

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, November 14, 1994 at 7:40 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 7:40 P.M.

ON MOTION by Mayor Daniels, seconded by Trustee Kaye, the minutes of the regular meeting of the Board of Trustees held October 24, 1994 were approved.

Unanimously carried.

Mayor Daniels reported on an item involving the Town of Amherst and the Village of Williamsville, a community prevention program that the Town applied for and was granted as one of the few cities in the United States to receive grant money to explore drug abuse in our community, awareness of alcohol, and smoking abuse. The conference is now in Amherst and there was a small ceremony in front of Town Hall and there was a reception at 6:00 p.m. this evening regarding that and the workshops for that particular event. It will be all day tomorrow at the Marriot and Mayor Daniels will be attending for the Village. Hopefully out of this will come hands on types of ideas that we can implement not only in the Village but in the Town as a whole. In his six years on the Village Board, whether it be a Trustee or Mayor, very little contact with problems of drug abuse in the area have come across the Village desks. We feel, more or less, in a vacuum here. He knows that the schools have awareness of that and the police certainly on a daily basis have experience with it. This will give us the opportunity to look from a governmental standpoint on what ways we can affect some improvement in awareness of this. He knows that we had some legislation that we were looking at and were partially successful in limiting cigarette machines in various locations and that is one way government can step in. This will be exploring what other communities have done and he thinks tomorrow what we can do in Amherst. Mayor Daniels is looking forward to that.

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Mayor Daniels reported the Historic Preservation Committee has been working with Robert Miller and Associates, which is the grant writing firm that the Village has retained for pursuing extra money for the Village for projects and we initiated one through the committee to create a manual of Village history based on a fourth grade curriculum. In fourth grade at Forest Elementary and the other schools in the area they do a study program of the history in this area. It all started with Jonas Williams and Joseph Ellicott who initially divided this area up into townships and settled it with the first mill. Lacking for this effort in the schools is a form that they could use in a workbook form for the history of the Village so that as they walk around they can do work sheets on it and read the history of the Village area and the Town as a whole in a simple, understandable text for that age level. This grant seeks to create that kind of a work book for the fourth grade level and it is asking for \$10,000 and we would provide matching work effort in that so that it would not cost the Village anything but would then be stockpiled 5,000 books that they could use in the fourth grade. We are excited about that. As part of the procedure to do that, we used a map from 1909 that Wes Stone from the Planning Board has. He owns a survey company, and identified all the structures that existed in the Village period of 1909 and then physically went around the Village to identify those dwellings which are still here as part of a survey to see how many close to century homes we have in the Village. It's incredible the number of houses in this Village area that are 100 years old. There are only 16 that have plaques in front of their homes that say century home. That is a program that the Historical Society of Williamsville has been doing for several years now. That requires documentation and survey and search of the property, going back to verify that the home is 100 years old. We have a composite map now in our files with dots on it identifying all the homes on all the streets. The street names have changed considerably since 1909. There is no longer a Division Street or a Bear Street. Several of the names are different but the homes are still there. It is an interesting map to look at. That served as one of the bases of our grant.

Mayor Daniels reported we are in an ongoing discussion about a building on Main Street that is known as the Ice House. It is next to the Williamsville Inn between that and what was Amherst Glass and is now a gift shop. The owner of that structure has been ordered to demolish the rear of the structure due to the unsafe condition of it; however, there has been considerable interest in the front of the building which isn't as old as 100 years but it is probably in the late 20's, early 30's. The Amherst Museum expressed some interest in it because of the unique architecture of the Ice House front. Although ice was never made there, it was brought in from Buffalo and stored there. The walls are full of cork and sawdust creating what would have been a cooler. Blocks of ice were stored in there and then you put your money in the slot and out would come a cube of ice-large refrigerator size, before electric refrigerators. There was some interest in saving the facade of that building. We're working in trying to come up with something very quickly that hopefully can save the front of that structure in some fashion or other whether it be simply as a facade that is reinforced on that back as kind of a monument. If you look at the old stadium downtown on Best Street, they have done that with the Buffaloes. There is nothing left but the facade of the original stadium. 2. Creating another building on the back of that as another commercial venture and there are several options currently open.

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Mayor Daniels had asked in a letter to the owner that they get back to him today on what their plans were and unfortunately Mayor Daniels was not here in the afternoon and doesn't know if anything came through from the owners of the Ice House.

Trustee Kaye stated she spoke with David Sutton today and he wanted Trustee Kaye to relay to the Board that they are looking for two additional weeks to work out some plans. It appears that they may have a tenant who will rent that structure, renovate and bring it up to code and then rent it. They talked about the fact that they would be very respectful to the character of the building. They need two additional weeks to work out the money details in terms of if they will be able to work that out with Mr. Habib. In two weeks Mr. Habib will present a plan if the tenant does come through. Mr. Sutton also asked if through Historic Preservation if there is any funds to help refurbish that front of that building.

Mayor Daniels stated we would have to discuss that and see exactly what their plans were to know if that were a possibility. He is certainly open to something that would retain something that is unique in the community.

Trustee Kaye asked if that would be a possibility.

Mayor Daniels stated yes. He had real problems spending money to have the building removed to the Amherst Museum because of preservation funds. He feels the money should be used for things that will stay in the community. So that is a possibility. At this point, there never has been plumbing, heat or actual legal electric to that building. It could be quite expensive and we will see. We will have to do this after the Board meeting.

ON MOTION by Mayor Daniels, seconded by Trustee Hillebrand, vouchers in the amount of \$228,248.09 covering 10/22/94 - 11/09/94 were approved:

Payroll fund w/e 10/31/94	\$24,686.34
General fund	50,530.20
Water fund	58,588.63
Sewer fund	750.00
Glen Park	665.58
Trust & Agency fund	10,216.34
Capital fund	<u>82,811.00</u>
Grand Total	<u>\$228,248.09</u>
Large Vouchers:	
Fleet Bank	\$29,821.31
Erie County Water	27,836.38

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Unanimously carried.

Mayor Daniels stated his next resolution deals with the election which will be coming up on March 21st. Village elections do not coincide with other elections which are in November. There are two options for Villages. We have chosen the March election date which is the third Tuesday in March. A June election is also an option for Villages. Most villages do use that March date.

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

WHEREAS the next Village Election in the Village of Williamsville is to be held on Tuesday, March 21, 1995 and

WHEREAS the hours of voting will be from 12:00 noon until 9:00 P.M. on March 21, 1995.

NOW, THEREFORE, BE IT RESOLVED that said Village shall be divided into three election districts be as follows:

DISTRICT #1 - Includes the entire area east of Ellicott Creek, south of Main Street;

DISTRICT #2 - Includes the entire area west of Ellicott Creek, both sides of Main Street

DISTRICT #3 - Includes the entire area east of Ellicott Creek, north of Main Street

AND BE IT FURTHER RESOLVED that the offices to be filled shall be as follows:

- one (1) Mayor for a four (4) year term
- one (1) Village Justice for a four (4) year term
- two (2) Trustees for a four (4) year term

Unanimously carried.

Mayor Daniels stated his next resolution refers back to the work he spoke of on the grant for Historic Preservation. We've added two members to the Historic Preservation Council to fill positions that are required for the grant and actually are a good idea on a Preservation Council.

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

RESOLVED that Joseph Lenahan, 147 N. Ellicott Street and Richard Swartz, 140 Cadman Drive, are hereby appointed to the Historic Preservation Commission until the end of the 1994-1995 official Village year.

Trustee Lowther asked if there were two openings or does the Commission need to be expanded.

Mayor Daniels stated he believes the openings exist. We were down a couple of members. Joseph Lenahan has done quite a bit of work on preservation architecture. He is now working on the facade of the Shea's Buffalo Theater downtown and he did the design work on that for the restoration. He was also involved with the Niagara Mohawk building renovation downtown. He was one of the majors in that renovation. He has a keen interest in that. Richard Swartz is in the Environmental Committee.

Trustee Kaye stated she understands Mr. Swartz will be taking an Environmental slot. Is Mr. Lenahan taking a Planning Board slot or Historic Preservation?

Mayor Daniels stated there were openings on the Board. We have never required a Preservation Architect to be on the Board. There was a member that could be an at large member, which is what he is filling.

Unanimously carried.

Mayor Daniels stated the next resolution deals with taxes that have not been paid by Village taxpayers for various properties within its limits. Normally what we do is send the list to the County for collection and then interest is accrued and is paid back to the Village. The County is responsible for the collection of the back taxes.

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

WHEREAS the Village Clerk has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amounting to \$29,602.53 containing description of the land upon which taxes are unpaid as the same were placed upon the tax roll together with the amount assessed and interest thereon, and

WHEREAS the said Village Clerk under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

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WHEREAS upon receiving such account from the Village Clerk, the Board of Trustees compared the same with the original tax roll of the Village, and

WHEREAS said Board of Trustees find such account to be a true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct,

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Village of Williamsville is hereby credited by this Board of Trustees with the amount of said account in said return, and

BE IT FURTHER RESOLVED that a certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of \$29,602.53 and reciting that the account has been compared and found to be correct; and that the Clerk transmit said account and certificate to the appropriate officer of the County of Erie within 15 days to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Trustee Piazza asked does Erie County charge us for this service?

Administrator Cummins stated no. We turn them over to Erie County and they collect them for us and transmit the money back to us.

Trustee Piazza asked taxes plus interest?

Administrator Cummins stated yes.

Trustee Piazza asked if it was costing the Village anything.

Mayor Daniels stated we make money if we eventually collect.

Attorney Kelly stated it is up to the County to get it.

Administrator Cummins stated we always get the funds from the County after they collect their taxes in March.

Unanimously carried.

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Mayor Daniels stated we have bond counsel that we use for all the large projects in the Village if we are going to put in sewer lines or water lines or electrical services for street lighting, a large project, a large purchase. We use the counsel to secure the bonding for us. It was our Village Attorney's suggestion that we re-look at the firms that are in the bond counsel market to see if we could improve the deal that we have with the counsel. We went out to some competitive, informational bids and although we will be retaining the original bond counsel which we have used in the past, the cost to us because of the re-examination and the competitive nature of this have come down, so it was a worthwhile exercise for us to do this.

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

RESOLVED that the firm of Hawkins, Delafield and Wood is hereby appointed Bond Counsel for the Village of Williamsville as per their proposals dated 10/24/94 and 10/27/94.

Unanimously carried.

Trustee Piazza reported the playground equipment at South Long Street is in and there have already been some children playing on it. Parents are very happy to see this in that area of the Village. Volunteers will be placing wood chips and lumber around that later this week, either tomorrow, Wednesday or Thursday.

Trustee Piazza reported the Parks Committee will be discussing the possibility of placing an ice rink in Island Park at its Wednesday meeting. He is not sure what the committee will recommend. It will be discussed on Wednesday. If anyone wants some input into that, they are welcome to attend that meeting.

Trustee Piazza reported on the Local Government Advisory Board. The cable contract finally came in. Administrator Cummins has to respond to that, then they have to then send the information to the FCC before we actually get money owed. We probably won't see any money for another 60-90 days or even longer than that. The system is in process. We do have a viable cable contract now.

Trustee Piazza stated regarding water meters, resolutions were going to be mentioned tonight but they are being held until the bond counsel fulfills its part of creating a bond. Administrator Cummins will be contacting the bidding companies to ask them to extend their bids beyond the normal 45 day limit to give us a chance to put this in normal legal order.

Trustee Piazza stated his first resolution deals with a grant proposal for historical monies.

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

RESOLVED that Mayor Daniels is hereby authorized to sign a \$10,000.00 Grant Application with NYS under the Certified Local Government Program to develop 5,000 booklets for Fourth Grade Students dealing with Village History.

Trustee Kaye asked what in kind services will we be performing?

Mayor Daniels stated he has the grant proposal here. He can give her a copy and she can look at it.

Trustee Kaye asked if Mayor Daniels could tell her briefly what we will be providing.

Mayor Daniels stated here is the budget. And in kind is Village Historian.

Trustee Kaye asked if that would be Gartley Weller.

Mayor Daniels stated right. There is a walking tour by a docent, someone who is familiar with the manual, a volunteer that will take the kids around. That has a price tag on it. All of the things on the in kind column here.

Trustee Kaye asked do we know who will actually be performing the development of this.

Mayor Daniels stated no, if we get it agreed to, he assumes the curriculum consultant would be someone that is within the school.

Trustee Kaye asked where would someone be able to get a copy or see that composite map to see if their home is on that 1909 map.

Mayor Daniels brought it in tonight. It is in the Board room.

Unanimously carried.

Trustee Piazza stated his second resolution goes back to the Cadman area work project. As the gentlemen were working in that area, Triple R Construction Company, they found some things eight feet down that were not expected and so the cost went up a little. We all feel it was a legitimate increase in cost for the Cadman area.

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

RESOLVED that Mayor Daniels is hereby authorized to sign Final Change Order increase for Triple R Contracting on the Water Reconstruction Project in the amount of \$5,732.47 as follows:

(PER ATTACHED SHEETS)

Unanimously carried.

Trustee Piazza stated his third resolution goes back to a water meter bid that we had originally put out when we asked for a combination bid on both materials and the placing of the water meters on the houses. We actually retracted that because we felt that by putting separate bids out, and we know that by putting separate bids out we could save close to \$30,000. This resolution is to retract a previous bid proposal.

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

RESOLVED that all sealed bids for the purchase and installation of water meters throughout the Village, which were received by the Village Administrator on September 20, 1994 are hereby rejected.

Unanimously carried.

Trustee Hillebrand reported we had a very interesting Planning and Architectural Review Committee meeting two weeks ago. We have some new tenants in our Village. Pitt Petri is coming to Main Street and South Ellicott, a coffee deli bar across the street and a new shoe store. The Village and all of these new businesses are pleased to come to the Village. The Planning Board perceives that we are gaining character in the greater Erie County and that we are getting shops and stores that are changing our image more to a boutique and a more upscale type image. These are very positive changes and he thinks it is a credit to our whole Village that we are continuing to attract that kind of upscale businessmen to come. We wish them well.

Trustee Hillebrand reported next week we will be having an Environmental meeting on Thursday to which everyone is invited. We will discuss matters of interest, sewers, mosquitoes and other environmental issues of interest to the Village.

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

RESOLVED that Local Law #7-1994, amending Sections 89-2 and 89-4A of the Streets and Sidewalk Code regarding Cul-de-sacs, which was the subject of a public hearing on August 22, 1994; September 12, 1994; September 26, 1994; and October 17, 1994; is hereby adopted.

Trustee Lowther stated she would like to reiterate her position on it. She will not be able to support this resolution as a change in the Village code for a couple of reasons. First, our Village Traffic and Safety Committee, which is a volunteer committee and has no official legal standing, has agreed that they do not want to see any sidewalks not in place or removed from existing areas. She feels very strongly that this is a safety issue and that should be addressed first and foremost. The only item that has been brought forward to us in order to change this particular law, which introduces new law actually, is an aesthetics law to make the area look nicer. She is in full agreement that the development in question, which is the Castle Creek Development off of Garrison Road, will look nicer without the sidewalks. It will make the lots look larger and it will be very attractive and she is very happy to see our tax base being expanded and increased by these eight homes; however she feels very strongly that sidewalks are part of the Village and that we need and should require. She can't support the change of the law to start deleting sidewalks in any area. She thinks it is crucial that they be there. We are a walking community, a bicycle riding community and she thinks not putting sidewalks in to keep that particular agenda that she thinks is part of this community. The bottom line is safety. She sees a real problem somewhere down the road. Hopefully it will never happen but if someone is ever injured she feels the Village will be open to litigation. It would be very serious by going ahead and changing this law.

Trustee Kaye stated she wants to echo what Trustee Lowther has said and the fact that she whole heartily believes that the safety issue overrides any aesthetic issue in terms of the sidewalks. She won't go into all the areas that Trustee Lowther has but for those who regularly attend the meetings know the months that we have been debating this. Without question, we should not be changing this law. We also had a lengthy discussion just prior to this meeting that the minimum turning radius, which is defined under cul-de-sac as street that is opened at one end only, the closed end containing a paved turning area which has a minimum radius of 18'. Originally there was a question about the definition which only read that a cul-de-sac is a street open a one end only. Trustee Kaye had made the request that we have a turning radius on the end in terms of defining it because she felt that in her own mind that a cul-de-sac clearly have the circular turning radius that allows one to turn around without making a three point turn in it. This minimum turning radius doesn't necessarily meet her personal criteria. In speaking with the Building Inspector, David Sutton, she did ask him to review and look up what the standards were for a turning radius in a cul-de-sac. According to the architectural graphic design criteria, eighth edition, for a small cul-de-sac to function is a 38' turning radius. Also, the Fire Chief has told Trustee Kaye that an 18' turning radius will not address his vehicles.

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So she does realize when the Mayor paces off the 18' for it, he is looking at existing areas that he felt wanted to fall into his personal criteria; however, it is not her personal criteria nor the technical standards required. Also the seniors and the Fire Department have requested that the sidewalk code remain the same and again those are for safety issues. We have a very high population of seniors, about 22% to 24%. Some are avid walkers and there are many young in the area who are bicycle and tricycle riders. She votes a no on this.

Trustee Piazza stated we obviously have a disagreement on the question of safety. It is his opinion that these are very safe cul-de-sacs and they will continue to be safe without sidewalks and we are not increasing the safety factor for anyone by not having sidewalks. Although we are trying to say safety is a major issue, he doesn't see that as a true issue.

Trustee Hillebrand stated he is a proponent of this change and he is not happy about our Village becoming urbanized. He liked our Village when it was not urbanized. He doesn't think sidewalks are a positive contribution. He thinks if we have a traffic problem, lets solve the traffic problem. He is for making the streets accessible to the people and not forcing them off to the sidewalk. He thinks our Village has the character it has because it doesn't have sidewalks and he thinks the Mayor's video very powerfully indicated those kinds of very nice neighborhoods we would all like to live in. He is against sidewalks and a proponent of this change.

Mayor Daniels stated this does not delete one square of sidewalk in the Village. It more brings the code into reality and the fact that none of the existing cul-de-sacs have sidewalks at this point and by the survey results and the video, not only do residents of cul-de-sacs not want sidewalking, in most of the areas sidewalking would be very difficult if not impossible to install anyway. It's just a reality check type of thing as to what exists. It's also to be noted that this does not relieve the pending Castle Creek subdivision building from requirement for sidewalks, since that is an exceptional development. Although it is a step that would allow something like that to happen, it is not a given that because of this law Castle Creek will not have sidewalks.

Roll Call:

Trustee Kaye	No
Trustee Lowther	No
Trustee Hillebrand	Yes
Trustee Piazza	Yes
Mayor Daniels	Yes

Motion Carried.

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Trustee Kaye the Youth and Recreation Committee had a very successful Halloween parade and party which culminated at Saints Peter and Paul's for the party. Trustee Kaye thanked the Fire Department for escorting us in Williamsville, the Williamsville Senior High School band for escorting us and providing music and of course Saints Peter and Paul and all the volunteers for their hard work that made it happen. It was a very successful event with approximately 900 people in attendance. We really had a large turnout. The weather was phenomenal and the change of time had not gone into effect yet, so it wasn't dark yet, the weather was warm. It really was terrific. The Youth and Recreation Board will be having a meeting tomorrow and will be discussing the upcoming Winterfest and the caroling that we have every time this year in Island Park.

Trustee Kaye reported the seniors have Craft Day every Tuesday here in Village Hall and tomorrow they do have a trip if anyone is interested. It is at 8:45 a.m. and is going out to East Aurora. Charlotte Jurek said she was hold a spot for Mayor Daniels and still has several spots available to go to East Aurora tomorrow for a luncheon. It is \$25.00 per person for a tour of the area. They will not be having a meeting on the 23rd of this month; however, on December 12th we will be having their annual holiday luncheon and those on our senior committee are certainly welcome to come and they will be having entertainment as well. Also, for our seniors, we have a craft cabinet that has been built in the activities room and it has been long in coming and Trustee Kaye thanked Ray Swartz and the DPW and Dave Laubisch for helping that along. That is something that they have really wanted for a long time. They wanted Trustee Kaye to ask Mayor Daniels if he has arranged the washing of the walls because that is what is holding them up right now. That is a critical point.

Mayor Daniels stated they have lots of people that should be doing it but they all want to do filing instead of scrubbing. He had promised Ray that it would be done by last week. A couple people did not show up who are working off community service hours.

Trustee Kaye stated in the past two months we have had several incidents of rabies, animals who have been rabid and have been caught and the Department of Health has determined that they have had rabies. They have all been raccoons. In the past two month period, we have had six in the immediate area, two were in the Village and four who were just around the perimeter. When she spoke to Mr. Trippi today at the Board of Health, he did want to relay some thoughts. If someone suspects an animal is rabid, there have only been raccoons, they haven't had any other animals from these areas, they are feeling that all the animals that are raccoons, skunks and possum, we should consider those rabid and not to come in contact with them. Residents should call the Amherst Police Department. If they think the animal is rabid, they should tell them immediately and they will send someone out and cart the animal away to the Health Department to analyze it as well. There are several pamphlets out in front about rabies and what to do and especially to make sure that even though a resident has not been bitten or scratched by an animal, pure saliva in it's wet form is enough to transmit the rabies to other animals or to a human. We also have flyers regarding this from Erie County Health, New York State and some other areas.

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Trustee Kaye reported in terms of recycling, we have received a check for July 1st through September 30th from BFI, we received 25% from the sale of recyclables. This year it has been \$2,034 which is the largest check we have received to date. It is amazing to look at the past six months. She compared the time frame that was just prior to signing our new contract for recycling before we added additional items. We added additional plastics, glass, junk mail, phone books and hard bound books. Looking at the numbers is really very interesting because when we look at the tonnage from newspaper, before the new contract that we went into in May, we had 97 tons for a two month period. We now have 125 tons of newspaper. We've had all areas go up due to the new contract and what we are now taking but particularly newspaper and corrugated cardboard have gone up substantially. We also have seen a net market price also go up as well. In January through March, which was pre new contract, the net market price was only \$20.00 per ton but now the new net market price is up to \$47.00 a ton. It's now more than doubled. That, in terms of corrugated, the price has almost tripled. It was \$35.00 and is now \$100.00 net market price. We have also seen a slight rise in plastic as well. We have seen newspaper and corrugated net market prices rise substantially along with the tonnage. It's great to see so many people in the Village recycling. We should also see that amount come down out of our garbage as well in terms of tipping fees. For this same time frame we collected 39 tons more over a two month period of time than we did before. That is a substantial amount of recyclables.

Trustee Kaye stated her resolution is to appoint a clerk to the Village Justice. It was an error on the Village's point that when we had someone leave and we refilled this position with an existing individual, we did not technically appoint her Clerk to the Village Justice.

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

RESOLVED that Gail Jahreis, 3300 Tonawanda Creek Road is hereby appointed Clerk to the Village Justice, P.T. effective October 25, 1994 at the rate of \$6.59 per hour.

Unanimously carried.

Trustee Lowther reported on the parking situation at the Meeting House and stated she would like to talk to the Board about it after the meeting. Two meetings ago we passed a resolution restricting the parking back there to two hour parking and we've had a lot of difficulty with the neighbors who are insisting they have the right to park there to the point where she had a call from Eleanor Master who is the caretaker and admits people to the Meeting House when they have a permit to use it. She called Trustee Lowther last night and told her one of the residents actually interrupted a church service yesterday and demanded that the minister move his car because it was impeding her access to the lot. She thinks this Board needs to sit down and decide what we are going to do because she thinks it is a really serious problem. These people have rented the Meeting House and when their religious services are being broken into like that, she thinks that is really inappropriate. She will be looking to the Board for some answers this evening.

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Trustee Lowther stated at the last meeting she had the College Park Environmental Impact Statement and it took her five days to get through it. She basically read just about every page of it. She thinks there are some real concerns for the Village of Williamsville even though this development is being developed just outside the boundaries. In discussion with Superintendent of Public Works, David Laubisch, we had a long discussion about drainage concerns and the use of the storm sewers on Wehrle Drive which is where this property is intending to drain and from there it will go into Ellicott Creek. During heavy rain storms there have been several problems along Wehrle to the point where we actually had storm water squirting up out of manholes because this sewer is overloaded to the point that it can't accept anymore runoff. When we start talking about a huge development of 300,000 square feet, plus, of office space and the associated parking and development that goes along with it, she thinks we have some real concerns that we as a Board need to address and we need to really be able to talk to the Town of Amherst and let them know what our concerns are before they go ahead and approve this rezoning of this project and along with that goes the traffic concerns. Anyone who has driven down Wehrle Drive, the Youngs/Wehrle area, the Transit/Wehrle area, the Main/Youngs area or Garrison Road around 5:00 p.m., they know what the traffic is like. It is bumper to bumper. We need to talk about working in concert with the Town of Amherst and seeing that if they intend to pass this rezoning that our problems are addressed as a Village, even though this is not our project. We are going to be very heavily impacted as a side effect of this development. She is hoping the other members of the Board have read the Environmental Impact Statement and we can have a brief discussion about that this evening to formulate some kind of communication to the Town of Amherst.

Trustee Lowther reported on the ongoing progress on Rinewalt Street at Jerry Gordon's property. Since the last meeting the garage has been demolished. Due to leaf pickup, we have not been able to actually have the debris picked up at this point. After a discussion with Superintendent Laubisch, he suggested that it all be piled as neatly as possible and at the end of leaf season we'll see about getting it hauled away from the site. She has talked to Mr. Gordon in the last few days so she doesn't know if any progress has been made this past weekend.

Trustee Lowther reported there is a Traffic and Safety meeting Thursday evening at 7:30 p.m. here at Village Hall.

Trustee Lowther reported that Glen Park met last week and one of our guests was Warren Miller who is the owner of the Mill on Spring Street. They are in the process of repainting that building which has been badly needed for many years. We've also had a discussion with him when he has the waterway open and running while he is generating his own electrical power, which is his ultimate goal, it also helps clean up the ponds in Glen Park. It keeps the water running through there, which has been one of our goals in the Glen Park Joint Board because when the water gets stagnant with the population of ducks and the growth of algae and other things, it becomes a very unsanitary, unpleasant thing to deal with. With him opening up the waterway a little bit more and using it more, more water is coming out of the mill down into the park and down into Ellicott Creek so it really helps improve the quality of water and the park tremendously.

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It's a real dramatic change. It is one of the oldest spots in the Village. It was a pleasure speaking to Mr. Miller.

Trustee Lowther stated she wants to speak to the Board about truck traffic on side streets. She lives on North Ellicott Street and a car carrier with nine vehicles on it turned off of Main Street and came down North Ellicott and rumbled down the street. From her understanding when she had the report done on the quality of our roads, North Ellicott was one that had some substantial under damage and will need some attention and she thinks there are probably a couple others like that in the Village. She is extremely concerned that we have a truck that has nine vehicles on it traveling down a very narrow Village road that has parking on one side of the street. She knows residents have come forward before and talked about having signs put at the entrances of the street to restrict truck traffic to local deliveries only. After seeing this the other day, she was just astonished. She stood on the sidewalk and her mouth almost fell open because she couldn't believe someone actually had the nerve to turn off of Main Street and bring a truck carrier down that street. She thinks this is something the Board should take a look at. She is really concerned. This is going to destroy our streets. We are going to have another year before we have Main Street settled down as far as the repaving and the reconstruction that is going to start again out to Youngs Road. We should talk about it and come to some conclusion about what we would like to do to address this problem.

Trustee Lowther stated about a year and a half ago a friend of hers, Councilmember Peggy Santillo and her started a group of women to have discussions about different things in the community. At that point, it was a partisan type of thing. We hit on a speaker who was Lt. Don Wright from the Amherst Police Department and his topic was domestic violence in the Town of Amherst. She guesses she was naive in the fact that she didn't feel this was a real issue here in the Town of Amherst. What ultimately happened was this partisan group became a large bipartisan group. We've had women from all over the Town of Amherst in this organization now. It's called the Amherst Domestic Violence Task Force. We meet once a month at the Harlem Road Community Center. Last month the Town of Amherst declared November as Domestic Violence Awareness month. When we met with the Lt. from the Amherst Police Department, he said they have a special group of officers who volunteer to handle domestic violence calls. She was astonished to hear that last year there were 1,233 reported domestic violence instances in the Town of Amherst. He was telling us about the needs the Town had as far as helping people who were in a situation concerning domestic violence. One of the things was they are looking to have a more family oriented type of room in the Police headquarters. We felt that was sort of beyond our means to address. The other thing they wanted was to have posters and handouts available throughout the community. So we set about raising the money to do that. We sponsored a play called "Father Knows Best" in the Meeting House last year and we raised the funds between that and corporate sponsors to develop this and what we came up with is a three part brochure that explains domestic violence and what one should do to protect themselves and who to contact to reach out into the community in order to help. We also came up with a poster which we just received this week and it is going to be distributed to doctor's offices throughout the community.

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She is going to ask Trustee Kaye, who is liaison to the Justice, to make sure that we have one posted in the Justice area and we have some of these brochures available because when she heard that we had over 100 reported incidents per month in the Town of Amherst, she was shocked. She didn't think there would be anything like that. She thinks that this is something that is real worthwhile for the community and it is a big help and if anyone has a place they would like to put these, she has many of them.

Trustee Lowther stated her resolution calls for a public hearing based on a petition we received from some residents on South Ellicott who reside between Main and Park drive who have a problem with parking. They have asked that we address this for them, so we are calling for a public hearing to get input from the public and these residents on the restriction they have asked us to put on the parking.

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

RESOLVED that the Village Administrator publish notice of public hearing to be held on November 28, 1994 at 7:30 P.M. in Village Hall for the purpose of hearing all persons interested in discussing a proposed local law which would amend Sections 103-16 and 103-17 of the Vehicle and Traffic Code and prohibit parking on the West Side of South Ellicott Street from Main Street to Park Drive between the hours of 7:00 A.M. to 5:00 P.M., Monday through Friday.

Unanimously carried.

Trustee Lowther asked Administrator Cummins if she would make sure that Mr. Young and the owner of record on the opposite corner are notified of this public hearing.

Administrator Cummins stated yes.

Superintendent of Public Works, David Laubisch reported that leaf pickup is going very smoothly this year. We have been through the Village three times already. We have just started today our fourth trip through the Village. We have picked up in excess as of November 10th, 1,600 cubic yards of leaves this fall. By the end of leaf season we average anywhere from 2,600 to 2,900 cubic yards of leaves every year. We are about 2/3 of the way through leaf season. Some of the things that play a part in leaf season, last year by this date we had plowed the Village streets four times already which makes leaf pickup very difficult because you can't plow the streets and pick up leaves at the same time. We went through our records and going through our records to see how we can best handle the seasonal demands in the highway department we found out that we had plowed the street four times by this time last year. It's not just a simple thing going out and picking up leaves. The weather this time of the year plays a big part and the weather has been very cooperative. Today was a good example. It is beautiful today.

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A truck that we have been impatiently waiting for, a small ton and a half dump truck that does all of the smaller streets, Franklin, Orchard, some of the dead end streets finally came in. Actually, we went up to Syracuse today and picked it up. Again Mother Nature cooperated this year. We have had no weather. This truck is very integral part of our snowplow fleet. It did finally come in. It was ordered last March 14th. General Motors has had quite a back log this year after the winter we had last year. There were a lot of demands for that type of equipment and they were really backlogged on truck orders this year. Mr. Laubisch reported to the Village and to the residents because this truck also serves as a back up sander unit.

Trustee Kaye asked where do we stand about getting salt this year.

Mr. Laubisch stated the County bid has been awarded. There is no supply problem. He has been assured that by the County. The salt mine out in Restov, New York which is just outside of Batavia on your way to Letchworth State Park, collapsed. They are one of the biggest suppliers in the United States. Another big supplier is Morton Salt Company. Morton and this company are the biggest suppliers. Morton is on the County contract again this year so there won't be any interruption of salt and they are anticipating stockpiling a larger amount of salt this year based on last year's occurrence when we ran out at the end of the season. Although we did not personally run out of salt in the Village through some inventive delivery practices.

Mr. Laubisch stated that Trustee Lowther spoke to him about the storm sewers on Wehrle Drive. They discussed that the existing storm sewer there if that is the sewer they are going to use, we have had numerous complaints about that sewer which happens to be a storm sewer that is maintained and owned by Erie County Highway Department along with County Road there. That does not function in periods of heavy rain. We've had a few residences on Cadman Drive that back up to Wehrle Drive and they do flood in periods of heavy rain and also the receiver at the corner of Cadman and Wehrle does not function properly. He doesn't know if that study was anticipating the installation of a new storm sewer but if they plan on using the existing one, he doesn't believe that will be acceptable.

Trustee Piazza stated getting a ton and a half truck was not as easy as Superintendent Laubisch made it sound. It took him quite a few phone calls and a couple of arm twists to get that in here before the winter set in. Trustee Piazza said Mr. Laubisch did a good job on that.

Administrator Cummins stated the Mayor had some resolutions today on Village elections that will be coming up in March. A request for absentee ballots will be available at our office on November 21st, so anyone that won't be in town can pick up an application and fill it out and send it to the office. Also petitions for the candidates can be signed starting the first week in January and the forms for the financial reports for receipts and disbursements will be available in our office in December.

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Trustee Kaye asked Administrator Cummins if she could share the analysis she did to keep the water system or to turn it over to Erie County. She did a wonderful job and has it on an excellent reading level in terms of we have had much discussion over the years of whether to keep the water system or turn it over to Erie County and Administrator Cummins did a wonderful analysis in terms of who benefits and who doesn't. Trustee Kaye knows Administrator Cummins is continuing to work on that.

Administrator Cummins stated we had a meeting with the Board members, a few people from the Department of Health, New York State Department and Don Dehn from our Water Department and Dave Laubisch. We are continuing looking at whether we are going to turn the Water Department over to Erie County. She came up with a number of figures. She did some computations on if we kept the water system, came up with a total of things that we had to do to keep the system in good operation and things that we have done recently, the Main Street reconstruction, the work on Cadman, the proposed installation of water meters, rebuilding the pumps at the pump house, refurbishing the water tank and came with a total cost of upgrading our system if we kept it of about \$1,600,000. In another analysis if it is turned over to Erie County Water Authority, the costs that they were looking at were things that would have to do with upgrading our lines and would cost about \$1,900,000 plus the things that we have already done, Main Street improvement, Cadman Drive and meters for a total cost of about \$2,500,000. She went through and did an analysis of how that \$1,600,000 would affect our Village residents if we kept the water system and over a 20 year period that we would amortize that we would be looking at about a \$.90 increase in our water rate. If we turned it over to Erie County Water Authority because we still have to pay the debt off, we would be looking at about a \$2.05 increase in our tax rate. She took some houses and applied those figures to it. In each case it was really interesting. An average house of \$70,000 assessment and 100,000 gallons water consumption per year, they would save money by going to Erie County Water Authority with the figures that we have developed. But there are one to many average houses when you look at it. In every case where the consumption of water was higher than the assessed value, say the person had 101,000 gallons consumption a year and a \$50,000 assessment, they would save money by going to Erie County Water Authority. On the other hand, if the consumption was lower than the assessment, say a consumption of 67,000 gallons and a \$200,000 assessed value, that person would save money by us keeping the water system. The next step is to go through the tax roll and find out how many houses are there in each category and how many people would benefit by staying and how many people from going over to Erie County Water Authority. The other suggestion that Trustee Piazza made was that all these figures are based on current water meters. If the Board votes to include the installation of the new meters we're hoping then to pick up a lot of consumption and that would then change the figures and we will be looking at that again after the meters have been installed a while.

Trustee Lowther stated even if we put in the meters, it is going to be a full year before we have a full read on every house.

Administrator Cummins stated you have to go through a whole year so we can get a full cycle out of it.

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Trustee Lowther stated that was very helpful and thanked Administrator Cummins for putting that together.

Mayor Daniels stated we are waiting for the final report also from the Self-Help people at the Department of State and Health. As a result of the meeting that we had with them and hopefully they will be coming very quickly and we can start looking at that with their additional information although it will only serve to corroborate more what Administrator Cummins has done.

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

Unanimously carried.

Paul Kreiter, 295 South Ellicott stated he put in a total of \$3,000 to replace his water line from the main to the sidewalk. If you are looking at Erie County or Village water he thinks the Board should take that into consideration. If the Board moves things over, what is going to happen to the water lines. Some homes' water lines may not have been changed for 50, 60, 70 80 years. He hasn't had anything discussed about that tonight.

Trustee Kaye stated it would be the property owner's expense.

Trustee Lowther stated when Administrator Cummins is figuring out how much it is going to cost based on assessment, if you look at the number with lead fittings or lead pipes and it is going to run approximately \$3,000 to do that, that is going to be a real consideration for the homeowner.

Mr. Kreiter stated yes, not only that but the inconvenience. It is a personal and financial issue. Mr. Kreiter stated he understands there is a public hearing regarding S. Ellicott in two weeks. What he would like to suggest, is that when the Board is sending out notices to the owners at the corner, could notices be sent out to the rest of the residents?

Trustee Lowther stated she assumed Mr. Kreiter knew it was going to happen since he is the leader of the pack and he was going to take care of it.

Mr. Kreiter stated he thinks it is only right that a notice be sent out to the other residents. Since we talked behind closed doors about two weeks ago-

Mayor Daniels stated there are no closed doors. It is a pre-meeting but not closed.

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Mr. Kreiter stated he was lead to believe that he was bringing up something that was uncommon which was no parking during 9:00 a.m. to 5:00 p.m. or no parking at all on the opposite side of the street. It came to his attention by a couple of people in our committee, some from South Ellicott and he wants to share it with the Board so he can have a fair and honest approach. That not only are we asking for this, the people of South Ellicott but Hirschfield Drive has this already in effect, Farber Lane has this in effect approximately 2000' from Main Street, Rinewalt has this in effect from the corner of Main all the way down the side of the Little White House. Pfohl also has this. Highland has it and Rinewalt has it.

Attorney Kelly stated the streets with a parking time limit are Highland for 350' and Hirschfield between Main and Scott.

Trustee Kaye asked if the list Mr. Kreiter is reading off of is no parking on one side of the street or-

Mr. Kreiter stated they have no parking at all on one side of it and the other side of the street which he was lead to believe is open. Those streets he was reading have some type of no parking at any time for a specific length of feet on the east side. On the west side of each street that he named, Farber, Rinewalt, Pfohl, Academy and Hirschfield have some type of parking. What they are asking again he doesn't think is that far out of bounds. Also at the last meeting he invited all Board members to come down to see the situation.

Trustee Hillebrand stated he came down around 7:00 a.m. - 8:00 a.m. and he didn't see any cars there and then when he came home from work at 7:00 p.m. he didn't see any cars then either. His survey is not supportive but he will keep driving up and down.

Trustee Piazza stated he has not had the opportunity but he will drive down.

Mayor Daniels stated the public hearing is in two weeks which is the proper time to bring all this up and as part of this forum it is not appropriate to individually ask the Board members for their input especially since there are two more weeks before a public hearing. We will do our homework, we always do as a Board.

Mr. Kreiter stated we were talking about urbanization, urbanonmics and that we like to keep the community at a small pace but yet we are still bringing in these large businesses. Let's just change the basis here, we also have another problem on the street that he wants to bring to the Board's attention. There are two abandoned trucks behind the old Barney Miller hardware store. One is a army truck of some sort, the other is an emergency red vehicle. The emergency red vehicle used to be part of the Fire Department when it was bought at an auction maybe 20 years ago. From what we understand, residents on the street say they have been there from six to eleven years. They are unregistered, unlicensed and abandoned from what we see. He is bringing this to the Board's attention because he has brought it to the Building Inspector's attention and we haven't seen anything happen yet.

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One of the trucks does contain a large tank of propane, about five feet tall and about 3 1/2 feet in diameter and it has propane in it. The truck has since then been locked since he notified the Building Inspector but the trucks have not been removed. There is a Village code that vehicles that are unlicensed and unregistered should not reside in a parking lot or property visually. We would like something done by the Village Board because we don't understand why they continue to stay there. He knows once we have snow that it is going to be another excuse for whoever owns the trucks. He asks the Board to look into this.

Trustee Kaye stated that Trustee Hillebrand is the liaison for the Building Department. When she drove by there today, he is talking right behind where the building is being renovated.

Mr. Krieter stated correct.

Trustee Kaye stated she didn't see them there today.

Mr. Kreiter stated if you come up from Garrison towards Main Street and look to the right, you're more apt to see them. He thanked the Board for hearing him tonight and said he would see them in two weeks.

Mrs. Cheryl Mordaunt, stated she is here because she doesn't know where else to turn. She received a water bill last month for \$1,400.00 which she thought was a computer error which needless to say she called and they told her it wasn't. She has looked at her different bills and what she has paid. She had the meter replaced also and what it is showing now is she basically has a normal reading of \$106.00 every quarter, so this bill makes absolutely no sense. Although the meter was tested and it wasn't found faulty, she has had no plumbing done to the house, there is never a period where they use more water, they don't have a pool, she doesn't water her lawn in the summer. On top of that, if you look at 7/1/93 it is a \$320.00 bill and that was a catch up bill because there weren't actual readings done to the house. We are talking of a little over a year that the bill was \$1,272.96. She is asking the Board to review this bill. The meter is just a machine. To her, it can be faulty. She knows that it shows that it wasn't but she can't imagine why this water bill would be like this so she doesn't know where else to turn. She called the Water Department and they said that was crazy and something was wrong.

Mayor Daniels stated they have no authority to change the billing. We have a work session following this and we will discuss it and see what the feeling of the Board is as a whole and then he can call her in the morning or Administrator Cummins will.

Terry DiPasquale, student at Williamsville High School, who has been working in the Rinewalt project, stated a couple weeks ago she found a picture in Mr. Gordon's house. It was found under a layer of tile. The students pulled that out and under that was an oriental rug. They were looking for dates on the rug and then they found it. It is a tin type.

Trustee Hillebrand asked how do they know it is a tin type.

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Ms. DiPasquale stated it is made of metal.

Trustee Hillebrand stated tin type is a very specific form. Tin types are a very nice find. They are very expensive and it would be very unusual for a person to do such a thing. There must be some kind of story behind it. It's a very unusual find.

Ms. DiPasquale stated they thought maybe it fell behind a dresser.

Trustee Hillebrand stated the way the gentleman is dressed in the photo with the haircut could make it as early as the late 1880's. This was the Edwardian period. Those were popular up to the 1920's. They stopped using tin types in 1910. Also the man is wearing artificial cuffs. They would buy a shirt and have separate cuffs. That became popular around 1880. Let's hope it's not just a person's father but an occupant of the home. They also dug where the garage used to be where there were cement slabs and under that they found artifacts. They also have two more bags of objects from the ground.

Mayor Daniels stated he would assume there are a lot of arrowheads. That was right on the escarpment area where the Indians mined their arrowheads.

Trustee Lowther stated what would be interesting is if the students could find an old well area. When the Historical Department found a well on their property, they found more stuff in the bottom of the well because instead of digging a hole to bury their garbage, they would throw it into the well.

Ms. DiPasquale stated they did find a well.

Trustee Lowther stated that is usually where you find a whole treasure load of material.

Mr. Mills, teacher at Williamsville South High School, stated he had the students write to New York State Government Records Management and Improvement Fund. It's called SARA. He doesn't know if that is the same one the Village uses.

Mayor Daniels stated it is.

Mr. Mills stated one of them is very involved where you share with the Town and the education system up to \$100,000. It would be a \$50,000 share program. It could involve two government entities. There is also a independent student one which sounds like the one the Village is doing right now which is up to \$20,000 for small projects. With the bigger projects, you have to have a record system already in place and he thinks the Town did go through that.

Trustee Lowther stated that is something the Town is working on now, now that they have a Historic Preservation Committee.

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Mr. Mills stated they are going to find which political organization would be best qualified for sharing this grant money because it requires a lot of money for this project. So we are going to research it and meet with the Town Clerk and the Village Clerk to see who can give the best support.

Mayor Daniels stated Mr. Mills might want a grant writer on board at that point. She's under contract to the Village so it is no expense to them other than what is already there.

Mr. Mills thinks the students did an excellent job in taking down the garage. The reason we did that is because we know the concerns Mr. Kelly had about the security of the area. You can now see from the sidewalk all the way to the back of the property. We will clean it out and landscape. They told Mr. Gordon that while they are digging, they are turning the ground over so it will be easier to plant the seeds.

Trustee Hillebrand asked if they had a record of where they found all the items.

Mr. Mills stated they did not do a grid on it because they didn't know what they were going to run into but he feels the house probably goes back into the 1830's. One of the objects will be sent to International Harvester. It is a very heavy metal and has an old wagon.

Mayor Daniels asked if there is a regular work detail that goes on there on the weekends.

Mr. Mills stated it is pretty much whoever is there, he is always there. He would like to get everyone of his students there but they are busy with other classes.

Trustee Lowther congratulated Mr. Mills for motivating the students to keep coming back in the miserable weather that we have had and getting them excited about this project. They have done a wonderful job and it has been a delight to work with them.

Mayor Daniels stated it sounds great. What we need is a hook some place to tie the Village in. Let's keep working with grants and the school board and see how it goes.

Maryanne Avery, 64 Garrison Road, asked Mr. Laubisch if he knows who has the right to clean out the area between Willowbrook and Lehn Springs. This is where the storm drain from Wehrle enters in there over a period of years. It's been partially filled in because of the excessive amount of silt that has come up from College Park. She talked to Hal Collier about it and he said that they are making an easement.

Mr. Laubisch asked if she was talking about in between Lehn Springs and Willowbrook. Ms. Avery stated yes. Mr. Laubisch stated the Village has no easement through there that he is aware of.

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Ms. Avery stated she hopes somebody has something because that is where the water goes. Mr. Collier agreed with her that the level of the whole thing has risen because of the silt that is being left at College Park. We had two events, an event in 1988, and an event in 1989 and a tremendous amount of silt came up at that time.

Trustee Lowther asked Ms. Avery if she has checked with the Town to see if they control it or have an easement for that because if it abuts Village property, Village and Town and if it is a County storm sewer, it's possible that they may be in the mix also.

Ms. Avery stated Hal said that it is a concern of the Corp of Engineers and anything they found there would have to go to the Corp of Engineers and the property owners would have to give permission because there isn't any easement.

Trustee Lowther stated someone in the Town should have a map of that property that would show if was built there is an easement.

Ms. Avery stated that has nothing to do with it. If you go down to the Engineering Department, they say we have nothing whatsoever to do with drains, that's Lucey.

Trustee Lowther stated that's Lucey's highway. She would want Paul Bowers.

Ms. Avery stated she talked to Mr. Bowers herself. He says he has nothing to do with drainage at all. It's entirely Lucey's department. She doesn't even know if they have a licensed engineer in the Highway Department. Do they?

Mayor Daniels stated he doesn't think so.

Ms. Avery stated she doesn't think so either. She supposes that is why they hire Pratt and Huth so much. This was Pratt and Huth's design in the first place. There was a memo from Tony Mosher at the Engineering Department saying that the College Park drainage system was never completed because Hal told them to stop it and he told them to stop it because the dynamite was cracking up the foundations of the houses on Hirschfield. She was unaware that they had cracking. Nobody said anything until the other day and a couple ladies told her yes, they had cracks all over the place so apparently that is why they stopped. There is a berm behind Hirschfield and it is in the wrong spot. Nothing was done because it wasn't going to be developed and as long as it is not going to be developed there were just going to leave things the way it is. Now it is going to have to be moved because if it isn't, the people on the end of Hirschfield are going to be flooded all the time. She thinks the Supervisor is aware that there is something wrong because he told Mr. Bowers that it might have to be reconfigured. There definitely is a problem for the residents on Hirschfield.

Trustee Lowther stated this is one of the items the developer is going to have to mitigate.

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Ms. Avery stated there are a number of questions that they come up with, with this situation. So far they haven't talked about it because initially they said the ponds are all in, no problem. Well obviously, that is not true. She thinks it is going to have to be addressed one way or the other.. Theoretically there won't be more water per second, but there will be a lot more water so that is going to have to be an effect one way or the other.

Trustee Lowther stated she had a resignation on the Traffic and Safety Board today and asked the Amherst Bee to print that there is an opening.

Trustee Kaye stated there is also one on the Youth Committee and to print that also.

Mayor Daniels stated he attended that he did attend the meeting in the Town for the new traffic study, the \$80,000 study, that is going to be done by Bergman and Associates on the Town wide traffic. They had a hearing to get input into what people would like to see happen or specific areas where they felt there were problems. It was not well attended. There were very few people especially from the northern areas of the Town and only the Williamsville Southeast Amherst Homeowner's Association was represented as far as homeowner groups but he did make a point that the Village, as a Board, has wanted for a long time to improve the traffic grid in the Williamsville area and that was another exit onto Youngs Road to access the airport and north/south routes off the thruway, improvements to Aero Drive, etc., which are now part of the record. The unfortunate part of this study is that it is so long before the study results come back. He thinks it is 1996 before the results would come back and before they implement it. They are talking about 2015, an incredible time frame, before anything would be done. In Mayor Daniels' estimation, all the gathering will be inaccurate and outdated by the time they move to do anything. Not only that, they are dealing with the County, Cheektowaga, Amherst, the Village, etc., very unwieldy unfortunately. \$80,000 for a study of this magnitude is a real drop in the bucket. That was brought out. It is a very bare bones approach anyway. He thinks we still need to lobby the Thruway now that their bonding for the original construction is done. They do have more discretionary money. They make 300 million dollars a year in tolls on the New York State Thruway. They are self supporting. About 100 million of that went to pay off the original bonding although they still float bond now. They do have 100 million dollars more as of 1996 to do things like sound barriers and improvements on exits. They were hesitant to change any exits at this point in time up till now but now Mayor Daniels understands their contract extends for another 15 years which now justifies major improvements because they can amortize that over the length of time that they can still collect tolls on the thruway. The fact that they collect tolls and generate their own money is good from a tax payer standpoint but bad from a standpoint of they are pretty much untouchable. They've got their own money and they are appointed and not elected so it is very difficult to get things done by the Thruway. He thinks that is a major problem for us especially on Main Street and if we can remove some of the traffic that dumps off on Main Street from the thruway, we'll be very much ahead of the game so we need to keep working at that.

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Mayor Daniels stated that several years ago there were improvements done to the Wehrle Drive bridge where it goes over near Aero and because of that the levels of water in the creek went down to the degree where a lot of the area around there, he suspected, would now be out of the flood zone. In other words, for people who require extra insurance for flood protection might not be in the zone anymore. Mayor Daniels called the Army Corp of Engineers and as part of their technical service to communities and municipalities, they took all the information with all the elevations and the flood plain data they had in using our FIMA map which is the federal insurance for flooding, as a base, they constructed a new map. Now because of the improvements in that bridge area of Ellicott Creek, all the areas in the Village that were, all the residences that were in the flood plain and on Lehn Springs, are now out. That map is now at the Town for submission to FIMA because it is a joint project. Some of that area is in the Village, like Brookside, Willowbrook, Oakgrove and Lehn Springs. Those will be submitted. They are two different plates but the good news for the residents is that the only flood areas are between homes now and no residences in that area will require any longer flood insurance. He is glad we initiated that and he thanked the Army Corp of Engineers for their expertise and Mr. Raoul Yamachile for doing the work for us.

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 Kaye, it was moved adjourn the meeting at 9:27 P.M.

Unanimously carried.

Theresa L. Cummins,
Village Administrator/Clerk-Treasurer