

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, May 9, 1994 at 7:35 P.M.

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

*Patrick Kelly, Village Attorney
Theresa L. Cummins, Village Administrator, Clerk-Treasurer
David Laubisch, Superintendent of Public Works*

Also Present: Sherry Brink, Recording Secretary

Absent: Yvonne Kaye, Trustee

The Clerk read the notice of public hearing being held by the Board of Trustees 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.

ON MOTION by Trustee Hillebrand, seconded by Trustee Piazza, it was moved to open the public hearing at 7:34 p.m.

Unanimously carried.

Trustee Hillebrand stated the essence of this amendment will be to grandfather signs which were legal when erected but due to subsequent changes in the sign code, they are no longer in conformance. The essence is to make these signs legal; however, as soon as there is a change in management or ownership or a proposal to change the sign, then the sign will have to be brought up to current standards. This is a grandfathering clause only as long as the ownership remains the same, the business is the same and the sign essentially the same. This affects a fairly small number of signs in the whole Village.

Trey Measer, 90 S. Ellicott, stated the record should show the stand of the Planning Board.

Trustee Hillebrand stated the Planning Board evaluated the amendment and has concurred in it as written. They feel that it is fair and reasonable to existing business persons and it would be unreasonable to ask them to change their signs when they were legal at the time they were erected.

Trustee Piazza stated it strikes him as common sense not to keep forcing businesses to change their signs each time our sign code undergoes a change. This is a good idea.

Trustee Lowther commented that the Building Department is in the process of computerizing the locations of all the signs in the Village. The ones that are not in compliance now, even though they are being grandfathered, will be flagged in some manner so that in the future when a change is proposed, we will know that this is a sign that needs to be brought up to compliance.

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, May 9, 1994 at 7:35 P.M.

She thinks it is important that a follow up system is developed so these problems don't end up slipping through the cracks like they have at times in the past.

Elroy Avery, 72 Rinewalt, asked how many signs are non-conforming.

Trustee Hillebrand stated there are four of the projecting signs on Main Street that have been discussed many times. In addition to these four signs, there are approximately 25 other signs in the whole Village that will fall in this category. The majority of these signs have become non-conforming because last year the Village restricted the size of the signs. We made the sign size smaller. You would probably not notice that these signs were non-conforming because we made a subtle change to the Building Code. The correct answer is approximately 30 signs, four of which are the projecting type signs.

ON MOTION by Trustee Hillebrand, seconded by Trustee Lowther, it was moved to close the public hearing at 7:40 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, May 9, 1994 at 7:34 P.M.

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

*Patrick Kelly, Village Attorney
Theresa L. Cummins, Village Administrator, Clerk-Treasurer
David Laubisch, Superintendent of Public Works*

Also Present: Sherry Brink, Recording Secretary

Absent: Yvonne Kaye, Trustee

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:34 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, the minutes of the regular meeting of the Board of Trustees held April 25, 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 regarding the Castle Creek Exceptional Development Amendment held February 28, 1994, March 28, 1994 and April 25, 1994 were approved.

Unanimously carried.

ON MOTION by Trustee Hillebrand seconded by Trustee Lowther, it was moved at 7:34 p.m. to open a public hearing of the Board of Trustees on a proposed local law to amend Section 84-8 of the Sign Code regarding Non-Conforming Signs. (The hearing closed at 7:40 p.m.)

Unanimously carried.

Mayor Daniels congratulated the Hutchinson Hose Fire Company on their election of new officers for the upcoming year and stated although he was not able to attend the Installation of Officers last Saturday, it was extremely well done.

Mayor Daniels reported last year the Village replaced water lines on Garrison Road, Swan Place, Willowbrook and a new development, Castle Creek Trail. We retained a firm to do the work and thought that the work would be completed in a timely fashion which should have been by September of last year.

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, May 9, 1994 at 7:34 P.M.

The work dragged on and on, much to the residents' dismay and the Village's chagrin because we are the ones everybody calls when something goes wrong. Unfortunately, we were caught between the engineering firm overseeing the project, the construction company and the residents. The outcome is that we are still in the process of bringing the company to account to remediate and fix the landscaping that was excavated because of this contract. We have been working with the company in order to see that they do this very quickly and we have given them an ultimatum or two. They are, according to a letter that Mayor Daniels received today saying "I believe at this point we have completed the topsoiling that we agreed should be done. We will repair the edge of the pavement on Willowbrook and the brick driveway in the next few days. Weather does affect each of these operations and the minor topsoiling that remains after this work is done." Now Superintendent of Public Works, David Laubisch, and himself will go and inspect the work now that it has been done. Any residents who still feel that the contractor has not complied and restored their property should let the Board know because with some of the pre-existing ruts on Garrison Road, it is difficult to tell if some of that was because of the water project or the deteriorated condition of Garrison Road. Some of the damage may be the responsibility of the Village because of normal sidewalk plow and plowing operations during the winter and will be restored by the Village.

Mayor Daniels stated there was an article in the paper regarding the poor shape of County roads and turning them over to municipalities, towns and villages because they are doing such a horrendous job of upkeep. Around here, specifically Wehrle Drive and Garrison Road are in poor condition but all over the County, about 800 miles of the 1,200 that they are responsible for are substandard, such as Bailey Avenue, Eggert Road. The only people who really enjoy this are the repair shops. They are making a lot of money on realignments and flat tires. Now the County is trying to divest itself the responsibility of the road system. Years ago, the County did not have a County legislature. Up until 1961 there was a Board of Supervisors and the Supervisor from each town met together and decided the fate of the County. Everytime a Supervisor did not want a particular piece of road, he gave it to the County to maintain, which is why the County has way too many roads now in it's system, probably twice what it should. The nearest County in road lane miles in this state is 800 miles and the County of Erie has 1,200 miles. The Village has said that it would possibly be interested in taking over Garrison Road if they would first bring it up to standards, repave it and put it in good condition and second, make some kind of arrangement for future upkeep either by reducing County taxes or in some other way so that the Village could maintain the road. It does no good to take it over and then put it on the local property tax burden if the County is taking the money the Village has paid them all these years and not giving the Village anything back for it. The County said no that it would not affect the taxes and the Village would still have to pay the same amount; however, the State gives each municipality including the County State funds to repair and upkeep roads called "CHIPS", Consolidated Highway Improvement Plan money. In looking at the way that is distributed, the County receives four times the dollar amount per mile a town. They are given over \$4,000 a lane mile by the State to upkeep the roads. The town is given less than \$1,000, which is kind of funny because the Town roads are four times better than the County roads when you look at them and drive on them. Mayor Daniels suspects there are some irregularities in that distribution.

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, May 9, 1994 at 7:34 P.M.

If we could get that formula reversed, that would bring the Village one step closer to actually controlling and maintaining the roads which are in our municipality so we are not wrongly blamed for problems that are caused by someone else's road.

Mayor Daniels reported we are also looking for grants to do some work in the community on urban development. There is some money available for store front upgrading. It's a grant through the New York State Urban Development Corporation that will pay store owners up to \$1,200 per store fronts for improvements. It could be a new plate glass window, painting or some sort of a decorating option, a new facade, whatever they would like. We are also working with the Business Association since a business owner would have to apply for this grant. Mayor Daniels has also encouraged members of the Business Association to attend the New York Conference of Mayors 6th Annual Main Street meeting in July which deals with that type of revitalization as well as being able to attract good businesses and retail recruitment for the Main Street area. In other words, shops that would be very attractive for the Village to have. It's always a struggle for businesses on Main Street that are not in a mall to survive because it is much easier for people, especially with the weather in Buffalo, to normally walk in a mall and leisurely shop than to brave the weather nine months of the year. You need to have some real attractive features to attract shoppers to your community.

Mayor Daniels reported we are also working with the Historic Preservation Committee to enhance the community with funding we have received for that purpose.

Mayor Daniels reported that on Saturday at 10:00 A.M. the Business Association is kicking off their "clean sweep" of the Village. They are encouraging residents and all of the business owners to come out and help clean up the Main Street area. The Village Beautification Committee will be busy also in the landscape areas that we maintain, the triangle at Main and Evans, in front of Village Hall, in front of the Meeting House all of those areas in starting their spring clean up. Anyone who wants to join in that is welcome. It also coincides with the Hazardous Waste pick up at Erie Community College.

Mayor Daniels reported there is final meeting at the Town of Amherst tomorrow on the proposed widening of Main Street from Evans to Youngs Road. Currently there are plans for anywhere from five to seven lanes of road, which will occur next year starting in June or July. We, through public hearings and in talking with the business owners and residents in the community, are going to insist that no widening occur at all between Evans and Farber Lane in the Village. We feel that widening would narrow the sidewalk and public walkway area dramatically. Some of the store fronts are so close to the road, for instance the Little White House that were they to put another lane there, there probably wouldn't be enough room for sidewalking. That has happened in other areas. Years ago Maple Road was a residential road. First they widened the road a little bit, the next time they widened it, it was right up to the front stoops of the homes and then the next time they widened it the homes disappeared. We certainly don't want that kind of widening. If you look at seven lanes, it would be like Niagara Falls Boulevard near the Boulevard Mall. It's a huge expanse of blacktop. He thinks the State realizes that proposal is out.

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, May 9, 1994 at 7:34 P.M.

The Village would like no widening at all. We are encouraging them to widen the road from the High School out towards Youngs because Mayor Daniels thinks that is a dangerous bottleneck, especially given the fact that there is the High School and very clear access is important there. We would even be willing to sacrifice some on street parking in lieu of not widening that particular stretch of road. What the State really wants is a center lane for turning, which would be five lanes. That could be accomplished if we eliminated even one side of on-street parking and would eliminate the removal of the trees and the real problem is what to do with the snow in the winter. There would be more street to plow, which means there is more snow but less of an area on the side of the road to put the snow. Also there would be no sidewalks because they would be covered with snow. The Village won't put up with that situation.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$86,283.20 covering 04/22/94 - 05/05/94 were approved:

Payroll fund w/e 04/30/94	\$19,868.81
General fund	24,372.60
Water fund	34,369.94
Sewer fund	2,436.72
Glen Park	227.88
Trust & Agency fund	<u>5,007.25</u>
Grand Total	<u>\$86,283.20</u>
Large Vouchers:	
Erie County Water Authority	\$33,656.60
Gleason's Nursery Inc.	\$6,395.00

Unanimously carried.

Trustee Piazza congratulated all the installed officers in the Fire Department. One of the tremendous benefits of being a Trustee, and one of the Fire Commissioners, is the Hutchinson Hose Fire Department puts on one very nice party. Trustee Piazza thanked them for having him as a guest last Saturday.

Trustee Piazza reported he toured each park with Ray Schwartz. In Island Park he noticed there was some lattice work on the pavilion that was broken up by vandals, probably in the Fall. The teeter totters are on the way out. If we can replace those this season we will. The pool developed a couple of cracks from the harsh freeze this past winter. Ray has done some work on those and will continue to repair the pool. The blacktop that was installed last year is still holding up fine. We have to add some topsoil to add to some low spots and as soon as the summer help comes on board, that is one of the projects Ray has in mind. The swings are up.

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, May 9, 1994 at 7:34 P.M.

There are some hard, plastic seats on the swings for the older children that are already cracking and they were in good shape 10 days ago. Either older children or younger teenagers probably were rough on them. Ray is in the process of getting the flexible rubber seats. They aren't as comfortable to sit on but they won't break. Lighting that was installed at the end of Island Park last summer is still in good condition, so we have lights out there. That park is almost ready to go even though we aren't ready officially ready to open it yet.

Trustee Piazza stated the playground at Garrison Park appeared to be ready. The pool looks like it is in good shape. The black topping looks like it is in good shape. We will need some new picnic tables at Garrison. The wooden type have been repaired. We have cannibalized some older ones to keep these in good shape. We noticed there are none over there for the disabled so we will be ordering a couple for this season, at least to solve that part of the problem. The gazebo that had a new roof installed last summer seems to be in good shape. The gazebo at Island Park was painted last summer by our DPW. That looks like it is in fine shape. Possibly the pavilion would use some painting next season.

Trustee Piazza stated Lehigh Memory Trail has a piece of concrete at the Cayuga end and the Superintendent has volunteered to get rid of it. Also, there is a water fountain that was quite expensive and is not working quite as well as it should. Ray is in the process of getting some parts for it. He is a little unhappy with the fact that it is breaking as quickly as it is. The Trail could probably use one bench at the one end toward the old train station.

Trustee Piazza stated that South Long Street Park is kind of the forgotten park. The Town of Amherst is doing an excellent job of maintaining the baseball section. He saw the Sts. Peter and Paul softball team playing there but is not sure if anyone else is using it yet. He thought the girls lacrosse team was going to use it. Everything else there seems to be in pretty good shape. We will be adding playground equipment there but the specs are more complicated than he thought they would be. He is going to ask Superintendent Laubisch to look at the additional specs that the companies have sent the Village since he has a difficult time understanding the difference between 35,000 psi and 45,000 psi and whether that is a substantial difference or a meaningless difference.

Trustee Piazza stated we set aside money in next year's budget to make the bathrooms on Island Park handicapped accessible and that is one of the projects that we will probably be starting sometime in the new budget year. Savor the Flavor is coming up in July. The planning continues. We are bringing on line various entertainment groups.

Trustee Piazza reported the Local Government Advisory Board is going through reorganization for this coming year. Various members were saying they might want to be on different subcommittees and so the Cable Committee will continue with some members and do some switches but basically that will be the Oversight Committee. We do have a couple of glitches in our new contract that still need to be worked out.

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, May 9, 1994 at 7:34 P.M.

Trustee Piazza stated the Water Committee continues to look at various proposed projects. It was a major part of our pre-work session this evening was on various water projects that include Main Street, the Cadman area and replacement of water meters. Administrator Cummins is going to do follow up to have some engineering firms give us some more information. Those projects could be a substantial cost but because we don't have hard figures, he is not going to throw numbers out at the moment. The question of water meters, we are taking a look at how to do it. Each option seems to have it's own pluses and minuses so we are continuing to look at those options and how best to go about installing them.

Trustee Piazza stated regarding the DPW, just overseeing these corrections by the company that did our water replacement lines last summer has been part of their week. He knows it hasn't been totally completed.

Trustee Piazza stated we recently purchased a piece of equipment that detects water leakage. Just in this last couple of weeks we found several water leaks that were leaking about 34,000 gallons per day. These leaks probably would never have been noticed if we hadn't purchased the equipment a year ago. Sometimes we don't notice leaks, we don't hear about these things. The equipment is more than paying for itself, probably four or five times over itself just in the last month since the 34,000 gallons amounts to about \$50.00 a day loss.

Trustee Piazza stated his first resolution is for a new front loader. The one we have now is 12 years old. It's about reached the end of its life cycle.

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

RESOLVED that the Village Administrator advertise for sealed bids for one (1) Four-Wheel Drive Articulated Wheel Loader for the Village Department of Public Works. Bids to be opened at 2:00 P.M. on June 1st in the Village office, 5565 Main Street, Williamsville, New York under the terms of the standard bidding resolution.

Unanimously carried.

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

RESOLVED that the following are appointed Seasonal laborers in the Department of Public Works, effective May 23, 1994 at the rate of \$4.75 per hour:

David Anderson	78 Olney Drive
Adam E. Anstett	60 Los Robles

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, May 9, 1994 at 7:34 P.M.

Marc McClure 403 Mill Street

Unanimously carried.

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

RESOLVED that RJD Security, Inc., Buffalo, New York, is hereby appointed to provide security in the Williamsville Parks, except for Glen Park, for the 1994 Summer Season at the rate of \$6.79 per hour per their letter of April 27, 1994.

Trustee Lowther stated that Glen Park isn't included because the Glen Park Joint Board has its own budget and they will be providing for the hiring of security for Glen Park.

Unanimously carried.

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

RESOLVED that Michael and Audrey Valentic, 52 Mill Street, are hereby appointed to the Parks Committee until the end of the 1994-1995 official Village year.

Unanimously carried.

Mayor Daniels asked about the Pool Attendants.

Trustee Piazza stated the attendants must be at least 18 years of age. We had looked at the possibility of hiring a couple of juniors in High School but they are not 18 years of age. A problem we had last year was since they were part-time workers, they usually had another part time job. This was the secondary part-time job of those two jobs and we had a great deal of difficulty in maintaining a schedule, especially up through the end of the season. This coming year, we are looking at hiring at least two full time people, one for each pool. The concept is to keep the pools open through Labor Day with minimum upset. The concept is to go with some full-time workers this coming year and see if that works a little better.

Trustee Lowther asked if these will be college students who will be returning to school in the third week of August.

Trustee Piazza stated that is what he is trying to avoid.

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, May 9, 1994 at 7:34 P.M.

Trustee Hillebrand reported the Planning Board evaluated and approved a majority of the items presented at their meeting. The members appreciate the opportunity to be able to go out on the weekend, preceding the Planning Board meeting, to make a visual survey of the proposed changes. This past meeting, there were several last minute changes brought to their attention which precluded them from going out and making an onsite assessment. As a result of this administrative difficulty, they are going to establish a rule that matters to be brought to the Planning Board's attention should be brought to the Building Department's attention on the Tuesday preceding that meeting. Special exemptions and certain circumstances can be evaluated. In the principal, they would like to have the information earlier so they can make a better evaluation. Trustee Hillebrand wants to make sure the individuals in the Village understand that there are several panels and Boards which evaluate changes, the Environmental Committee and Traffic and Safety Committee and the Planning Board. Even though we caution people that the concurrence by one of these Boards does not mean the concurrence by all of the Boards, we want to reemphasize that each panel has its own responsibilities and should exercise them fairly. No one should presume or try to say "Well, because the one panel concurred, therefore all the other panels should concur". So although we caution the people and give them this information, human nature, what it is, they would prefer that we would try to do that. Each committee has its own responsibilities and will exercise them in their own way and all the people bringing matters before the Board should recognize that.

Trustee Hillebrand stated there is an opportunity to get rid of hazardous waste this coming Saturday at Erie Community College, North Campus between 9:00 a.m. to 2:00 p.m. Residents do have to make an appointment. It is an excellent opportunity and is in our Village's best interest and we should get rid of these hazardous wastes. We don't need them and don't want them. He hopes everyone takes advantage of this opportunity.

Trustee Lowther stated they will take oil base paints, pesticides, fungicides and herbicides, as long they are in the original container, lead batteries - not household regular double AA batteries and antifreeze.

Trustee Piazza stated residents can call 858-6800 a couple of days in advance.

Trustee Lowther stated they were going to quit accepting reservations on May 7th; however if there are any openings, residents can be scheduled in. It is by appointment only. At previous drop offs the County has sponsored, it has been come whenever you can. It is run by the County and is being cosponsored by the Town of Amherst.

Trustee Hillebrand stated the Environmental regulations are becoming more and more strict and it is in our own best interests to get rid of these items at no expense. Let's get that stuff out of here while we have a chance.

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, May 9, 1994 at 7:34 P.M.

Trustee Lowther stated she has volunteered to work at the Hazardous Waste Pick Up for the day. At the next meeting she will report how that went. They said this is the first time that the County has done this by appointment. It should be interesting. She has been to previous ones where you get into a line that stretches probably half a mile down the road and then wait your turn. She feels really good about getting rid of household hazardous wastes but she wonders, sitting for an hour in your car, letting those emissions come out of your car, if we are offsetting what we are doing here. She thinks this might be a good trade off. It is a good experiment to see how this works and it is also the first one we have had in the Town of Amherst. She is looking forward to being out there Saturday and working with them and seeing how it goes.

Trustee Lowther stated tomorrow night at the Noll Nature Center on Glen Avenue, the Glen Park Joint Board is holding a special meeting in order to talk to a representative from the Department of the Interior. She will be there tomorrow night at 7:30 p.m. to talk to us about the \$20,000 matching grant that the Glen Park has received and what we can expend it on and what we intend to do with it. The park is in excess of 15 years old right now and we have gotten to the point where problems have developed. A second hole developed where the ground just let go underneath a portion of the park. This is a result of the water coming down the creek which is very heavy during the Spring. It has undermined under the wall and has taken sections of dirt resulting in sink holes. The DPW has been wonderful to come down immediately as soon as one is found to fill it in so no one would stumble across it. It is a continuing concern and she thinks we are going to end up having some serious repairs done to the retaining wall which will run into a lot of money so we're hoping that part of the grant money can go towards doing some repairs on the wall. Wednesday evening at 7:00 p.m., the Old Home Days Committee will be meeting and residents can come with their comments. The committee has one meeting a year and she is liaison to the Old Home Days Committee.

Trustee Lowther reported that the Traffic and Safety Committee will be meeting on May 19th at 7:30 p.m. She was wondering if Mayor Daniels would tape the meeting on Main Street with DOT. She will be working and can't be there. She has had many citizens who are really interested in what's happening on Main Street.

Mayor Daniels stated we will make sure that it is.

Mayor Daniels stated he still owes two trees to Glen Park for the two which were removed from the bottom of the hill that kids were sliding into during Winterfest. We had those removed. Glen Park does not like to cut down trees at any time so one of the considerations was that we replace those we removed. He still has in the budget money for two trees but Trustee Lowther needs to tell him where they are to go and he will have Gleason's plant them.

Trustee Lowther asked if he had any idea of what kind of trees.

Mayor Daniels asked Trustee Lowther to give him some choices, flowering or nonflowering.

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, May 9, 1994 at 7:34 P.M.

Superintendent of Public Works, David Laubisch, reported we have been waiting almost a year for a document. About a year ago we hired a firm to perform a professional engineering analysis of the Village streets so we could expend the dollars on rehabilitating our roads to the best advantage of the Village and the Village taxpayers. The work plan to accomplish this objective included four basic tasks-1) investigation of existing pavements, 2) analysis of pavement conditions, 3) development of a rehabilitation strategy, 4) rehabilitation. This was accomplished by non-destructive deflection testing. This involved dropping a weight on the road surface and measuring the deflection in the pavement which simulated wheel loading and this would tell us exactly how much money had to be invested into either restoring or rebuilding road surface. The second part of that was accomplished by an actual visual inspection of the existing conditions on the roadway and the third part of that investigation involved material sampling. A four inch core sample was taken on all the streets in the Village to a depth of 36" to identify what type of materials were underneath the pavement and how they could best be rebuilt. This program was completed and he has the finished document. He is about half way through it. In about another week he will have completely reviewed this document and this will enable a 15 - 20 year program for road rehabilitation. Copies will be passed out to the Trustees. We waited a long time for this document and it was well worth the wait.

Mr. Laubisch reported that tomorrow starts our annual trash pickup in the Village of Williamsville which is conducted on the second and fourth Tuesdays of every month. This month it starts on the 10th of May and the 24th of May. The reason he emphasizes the word "start", is that we have no control over weather conditions or how much material people put out to the curbside. We had a relatively nice weekend last weekend. He worked in his yard all day Saturday so he noticed on quite a few of the streets there is quite a bit of debris curbside to be picked up. We do start tomorrow picking up trash and we will be on that until it is completed throughout the entire Village. If anybody has any questions about how material should be put out curbside in the Village, there is printed material that was updated at the Village Clerk's office and we also have some at the Department of Public Works at 40 South Long Street. If residents have questions about material in front of their house and why it wasn't picked up, the reason it wasn't picked up is because it was put out improperly or at the wrong time. There is printed literature available that states how the materials should be put out and at what time.

Mr. Laubisch stated last year we had a Truck Day at the DPW for preschool children. It was a very successful program. We had another one today. We had the Open House Nursery School from the Methodist Church at Oakgrove and Main come down to the DPW. We put some of the equipment that we use in our day to day operations outside so the children could look at it. We also stressed, while the children were there, that they must be very careful when they are outside and this equipment is out on the road. With some of the equipment, especially the larger trucks, it is very difficult to see a little person if they are around the rear of the truck, so we did stress the safety factor to the children. He knows they greatly enjoyed operating the trucks in the yard and looking at some of the equipment that is on them.

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, May 9, 1994 at 7:34 P.M.

Administrator Cummins stated as a follow up on what Mr. Laubisch said about the material that is available at the Village office, the ladies in the Village office have been working very diligently on getting the information and handout ready to send with the tax bills. We have a sheet that gives a calendar giving all the Board meetings, dates, committee meetings dates and all kinds of information on property taxes, water bills and recycling. There is another sheet on garbage collection which tells about garbage and leaf collection and hazardous waste. There is a recycling information sheet. There is another sheet for disabled citizens and disabled homeowners who might want to designate a third party. All this information will be going out with the tax bills. We hope that everyone keeps this information because it is important and the employees have done a wonderful job compiling it, especially Elaine Smith-Honan who has done most of this work.

Mayor Daniels stated we have a Community Service program going on through the court system where someone has appeared in Town Court and is given a community service to perform. We have about 20 people that we are trying to line up with chores and errands and he has them busily trifold the brochures to be stuffed as part of their duties. It doesn't cost the Village anything.

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

Unanimously carried.

Trey Measer, 90 South Ellicott, commented on grass planting at the park. Since we bought some equipment to put in seed, he wondered if this is a yearly program?

Mr. Laubisch stated yes, it will be used on a yearly basis.

Mr. Measer asked about garbage cans along Main Street. Since we are going to be beautifying Main Street next Saturday, can we have the garbage cans put out?

Mr. Laubisch said that is no problem.

Mr. Measer asked about the painting of the iron grates around the trees.

Mayor Daniels stated that this will be done by community service workers. That should be starting as soon as the weather breaks. He has enough people now. Last year he bought the paint and the scrapers, etc. and so we are all set to go with those. He is still debating whether those tree guards on, the even numbered side of Main Street, should be removed. He doesn't think they look very well and they also accentuate the crookedness of any tree because trees are not necessarily perpendicular. He thinks the Board should make some kind of determination after looking at those and thinking about it individually.

Mr. Measer stated also the grates on the ground, some need to be popped out so the tree can grow.

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, May 9, 1994 at 7:34 P.M.

Mayor Daniels stated in some locations tree grates do not work well. For instance, some trees, such as some kinds of Maples, have very shallow root systems, they don't lend themselves to having a grate placed on top of the roots. They have shallow roots so they pop the grates up. Others have sucker growth that grows through the grate and causes problems. Some are of a size that don't lend themselves to the tree grates. Although it looks very uniform if it all works.

Mr. Measer stated he has been told that you can pop out the iron from around the trees so they can grow larger. There are a certain number of sections that can be popped out.

Mr. Laubisch stated he hasn't done that up to this point. He thinks that lifting the grates and trimming the roots underneath at this point should be done. At some point, the grates are going to have to be removed.

Mr. Measer stated he thinks the trees along Evans look very nice. He thinks once they mature it will make that neighborhood look a lot better.

Mayor Daniels stated that Gleason's Nursery planted those trees and he would like to, in the Fall, extend them to the Village line. Probably another 10 trees would complete the run of trees up to the plaza parking lot. He thinks they are going to look real well. They will shelter the Georgetown and Drexel apartments from the traffic.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved to suspend the rules to go into Executive Session at 8:30 p.m. for the purpose of discussing retaining an Attorney to defend the Village in a lawsuit brought by former Village Attorney, Tom Troy.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved to close Executive Session at 9:10 p.m.

Unanimously carried.

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

RESOLVED THAT the firm of Albrecht, Maguire, Heffern and Gregg, P.C., John M. Curran of Counsel, is hereby appointed to represent the respondents in the action of THOMAS V. TROY, Petitioner, against the VILLAGE OF WILLIAMSVILLE, THE MAYOR, and THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, Respondents.

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, May 9, 1994 at 7:34 P.M.

Attorney Kelly stated he thinks it is important to record that as Village Attorney he heartily recommends this individual. He comes highly recommended from a number of sources, both from Attorney Kelly's personal knowledge of his background and also from others. The County Attorney has seen him in action in these types of political cases and he does come highly recommended.

Roll Call:

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

Motion Carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, 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 9:15 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer