

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, December 27, 1993 at 7:53 P.M.

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

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

*Absent: Mary Lowther  
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 7:53 P.M.

Mayor Daniels stated that Superintendent Laubisch asked that he be excused from tonight's meeting because he has been working on the snowfall, plowing the Village streets. Mayor Daniels noted his appreciation for the job the DPW did after the snow storm this Christmas weekend. The Village streets were in very commendable condition. He walked to mass on Christmas Eve to Sts. Peter and Paul fully expecting that walking would have been the best way to go. He was pleasantly surprised to see all the streets were clear at that point.

Mayor Daniels stated that Trustee Lowther is ill tonight.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, the minutes of the regular meeting of the Board of Trustees held December 13 1993 were approved.

Unanimously carried.

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ON MOTION by Mayor Daniels, seconded by Trustee Kaye, vouchers in the amount of \$66,105.82 covering 12/10/93 - 12/23/93 were approved:

Payroll fund w/e 12/15/93	\$24,007.96
General fund	33,855.62
Water fund	2,513.95
Sewer fund	-0-
Trust & Agency fund	5,708.06
Glen Park fund	<u>20.23</u>
Grand Total	<u>\$66,105.82</u>

Large Vouchers:

Niagara Business Solutions	\$15,804.50
Robert J. Miller Assoc.	\$3,000.00
Niagara Sanitation Co., Inc.	\$6,614.75

Unanimously carried.

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

RESOLVED that the following transfers are hereby made in the General Fund.

<u>FROM:</u>		<u>TO:</u>	
01-1000-1010-4450 (Trustees Misc.)	\$100.00	01-1000-1010-4010 (Trustees Office Supplies)	\$170.00
01-1000-1010-4040 (Trustees Travel)	\$70.00		
01-1400-1410-4040 (Clerk Office Supplies)	477.00	01-1400-1410-200 (Clerk-Equipment)	477.00
	<u>\$647.00</u>		<u>\$647.00</u>

Unanimously carried.

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Mayor Daniels stated all municipalities are required to prepare an emergency preparedness plan which utilizes additional equipment for a disaster situation whether it's a flood or a snow storm or fire. Mayor Daniels thanked Fire Chief Zymanek for preparing the plan for the Village.

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

RESOLVED that the Village Board of Trustees hereby adopts the Emergency Preparedness Plan dated December 13, 1993.

Unanimously carried.

Mayor Daniels stated that the NY State Retirement System requires that all Village officers and officials be assigned a certain workday for the purpose of crediting them for the retirement system. We have done that through filling out time sheets for our various jobs.

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

RESOLVED the standard workday for the following Village officers and employees are set at six (6) hours per day for NY State Retirement purposes effective 1/1/94.

Mayor	Village Attorney
Trustees	Village Prosecutor
	Village Justice

Unanimously carried.

Trustee Piazza reported there has been no new activity in the Parks Department. We are still looking at potential equipment for the playgrounds. No decisions or purchases have been put out yet. We are still getting prices on pieces of equipment.

Trustee Piazza reported the Senior Citizens had a luncheon on December 6th. There is nothing planned for the near future. We did not have a meeting in December.

Trustee Piazza reported the Government Advisory Board did not have a meeting although we are working through a subcommittee on our cable contract which will be similar to the Town of Amherst contract. The Village Attorney will be meeting with our subcommittee chairperson to discuss how to put the Amherst contract into Village language tomorrow morning.

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

<u>FROM</u>		<u>TO</u>	
01-7100-7110-4164 (Repair Movers)	\$400.00	01-7100-7110-4111 (Guard Contracts)	\$584.00
01-7100-7110-4162 (Repair Pools)	400.00	01-7100-7110-4350 (Pool Supplies)	445.00
01-7100-7110-4920 (CPR Training)	364.00	01-7100-7110-4490 (Miscellaneous)	120.00
		01-7100-7110-4490 (Physicals)	15.00
	<u>\$1,164.00</u>		<u>\$1,164.00</u>

Unanimously carried.

Trustee Kaye reported the Winterfest sponsored by the Village of Williamsville and the Youth and Recreation Committee will be held February 6th. Hopefully we will have all this snow for Winterfest. There will be hot chocolate, hay rides, petting animals and hopefully lots of snow for sledding. We have also held the annual donation of food that we have held for the last for our five years for the University Food Bank that serves Amherst and Williamsville. Trustee Kaye thanked all the residents for the gracious and generous donations from all the residents and employees of the Village. She went with Paul, from the DPW, to deliver all the food. It filled up the entire back of the DPW stationwagon and they were very appreciative for that donation of non-perishable food.

Trustee Kaye stated her first resolution is to authorize the Building Inspector, David Sutton, to attend an education conference that will be here in Buffalo.

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

RESOLVED that David Sutton, Building Inspector, is hereby authorized to attend the Niagara Frontier Building Officials Educational Conference at the Buffalo Hilton, February 6-9, 1994 and the cost, not to exceed \$200.00 to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Kaye stated her next resolution deals with recycling. We have been in recycling for three years already. Our contract with BFI will be expiring in March of 1994 so we need to go out for bid again. She has been working with Administrator Cummins and Superintendent Laubisch regarding the verbiage of the bids and we will be putting the contract out a couple of different ways. One is for the Village of Williamsville to collect the recyclable materials itself and second for a contractor to pick up the recyclables as BFI is doing now. Also that we would be able to utilize the Town of Lancaster contract that we have through NEST to handle and tip recyclable materials at \$10.10 a ton and we also have put in those specs if there is some other less expensive way to process and tip those materials. Those bids will be coming back on January 10th. We can talk about them at that meeting so we can get a handle on what the costs will be and in which direction we should be going, whether in fact the Village should be picking up our own recyclables or we should continue to contract out the picking up of recyclables. We will have an extended list of recyclables that will be picked up. It will be the same as the Town's which will include phone books, hard bound books, two different kinds of plastic and junk mail. There would be no difference to the residents in the way that they put out their materials or have them picked up, it would just be who would pick them up and where they would be going. Her resolution deals with the advertising of the bids.

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

RESOLVED that the Village Clerk advertise for sealed bids for the Collection of Recyclable Materials. Bids to be opened at 2:00 p.m. on January 10, 1994 in the Village Clerk's office, 5565 Main Street, Williamsville, New York, under the terms of the standard bidding resolution.

Unanimously carried.

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Trustee Kaye stated her final resolution deals with a proposed local law on Brush, Grass and Weeds. We held a public hearing on this proposal in July of this year. We had much discussion on it. The last part that we were waiting for was a change which Trustee Kelly had requested to have Chapter 11 have the fine be "per day" versus "per situation". That was the primary change that was made.

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

RESOLVED that Local Law #14 -1993, which adds Chapter 11, Brush, Grass and Weeds to the Village Code, and which was the subject of a public hearing on July 26, 1993, is hereby adopted.

Unanimously carried.

Trustee Kelly reported the DPW has been very busy plowing and he extended his thanks for generally ruining their own holiday to help save the residents of the Village from having their holiday ruined.

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

RESOLVED that the following budget transfers are hereby made in the Water and General funds:

<u>FROM</u>		<u>TO</u>	
<u>Water Fund</u>			
06-8000-8340-4120 (Bond & Note Expenses)	\$1.00	06-8000-8346-4161 (Repairs & Equip.)	\$1.00
<u>General Fund</u>			
01-1600-1640-4450 (Central Garage-Misc.)	72.00	01-1600-16404261 (Central garage Small Equip. Rep)	72.00
01-5000-5010-4040 (Street Adm-Travel)	50.00	01-5000-5010-4010 (Street Adm-Office Supplies)	50.00

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01-5100-5110-4610 (St. Maint-Physicals)	10.00	01-5100-5110-4600 (St. Maint-Clothing)	10.00
01-8100-8140-4161 (Storm Sewer-Repairs Rec.)	12.00	01-8100-8140-4162 (Storm Sewer Rep. Swers)	12.00
01-8100-8161-4910 (Recycling Publicity)	179.00	01-8100-8161-2020 (Recycling Containers)	179.00
	\$324.00		\$324.00

Unanimously carried.

Trustee Kelly stated his second resolution deals with the fire contracts necessary for Hutchinson Hose Company to protect six districts that are in the Town of Amherst. These six districts total over \$280,000 of funds that come into the Village's budget and get dispersed among several items in the Hutchinson Hose budget.

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

RESOLVED that Mayor Daniels execute on behalf of the Village, contracts with he Town of Amherst and Hutchinson Hose Company for fire protection for 1994 in the following districts:

Autumn Harvest	District #1
Lamm Post	District #2
Lehn Springs	District #3
Mill Street	District #4
Park Club Lane	District #15
Williamsville	District #16

Unanimously carried.

In the absence of Trustee Lowther, Trustee Kelly handled her resolution.

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

RESOLVED that the following transfers are hereby made in the General and Glen Park funds:

<u>FROM</u>		<u>TO</u>	
<u>General Fund</u>			
01-7500-7530-4070	221.00	01-7500-7530-4230	221.00
(Village. Mtg. House)		(Village. Mtg. House Maintenance)	
<u>Glen Park Fund</u>			
09-7000-7141-4102	950.00	09-7000-7141-4103	950.00
(Glen Park)		(Fertilization)	
09-7000-7141-4430	481.00	09-7000-7141-4166	356.00
(Port-a-John)		(Equip. Repair Riding Mower)	
		09-7000-7141-4450	125.00
		(Miscellaneous)	
	<u>\$1652.00</u>		<u>\$1652.00</u>

Mayor Daniels stated that making transfers will be an ongoing situation now that we changed the procedure. At the beginning of each budget year we estimate what each budget line should expend during the year. It's very difficult to always be accurate. Through this new method we can always see what is left in the budget line and also in the event that a line is overspent, the person that is spending that line is responsible to find another place in the budget that money can come from. If there is no other money available, they cannot spend the money in the first place. It's another layer of accountability to the budget procedure.

Unanimously carried.

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

RESOLVED that the agreement between the Village of Williamsville and the Village of Williamsville Historical Society for use of the Village Meeting House as well as its status as the Management Committee of the Meeting House is hereby extended for one year commencing January 1, 1994.

Unanimously carried.

Mayor Daniels stated now that we are getting towards the time when we start talking about our fiscal budget. We will start assembling figures and we will need to start meetings the first of February. The Trustees should start thinking about what they want to spend in each one of their responsible areas on the budget.

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

Unanimously carried.

Paul Besstak, 164 Hirschfield, stated he has been following the Board's procedures on trying to save money and wondered if the Village could cut the plowing of the sidewalks because he thinks it is a waste of money. He also wondered how much was spent in this area. The people he has talked to in his neighborhood feel the same way.

Mayor Daniels stated last year we had an unfortunate situation but it wasn't unfortunate as it turned out. During the plowing, we had an accident to the old Bombadier snowplow that was being used for the sidewalks. Since that piece of equipment was scheduled to be replaced the following year anyway, the question came before this Board a year ago as what we should do. The general consensus at that time was yes, most of the residents of the Village wanted the snowplowing of the sidewalks which is why we went ahead with the purchase of a new one.

Mr. Besstak asked if it was a referendum item. Mayor Daniels stated it is not.

Mr. Besstak feels the money could be spent better otherwise. If they are going to do the sidewalks, they might as well do everybody's lawn and driveway.

Mayor Daniels stated the sidewalks were felt to be a safety consideration for a lot of the older folks and the children. There are mixed feelings about it.

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Mr. Besstak stated it is a personal thought as a resident. It seems like more damage. He gets his driveway shoveled and then he gets plowed in and can't get his car out, they push the rocks in. It just seems like a lot of money. People can walk on the side of the street. It's not that busy.

Mayor Daniels stated we had those comments a year ago. There were plenty on both sides of the issue. People really wanted the sidewalk plowing to continue. It's something that the Town doesn't do and the residents that the Village talked to said that is one of the reasons they live in the Village.

Mr. Besstak asked how much is spent on that.

Mayor Daniels stated the piece of equipment was \$40,000. It's probably about \$12.00 an hour for the operator. It depends on the snow fall per year but it is budgeted.

Trustee Kaye stated it is her understanding that it takes the operator one shift in the evening to plow the entire Village.

Mayor Daniels stated you are talking about \$100.00 a time.

Trustee Kelly stated he has friends that are Trustees in a few other villages. It seems primarily to be a Village thing as opposed to a Town thing because there are so many people in a small area. Both Hamburg and Kenmore tried to get rid of it and hundreds and hundreds of people came in. Almost 40% of our population is of retired age. Many of those can't get out to shovel. In addition, most people don't understand that 90% of the sidewalks are in the Village right of way.

Mr. Besstak stated they want the taxes lower.

Trustee Kelly stated he doesn't want to be responsible for keeping people stuck in their homes so they can't walk to the corner to go buy some food. If we were to figure it out on an annual basis, the labor is probably \$1,000. The last machine was about 25 years old. If you average out the cost of the machine and parts you are probably looking at a couple thousand dollars a year.

Mayor Daniels stated the machine is also used for stump grinding.

Trustee Kelly stated the Village of Hamburg bought machines that throw the snow and you're talking \$70,00 or \$80,000 for those machines. He doesn't think they would work around here.

Mayor Daniels stated the Board thought long and hard about it.

Mr. Besstak stated some of the people that he spoke to wanted him to come up and express his opinion.

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Mayor Daniels stated one of the other thoughts that was brought up at that time was not everybody has sidewalks so you are plowing partially down a street and then there is lawn there. The operators seem to know where there are sidewalks and where there aren't. They know that on North Long Street or on Cadman Drive, it's almost like a checkerboard affair. At that point it lacks safety considerations because you are starting somebody off on a sidewalk into the street and back to where the sidewalk begins. That is similar to what would happen in the summer if someone was trying to use a sidewalk. Then it gets into the questions of whether you start insisting that everybody put in sidewalks which is a requirement that the Board is always considering and talking about.

Maryanne Avery, 64 Garrison Road, asked what is the Board going to do about Garrison's sidewalks. Did the Board decide what it will do with Mr. Whitehead?

Mayor Daniels stated the Board members had differing opinions. She would have to poll each member individually to get where they are on this issue. We are still talking about the two sides of this. Whether someone gives a sidewalk, is that the right way to go and should it be a health and safety requirement that we enforce as that would dictate. Obviously, Garrison, Union and Cayuga Road, those streets which are most heavily trafficked, no one will argue need sidewalks the most. Do we prioritize that kind of thing? Do we take Mr. Whitehead's offer as a tradeoff and do we agree that the cul-de-sac doesn't need sidewalks? Do we take the completion of sidewalks on Garrison as a bonus or do we see that as an unfair gift because some people get a free sidewalk and in the future we may require others to pay for their own. It's something that we keep talking about back and forth and can't see to come up with as of yet with a determination on that but we have to let Mr. Whitehead know by Spring since he is going to be doing the front of his development with a nice stone structure on each side of the driveway and incorporating sidewalks with it.

Trustee Kaye stated Mr. Whitehead was here at the pre-work session to talk about two additional building lots on Castle Creek. He will be back at our next work session on January 10th.

Ms. Avery asked where would they be located.

Trustee Kaye stated they would be behind Mrs. Aker's property but there are several questions that need to be addressed.

Mayor Daniels stated this is all tentative. Mrs. Aker wants to trade lots with Mr. Whitehead so she has buffer. It's strictly preliminary so it is nothing that we really need to discuss at this point because it may not be possible at all to do this since there are problems with access to these lots.

Trustee Kaye stated there are questions still to be worked out about the access of those lots.

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Ms. Avery stated she talked to Mrs. Aker last summer. She was concerned about having that turn around so close to her property line. She didn't think that was quite right. Also, with the expansion of Ingram, Mrs. Woodward keeps insisting that many people who work there live in the Town. Ms. Avery thinks it is pretty obvious they are going to use Garrison or one of these north/south streets so she would think that the board would have to order sidewalks. She doesn't care who pays for them but she thinks sidewalks are going to have to be installed on both sides of Garrison because it is becoming a very heavily traveled road.

Mayor Daniels stated he is going to push the County to do sidewalks on Wehrle now as part of the \$200,000 that the County is providing towards that road.

Ms. Avery stated she, Walter Pacer and Isabelle Bodnor went to the Planning Board meeting in the December meeting and leaned on them about the traffic and Vern Anderson admitted that it was a mess. It is the first time in four and a half years that anybody has admitted to her that yes, it is a mess. One of the ways to eliminate a little of the mess is to install some kind of a signal. She doesn't know what they are going to do and wonders if the Village Board is going to make any comment about the Garrison light. Are they going to make it red and green or not? She spoke to Dan Howard not too long ago and he said it would really work better with a policeman there but you can't expect a policeman to be there all the time. That is just not feasible. It worries her. She knows Jane Woodward has already sent out letters suggesting that the Town pay for a signal at Garrison and Wehrle. Ms. Avery thinks it might make it better for pedestrians, bicyclists and local people but she wonders if it is going to affect the traffic along Garrison. It seems to her that if they are going to do that, then the Village should demand a study, maybe a computer study, to see if it is feasible because of the timing of the Main and Garrison light. She has said to several people, one is an expert from the County, is it possible to make this work so that one would be in sync with the other and they all say no, they can't do it. She said if you can't do it, then how are you going to prevent traffic from backing up across Oakgrove. She thinks that the Village is going to have to be talking to someone in Planning, Dan Howard or Charlie Brown to find out what their thinking is because they know they are going to have to do something and she thinks the Village had better look out for the Village people, because she can guarantee that the Town is not going to look out for the Village people. The Southeast Homeowners Association can only do so much. We need support from the Village. She doesn't know what the Board members think is required there, because it is just outside of the Village's territory, but it is Village people who are involved. Columbia is cut off as is Monroe. It never used to make that much difference because Wehrle didn't have that much traffic but now kids go back and forth in the afternoon. She doesn't know how they get across the street. Isabelle Bodnor tells her she watches the paperboy cross the street and wonders how long it will be before he gets killed. It's really bad. She thinks this is really a Village concern and so far as she understands, the Town hasn't involved the Village in it. She thinks the Board is going to have to get some kind of input here.

Mayor Daniels stated absolutely. He is not sure what the solution is.

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Ms. Avery stated she has supported Mayor Daniels' Aero Drive idea for a couple of years now and they seem to be coming around as far as the Planning Department is concerned. She doesn't know what Mrs. Woodward and the developers think but there is some kind of agreement there.

Mayor Daniels stated what was sad about that whole traffic study was it was only done in the Town of Amherst and Aero Drive really does have a big impact on the travel. That should have been one of the streets that should have been done in the original study. He understands that they were going to include it in the future

Ms. Avery stated she brought it up at the first meeting and Trustee Kaye did. Also, they said they didn't have the money and that's that. She said this is very important because it is much easier just to get the traffic out of here or not have it come in the Village in the first place. If it's not necessary, let's not have it.

Mayor Daniels stated it is unfortunate that Aero Drive is configured the way it is with the tunnel under the airport because it would cost millions of dollars to widen that area and improve it if you are going to make it a great access to Transit Road. He thinks the real press should be to take it from Wehrle to right before the tunnel and improve that turn that goes into Youngs. What they need is a lane without a signal there, maybe an overpass right into Youngs and then into the Industrial area in the north/south route. Even that, which isn't a ton of money, would have a great positive improvement of what we are seeing now with Wehrle Drive. That should be coupled with a couple signals maybe at Columbia, Monroe, Cadman, Wehrle, and Hirschfield. That would discourage people from using that route because now they only have one or two stops.

Ms. Avery stated she wishes Mayor Daniels would say something about it.

Mayor Daniels stated he has. He doesn't put absolutely everything in writing.

Ms. Avery stated she wishes he would on this. She thinks the Village people really need his support on this. This is a dangerous situation here.

Mayor Daniels stated she shouldn't imply that he isn't now.

Ms. Avery stated it's going to be bad now because it is going to expand very rapidly. When they build, there will be 500 or 600 more people all of a sudden.

Mayor Daniels stated she is absolutely right and now push has come to shove. It's now or never as far as what we are going to get out of this situation because the pressure is there and there is a given amount of money that is available which, he is assuming, could be increased because as Joe Gillings said he doesn't know how far \$200,000 is going to go anyway.

Ms. Avery stated it isn't going to go very far.

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Mayor Daniels stated it can't, not if you are doing intersections.

Ms. Avery stated she thinks the Village should speak up on this. The first priority should be Village residents because they are the people who are most closely affected.

Mayor Daniels stated we are trying to work with the County and putting pressure on the County because Aero is a County Road, Wehrle is a County Road and the money is coming from the County to do this work. That is where the real push is but it has to have the cooperation of the Town because the Village just doesn't seem to have a lot of clout. He has tried as much as anybody. You have to have some clout or you have to just end up being a pain in their butt, so they realize that you are not going away.

Ms. Avery stated she could organize the neighbors on Cadman and come up for a hearing and lean on the Town Board. She thinks this is the only thing that works, a lot of angry people being obnoxious. That's the only thing that seems to sink in.

Mayor Daniels stated it is a New Year's resolution of this Board that we have to work on that and we will be discussing that.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Kelly, it was moved adjourn the meeting at 8:29 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer