his present property which involves his lot and Mr. Militello's lot (about 195 feet each) on Garrison Road. Then there would be no sidewalks in the cul-de-sac. In addition to the sidewalks in front of his and Mr. Militello's homes, he would place sidewalks in front of 177, 151 and 183 Garrison. There would then be sidewalks from Main to Oakgrove.

The Village Attorney questioned whether the Village could enter into that type of agreement without a change in the Village code which currently requires sidewalks in new developments. Even the fact that this project was Exceptional Development which gives the Board considerable leeway, does not give them ability to circumvent the codes. A possibility is to change the code to eliminate the requirement for sidewalks in cul-de-sacs, but he doesn't see the logic of this.

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

Mayor Daniels stated the purpose of sidewalks is for safety and without thru traffic in the cul-de-sac, the requirement for sidewalks is reduced.

Trustee Kelly questioned Mr. Whitehead on the time frame when he would have to know whether the sidewalks would be waived in the cul-de-sac. Mr. Whitehead stated he is looking at home construction starting in August so it would be the Spring 1994.

Trustee Lowther questioned whether the new homeowners on the cul-de-sac could, at a later date, petition the Village to install sidewalks at the Village's expense. Attorney Troy stated that the extent of the Village's contribution to sidewalks is determined by the Village and they could choose to make no contributions.

Trustee Lowther asked that this proposal be referred to the Traffic & Safety Committee for their review. They have just completed a survey of the entire Village to determine where sidewalks are needed. The results are being compiled and will be available shortly.

Trustee Kaye stated, in addition, the Grant Sub-Committee of the Local Govt. Committee will be looking for grants for the sidewalks but needs the information from Traffic & Safety before they can proceed. They are coupling it with the ADA requirements for curb access, which will enhance our possibilities of receiving the Grant.

Mayor Daniels stated he would like an answer by August so Mr. Whitehead would know what to do. He asked that Traffic & Safety Committee be given the information prior to their meeting so they can discuss it and come to a decision at their June meeting. He asked Attorney Troy to check on liability of not putting sidewalks in the cul-de-sac and/or recommend a change in the code to make sidewalk installation in the cul-de-sacs at the discretion of the Village Board.

Mr. Whitehead stated in his many years as a builder, his experience has been that people who buy homes in a cul-de-sac don't want sidewalks. In traveling through Amherst, you will see many cul-de-sacs without sidewalks. It has only been recently with the increase of traffic that some sidewalks have been required.

Marcia Chase, from Town Engineering, stated that at this time sidewalks have become a hot item in the Town. Sidewalks are going back in. People are complaining about having to walk in

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

the streets. She questions the elimination of the sidewalks on the cul-de-sacs. People are now petitioning for sidewalks and often the petitions fail because older owners whose children are grown, don't want to pay for sidewalks.

Marilyn Wahl, Town Planning Dept. and resident of Cadman Drive, agreed with Marcia Chase. Originally many homeowners did not want sidewalks. They then sell their homes to young families who have children who then come in petitioning for sidewalks, stop signs and children at play signs. Subdivisions now have a requirement that sidewalks be installed.

Mayor Daniels stated he doesn't think we can require the people on Garrison to install sidewalks unless we require owners on Cadman to install them at the same time. We cannot be selective.

Trustee Kaye stated we did just that at the Lehigh Memory Trail several years ago when we required the property owners on S. Cayuga to bear the full cost of installing sidewalks to connect to the Lehigh Memory Trail. At that time, we did not require anyone else to install any sidewalks.

Carolyn Schlifke, 192 Evans Street, stated sidewalks are important for safety and if the Village of Williamsville has a code on the books now requiring sidewalks be installed by a developer, that should be followed through for the reasons already stated. When Wellington Court was developed, they tried to get the sidewalk requirement waived but the Village Board stood firm and they were required to install the sidewalks. She feels it is important to follow through with the codes on the books. Also, Garrison Road has a complete sidewalk on one side of the street. There are many streets with sidewalks on one side of the street, such as Evans Street. People walking on the other side have to cross over to walk on the sidewalks. Many years ago, she and her neighbors received a letter from the Village Board which gave them two months to install a sidewalk. They were given no options. This was due to the fact that traffic on Evans Street was getting so horrendous that, as a safety factor, the residents were required to install the sidewalks. If this is the same on both sides of Garrison Road, then she feels it is up to the Village Board to write a letter to the homeowners without sidewalks that they must put in a sidewalk for pedestrian safety. She doesn't see how the Village can accept a contribution with a string on it. She would like to see the money go toward finishing the sidewalks on Evans Street where there are no sidewalks. Cul-de-sac or not, she feels sidewalks are a very important part of the Village life. Many streets, such as Belmont, do not have one

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

side complete so why should three or four homeowners on Garrison Road benefit and get a free sidewalk.

Trustee Kaye stated, it is her understanding, that Traffic & Safety is first going to survey the areas where there are no sidewalks and then make a Village wide recommendation on how to address the issue of non-sidewalked areas. The third part was to be where to get additional funds rather than tax payer dollars to solve the problem. They have just finished their survey and will be compiling their report.

Marilyn Wahl suggested setting up a Special District for sidewalks. The Village Attorney stated that under Village Law, the entire Village is one district and we cannot set up special districts as a town can under Town Law.

Mayor Daniels thanked everyone for their input into the sidewalk issue and stated we will now address the issue of the takeover of Garrison Road.

Mayor Daniels stated that the County has little money for the repair of its roads and by its own admission Garrison is nowhere near the top of their repair list. We are looking into a possibility of an alternate set of techniques which the Town has successfully implemented through a reclamation process. It is new to Amherst but has been done in other parts of NY State. The Town's estimate to do the work including under drainage, minus the engineering costs, is about \$163,000.00. It is his understanding from correspondence he received from the County, that they are seriously considering this if the municipality will then take over the road. There is a list of 200 roads they are considering, but Garrison is not on this road because Garrison connects two other County roads and if we took it over, we would control this section and control the speed limits and signage. At the Academy School meeting, County representatives stated that when the County does reconstruct it, the road will be 36' wide. However, since we have been lobbying the County so long to fix Garrison, they would be willing to stretch it and fix it and turn it over to us, There would be certain benefits to us. The costs would be the reduction of snowplowing money and the cost of maintenance in the future which would be about \$65,700.00, based on current costs to mill 2" of asphalt off Garrison and replace it with 2" of new topping. Mayor Daniels stated the best estimate for the road, once it is reconstructed is 10 years, so the cost to the Village would be \$6,570.00 per year for maintenance. What Mayor Daniels wants from the Board tonight is an agreement to enter into meaningful discussion with the County to see if we come up with something that will work for us.

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

Trustee Kelly stated he doesn't think anyone on the Board has any trouble entering into discussions with the County, but they don't want to be seen as making any final decisions until after we have all the facts. He is very concerned about long range costs. The short term results are wonderful but his concern is about hidden costs. The experts from the County and from the Town are far apart on current costs and he is concerned about the long term costs. His other concern is the method that has been suggested by the Town. It has only been done to one other local road which is rural and he is concerned about the 8,000 cars that go over Garrison and what effect they will have on this road. Will it have to be rebuilt in 10-12 years and then the cost will be much higher. Trustee Kelly is also concerned about the general principal of taking roads back. Are we setting a precedent. Will they then want to turn back Evans Street and Wehrle Drive? If Youngs Road could be made the main north-south artery, this would help him move forward with agreeing with this concept. If we are going to move in the direction of taking back Garrison, we will need some strong guarantees that the road will last as long as they say it will. He would like to see some guarantees and some commitment to move the traffic elsewhere.

Mayor Daniels stated we need to put a lot of pressure on the County to make Youngs Road as the main north-south route. There are no residences and it's easier for truck traffic. However, if we take over Garrison, it will put more pressure on the County to use Youngs Road. If they don't have the Garrison option, they must then look at Youngs.

Trustee Lowther stated she agrees with Trustee Kelly. She agrees we must do something w/Garrison Road but she is concerned with the long range costs also. She has concerns that we won't have to resurface the road until twelve years from now. She would like to find out if we had drainage work done before on Garrison Road, how long ago was it done and how did it hold up. She is concerned about the new process and how it will hold up. She looks at Evans Street, which was done by the County, and it is in immaculate condition. There is no drainage problem and no potholes. She cannot go to look at a road that was done with the new process that carries the same amount of traffic as Evans. She also questioned where the funds were coming from that the County would use to pay for this reconstruction.

Mayor Daniels stated there is a \$16 million dollar surplus which the legislature could use. ECMC and other units with deficits will soak up a lot of the surplus but some could be directed to highways. Legislator Swanick, who was present at the last meeting, said they could do some creative accounting and find some money.

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

Sharon Rich, representing Legislator MaryLou Rath, stated that Legislator Rath is interested in knowing if the Village Board wants her to pursue the possibility of taking over the road and if so, she will start working on it as quickly as possible, prior to the time the legislature starts working on the budget, because after that time, the funds may not be able to be moved.

Trustee Lowther stated she feels everyone is interested in pursuing the concept, but we need the answers to a lot of questions before we go ahead.

Mayor Daniels stated we need to sit down w/the Supt. of Public Works and Empire Soils to develop some of these answers as to what type of road surface we want and what the cost will be.

Trustee Kaye stated she is in agreement that something has to be done with Garrison but she has a lot of questions that must be resolved such as will the road hold up and will we be saddling a future board and future taxpayers with a large tax burden because this Board did not do its homework and could not make a hard decision. Short term, the people on Garrison, will love it. On the long term basis, there are many questions. She is concerned about the engineering costs and if there are any other hidden costs.

Trustee Piazza feels that in our discussions, we should be playing a little hard ball in conjunction with what we are getting and what are we giving up to the County. We should make the County think very hard about Youngs Road. Trustee Kaye stated that maybe we could finally get the truck signs on Evans Street which has been a real problem. Mayor Daniels stated it must work for both parties and we can ask to the point of stretching it so the County will still agree to project. If it doesn't work for both parties, the project will not be done.

Trustee Kaye asked Sharon Rich for the list of the 200 County roads where the County would like to do the pilot project. She stated that at one meeting Legislator Rath said there was a possibility of some cash being exchanged but at the last meeting Legislator Rath stated this probably would not happen since they couldn't come up with an equitable formula. It would seem to Trustee Kaye that the snowplowing formula would be an equitable way of distributing it and if the County would pay us one year's rate (or 5 years) which could be placed in an escrow account until the road needed reconstruction, this could be an extra incentive.

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

Marilyn Wahl asked what the Village's obligations would be regarding traffic control devices. Mayor Daniels stated it would not include the blinker at Wehrle or the light at Main and Garrison. Trustee Kelly stated proper signalization at Garrison and Wehrle could run as high as \$100,000.00 but the Village line ends before that on the one side, so we wouldn't go as far as that.

Marcia Chase stated the north end of Youngs Road is a Town Road and the Town is not about to put in a four lane highway. They don't have the funds to extend it to Casey. The plans have been ready for a long time but the money isn't there. Once it would be extended to N. French, it would alleviate a lot of our problems, but it will be a long time in coming.

Molly Knibloe, asked as a resident of Garrison Road, what is the cost of not entering into an agreement with the County and coming up with an agreement which is satisfactory to the Village and satisfactory to the County. She fears the cost is great. If it is in the Village, we gain control of the road. The cost of not doing it is probably that nothing will happen. Every single person who travels Garrison Road, gets a perception of the Village and that perception is really not what the Village is. The traffic that drives Garrison Road does not know whose road it is, all they know is they are glad to be out of the Village of Williamsville. She feels in the long run, we will be looking at lower property values and lower services. By not repairing the road, we no longer will be prime location.

Trustee Kelly stated it the cost comes in at \$65,000.00 to redo it every 10 to 12 years, that is something he can live with but if the potential is \$500,000.00 to \$700,000.00, then the Village taxpayers are not going to want to spend the money. This is a tremendous burden to place on the taxpayers. If it is that high, he cannot support it, as much as he would like it.

Mayor Daniels stated that Ms. Knibloe's points about property values are well taken. Since he has been in office, the biggest problem has been traffic. If the rest of the Board feels this is not the direction to take, he would like some alternate proposals for this road.

Mr. Whitehead stated the new Calcification process is being used in Ontario and it is working out very well. The temperature in Ontario is much colder than it is here. By taking over the road, we could lower the speed limit and weight limits. If we lowered the weight to one ton, this would eliminate most of the trucks. He feels we should act quickly before circumstances change in the County and this option is no longer available to us.

Minutes of the Special Meeting held in the Williamsville Village Conference Room, 5565 Main Street, Williamsville, NY on Monday, June 7, 1993 at 5:10 p.m.

Dan Chase stated he feels it is more to the Village's advantage to take over the road than it is for the County to transfer it to us so we may have to give more than we normally would be willing to give.

Trustee Lowther asked Attorney Troy if he had any comments on the subject. Attorney Troy stated he had to comment at this time; however, if requested by the Board, he will certainly have some comment. Trustee Lowther stated she would like Attorney Troy to comment on the legalities involved.

Mr. Whitehead stated the salient point in this discussion is that the Village control that road, the weights, the speed, saving our trees. We must control it and not the County.

Trustee Kelly stated that he agrees with Mr. Whitehead, but at what cost. If it comes in at the lower amount, everyone will be happy.

Mayor Daniels stated the next step is a letter from the Village to the Legislature stating we are interested in pursuing the concept of having Garrison Road rebuilt with County funds and simultaneous takeover by the Village upon completion of the reconstruction. The letter would also ask for a meeting between the County Finance Committee and the Village Board to discuss the situation. Hopefully, the meeting can be set up for two weeks from now. Mayor Daniels will prepare the letter and put it in the Trustee's boxes for review after which he will send it to Legislator Rath on Thursday.

The meeting was adjourned at 7:30 P.M.

Theresa L. Cummins
Administrator/Clerk-Treasurer