

**Minutes of the Reconvened 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, March 28, 1994 at 7:33 P.M.**

*Present: Patrick Kelly Deputy Mayor
Yvonne Kaye Trustees
Mary Lowther
Basil Piazza*

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

Also Present: Sherry Brink, Recording Secretary

Absent: Ronald Daniels, Mayor

The Clerk read the notice of the reconvened public hearing being held by the Board of Trustees on Monday, March 28, 1994 at 7:30 p.m. for the purpose of hearing all persons interested in discussions on a revised Exceptional Development permit for the Castle Creek Development.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to reopen the public hearing at 7:33 P.M.

Unanimously carried.

Trustee Kaye stated we have been notified today that the parties involved, Mr. Whitehead and Mrs. Aker, have not come to a resolution about the design concept for the additional lots of Castle Creek. We have no new information on the project since there has been no resolution. We will recess the meeting once again until April 25th. Hopefully they will have a resolution by that time.

Deputy Mayor Kelly stated it is very frustrating to have someone come forth with a plan and not show up at the public hearing and then find out that the plan has not been acceptable to the people from whom he was going to purchase the property. Deputy Mayor Kelly hopes that Mr. Whitehead will get back to the Board as soon as possible on this matter.

Trustee Lowther stated she agrees. She doesn't want to make any comments until we see a newly revised plan which will probably be forth coming after parties agree.

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York on Monday, March 28, 1994 at 7:33 P.M.**

ON MOTION by Trustee Kaye, seconded by Deputy Mayor Kelly, the meeting was recessed until
April 25th at 7:35 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

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*Present: Patrick Kelly Deputy Mayor
Yvonne Kaye Trustees
Mary Lowther
Basil Piazza*

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

Also Present: Sherry Brink, Recording Secretary

Absent: Ronald Daniels, Mayor

Deputy Mayor Kelly called the meeting to order with the Pledge of Allegiance at 7:32 P.M.

Deputy Mayor Kelly stated Mayor Daniels has a rehearsal once a year as a member of the Buffalo Philharmonic and this is the scheduled night for the rehearsal.

ON MOTION by Deputy Mayor Kelly, seconded by Trustee Piazza, the minutes of the regular meeting of the Board of Trustees held March 14, 1994 were approved.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Lowther, it was moved to reopen a public hearing at 7:33 P.M. for the purpose of hearing all persons interested in discussions on a revised Exceptional Development permit of the Castle Creek Development. (The public hearing recessed at 7:34 p.m. to be reconvened on April 25th.)

Unanimously carried.

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ON MOTION by Deputy Mayor Kelly, seconded by Trustee Lowther, vouchers in the amount of \$124,887.06 covering 03/11/94 - 03/24/94 were approved:

Payroll fund w/e 03/19/94	\$23,562.62
General fund	59,605.73
Water fund	33,493.55
Sewer fund	337.72
Glen Park fund	372.61
Trust & Agency fund	<u>7,514.83</u>
Grand Total	<u>\$124,887.06</u>

Large Vouchers:

Hanson International Trucks, Inc.	\$35,207.00
Erie County Water Authority	\$32,691.80

Unanimously Carried.

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

RESOLVED THAT the annual Village re-organization meeting is hereby set for Monday, April 4, 1994 at 6:00 p.m. in the Village Conference Room, 5565 Main Street, Williamsville, New York.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish a notice of public hearing to be held April 11, 1994 at 7:35 p.m. in the Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing the 1994-1995 General Fund, Water Fund, Sewer Fund, Glen Park Activities Fund and Debt Service Fund Budgets.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish a notice of public hearing to be held April 11, 1994 at 7:40 p.m. in the Village Hall, 5565 Main Street, Williamsville, New York for the purpose of hearing all persons interested in expressing an opinion on the proposed sewer rent rates for the 1994-1995 year per Section 78-2(A) of the Sanitary Sewer Rents Code.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish notice of public hearing to be held by the Board of Trustees on April 11, 1994 at 7:45 P.M. in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in expressing an opinion on a proposed water rate increase per Section 107-9(A) of the Water Code.

Unanimously carried.

Deputy Mayor Kelly stated the Board is discussing a proposed water rate increase of approximately 5%. At the public hearing there will be discussions about doing some very major repairs and replacements in the water system including potentially replacing all the water meters in the residential areas.

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

Unanimously carried.

Deputy Mayor Kelly stated we have been contacted by the Town Clerk of the Town of Amherst regarding what's called a "sunset clause" in the Local Government's Record Management Improvement Fund. For the last several years the Village has been receiving some grants from the State of New York for processing and manage the records for the Village. The fund is set to expire December 31, 1995 and the request has been made and certainly recommended by this Board that we ask that this grant be continued so that we can continue to properly process a number of our old records and the new records that come in.

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

WHEREAS, the Local Government Records Management Improvement Fund was created with a termination date of December 31, 1995, and

WHEREAS, grants and technical advice are essential in assisting all the local governments of New York State in developing records management programs adequate to the demands of government and citizens, and

WHEREAS, the Village of Williamsville is receiving funding from the Local Government Records Management Improvement Fund, and

WHEREAS, these needs are served and these programs sustained without the use of state tax revenues, through modest surcharges on fees for records filed and recorded by county clerks and the Register of the City of New York, then

BE IT RESOLVED THAT the Village of Williamsville fully supports the perpetuation of the Local Government Records Management improvement Fund through elimination of its sunset provision and supports its continued administration by the New York State Archives and Records Administration of the New York State Education Department and the oversight of that Fund by the Local Government Records Advisory Council, as well as the continued funding for the Documentary Heritage Program.

Unanimously carried.

Deputy Mayor Kelly requests that we send copies to various government officials.

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

Unanimously carried

Trustee Lowther reported that the Glen Park Joint Board will be meeting on April 5th at 7:30 p.m. in Town Hall.

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Trustee Lowther commented on the public hearing that will be held by the Department of Transportation regarding to the widening of Main Street. Since the last meeting they had, she has checked the plans that have been available at Town and Village Hall. Preliminary plans call Main Street to be widened anywhere from five to seven lanes from Hirschfield Drive through Youngs Road with resurfacing from Garrison/Evans Road to Hirschfield. Preliminary indications are that there is a possibility that upwards of 80 trees could be removed from Main Street including every tree in front of the high school which really creates a great concern. The hearing is going to be held Tuesday, April 12th at 7:30 p.m. in the auditorium of Williamsville South High School on Main Street. Anyone who is interested should certainly show up and give their comments. She intends to be there and raise a lot of questions because a lot of questions need to be raised about a plan of this scope. She would hate to see all the trees lost. We've had other trees removed in the Village from Evans Street and some of our other larger roads. It takes a lifetime for these trees to come back. She really doesn't want to see that happen and is hopeful that there is some way the DOT can work around this proposal.

Trustee Lowther reported on the hazardous waste drop off day. She has been concerned about this since she became a Board member because Erie County has sponsored drop off days for hazardous waste in the past and there have never been any in Amherst. She questioned why there haven't been and why the Village couldn't have one in the Village or the Town. She has been working with Councilmember Santillo, of the Town of Amherst, and it has taken three years to make this happen. It will be Saturday, May 14th and is being cosponsored by Erie County and the Town of Amherst. They are looking for volunteers who would be interested in working on the site that day. The hours are 9:00 a.m. to 2:00 p.m. and it will be held at Erie Community College, North Campus. If anyone is interested in working as a volunteer on that project, she would be glad to talk to them and get them working on it with the Village.

Superintendent Laubisch listed some of the common household chemicals that can be hazardous in the environment and to your health. It is important that residents call the Erie County Department of Environment and Planning and let them know what they will be bringing that day so Environment and Planning will be better equipped to handle the types of material that come on site. They have had tremendous response to these hazardous waste drop offs and it has created a problem by the sheer volume of material that has been generated so they want to be better prepared to handle the material that day. Residents can call at 858-6800 and should call prior to May 7th so the Department can arrange for the material to be brought to site. Material that can be brought to the site are pesticides, herbicides, fungicides in original labeled containers. Quantities are limited to two gallons of liquid or twenty pounds of solid waste. Also, oil base paints only in original labeled containers, quantities limited to ten gallons, selected paint thinners and waste solvents will be accepted. Further information will be given to residents on the phone as far as that is concerned. Quantities are limited to two gallons. Also, lead acid car batteries and waste antifreeze can be brought to the drop off site.

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Trustee Lowther stated she is really pleased to see it happening in our community. The last one she went to was out in the Village of Hamburg and there was a line down the road outside the Erie County garage that stretched for close to a mile down the street. People waited very patiently all day long. The department is hoping that by having this pickup by appointment only, this is something new that they never tried before, that residents can pull in, drop off what they have and pull back out again and won't have to be tied up any length of time. Plus, it gets the material out of the waste stream and it doesn't end up in our sewers or in our water.

Trustee Piazza stated if any of the audience is from Government Participation Class, he strongly recommends that they take this information back to their teachers in the high school. This might be a very worthy project for some students in government participation. If they need to get more information on time, etc., they can get it from Administrator Cummins after the meeting.

Trustee Piazza reported the Parks Committee has some specific information on the play ground equipment and now we are asking for other companies to give the Village a proposal on the same type of equipment so we can compare apples to apples when it comes to what these various companies are going to propose. We are looking at a piece of playground equipment that will cover about 35'x 60' total space at the Long Street playground area.

Trustee Piazza reported the Parks Committee is advertising for pool attendants. If residents know of someone, preferably adults, who are interested, once he puts the ad together he will get more specific information on that.

Trustee Piazza stated he has one resolution concerning pavilion use rates. The Village is concerned because last summer the Island Park pavilion was being overused. It was beginning to cost the Village more to clean out the holding tanks at the bathroom facilities than we are willing to absorb in the tax structure. We are looking at trying to cover our costs for maintaining the park and cleaning out the holding tank with the change in the pavilion rates.

Trustee Piazza stated we added the category of Charitable Activities and Fund Raising/Company Parties because we are worried that those large groups would cost the Village excessive dollars.

ON MOTION by Trustee Piazza, seconded by Trustee Lowther, the following building rates are hereby adopted:

<u>Pavilion</u>	<u>Village Residents</u>	<u>Non Village Residents</u>
Personal/Family	\$50.00	\$150.00
Charitable Activities	100.00	100.00
Fund Raising/Company Parties	150.00	150.00
Island Picnic Shelter	20.00	50.00
Garrison Gazebo	20.00	N/A
Alcohol Permit	35.00	35.00

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Unanimously carried.

Trustee Lowther commented that the Board has had a number of discussions on this. She thinks the heavy use last year for political fund raisers pointed the fact that we needed to increase some of these fees to cover that expense because when you have someone raising funds it isn't the responsibility of the Village taxpayer to underwrite the costs that are associated with this additional activity and these large numbers of people using the parks. That was one of the reasons why we ended up adding two new categories. She is very happy to see this change since she felt very strongly that we needed to be sure that we covered our costs so that the Village taxpayers aren't paying for someone else to raise the money in our community and then turn around and leave us with a bill that we would have to pay.

Trustee Piazza stated the Senior Citizens met last week. Charlotte Jurek is working on another day trip. Details will follow. If anyone has any suggestions, please feel free to contact Charlotte.

Trustee Piazza reported the Local Government Advisory Board is ready to have the cable contract signed; however, Attorney Troy mentioned that the Cable company was in contact with him concerning some potential changes. Trustee Piazza will table that until further information is forthcoming.

Trustee Kaye stated there has been a great deal of concern about the five or seven lane proposal for the widening of Main Street. The seven lane proposal eliminates all possibilities of any trees; however, it does give parking on both sides of Main Street. She has had much discussion with the Building Inspector, David Sutton, who has been in touch with the NYS DOT to see if there is the possibility for some compromise between these two plans and has been told that yes, there is. In an effort to find out what the community wants, even prior to the public hearing on April 12th, she has sent out a letter to all affected property owners along Main Street and asks them to come in on next Monday, April 4th, at the end of the Planning Board meeting so the Planning Board will have an opportunity to talk about this along with our Building Inspector, David Sutton, who will review the plans with the affected property owners who will be there. She has also sent the letter to Traffic and Safety and to the Parking Enforcement Officer. She has asked the Fire Department to come and the DPW so that we can look at some of the things we, as a community, would like to have happen even prior to the April 12th meeting at Williamsville South. If anyone here in the audience would also like to come to the meeting next Monday night, April 4th at 7:45 p.m., they are welcome to attend.

