

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, April 25, 1994 at 8:01 P.M.

*Present: Ronald Daniels Mayor
Larry Hillebrand Trustees
Mary Lowther
Basil Piazza*

*Patrick Kelly, Village Attorney
Theresa L. Cummins, Village Administrator, Clerk-Treasurer*

Also Present: Sherry Brink, Recording Secretary

*Absent: Yvonne Kaye, Trustee
David Laubisch, Superintendent of Public Works*

The Clerk read the notice of the reconvened public hearing being held by the Board of Trustees on Monday, April 25, 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 Mayor Daniels, seconded by Trustee Piazza, it was moved to open the public hearing at 8:01 p.m.

Unanimously carried.

Mayor Daniels stated the proposal for a different configuration and additional land area in the development has not occurred. The public hearing is now moot since the development has already been approved in its original form.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved to close the public hearing at 8:02 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, April 25, 1994 at 7:51 P.M.

*Present: Ronald Daniels Mayor
Larry Hillebrand Trustees
Mary Lowther
Basil Piazza*

*Patrick Kelly, Village Attorney
Theresa L. Cummins, Village Administrator, Clerk-Treasurer*

Also Present: Sherry Brink, Recording Secretary

*Absent: Yvonne Kaye, Trustee
David Laubisch, Superintendent of Public Works*

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:51 P.M.

Mayor Daniels stated that Superintendent of Public Works, David Laubisch, is on a well deserved vacation and Trustee Yvonne Kaye is undergoing treatment in a hospital in Rochester for a prolonged illness and we wish her well. She will probably miss several meetings in a row.

Mayor Daniels recognized Marge Turre, a member of the community, who has served in a volunteer capacity on the Senior Citizens Committee for many years. There is a very high percentage of seniors in the Village area, in fact, 6.1% of the Village population is over 85 years old. In the Town it is 1.6%. Attributable to that is the fact that we have several retirement homes in the area, one of which, the Village Square, has been represented on the Senior's Committee, by Marge Turre. Mayor Daniels recalled that as a Trustee years ago, he accepted a very gracious invitation to visit the Village Square to see all the great things that they have. Village Square is a housing unit for seniors that is very much in demand. It is very well maintained. They have great activities there. We have always wanted to dovetail those with what the Village and Town have to offer. He enjoyed some coffee and cookies in Ms. Turre's apartment and took the tour. He understands that Ms. Turre has done that since with Jim Hayes, who is now a Councilman for the Town and Trustee Piazza, who has served with Seniors. We are going to miss her terribly.

Mayor Daniels presented a plaque to Ms. Turry as a token of appreciation from the Village for being on this committee.

Ms. Turry stated it is a great honor to receive this award and to have worked with these nice people for four years. She feels that after four years, at her age, it is time to step down and let somebody else take over. She thanked everyone for the plaque.

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Trustee Piazza stated if it weren't for Ms. Turry, a lot of us wouldn't have been in Village Square for the grand tour. It is a tremendous building.

Mayor Daniels asked if there is still a long waiting list.

Ms. Turry stated yes, there is.

Ms. Turry stated even though Village Square Apartments won't be represented on the Senior Citizens Committee, the Board knows, if they ever need the Senior residents for anything, we'll be there.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, the minutes of the regular meeting of the Board of Trustees held April 11, 1994 were approved.

Trustee Lowther stated she would second that with a correction. On page 15 she is being identified as being the Planning Board liaison. It should have been Trustee Kaye's name there.

Administrator Cummins stated that was the way it was stated at the meeting. That is why the minutes read as they do.

Mayor Daniels stated in the course of the meeting there was reference to the Mayor's Miscellaneous fund as going up in this Village fiscal year. That is incorrect. It is staying exactly the same as it was last year.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the public hearing of the Board of Trustees for the reallocation of prior years Community Development Funds held April 11, 1994 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, the minutes of the public hearing of the Board of Trustees for the review of the 1994-1995 General Fund, Water Fund, Sewer Fund, Glen Park Activities Fund and Debt Service Fund Budgets held April 11, 1994 were approved.

Trustee Lowther commented that she thinks that all the Board members, except Trustee Hillebrand because he wasn't on the Board yet, worked really hard on this budget. It is the third year in a row that we haven't raised taxes. This is quite an accomplishment nowadays. She is looking forward to the Town of Amherst assisting us our sewer problems. She thinks that is happening now and we are finally rolling and she is really happy to see that happen.

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The only area that she had a problem with on the budget and it is a small problem overall is the increase for elected officials. She feels very strongly, and she expressed this to the Board that when she was elected to office for four years, she was elected at a salary that should stay that way. She feels very strongly that the only time an elected official should get a salary increase is when they are running for office. They should be able to run on that and let people know that they earned it or they didn't earn it and let them turn you in or turn you out. That didn't happen this time and there is a very small increase included for the elected officials. While she is not totally in favor of that, she is in favor of the budget and therefore, she will support it and vote for it.

Mayor Daniels stated there really is no good time to raise salaries. Only half the officials get elected at any one point. If we were only to do it during an election period, you would have some Trustees making more than others or some who would benefit because of others or not at the expense of others. He's not sure there is ever a good time; however, the Board has not raised Village taxes and still was able to pass the increase along that the Union and administrative and office staff have realized. This is the first time we have raised salaries since he has been Mayor. This is the first budget year out of three that we have raised the salaries. You have to keep pace with inflation and certainly at \$3,400 a year, a Trustee is not overpaid and at \$5,400 a year, a Mayor is not overpaid. At those figures, truly it is expense money and nothing more than that.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, the minutes of the public hearing of the Board of Trustees regarding the proposed sewer rent rates for the 1994-1995 fiscal year held April 11, 1994 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the public hearing of the Board of Trustees regarding the proposed water rate increase held April 11, 1994 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved at 8:01 p.m. to reconvene a public hearing regarding the amendment of the Castle Creek Exceptional Development. (The hearing closed at 8:02 p.m.)

Unanimously carried.

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Mayor Daniels reported we are very busy trying to button down our sanitary sewer system. We suspect rain water is infiltrating the system. Every time it rains, rain water gets into our sanitary system. It goes to the Town of Amherst Sewage Treatment Plant and we are paying to process rain water which costs the Village residents money. We asked the Town to inspect our sewer system, which they have done and they have given us a report of areas that may need rebuilding. Mayor Daniels stated that he went to a meeting a few days ago with a representative from a corporation that rather than excavating sewer pipe, does an in place, in ground refitting. They have a flexible type of plastic, vinyl tubing that they push into the existing sewer lines from the manholes and it is very cost effective. It's being done in the Town in other areas at this point and it's called "new pipe". The same representative also showed us another type of piping that is actually a cloth that they push into the pipe with water pressure and impregnate with a resin. Then they heat the water inside the pipe and that cures the resin and bonds to the inside of the pipe creating a permanent seal that is actually stronger than the original pipe. Those were very interesting procedures. We're going to be televising all of the suspected areas, including the Main Street sanitary piping with the help of the Town, and move towards plugging up those areas of infiltration of rain water.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$66,069.46 covering 04/07/94 - 04/21/94 were approved:

Payroll fund w/e 04/16/94	\$22,164.67
General fund	36,252.34
Water fund	647.00
Sewer fund	45.96
Trust & Agency fund	<u>6,959.49</u>
 Grand Total	 <u>\$66,069.46</u>
 Large Vouchers:	
American Ref-fuel	\$6,955.96
Amherst Youth Board	\$6,804.00

Unanimously carried.

Mayor Daniels stated his next resolution has to do with an attrition bill that Brian Rusk, our representative to the County Legislature is pushing for at the County level. He is saying that the County could save a tremendous amount of money in their payroll, which appears to be very bloated.

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As jobs become vacant for either retirement or resignation reasons he is saying that a percentage of those should not be refilled because according to the comparison of other counties of similar population in this area, we have approximately twice the number, or more, of county employees per resident and seemingly have no better quality of service. He feels there is quite a bit of fat there. Mayor Daniels personally agrees. There are a lot of problems that are happening on the County level. If this attrition bill were to become fact, our County tax bill would go down about 6% in the Village area, which would be good news. Because of this downsizing there would be no true effect on the services that the County has been providing.

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

RE: REDUCTION OF THE COUNTY WORKFORCE THROUGH ATTRITION

WHEREAS, the workforce of Erie County is bloated and out of control, to the point where it is ineffective and extremely costly to all taxpaying residents of Erie County, and

WHEREAS, other counties within New York State as well as counties of neighboring states have been successful in downsizing their county payrolls and making their county government strong and effective, while employing less workers per capita than does Erie County, and Erie County ought to follow their lead, and

WHEREAS, the time has come for the County of Erie, New York to likewise tighten its belt and reduce the "fat" of the county workforce which has for too long bloated the Erie County budget, and

WHEREAS, Erie County residents do not receive a greater amount or quality of county services to warrant the county's bloated payroll nor does Erie County boast a greater quality of life than the neighboring counties with significantly less "fat" in their county workforces, and

WHEREAS, statistics show that over the past 25 years the population of Erie County has steadily decreased over 13 percent as follow:

1970	- Erie County Population:	1,114,000
1980	- Erie County Population:	1,015,000
1994	- Erie County Population:	969,000

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WHEREAS, in 1976, after cuts in the county payroll implemented by Ned Regan, there were 7,500 full-time workers employed by Erie County resulting in a well-functioning county workforce, however, there has been a 13% reduction in the population of Erie County since 1970, there should also be a corresponding reduction in the workforce of the county, and

WHEREAS, at present there are approximately 7,419 full-time county employees, amounting to a bloated county payroll of approximately \$297 million, and

WHEREAS, in addition to the 7,419 full-time employees provided for in the general operating funds of the 1994 budget, there are full-time positions in the following county units:

Erie Community College	887
Sewer Districts	148
Grant Fund	<u>809</u>
	1844 Total;

therefore, taking these numbers in account, the resulting statistics for Erie County expose an even more saturated county workforce:

Actual number of county employees: 9263

County employees per capita: 104

Percentage of population which is a county employee .96% and

WHEREAS, approximately 700 positions are turned over annually and at least 300 of such positions are questionable in terms of necessity, and

WHEREAS, departments beyond the scope of such attrition requirements are the necessary services of the Sheriff's Department, the District Attorney's Office, Emergency Medical Services, Probation and other public safety and necessary health units of county government, and

WHEREAS, since the County Legislators represent small geographic areas of all those residing in Erie County, they will be more responsive to the needs and concerns of constituents and in turn, are in better position to determine that employee positions in county government are filled by qualified individuals, and

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WHEREAS, this proposal will result in the streamlining of the bloated payroll of Erie County and will serve to bring government back to a reasonable size, which will ultimately save the taxpayers of the Village of Williamsville approximately 6-7% on their County Tax Bill,

NOW, THEREFORE BE IT

RESOLVED, that the County of Erie shall, over the next 3 years (1994-1997) streamline the County Payroll by 13% to reach an ultimate goal of 6,450 full-time county employees, reducing the over-extended county payroll from \$297 million to \$258 million, and be it further,

RESOLVED, that a copy of this resolution be forwarded to Sheila Kee, Director of Budget Management and Finance; Richard A. Slisz, Commissioner of Personnel; and Frank Scaliz, Director of Personnel; Erie County Government, Erie, Pennsylvania.

Trustee Lowther commented she didn't get this until Saturday morning when she picked up her mail so she couldn't get a hold of anyone to discuss this with the County until today. She had a long conversation this morning with Sheila Kee, who is the Director of Budget and Finance. She is also one of the people who is being copied with this resolution. According to her, in this latest administration there has been a 10% reduction in the total work force totaling approximately 825 jobs. These savings in jobs have been created through vacancies and that is how the County has been reducing the work force. The majority of the vacancies that now exist that are mentioned in this resolution are vacancies at the Erie County Medical Center and at the Erie County Home and Infirmary. The Budget Director feels very strongly that if all these positions were eliminated from the ECMC and the Home and Infirmary, there would be a massive service reduction in these two particular areas. Anyone familiar with what happens at the Home and Erie County Medical Center knows that these are areas where they are already short staffed and overworked. It is a really difficult situation as it is in any health related facility. They also feel it would have a severe impact on the management's flexibility if they eliminated these vacancies, especially in a medical setting. There would be no way to reinstate these positions if they needed additional help when a severe medical crisis occurred. They are working to reduce the number of jobs and Trustee Lowther thinks they are headed in the right direction. The other problem she has with this resolution, it is all well and good to try and control Village residents' tax bills but she has a distinct problem that we, as the Village of Williamsville, are going after the County of Erie and we are telling them how to run things. She would not want the County of Erie or the Town of Amherst or anyone else to come in here and tell the Village of Williamsville who we should have working for us, how many people we should have working for us and how much money we should spend. She thinks we are an independent municipality and we determine these things ourselves so if someone is unhappy with the way things are being run in the County, she thinks they should take it upon themselves to write to their legislator, in this case Mr. Rusk, or address their comments directly to Mr. Gorski. For that reason she won't be able to support this resolution.

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She asked the Village Administrator for a roll call, and if this resolution does pass, she would like to make sure that the roll call vote is attached to this resolution so the County people can see who did support this resolution and who did not.

Trustee Hillebrand commented that his wife worked for the Erie Community Medical Center for quite a few years. It is true that they have quite a few vacancies. It is also true that they are overstaffed and that it is a very expensive facility. Regardless of our amendment and proposal, a major reassessment in management review within the hospital is occurring. They have far too many employees related to the number of patients that they address and they are spending more money per patient. They have some very difficult times ahead. The Erie Community Medical Center will reduce the number of employees whether we propose this or not but such a reduction is going on because they have grossly overrun their budgets for the last several years and it is an intolerable situation. The problems of the hospital itself, which accounts for the largest number of vacancies, are being addressed. The intent of this is to address non-hospital related employments. He thinks it is a good thing and the Village should do it.

Mayor Daniels stated Trustee Lowther is right. He would be the last to tell someone else how to run their office if he were not supporting it; however, he pays County taxes. If this were implemented, his County tax bill could go down 6%. We're representing the Village residents and we see the lack of services that we are getting from the County. For instance, Garrison Road, is just one example of that neglect that is unconscionable to him and that is only one road out of over 800 of the 1,200 miles of County roads that are in horrendous condition. Also, the Amherst Seniors get absolutely zero money from the County. There are many programs that go on in this area that are not funded back by the County. As residents we are not getting our dollar for dollar value out of the County tax bill. There is something definitely and critically wrong with the way that the County is running government and if we allow them to run it merrily along the way they have been, more and more of the good old boy network will distribute the funds with such gross inequities that questions are going to be raised more and more. We have a responsibility as a force, more than just a single resident complaining, to wake some people up. As individuals we can do it but it's certainly more of a statement and more powerful to do it in a resolution in unity with all the other villages and towns in the area who also are supporting this attrition bill because we're just not getting the money back from what the County is charging us. He thinks that this can do no harm.

Trustee Piazza stated he agrees with Trustee Lowther that we should all write letters as individuals. In addition, this essentially is a municipal letter to a municipal organization saying, "Look, we need to remind you folks to get your act in order". It's a good reminder for the County to try to tighten their budget, as the Village does. He supports it on that basis.

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Roll Call:

Trustee Piazza	yes
Trustee Hillebrand	yes
Trustee Lowther	no
Mayor Daniels	yes

Motion carried.

Mayor Daniels stated he has appointed Trustee Hillebrand to Patrick Kelly's unexpired term and also Pat Kelly as Village Attorney. We have to set their salaries anew, although they are the same salaries that the former people in those positions earned.

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

RESOLVED that the salaries of the Village Attorney and new Trustee are set as follows for the period April - May 1994.

Patrick Kelly, Village Attorney, \$15,073.00 per year
Lawrence Hillebrand, Trustee, \$3,530.00 per year

Trustee Lowther commented she has no problem with the salary being set for the Village Trustee; however we have a new Village Attorney who defended himself very eloquently during the work session. In previous discussions we have had with previous appointments, when we appointed our Village Prosecutor to replace Joe Stoeckl who had been with us a number of years, her salary was cut approximately 20% and at that point it was based on lack of experience; however, she was told this evening it was partially based on the fact that her salary was out of line compared to other municipalities. Trustee Lowther doesn't necessarily agree with that. She feels that bringing in a new Village Attorney, which this Board has voted to do, is fine but when we add in the medical benefits and everything else, it comes to approximately \$18,000 a year.

Administrator Cummins stated there are no medical benefits.

Trustee Lowther stated then we are back to \$15,000. She does think when we have someone coming on board who has no experience as a Village Attorney even though he has had experience as a Village Trustee for the last three years, some type of a salary adjustment should be made. We are replacing a Village Attorney who had in excess of 15 years experience as a Village Attorney with someone who has no experience. She feels very strongly that there should be some type of salary adjustment made.

Mayor Daniels stated he is confused as to the "her" Trustee Lowther referred to.

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Trustee Lowther stated Joe Stoeckl was replaced by Victoria D'Angelo.

Mayor Daniels stated when we looked at the overall average salaries for other villages in the Erie County community, we simply adjusted the salary for Prosecuting Attorney to be in keeping with of what other Village Prosecutors were making. In this case, if you look at the salaries of Village Attorney, if anything, keeping this same salary is on the low spectrum rather than the high and to decrease it any more would put it way out of line with other villages in the Erie County area. When Mayor Daniels appointed Patrick Kelly to this position, he did not do so without having confidence that he could step in and do a good job for the Village right away based on three years working in the Village as a Trustee. He also had liaisons to all the major departments which he would have oversight over or need expertise in as Village Attorney in order to advise the Board and give us points of law. It is not someone who is inexperienced as Trustee Lowther had referred to but more finely seasoned to the job and able to take the reigns at that particular salary. He can justify it in his own mind that way and certainly we don't lower salaries for a new Trustee for a break in period either. It just didn't seem to be consistent.

Roll Call:

Trustee Piazza	yes
Trustee Hillebrand	yes
Trustee Lowther	no
Mayor Daniels	yes

Motion carried.

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

WHEREAS, the tentative General Fund Budget for the 1994-1995 fiscal year has been duly represented to the Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE BE IT RESOLVED, pursuant to Section 5-508 (4) of Village Law, that the said tentative budget, as changed, altered and revised, and the salaries and wages as stated in the Salary Schedule are hereby adopted as the General Fund budget for the Village of Williamsville for the 1994-1995 fiscal year.

Unanimously carried.

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

WHEREAS, the tentative Water Fund Budget for the 1994-1995 fiscal year has been duly represented to the Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE BE IT RESOLVED, pursuant to Section 5-508 (4) of Village Law, that the said tentative budget, as changed, altered and revised, and the salaries and wages as stated in the Salary Schedule are hereby adopted as the Water Fund budget for the Village of Williamsville for the 1994-1995 fiscal year.

Unanimously carried.

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

WHEREAS, the tentative Sewer Fund Budget for the 1994-1995 fiscal year has been duly represented to the Board by the Budget Officer and a duly advertise public hearing has been held thereon.

NOW, THEREFORE BE IT RESOLVED, pursuant to Section 5-508 (4) of Village Law, that the said tentative budget, as changed, altered and revised, and the salaries and wages as stated in the Salary Schedule are hereby adopted as the sewer Fund budget for the Village of Williamsville for the 1994-1995 fiscal year.

Unanimously carried.

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

WHEREAS, the tentative Glen Park Joint Activities Budget for the 1994-1995 fiscal year has been duly represented to the Board by the Budget Officer and a duly advertised public hearing has been held thereon.

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NOW, THEREFORE BE IT RESOLVED, pursuant to Section 5-508 (4) of Village Law, that the said tentative budget, as changed, altered and revised, and the salaries and wages as stated in the Salary Schedule are hereby adopted as the Glen Park Joint Activities budget for the Village of Williamsville for the 1994-1995 fiscal year.

Unanimously carried.

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

WHEREAS, the tentative Debt Service Fund Activities Budget for the 1994-1995 fiscal year has been duly represented to the Board by the Budget Officer and a duly advertised public hearing has been held thereon.

NOW, THEREFORE BE IT RESOLVED, pursuant to Section 5-508 (4) of Village Law, that the said tentative budget, as changed, altered and revised, and the salaries and wages as stated in the Salary Schedule are hereby adopted as the Debt Service Fund Activities budget for the Village of Williamsville for the 1994-1995 fiscal year.

Unanimously carried.

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

RESOLVED that the Sewer Rent rates for the 1994-1995 fiscal year are hereby set as follows:

- \$1.97 per 1,000 of water consumed
- \$.86 per 1,000 of total assessed valuation

Unanimously carried.

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

RESOLVED that the Village Water rates are set as follows, effective with the June 1, 1994 billing:

Inside Village rates:	\$2.88 per M gallons
Outside Village rates:	\$4.32 per M gallons

Unanimously carried.

Mayor Daniels congratulated the Board for holding the line on the General Fund budget and the property taxes.

Mayor Daniels stated his next resolution appoints a South High School Senior, who is in attendance, to the Historic Preservation Board.

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

RESOLVED that Jennifer Matusiak, 97 Columbia Drive, is hereby appointed to the Historic Preservation Commission until the end of the 1995-1996 official Village year.

Unanimously carried.

Mayor Daniels stated we have a very busy year scheduled for that commission since we have been recipients of a \$50,000 grant from the State to pursue historic preservation in the Village area and we need to decide how best to use these funds. We think that the high school students can be of help and have given Ms. Matusiak some tasks to research at the high school level through the Industrial Arts Department and the Arts Department, etc. We welcome her to the Board.

Trustee Lowther reported the Traffic and Safety Committee meeting was held last Thursday evening and they formulated a position on the Department of Transportation widening of Main Street that everyone has been hearing so much about. They came to a resolution in favor of five lanes with no bike paths. They felt that the bike paths would be more of a safety concern than no bike paths at all because there was nothing to connect them to and they would have been stuck right in the middle of Main Street starting no where and ending no where. The resolution was for the five lane proposal with the center turning lane and we felt that could be accomplished without actually widening the street, which is what everyone is looking to do so we don't have to cut down in excess of 100 trees along the route.

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Trustee Lowther reported Old Home Days was scheduled to meet on April 13th but they canceled and rescheduled for May 11th at 7:00 p.m. here in Village Hall. This is the only meeting they will be having so if anyone has any concerns or questions they want to address on Old Home Days, they can talk to Trustee Lowther or attend the meeting on May 11th.

Trustee Lowther reported the Glen Park Joint Board will be meeting on May 3rd at 7:30 p.m. at Town Hall. One of the items up for discussion is the overcharge by RJD Security, approximately \$1,000 for our guard work in 1993. They have offered a reduction in this year's rates to help make up the difference but it would be less than a third of what we were actually overcharged. She is waiting to hear from them before we determine what we are going to do about it this year. We are also having a special meeting to look into the expenditures that we will be making with the Department of Interior \$20,000 grant that we received. The special meeting is going to be held in the Noll Nature Center on Glen Avenue, Tuesday evening, May 10th at 7:30 p.m. We will be meeting with a person from the Department of Interior who will be working with us on what areas will be allowed or not allowed for the Board to be expending portions of this \$20,000 grant. The budget this evening did include a slight increase for the Glen Park budget. That was because it is a match grant and when the match is split between the Town and the Village, only a very modest amount was required to come up with a \$20,000 so that we can do repairs in Glen Park.

Trustee Lowther stated she was the former liaison to the Environmental Committee and now Trustee Hillebrand is; however, they didn't have a meeting so she is not sure if he is aware and she wants to remind the community that Erie County is going to be having a hazardous waste drop off day at ECC North on Saturday, May 14th from 9:00 a.m. to 2:00 p.m. It's being held by appointment only and she has the phone number if anyone wants to call and make an appointment. We don't want to see any hazardous waste going into the ground or into the sewers or into our creeks or anywhere else. We want them disposed of properly. That's the reason the County and the Town of Amherst are sponsoring this drop-off date. It's the first one we've ever had in the Town of Amherst and she thinks it's really significant that we managed to get them here. They will be taking pesticides, herbicides, fungicides, oil base paint, paint thinner and solvent, lead acid car batteries and waste antifreeze. If anyone has any questions, they can take a look at the flyer. Also, she and Trustee Hillebrand would be happy to answer any questions.

Trustee Lowther stated she had a resolution for an appointment to the Glen Park Joint Board, however she is withdrawing that resolution because we're working on seeing if the Glen Park Joint Board can be expanded. She would like to see two more people added, one from the Town side and one from the Village side. We have a person who was not reappointed at reorganization this year who has expressed an interest on staying on the Board and we also have an opportunity to appoint an engineer. She thinks we are in critical need of having someone with engineering experience on this board due to the engineering problems that we are facing along the creek wall where we have had collapses. We really could use that expertise. If we can expand that committee, she will be making a couple of appointments at the next meeting. She will hold that resolution until next time.

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Trustee Lowther stated the next resolution is an appointment to the Youth Committee that she is making on behalf of Trustee Kaye who can't be here this evening because she is in the hospital.

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

RESOLVED that the following appointment is hereby made to the Youth Committee until the end of the 1994-1995 official Village year:

Amy D'Alba
12 Arty Drive
Williamsville, New York 14221

Unanimously carried.

Trustee Lowther stated the next resolution is Trustee Kaye's resolution also. It has to do with the Fire Department.

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

RESOLVED that the Village Board, acting as Commissioners of the Williamsville fire Department, hereby approves of the following firemen elected Chiefs for the 1994-1995 year:

Chief	James. J. Zymanek
1st Asst. Chief	Thomas Meldrum
2nd Asst. Chief	Michael Moritz

FURTHER RESOLVED, that a copy of this resolution be forwarded to the Fire Company for their files.

Unanimously carried.

Trustee Piazza read an announcement of the 12th Annual Fishing Derby sponsored by the Williamsville Youth and Recreation Board to be held on June 5th, 1994. (Copy attached)

Trustee Piazza reported that Boy Scout Troop 85 is going to bring their hot dog trailer into Island Park for the Fishing Derby day. This is the same hot dog trailer they used during the Winterfest day. Proceeds will support Boy Scout Troop 85.

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Trustee Piazza reported the Parks Committee has been looking at playground type equipment since our last meeting. We still feel we don't have enough information from all the representatives so in the meantime we are going back to all three of them asking for more information on their exact specs. Perhaps we can get some samples from them before we make our decision.

Trustee Piazza reported that Savor the Flavor is Tuesday, July 12th. Planning is still on the way for that. He will provide more information as it unfolds.

Trustee Piazza reported the Arts and Crafts show, at the end of August, probably will be held in Island Park. That is tentative. We realize it cannot be held on Main Street because of the fact that Main will be down to two lanes at that time. We are looking at the possibility of either on the island or in the parking lot.

Trustee Piazza stated we're also looking at a stage that would be used during Savor the Flavor, and perhaps during a nice musical event given probably by the South or the district band sometime early in August. In both of those cases a stage would be necessary and so we are looking into the possibility of getting one that would not be a budget buster.

Trustee Piazza reported on the Government Advisory Board. The Cable Contract still hasn't been passed by this Board. We're waiting for a few specific minor details to be worked out with the Cable Company. He will have the Village Attorney look into that so we can get that passed. He knows the Town passed theirs and we would like to get on line rather than have to extend it. We are also looking at improving the water system and are moving in that direction. He doesn't have a lot of specifics on that. Right now Don Dehn has been looking at specific details on what should be done on Main Street on the west side of the bridge while the State is doing the road work this summer. In addition, we are looking to doing some improvements in the Cadman area and then from there we will take some additional steps.

Trustee Piazza stated on behalf of the DPW, trash pickup does start in May. The first week of trash pickup will be the week of May 10th. Residents should hold off on their trash for another couple of weeks.

Trustee Piazza stated his first resolution calls for a public hearing. This is for an amendment to the water code regarding installation and maintenance of water meters.

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

RESOLVED that the Village Administrator publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on May 23, 1994 at 7:30 p.m. in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 107-7 (B) and (C) of the Water Code regarding installing and maintenance of Water Meters.

Trustee Piazza stated right now the code calls for the Village to not install at its own cost meters above 3/4". In fact, the Village has been doing everything under 2" anyway. In the future the Village wants the ability to change all water meters no matter what the size to insure that all future water meters are in line with the technology that we happen to be installing at that time, especially the commercial owners. There is a tendency sometimes with commercial owners who are trying to cut costs perhaps to not get the kind of water meter that the Village would want them to get or not get them in a timely fashion. We know there are some out there that are over 25 years old now and we know also that those are very inefficient and inaccurate. The purpose of this proposal is to give the Village the ability to do this at its own cost.

Unanimously carried.

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

RESOLVED that prior year Community Development Funds are hereby re-allocated as follows:

	<u>FROM</u>		<u>TO</u>
1991-92	Water Study	\$355.83	
1992-93	Architectural Barrier	5000.00	
	Village Waterlines	8,652.70	Village Hall Elevator
1993-94	Target Area	<u>15,000.00</u>	
		<u>\$29,008.53</u>	<u>\$29,008.53</u>

Unanimously carried.

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

RESOLVED that the \$55,370.00 1994-1995 Community Development Funds are hereby allocated as follows:

\$12,000	Housing Rehabilitation
43,370	ADA Requirements including Village Hall elevator, curb cuts, Meeting House ADA requirements.

Unanimously carried.

Trustee Hillebrand reported there was no Environmental Committee meeting this month. There will be one in the latter part of May. The Planning Board will be meeting on the May 2nd, next Monday.

Trustee Hillebrand stated his resolution calls for a public hearing on May 9th. It is a perennial issue about signs, commercial signs in our Village. The proposal that will be discussed in the public meeting is whether signs that were built that were fully compliant to the law when they were built should be grandfathered and only removed when they are modified or when the businesses are sold or there is a change in ownership.

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

RESOLVED that the Village Administrator publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on May 9, 1994 at 7:30 p.m. in Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 84-8 of the Sign Code regarding Non-conforming Signs.

Trustee Lowther commented that she is interested in knowing how many non-conforming signs are out there right now and finding out if there is some way we can flag them so that when they are changed or when something happens, we know that it is non-conforming and has to be removed. She thinks in the past, unfortunately, a lot of these have slipped through the cracks and she would like to make sure that we see this addressed so that we can keep on bringing our signs up to proper code.

Unanimously carried.

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

Unanimously carried.

Joe Frazer, 18 Applewood Road, Cheektowaga, stated he has done a study on the Pfohl Brothers landfill. He has done an in-depth investigation from 1979 to 1989 of Ellicott Creek and have found contaminants. He has all the Department of Environmental Conservation records. He is now in the process of doing an investigation on Ellicott Creek and has found some alarming information. The results from the tests that have been done at Island Park and a couple other places in Williamsville and Cheektowaga were altered by scientists. He will be doing a report and giving it to Trustee Kaye or Trustee Lowther and he hopes the Board can act on it with the Town. Has the Town started a resolution?

Trustee Lowther stated the Town already has sponsored a resolution as has the Village which stated that we would like to see some more information on this problem and she thinks everyone is very interested in this. She knows at one point Mayor Daniels was involved in taking some water samples from the creek. When Mr. Frazer gets his report, all the Board members would like to see it. We have the creek running through two parks and our community and it is certainly a concern. She is very alarmed at some of the things that Mr. Frazer has turned up and that she has personally read about in the paper.

Mr. Frazer stated he saw the DEC comments. The DEC has made report after report saying that the contaminants aren't leaving a dump in the creek. When you read the reports and you read into them, it shows the contaminants do exist. Now they are coming forward and saying, yes, they are. That's why they are capping it. It's a little late for the Village of Williamsville and the Town of Cheektowaga residents. There are many grants that towns and villages can use, in fact, there are 3,000 grants. You could apply for different ones or get your own environmentalists involved. He could submit a few to the Board.

Trustee Lowther stated if he has some information on the grants she is sure the Environmental Committee under Trustee Hillebrand will be happy to have it. Perhaps if the report warrants it, there might be some way for us to work in conjunction with the Town of Amherst as far as sharing the cost of doing some independent testing for the community, if that is something we end up wanting to do.

Mr. Frazer stated some of these grants will pay for the testing 100% plus the money for the Environmental group. The funds are \$20,000 or \$150,000. Small villages do get them.

Mayor Daniels stated we have a grant writer that we retain, Robert Miller and Associates. Scott Glinski is working very hard for us.

Mr. Frazer stated he could bring the copy in.

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Mayor Daniels stated he would love that because he could give the packet to Mr. Glinski and instruct him to apply for absolutely everything. He is under a flat fee retainer. If he applies for \$10.00 or \$1,000 it doesn't cost us extra. Mayor Daniels knows that one of the problems that we have with Ellicott Creek has to be the volatility of it when it rains. Another is regulating the dam and flooding especially in the Lehn Springs area. It has improved since the bridge over Wehrle Drive has been rebuilt; however, there is a good deal of sand and silt buildup around where the Castle is on Oakgrove and dredging is something that we need to do eventually given the number of contaminants that have come from Pfohl over the years. The real question is will the DEC take soil samples of that silt and let the Village know if we can actually disturb it. They won't allow us now to just go in and dredge and one of the reasons he assumes is that there is a lot of crud in there from PCBs, etc. from the Pfohl Dump that have collected on the bottom of Ellicott Creek over the years.

Mr. Frazer stated finding out the amount of cancer just on Ellicott Creek from the Pfohl Dump to right here is phenomenal. It's not only at Pfohl Dump, anybody who had anything to do with the creek or Aero Lake, it's a concern.

Mayor Daniels stated we found that the problem with testing on Aero Lake and Ellicott Creek is that they are so responsive to rain water and the area also is spring fed. Ellicott Creek needs to have the sediment at the bottom. We know that the wells have been contaminated for years all around that area.

Mr. Frazer stated the wells come from Ellicott Creek. Six of the wells that were found had chlorobenzenes. They are all from the creek.

Trustee Lowther asked when he projects the study will be done.

Mr. Frazer stated in about 3 weeks.

Jim Tricoli, 4 Columbia Drive, questioned the Board on the Village Cod which requires a \$35.00 payment for a temporary political sign. He feels because the sign is on his property that he did not have to fill out a permit. He was disturbed because the first notification he received about his sign was a letter from the Building Department stating his sign was in violation of the code.

Mayor Daniels stated not for a temporary Mayor's permit.

Mr. Tricoli stated it was on his property. He asked Attorney Kelly if he went to 4 Columbia Drive.

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Attorney Kelly stated he discussed the matter with the Building Inspector who said Mr. Tricoli was sent a letter that it is in violation and that Mr. Tricoli had several conversations with the Building Inspector who advised him that it was in violation of the sign code and requested Mr. Tricoli to apply for the sign permit or remove it and that Mr. Tricoli had refused to do so. Based on that conversation and the fact that Mr. Sutton had told Attorney Kelly that it violates this section, he advised Attorney Kelly that he would be citing Mr. Tricoli for his failure to remove the sign. The same as every other school board election as long as he has been in the Village of Williamsville, the same as every political campaign. We've had Town, we've had Congressmen, we've had County Executives.

Mr. Tricoli stated he was sent two letters in one week. He wondered what section of the code he was violating.

Attorney Kelly stated "Temporary Signs- A temporary sign may be erected unless otherwise permitted only upon the granting of a temporary sign permit by the Building Inspector. Application for such permit should be made in the form provided and such permit may be granted only to the owner of the property in behalf of the filing".

Mayor Daniels stated he thinks the idea behind regulating signs so that people do not have the ability to just put up signs wherever they like in a community that is supposed to be regulated by certain codes. There are certain fence regulations, there are swimming pool regulations, there are trash regulations which all go into a code to make an area something where people can be proud to live in. If there are no regulations to live by, then yes, you can do what ever you want.

Attorney Kelly stated he can only go by what was passed by the Board years ago, political signs are just one of many different signs that are regulated, all signs are regulated. "The purpose of this chapter is to protect the public health, welfare and safety by regulating existing and proposed outdoor and window signs of all types. It is intended to assist in the creation of an attractive atmosphere, the conduct of business giving consideration to the esthetics of the community. No sign shall be constructed, set, or erected on any premises, fastened or erected upon the exterior of any building, or other structural or placed upon the ground or placed permanently in any window except as provided herein".

Mr. Tricoli stated he has an 18" by 21" sign on his tree in front of his house. He is then in violation of putting one sign on his own property which simply says "Jim Tricoli, Williamsville School Board".

Trustee Lowther stated in the past we have had people, especially school board candidates who aren't familiar with having signs erected in the Village. This is one of the incentives to have the signs are removed at the end of the election. Many times, she is sure, he, as a resident of the Village, has driven around the Town after a Town election and seen signs all over the place that are never removed, especially by losing candidates.

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This is an incentive to make sure you come back and get your \$35.00 also and to remove whatever is left over from your campaign. We don't want to look at it after the election whether you win or lose. Many people that she has dealt with just think that is an absolutely wonderful thing to be doing environmentally. She thinks Mr. Tricoli is taking this personally.

Mr. Tricoli stated every school board member received a letter stating the policy on signs except Mr. Tricoli. He did not receive the letter three weeks ago informing him of our codes. He was wondering why he didn't get one. It must have been an oversight. Therefore, he had no knowledge of what the policy was whatsoever until last Monday when he received a letter saying take down your sign or else we are going to take you to court. Then three days later he got another one saying you are going to court.

Trustee Lowther stated she thinks it is unfortunate that Mr. Tricoli didn't receive the notification. That is our standard procedure.

Mr. Tricoli stated he checked what happened to it and they were sent to the Board of Education and somehow his did not get sent to him. He understands. This Board is very cooperative tonight.

Attorney Kelly stated he did check into what procedures of the Building Department and as they do in every election when there is a school election coming on, they simply advise the authorities at the school district who supposedly sends out the letters. He doesn't know if they did this in this case or not but that is the procedure that they told him. He did request from Debbie Habes what exactly transpired with respect to the sign and any time there is a sign that is not in compliance, the first thing we do is send a letter saying the resident is out of compliance, please come into the Village. There were several telephone conversations from both Deborah Habes and the Building Inspector, both of which told Mr. Tricoli he was violating the law and please come in and fill out a sign permit. They were all advised that no, Mr. Tricoli will not. At that point in time, they had no other choice but to simply cite the individual.

Mr. Tricoli stated he came into the office twice and both times were after 1:00 p.m. He was told that the people who sign those permits leave at 1:00 p.m. Somehow there was a foul up and he ends up going to court because he will be in court and will fight this. It is so ridiculous in the sense that it could have been nicely handled instead of writing him letters saying we are going to this and that to you. The Village seems to have a problem with Mr. Tricoli and therefore Mr. Tricoli has a problem with the Village and he will end up in court.

Carolyn Schlifke, 192 Evans Street, stated earlier in the meeting Trustee Lowther addressed the question of salaries for Trustees. Mayor Daniels stated to the fact that he didn't think it was possible for a Trustee that was elected to maintain the same salary for the term and have another Trustee elected at a future date and receiving a different amount of money. She guesses there is some logic to that. She brought up the health care coverage that some people avail themselves of not only in this municipality but it seems like in all municipalities. The Town of Amherst entered into quite a lengthy discussion to try to get some contributions from their elected officials.

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Many of them chose to call themselves employees as opposed to elected officials and wanted to place themselves in the category of a full time employee due to the number of hours that they put in. Therefore they felt that they should be allowed to have the taxpayers pay for full medical coverage for them. She knows a lot of people, not only in the Town of Amherst but in the Village of Williamsville who probably cannot afford the type of medical coverage that some elected officials are availing themselves of. Some of them have other options for obtaining medical insurance and yet they believe in having the taxpayers pay for them. So while you pass a budget that shows \$3,520 as a salary for a Village Trustee, there is a little hidden perk there if someone wishes to avail themselves of it. She doesn't know the exact amount but it could be anywhere around \$3,000 or more a year for medical insurance. This has been going on for many years. She is aware of it. She knows of people that avail themselves of it. She doesn't think we should look at it as a question of well, it's always been here, other people got it and now we should just continue with it. She thinks that it is definitely something that the Village of Williamsville has to look at very seriously, not to deprive anyone of medical insurance if they have no other source but certainly to make sure that they are at least contributing to it. She knows the Board has set up a policy for future new employees and there again she questions the fact of whether an elected official falls under the category of an employee. She certainly would never put an elected official in that category, personally. She has looked at the budget. The only reference at all she can find to hospital and medical insurance and also dental plan is under employee benefits. She has to assume that anyone on the Board that is availing themselves of these benefits is being classified as an employee. There is no where under the elected officials budget that she can see that states that one, two, however many avail themselves of this benefit. As the Board changes this could be as many as five people who decide that they want the taxpayer to pay for 100% of their medical insurance. She thinks it is very unfair and it is time to put a stop to it. She thinks medical insurance costs have gone sky high. For many years her husband's company paid for their medical insurance; therefore, she never had to avail herself of any from any other source. However, in the last two or three years they now contribute \$180.00 a month towards our medical insurance. This is happening with employers all over. She has to relate a story to the Board that happened to her a year or so ago, just before the presidential election. When she was on her way to the airport and rented a taxi cab. The driver happened to be a resident of the Village of Williamsville. The gentleman was from another country, she doesn't know where. He was all excited that perhaps we could elect a president who was going to give everybody free medical insurance. You all know, there is very little, if anything, in this life that is free. Somebody pays for it. If he got it for nothing, it was going to come out of her taxes. That was for sure. And when the elected officials get it for nothing, it is coming out of tax dollars. She doesn't think it is fair. She thinks it is time to definitely put a stop to it. The token vote that was taken in the Town of Amherst was just that. A 10% contribution by those people was certainly not what she was looking for because we all pay Town taxes also. It goes up the ladder and we're paying for many medical policies for many people that are elected into public office. Ms. Schlifke handed out copies of an editorial from the Buffalo News about a week ago which has some very good statements in it regarding "Town and Village Officials Don't Need Health Plans". (Copy attached) She thinks that it says it all in that editorial and she asks that the Board look into this system and not place this additional burden on the taxpayers on the Village of Williamsville.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved adjourn the meeting at 9:16 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer