

Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 12, 1994 at 7:45 P.M.

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

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

Also Present: Sherry Brink, Recording Secretary

The Clerk read the notice of the public hearing being held by the Board of Trustees on Monday, September 12, 1994 at 7:30 p.m. for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 103-17 of the Vehicle and Traffic Code regarding timed parking in the Meeting House parking lot.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved to open the public hearing at 7:45 p.m.

Unanimously carried.

Trustee Lowther stated this public hearing deals with continued parking problems at the Meeting House. People tend to use it as a park and ride lot when we have one at the corner of Union and Main. In order to clear this up and give us a little bit of clout so these people will not be allowed to park there, we are going to change the code to provide for a two-hour parking limit.

Trustee Lowther stated this change will not affect someone who rents the Meeting House for any length of time. If one rents the Meeting House, one rents the parking lot. We always know when the Meeting House is rented so no one would be under a time constraint as far as that parking is concerned.

There was no comment from the audience.

Trustee Piazza stated he concurs with the reasoning behind this proposal.

Trustee Lowther stated we have had numerous complaints and numerous problems over the years that have been identified by the Meeting House Management Committee. She is happy that we can move forward on this tonight.

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Mayor Daniels stated there was much discussion on this in the past. We do have to maintain that parking area and when there is a function, we have to be sure that the lot is clear so that it can be used. Parking meters had been suggested at one point as well as the limited parking, which seems to be the best way to go. It conforms to the two-hour parking on Main Street where it is allowed in the Village. Just one year ago it was one hour parking in a great majority of the Village and we did extend that to two hours by requests of many of the merchants who felt that it was better for business and the convenience of the customers. We felt that two hours would also be a practical limit for the Meeting House. This would eliminate any of the park and ride traffic that seems to accumulate. He wishes we could address the park and ride traffic in the municipal lot also but that is a Town lot under their jurisdiction. However, there are a considerable number of cars towards the Cayuga area that do park and ride. You'll see them there every morning bright and early. They will leave after work as this part of the area becomes more busy. It would nice to have those spots changing to allow other people to use them. We have a Department of Transportation project on Route 5 that will be going on from now until 1997 and there are going to be construction workers and vehicles of various sort from the DOT and also the engineers and construction companies that will need more space in the Village. We really need to address the Park and Ride. Unfortunately we can't accommodate people but there are other areas that they can use for that.

Trustee Lowther stated there is going to be the option too that if someone does want to go shopping in the Village or does want to have lunch within the two-hour lunch limit, which is the same as the limit on Main Street, they will be able to utilize the Meeting House lot for a short period of time and then be out of there. She thinks everyone can live with that option.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved to close the public hearing at 7:49 p.m.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer

Minutes of the Continuation of the Public Hearing on the Proposed Local Law to amend Sections 89-2 and 89-4A of the Sidewalk Code held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 12, 1994 at 7:50 P.M.

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

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

Also Present: Sherry Brink, Recording Secretary

ON MOTION by Trustee Hillebrand, seconded by Trustee Lowther, it was moved to suspend the regular meeting for additional public input concerning a proposed local law to amend Sections 89-2 and 89-4A of the Sidewalk Code regarding cul-de-sacs.

Unanimously carried.

Trustee Hillebrand stated that at the last public hearing we agreed to leave the hearing open for a 30 day period so we could hear all citizens regarding this matter.

Doug Sanburg, 81 Mill Street, Chairman of the Traffic and Safety Committee, stated this is a subject we have discussed within Traffic and Safety over a period of probably no less than six months. He thinks he speaks for the entire committee with the unanimous feeling that the law should stay as it is written. Changing a law just for aesthetics for the hampering of safety doesn't make sense. Safety wise if one needs a sidewalk, on any street, it probably is on a cul-de-sac. Why do we look at it as such? The law reads that a school bus cannot go down a cul-de-sac. How do the school children get down from the end of the cul-de-sac to the street, at the end of it where the bus would pick them up, if there are no sidewalks. They'd walk down the middle of the street. That doesn't seem to make sense, just for the sake of looks. Speaking as chairman and, he believes, for the entire committee, we ask the Board not to change the law but to leave it as it is for the sake of safety.

Trustee Lowther stated she sent out the minutes of the public hearing with the Traffic and Safety notices in anticipation of having a discussion Thursday at our Traffic and Safety Meeting and seeing if anyone had anything additional to add to the official public hearing.

Elroy Avery, 75 Rinewalt Street, asked if he lives on a cul-de-sac.

Mayor Daniels stated not according to the way the law is being written. A cul-de-sac is defined as an area that has a turn around ability and a current radius of "x" number of feet so that a car can, without backing up, make a circular turn. He doesn't believe Rinewalt has that.

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Trustee Kaye stated that is not the description as proposed in the original law. She did ask Attorney Kelly to relook at the description; however, the initial description as part of the public hearing would include dead end streets.

Mayor Daniels stated he assumed we were going with the improved version.

Trustee Kaye stated she has not seen that yet. She and Attorney Kelly briefly spoke about it.

Mayor Daniels stated he received a revision today and he was going under the assumption that this was: " a cul-de-sac is a street which is open at one end only, the closed end containing a paved turning area" which has a minimum radius of "x" number of feet.

Trustee Kaye asked Attorney Kelly if that would preclude dead end streets.

Attorney Kelly stated it is however you want to define it. The first definition was drawn up because that is how he was asked to draw it up. It left at this point because Dave Laubisch will have to go out and determine what is sufficient.

Trustee Kaye asked if Attorney Kelly is speaking about the turning radius.

Attorney Kelly stated yes.

Mr. Avery stated the Board doesn't know whether he is living on a cul-de-sac or not.

Mayor Daniels stated he personally would not make a cul-de-sac definition other than the way that was suggested. There is no rule them out. This is a proposed law that is still being revised subject to public input and the Board's discussions.

Mr. Avery asked how can the Board act on a cul-de-sac if they don't know what they are talking about.

Mayor Daniels stated we're not. We have not defined it yet.

Mr. Avery asked if his street will be considered a cul-de-sac.

Trustee Hillebrand stated no.

Mayor Daniels stated neither will Academy or Howard.

Trustee Hillebrand stated as of this very day under the definition of a cul-de-sac, Rinewalt would not be a cul-de-sac; however, we are only discussing the matter and we could change it to include his street. Does Mr. Avery wish his street to be included?

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Trustee Piazza stated it doesn't matter if he wishes it or not.

Mr. Avery stated yes it does. You don't need sidewalks on cul-de-sacs, right?

Trustee Hillebrand stated that is the proposal.

Mr. Avery stated then he could tear his sidewalk up and he doesn't have to worry about it.

Attorney Kelly stated Trustee Kaye asked him to further expand the definition and it is going to be up to the Board to determine what they want to include in the final definition.

Trustee Piazza read the current definition: "A street which is open at one end only, the closed end containing a paved turning area". He thinks that is how we differentiate between a cul-de-sac and a dead end street. We will probably incorporate that into our eventual definition.

Trustee Lowther asked if we will have to call another public hearing if we continue to change this law.

Attorney Kelly stated if it is changed drastically, yes.

Trustee Lowther asked if this wouldn't constitute enough of a change.

Attorney Kelly stated he doesn't believe so.

Charlotte Jurek, 81 Evans Street, Program Director for the Senior Citizens of the Village, stated she understands that 22% of the Village residents are senior citizens. She is not saying they are all going to be out walking. She has recently become a walker herself and where there are no sidewalks, aesthetically or not, it's very dangerous. She feels and her Senior Citizens Committee concurred and sent a letter to the Board that the law should remain, that there should be sidewalks provided as a safety factor, not only for the senior citizens but for the school children. We all realize that children do not know how to use sidewalks. They just think the middle of the street is where to walk but at least they have a choice. A five or six year old child should belong on the sidewalk but you can't convince the teenagers but at least the option is there. If we had one serious accident, it would be our fault because we changed this law. One life or one limb is not worth changing it for aesthetic value.

Trustee Piazza stated he is not trying to be cynical but the Village has several cul-de-sacs that have never had sidewalks and the Village Boards of the past have never seemed to be terribly concerned about how unsafe those were. His conclusion is that the Village Boards of the past always considered cul-de-sacs without sidewalks very safe. Now that we are just trying to take a practice of the last 50 or 60 years and try and put it into a new code, all of sudden those of us who were in favor of this are being told that we are not concerned with the safety of anyone. That is not true.

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He is very concerned with the safety of people in our streets but the fact is that these cul-de-sacs have proven themselves to be very safe by the very fact that they have existed for all these years and never had a problem. He thinks that is where he is coming from on this whole issue.

Trustee Kaye stated former Mayor Lawrence Brenton is sending a letter to this Board about this issue. He stated to her that between 1986 and 1988 the code was rewritten requiring all new builds to have sidewalks. Prior to that time cul-de-sacs did not have to have sidewalks but their intention was to strengthen the code because of safety and that is why the code was rewritten the way it was. The intent was to have all new builds, including cul-de-sacs, to have sidewalks. That may explain why the properties that Trustee Piazza is speaking of, Lehn Springs, Danbern, Bobbie Lane, do not have those sidewalks in them, because they were not mandated prior to that period when the code was rewritten.

Trustee Piazza stated he thinks the requirement for sidewalks has been around for quite a long time. He cannot verify that unless Administrator Cummins knows how long it has been around. He is not really talking new construction, he is talking about the fact that these have been around for half a century probably and all the Village Boards in previous years have not jumped up and commented about the safety of people in the cul-de-sacs. The only conclusion he can reach is that if we don't pass this law, he guesses we can assume all those people living in cul-de-sacs are going to have this law enforced and have their sidewalks put in. He's wondering how they feel about that.

Trustee Lowther stated the previous ones would be grandfathered.

Trustee Piazza stated that is not true.

Mayor Daniels stated if it is so hazardous, should we really do that?

Attorney Kelly stated the Board has the ability to order sidewalks on any property in the Village now.

Trustee Lowther stated if this law passed, the existing cul-de-sacs would not be required unless the Board supported it.

Attorney Kelly stated if this law passed there would be no sidewalks required on any cul-de-sac.

Trustee Kaye asked if we, as a Board, would be allowed to order them in.

Attorney Kelly stated correct, on cul-de-sacs. Right now the Board can order them in on any property anywhere in the Village.

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Trustee Hillebrand stated he wondered if the people who spoke were here when the Board discussed the proposed law which says that if 50% of the people on the cul-de-sac want sidewalks, then everyone in the cul-de-sac would have to have them. If the people who lived there perceive this to be necessary for their own safety or welfare, should we be mandating their safety and welfare or should the residents recognize it themselves and then take that action. We did leave that alternative open. He is not sure the people know how the proposed law was really written.

Trustee Kaye stated she feels strongly that changing this law would be a step backward for our community. In speaking with the Town of Amherst Planning Department, the national trend, is to install sidewalks, particularly in urban areas such as ours. The Town of Amherst now has elected to require sidewalks in all new builds including cul-de-sacs and does not entertain any waivers not to have sidewalks. She thinks that the Village of Williamsville is much a walking community even though we may not have had them and have had the luxury of not having an accident, she thinks that we should continue to move forward in requiring all new builds including those cul-de-sacs to have sidewalks. Trustee Kaye's other request of the Board is that we continue to hold this public hearing open at least until after the October 3rd Planning Board meeting. She had thought that the Planning Board would have some kind of a discussion about this proposal or a recommendation would come out of the Planning Board as has come from our other committees. She was surprised to hear that they were not aware of this proposed change. She knows that in the 1986-1988 time frame that all the committees were included in making recommendations. Trustee Kaye did speak to Nancy Delo who had not been aware of the proposal and thought that the Planning Board should have the opportunity to make some kind of comment since they deal so closely with what our community looks like and acts like.

Mayor Daniels stated he doesn't want this to protract forever because we did spend quite a bit of time at the last meeting. He would really like to, if this is such a dangerous situation, compare the fatality rate of cul-de-sacs without sidewalks to streets with sidewalks and see if there is an overwhelming figure that shows that cul-de-sacs without sidewalks are indeed death traps for pedestrians. Boards have to legislate realistically on the basis of occurrence. You can't legislate safety factors in everyone's homes or offices. You have to be reasonable and address the situations that are more critical first. If we do base this on health and safety and require new cul-de-sacs to have sidewalking, is it not incumbent upon the Board, based on this reasoning, to require old existing cul-de-sacs to also install sidewalking. Is this Board or any Board prepared to do that? It is consistency that is the key. None of the cul-de-sacs now existing in the Village have any sidewalking.

Trustee Kaye stated she thinks the consistency issue is the fact that the law requires all new builds whether they fall on a cul-de-sac or any street to have sidewalks. That is where the consistency comes in. That was the recommendation of past Boards and past committees to have that happen.

Trustee Hillebrand stated he doesn't believe the word "new" appears in the ordinance as it exists or as it is proposed. It is not limited to nor restricted to new. That was the point brought up by a citizen last meeting. It is written as if it was universal and applicable in past and future. We are only choosing to apply it to new.

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Trustee Kaye stated the only reason that this issue has really come up is because of money and not because of safety and the aesthetic request. If someone hadn't made that offer, cash in exchange for changing, we would never be discussing this.

Trustee Kaye asked if Trustee Hillebrand will be extending it so the Planning Board can give comment at their October 3rd meeting or exclude the Planning Board from their comments.

Trustee Hillebrand stated the Planning Board charter involves commercial properties. It would not obviously come up as we asked the Planning Board about fences, we do ask them as citizens their opinion. They would not be in a position to make an official statement. We can bring it up and ask them what they think about it as citizens.

Trustee Lowther asked if the Planning Board comes under regulations concerning Exception Development. In doing so, they are going to have direct approval of the building of these cul-de-sacs so it would certainly be appropriate to have the comments of the Planning Board entered on the record for this public hearing.

Mayor Daniels stated they will have their opportunity, they won't have an opportunity later when it comes up for Exceptional Development.

Attorney Kelly stated it is whatever the Board members decide, if they would like the Planning Board to comment or not to comment, that is fine.

ON MOTION by Trustee Hillebrand, seconded by Trustee Kaye it was moved to hold the hearing open for comment until the first Board meeting in October.

Unanimously carried.

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

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, September 12, 1994 at 7:43 P.M.

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

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

Also Present: Sherry Brink, Recording Secretary

Mayor Daniels called the meeting to order with the Pledge of Allegiance at 7:43 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, the minutes of the regular meeting of the Board of Trustees held August 22, 1994 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved to open a public hearing at 7:45 P.M. regarding a proposed local law which would amend Section 103-17 of the Vehicle and Traffic Code regarding timed parking in the Meeting House parking lot. (The hearing closed at 7:49 P.M.)

Unanimously carried.

ON MOTION by Trustee Hillebrand, seconded by Trustee Kaye, it was moved to suspend the rules for more input from the public regarding the proposed local law to amend Section 89-2 and 89-4A of the Village street and Sidewalk Code regarding cul-de-sacs.

Unanimously carried.

Mayor Daniels reported on the Blocher Home 90th anniversary. They had a year full of highlighting of their existence since 1904 and presented the members of that committee of which he was a member, a beautiful framed picture that they use as their commemorative picture. In addition, they had proclamations read at a luncheon, which Mayor Daniels attended yesterday, from all the well wishers throughout the country including Hillary Clinton who sent best wishes to the Blocher Home. Lynn Millane had asked and Mrs. Clinton graciously wrote to them. We wish them another many years of existence.

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He can see that those types of facilities, Beechwood Blocher and St. Francis Home are going to need more and more room as time goes by and his generation is going to be much more populous than the elderly generation. We were the baby boomers. We are going to need lots of that good care when we are up there. Best wishes to them and far into the future.

Mayor Daniels stated he attended a meeting today with the New York State Department of Transportation regarding all the Route 5, Main Street projects through the Village area. As we know, the projection was to mill and overlay Main Street from the thruway to the bridge at Mill and Main. That has been postponed; however, they are doing bits and pieces of that larger project starting right now. One of the projects, because of the Tony Walker Center which is being built right at the thruway, is a aligning Park Club Lane with Lafayette. That intersection will be realigned and changed. There is also some work in the culvert areas and sewer drainage areas along Union. We also have the ongoing bridge project right here at Ellicott Creek on Main Street, which will be at least a two-year project while they restore that bridge and install cantilever sidewalks. They now have an office at Cayuga and Main, across from the old donut shop, and there will be construction vehicles, engineer vehicles, and DOT vehicles there for about a three year period. This meeting today with Steve Jurek, who is the head engineer of this office and his boss, George Culbacker, took place in Town Hall at 10:00 a.m. with Jane Woodward, the Traffic and Safety Liaison to the Town Board, Mayor Daniels and Charles Brown and the head of the Planning Department of the Town of Amherst. We had comment specific to the widening project that they intend to do from Mill to Youngs Road and including some work north and south on Youngs Road which will make it five lanes with a turning lane in the center. Originally the Main Street plan called for seven lanes and the eradication of all the trees. The Little White House would have had cars whizzing by approximately 3' from its door, with bike lanes, two lanes in each direction, parking lane plus a turning lane. Through the comment and public hearing process and many frantic screams from the Town and Village and its residents, we were successful, in this finalized plan, in having no widening in the Village area, except for one slight two foot widening in the right of way between Evans and Academy on the north side of Main Street. None of the trees there except for one will need to be eliminated. They had originally projected 150 or 160 trees for the total project and now they are down to 30 trees, only a few of which are in the Village area. He has all of the aerial photography and drawn maps to scale, 1" to 20', which the public is welcome to look at. They have eliminated the bike lane and parking on Main Street within the Village limits. There will be no parking on Main between Eyans and Hirschfield. Originally they had talked about parking days but that was not included in their plan. Everywhere it will be curbed. The State DOT is letting the bids for this project in August of 1995. It will be completed in 1996/1997. They will be doing some preliminary work but not a lot on the sewer and water and other facility lines. Mayor Daniels asked specifically if we needed to do any work, there are a lot of steel covers on Main Street and patches in the pavement between Union and here because the original project was to overlay that. We did a lot of water line work, new hydrants in that area. Then the DOT changed their minds and are not going to do it this year. The intersection at Garrison which seems to trap water is one of the reasons that the pavement keeps on buckling and causing potholes.

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We'll have approved drainage there because of their project and in spite of the County not doing it correctly with the paving that they are doing, they will benefit by the New York State DOT project. Hopefully when they do the project correctly in 1998, we are insisting on no widening of the road then too. They will tie into the sewer lines, the water lines that the DOT is improving in that area.

Mr. Avery asked what was the 2' widening.

Mayor Daniels stated from Evans to Academy on the north side. Mayor Daniels showed the photos to the audience. They are getting the extra room by eliminating the parking areas. They are lowering the level of Main Street probably 2' so that the new pavement won't be higher than the existing properties and won't push water into the existing properties. The new road will actually be lower than the old road. It's interesting where the old pavement has been in the past and the old cobblestones. It shows how narrow that road was. You can see the layer upon layer as the road continues to elevate and they will take that down considerably.

Trustee Kaye asked if we will lose any Village trees.

Mayor Daniels stated there are 30 total. Some will be in the Village but not too many. They are not sure at this point. When they are doing the sidewalking, Steve Jurek said that they take trees into consideration. They realize trees are a hot topic and not to be touched and they are looking at sidewalking that will allow for the trees to remain. They will be sensitive to the trees that are already in place.

Trustee Kaye stated if they know that there are 30 trees coming down, they must know where those trees are.

Mayor Daniels stated that was an estimate, plus or minus. He also mentioned that the sidewalking plan, because of ADA, calls for five foot wide sidewalks instead of the four foot sidewalks we have now. The reason is so that if two wheelchairs are approaching each other in opposite directions, five feet gives them the ability to pass each other and remain on the sidewalk. That seems like a rare occurrence but that is the reasoning. On the positive side of that, what is more common is bicyclists will ride on sidewalks and have more room to pass pedestrians if it is a five foot width and that is a more common occurrence than two wheelchairs approaching each other.

Trustee Kaye asked about Main Street in front of Pfohl Place where there is presently asphalt in our right of way, will that be taken out and replaced with grass?

Mayor Daniels stated yes, where they are curbing there will be considerably more grass installed where there is no grass now. There have been some areas that have been paved and some have been painted green. All of that will be restored to actual lawn and that will definitely be an improved look. There will be more space, visually, between the sidewalk and the curb.

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He is very proud of the fact that this innovation lead to the pools being open with no problem up through Labor Day. Mother Nature played a little role in this; however, the people were there to work but there were no children to swim in the 60 degree weather. Park usage, including the pavilion was heavily used again this year. We had raised the rates at the end of last year. It didn't seem to make any kind of difference. He is going to ask Elaine to put together a financial statement concerning income from pavilion usage for this past summer to see what kind of money came in. He knows the money coming in also brings in expenses for the Village of Williamsville but he would like to share that with the audience in the future.

Trustee Piazza reported on parks improvement. We have our equipment for Long Street. It probably won't go in until the Spring but we do. He knows the Youth Committee is also looking at the equipment for Island Park and the Parks Committee is glad to support that move. Trustee Piazza asked Trustee Kaye if she expects it this Fall.

Trustee Kaye stated she expects it this Fall. She would hope that it would be here prior to leaf season. She understands that the DPW can put it in. She thought they were going to put in the one at North Long.

Trustee Piazza stated that Long Street Park and Island Park will be beneficiaries of all these moves. The softball diamonds were taken care of by the Town of Amherst again this year. That worked out very well again for the second year in a row. He would recommend to the Board that they consider keeping this arrangement where the Town of Amherst does take the money from various clubs but the Town does an excellent job of maintaining the field. It saves the Village a lot of time and money and equipment that we don't need. The Town has equipment that they use on 25 or 30 softball diamonds. If the Village were to purchase that same equipment, we would only be using it on one softball diamond, so it is cost effective to go that route. Mr. Bloom did send us copies of letters when he had problems with some of the clubs where one club used it. The Town did a good job of overseeing the baseball diamonds.

Trustee Piazza stated the security company did a good job also. They alerted us to potential problems, especially at Garrison Park. Trustee Piazza would like to thank the security company and the Amherst Police for their cooperation in that matter.

Trustee Piazza reported that the Main Street project is completed from our end and we thought the State would mill the part that we dug up this year. Apparently that won't be done until next year now. We hope that doesn't create a problem for plows this winter.

Trustee Piazza reported the water meter project goes out to bid on September 20th so we are hoping that some time over the next few months that also will become a completed project as part of water improvement in the Village of Williamsville.

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Trustee Piazza reported there will be a special meeting this Wednesday night regarding funding. Government Advisory Board members certainly are being invited to attend but other people may wish to attend. There was a letter sent out to all Village Board members, the Superintendent of Public Works and the Village Attorney from Administrator Cummins regarding a meeting with R.J. Miller Associates and Doug Ferguson of the New York State Department of Health. (Copy attached) We are looking at innovative ways of funding potential water projects in the future and we are hoping this meeting will lead to that. Trustee Piazza thanked Administrator Cummins and Mayor Daniels for helping to move this along.

Trustee Kaye asked Administrator Cummins if she had advertised this meeting so we would be in compliance with the open meeting law.

Attorney Kelly stated it is not a meeting, it's a public forum.

Trustee Lowther asked if minutes will be kept.

Administrator Cummins stated she will tape it.

Trustee Lowther stated she thought she was going to be able to rearrange her schedule to be there and she will not be able to. She would appreciate a summary of it.

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

RESOLVED that Superintendent of Public Works, David Laubisch, and Working Crew Chief John Anstett are hereby authorized to attend the 1994 NYCOM Public Works School in West Point, New York, from October 17-20, 1994, and the cost not to exceed \$625.00 each to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Piazza stated his second resolution involves part of the water project in the Cadman area and that project also is going to continue and go forward now. We'll be improving a number of the shut off valves and fire hydrants in that area to help improve water flow in that zone.

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

WHEREAS the Village Clerk has advertised for sealed bids for Water District #1 Distribution System Improvements, and

WHEREAS Triple R Development of WNY, Inc., Depew, New York, submitted the low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that Triple R Development of WNY, Inc., be awarded the contract for Water System Improvements in District #1 for their low base bid of \$68,952.00 and their low Alternate A bid of \$13,859.00.

Unanimously carried.

Trustee Hillebrand reported many citizens have inquired about a building on Main Street that is painted a remarkable shade of blue and the Village has been asked why it allowed this to happen. Trustee Hillebrand noted for the record that the Village did not allow it to happen. We don't have any control over it. The man was not required to have a permit. There is no legislation or ordinance required. Individuals are allowed to use good taste. The gentleman did come before the Planning Board and said he used good taste.

Trustee Hillebrand reported on a proposed activity by the Creekside Restaurant. The owners are proposing to put a patio outside their establishment. That matter has not been resolved but some people have noticed some trees have been cut down near the Creekside. That was done by the State as part of the Main Street widening. The Village was not involved in that action. It has to do with making the sidewalk across the bridge wider. The Village was not involved in either of those actions.

Trustee Hillebrand reported the Environmental Committee had been asked to look into the matter of mosquito spraying in the Village so we can develop a policy on that matter. We, the Board, have not established a policy and members of the Environmental Committee have been asked to prepare a position on this matter. Last meeting, the Town provided several very knowledgeable people from the New York Department of Health to speak on the mosquitoes, as well as the Superintendent of Highways and provided written information which the Board evaluated. Mosquito spraying in the Village, according to the Town of Amherst Highway Department, whose records go back to 1974, has occurred once and only once a year at the Old Home Days with the notable exception that Mr. Rick Anderson had an event here in August. These events occur only because the Highway Department is requested by personal requests. It is not part of some plan or organized approach. The Environmental Committee will propose something to bring to the attention of the Board who will discuss it and then discuss it with the residents of the Village. Very little happens in the Village on this matter. It's a very rare occasion.

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Trustee Lowther asked when Trustee Hillebrand anticipates getting some information from the Environmental Committee.

Trustee Hillebrand stated he has asked the committee to prepare a view to bring to the Board's attention at the upcoming meeting, which is scheduled for the end of this month. We have several documents that we have been promised by the Town, the E & E Committee report and their own resolutions in that matter. The Committee thought it would be wise to see what the Town's position is and then make a recommendation that we should be supportive of or against it or something since it would be the Town that would execute whatever policy they have.

Trustee Lowther asked Trustee Hillebrand if he is asking them to make a recommendation to the Board to approve the Town's policy.

Trustee Hillebrand stated no, the recommendation is what is the Town going to do? They have not established a policy. When the Town decides what they are going to do, the Environmental Committee will evaluate what the Town has decided and make a recommendation as to whether they thought it was credible, reasonable, or uncredible or unreasonable.

Trustee Lowther asked if we can expect that within the next week or two.

Trustee Hillebrand stated yes. Amherst is only one Town in all of Erie County which has a mosquito spraying program. This is not something which occurs anywhere, not the City of Buffalo, not Hamburg, not anybody, just Amherst. The policy they have is fairly laborious in that it involves collecting of mosquitoes, analyzing them for type, kind and quantity, making a recommendation for spraying based upon that perception of need and then a follow up program to see if it is working. The Town of Amherst has a fairly rigorous and elaborate policy followed with a lot of safety rules and certifications of the sprayers. This policy has not applied to the Village. It doesn't involve the Village, we're not surveyed. What has happened is that individuals have made specific requests directly to the Supervisor of Highways and he's sent someone out. What is happening is kind of a anomalies situation.

Trustee Kaye stated that Trustee Hillebrand said Old Home Days has been forever, the request for Assemblyman Anderson, was it somebody from his office just called the Town directly and made that kind of request. A citizen could just call and request the spraying happen on a municipal property without us being aware of it?

Trustee Hillebrand stated apparently so. The man who brought this to our attention was the man who does the spraying who is head of the mosquito department. He said his boss told him to get out there and spray and he said yes, sir. That is the only facts we have. How the Superintendent decided to instruct the man to go, he doesn't know. No one here said that they called him. So we interpret that someone from Mr. Anderson's office made that request.

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There is a mosquito control officer and he has a phone number and he gets many requests from citizens, none from people in the Village or from people in the Town. People in the Village don't call him. They can but just don't.

Trustee Lowther stated that Trustee Hillebrand has had this gentleman at the Environmental meeting representing Mr. Lucey, she knows that part of their procedure before they spray is to do a collection.

Trustee Hillebrand stated not in the Village.

Trustee Lowther stated right, but their procedure in the Town is to do a collection of mosquitoes prior to spraying to see if it is needed. It concerns her that they don't follow their normal accepted procedure but they will come in at anybody's request on municipal property, not private property and do the spraying. She is going to be very anxious to hear the response from the Environmental Advisory Council because she thinks this is something that needs to be looked at a little more closely.

Trustee Hillebrand stated the Town has a whole variety of mosquito agents depending on the type of mosquito and whether they are larvae or full fledged and there is a variety of chemicals, state times and resident times. If you are part of a systematic program, the Town will come out and do that, this in April, that in May and so on. With the Island Park case, since they are not part of that program, they use one chemical which has a fairly short stay time. It is just to suppress mosquitoes on just that one day. It is not a long lasting. It is done for aesthetic purposes and they do it because people ask them to.

Trustee Lowther stated it was her understanding that there was a minimum of spraying done for Old Home Days.

Trustee Hillebrand they can't use cannot go in the water. It is very limited type of application. The Village is being treated in an anomalies way, not part of the regular program and has not been since 1974.

Trustee Kaye reported that she thoroughly enjoyed and attended a lovely luncheon this afternoon with the seniors. It was very well attended. It is a monthly luncheon. Trustee Kaye announced that with Charlotte Jurek's hard work, she has arranged with M&T Bank on February 13 to have a complimentary Valentine's Day luncheon that M&T Bank will provide. They will also provide a financial presentation as well. This will be the one meeting that does require reservation in advance. It may be a little early to be talking about Valentine's Day but she thinks it will be a wonderful opportunity for the seniors to hear about some additional financial information and be provided a free lunch on behalf of M&T Bank.

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Trustee Kaye reported the seniors just had a wonderful trip to Montreal in Quebec that just concluded and it was a wonderful success. Seventy attended. What she hears from everyone is they wish it had been longer. There will be an additional trip coming up on November 15th. Those details will be available very soon.

Trustee Kaye reported that our Fire Department Extrication Team completed a competition outside of Syracuse this past Saturday and they placed first out of 16 teams. This was an eastern region competition and now they are heading to Colorado in early October for international competition. The best of luck to them. They have done a wonderful job. They did win in 1991 the international competitions so they are leaders in the field, not only locally, nationally but have been world wide and we look forward to that opportunity again to have them be in the international competition.

Trustee Kaye reported this past Saturday we had an inspection of our Hutchinson Hose equipment and firefighters and a wonderful dinner. They did a lovely job as always. We got an inside view and additional look at our new rescue truck which is state of the art and if you have the opportunity to see it, please stop and take note. It really does look much different from our past rescue vehicles.

Trustee Kaye also reported that this evening the Board had a preview of a possibility of a new uniform for our members of Hutchinson Hose. The Fire Company will be voting on it tomorrow and if it does pass, we will give the residents more information, bring in a sample uniform that residents can see. They are looking at the possibility of changing from their red shirts and white pants that they have had since the early '70's to something that is a little more contemporary with a navy jacket, navy pants, white dress shirt and pants and a red tie.

Trustee Kaye reported that the phone books are now out and reminded residents that the Village of Williamsville recycling does include phone books. When she did mention that at the senior luncheon today, we have had some folks who BFI did not pick up their phone books and took their phone books out of the recycling bin and left them there. Trustee Kaye will call BFI and remind them that they are to pick up our phone books as part of their new contract. If there is a resident who had their phone book left by the curb, please toss it back into the recycling bin and we'll make sure that it does get picked up.

Trustee Kaye also reported that the Youth Committee is looking at adding on to the existing playground equipment in Island Park and that has been a discussion. They did make a decision and recommendation to the Board to move forward for an additional piece of play equipment. It would be adding some rings, a 360 degree spiral slide, some additional climbers that would blend in with the piece now when the Youth Committee and the Old Home Days Committee originally purchased that piece of equipment, it was with the intent that eventually as more money became available through fund raising and saving of money, that they would add on to it and that time is now. The Youth Committee has \$3,000 to put toward it and the rest of the money would be coming from the park's budget where they have some money for that.

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We're hopefully looking forward to having that installed this year. It had a slight revision because it did not come in full compliance with the ADA requirements and she asked that it be revised and it has. It now has a special step platform so that handicapped children would be fully accessible to that piece of play equipment.

Trustee Kaye reported that in the upcoming month of October is National Breast Cancer Awareness month. The Amherst Senior Citizens Center will be offering a special screening for breast cancer on October 6th at 9:30 a.m. at their Union Road Center. There is a very minimal charge of 50 cents, certainly well worth it. It does require reservation. If anyone knows anyone who is interested, please have them call the Union Road Center to set up their reservation. That is sponsored by the Town of Amherst, Roswell Park and Millard Fillmore Hospital. She understands that Roswell will be doing the screening. Without a question she can vouch that early detection, early cure is well worth the attendance.

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

RESOLVED that Mayor Daniels is hereby authorized to sign lease agreement with the Hutchinson Hose Company for Truck Bay area at 5005 Sheridan Drive for the period of June 1, 1994 to May 31, 1995 at a yearly rental fee of \$6,600.00.

Unanimously carried.

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

RESOLVED that Tony Schueckler, Chris Petrie, Richard Maddigan, Richard Meldrum and Michael Meldrum, Williamsville firemen, are hereby authorized to travel to Syracuse, New York on September 10, 1994 to compete in the Auto Extrication Competition, and the cost, not to exceed \$250.00, to be paid by the Village of Williamsville.

Mayor Daniels commented they are now going to go to the international competition. Is the funding still from the Village budget?

Trustee Kaye stated yes, it has been in the past.

Mayor Daniels asked if we can have that before the event rather than after.

Trustee Kaye stated yes, she thinks that would work since it's early in October.

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Attorney Kelly stated the monies have always been in the budget. It covers them in case they are injured.

Unanimously carried.

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

RESOLVED that Mayor Daniels is hereby authorized to sign Waiver of State Aid Eligibility authorizing the Town of Amherst to claim \$2,563.00 of State Aid on behalf of the Village of Williamsville.

Trustee Lowther stated we make a donation to the Town of Amherst to help maintain our youth program at Academy School and we also allow them this \$2,563.00 State Aid that the Village is eligible for but we sign over to them. Is that what it actually is?

Trustee Kaye stated yes. We don't actually run those programs. The Town of Amherst puts the programs on for us for the recreation center.

Trustee Lowther asked approximately how much was that because when we had the discussion about the latch-key, she thinks the only thing we talked about at that time was just the normal budget line for the other one and then this is in addition to that, correct?

Trustee Kaye stated because they had asked us for additional funds where, in fact, to run the center now that it has moved and our agreement was that we already give them extra funds above and beyond what our tax dollars provide and so we declined their request for additional funding toward the center.

Unanimously carried.

Trustee Lowther reported that the Glen Park Committee will be meeting tomorrow night instead of the first Tuesday of the month due to Rosh Hashana which was last week. They will be meeting in the Town Hall Auditorium. She also noticed that on the agenda that Glen Park has been left off in October. They will be meeting October 4th which would be their normally scheduled meeting time.

Trustee Lowther reported this Thursday the Village Traffic and Safety Committee will be meeting here in Village Hall. We have a number of items on the agenda because we did not meet during the month of July due to Old Home Days. We had a very brief meeting in August to consider something that the Planning Board wanted us to look at before they met. So we limited our agenda and unfortunately we didn't have enough people to have a quorum so we have a lot of ground to cover on Thursday evening. One of the items will be another written comment from the Traffic and Safety group regarding the change in the sidewalk law.

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They've all received the copy of the minutes of the public hearing that was held so they know what the public is saying about this change in the law and while they have in the past stated they were unanimous in their decision to have sidewalks installed. She has asked each one of them to re-read the minutes of the meeting and to re-evaluate this and we are going to have some discussion on Thursday evening. As usual, the public is invited to these meetings. One comment was a thank you to the Mayor for providing the people who work within the Alternate Sentencing Program through the Amherst Town Court. The Mayor has been working with people with these alternate sentences. They have done a number of things around the community free of charge to the community. One of the jobs was to seal and stain the back steps of the Meeting House, which has never been done since the back porch was replaced. That was done very recently on quite short notice and she appreciates the fact that it was taken care of so quickly. It looks real good and she is very pleased to see that.

Trustee Lowther stated her resolution is an appointment to the Glen Park Joint Board. She had a resident come forward quite a while ago requesting to be appointed to the Glen Park Joint Board. She has just recently purchased a house on North Ellicott Street and is an Attorney at Law. She does a lot of liability work and has done a lot of work with municipalities. She will have a good perspective to give us especially when we come up with situations that are liability connected at times when you are dealing with public facilities and public areas.

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

RESOLVED that Patricia S. Stroman, 31 No. Ellicott Street, is hereby appointed to the Glen Park Joint Board until April 30, 1996.

Unanimously carried.

Superintendent of Public Works, David Laubisch, reminded residents that trash pickup begins on September 13th and September 27th of this month and going into October and that is when trash pick up ends because of leaf season and other duties that we incur during the Fall and Winter months. We will make an announcement at the next Board meeting the last day of trash pickup in October.

Mr. Laubisch stated for the last four or five years we have been paying \$1.50 per passenger car tire to dispose of the tires. It's gotten to be very cumbersome and expensive to dispose of vehicle tires. Through investigating other sources for disposal, we can now do that for the Village residents at \$1.00 per tire, which is a \$.50 savings per tire. The policy will remain the same. Village residents can bring passenger tires to the DPW and they will be picked up there. That is another savings in Village man hours. Before residents were paying \$1.50 per tire and had to transport them to a site in Buffalo near the river and now the \$1.00 fee includes pickup. He has been working on this for the last month and a half and he is happy to report that we started this last Friday.

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To go along with what Trustee Piazza said about rehabilitation of the water valves and hydrants on Main Street, there are eleven sites yet that need to be restored and by restoration he means some brick pavers removed, some asphalt needs to be put back, some concrete work needs to be done but the actual work is completed and the restoration began today and will continue for the rest of the week until it is completed and if the weather stays like it has for the last two or three days, we should complete the entire project by the end of this week.

Administrator Cummins reported that the Deputy Clerk will be attending a Registrars Session next week and she will be away at her session at Kutchers for the whole week so following the Board meeting she should have some new things to report on, new legislation and some new financial packages that we can look at.

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

Unanimously carried.

Sue Pantano, 115 Highland, stated she has been wanting to build a fence. She lives on a corner lot on Highland and Scott. Her side yard she thought was her back yard. She was wondering what the status was on it.

Trustee Hillebrand stated Attorney Kelly is going to draft up some legislation and at our next meeting we will announce it and call for a public hearing and it will be voted on.

Mayor Daniels stated we are not done with it yet. We can't say with 100% assurance what the outcome would be at this point either.

Trustee Lowther stated she doesn't have any concerns other than the two that Trustee Kaye expressed in regard to the lot itself, not necessarily the fence, any fence that would be installed in a back yard, which actually are side yards, not involve driveways and not involve other front yards.

Trustee Kaye stated properties side yards are next to another side yard and there is no driveway from a safety standpoint. If the side yards are actually adjoining, it's not someone else's front yard that it is adjoining to.

Trustee Hillebrand stated we have the draft and ordinance that is universal.

Ms. Pantano asked if there are any other objections that have been addressed?

Trustee Lowther stated those are the only real two concerns.

Ms. Pantano stated she wondered where she sat and wanted to make sure all objections were addressed.

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Trustee Hillebrand stated Attorney Kelly will draft it up, then read it out to the public and we will ask all members present whether they have any views. There may be some issue that is not obvious to the Board that is important to another resident.

Ms. Pantano asked when will that hearing be held.

Mayor Daniels stated October 10th or 11th depending on what the Board wants to do with Columbus Day.

Trustee Lowther stated the third week in October will be the passing of the resolution.

Dawn Jones, 82 Milton stated she would like to know what she can do with some sort of fence to enclose her landscaping and that she is investing quite a bit of money in it and if the Board can tell her their concerns and what she can do.

Trustee Kaye asked Ms. Jones if she had spoken with the Building Inspector of what to do to be in compliance.

Ms. Jones stated yes and he advised her to speak to the Board. She read the code. She is not sure if totally enclosed means without a gate, if the fact that it has a gate keeps it from being totally enclosed, if the 80% visibility includes the whole three feet, can she drop it a few inches, can she take it up further away from the driveway? She wants to know what the Board's concerns are so she and the Board can work on it together. When she bought this house, it never occurred to her after seeing so many beautiful areas, with fences and English gardens, which she envisioned and she has already invested money into rare rose bushes.

Trustee Hillebrand stated the Board discussed it at great length and the difficulty is that everyone unanimously agreed that tasteful fences in the front yard are wonderful but we have no idea how to legislate that universally. It is too hard. He thinks the sense of the Board was that we should leave the code alone.

Trustee Lowther stated she thinks the sense of the Board was that we had more concerns with safety of residents because of front yard fences. She thinks everyone agrees that they are lovely to look at. The Board is concerned with 80% visibility and even a 50% visibility even at the three feet height. Right now, the way the code exists, we don't have to have a concern about the safety of someone in regard to the fence.

Trustee Kaye stated Ms. Jones question to the Board is how can she be in compliance and still keep some sort of fencing. That would come from Dave Sutton, the Building Inspector and the possibility of maybe working in conjunction with Attorney Kelly in interpreting the law.

Ms. Jones stated that is what she is asking for now.

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Attorney Kelly stated he hasn't seen her property. All he knows is that Mr. Sutton advised him that the fence is not in compliance because of visibility, it is not 3' away from the sidewalk and that it is enclosed. He takes enclosed as meaning completely closed. Where they normally have allowed these types of things, they are basically ornamental. She is enclosing it and it's not going to be allowed under the present code.. He doesn't mean the whole front yard being enclosed. She might have a good portion of the front yard where one side is not open, then it is enclosed.

Mayor Daniels stated the minute Ms. Jones closes the gate, it is enclosed.

Trustee Kaye stated Ms. Jones is asking if she takes out the gate then it is not enclosed anymore?

Ms. Jones said right. It doesn't totally enclose her front yard. It just encloses where the house is. It doesn't touch her property line at all.

Attorney Kelly stated it is still enclosed, whether you go all the way out to the property line.

Mayor Daniels stated Ms. Jones is wondering if she can make it less to be in conformance.

Trustee Kaye stated maybe the Building Inspector and Attorney Kelly and Ms. Jones could come out and the three could meet on her property and probably resolve it and give the advice of what she has to do to become in compliance.

Attorney Kelly stated he will check with Mr. Sutton and when they are available he will make a point of driving by Milton Street. As long as Ms. Jones is in compliance, she can do whatever she wants.

Ms. Jones asked what is the Board looking for from a safety standpoint.

Attorney Kelly stated he is looking to see that the code is enforced. He is assuming the people who drafted the code were concerned about safety, such as someone backing out of a driveway. He doesn't know why people put this particular code in and she has to comply with what they have said. If they have taken the position that they have to change the code at all, it brings up a number of safety factors.

Ms. Jones asked how do they do it at Niagara on the Lake?

Trustee Hillebrand stated the way that is done is the owners sign a covenant when they buy the property saying that they agree that their property will be subjected to a village architectural group and it is done case by case. In our Village, we have no such covenant or Board and it would require that we get each and every property owner to agree. First they have to create the view. We don't have such a mechanism in the Village.

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Mayor Daniels stated it would be difficult to have every resident to sign a covenant.

Ms. Jones stated she understands but she doesn't understand how that relates specifically to safety. We're talking style and taste. Her's is architecturally correct and appropriate for the style house she has. How do they justify safety in Towns and Villages?

Trustee Lowther stated it could be communities where everybody has a fence there is a different perception. Maybe that is more important than the safety of residents. Our first concern and only concern at this point, when we are talking about front yard fences, is the safety of the residents. That is where we have to work from and see if we can bring Ms. Jones into an area where she can comply and the Board is comfortable with the fact that the residents are safe when they walk on the streets and sidewalks and when they back in and out of their driveways.

Ms. Jones stated she is in agreement with the safety point. She feels she is being picked on. How did they evolve this code?

Trustee Lowther stated what Ms. Jones is doing now is not in the scope of the code. She thinks Ms. Jones meeting with Mr. Sutton and Attorney Kelly may be able to make it all come together. The code was completely revised about five years ago.

Attorney Kelly stated they put it into a code rather than have resolutions all over the place. In looking at things throughout the past year, he has seen the code change from time to time. He doesn't think the Board members arbitrarily dream things out of thin air.

Trustee Hillebrand stated apparently the code developed a due process very similar to what we described earlier.

Trustee Kaye told Ms. Jones to call Mr. Sutton to arrange an appointment and make sure that he invites Attorney Kelly so the three can meet and try to get in compliance.

Jonathan Guillaume, 127 Lehn Springs, thanked Mayor Daniels for the berm sign because when he came to the meeting tonight the road was paved. His particular pet, as a Parks Committee member is Lehigh Memory Trail, he has been on the Parks Committee for a long time, since Trustee Kaye was Board liaison and Carolyn Schlifke was the Board Chairman. Last year Lehigh was given to him as his park to watch over and take care of. In 1990 the Railroad Society made a proposal on their plans for development of area around the station and the land extending beyond that. Since that time there has been a lot of discussions and he came and spoke to the Board during the work session. He needs to get some kind of time frame on when either himself or the Parks Committee or the Railroad Society can begin moving forward on the proposed plans. He knows there have been some concerns with the plans. Four society members are here and they could answer almost any question. He has brought up a lot of questions and generally the questions have been answered to his satisfaction. Questions need to be addressed from the Board to the people who have some of the answers that he doesn't have.

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He is not a society member yet. He has painted buildings for them. He would like Joe to come forward and answer questions with the idea that some time frame could be put together.

Trustee Lowther asked Mr. Guillaume what exactly he is looking for. Is it a commitment from the Board?

Mr. Guillaume stated a commitment from the Board saying yeah, it looks like this plan is pretty good and we would like to get moving forward on it. When that word is given then the society and the Parks Committee can begin saying, okay, we are going to do this.

Trustee Lowther stated she thought we were holding off until the ISTE A money came through because that was what was going to generate the project to be done.

Trustee Kaye stated she knows that we had budgeted money for a platform in our last budget, not the current and she is not sure what happened in terms of not building that, because there was \$4,000 allocated.

Mr. Guillaume stated the liaison at that time designated \$4,000-\$5,000 to the construction of a proposed passenger platform. Again, we never quite got the go ahead word.

Mayor Daniels stated that money is still there.

Trustee Kaye stated there is a line item now in our present budget that says Lehigh Trail Beautification, which is \$3,000, but if she remembers correctly it was the last year or the year before we had one that specifically said \$4,000 for a train station. She is not sure why that didn't happen.

Mayor Daniels asked if the passenger platform the next thing Mr. Guillaume would like to have put in. He knows they had discussed it and what ways to do it. He can't recall ever coming to a decision on how it was going to be. He knows that when Attorney Kelly was on the Board, he really wanted a complete overall overview of the whole project so that as we did one piece at a time it fit into the puzzle so that when it was completed it would be a total sensible picture of the area. He is not even sure that we decided on the overall scheme.

Trustee Kaye stated she thought we had agreed on what we wanted to see and that's why we budgeted the money for the platform.

Ms. Schlifke stated we requested money in the Parks budget for the building of the platform. The Board never gave final approval. The concept was never accepted by the Board.

Trustee Kaye stated she thought we had approved the money and in approving the money we obviously would have approved some part of that concept.

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Mr. Guillaume stated what he is looking for is the overall plan could be accepted as the idea and then go step by step, to put this piece in or modify it. We need to be moving forward on this partly because he thinks a lot of interest is being generated this summer. There were plays held there. People are beginning to recognize it as a central, significant place in the Village, certainly historically with the station and the surrounding area.

Trustee Kaye stated she thinks we have given a level of approval by the ISTE A grant application by associating the Village with that.

Trustee Piazza asked if we have any idea where that stands?

Joe Kocsis, Jr., stated we made the first cut with the approval. The New York State DOT will decide probably late October or the first of November. They are very concerned because Niagara County got two grants and Erie County got none.

Mr. Guillaume stated when he spoke to Joe last week they were ready to go forward.

Joe stated they are fully committed to that. There are two separate grants outstanding, one with Walmart and Rochester. It is not just the ISTE A grant. We are going to start work on it very shortly. Right now we are repainting it and repaving and getting all the proper depot signs on the building. He will prepare a new package with slight modifications. There are seven insurance companies that write insurance for railroad stations.

Trustee Piazza stated he knows Trustee Hillebrand has never seen the information or Joe's rendition of it. He would like them to come September 26th at a work session to work it out. He asked Joe to anticipate liability questions that evening.

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

Unanimously carried.

Mayor Daniels suggested having the October Board meeting on October 11 because of Columbus Day.

Trustee Kaye stated she will be out of town until the 15th.

Mayor Daniels stated then Trustee Kaye doesn't care whatever we do.

Trustee Kaye stated she knew that we were not going to be meeting. In some years past we only had one meeting in October.

Mayor Daniels stated he thinks it is important that we meet.

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Trustee Kaye stated if Mayor Daniels would like her to be there she can be there on that Monday on the 17th.

Mayor Daniels stated that is only a week from the next meeting.

Trustee Kaye is just telling him if he wants to include her.

Mayor Daniels stated it is not that he wants to exclude her.

Trustee Lowther stated it is her feeling that when we have an official legal holiday, which this is, the banks are closed, State offices and Local offices are closed. People don't expect Village business to be held on that day.

Mayor Daniels stated we will make it the 11th.

Trustee Kaye asked that if there is going to be a vote on the sidewalk issue, that the Board would not have it knowing that she won't be here.

Mayor Daniels stated he doesn't know what's happening.

Trustee Kaye stated the Board certainly has that option.

Mayor Daniels stated you can never predict who is or who is not going to be at a next meeting.

Trustee Lowther stated she thinks we are going to get the information from the Planning Board because they will meet on October 3rd.

Trustee Kaye stated the Board would have a discussion on the 17th and vote on it the last meeting in October. Is that what Mayor Daniels is telling her?

Mayor Daniels stated he is not telling her anything. He doesn't know. He can't ask votes not to happen when he is not here. "I'm not going to be here so you can't vote on that issue", he's not sure. We'll make it October 11th.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved adjourn the meeting at 9:40 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer