

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, June 14, 1993 at 7:35 P.M.

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

*Theresa L. Cummins, Village Administrator, Clerk-Treasurer
Thomas Troy, Village Attorney*

Absent: David Laubisch, Supt. of Public Works

Also Present: Sherry Brink, Recording Secretary

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:35 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, the minutes of the regular meeting of the Board of Trustees held May 24, 1993 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the public hearing of the Board of Trustees held May 24, 1993 to amend Section 8.1(a) and 8-5 of the Animal Code were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, the minutes of the special meeting of the Board of Trustees regarding Garrison Road held June 7, 1993 were approved.

Unanimously carried.

Mayor Daniels stated Joseph Crangle from the Erie County Water Authority is here tonight. The Board had asked him to come to explain the summer surcharge that the Authority has implemented for this season.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, it was moved to suspend the rules to listen to Mr. Crangle from the Erie County Water Authority.

Unanimously carried.

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Mr. Crangle thanked the Board for the opportunity to speak at their meeting. The Authority tries to cooperate to the full extent with its various customers whether it be individual customers or bulk rate customers. He knows that many things have been said to this Board or by this Board and he's not here to take issue with those statements but he wouldn't want anyone to think that by not doing so that the Authority somehow agrees with some of those statements that have been made in the past. The Erie County Water Authority is a non profit public benefit corporation created by the State of New York for the purpose of serving water in the franchise area, which for the most part is outside the City of Buffalo, and to provide quality water at reasonable rates. It is important to understand the background of why it was created. In 1944 the Niagara Frontier Planning Board looked at the water situation over the years in the western part of New York State, particularly Erie County. In those days there were a lot of private companies and some public conveyors of water who had difficulty providing the good service for the people in the community. Many times water was provided at extremely high rates, particularly by private companies who were concerned about making a profit as well. We have to understand the nature of what is an Authority and why have an Authority as opposed to government itself providing this service. Mr. Crangle brought an excerpt from a 1956 report of public Authority which he thinks is important as to understanding why do we have the Erie County Water Authority. " The autonomy of the public Authority is believed to lessen the dangers of partisan influence with a long range capital enterprises" One of the things that all of us know who have anything to with the public arena or anything to do with the political structure of life itself is that there can be times " that the public pressures for rates below the cost of service for special privileges for free service, for uneconomic extensions of service and the like, may be too great to be resisted by political responsible officials. The notion of the Authority was to have the political input in creating the service for the people". As this and other reports have pointed out, to do a unique separate kind of activity so that you wouldn't have the problem of saying do we do something with the schools, the highway or is it the problem of the recreation but rather the Public Authority was created to do a particular service which is very essential for the people it is serving, namely this case here, the case of water. It was created and has been in operation since 1953. There is a tendency at times to talk about people who are our customers as if they are taxpayers. The person who buys a beer, he is also a taxpayer but we don't say he is a taxpayer on that capacity. The same thing is true here when you are dealing with the Water Authority. The person is a customer that receives a service and he pays for that service based upon the cost of delivery.

Mr. Crangle stated that the advantage the Authority has is that it doesn't have to worry about a profit margin. They have no stock holders. They don't have to worry about paying a tax because they are tax exempt. The Erie County Water Authority does not receive, for its operation, one penny from any level of government whether is be a village, town or county or state or the United States. Their revenues are based upon the money they receive from the customers for the delivery of goods. They are now servicing 25 communities with close to half a million consumers and they are very pleased that right today in Erie County there are seven towns and villages that either want to expand or come in to our system. For example, Marilla or the Village of Angola.

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They also have seven towns in Genesee County, because of their reputation of delivering quality water at reasonable rates, who have asked them to look at a feasibility study to extend their system out east as they did in the south going down to Chautauqua County a couple of years ago with the Town of Hanover, the Village of Silver Creek and the Seneca Nation of Indians that the Authority now services has also bought the customers.

When you look at the various rates that the Authority has, its rates are very reasonable and very competitive. When you compare other utilities, such as electric or gas, we all know how those bills have gone up. Here in the Erie County Water franchise area the average household pays \$150.00 for water for the whole year. That is about \$12.00 a month, about .41 a day. When we put things on a percentage basis we have to look to see is it 10% of a \$1,000 or is it 10% of \$15.00 which makes a world of difference when you are talking about rate increases. Because of it's responsibility to deliver quality water at reasonable rates and run a good business, they have done various audits. They don't just depend on their internal staff as able and good as it is, but they brought people in such as Price Waterhouse, which is their annual independent auditor. They have been with the Authority since almost day one as the independent auditor looking at their fiscal operations. Price Waterhouse said "the Authority has undergone a number of changes over the past two years". This is dated July 30, 1992. "In our opinion, they are some of the most positive changes that we have seen in the Authority in our tenure as your business partner:" They go on to say that they were very pleased with the things the Authority has done. It's the same thing with the fiscal matters, environmental, safety, or fiscal matters. The Authority Ernst and Young in, who has a great section on water management asking them how the Authority operates, are they at the top, the bottom the middle, what should it do organization wise? They came up forward and made a report and that is the report that Price Waterhouse was observing. Before the Authority didn't have a single CPA. Now we have three. Before the Authority used to take four or five months before it closed its books. We wouldn't know until April how bad 1992 was in our revenues. You know you can't run a business like that. Now our books are closed two and a half weeks from the end of the month so the Authority is on top of all things at all times. They were able to curtail some expenditures last year knowing they were off 10% to 12% in their revenues because last year no one had to water a flower or water grass because of the wet season that we had. Consequently the Authority was able to adjust and still end up in a surplus of a million one dollars. The Water Authority has always ended up in a surplus. The Authority thinks it does a good job business wise. Because of who Mr. Crangle is, former Democratic Chairman appointed by the County Legislature, people think there must be politics involved. There were politics involved with his appointment as there was with Mr. Rutkowski and Mr. Farley but he doesn't think, in this country, because someone is a politician that somehow they are unable to perform in management operations. If that be the case, then he thinks that we are in a very sad site because the idea behind the Authority is you have a top staff and professional staff. There is a need to have general input on some general policy items the Authority is responsibly doing. Every three years at appointment time, people can look at the record of what the commissioners have done to see whether they should be reappointed. Mr. Crangle heard a great deal how they have cars, credit cards and everything else. The Commissioners cost the Authority less than \$100,000 a year.

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That's everything. If you take that and you put it to their revenue and their customers, it's about \$.24 a year per consumer. He thinks the time he puts in that he is worth \$.24 a year by that consumer.

There was a time when the leadership of the Authority tightened its belt and didn't do many capital expenditures. That sounded great at the time but later down the line, you are going to pay for it. In the early eighties there weren't any kinds of rate increases and there was very little capital expenditures and then all of a sudden things hit and the Authority had to go on a very expensive capital expenditure program in order to keep our system up. The water business today is far different from what it was ten years, twenty or forty years ago. He is sure the Board understands about the various environmental requirements by Washington or New York and for every single test for water quality, the Erie County Water Authority has always surpassed the minimum test requirements. The Authority feels the quality of water is so important, in all due respect for people who have been there for years, they felt they were mandated to go out and get a Director of Water Quality, a new position which it didn't need ten years ago. They had a national search from California to New England and they hired a woman with a Ph.D. in biochemistry who has a Masters Degree in Environmental Law. That is the Authority's commitment to have the best. He can assure the community here that the water that people drink and use in this area is excellent quality. In the past we have heard about privatization to get politics to get people out of the water business. He makes the following comparison. There was a water company a few years ago in this area called the Wanakah Water Company out in Hamburg. If you call them up and ask them about the quality of their water and the water service today as compared to Wanakah, you'll find out how pleased they are with the Erie County Water Service as well as the quality of water. They used to pay close to \$4.00 per thousand gallons when Wanakah went out of business. The Authority is charging \$1.61 per thousand. They were a private company. They had to make a profit. They had to pay taxes but the service wasn't that good for the people in that community. The Authority knows that when it comes to quality of water, when it comes to the business like situation at the Water Authority, they feel that they meet the kind of standards that they should.

Mr. Crangle commented about the political institution of the Erie County Water Authority. The Erie County Water Authority, according to the New York State Civil Service record, has one of the highest competitive civil service employees than any other public utility, public corporation, municipality, town, city, school district or village. Over 65% of our people come from open competitive examinations. There are less than two percent in the "exempt" positions who serve the pleasure of the Authority. That's seven people. He has heard things such as there are a million dollars in patronage over at the Erie County Water Authority. That is not accurate. It is 100% wrong. We have a higher degree of civil service classifications than the Village, the Town of Amherst or the County of Erie or the City of Buffalo and understandably so because it has a lot of professional needs of quality type people, whether it be a P.E. or a C.P.A. or people with college degrees. The Authority has to have people who can make the standard and those people have to be approved by Civil Service before the Authority can pass judgment and hire them.

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Mr. Crangle stated one of the things the Authority did last year, for the first time in about 30 years was a rate study. It's not just a question of how much is expenditure, how much is revenue and what it has to get for the rates, but importantly, look at the cost of delivery, the type of services and where is it charging, what it should and shouldn't be charging. Is it low or is it high? The Authority brought in Ernst and Young to give a complete rate study that lasted several of months before they came in with a report. There are what are called blocks. Blocks mean how much water you use. On this particular block you are charged a certain amount. When the Village of Williamsville pays for a thousand gallons it is different from what a resident pays for that because of the bulk and the number of gallons, 370 million gallons during the course of the year. The accountants came in and said only have two blocks because they had five before. But if they did that, they knew the cost would be greatly felt by a lot of people especially the retirees. The Authority brought it down to four blocks. Ernst and Young told the Authority that there are certain kinds of services where they are losing money. When you go out and read a meter, have some testing, when there is a requirement to be able to justify the cost cut over the whole system that the Authority has and you have to look at this from different viewpoints. Ernst and Young looked at the Authority's facilities. In the average day it pumps from 59 millions gallons to 61 million gallons. If the Authority could do that, it would have half the cost of its rates. But there are peak demands just like gas or electricity. The peak demand for the Authority is in the summer time. If you look at cycles, sometimes there are wet years and there are also years that are very dry. When we go up to 115 gallons for one day where we normally pump 62. We have to have a facility that doubles the daily average for a certain particular time during the summer hot months. The Authority has a capacity built on what the maximum that they feel is going to be used by the people in those hot summer months. The cost of having that kind of facility, the distribution and transmission system is predicated upon a great deal of that. The electric business has peak demands. If you reach that peak for one day or one hour, that peak charge over a certain percentage is for an extended period of time even though you are not using it. Why do they do that? For the same reason the Authority does it because they have to be ready for that peak capacity when the public wants it. Ernst and Young said not everyone uses that kind of water during this time, just certain people so the Authority should charge a surcharge because it has this additional cost during this particular time. It's not only a question of electricity as well as the plant operations and pipe operations but also important is the chemical treatment. Anybody who wants to drink Lake Erie water every day, they won't be around very long. It's a great resource but surface water costs more to process and clean than ground water because the ground serves as a filter. When you want to compare Erie County water rates to Suffolk County rates outside Long Island, they are all ground water. They don't have the problem of doing the filtration that we have to make sure the water is the quality when the person receives it.

There is also recent phenomonom here in the Great Lakes called the Zebra Mussel. It's a beautiful thing in one way. When you go to the lake and go swimming the water is very clear. One Zebra Mussel filters one liter of water a day. One female Zebra Mussel produces 30,000 eggs in one season. They have cleared the water so well that the sunlight goes further into the water which produces a different kind of algae which produces a certain taste and smell. While it's not harmful, when someone drinks the water, they don't like the smell, that's all they care about.

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The quality of the water, the smell of the water, the way the water looks are artificial as perhaps the quality itself but it is a very important part when someone takes a glass of water. An amount has to go into the cleaning up of that kind of taste and odor. When this started to happen a couple of years ago, Mr. Crangle thinks we had 2,000 complaints. Some people can taste it and others can't. Last year the complaints went down to 200 but it costs a lot of money for those chemicals. In addition, the Zebra Mussel attach themselves to the water intakes. The cost of killing those in the intake is phenomenal, since they must bring in new kinds of machinery and new kinds of pipes with chlorine to kill them. When you deal with an increased use of water, increased power, increased treatment and the actual type of plant you have to have when you are processing more water, you have more breaks because the pressure is heavier. When you have more breaks, your maintenance cost goes up and that is another factor that goes into the surcharge. The conclusion of the study was that the Authority should charge a few cents more. That's the reason for the surcharge, to be able to account for these peak demands. It in no way accounts for all the costs but it is something the Authority felt more water utilities are now coming to. The electric company charges in peak demands customers like ourselves and consequently we are hit with a surcharge. The Authority thinks the surcharge, relatively speaking, is the minimal amount. For the average customer throughout the whole system, it would be about \$4.00 a year. If the Village uses in several months, 20% more water than is used in the winter months, then for the gallon after the 20%, there is a charge of \$.51 more on that thousand gallon. If you had 20,000 gallons that you use in the winter time, in the summer time you use 25,000 gallons, 20% of 20 is 4. Therefore, you can use up to 24,000 gallons and if you use 25,000 you pay just for that one additional thousand gallon. That is the surcharge that the user will have. We'll have to go through the system a year or two to find out how it works out and the Authority is certainly willing to work with the Village because it is a bulk customer. Some villages and towns and the Authority reads meters. The Authority also has a mail card. They get about 72% returned. They can monitor the increase in usage pretty well.

Some villages also do the same thing. Others don't. If the surcharge comes up, you can't measure that. He would guess that people would tell him to put it on the general levy. That's another way of doing it. It costs "x" number of dollars to have the summer costs, just cut it out. Don't take into account what people have used it and not used it. If the Village ends up having to pay \$4,000 or \$5,000 of the total of \$370,000 it pays a year to the Authority, the Village could just add it to their general levy which in the Village's case would be about one and a half cents to two cents more. This could be added to the current rate to make up the \$4,000 or \$5,000 if that be the amount that the Village would end up paying. The Authority has done its best to go back three or four years to try to show some averages. It doesn't know fully if those things will be accurate because it doesn't know what kind of conservation people will make even when you are talking about pennies. The Authority does know the County average for the last three years would mean about \$4.50 for a household would be the surcharge. Regarding the unaccounted water for leakage, one year in January the Village used the same that it used in July. He suspects that in recent years the Village had some capital improvements and that leakage has cut down. Before the Village wasn't even qualified for the surcharge because it wasn't 20% over its January usage.

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Trustee Kelly stated the Village has four meters and is billed separately on each of the four meters. If any one of the four goes over the 20%, that meter is going to hit by a surcharge. He is looking at what the Village had last year in January and comparing it with the five summer months and only one meter goes over 20% each time. In fact the other ones are less than what the winter month usage is. We don't have control over that. It comes on and off as the pressure changes. Although in each of those months the Village didn't go over 20% total use, each of those months the Village is going to get hit with a substantial surcharge because one meter went way over. Is there something the Village can do to have this billed as one bill to the Village rather than four separate bills?

Mr. Crangle stated it is something to look at. He is not sure.

Mayor Daniels stated the Village feels it is paying as one bulk consumer and the fact that there is one, two, three, or four meters should not enter into the picture. It should be based on total usage to your one customer, which is the Village of Williamsville. Forty percent of the Village's water comes through one meter and there are two on Union Road and the Aero Drive meter is about 40% of the Village's usage. There is one on Hirschfield as well. When a person turns his tap on all four meters will register that to varying extents but it balances as it flows in. To select one of those meters because it runs high when, in fact, the Village's total usage wouldn't have exceeded the 20%, is very difficult for the Village to account for. The same holds true if there is a leak in the system. The tendency of a leak to register more on the meter it is closest to would probably be a valid problem for us, too, even though our total usage might not go up 121% or 122%. That one meter might hit 150% or more. There was a leak this last winter on Main Street which in the Village of Williamsville, because we are on the edge of the escarpment, leaks didn't surface. Although we have constant monitoring, it is very difficult sometimes to center in on a leak. By the time the leak is identified and we cure it, one meter may have really gone crazy whereas the total consumption in the Village may not have been that extreme. We can't recoup that in our residential meter readings because it never reflects in what the residents use..

Mayor Daniels stated the Village has overcome the shock of three rate increases in as many years. We fully understand and recognize the upgrades and are glad we are not tied into the Buffalo water system because he feels in long range they are going to be in very difficult shape. He gives the Authority credit for a lot of advanced planning and what they are trying to do. However, it's very difficult in the short period of three years to increase the water rate and then to be hit with the surcharge. Now it's another typical mandate situation like the Village is always being hit with from the state when they say the Village has to do this or that. The Village is required to do lead testing in the water. That is the mandate. They don't tell you how you are going to pay for it.. They just say you have to do it. The New York Conference of Mayors is always objecting to mandates with no solution as to how they can be paid for. Asbestos testing is another one the Village has to do at least once, possibly twice a year. That's another mandate that the Village has to try to find the money for through our water system. Now the Village is being asked to implement a new billing system within the computers in the Village that will identify residents and who use over 120% and then be able to bill that.

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That is another expense that the Village is required to do without raising our rates. Twenty-eight percent of the Village are senior citizens. Many of them go south for the winter so their taps don't run in January at all. They come back in June and July and very quickly they are 20% over their winter usage and they are going to be hit with \$.51 a thousand more fairly quickly. Another scenario is that a customer will pay the additional because he is 130% over his winter usage and the Village bills him accordingly but when the County reads the Village meters, we are not over that 120% mark so that the Village is not being billed by the County for the extra water. The Village billed resident A for his over usage and all of a sudden that is paid by him needlessly because the Water Authority mandate was not required in this situation. It's not the Authority's problem but the Village feels awkward because it is not a direct pass through. There is a meter in between the resident and the Village. It will help if the Village can be billed once for the total of all the meters rather than each separately. He thinks that is something the Village would really like, and sees it as something that would be very beneficial. To date we have not passed the summer surcharge in the Village. We did pass on the rate increase but objected strongly to the surcharge because of some of these questions from residents and the Board. It may be that the Village will still ask for a public hearing and pass that through. We will lose some revenue in the meantime before it becomes possible for the Village to collect it. He appreciates Mr. Crangle coming to tonight's meeting since it shows a willingness to cooperate and seek solutions. The Board is not aggressively anti-Water Authority but is very protective of the community and the residents living here who elected the board to do so.

Mr. Crangle stated the Authority is the same way as the board is in trying to protect the interest of its constituency. Also, at the same time, our responsibility to the public is that we deliver quality water and on doing so do have with the increased costs. For every dollar that the authority collected in 1983, we're collecting \$1.23 for now. Other people were collecting a dollar and now they are collecting \$2.11 to do different things. The Authority is no where near that. We don't have any lead pipe in our system. If there are any lead connections, the Authority identifies them and replace them. The Authority has next to nothing with asbestos. The Authority saw some of these regulations coming down and that's the reason we do have some of the staff that it does but the Authority has to pay a good dollar to get that kind of a quality person that does long range planning. The Authority is trying to be very cost conscious like the Village and he feels that the commissioners and the Board could work something out where it's one customer, the bulk customer, and once it is over 20% then the surcharge triggers in. He doesn't have any problem with that. In the past the Village has looked at the Water Authority itself to be a provider for its water. That's makes some sense down the line for the Village to look at the system.

Mayor Daniels stated the Village did an exhaustive water model through Nussbaumer and Clarke which identifies every pipe in our system, every line valve, every hydrant and gives a total list of improvements required at the standard of the Erie County Water Authority. Should the Village request in the future to be taken over and the bill for that is 2.3 million dollars in order to upgrade the entire system in order to turn it over. At that point the difference in our rate and what the consumers would pay Erie County is still not going to break even and the Village is looking for some funding such as matching money or a bond with a low rate.

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Right now we are just pecking away at it with Community Development money. Any funding source usually goes right into the water system. Any extra member money that we get from the Senate through John Sheffer into line valves. Mayor Daniels thinks the Village has come a long way. It is such an immense requirement by the Water Authority before they take the Village over that it becomes a mind boggling problem for the Village.

Mr. Crangle stated that a couple of years ago legislation was passed that allows the Erie County Water Authority to float bonds on behalf of it's different municipalities. The advantage is that the bonds are at Water Authority rates, whose bond rating is excellent and there is not a charge against the Village's bond margin. The Authority is able to, by creative financing, get some decent bond sales.

Mayor Daniels asked Mr. Crangle to look into the possibility of including the pay back of the bond that the Authority would hold for the Village in the water rate that it gives the consumer in the Village.

Mr. Crangle stated that is not a capital improvement. That's a cost of maintenance operations and that can't be bonded. There are all kinds of ways of making various kinds of contracts. If the bonding was out there, perhaps there is a way to accelerate an agreement with the Village, if the Village trustees thought that was a prudent thing to do.

Trustee Lowther stated she agrees with Trustee Kelly and Mayor Daniels and she thanked Mr. Crangle for being here tonight. He has answered some questions in his remarks that have helped out. We are a bulk customer. We are not four bulk customers and she would like to see the Village billed as a single unit rather than having a surcharge put on due to one meter being in excess of 120%. One of the things that Mr. Crangle quoted in his remarks was that there would be a \$4.50 increase per customer due to the surcharge.

Mr. Crangle stated that is the average. For some people it is \$1.00 and for some it might be \$8.00 or \$9.00. That is for the whole year. In all due respect to the people that leave and go to Florida and they come back and have to pay a few cents more, he finds it difficult that people can be in Florida for two or three months and not pay \$.03 more. Looking to make some comparisons around the area, as a comparison, Niagara County is flat. Niagara County's water district is a wholesaler. It doesn't do a single direct service for lease managerial, and it has about 50 miles of pipe of a transmission. We have over 1,800 miles of pipe. The north end of the county is a little flat here. If you go down to the southeast, we have 21 different pressure points that the Authority has to bring water up to and that is expensive. Monroe County gets its water from the lake and has the gravity. The electric bill in New York City is very little in comparison to what ours is because they have the gravity coming down from Westchester County and Putnam County with those water reservoirs and that is all fed by gravity and when you start using electricity, it becomes a big price. When some folks like to make some comparisons, unless one understands what the geography is, it is difficult.

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Trustee Lowther asked where does the Erie County Water Authority stand as far as being a Water Authority that has started using surcharges? Are a number of other ones within the State doing this or is the Authority one of the first?

Mr. Crangle stated Monroe County was the first. We are somewhere near the middle. When you see these regulations coming down and it's going to be awful expensive. When you think of \$150.00 a year average, \$.41 a household a day for water, those few cents more the Authority can get in really helps them get the quality of water for its customers.

Mayor Daniels stated whenever something new comes in you have to analyze it long term too and almost anything that gets into a contract or into a standard way of doing business can escalate in the future. The Village is cognizant that it may be minimal now but may escalate. If we are going to do anything to try and alter it or change it, now is the time rather than after it's been in existence for a while. That's the reason why the board is questioning it and when the board has analyzed the way it does business in the Village with the water system, it's very difficult for the Village to administer the surcharge. A rate pass through is no problem for the Village because the Authority is charging everybody the same whether it is a bulk customer or not, so for the Village it is very equitable. We don't read the total Village every three months, it's a third of the Village. We might get August, September and October in someone's bill and we may get May, June, and July so you are not getting always those months that are critical. There again, it's another dollar cost averaging situation where it's not a direct correlation between the surcharge and the actual consumption. The only thing the Village can think to do is to at least get a bulk reading.

Mr. Crangle stated when the Authority figures out the power and the cost for the increased cost of the delivery of water in the summer time, they could take that cost and say everybody pays. The Village could do the same thing. It could say when it comes to here, this is the amount and we are going to put two cents more on our rate. That is up to the Village to decide.

Mayor Daniels stated the Village is not sure how much they would charge. It has no experience with last year.

Mr. Crangle stated the Authority is willing to work this out. The Authority is not going to turn off the water if a bill goes out and is paid late. The Authority is also learning in this process. There aren't any three individuals more conscious about rate increases than the three commissioners because they are political animals. During the last couple of years they directed their staff to refinancing. They took advantage of the bond market and the Authority was able to save over the term of those bonds over 15 million dollars because of some clever financing that the staff and lawyers came up with. That's never been done before by the Water Authority. If they had a debt, they just paid it out.

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Trustee Kaye thanked Mr. Crangle for coming and bringing so many experts to help answer the Board's questions. She concurs with the rest of the Board that if the Village were able to have one bill or have the Village fall into the category of all the meters being charged as a group that it would be much easier for everyone.

Trustee Kaye commented on mail cards that the Authority is using. Is that something that the Authority is offering the Village or suggesting that maybe beneficial for us.

Mr. Crangle has found them very useful because for the Water Authority to read a meter every quarter would be cost prohibitive. The Authority has set up a special account and it is putting money away each year for remote readers. The person will be able to go outside the house, put a gun in and be able to read the meter which would tell all kinds of things, such as whether there is a leak or another kind of problem. It will cut down the cost. In the meantime we have these mailcards and we find the people do respond well with these cards.

Mayor Daniels stated for the Village it is not so prohibitive because it is so compact. However, the Village is doing remote readers on the walls of buildings which is going to do a couple things for us. One, the same person can get around the whole Village and two, we will never have to guess at a reading which for the summer surcharge is very critical. If the Village is getting 10% estimates, we can't administer the surcharge properly because we have no idea what they have used during the summer. We are trying to get the remotes and get a good price on the unit. He wondered if the Village could get the same purchase price as the County on their remotes.

Mr. Crangle stated their purchasing situation is always open to the towns.

Mayor Daniels stated that is something the Water Department should look into because the Village is aggressively pursuing that option as well.

Trustee Kaye asked when might the Board have an answer from the Authority about whether the Village will be able to be billed as one unit? How long might that take?

Mr. Crangle stated a couple weeks.

Trustee Kaye stated Mr. Crangle mentioned earlier about evaluating the summer surcharge. Does that mean after the Village has gone through a whole summer period that the Water Authority is going to look at any modifications or changes that should be happening in the way that the Authority would be billing the Village as bulk customers and will the Village have the opportunity for input at that time.

Mr. Crangle stated he thinks it is going to be more than a year to see what the seasons bring. If we have another wet year this year, it won't be a true year of surcharge. If we have hot summer days it would be a test. He would want to feel flexible as to when the Authority does the evaluation. The Authority has changed its mind on some things.

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For example, it was recommended to the Authority that because of the cost of the customers paying at Metroteller that they charge us so much to collect the money for us. The Authority said the customer should pay for that because otherwise they have to pay \$.29 for the stamp, yet the other side is it comes through a computer, it's deposited and you might have to open up an envelope but it is still a cost. So we said \$.05 or .10, whatever the cost but you would have thought the Authority charged \$100.00 for that service so the Authority backed off and said it is not worth it. Sometimes there are other considerations and you have to back off a little.

Trustee Kaye stated it might be beneficial if at the end of this time period the Authority could send out a questionnaire to the municipalities for some input before they actually make changes in the surcharges so that the municipalities feel they have an opportunity to participate in the change versus having the change imposed upon them. She thinks that would go a long way, from a public relations standpoint, and allow the Village to feel as though it voiced its opinion even though she knows the Village can always pick up the phone and do that. Sometimes it just doesn't happen. So if that is a possibility that Mr. Crangle could request that kind of information from all the municipalities, she thinks as a total group, we can always supply the Authority with some information that would be helpful and useful and have it work both ways.

Trustee Kaye commented on Mr. Crangle's remark about not shutting off the Village's water. Does that mean that he would be willing to waive the late charge fees for the Village to work this out.

Mr. Crangle stated he would make that commitment right now. If this gets worked out there won't be any late charges.

Trustee Lowther asked if the Water Authority has an ongoing Conservation Program, like a series of publicity releases.

Mr. Crangle stated the cheapest and most effective way is in their bill. They are continually telling people about a faucet or only doing the dishwasher once a day, any number of things like that. Forty percent of the water used a day goes down the toilet. Some people like to use it as an ashtray and flush the toilet. It's very foolish. It is difficult to get people in this part of the country to be as conscious about conserving water as they do in the southwest.

Trustee Lowther stated looking back at our consumption in the past several years, if there was a combined rate, she doesn't think there would have been one period of time that the Village would have had to pay a surcharge. She thinks by encouraging our customers, even on a local level, on the Village level to conserve, we might be able to keep up that record if the Village is allowed to be billed as a single customer.

Trustee Piazza thanked Mr. Crangle for coming to the meeting.

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

Unanimously carried.

Mayor Daniels reported the Board is trying to find some areas where the Village can receive grants or low interest loans or matching money from various sources. We have been interviewing some grant writing organizations and getting some information on their successes in a very competitive market for state and federal loan grant money. We're hoping, through the Local Government Advisory Committee and also through interviewing some of the companies that do grant writing for municipalities, we will be able to find some viable way in which to finance water improvements and sewer improvements for the Village. We've interviewed three companies now plus the Local Government Advisory Committee is looking at utilizing their own forces. A grant writer on that committee is looking into Housing and Urban Development money and Community Block money, as well as other sources of funding.

Mayor Daniels stated he is Committee Chairman of special events for the Septucentennial. As part of the World Games, on July 5th, there will be musical dance groups, one from Sardinia, Italy called Santa Vitalia and another from the Congo in Africa. He is looking for people who would be interested in housing members of these groups for the two weeks, July 5th -July 18th. They will be entertaining throughout Western New York and Chautauqua. They speak French and Italian, very little English. He thinks it would be interesting and rewarding for anyone interested in taking some of these people into their homes. We are going to have two functions in Island Park on July 5th. At 6:00 P.M. we are going to have a champagne celebration. At that reception we will have the groups there to welcome them to the Village and included in those guest will also be His Excellency Ibrihima Sy, Permanent Ambassador to the United Nations for the Organization of African Unity. There is going to be His Excellency Dr. Abdul Koroma, who is the Permanent Ambassador to the United Nations from the Republic of Sierra Leone and Giancarlo Corda, who is President of Festival International based in Rome, Italy. These are very high powered, influential people on an international basis that will be in our Village for the World Games. They will be staying with Mary Lou Rath for the three or four days that they will be here. On July 6th the two groups will entertain Village residents free of charge in the Island Park pavilion. The admission will be one potluck dish per family to pass. We will have a good old American Picnic.

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ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$615,155.12 covering 05/21/93 - 06/10/93 were approved:

Payroll fund w/e 05/29/93	\$20,446.42
General fund	249,690.78
Water fund	58,288.92
Sewer fund	33,237.91
Trust & Agency fund	10,188.35
Glen Park fund	1,623.74
Community Development	8,010.00
Capital	233,669.00
 Grand Total	 \$615,155.12

Large Vouchers:

American LaFrance	\$232,148.00
Key Trust Company	136,600.00

Unanimously carried.

Trustee Kaye reported that the Village Youth and Recreation Board had a very successful Fishing Derby. This year we had 201 participants, last year we had 125. It was a very good turnout and an excellent day. The weather was very cooperative. They caught approximately 20 fish that day and the largest fish was 15 5/8". There were 20 youths who received prizes and everyone had a wonderful time. She gave a special thanks to all the volunteers who worked so hard that day. The next upcoming event for the Village Youth and Recreation Board is Thursday, July 1st and that will be a folk sing along with Nan Hoffman in Garrison Park at 7:00 P.M. Following that will be Thursday, July 15th at 8:45 P.M. which is Family Night Out in Island Park. That will be an outdoor movie, be Disney's The Rescuers. The rain date is July 16th.

Trustee Kaye reported the Youth Board has been selling their planters as they annually do along Main Street. This year they have orders for twenty planters which is the exact number that they had last year. Anyone who is in the Business Community along Main Street might like to encourage their fellow business colleagues to buy those planters. It is not only a beautification project for the Village Main Street but it also serves as a fund raising event for the Youth and Recreation Board.

Trustee Kaye stated at the last meeting of the Youth Committee the Amherst Youth Committee Director Joe Bachovchin came to share the concept that the Town of Amherst is looking to develop an after school latch key program for children at the South Cayuga center. They do have one at the Ellicott Creek facility.

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It is contingent on whether or not the school system in Williamsville is allowed to have students who take the bus dropped off at a location other than their home location so they actually could be bussed to the Youth Center. Right now the Youth Center is a drop in center only and for \$5.00 a year a youth can come any time to the center on South Cayuga. The latch key program would be a little different in that there would be a daily charge and you would have to sign up in advance and commit to a certain number of days or weeks. She has asked the Youth and Recreation Board to look at it and get some feedback. She would like this board to think about it and share any thoughts or comments they might have. Also anyone from the community can call her or her fellow Board members. They are looking at implementing it for this September if the bussing program does change. They are also looking for an alternative site in the Village of Williamsville for the Youth Center rather than on South Cayuga so they are at this time looking for a different building or to build a building in the Village of Williamsville that may have additional space indoors and outdoors. That is a long range plan. If there is any additional input on that or any additional location that someone thinks might work, please let Trustee Kaye know and she will pass that along.

Trustee Kaye reported the Planning Board has met since our last Village Board meeting. Two items are on the work session which have been on before and we'll be resolving quite soon include the satellite dishes which Trustee Kelly has been working on for quite a while. We did hold a public hearing; however, we are looking at calling for a new public hearing in the future because of the comments from the public and the Planning Board which deal with mounting the dishes on the roof of a structure rather than just on the ground. We are moving forward with that item. Temporary window signs for the commercial area have been a topic of discussion. We are working on that and getting closer to a resolution. Part of the proposal is to lift many of the restrictions we currently have and lifting the permit as long as the sign falls within certain guidelines. Technically a business owner would not have to come to the Building Department for a permit every time he wanted to change a sign that said milk \$.99. Building Inspector David Sutton has been working along with the Planning Board. She will be meeting with Attorney Troy this Thursday and with the Building Inspector to work out some details for this proposed change in the code and she plans to send a copy to Pat Reidel so she can pass this along to the business community. We want to make sure that the proposed change works for all of us.

Trustee Kaye stated we did receive from BFI, who collects our recyclables, a check for \$733.42 from the sale of recyclables for the period of 1/1/93 -3/31/93. That is just about the same amount that the Village has received in the past since the market has been fairly consistent for the sale of recycled goods. For that period of time January 1st through March 31st BFI collected 128 tons of recyclable from the Village of Williamsville which is wonderful. She appreciates everyone's continuing participation in recyclables.

Trustee Kaye acknowledged a member of our audience, who is here on a regular basis, for receiving an international award. She thanked Elroy Avery and commended his work with the Lions Club. Last week Elroy Avery received the highest level award from the Lions Club which was an international award for his honored service to the community.

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Trustee Kelly congratulated Mr. Avery also. He commented that it is Attorney Troy's opinion that we need a second public hearing on the satellite dish since what has been finally proposed is a radical change from what we had before and he will be working with Trustee Kaye on that. It should be set up for the next Board meeting. On Sunday American LaFrance had a show the parking lot consisting of fire engines ranging from an 1854 model all the way to the present. It was quite a unique show and anyone who had a chance to see it was very impressed by the sheer difference in the growth of fire engines as time has gone on. In looking at the old ones and comparing them to the new ones, you see why our new trucks cost so much because of the enormous safety features that have been put into it. Today we are paying for a new fire engine.

Trustee Kelly stated Empire Soils did some tests on Garrison Road. We are going to continue to follow through on that and also listen to some of the concerns that have been raised by the Village Superintendent of Public Works and trustees concerning future costs. He thinks that is the big concern to all of us. Taking over the road sounds like a great short term solution for the Village but we are all very concerned about the long range costs in store for us. He is going to continue to work on that and hopefully have a good report by the next board meeting.

Trustee Kelly stated the Erie County Water Authority handed out some information on the water study to everyone here. At first glance you might think the Village is making a ton of money on the water system because they put down what the Village water rate is to our residents and what the cost to the Village is. What they don't tell you in this is that with respect to people outside of the Village that they bill directly, all those bills include several things that they don't include for the Village. It includes all their service and the people working, all their pipes and things like that. In addition, the water bill to residents outside of the Village doesn't include some things it includes for the Village. For the Village it includes all the Village fire fighting system with the fire hydrants and the delivery of water to those, it includes all the maintenance, something that people in the municipalities find on their tax bills as opposed to their water bills. The Village's is basically borne in our water bill and not on a tax bill so it is very hard to really take a look at it and see what a true comparison is to a town resident or to someone in some other city that relies on a direct bill by the Erie County Water Authority. Those municipalities are separately billed also.

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

WHEREAS, the Village advertised for the sale of a 1987 Plymouth Reliant Stationwagon which was determined to be surplus DPW property and

WHEREAS, Michael Wirth, 121 Mill Street, submitted the highest bid,

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NOW, THEREFORE, be it resolved that the 1987 Plymouth Reliant stationwagon is hereby sold to Michael Wirth for his high bid of \$1,500.00.

Unanimously carried.

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

WHEREAS, the Village has advertised for sealed bids for Water System Distribution Improvements for Garrison Road, Willowbrook Drive and Swan Place and

WHEREAS, John R. Schueler, Inc. submitted the low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the Contract for the Water Distribution Improvements is awarded to John R. Schueler, Inc. for its low bid of \$179,507.99 which low bid will be reduced by a sum of \$12,000 in the event that the County of Erie permits open cutting on Garrison Road by said contractor.

Unanimously carried.

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

RESOLVED that David Anderson, 78 Olney Drive, Amherst, New York is hereby appointed seasonal laborer in the DPW effective June 28, 1993 at the rate of \$4.50 per hour.

Unanimously carried.

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

RESOLVED THAT the Village Board, acting as Fire Commissioner for the Williamsville Fire department, hereby appoints Christopher Taggart, 120 Wickham, as a fireman in the Williamsville Fire Department.

Unanimously carried.

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Trustee Lowther reported the Traffic and Safety Committee will be meeting this Thursday evening at 7:30 P.M. in the Village Hall. We've been working for several months compiling a sidewalk survey so that we would know where there were sidewalks and where there were not sidewalks throughout the Village. It is becoming more and more of a safety issue for the residents and we're hoping that we can identify and prioritize areas that do not have sidewalks and go out and start looking for grant money to help replace some of these. We had an offer last Monday evening here at Village Hall regarding Garrison Road, Erie County, Town of Amherst rehabilitation of Garrison Road. Bill Whitehead, who is a resident of Garrison Road, and is developing the Castle Creek project came to the committee with an offer on sidewalks. He is asking the Village's consideration to eliminate sidewalks in the Castle Creek Development, and instead to build up to 400' of sidewalks along Garrison Road. That request will be going before Traffic and Safety on Thursday for a recommendation from them to this Board. There are going to be some other questions that need to be asked and answered regarding that offer. It is an interesting offer and we will be looking into it.

Trustee Lowther reported the Environmental Advisory Council will be meeting in Village Hall on June 24th at 7:30 P.M. We've had a lot of activity regarding Glen Park. One resolution this evening will amend the code to ban the wildlife feeding of the ducks and any other animals in the parks. This has been a continuing problem in this locality and other localities as far as California. There have been reports of problems all over the country with the feeding of wildlife and the taming of wild animals. It leads to health problems, it leads to vermin, it leads to a lot of different things. This will change the law throughout the Village including our Village parks as well as Glen Park. We're also going to have our Community Environmental Education Program kickoff coming up this weekend. On Saturday at 7:00 P.M. in the Nature Center at Glen Park, we are going to have a nature photographer with a slide show on wild flowers. There is no charge for this program so the public is welcome. It should be a very interesting show. The actual grand opening of the Environmental Education Program for the Village of Williamsville at Glen Park is going to be on Sunday afternoon on Father's Day. There's going to be a very brief 15 minute ceremony beginning at 1:30 p.m. followed immediately by a presentation from Larry Keating, from the Institute for Environmental Learning. He is going to have a live hawk and a live owl and he is going to do a presentation on Fascinating Birds of Prey. They are also going to be sponsoring a Project Wild Teacher's Workshop on Saturday, July 10th from 10:00 A.M.-2:00 P.M. This will help certified teachers and give them some background in environmental education. Project Wild is a supplementary environmental education program emphasizing wildlife and learning design. The workshop that is going to be offered in Glen Park will offer new teaching ideas for use in science, math, social studies, music, art, language arts and physical education. Each participant in the workshop will receive a Project Wild activity guide free and other teaching materials to take back to their schools. She has an address and information if anyone is interested.

Trustee Lowther stated the Board had a brief summary this evening from the people of Empire Soils who are doing some testing on our roads. They will let us know the condition of our streets which will help direct us as the Board goes forward on what needs to be done and what doesn't need to be done.

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It will help us project and control our expenses throughout the Village as far as our roads. She happened to see their truck on Saturday afternoon on Mill Street and she pulled over and talked at length to the driver. He demonstrated the equipment he was using including They have computers and printers in this van. He went around and dropped weights on the roads and that gives him information as to the condition of our roads. He found that the streets that were south of Main Street appear to be in much superior condition to the ones north of Main Street. She doesn't know if the Village has been concentrating more of it's funding on the roads to the south because of necessity and now they have all come to be in pretty good shape. Now we will have to be looking at the ones on the north side. He shared with Trustee Lowther that one of the worst ones in the Village is North Ellicott.

ON MOTION by Trustee Lowther, seconded by Trustee Kaye, it was moved to suspend the rules for an additional resolution not on the agenda.

Unanimously carried.

Trustee Lowther stated this resolution is to hire security for Glen Park for the summer season. She was unable to get it to the Village Administrator before the agenda was prepared on Friday because she managed to negotiate the cost down from \$7.90 to \$7.30 an hour today. With the number of hours that we use security in Glen Park for the season, it will be a substantial savings.

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

RESOLVED THAT RJD Security Inc. is hereby appointed to provide security services in the Glen Park during the 1993 Summer season at the rate of \$7.30 per hour.

Unanimously carried.

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

Unanimously carried.

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

RESOLVED that Local Law #5-1993, amending Section 103-17 of the Vehicle and Traffic Code which will provide for two (2) hour parking on Main Street, and which was the subject of a public hearing on May 10, 1993, is hereby adopted.

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Mayor Daniels noted that this is effective July 1st.

Trustee Lowther stated the DPW told her they will have no problem changing the signs by that time.

Unanimously carried.

Trustee Lowther stated her next resolution deals with the changes in the animal code that we had a public hearing on at our last meeting. Since then she has been reading a number of articles that have reflected on the feeding of wildlife and the problems that have come about because of it. One of the things mentioned by our head of the Department of Public Works today is that he read in a paper that a woman just south of here picked up a small baby raccoon and it bit her on the neck and it turned out to be rabid. We don't want to encourage any of this kind of behavior and she thinks by eliminating the feeding of wildlife and the animals, it's going to help along these lines. We're seeing more and more rabid animals being identified in Erie County and she thinks it is a real concern for all of us.

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

RESOLVED that Local Law #6-1993, amending Sections 8.1(a) and 8.5 of the Animal Code, which was the subject of a public hearing on May 24, 1993, is hereby adopted.

Unanimously carried.

Trustee Piazza stated that one of the gentleman that spoke advised that if the board goes through with this it should also be concerned with rodent control.

Trustee Lowther stated she is going to take that back to the Glen Park Joint Board to discuss it.

Trustee Lowther stated her final resolution deals with a request that was made through the Traffic and Safety Board in the Village. The Town of Amherst also has a Traffic and Safety Board and for years one of our residents, Dick Hill, was a member of that board. He has since retired from public service from the Town and the Village and we have not had a representative from the Village of Williamsville on the Town's Traffic and Safety Board. A number of times the Town has taken action that directly impacts on the Village of Williamsville or a street that runs through our Village that is not controlled by the Village. She feels very strongly that there should be someone who is a resident of the Village on the Town's Traffic and Safety Board. Therefore we have put this resolution on the agenda this evening encouraging the Town to do so.

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

WHEREAS, the Village of Williamsville is an integral part of the Town of Amherst, and

WHEREAS, several major intersections and highways pass through or terminate within the Village of Williamsville, and

WHEREAS, the Town of Amherst has a Traffic and Safety Board which attempts to reflect, as accurately as possible, the entire community but presently has no representative who is a resident of the Village of Williamsville,

NOW, THEREFORE, be it resolved that the Board of Trustees of the Village of Williamsville hereby urges the appointment of a resident of the Village of Williamsville to fill the current vacancy on the Town Traffic and Safety Board.

Unanimously carried.

Trustee Piazza reported the Parks Committee has been very busy. Savor the Flavor will be July 20th. Planning continues for that. There is a meeting this Wednesday at 6:30 P.M. for planning Savor the Flavor. The regular Parks Committee is 7:30 P.M. If anyone has any input, they are welcome.

Trustee Piazza reported on Lehigh Memory Trail. We are taking some steps to delineate a potential area for what it would look like some time down the road if continued development does take place there. They moved 25 railroad ties over the weekend. He thanked Mayor Daniels for helping with the bullwork. The DPW will be moving another 25 or so. These were donated to the Village by Mr. Whitehead who is developing along Garrison. Part of his development entails putting some railroad ties around various trees to protect them and he has too many of them. He donated about 50 of those to the Village. All we had to do was move them.

Trustee Piazza reported on Garrison Park. We finally received a third bid for black top and a third bid for repairing the gazebo roof so that we hope to have the black top sealed and repaired around that pool before it opens. Also before we get into the full swing of the season, we will have the roof on the gazebo replaced with a fiberglass roof, depending on the bidder. All three bidders agree the wood shingles have to go because they don't hold up in this kind of climate. The DPW has been working on the parks also. Garrison pool was painted today. Island Park will be painted in the next week or so, then the pools will be ready for usage. Mr. Laubisch also informed Trustee Piazza that he had someone look at putting an electrical line to the back of Island Park. He had gained some information from that person.

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He is not ready to move yet but apparently that will go out to bid. One little glitch we keep running into is the facilities in Island Park. He's been talking for a couple of months now about having the facilities improved so that they would be usable by handicapped people. HUD has realized that the building is in what's called a flood way which means that we may not be able to use HUD funds or any Block Grant Funds to improve that building unless we can get a waiver on that so we are waiting for a waiver to see if we can get one. His suspicion is we will have to put this off until 1994 and plan it in our own budget. It's unfortunate that this kind of thing happens but the government is concerned that there could be a flood there once every 100 years and so therefore no federal funds can be used on that building as of right now.

Trustee Kaye asked if the board has submitted a request for a waiver.

Trustee Piazza stated it is in the process. He spoke with Administrator Cummins about it but according to what they said to her, it sounds like it is not going to be forthcoming.

Administrator Cummins stated originally the Community Development office thought the Island was just in the flood plain but when they looked at the flood map they realized it was in the flood way. It's more difficult to get a waiver for the flood way than the flood plain even though it is an existing structure. It probably has never flooded there since the dam gates were put in and probably never will flood but they just look at the map. The ultimate decision maker is HUD in Washington. Rich Leimbach is submitting all the information and was going to try to get some waivers. If we couldn't get it through them, the Building Inspector was going to work with the handicapped office and see if he could get a waiver through that group because he said they must have run into something similar someplace else. We're working on it.

Trustee Piazza reported pool attendants did attend a CPR class today. The pools will be opening on June 26th.

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

RESOLVED THAT the hours for the Island Park and Garrison Park pools for the 1993 summer season are as follows:

Dates open:	from June 26th to September 6th
Hours open:	from 11:00 a.m. to 8:00 p.m. daily

Unanimously carried.

Trustee Piazza reported that all four subcommittees of the Local Government Advisory Board are in process of working on specific items. We don't have anything coming out of the overall committee yet. The subcommittees came together last week and we addressed each of these issues and we realize that further investigation has to be done in all four areas.

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For the cable contract we have to follow the Town of Amherst's lead. Trustee Piazza spoke to Mr. Nesper on this and he feels that it will be resolved sometime within the next six months but it is a slow process. Mr. Nesper pressing the cable company and if they don't respond, he will then go to the FCC with the claim they are not negotiating in good faith. Unfortunately, the cable company is in no rush because they are only paying the Village 3% whereas other towns are receiving 5% income for use of their lines

Trustee Piazza reported that the senior citizens will have a picnic on July 31st and he will give more information on that at our next meeting.

Mayor Daniels stated we are ongoing with the Historic Preservation district in the Village of Williamsville and we have submitted a letter through the committee requesting some state funding for this project. We're hopeful that something will come through. We'll try to tie the business district into it because it has been found that this type of attractive area with historic preservation is very good for the business community as well. With parking an extra hour on Main Street it will make strolling around a little more pleasant. You can eat dinner or lunch and have time to visit the shop or historic structures in the area.

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

Unanimously carried.

Marie Plubell, 183 Garrison Road, questioned now that the Village has the contract for the water line, did they give the Village a date as to when they are going to start it and any date as to when it would be finished. Some of the residents would like to know how long the road will be torn up on account of the driveways and so forth and house painting. She also questioned if there is any way to having Garrison Road declared a historic preservation site. This has been used in Virginia and Maryland quite successfully where traffic became horrendous and they used historic preservation to work it out. She asked if Trustee Kelly was going to look into the cost of county versus town doing the road and the Village taking it over.

Trustee Kelly stated he has a big concern over what the cost is going to be. No one has really given the board solid figures yet. We have had some tests done by a company to see what kind of work needs to be done on the road as to whether the town's process would be a proper one. It's his understanding that the board would get more information in the next week or so but certainly he does have a big concern about cost if the Village is going to take it over. Right now the Village residents don't pay anything on their Village tax bill. Some people have been saying \$400,000 - \$600,000 every 10-15 years. He has a big concern voting to accept the road under those conditions. With respect to the water lines, it is his understanding that except for two places where they are cutting across fairly quickly, it's not going to be on Garrison Road itself, it's on the side of it. For the most part it's on the east side and then cut across.

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It's also his understanding that there won't be any long term cut off for any resident, that there would be immediate hook ups so there might be an hour or two that residents would be without water and that would be told to each resident beforehand. It's also going to be a total project according to Superintendent Laubisch of about two weeks in length once they start. He doesn't believe they've made an decision to the actual starting date. They want to do it as quickly as possible.

Ms. Plubell asked Trustee Kelly if he would have some of the figures as to the difference between the cost at the next meeting.

Mayor Daniels stated we've already sent a letter based on the meeting last Monday to Mary Lou Rath asking for a joint meeting between the County and the Village. Preliminary to that we need solid figures as to what the Village feels it is comfortable with asking for from the County money wise, dollar wise to get the road in good condition.

Ms. Plubell stated many of the residents in that area would like the Village to have control of it rather than going to a super highway the way they did Union Road. It has worked beautifully on Cayuga.

Mayor Daniels stated one advantage is that Cayuga is a dead end. That's not the case with Garrison. It is something that we could use as leverage to encourage the County to look more into Youngs Road for one thing and the other is that we can control the speed limits or stop signs and widening, the loss of trees.

Trustee Piazza stated Ms. Plubell mentioned historic preservation on Garrison. He asked her if she knows if other municipalities have been able to bring in federal funds for those particular roads?

Ms. Plubell stated she can find out the information and she will get it to him.

Trustee Lowther stated that Empire Soils is doing road testing for the Village and will be taking a good look at Garrison Road. They are going to take a look at all the information they have from the Town of Amherst on their construction method and all the information from the County on their construction method and compile everything for us and come up with some sort of a proposal as to the best way to deal with Garrison Road. There isn't anybody on this board who doesn't want to see Garrison Road improved; however, we don't want to see the trees cut down. We have a lot of reservations about the cost. There are a number of items we are looking at.

Trustee Kaye stated Kathleen Delaney, who is the Chairman of the Historic Preservation Commission in the Village is in the audience and is working on developing a historic preservation district.

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Mayor Daniels stated it is very difficult to get a County Road put on Historic Preservation at this point but the Board can look into it. It may be that the circumstances surrounding that particular road are not identical to where it's been successful before.

Kathleen Delaney, 50 Swan Place, stated if it's a corduroyed road, she knows from past work with environmental consulting and having to do an environmental impact statement, there often are federal monies available for the repair of but that would mean that there would have to be an archaeologist involved and he or she would have to take samples and go down to the absolute road bed to discover the log path and the log roading. She believes this has happened in places like Williamsburg and in the New England states where it is much more prevalent. She knows this happened when they were laying the rail for the subway downtown and they found remnants of corduroy roads in front of the Studio Arena theater and throughout that area. That held up progress there for quite some time. She doesn't know how much more money was available to them because they did have to preserve that spot. A lot of those logs were taken to the Erie County Historical Society but it is a real long term process. Regarding the installation of the waterline on Swan Place, if the Board could notify the residents when it will be shut off to traffic it would be appreciated because there are people who literally have no other entrance to their homes.

Mayor Daniels stated between the paving and the waterline there is going to be some disruption, but we will try to minimize it. The water will always be on. We'd be running a line parallel to the one we are replacing.

Trustee Kelly stated regarding the paving, the work is done by the Town and the Village has to piggyback their schedule. He knows Mr. Laubisch is trying to work to time it so there won't be too long of a wait between the installation of the waterline and the paving.

Trustee Lowther stated that Superintendent Laubisch did indicate to her that as soon as the line was laid would be trying to facilitate it so that the road was done at the same time. He is aware of that problem.

Carolyn Schlifke, 192 Evans Street asked if the Village DPW is responsible for the sweeping of Main Street. The gutters on Main Street were always in rather deplorable condition, a build up of dirt. It seems as though when she goes down Main Street very early in the morning someone has been out, she would assume with an automatic sweeper and is cleaning them.

Mayor Daniels stated they have a new machine that is only in it's second year now. They are able to get around the Village twice as fast.

Ms. Schlifke stated she would like to commend the Village that the gutter areas on Main Street now look great.

Ms. Schlifke commented on the landscaping out in front of Village Hall. When she served on the Board she worked with a professional landscaper to have that landscaping put in.

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She personally thinks it looks very nice. She did notice that a couple of the original shrubs are deteriorating and probably should be replaced. She would like to suggest that when they are replaced the same type of shrub be planted. Inasmuch as it was professionally done, it was done to enhance the design of the building and she personally would like to see that design kept, not replaced with some other type of shrubs. That is just a suggestion.

Ms. Schlifke also commented on changing to two hour parking on Main Street. She believes there are two parking limit signs in front of the center of the Village that are missing the "except Sunday and holiday" which is a small sign that is underneath the time limit sign and the way they read now, it's "one hour limited parking". So perhaps the DPW could fill in those signs that are missing as present in front of the center.

Trustee Lowther stated she will tell Superintendent Laubisch to do that when they are changing the one hour to two hours.

Ms. Schlifke remarked about the water surcharge. She was unfortunate enough to have a water leak in a toilet recently without being aware of it until she got her water bill. She just paid her water bill on May 15th so she hopes that it doesn't fall into the summer period because she got a \$95.00 water bill that she normally would have gotten a \$25.00 water bill. She would have had it repaired a lot sooner if she had because she not only had to pay the \$95.00 water bill but also a \$50.00 plumbing bill. These are some things that have to be considered when you talk about summer usage as compared to winter usage. While Mr. Crangle had a lot of statements to make about how wonderful the Erie County Water Department is run, he mentioned it was run so efficiently that they had a million dollar savings in 1992. If that is so, she doesn't know why they would feel the rates would have to be increased. While we all probably could be a little more conscious of conservation with water, she doesn't think that making Village property more attractive by watering the lawn or planting flowers to beautify the Village is a luxury. She thinks it is something that makes the Village attractive to other people. She certainly enjoys living in a house that is attractive. Water is necessary. If people can afford a swimming pool, she is sure they have worked very hard for it. Some people feel that is a luxury, they may not go on a vacation that year because they have a swimming pool. In other words, we are being penalized for all these things we have worked hard for in order to enjoy living in the Village of Williamsville. While Mr. Crangle explained all the additional expenses that it took in order to supply us with water in the peak times, he didn't say anything about the lesser amounts that it cost him in the times that were not peak when the water was not being pumped as heavily as it is during the peak times. To her, one balances out the other and she has a problem with paying a surcharge on anything. It's like paying a surcharge on your income tax. You pay it once and then you pay it again. She thinks it is bureaucracy and she hopes the Village will look very carefully on what the Authority is trying to do to the Village and do whatever they can to keep them from doing this. She knows we need their water that we are bound in certain extents to paying what they charge the Village. She thinks if you stand back and make some suggestions to them and not just stand still then perhaps something equitable can be worked out for the residents of the Village of Williamsville.

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Ms. Schlifke stated as a resident of Evans Street she also lives on a County highway. She thoroughly sympathizes with the people on Garrison Road because she went through a complete reconstruction of Evans Street about 30 years ago with a widening, loss of trees and turning it into a 3 1/2 lane, super highway more or less. We've been threatened, even in the last couple of years with perhaps an additional widening which would be horrendous for people living in the older area of Evans Street up near Main Street. While the residents of Garrison would like to keep their street the way it is, she thinks the Village Board has to look at the overall cost and not take into consideration the widening or the loss of trees. She doesn't want to see this Board have selective representation. If, five years from now, Erie County comes along and says we must now widen Evans Street more than what we did 30 years ago, whoever sits on this Board, are they going to take a stand and try to have Evans Street made into a Village road instead of a County highway. She thinks that is what it all boils down to. What you do for one you must do for another. The policy the Board sets now is a policy that should be representative of all the citizens of the Village of Williamsville, not just the people that live on one street. She'd like to see that street repaved also and she doesn't want to see it widened. She certainly doesn't like to see trees lost. Cayuga was taken over by the Village only after the residents agreed to give up their on-street parking. That was many years ago. That was the only reason that the county agreed not to widen Cayuga any further than they did was because there is no parking on either side of Cayuga. She hopes the Board is seriously going to think about what they are going to do for Garrison since someone else in the future may come along and ask the Board to do the same thing for them.

Mayor Daniels stated if Garrison Road is not widened and the Village controls it, the propensity for Evans to have more traffic will be lowered. What you are doing is discouraging traffic on Garrison. To widen Garrison is to encourage more traffic not only on Garrison but on Evans as well. Not widening Garrison would serve as an hourglass type effect which he is hoping will encourage the County to make improvements to Youngs Road rather than to Garrison/Evans. Given the reservations that some of the Board members have, he thinks the positives outweigh the negatives in this situation. It's the same thing with the sidewalks. He knows that Ms. Schlifke has reservations about someone putting sidewalk on Garrison because it should be the requirement that the whole Village to be sidewalked. The Village should try to get some funding but also require every resident to put sidewalk where there aren't any and go village wide with it but for all practical purposes this probably is not going to happen. A lot of times you have to grab for what you can get and hope you can build on that into the future.

Ms. Schlifke stated she thinks it is important to put sidewalks where they belong and over the years this has not been done. It has turned out to be a mistake and that's why she thinks it is best to stick with the law. New construction should have sidewalks. You may not think this is important but when that cul-de-sac becomes a playground for the little children, one car going into the cul-de-sac or backing out of the driveway can become a dangerous situation. Right now, one whole side of Garrison does have a continuous sidewalk. It would be wonderful to have it on both sides just as it would be wonderful to have it on both sides of Evans Street which we don't have but she thinks it is more important to put it where it belongs now.

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Fanet Lester, 175 North Long Street stated she is here for the Williamsville Business Association. She was a former member of the Village Beautification Committee and she thinks her suggestion is going to enhance the Village during the World University Games. We have come up with money to put up banners at six intersections throughout the Village at every traffic signal as it is marked on the maps she gave the Board. They would be World University Banners that are 30" wide and 30" long. Brackets would be placed at the top and at the bottom of the electrical poles. She has talked to Bob Simmons of Niagara Mohawk to get permission to use the electrical poles and Michele Fennet who is the Manager of the Ceremony for the World University Games. She is really excited about this but doesn't know how the Board feels. She realizes the banners have to start at 14' and go up. The Williamsville Business Association has come up with the monies. She is here to work together with the Village.

Mayor Daniels stated the discussions that he has had with Ms. Lester and the Business Association are similar to what we were discussing with the Christmas decorations that are installed on Main Street. He realizes that the ones we have are pretty tacky looking and he was talking to the Business Association to see if they would to purchase improved decorations and we would as usual put them up. This would be similar to other communities where the Business Association or community provides the decorations and the Village or Town and installs them. That's a common practice in other areas. He believes the Business Association has the funding to supply the brackets and the flags for the World Games. The brackets would remain after that and could be used for an American flag or similar banner.

Trustee Lowther stated she is all for the World University Games, she is a volunteer and she is very heavily involved in it. Does Ms. Lester think that is the best use of the Business Association's money? It's a one shot deal.

Ms. Lester stated this is the money that the Business Association has appropriated for the World Games. This money has to be used for World Games products. After the World Games are over with, then hopefully they can raise more money for seasonal banners, an American flag, something to let you know you are in the Village of Williamsville. The brackets will already be purchased.

Trustee Lowther asked if the brackets will remain in the air with nothing on them.

Ms. Lester stated hopefully there will always be something on them. It is her goal to beautify the Village as to have something on them all the time. The brackets are guaranteed for six years. There are different flags, made for a city or town use. This are not a residential flag.

Trustee Lowther asked if we need information from the state as to whether we can do this.

Ms. Lester stated we have to apply for a permit. Other places have no problem with that. She doesn't think the Village would have a problem with that legally. She thinks the Village and the Business Association have to work together to get this done. We can't do it without the Board's permission and we have the money to do it.

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Trustee Lowther stated she would take it to Traffic and Safety to make sure that they have no safety concerns regarding blockage of traffic. Trustee Lowther also stated she would like Attorney Troy's input on this as far as our responsibility in case of a problem.

Ms. Lester stated when she was on the Beautification Committee they tried to do this several years ago and there wasn't any monies available. Now the monies are available. She wants to let people know that they are in the Village.

Trustee Kaye stated really Ms. Lester is not just asking the Board to approve World University flags but really the whole concept of having flags in the Village.

Ms. Lester stated the funding that they have raised at their auction is enabling us to have these flags in our Village.

Trustee Lowther stated Ms. Lester is asking the Board to talk about this happening year round. Ms. Lester stated basically the brackets would not be empty.

Trustee Kaye asked Attorney Troy if it should go to the Planning Board and if they would get involved in regulating what kinds of signs would be included.

Attorney Troy stated he is always concerned about private groups using public facilities for a private message. We've gone through this issue before, the problem of who controls the message and that is a serious problem in a municipality.

Ms. Lester stated that is why our first suggestion was to replace it with an American flag. It would not offend anyone. We have to have the input from everyone on these flags. The problem she has with the World University Games is that she has to order the banners almost immediately.

Trustee Piazza asked if, just for example, we left the approval in the hands of the Planning Board, that would give the Village control of what goes on these brackets.

Attorney Troy stated this is going to take the input of a variety of committees including the Board itself. He doesn't think it is the sort of thing you want to leap into with both feet on the first impression. It doesn't seem to be prudent. There are all kinds of legal questions that are raised about liability, even whether or not our village codes might have to be amended to tolerate these banners. He thinks the Board would be precipitous if it were to simply move on this tonight without thoroughly researched the whole problem. The next question is visual pollution. That is a serious problem in many communities.

Mayor Daniels asked if the concept of this is so different from the Christmas decorations.

Attorney Troy stated the Christmas decorations belong to the Village.

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Mayor Daniels asked Attorney Troy what if the Business Association donated the money to the Village to be spent.

Attorney Troy stated the Board can always exempt itself. He feels much more comfortable with that.

Mayor Daniels asked Ms. Lester if that is something the Business Association would be willing to do. It would also take the Association off the hook insurance wise.

Ms. Lester stated she is sure that they would approve of that although she would have to get their okay.

Mayor Daniels stated then the brackets would belong to the Village.

Attorney Troy stated we are discussing something that is going to take a lot of planning and a lot of thought.

Mayor Daniels stated it sounds like something that won't happen in time for the World Games.

Ms. Lester stated the Association doesn't care if they own the brackets. We just want to beautify the Village. She doesn't think that the Business Association would mind giving the Village the monies if it were allocated towards the World Games and the brackets.

Trustee Kaye asked if the Business Association donated the money or donated the flags but yet they were in the existing holes where the American flags were today, would that make a difference?

Attorney Troy stated the Traffic and Safety Committee should be taking care of this sort of thing. We have a regular procedure for running the affairs of the Village and he doesn't see any reason under any circumstance why we should deviate from that. We are not in a state of emergency.

Trustee Kaye stated what she is hearing from Ms. Lester and Attorney Troy is that by the time we get through our process will have missed the World University Games.

Attorney Troy stated many other residents in the Village look upon this as just the sort of thing the Village of Williamsville should avoid. A lot of people consider this sort of thing visual pollution and he thinks this board should weigh both ends. It is very nice and commendable that Ms. Lester feels it is important that she is beautifying the Village but there are other people who think otherwise.

Trustee Kaye stated she did hear Dick Baer talk about visual pollution the other day.

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Trustee Lowther stated she agrees. She thinks it needs to go through our normal procedure which is going to eliminate the World University Banners. She asked Ms. Lester if she could do some other kind of promotion for the World University Games and still have some of that money left for the brackets.

Ms. Lester stated she can't use any of the World University Games money for future brackets. She would have to use all the money for World University Games.

Attorney Troy stated he would want the Planning Board, the Traffic and Safety Committee and maybe the Beautification Committee to have input.

Mayor Daniels asked Attorney Troy when there is a temporary banner hung, is it a Mayor's permit? If this is a temporary two-week permit with no long range guarantee, it's a simple procedure to permit that through the Mayor.

Trustee Lowther stated she agrees but what happens if they will go ahead and buy the brackets. Ms. Lester is going to come back to the board and be upset if the Association can't use them again if the Planning Board says they can't use them.

Mayor Daniels asked what if at the outset it is understood that there are no guarantees. They are spending the money that was raised by an auction. If they are not used again then they become the property of the Business Association after the two or three week period with no guarantees. If the Village does at some future date want to incorporate that type of activity, it's possible to resurrect them. If they are willing under those circumstances with no guarantee other than July 20th they come down.

Ms. Lester stated she would be willing to meet with all the other boards in the meantime to see if they would want them up in the future. She thinks they are going to look wonderful and there is going to be a positive response. If they are only up a short time, so be it. She won't fight for it anymore.

Trustee Lowther asked Ms. Lester what her total budget for this project is.

Ms. Lester stated the total budget is \$2,400, of which \$1,200 has to be used toward the World University Games.

Cliff Horey, 106 Highland Drive stated there is a section in the Vehicle and Traffic law that says you can't hang a poster, banner or anything from a utility pole. It's been there for years. He's glad Ms. Schlifke brought up N. Cayuga Street about no parking. The people wanted the street so they didn't get to park. He thinks that is something the Board should look into on Garrison Road. If you are cutting down a side of Garrison Road so it's going to keep the traffic going over on Highland Drive or Hirschfield, he is sure the Board is going to hear many bad reports from most residents. He doesn't want traffic.

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if there are 7,000 cars that go up that street a day and there are only 5,000 to 6,000 people living in the Village. He is sure everyone in the Village doesn't go up and down that street every day. It's transit trade. Let the transit trade use the County roads. What about the end of Garrison Road. It isn't in the Village. What is the Village going to do with that? Is it going to buy the part that is in the Town? What is the Town going to do with it? Leave it wide, leave it unrepaired? Garrison Road doesn't go all the way to Wehrle. Regarding Mr. Whitehead, he only owns a hundred feet on Garrison Road. Where is he going to put the 400' of sidewalk?

Trustee Lowther stated Mr. Whitehead is willing to donate 400' anywhere on Garrison that the Village chooses.

Mr. Horey stated fine, the sidewalk on the west side of Garrison Road ends at Scott now. The Traffic and Safety Committee worked on a survey. We went all over the Village. We thought maybe grant money could be used to put in more sidewalks. Now Mr. Whitehead is putting nine houses in and he doesn't have to put sidewalks in? He thought when you build up a house you have to put sidewalks in. Isn't that in the permit. He's putting 400' of sidewalk in, if he puts it on Castle Court he's got to put much more in.

Trustee Lowther stated he does not have to put it in the eight lots. He only puts it from Garrison down to the first lot. He is not required to install them on Garrison Road because that's not new construction.

Mr. Horey stated that's right. If you are going to rebuild Garrison, why not figure on putting a sidewalk in so the people can use it. The Village is going to have to put it in sometime. As soon as Castle Court is built the people want to walk to the park and there is no sidewalk for them. He thinks if you have an ordinance, enforce it. If you don't want it, take it off the books.

Mayor Daniels asked Jerry Gordon if he had heard any more from the museum.

Jerry Gordon, stated he hasn't heard anything..

Mayor Daniels stated Warren Miller was supposed to have his house looked at when Mr. Gordon's was being looked at but he was out of town and canceled out with the mover.

Trustee Kaye stated it has happened. They looked at both. She got a call last week from the museum looking for Mr. Gordon and wanting to know if she knew anyone who had a key to Mr. Gordon's house so they could see the inside. That's the only way that she knew they were coming out to look at Warren Miller's house or Mr. Gordon's house. She was surprised when she got there that no one from the Village was there. No one knew they were coming. When she went there she thinks Warren Miller was surprised to see her because he asked her why anyone from the Village was there. They looked at Warren Miller's house and at Jerry Gordon's house and the mover said in his estimation they were movable.

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They were going to go back to the museum and talk to Director, Andrea Shaw to see if she wanted either one of them or both of them and then whether they had the money to pay for them.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved at 10:15 P.M. to adjourn to meeting.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

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