Trustee Kaye stated prior to the Planning Board meeting the Village Board will hold the yearly reorganizational meeting. We do have several openings on many committees. If anyone would like to be on a committee or knows someone, we do have openings on the Senior Citizens Committee, the Local Government Advisory Board, the Environmental Committee and Beautification. Also, at that time we do many reappointments. Mayor Daniels will not be reappointing the Village Attorney.

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Trustee Kaye personally feels that that would be a grave mistake and has found as a minority party member of the Board that the Village Attorney has provided excellent, unbiased, solid advice to the Board.

Trustee Kaye stated this may be her last Board meeting for the next two or three Board meetings. She is going into Strong Memorial Hospital for a bone marrow transplant and is waiting for a bed to open up. She may miss the public hearing on the budget and the vote. She is sharing this information because the last time she had cancer surgery she did miss the budget vote and was criticized because she did miss that vote. Unfortunately, she probably will miss it again. She realizes that it is very important; however, she has the opportunity to take advantage of treatment and this comes first. She will be in constant contact with the Village Board and the residents. If anyone wants to contact her in her transplant unit in Rochester she has a direct dial number and a fax machine. They can call Administrator Cummins and she will give out the number. If anyone has any notes or anything they would like her to attend to, Administrator Cummins can fax it to her and she will fax it back to the resident or to Administrator Cummins or she will call the resident directly. She has the ability to stay in touch and looks forward to staying in touch. Unfortunately, she will not be able to be here for about the next four to six weeks. She appreciates the opportunity to continue to serve the Village with a slight absence of her being here personally.

Trustee Kaye reported our next Youth and Recreation Committee meeting will be on April 12th when they will be talking about the summer festivities. The first event coming along will be the Fishing Derby. We will be having some discussion about the Fishing Derby and use of Ellicott Creek because of recent discussions about the Pfohl landfill and the possibility of any runoff into Ellicott Creek. She has made several phone calls and has spoken to several people to see if there is, in fact, impact that we are not aware of in Ellicott Creek so she is asking for additional testing to happen by the State in Ellicott Creek. She understands that the Environmental Committee will be talking about that as well.

Deputy Mayor Kelly stated it goes without saying that he wishes Trustee Kaye the best on behalf of everyone here. He is sure everything will work out for the best.

Deputy Mayor Kelly stated we have had a number of budget meetings and Trustee Kaye has been at every one of them. As it stands right now, we will be presenting a budget at the public hearing that calls for a no tax increase. Trustee Kaye has certainly been involved in that budget.

Superintendent David Laubisch stated because of the severity of this year's winter and the amount of snow that was on the ground, we were not able to start our tree stump removal program until a week ago. Barring any major snowfall or snow cover on the ground we get into that in January. We weren't able to do that this year so we are out now removing stumps. If anyone here in the audience or any other Village residents would like to have tree stumps removed, they can go to the Village Administrator's office and pick up a release form, fill that out and someone will come by and make sure that it gets done.

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Mr. Laubisch stated that the regularly scheduled trash pickup will begin on May 10th. It is the second and fourth Tuesday of the month. For May it will be May 10th and the 24th.

Mr. Laubisch stated the Village of Williamsville is a member of the Northwest Community Solid Waste Management Board. Mr. Laubisch read a public notice regarding a public hearing on April 13, 1994 on a Comprehensive Waste Solid Management plan. (Copy attached).

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

Unanimously carried.

Lawrence Brenton, 31 Monroe, stated in tonight's presentation Trustee Kaye indicated that there is some thought to obtaining a new Village Attorney.

Deputy Mayor Kelly stated he thinks as Mr. Brenton knows, being a former mayor, at every reorganizational meeting there are a number of personnel matters that are reviewed and certainly every year that Attorney Troy has been on the position, his name has come up for consideration and every year it is up to the new Board to appoint whoever they want. The Associate Judge and the Prosecutor, Planning Board, Zoning Board of Appeals and many other committees are being up for discussion. Mayor Daniels has announced and has spoken with Attorney Troy about the potential of his not being reappointed and it is Deputy Mayor Kelly's understanding that it may occur.

Mr. Brenton asked if the Board has discussed it to date.

Deputy Mayor Kelly stated it will be discussed at reorganization next week.

Mr. Brenton asked if the Board has discussed this to date. Has there been an official Board meeting where the Board has discussed replacing Attorney Troy.

Deputy Mayor Kelly stated no.

Mr. Brenton asked the Board if they have questioned the Village Administrator as to her feelings on that.

Deputy Mayor Kelly stated his understanding is Mayor Daniels has questioned a number of people regarding it.

Mr. Brenton asked if the Board is aware as to the Village Administrator's input.

Deputy Mayor Kelly stated he hasn't asked the Mayor about it.

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Mr. Brenton stated since this will be a part of the record, he suggests that the Board go about this in a professional manner. In the many years that Deputy Mayor Kelly indicated that Attorney Troy's name comes up like every other name, he is aware of that, to his knowledge and the 13 years that he served on the Village Board, Attorney Troy's name was never brought up in the context of being replaced. His name was only brought up as will he be the next Village Attorney and there was never any question as to whether or not he would be. Mr. Brenton thinks that those people that sat on those previous Boards had the feeling that Attorney Troy had done his job in a most exemplary manner. He cannot speak for them but he can speak for himself, having been a Trustee and a Mayor. Attorney Troy has been one of the most dedicated people that the Village has ever had next to Administrator Cummins. Attorney Troy has not been allowed the full time pay status and he has diligently given up his time far and above, in the many years that he has seen this Board operate even prior to the time that he was on the Board because he sat on the Planning Board for five years. That's probably a total of 18 or 20 years of Village service maybe not all of which capacitate Attorney Troy's time on this Board but he certainly has given up his time freely. He has not charged for services that he has performed. He has gone well above and beyond the call of duty in many of the situations that the Village has found itself in. Mr. Brenton is stating this for the record in the hope that the Board will consider that this is a nonpolitical type of decision, although the Board may not hold that view. This is the way he thinks the Board should look at this decision, as someone that will be providing impartial and dedicated service. He doesn't think it should be considered a position for someone to gain economically or trade off and obtain a higher position. Unfortunately, government is composed of people that do go to higher levels for one reason or another. He hopes that the Village Board gave Attorney Troy a great deal of thought before they would ever think of replacing him. He is sure that the Board will.

Trustee Lowther stated Mr. Brenton mentioned the question whether this Board had discussed this information. She was officially notified by another member of this Board today that this was pending. We had our first discussion regarding this tonight at the work session. It took up probably at least half of the work session. It did come to light today and was discussed today for the first time.

Mr. Brenton stated it has been discussed. He reminded the Board, if they are unaware of the fact, when any number of people from this Board meet and discuss Village policies, they are required by law to call a Village Board meeting for that purpose. You don't conduct Village business in a coffee shop. For Trustee Lowther to find this out today via a telephone call from Trustee Kelly, it would appear to Mr. Brenton that Trustee Kelly would not have been able to make that decision on his own and therefore it would appear to Mr. Brenton, that since Trustee Lowther was not involved in any discussion that from all appearances he would say that Village business was conducted. He is not being critical of this, he is only telling the Board something that he knows from his service on this Board, he doesn't think it is fair to say well, former Mayor Brenton has an ax to grind - he doesn't. He thinks he complied with every facet of the law in regards to Village government. There are laws in the State of New York which tell you how Village government will be run and he thinks the Board should do that also.

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He doesn't want to interject this with Attorney Troy's position; however, if what Trustee Lowther tells him is the case, then he thinks the Board should think about this and perhaps Trustee Piazza is unaware of some of this being a newer member on the Board.

Michael Kibby, 97 Los Robles, thanked Superintendent Laubisch for doing an excellent job this winter of keeping the streets and the sidewalks clean. He is here to discuss the issue of replacing Attorney Troy as Village Attorney with Trustee Kelly and that is the plan. The plan is for Trustee Kelly to resign sometime this week and to be replaced by a person who has already agreed to vote out Attorney Troy as Village Attorney and vote in Trustee Kelly as Village Attorney. Mayor Daniels said tonight at the work session that this is unfortunate that this has become public. Mr. Kibby can understand why he thinks it is unfortunate. What Mayor Daniels means is that the Executive Committee of the Harmony Party has said by secret vote that it is time for Trustee Kelly to be Village Attorney and it is time for a man who has served this community 17 years, has served 6 parties, has been found to be excellent and outstanding for all six of those parties for 17 years to now be replaced by someone who has been on the Board three years. Mr. Kibby thinks it probably is unfortunate that it has become public. If that was the side he was on, it would be unfortunate. It's probably also unfortunate that the Mayor replaces Attorney Troy, a man Mayor Daniels says "who has always done an excellent job, whose work has always been outstanding" and the person Mayor Daniels plans to replace him with he describes as "being capable of doing an adequate job". Who's calling the shots here? There is a question about this reappointment. Some people call it a reappointment. Others might argue that the placement of Attorney Troy's name on the information sheet every year when reappointments are done is merely a matter of public record and a matter of public information, then there is really not a reappointment. This is a legal issue and it is ridiculous that the Trustees are going to enter this situation without a legal opinion. They do have a legal opinion from one Trustee, who happens to be a lawyer, who happens to be the man who's going to be appointed the Village Attorney. It seems to Mr. Kibby, if he were electing the Board, he would expect them to have the sense to hire an independent lawyer to give him a clean cut, objective view on this issue. He doesn't understand what's going on here. Well he does. It's backroom politics. This is what this is. It's private, executive committees making decisions that are being dutifully carried out by the peons of party. Unfortunately, the Board knows that they are going to enter a legal suit on this issue and they don't know how they are going to pay for it. There is an opportunity being offered for someone else to work for the Village free. He doesn't know of any law firm that would expect the Village to be due pro bono work but that is what was said at the meeting tonight. What's happening here is a man who has served this Village for 17 years, whose work is deemed by the party in control now as outstanding and excellent, is being replaced. It doesn't make a lot of sense. Mayor Daniels said tonight at the work session that hiring and firing normally has rules that make it cut and dry. Mr. Kibby agreed with him on that. It does normally have rules that make it cut and dry. Those rules say if a man hasn't been doing the job, you produce a paper trail and you get rid of him. Those are the normal rules and that is not what is happening here. There is no paper trail, in fact, the people who are doing the firing are saying this man has done an outstanding job and has done terrific work.

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Carolyn Schlifke, 192 Evans Street, stated she agrees with everything Mike Kibby has said. In fact, it's refreshing to have a man stand up here and not beat around the bush but lay all the cards on the table. It's unfortunate that Mayor Daniels is not here this evening because if he were, she would have just one question for him. Usually when a person is let go from a position there has to be a reason and she would ask him, "what is your reason"?

Carol Kibby, 97 Los Robles, asked Trustee Piazza how long he has been on the Board.

Trustee Piazza stated one year.

Ms. Kibby asked if he was affiliated with the Harmony Party when he was elected.

Trustee Piazza stated yes.

Ms. Kibby asked if it is Trustee Piazza's understanding that he represents her and the other residents of the Village or that he represents the Executive Committee of the Harmony Party.

Trustee Piazza stated he represents every Villager.

Ms. Kibby asked if she checked his voting record or those of his fellow board members, she would find that he would vote according to his own logic, his own conscience having considered an issue carefully and that that vote would vary as far as who he was voting with.

Trustee Piazza stated yes.

Ms. Kibby stated when she votes and she votes in almost every Village election, she votes for representation and she hopes that the Board are the people who are representing her and the other residents of the Village. She hopes she is not being represented by people who she has not elected or her fellow Village residents have not elected who are meeting elsewhere, not meeting here at this table.

Rosemary Sugg, 91 Highland, stated those who are on the Board know that they have been elected and are engaged in the public trust. Their public service dictates that public trust. She knows where they are coming from. She has shared their position. She would like to give some history about the appointment of Attorney Troy because she was here when it happened. She was very involved in Village government at the time. She remembers reflecting as it was happening about how John Sheffer, who was then our mayor, went about appointing our new attorney. She was very much struck with the ethics of the choice, with the absolute lack of partisanship. It wasn't even considered, with the major concern that it be a choice of a very well qualified attorney above the fray. Any of the Board who has been involved in the March madness in this community knows that it gets very frayed. She thinks that was the oasis, the light at the end of the tunnel, any of those terms you want, to describe what Attorney Troy's presence meant to us.

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It was absolutely non partisan and extremely important to those of us on either side of the isle and we were a mixed Board then, as every Board should be. Someone who served in a very important capacity as mayor, and isn't here tonight spoke to her this weekend about this and said that 16 years of experience in municipal law is worth gold. Please consider that when the Board makes this very important decision.

Doug Adema, 185 Oakgrove, stated his principal interest tonight was the Castle Creek Development. He attended the work session of the Village Board for the first time. He is on the Planning Board and is familiar with how work sessions go but was very surprised to suddenly hear the discussion on the replacement of the Village Attorney. He has been witness to the work of, through the Planing Board, the Village Attorney and Trustee Kelly. He was surprised and disappointed at dissension between the two of them during the work session. He thinks it is important for the public to know that apparently a lot of discussion has gone on ahead of time either between them or with others and that this was apparently the first time some of us in the audience had heard about it. It sounds a little backroom to him and he is disappointed.

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

Unanimously carried.

Trustee Lowther commented that she thinks it is crucially important when you have a mixed party Board, which she thinks is a very healthy thing to have, she would love to be in the majority rather than in the minority, she thinks it is crucial to have someone in the position of Village Attorney who is "above the fray". She likes the idea of being able to go to Attorney Troy and to have the full knowledge and the full information that he has imparted to her with no question as to any kind of party background or politics other than she is a member of the Board of Trustees elected by the people of this community. For that she has been very grateful up to this point and she does hope it continues. It's not to state that she doesn't think Trustee Kelly would be adequate in the position; however, her experience with Attorney Troy has been outstanding and she appreciates his council up to this point and hopes it continues in the future.

Trustee Kaye commented on her sense of frustration. Mr. Kibby was very eloquent in sharing exactly what happened this evening. She had to call Mayor Daniels, as a member of this Board, to ask him about rumors that she had heard in the community about what was happening. As Mayor Daniels shared this evening, the Executive Committee of the Harmony Party has granted Trustee Kelly's request to be the Village Attorney which he has made in past years and that was a decision that was made. Maybe, yes, it does smack of backroom politics because she would like to be involved in that kind of discussion and decision before it appears that the decisions are made. She doesn't feel one can adequately represent the community when you are left out of those kinds of decisions. Trustee Kelly did call her today to share with her that he does desire to be the Village Attorney and she does appreciate him calling her and asking if she had any questions.

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She does find that Attorney Troy has always given very good advice and that it doesn't matter when she calls or when anyone else has had a question. He either has gotten back right away or had the answer and has been willing to freely share his time, whether it's been on the Planning Board, the Building Department, with Administrator Cummins. She knows it's difficult for Administrator Cummins to sit there and make any comments because she is plunked right in the middle but she knows that that has been the case over many years. She also understands that today former Mayor and Senator Sheffer did call today to speak to Mayor Daniels and vouch for the credibility of Attorney Troy and vouch for his experience and express his concerns.

Attorney Troy thanked everyone and stated he is flattered and embarrassed.

Trustee Kaye she hopes that we will find a resolution to this. There are many questions still to be resolved.

Deputy Mayor Kelly stated our next meeting is our Reorganization Meeting on April 4th. It starts at 6:00 p.m. The next regular Board meeting is April 11th.

ON MOTION by Deputy Mayor Kelly, seconded by Trustee Lowther, the meeting was adjourned at 8:25 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer