

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, July 26, 1993 at 7:41 P.M.

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

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

Absent Patrick Kelly

Also Present: Sherry Brink, Recording Secretary

The Clerk read the notice of public hearing being held by the Board of Trustees on Monday, July 26, 1993 at 7:35 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which will add Chapter 11 to the Village code pertaining to Brush, Grass, and Weeds.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to open the public hearing at 7:41 P.M.

Unanimously carried.

Trustee Kaye stated Trustee Kelly has asked her to run this hearing in his absence.

Trustee Kaye stated this new local law would deal with growth of weeds, grass, poisonous plants and other vegetation. It would deal with the duties of the owner, lessee or occupant of the property in depositing on vacant land of any kind of debris, trash, leaves, hay, waste, straw, litter, waste paper boxes, shavings, serving notice to those lessees or owners and removal by the Village and penalties for these offenses. Trustee Kelly had been the liaison to the Building Department until this past April and this is a law that he is proposing. She also has a memo from Trustee Kelly that she will read into the record as well a memo from Administrator Cummins, after she reads the proposed law.

S -1. Growth of weeds, grass or other vegetation; poisonous plants.

A. It shall be unlawful for any owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having control of any occupied building lot or plot of land or any part thereof in any developed section of the Village of Williamsville, to permit or maintain on any such lot or plot of land or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb or the middle of the alley or for ten (10) feet outside of

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such property line, if there is no curb, any growth of weeds, grass or other rank vegetation to a height greater than then (10) inches on the average or any accumulation of dead grass, weeds or brush.

B. It shall also be unlawful for any such person to cause, suffer or allow poison ivy, ragweed or other poison plants detrimental to health to grow on any such lot or plot of land in such manner that any part of such ivy, ragweed or other poisonous weed shall extend upon, overhand or border any public place.

S 2. Duty of owner, lessee or occupant.

It shall be the duty of any owner, lessee or occupant of any such lot or plot of land in the Village of Williamsville to cut and remove or cause to be cut and removed all such weeds, grass or other rank, poisonous or harmful vegetation as often as may be necessary to comply with the provisions of the above section, provided that cutting and removing such weeds, grass or vegetation at least once in every three (3) weeks between May 15 and September 15 shall be deemed to be a compliance with this Chapter.

S 3. Deposit on vacant land.

It shall be unlawful for any person, either as owner, lessee, agent, tenant or otherwise, to throw, cast or deposit, or cause or permit to run, drop or remain or to be thrown, cast or deposited, in or upon any vacant lot of land or vacant place upon the surface of any lot of land, enclosed or otherwise, within the Village of Williamsville, exempt at such place as designated or provided by the Board of Trustees of the Village of Williamsville, any waste, leaves, brush, hay, weeds, straw, litter, wastepaper, boxes, shavings or any filthy combustible or flammable materials, rubbish, garbage or dirt whereby a fire hazard, danger or risk many be engendered or injuriously effected or whereby the premises of another or the enjoyment of the premises of another is or may be injured, damaged, interfered with or prejudiced. Nothing in this section shall be construed as to prohibit the depositing of manure upon any private property for the cultivation of the same.

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S 4. Service of notice; removal by village.

If the provisions of the foregoing sections are not complied with, the Building Inspector shall serve written notice, either personally or by mail, upon the owner, lessee of occupant or any person having the care or control of any such lot of land, to comply with the provisions of this chapter. If the person upon whom the notice is served fails, neglects or refuses to cut, remove or cause to be cut and removed such weeds, grass, vegetation or rubbish within five (5) days after receipt of such notice or if no person can be found in the Village of Williamsville who either represents or claims to represent such owner, the Building inspector may, following approval of the Board of Trustees, cause such weeds, grass, vegetation or rubbish on such land to be removed, and the actual costs in connection therewith shall be certified by the Building Inspector as to the property on which such weeds, grass, vegetation or rubbish were located and shall be added to and become and form part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.

S 5. Penalties for offenses.

Any person committing an offense against any of the provisions of this chapter shall be guilty of a violation under the Penal Law and, upon conviction thereof, shall be punishable by a fine of not more than two hundred fifty dollars (\$250) or by imprisonment for not more than fifteen (15) days, or both. Each day of continued violation shall constitute a separate, additional violation.

Trustee Kaye stated this proposed local law is very similar to Blasdell. The language came from their local law.

Trustee Kaye read a memo addressed to all Village Board members from Trustee Kelly dated July 26th. (Copy attached) She also read a memo to all Village Board members from Administrator Cummins dated July 26th. (Copy attached)

Maryanne Avery, 64 Garrison, asked if this is simply on vacant land or on anybody's plot.

Trustee Kaye stated her understanding is that it would be on anyone's plot.

Ms. Avery asked if wildflowers can't be grown if they are over 10 inches high.

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Trustee Kaye stated according to the proposed law it would be any growth of weeds, grass or other rank vegetation to a height greater than 10 inches on the average or any accumulation of dead grass, weeds or brush. It would be subjective if wildflowers were rank vegetation.

Ms. Avery stated maybe there should be a distinction between what people consider esthetic and what is neglect. There are a great many people in the Village who are very fond of wild flowers and wild plants. Some people have lots that are largely wild flowers. If that is their intent, it is not that it is being neglected. Also, it doesn't mention humus piles but it does sort of indicate that perhaps humus piles might not be legal under this code. Everyone knows that humus piles are a very logical, environmental way of disposing of waste. It doesn't cost the Village anything. There is a humus pile in her backyard. Someone might go in her backyard and say she is maintaining a nuisance, while it's not at all. She is afraid Trustee Kelly is not environmentally sound on this proposal.

Trustee Kaye stated it does talk about leaves and brush. Those would be illegal if they were dumped on your property or someone else's except in a place that is designated or provided by the Board of Trustees of the Village of Williamsville.

Ms. Avery stated the code seems to discourage keeping compost piles. That is the very thing that the Village and the Town ought to be encouraging people to do.

Trustee Kaye stated in Section 39 of the Village Code does encourage people to compost.

Ms. Avery asked if it's not grass it can't be over 10 inches high?

Trustee Kaye stated it doesn't have to be grass but it has to be less than 10 inches and it must be mowed every three weeks between May 15th and September 15th.

Ms. Avery stated if Trustee Kelly is aiming only at neglected property, then maybe somehow that distinction should be made in the code.

Mayor Daniels stated whenever a local law of this type is constructed, it's very difficult to exclude or include every possible exception or circumstance. It has to be constructed in such a way that common sense will dictate whether wild flowers are indeed a nuisance or not. The composting of leaves would be a positive; however, the compost pile would be better in the backyard rather than the front yard by the sidewalk. You either make it so specific that it is very difficult for the residents or you hope that whoever is enforcing it is sensible. Trustee Kelly was very upset by the fact that we have very few weapons against the owners who, in this case are absentee landlords on his street, and are renting to someone who has very little concern or care about his neighbors' and his property around it. It is an eyesore and detracts from the values of the properties abutting it. It's a person who lives in Hawaii, and trying to enforce something long distance is very difficult.

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Trustee Piazza stated he agrees with Ms. Avery. Maybe the words "resulting from neglect or as a result of neglect" might be added to the proposal. That is what the law is aiming at.

Trustee Lowther stated she would like to see something specific in the code stating that a recognized compost pile would be exempt from this code. She thinks we should all be encouraged to maintain and have compost piles. That is something that is going to help us to control our garbage costs in the next century.

Trustee Lowther stated the wildflower issue is a very subjective type of problem. She has an escarpment running through her backyard which is visible to 10 or 12 other properties on North Ellicott, Belmont and Orchard. She has a strip along the escarpment that she lets grow with wildflowers including Mullein, which probably gets 10 feet tall. The rest of it is all mowed down very nicely. She doesn't think anyone wants to see the purpose of this law misconstrued or misused into turning us into a bunch a clones and perfect Chem Lawn type lots. She thinks we have many individuals living in the Village and she likes it. She understands the reasons for this law and the specific problems that we have but she thinks we need to have the Village Attorney review this proposal and give the Board some thoughts and suggestions on it because she doesn't want it to be misconstrued or misused against people who are enjoying the freedom of their own property in the Village.

Attorney Troy stated he has already started on it.

Trustee Kaye stated she has spoken to Attorney Troy and he will be submitting his comments. She has also spoken to David Sutton who has comments as well which he would like to be part of the record about this particular local law.

Trustee Lowther referred to the law that Trustee Kelly's memo and asked if this is covered by the New York State Building Code.

Trustee Kaye stated she doesn't know what parts of it are. She asked Attorney Troy if the New York State Building Code covers these items.

Attorney Troy stated there is a great deal of redundancy here. There are also questions about the legality of compulsory requirements on the landowner to take care of premises that are not his own which lie in the public right of way. State Village law does require a portion of the sidewalk maintenance be authorized. It's simply a matter of personal pride. He is looking to see if he can find some for compulsory requirement that a person takes care of the property that is not their own.

Trustee Lowther stated that Trustee Kelly is saying is that the law is not being enforced. If we are having an enforcement problem, she thinks that is the area that needs to be addressed as well. She would like to talk to Trustee Kelly about it at greater length at the next meeting and by then the Board will have suggestions from Attorney Troy also.

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Trustee Kaye stated we should also have the written input of the Building Inspector, David Sutton. She does have some questions on these sections as well.

Trustee Kaye stated this public hearing will be recessed to August 23rd. If anyone has some thoughts they may come and share them with the Board or they can send a note to Village Hall.

ON MOTION by Trustee Kaye, seconded by Trustee Piazza, the hearing was recessed until August 23, 1993.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, July 26, 1993 at 8:08 P.M.

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

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

Absent: Patrick Kelly

Also Present: Sherry Brink, Recording Secretary

The Clerk read the notice of public hearing being held by the Board of Trustees on Monday, July 26, 1993 at 7:40 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which will amend Section 112-2 , Definitions, and add Section 112-24 entitled Satellite Antennae.

ON MOTION by Trustee Lowther, seconded by Trustee Kaye, it was moved to open the public hearing at 8:08 P.M.

Unanimously carried.

Trustee Kaye stated this is the second public hearing on satellite dishes. The Board held one several months ago and we received many comments on the proposed local law. Since many of those were significant, we are having a new public hearing to review those changes and get the public's additional input.

Trustee Kaye stated this code would add definitions that would apply to satellite dishes, the satellite antenna, the usable satellite signal and would also add Section 112-24 which would regulate them. The primary changes since the last public hearing is that an antenna would be allowed on a roof of a principal building which was not in the original proposal. If it is to be put on the roof of a principal building then it needs to be accompanied by a set of detailed plans. There was quite a bit of discussion between the Board of Trustees and the Planning Board about where it might be placed in the roof. The code as it is being presented now, states that if the ridge line is parallel to the street line, then the antenna should be placed on the back sloping side of the roof. If the ridge line of the roof is perpendicular to the street line, then the antenna should be placed no closer to the street than the mid point of the roof ridge line. An antenna would be treated as an accessory structure as defined in Section 112-2 of the Village Code unless it was attached to a principal building. Also, the size of the dish was brought down. At the last public hearing the size of the dish was 12' across and it has been lowered to 8' across. The maximum height may not exceed 15' above the highest point of the building roof also.

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Trustee Kaye read the proposed local law.

SECTION 112-2 OF THE VILLAGE CODE IS HEREBY AMENDED TO ADD THE FOLLOWING DEFINITIONS:

SATELLITE ANTENNA

Any parabolic dish or other antenna apparatus or device which is designed to receive television, radio, microwave, or other electronic signals, or combinations thereof from a transmitter or transmitter relay located in outer space.

USABLE SATELLITE SIGNAL

In the case of a television antenna, is a satellite signal which when viewed on a conventional television set is at least equal in picture quality to that received from a local commercial television channel or by way of cable television.

CHAPTER 112 OF THE VILLAGE CODES IS HEREBY AMENDED TO ADD A NEW SECTION 112-24 ENTITLED SATELLITE ANTENNAE.

A. Accessory structure, as defined in Section 112-2 of the Village Code, shall be deemed to include a satellite antenna, unless attached to the principal building.

B. For purposes of compliance with all setback requirements contained in the Village Zoning Code, a satellite antenna shall be deemed to include all cables, guide wires, supports, and any other above ground appurtenances necessary for proper construction and maintenance of the satellite antenna.

C. No satellite antenna shall be constructed without a building permit. Application for a building permit shall be made by the owner of the affected premises. The application shall include a survey of the property, showing the location of all physical improvements on premises as well as the proposed location of the satellite antenna and any proposed fencing or landscaping to be used to screen the antenna. Lot measurements and distances between all lot lines and structures shall be clearly set out.

1. Any application for erection of a satellite antenna on the roof of a principal building must be accompanied by a set of plans detailing the necessary construction particulars and sealed by an architect or engineer.

2. When attached to the roof of a principal building, a satellite antenna shall be located as follows:

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a. Where the ridge line of the roof is parallel to the street line, the antenna shall be placed on the back sloping side of the roof.

b. Where the ridge line of the roof is perpendicular to the street line, the antenna shall be placed no closer to the street than the midpoint of the roof ridge line.

D. The diameter of a satellite antenna shall not exceed eight (8) feet along its longest axis and the maximum height above ground level shall not exceed fourteen (14) feet.

E. The color of any satellite antenna shall be of solid earthtones in beige, brown, black, gray, or green and the original color shall be maintained at all times.

F. Consistent with the ability to receive a usable satellite signal, a satellite antenna shall be so located and designed as to reduce or eliminate its visibility from surrounding properties at street level and from the public streets. The construction of any fence or other screening structure shall be consistent with existing Village Codes regulating fencing and other types of screening.

G. The construction of any satellite antenna shall be accomplished in a good, workmanlike manner and installation shall be in such manner as to give reasonable assurance of the absence of potential hazard resulting from wind, electrical or other elements affecting the safety of individuals on property. Every satellite antenna must be adequately grounded for protection against a direct strike by lightning. An antenna may not be located on any trailer or any other portable device.

H. All lettering, symbols, or other pictorial matter displayed on any part of a satellite antenna or supporting structures may consist only of the manufacturer's identification and shall not exceed in size a total area of (2) two square feet.

I Not more than one satellite antenna shall be erected on any individual premises except that in any district zoned R-3M or in any commercial or manufacturing district a maximum of (2) two satellite antennae may be permitted.

J. A satellite antenna may be mounted on, or attached to or adjacent to, a building in a district zoned Commercial (C) or Manufacturing (M), but the maximum height thereof may not exceed fifteen (15) feet above the highest point of the building roof.

Carolyn Schlifke, 192 Evans Street, stated she is pleased to see that there will be something in the Village Codes regarding the satellite dishes. It is something that has been lacking. While it's not a big problem in the Village right at the moment, it could appear at any time and in order to protect the majority of the residents, she thinks it is important that something be put in the code covering such an installation. She asked Attorney Troy that by placing this under accessory structures, would it state how close they can be placed to lot lines?

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Attorney Troy stated it will be regulated by all the existing set back lines, from the rear and the sidelines.

Ms. Schlifke stated she has a problem with calling it an accessory structure. It just doesn't seem to fall under that category.

Attorney Troy stated by defining it as an accessory structure, then it qualifies.

Ms. Schlifke asked if black was included in the earth tone colors. Trustee Kaye stated yes.

Ms. Schlifke stated there are solid type antennae which quite often are white and a little bit more obtrusive. Then there are the mesh type which are quite often black. She doesn't know if one does one thing and the other does something else but she thinks the screening types are less offensive to look at. She has to assume that any that are already in existence will be exempt from this ordinance.

Trustee Kaye stated yes, they would be exempt.

Ms. Schlifke stated there is one on her street placed in an area which is completely screened from the individual's own sight and yet is visible from somebody else's view which certainly is not the object of being a good neighbor. She also doesn't know about fencing them. It is her understanding that fencing interferes with their operation.

Trustee Kaye stated if any fencing was going to be done, it would need to comply with the Village fence code as well.

Ms. Schlifke stated she doesn't like to see them on the roof at all, especially in a residential area. While people might think they are more out of sight if they are up high, to her they would be much more visible if she were standing in her backyard and looking around her neighborhood. She knows she would see it more if it were on her neighbor's roof than she would if it were on the ground because most people have fencing or bushes in their own yard. If you are standing on ground level you are not going to see the satellite dish on ground level in someone else's yard but if it is sticking 15 feet up in the air on the roof, she doesn't find that attractive.

Trustee Kaye stated it wouldn't be 15 feet above the ridge line of the roof.

Trustee Kaye stated it's maximum height is not to exceed 15 feet above the highest point of the building.

Ms. Schlifke stated on residences, if the roof line is parallel, it cannot exceed that from the front but it will be visible from the rear. Trustee Kaye stated yes. Ms. Schlifke stated if the roof ridge is perpendicular, then it would be visible from the street and from the backyard because it would be on the side of the house. There again, it cannot extend higher than the ridge line?

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Trustee Kaye stated that is correct. There was a great amount of debate over this issue. We've had many conversations about how to keep them from being obtrusive in the Village and to allow them but really try to keep them invisible in any way they can. They have come to a happy medium to try to satisfy those concerns. There are many people who are concerned that they did not want to see them solely restricted to ground level or a pole, since they did not want to see them in someone's backyard particularly if there is no fence there. We did have comments at the public hearing from someone who had one on their roof and also lived near someone who had one on their roof and felt they were less obtrusive than if they had been on the ground.

Ms. Schlifke stated she can't build a fence high enough to cover up the view of the roof where she could do something herself personally in order not to look at one at ground level.

Trustee Piazza stated Paragraph D says the maximum height above ground level should not exceed 14 feet. If it's on a roof, it's already going to be 24' up.

Trustee Kaye stated her understanding is that addresses those on the ground. If you were going to put your satellite dish on the ground, you couldn't have it higher than 14' off the ground.

Trustee Lowther stated she thinks we need to get a good handle on it after the problems with the Fleet bank and trying to let them install one.

Trustee Kaye stated there are concerns and she is starting to see them more in residential areas. As Ms. Schlifke mentioned, there is one on Evans that has popped up and the Village had nothing to regulate it.

ON MOTION by Trustee Kaye, seconded by Trustee Piazza, it was moved to close the public hearing at 8:26 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, July 26, 1993 at 8:27 P.M.

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

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

Absent: Patrick Kelly

Also Present: Sherry Brink, Recording Secretary

The Clerk read the notice of public hearing being held by the Board of Trustees on Monday, July 26, 1993 at 7:40 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which will amend Section 103-16 of the Traffic Code regarding standing on the west side of South Ellicott Street.

ON MOTION by Trustee Lowther, seconded by Trustee Kaye, it was moved to open the public hearing at 8:27 P.M.

Unanimously carried.

Trustee Lowther stated at our last meeting we had a request from a resident who lives on South Ellicott Street to change the parking situation on the portion closest to Main Street because between his driveway and a commercial driveway directly north of his property, there is a place not large enough to park a car. Cars are constantly being parked there which does not give him any personal access to his driveway. It looks like a simple amendment to the law. We are moving the sign about 4 feet from where it is so that it will accommodate the resident and it will not reduce any commercial parking that we have other than possibly one small space. She had asked Administrator Cummins to contact the homeowner and unfortunately the message was a little garbled and the property owner at Main and South Ellicott has not been notified. Trustee Lowther always feels comfortable letting our businesses know if there are any changes which might affect their businesses.

Trey Measer, 90 S. Ellicott, asked for the resident's address where this is going to be changed.

Trustee Lowther stated 19 South Ellicott. The changes are only on the west side of the street.

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

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, July 26, 1993 at 7:39 P.M.

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

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

Absent: Patrick Kelly

Also Present: Sherry Brink, Recording Secretary

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:39 P.M.

Mayor Daniels asked for a moment of silence for a past fireman, Robert Oemhler, who passed away on July 16, 1993 at age 65. He was an extremely active member in the community and a 29 year member of the fire department.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the regular meeting of the Board of Trustees held June 28, 1993 were approved.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to open a public hearing at 7:41 P.M. for discussing a proposed local law which will add Chapter 11 to the Village code pertaining to Brush, Grass, and Weeds. (The public hearing closed at 8:06 P.M)

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to open a public hearing at 8:08 P.M. by the Board of Trustees for the purpose of hearing all persons interested in discussing a proposed local law which will amend Section 112-2 , definitions and add Section 112-24 entitled Satellite Antennae. (The public hearing closed at 8:26 P.M.)

Unanimously carried.

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, July 26, 1993 at 7:39 P.M.

ON MOTION by Trustee Lowther, seconded by Trustee Kaye, it was moved to open a public hearing at 8:27 P.M. to discuss a proposed local law which will amend Section 103-16 of the Traffic Code regarding standing on the west side of South Ellicott Street. (The public hearing closed at 8:30 P.M.)

Unanimously carried.

Mayor Daniels stated the area has seen the World Games come and go which was a major undertaking. He thanked the Village Business Association for joining hands with the World University Games, especially Janet Lester who spear headed a drive to put banners along Main Street in eight locations. The Board has received some postcards asking that banners be allowed to continue on special occasions and events or seasonal flag displays along Main Street. In other areas in the Erie County area, Niagara on the Lake and East Aurora, even in Clarence, there are flags and banners posted along the thoroughfares that make the area look quite nice. Now that the Business Association owns the mounting hardware, there is the option for the Village to put up other banners in the future if the Board and the people of the community so desire.

Mayor Daniels reported that Savor the Flavor was extremely successful this year with a very good turnout. Before the Board meets again we will have a committee appreciation picnic where the Trustees and the Mayor treats everybody who are on volunteer committees, to a picnic in the park. That will be on August 17th. Last year there was a community band performing and this year there will be a magician to entertain. He's extremely good, very entertaining and good for the whole family. The Board is encouraging anyone who does volunteer work to bring their families and enjoy the evening.

Mayor Daniels reported we are looking at retaining a grant writer for the Village. There are so many ways to get money that are drying up and it is getting very difficult and competitive. Dollars are very tough. We haven't raised Village taxes in two years, which is a first for the Village. In order to stretch those dollars we need to look very aggressively at new ways to raise money. We've had a couple different firms come in and yet another one that we are going to be asking to give us a proposal for their services for accessing State and Federal funds and County funds or whatever else is out there and even low interest loans so that we can do the work we need to do in the Village on our Infrastructure Paving program, water line replacement and sewer work.

Mayor Daniels reported in negotiations with Adelphia Cable he received a letter that they are extending their agreement to the Village which will now expire January 5, 1994. That gives us another six months or so to continue negotiating with them. He also got a letter from Adelphia today saying that they have to negotiate individually with each station that they do broadcast and they don't like to do that and they are fearing that a lot of these stations will start to charge the cable company for being able to transmit. It's a very complicated issue and the whole issue of Adelphia Cable is very complicated. Any municipality that their lines go through charges Adelphia Cable for the privilege of doing that.

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It's anywhere from three to five percent of a \$21.00 or so bill per month that goes to municipalities. It is an income generator for the Village but it also a cost to the consumer.

Mayor Daniels reported that Old Home Days will be coming up next Tuesday to Friday, August 3rd -August 6th and this year there are some new events. Dick Gallagher is in charge of a steak dinner and the proceeds will go to Kids Avoiding Drugs. There is no German or polish dinner this year. We hope that the weather is much better this year than last year when it rained and we were flooded out. He recently received a letter from Police Chief John Askey. There was some concern that all the police coverage of the World Games, there wouldn't be enough for Old Home Days which is a considerable cost to the department. Chief Askey says in the letter "The department has thoroughly reviewed our policies in relation to the scheduling of manpower for Old Home Days. I will be able to satisfactorily staff this event to insure the safety and well being of those patrons attending this celebration and those residents who reside in proximity to this side of the celebration". With that assurance and liquor legal policies in place and all the other permitting in as far as the Village is concerned, we are happy to lease Island Park and its facilities to them.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$ 91,799.77 covering 06/24/93 - 07/08/93 were approved:

Payroll fund w/e 06/30/93	\$25,677.73
General fund	21,603.73
Water fund	33,794.02
Sewer fund	14.20
Trust & Agency fund	9,543.10
Glen Park fund	376.74
Capital	636.50
Community Development	<u>153.75</u>

Grand Total \$91,799.77

Large Vouchers:

Erie County Water	\$32,514.36
Niagara Mohawk Power	\$8,634.58

Unanimously carried.

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ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$ 111,201.94 covering 07/09/93 - 07/23/93 were approved:

Payroll fund w/e 07/14/93	\$22,189.17
General fund	77,566.38
Water fund	4,558.50
Sewer fund	374.27
Trust & Agency fund	5,641.38
Glen Park fund	<u>872.24</u>

Grand Total \$111,201.94

Large Vouchers:

L. R. Frank & Associates	\$25,560.00
Comprosec Corporation	\$11,270.96

Unanimously carried.

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

RESOLVED that James Schiferle and Eric Weinreber, Williamsville Firemen, are hereby authorized to attend the Ladder Tower Maintenance School in Ephrata, Pennsylvania, from August 1, 1993 - August 4, 1993, and the cost, not to exceed \$300.00 each, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that the Board of Trustees, acting as the Commissioners of the Williamsville Fire Department hereby appoints Michael Measer, 90 S. Ellicott Street as a Fireman in the Williamsville Fire Department.

Mayor Daniels stated it is to be noted that this is the third generation of Measers in the fire department.

Unanimously carried.

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

RESOLVED that Richard F. Czechowicz, Acting Village Justice is hereby authorized to attend the Office of Court Administration Advanced Training Program at St. Lawrence University from July 25-30, 1993 and the cost, not to exceed \$500.00 to be paid by the Village of Williamsville.

Unanimously carried.

Mayor Daniels stated we are issuing a bond to cover the cost of water line improvements and replacements along Garrison Road, Willowbrook, and Castle Creek which is going on right now in the amount of \$165,000.00.

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

RESOLVED that Bond Resolution authorizing the issuance of \$165,000.00 of Serial Bonds for the construction of Improvements t the Village Water Distribution system is hereby approved.

Unanimously carried.

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

THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, HEREBY RESOLVED AS FOLLOWS:

Section 1. The Village Clerk of the Village of Williamsville, shall within ten (10) days after the adoption of this resolution cause to be published, in full, in the "Amherst Bee," a newspaper published in Buffalo, New York, having a general circulation within said Village and hereby designated the official newspaper of the Village for such publication and posted in at least six (6) public places in the Village a copy of the bond resolution as adopted.

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Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the state of New York.

Section 3. This resolution shall take effect immediately.

Unanimously carried.

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

RESOLVED THAT the Village Clerk advertise for sealed bids for one (1) 1993 Medium Duty Truck, Cab and Chassis with a 10 foot dump box for the Department of Public Works. Bids to be opened on August 17, 1993 at 2:00 P.M. in the Village Clerk's office, 5565 Main Street, Williamsville, New York, under the terms of the standard bidding resolution.

Mayor Daniels stated it is to be noted that these are accounted for in our 1993 Village budget.

Unanimously carried.

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

RESOLVED THAT the Village Clerk advertise for sealed bids for one (1) 1993 Leaf Vacuum for the Department of Public Works. Bids to be opened on August 17, 1993 at 2:30 P.M. in the Village Clerk's office, 5565 Main Street, under the terms of the standard bidding resolution.

Unanimously carried.

Mayor Daniels stated he recently played a concert at the Canal Fest on the Niagara River. Erie County Legislator Chuck Swanick, one of the main movers who would have influence on the Garrison Road repaving was there. Mayor Daniels asked him what was happening with Garrison Road. Mr. Swanick said there is absolutely no resistance on the legislature's part to any cooperative effort in getting Garrison Road repaved with county funds but the County just doesn't have \$165,000.

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He said it's probably going to go into the 1993-1994 Erie County budget. If Mary Lou Rath wants that road repaved, she's going to have to vote for the Democrat's budget. The bottom line is a sad statement of the way things get done. Mayor Daniels told Ms. Rath that story and she shook her head and said that is just the way things go on the county level. One side of the legislature says yes, the other side says no. That is the latest on that. Mayor Daniels told Legislator Swanick that we wanted to have a meeting very soon to discuss exactly how much money we were talking about and what we would like to see happen. He is very open to that but of course that commits them to nothing.

Trustee Lowther stated during the World Games she worked at the Accreditation Center hustling athletes as they came to the airport in to get their credentials and back out onto buses to go to the University of Buffalo. She had a wonderful experience. The students and the athletes were great to work with.

Trustee Lowther reported the Environmental and the Traffic and Safety Committee will not be meeting in the month of August. The agenda says that the Glen Park Joint Board will be meeting August 3rd. We will not. Our next meeting will be in September.

Trustee Lowther reported there has been some significant vandalism in Glen Park. The pump house that is on Glen Park property but owned by the Glen Side apartments had some severe damage done to it. Apparently people were standing on the road above it and throwing huge boulders down on the roof. They completely demolished the roof. The owner had to do an emergency job on the weekend and had to replace the entire roof structure. He has asked for the permission of the Glen Park Joint Board to allow him to trench from the apartments to the pump house and install an alarm. She thinks that might be a significant help and the Board had no problem at all allowing him to run a small trench through and then covering it back up. Hopefully that will help solve the problem. Unfortunately, when something happens to the pump house, that is their sewer, it could leak, it could be exposed into the Glen Park and that is certainly a situation no one wants to see.

Trustee Lowther also reported there is terrible problem with illegal swimming in Glen Park. There are kids diving off the bridge on a consistent basis. She is very concerned that someone is going to be hurt. She has asked the DPW to make up some No Swimming or No Diving signs to help discourage this action. In the past, the problems we have had with people in the water have been up the base of the falls near Main Street. We never seemed to experience a problem with kids near Glen Avenue. For some reason, that's the place to be, the bridge is the hot spot to jump off. She is very concerned about that situation. Our security people have been notified and are trying to curtail it but it is difficult to do.

Trustee Lowther reported the education program at the Nole Nature Center has been going so well that we actually have a waiting list for some of the programs. We had a preschool nature program last week and it filled up over and above the allotted twelve. We expanded it to 15 children and we had to call a halt to it and take names at that point.

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We've had five programs in just this past week. Trustee Lowther attended one on Sunday that was on wildflowers. Earth Spirit was also there on Sunday morning and gave nature walks. It's been phenomenally well attended which tells her that this is something as a community that parents and children are interested in and want to see. We have seven more coming up in August. They range from the geology of the area in Glen Park to wood carving. There will be some additional nature hikes. There are some wonderful programs set up. We do have schedules of times of events that are available in Village Hall. If anyone is interested, she can give them a pamphlet. We just applied for another grant in hopes of either increasing what we are doing or continuing it for another length of time. The current funding will run out at the end of August and with the involvement that we have had from the community, we would certainly like to continue these programs.

Trustee Lowther stated a resident approached her this past week about donating a parcel of property to the Village. It's the very first house on Rinewalt and he would like to donate that to the Village to be used as a greenspace on a permanent basis. That's going to be on our work agenda this evening. She is delighted there is a resident who would want to give the Village a portion of land in hopes that it would remain green forever or have a small tot lot or neighborhood park on it. She thinks it goes a long way toward seeing how the residents of the Village are, how they perceive our community and how they feel about living here. She thinks it is really great.

Trustee Lowther stated she has a question about the water line replacement on Swan. On her way to the meeting tonight, a resident stopped her in the street and had a problem with the way the water line replacement has been handled as far as the auxiliary water to be used during the replacement process. We had understood that, according to the contract, there was supposed to be an above ground water line run to accommodate the residents on Swan. She has found out that this didn't happen. These people were told to take garden hoses and hook them to other people's property on Eagle and other adjoining plots of land. She is very concerned because our contract specifically calls for water service for these people. She can't believe they haven't called the Mayor and Trustees and complained. The idea of surviving for a couple of days off of a garden hose is just unbelievable. The Mayor has offered to contact the company handling the contract tomorrow, to see what we can find out.

Trustee Piazza reported that Savor the Flavor, which was held this past Tuesday, was a tremendous success. Mother Nature smiled very kindly on us. The gross receipts were over \$14,000. The restaurants involved were very happy about that evening. Trustee Piazza thanked Carolyn Schlifke, the Chairperson for the Parks Committee, who had a lot to do with the overall success and her organizational ability and leadership went a long way. He also thanked the Youth and Recreation. Trustee Kaye's leadership provided a lot of fun for the kids. He thanked Superintendent Laubisch and the DPW for the preparation of the event and cleanup afterwards. He happened to walk in the park about 8:35 a.m. the next morning and park was totally cleaned up. He couldn't believe the DPW were able to get in so early and clean it up. Mayor Daniels and Mrs. Daniels helped arrange for the stage. Mayor Daniels and himself did the bullwork of carrying the stage over there and setting it up.

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The office staff was very helpful. We were handling money and accounting. Theresa Cummins stayed quite late that evening and there were many others on the business side. Pat Reidel, Business Association President, and her crew did a fine job. Trustee Piazza may be missing certain people but he wants to highlight certain people who helped make Savor the Flavor a very successful event. Trustee Piazza gave a special thank you to those people and any others that helped.

Trustee Piazza reported we had enough for handicapped tables and four of those have been ordered. They probably won't be in until close to the end of the summer but will be available at the very beginning of the next season. We are having some blacktop added to the turns right in front of the pavilion in Island Park. It is just too tight a turn for trucks and cars. We are going to have some work done to try and to eliminate a couple of these sources of mud in that area. It has also been recommended that we add some blacktop at each end of the basketball court in Garrison Park. The actual pole holding the hoops are right at the end of the blacktop so the kids obviously run off it. We've tried reseeding the area several times. It's just not holding, so to try to avoid an area of mud at each end of the court, we are going to have some blacktop there.

Trustee Piazza stated that the Town of Amherst has done an excellent job this year as far as it's agreement to maintain the South Long Street diamonds. He will probably be recommending that we do this again next year but that is for future discussion. It didn't cost us anything. It would have cost us thousands of dollars if the Village were to maintain them and it worked out very well.

Trustee Piazza reported the Boy Scouts under the leadership of a specific scout who is working for his Eagle Scout rank, will be doing a cleanup and replanting in some areas in Lehigh Memory Trail, during August.

Trustee Piazza reported the Craft Show will be Sunday, August 29th. We are going to have a very good representation of crafts on that day.

Trustee Piazza reported the Local Government Advisory Board is still working on the cable contract. The Town of Amherst is trying to push the cable company and the cable company is trying to push the Village into a long term agreement that neither the Village or the Town wants because of potential technological breaks in the next three to five years. They are trying to commit the Village to a ten year contract. We do hope to have that cleared up some time this fall; however, he is not that optimistic. It wouldn't surprise him if he ended up seeing extension to the January 1994 date and approved by the FCC instead. The Government Committee guidelines are in the process of being revised. We will be discussing that at the work session after the meeting.

Trustee Piazza reported he went to an Erie County Water Authority Information Meeting with Administrator Cummins and Don Dehn last Wednesday. They provided some good information on what the Authority is doing as far as quality control. The big thing that came out of that meeting was a statement by one person who said there wouldn't be any increase in water rates this coming year or at the most it will be cost of living.

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Trustee Piazza reminded everyone that the Senior Citizens picnic is July 31st at the Amherst Museum Colony Park. There are still tickets for the chicken barbecue at \$6.00. Everyone is encouraged to attend. It is intergenerational so it is not limited to any one age group. You don't really need tickets to go and have a nice time unless you want to order a chicken dinner.

Trustee Kaye stated she is thrilled to see that Savor the Flavor was such a wonderful success. She thanked Trustee Piazza for all of his hard work and Ms. Schlifke and everyone that Trustee Piazza had mentioned. It was wonderful to see it be such a great success and see all these folks come out and have such a wonderful time and hopefully we can convince more restaurants to participate again next year. The Youth Board was thrilled to be able to participate in the free events for the children. Many people asked how much it costs and they were amazed to hear that they could come to something that was free, not only face painting but picture taking, bubble making and pony rides. It was very exciting. The events were sponsored by Key Bank, the Pancake House, the Jolly Boys, L.R. Frank, Stereo Advantage, Manzella Productions, Precision Bikes and the Moses group. Those businesses in the Village supported and sponsored the free events for Savor the Flavor. Trustee Kaye gave a special thanks to all those businesses and to all the Youth Committee workers as well as the Parks Committee workers who made it a wonderful event for the day.

Trustee Kaye reported the next Youth and Recreation Committee meeting will be August 10th. The Planning Board meeting will be next Monday, August 2nd.

Trustee Kaye reported that recently the Youth and Recreation Committee sponsored, as part of their events for the summer, an outdoor film in Island Park, The Rescuers, a Disney film. It was very well attended. We had about 140-150 people in attendance on blankets in Island Park. It was a perfect night for it. There will be another film, Pete's Dragon, shown on Thursday, August 12th. There is a rain date of August 13th. Also on the Youth Committee schedule of events, this Wednesday the Zoomobile will be in Island Park from 2:00 p.m. to 3:00 p.m. On Thursday, August 19th a fifties night will be held at Garrison Park with Glen Colvin and the Hipsters at 7:00 p.m. We are still moving along in the Village in terms of our composting request with the Town of Amherst to use their compost facilities sometime in the future. Superintendent Laubisch and Tom Wik from the Town of Amherst have worked out some of the details and now it is in the hands of Attorney Troy in the Village and Attorney John Lane from the Town to work out an intermunicipal agreement.

Trustee Kaye commented on the banners that the Village had for the World University Games and the postcards that were received. Mayor Daniels made a comment about this being an option if so desired. For her personally, as a Trustee on the Board, her concern with those banners on Main Street really has lies in the law, not whether or not we choose to have them. It is her understanding that both the Village law and the New York State Vehicle and Traffic Code prohibits these kinds of banners hanging over Main Street.

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Her concern is not that we, as a Board, have an option to choose them but that we choose to possibly ignore both the Village code and the State code by allowing them for other events rather than just for this one time world event. Maybe Attorney Troy needs to advise the Board in the future in terms of whether or not we should, if the Board chooses to continue having these seasonal flags, petition New York State Vehicle and Traffic to change their section of the code so that we wouldn't be in deliberate violation of their codes or if we should look at amending the Village code to allow for them so that we are not ignoring our own codes. From her personal standpoint, her concern that they, as a board, don't choose what laws they will obey and which ones they won't rather than whether they like the banners or not. She thinks that is important for those people who are petitioning the Board for the banners understand that as well. She did read a Letter to the Editor in the Amherst Bee about looking at having these banners in the upcoming months and she didn't want anyone from the Business Association to suddenly be surprised to find out that maybe it is against those two codes. Trustee Kaye asked Attorney Troy if he had put something in writing about the banners over Main Street to the Village Board.

Attorney Troy stated it was just verbal.

Trustee Kaye asked Trustee Piazza if the Parks Committee has a recommendation as to how to spend this year or last year's Savor the Flavor money.

Trustee Piazza stated Trustee Kaye is asking about a month too soon. The Committee will be discussing it at their next meeting. They were so busy planning for Savor the Flavor that they put it off until after the event.

Trustee Kaye asked if last years money from Savor the Flavor was spent .

Trustee Piazza stated not all of it.

Trustee Kaye asked if the Village is collecting 15% of the gross receipts? Trustee Piazza stated yes.

Trustee Kaye stated her resolution is for an appointment for a flower caretaker that we have every year as part of the Youth Committee's venture to rent the flower containers you see on Main Street. Merchants sign up every year for them, pay for them and as part of their rental agreement the Village has a person come in and take care of them, waters them and pulls the weeds in an effort to beautify Main Street.

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

RESOLVED THAT Jeffrey Schieder, 44 Highland drive is hereby appointed Flower Caretaker for the 1993 Summer season, effective June 28, 1993 at the rate of \$4.50 per hour.

Unanimously carried.

Mayor Daniels stated in a response to the banners on Main Street, he is not sure of the illegality. He knows it's been done in other communities in New York State. He suspects that it is illegal without obtaining a permit. It's the same as it is illegal to sell liquor unless you have a permit. It's not a case of you just can't do it, it's a case that it is illegal unless you have proper permitting. He thinks that is all that is required.

Trustee Kaye stated she thinks we should have that clarification as a legal opinion from our Attorney. If we have the legal communication, everyone will know what is and isn't allowed and how much jurisdiction we have. She thinks it was very noble for the Business Association to work so hard to raise the funds but she thinks it is important that we all know what we can or can't do by law.

Superintendent of Public Works, David Laubisch, reported Tuesday the 27th starts another trash pickup week in the Village. These are conducted on the second and fourth Tuesdays of the month. Over the past few weeks we've gotten quite a few phone calls regarding the trash pickup because we cannot control the amount of debris that is put out and we cannot give people a schedule. If everybody was allowed to put out one or two cans he could tell someone probably within half a day, barring equipment failure, how long it would take to pick the material up. The very types of materials that are put out curbside for pickup also dictates the schedule. Many times upon completion of trash pickup, people are putting items out on their lawn for the next pickup, which may be as far as two weeks or two and a half weeks away. Some of the materials are not pleasant to look at for that long period of time. Dogs or some other animal may get into the materials that are put out and make a mess. Our Village code specifies material is not to be put out to the curb before 6:00 p.m., the evening before pickup. We're not going to hold residents to 6:00 p.m. However, we are concerned with debris that sits out in front of the homes for two weeks or longer. We are going to enforcing the Village Code concerning this matter. He would like to just ask the residents to stop doing this and if not, we will have to pursue the Village Code a little more vigorously.

Mr. Laubisch reported we will be starting our paving program in another week or so and a half. It is going to be very limited this year because of the study we are undertaking on our road system. We will be notifying the residents a minimum of 24 hours in advance of any work to be done on their street. It's going to be a very minimum amount of pavement work done on the Village this year until we get our comprehensive road analysis back.

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Trustee Piazza reported the DPW today trenched an area for electricity to the back of Island Park.

Mr. Laubisch stated we are in the middle of that project. We lost the electrical line to the rear of Island Park and we know that any lighting reduces vandalism and discourages people from hiding in dark places and doing things they shouldn't be doing. We did complete the trenching today. The wire would have been in the ground had it not been for the severe electrical storm we had this morning. The wire will be put in the ground tomorrow and the lighting will be in at the end of the week so that we will have lights on the rear portion of Island Park.

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, asked Mayor Daniels to explain that Mr. Swanick was not at the meeting at Academy Street school. The County Engineers at that meeting said if the County handled the road, they were going to widen the road. It's going to cost between \$600,000 and \$700,000 and Mr. Swanick came out to Mayor Daniels the other day and said the County was going to pave the road for \$163,000 when they get money. Where did this come about?

Mayor Daniels stated they said they didn't have any money in the budget throughout all the negotiations, talks and meetings. They keep pleading poverty in the highway department budget. There is no specific dedicated funding in the Erie County budget for highways. He thinks that is one of the weak points of their budgeting because when they need money to balance a budget they will pull it from another area of the budget and highways have really been depleted as far as the amount that they have just for maintenance of the road. Mr. Swanick indicated to Mayor Daniels at the Canal Fest that they are undergoing a complete revamping of the County highway program and the way they are approaching the roads. He suspects that it is going to be a major thrust in the next budget year to realign numbers so that they can start addressing all the major problems that they have with the 1,200 miles of road that are in terrible condition. Unfortunately, our only answer, both to the money that they have and true accounting of the highway budget shows that they have no money. They originally said it would cost \$600,000 or \$700,000 to do Garrison Road for that half mile. Then we had asked Mr. Lucey of Amherst if would estimate the cost with his procedures. He has another way of paving roads that is not according to County specifications which saves a lot of money. They have just completed Lehn Springs.

Ms. Plubell stated she has seen Lehn Springs. She is wondering if Mr. Swanick is saying that everything that the engineers said at the Academy Street meeting is wrong.

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Mayor Daniels stated the engineers don't give you the money to do anything. They can tell you what is feasible or not according to engineering and they can explain how a road is built and what they would do if the road were built but they have to wait for the legislature to give them the money in order to go and do what they say can or cannot be done, according to their specifications.

Ms. Plubell asked if there is a possibility that they will do it for \$163,000 which is what the Town quoted and then not widen the road. This is what we would like to know.

Mayor Daniels stated they would not widen it at that cost because it does not include widening. The question is also is the Village satisfied with that type of paving with that dollar figure. Will that really address the drainage problem we have? There is a break in the drainage which goes partly towards Wehrle and partly towards Main Street. There are some questions there in a quick overview that Mr. Lucey gave the Village that might not be adequately funded. On the other hand, Mr. Lucey said that there are other alternatives which could cut that amount even more. We need another meeting and he is going to get one with Mary Lou Rath and Chuck Swanick, Pat Lucey and the Village Board to keep putting pressure on. If it were to be done, it would be a two phase procedure where they do the underdrain work and then come back and do the actual paving.

Ms. Plubell asked Mr. Laubisch if he got his report back on the sitings.

Mr. Laubisch stated we did get the tentative results back and it did identify where the core samples will be taken throughout the Village. It his understanding from his conversation with Mr. Cunningham from Empire Soils, we should have a report at the next Village Board meeting, which is August 23rd.

Ms. Plubell commented about the water main on Swan Place. She hasn't heard one good thing about the work being done on Swan Place from people in the area. She was told last week that blasting will begin on Garrison Road for the water main in the middle of this week. She is assuming the middle of the week will be Wednesday. She and her neighbors have received letters from the people who are doing it. They have been through their homes. The residents gave them permission to inspect their homes. This was done a couple of weeks ago. The blasting is supposed to start in the middle of the week. Are they thinking that the residents should take water hoses and find someone in the neighborhood and get water as the Swan residents were told?

Trustee Lowther stated that is not the way the contract was written and that was her concern, that people are being greatly inconvenienced. It's bad enough when the road is torn up or the side of the road is torn up, and to her, that was just unacceptable.

Ms. Plubell asked if they are going to rectify the situation so that the people on Garrison don't have to use water hoses.

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Mr. Laubisch stated the construction procedure on Garrison Road is going to be completely different from the construction procedure on Swan. Because of the rock structure on Swan Place they replaced that main in place. What they are going to do on Garrison Road is install a new water main and leave the existing water main in place and functional and only at the time that they would tie the resident's house service from the old water main to the new water main is when the line would be disconnected. As far as this blasting, prior to the start of the project we hired Empire Soils to do some core samples or borings and he believes they came back with a sufficient amount of ground coverage to do the job without blasting.

Ms. Plubell stated the residents have been told that the blasting is to start the middle of this week. They have examined the houses. The residents let them through because they have credentials and the residents have received the letters in advance in the mailing. One of the places they are going to blast is right in front of her house. This is why she knows they are going to blast.

Mayor Daniels stated he didn't know about this. He didn't know anything was wrong at Swan Place until this evening.

Trustee Lowther stated we are going to get more information about this so the Board can give good information back to Ms. Plubell and her neighbors.

Mayor Daniels stated Ms. Plubell should not wait for a meeting if there is someone knocking at her door saying they are going to blast.

Trustee Lowther stated Ms. Plubell should not hesitate in the future to pick up the phone and call the office and let the Board know when something is going on. She didn't know until tonight that there was a problem on Swan and she lives right around the corner and she talks to residents and now she finds that people are very unhappy.

Mayor Daniels stated blasting is not in the contract.

Mr. Laubisch stated that is why they did the boring samples prior to this project. We knew the cost that would be involved. There was sufficient ground cover there. He considers 42" of ground cover in New York State sufficient to prevent water lines from freezing. We had reports back that there was sufficient ground cover and that blasting would not be necessary. He has the minutes of the pre-construction meeting which he and Mayor Daniels attended and there was no mention at that time of any blasting to be done. We were all informed that there was sufficient ground cover and that blasting would not be necessary. That would be a very lengthy process if it was to go from Castle Creek to Oakgrove. That's about 400' - 500'. That would be a very expensive proposition to blast out the rock. Rock item is a very expensive item on a contract today.

Norine Nirschel, 194 Garrison, stated that they stipulated the rock was too close to the surface and that's why they would have to do the blasting.

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She is wondering if there is no question now as to lengthening or widening the road, cutting down trees, moving telephone poles or anything like that and if the residents are going to have to wait until they decide on the budget for the next year.

Mayor Daniels stated the worst thing that can happen is they won't touch the road and it's probably the only thing that is going to happen until at least after the next budget year. They weren't scheduling Garrison and the Wehrle area for more than five years. They told the Village when it asked for an open cut to do this water line that Wehrle drive wasn't scheduled for repaving for six or seven years so they wouldn't approve an open cut. It would have been a lot cheaper for the Village. He would assume that is still the same schedule unless we really put pressure on to get it into this budget coming up this year. In that event, it will be done this year but it won't be done with the widening and rebuilding procedure that they are looking at in their specifications. They just can't afford to continue doing that type of road building in every situation. The Village doesn't control that road and they can just turn a deaf ear if they want to all the things that the Village does.

Ms. Nirschel asked then it is not a question of whether the County or the Village has the road, the County has it now but there is no question as to whether the Village is going to accept the responsibility of that road at this point.

Mayor Daniels stated it is all tied into a lot of different packages. There are a lot of people who really don't want control of that road and ownership because of the long term costs that might be associated with maintaining it given the high volume of traffic that uses it. If the Village does take it over, it would have to be a good package where the road was paved very well and would hold up to traffic for a very long period of time so that it would minimally affect the Village. On the other hand, the obvious advantages are that the Village would have more control over it as far as widths and speed limits.

Ms. Nirschel stated we represent the people who would like to have the road as it is without trees cut or telephone poles moved.

Carolyn Schlifke, 192 Evans suggested to Mr. Laubisch, with Old Home Days coming up next week and the very hot, dry weather that we did have for so long, that no attempt be made to cut any grass in Island Park and, to keep it as long as it is because it provides a better cushion for the hundreds and thousands of people that are going to be on it next week and hopefully it won't rain next weekend and we won't go through what we did last year.

Ms. Schlifke commented to Trustee Lowther that there is some space on the bulletin board over in Island Park if she would like to post a list of the various functions that are occurring in Glen Park. Sometimes people get in one park and not the other. Elaine has a key and there are some thumb tacks in there. If she would like to post something there, people that are using Island Park might see it and be interested in it.

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Ms. Schlifke stated as chairman of the Parks Committee, there is nothing so satisfying as being part of a success. You work hard all year and when you have to go through what we went through last year, moving Savor the Flavor at the last minute and even at that we did keep it going last year and we showed a small profit but it certainly was not as enjoyable as the one we had this year. Weather, being one of the biggest factors, that's the one thing you can't plan for all year. You can make all the plans in the world but if you get a bad day, all your plans go right down the tubes. There were a lot of things that the Parks Committee decided to do this year to try to make it a success and the real object of that function is not only to make it successful for the people who attend but to produce a profit for the Village parks. That is the whole object-raise money for the Village parks. It was unfortunate that some of the Village restaurants got cold feet this year because of what happened last year. You can't force people to participate in something that they don't want to so we did lose some funds on the space fees but we did have the big names there and even though there were lines for food, people seemed to be enjoying themselves so much that they didn't really mind too much standing in the lines. Jenny's line was all the way out of the pavilion and they were the top money earner. They sold more ice cream cones than anybody else sold anything else. She thinks that speaks a little bit for the people that were participating, the restaurants and the type of foods that they were serving, everyone seemed to be well satisfied and maybe there wasn't a tremendous variety but there was certainly something you could find to eat. One of the things that we worked for was to either obtain as much free of charge or get more money donations and that worked out quite well. The popcorn cost us absolutely nothing, the machine and the supplies. We sold over 280 boxes of popcorn and while it is not a large amount of money, it is pure profit. The same with the raffle. All of those gifts are donated by Village businesses and we made approximately \$575.00 on the raffle. In past years some of the more expensive things for us to do was to get decent entertainment so this year we went to the businesses that were not food related and had not contributed to the youth affairs and asked whether they would like to participate in some manner, whether it was \$10.00 or \$15.00 and we got almost enough donations in that area to pay for our entertainment. Our costs this year are very low which means that the profit will be higher. She has done a tentative schedule of what they have to pay out and what they are going to be taking in and it looks as though they will be profiting somewhere between \$3,400 and \$3,500 which is certainly much better than last year, probably comparable to the year before. She thinks all in all by working just a little bit harder and looking to some new avenues of revenue, the Village parks are going to benefit. She is thrilled with what happened. Everybody seemed to stay in the park longer and enjoy the excellent entertainment. Some new groups, some were gratis, some were sponsored by Village businesses who paid their fees which worked out very well because she thinks the people that did stay really enjoyed the entertainment. She would like to commend everyone that worked. The parks will benefit again this year and at their next meeting the committee members are bringing in their wish list and we will be going over it and deciding what we would like to see in the parks and where we would like to see the money go and as soon as we make our list up, she is sure Trustee Piazza will be bringing it to the Village Board for approval or disapproval.

Paul Steinbruckner, 86 Milton stated right around the corner from him on California Street is Darling Company.

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As you walk up from Milton, the major portion of the company is on the right hand side and on the left hand side just as you turn the corner right behind the first house there is a very large sort of barn. They keep equipment and different things there. It's completely wide open. There are a lot of little kids, he has two boys himself. He doesn't know what the codes are on that for fencing. He is not trying to bring up anything to cause problems to somebody in business because he was in business himself. His wife has brought it up to him a few times. In the evening they walk sometimes for exercise and there was a big truck there with the parking brake on for some reason. He doesn't think anyone was in there fooling around doing vandalism because he walked around several times.

Trustee Kaye asked if his concern is primarily the open area where the trucks are parked?

Mr. Steinbruckner stated yes. As you walk by there is a large barn, everything is open. It's like an open gravel drive. There is some very big machinery back there. He doesn't know what potential hazard there is if a seven year old or 10 year old boy were exploring. At many times he has walked by there, there is not much activity from the business itself. It seems to be unattended most of the time, which would be no problem if there was a fence across it.

Trustee Kaye stated she will ask David Sutton, our Building Inspector, to go over and take a look at it and see if it complies with the code. She will have him call Mr. Steinbruckner personally.

Trustee Lowther stated about two months ago she went to the Building Inspector and asked him to check the sidewalks because of the heavy equipment. What happened was the existing sidewalk just seemed to disappear. The dirt and the gravel and everything just went over them and they were destroyed. Mr. Sutton sent her a memo saying he did inspect it and because of it having the heaviest classification, there was no way with the equipment that they have in that zoning area that they could keep sidewalks there; however, he would try to keep them cleaned off and keep a passage way there. About two years ago she spoke to Mr. Darling and he had indicated at that time that he thought that somewhere within the next few years he would probably not be using the barn anymore. This being two years ago, we may be at a point where in a short time he is going to consolidate all of his equipment. She is sure he would rather have it behind a fence. He's experienced a number of vandalism occasions down there.

Mr. Steinbruckner stated he hasn't talked to any other neighbors about it. The equipment being there doesn't bother him, the business doesn't bother him but he is concerned about young children going in there where the equipment is left unattended.

Trustee Lowther stated perhaps Dave could mention that to him because she knows that Mr. Darling specifically made the comment that within a few years he wanted to have everything on the other side of the street.

Mayor Daniels stated that on each and every occasion that he has had dealings with Mr. Darling, he has been very cooperative.

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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 Kaye, it was moved at 9:56 P.M. to adjourn to meeting.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer