

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, January 9, 1995 at 7:34 P.M.

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

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

Absent: Yvonne Kaye, Trustee

Also Present Sherry Brink, Recording Secretary

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

Mayor Daniels stated Attorney Kelly has two meetings this evening in which his presence is required and since he is only one person, he is over across the way in the Planning Board meeting. If it adjourns before our meeting, he will be coming back here for our meeting.

ON MOTION by Mayor Daniels, seconded by Trustee Hillebrand, the minutes of the regular meeting of the Board of Trustees held December 12, 1994 were approved.

Unanimously carried.

Mayor Daniels reported that we have been working with the courts in Amherst, in particular, for alternate sentencing programs. This is a program whereby people who have done something wrong and go in front of a court and a judge are given, rather than a fine or some kind of sentence of a different nature, the alternative of doing community service. We have been working with this for over a year now getting everything from pulling Village weeds to raking to trapping animals. At this present time, because the weather is not conducive to that kind of thing, they have been painting Village Hall. The auditorium was painted by two such people, one fellow did two of the walls and another did a third wall and that was completed just a few days ago. It's a great way to defray expenses and costs for us as tax payers and also is somewhat more of a deterrent rather than just paying a fine because they have to put in anywhere from 20 to as many as 70 hours of service for some of these individuals to perform. There are two phases of this program right now. One is for youthful offenders and there is a coordinator for that program that was just instituted by the Town. Those are for people 21 years of age and younger and they are guided through this process and there is someone to oversee the amount of service that they perform.

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The Village is not involved in that program and Mayor Daniels has written to the Town and Supervisor Ahern a letter requesting that they consider some kind of coordinator for the same type of program for people 21 and over because it is very difficult to monitor personally the work of these people, especially when we have maybe 40 individuals now and they each have anywhere from 20 to 70 hours to perform. They have six months in order to complete their sentence. A lot of times they wait until 5 months and 29 days have gone by and say gee, I got 70 hours to perform by tomorrow afternoon. It's very difficult. Lots of times Mayor Daniels is given are incorrect or the addresses are incorrect but the bottom line is that we have been able to defray a lot of expense and have gotten a ton of things done. The entire Village Hall will eventually be painted for only the cost of the paint. It's a good program and we hope to refine it. He will be working with the Town along those lines.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, vouchers in the amount of \$95,016.58 covering 12/09/94 - 12/24/94 were approved:

Payroll fund w/e 11/27/94-12/10/94	\$21,239.02
General fund	50,679.82
Water fund	13,422.48
Glen Park	1,365.55
Trust & Agency fund	5,716.07
Sewer	336.72
Capital	<u>2,256.92</u>
 Grand Total	 \$95,016.58
 Large Vouchers:	
Key Bank of NY	\$37,664.00
Niagara Sanitation	5,752.69

Unanimously carried.

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ON MOTION by Mayor Daniels, seconded by Trustee Hillebrand, vouchers in the amount of \$111,530.83 covering the period from December 25, 1994 to January 5, 1995:

Payroll fund w/e 12/11/94-12/24/94	\$25,028.88
General Fund	40,781.59
Water Fund	30,034.72
Sewer Fund	6,100.65
Glen Park Fund	1,186.64
Trust & Agency Fund	<u>8,398.35</u>
 Grand Total	 \$111,530.83
Large Vouchers:	
 Key Trust Company	 \$30,500.00
Erie County Water Authority	29,255.08

Unanimously carried.

Mayor Daniels stated Village elections do not coincide with the national or any other election. They are usually held in November. Our are always held in March and this year it will be on the first day of spring, March 21st. There are several resolutions that we need to pass each time there is an election. We have already passed some of them regarding the election and have another one tonight.

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 and the places of holding such election shall be as follows:

DISTRICT #1 - At the Williamsville Methodist Church, 5681 Main Street

District #1 includes the entire area east of Ellicott Creek, south of Main Street

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DISTRICT #2 - At the Williamsville Village Hall, 5565 Main Street, District #2 includes the area west of Ellicott Creek on both sides of Main Street

DISTRICT #3 - At the Village Meeting House, 5658 Main Street

District #3 includes the entire area east of Ellicott Creek, north of Main Street

Unanimously carried.

Mayor Daniels stated that election will be for one Mayor and two Trustees and Village Justice.

Mayor Daniels stated his fourth resolution deals with the Meeting House, which is a restored church the Village owns and was faithfully restored and helped along by the Williamsville Historical Society, which is not a unit of the Village government but we do use their services to upkeep that building and maintain it. They also advise the Board on what things that particular structure needs and they create the policies for renting the structure for church services or weddings, meetings or whatever might be held there. This extends their agreement for one more year.

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

RESOLVED that the agreement between the Village of Williamsville and the Village of Williamsville Historical Society for use of the Village Meeting House as well as its status as the Management Committee of the Meeting House is hereby extended for one year commencing January 1, 1995.

Unanimously carried.

Mayor Daniels reported we are in the process of applying for several grants through a grant writer that we have and the following resolutions apply to some of the procedures that we have to satisfy in order to receive those grants or be considered for those grants.

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

WHEREAS, the NYS Office of Parks, Recreation and Historic Preservation, in conjunction with the U.S. Department of the Interior, offers a Certified Local Government program to provide local governments with the opportunity for participation in the National Historic Preservation Program, and

WHEREAS, the Village has already enacted a local code, Chapter 47 - Historic Preservation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be and hereby is authorized and directed to execute all documents pertaining to the application for becoming a Certified Local Government Program.

Mayor Daniels stated there were some questions that had to be answered that were asked by the Certified Local Government head, Lucy Breyer, in Albany that had to do with exactly what we do and what we are capable of doing and what authority we have as a historic preservation unit and how much we can have an effect on the rehabilitation of a building or the restoration of a home. Mayor Daniels has answered them as well as he could based on what our committee has been involved in, in the past. If that hurdle is overcome, then we become a Certified Local Government Program and are recognized by the State, then we are able to get technical assistance and also it opens up a lot of funding doors for us. It's a worthwhile thing to do. This is all because and brought on by the need to do this in order to receive a grant that we are pursuing for a work book for use in the fourth grades based on the Village history.

Unanimously carried.

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

WHEREAS, the NYS Office of Parks Recreation and Historic Preservation, in conjunction with the U.S. Department of the Interior offers a Certified Local Government program to provide local governments with the opportunity for participation in the Historic Preservation Grant Program and

WHEREAS, the Village has already enacted a local code-Chapter 47 Historic Preservation; and

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WHEREAS, the Village has already authorized Mayor Daniels to sign a \$10,000 Grant application with NYS under the Certified Local Government Program on the 16th day of November, 1994;

NOW, THEREFORE, BE IT RESOLVED, that the Village Mayor execute a certification of match for in-kind services totally \$8,148.00 as requested by the Certified Local Government Program office.

Mayor Daniels stated this refers to the grant that we have applied for to produce 5,000 work books for fourth grade use by the elementary schools in the district. There are 24 fourth grade teachers that will be involved. The Amherst Museum will be involved. The school system will provide a good deal of in-kind dollar contributions for a match, etc. and we hope that it will enhance the unit that they already do regarding the history of the Village. Residents may have seen groups of children walking down Main Street, visiting the Mill, looking at some of the old sites such as the Eagle House and then they usually have lunch in Island Park. This would be an adjunct to that where they could have some more activities in a Village endorsed work booklet.

Trustee Lowther stated part of the grant application agreement takes the present Chairman of the Historical Society, Gartley Weller, and removes him from the status as chair of the Historical Society for the purposes of this grant and replaces him with Lynn Beman, the Director of the Amherst Museum. After some discussion about it, and it goes in conjunction with Mayor Daniels' next resolution which appoints two members to the Historical Preservation Commission, we will be contacting other members of the Historical Society to see if they are interested in being a part of this particular group. There is some disagreement between the members of the Historical Society and the Mayor, not only as the head of the person who is writing this grant. They are not pleased with the way this grant is going. They have told us so in writing but Trustee Lowther has requested that the Mayor does take the step to at least ask them to be part of the process so there is no misunderstanding at any point. She would like to understand one of them be on there to have the opportunity to see what is going on so that no one is operating out of ignorance or just not being in the know. The Mayor has agreed that he will contact them and see if there is anyone who is interested in being a participant in the group for purposes of obtaining a grant for the Village.

Mayor Daniels stated we can use all the help we can get. At this point we are expanding the functions and scope of the Preservation Commission on a more aggressive basis and we are going out and trying to do some concrete things that are blazing new grounds. So we do need more people on the committee. In any event, we would welcome all the people from the Historical Society if they wanted to join us in shaping the future of all those projects. He was fairly disappointed in the response from them and it was based on something that we just can't get around and some kernel of misunderstanding about what actually we are applying for and what money is going to it, where the money is coming from. He would certainly welcome a dialogue with help.

Unanimously carried.

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

RESOLVED that the following are hereby appointed to the Historic Preservation Commission until the end of the 1994-1995 official Village year:

- | | |
|------------------|-----------------|
| 1) Dawn Johnson | 98 Monroe Drive |
| 2) Lynn S. Beman | 1513 Maple Road |

Trustee Lowther stated certainly Lynn Beman comes very highly recommended, she has a wonderful resume and is the Director of the Amherst Museum. She is eminently qualified and Trustee Lowther understands Ms. Beman is an integral part of the grant application that we are applying for but is there any specific additions Mayor Daniels expects to see from Ms. Johnson?

Mayor Daniels stated what we had is a person on the committee who was in the high school and now she is a student at Fredonia which created an opening.

Trustee Lowther stated one of our requirements is a high school student.

Mayor Daniels stated yes, but in the meantime in order to fill the committee, because we had a need for it, he has put Dawn Johnson on that spot.

Trustee Lowther asked if Ms. Johnson is a student at Fredonia.

Mayor Daniels stated no. The original person from last year's committee is now unable to serve because she is a student at Fredonia. Dawn Johnson is sitting in the aisle seat.

Trustee Lowther asked if there was a reason Ms. Johnson was appointed other than she just wanted to be on it.

Mayor Daniels stated she called several months ago expressing a lot of interest. When you can get help, you don't turn it down.

Unanimously carried.

Mayor Daniels stated his next resolution deals with a grant for trees. This will be the third year in a row we have applied for help in a matching grant from a Small Business Administration for a tree planting program that we have in the Village. We have a Tree Warden and a request form at the front desk of Village Hall. Any resident that would like a tree in the right of way area in the front of their yard, which is generally between the sidewalk and the street or eight feet in from the pavement edge and sees an opportunity for a tree to be there, can come to the Village and select from probably 30 different species we offer. Residents then fill out the form. The Village generally plants in the spring and fall.

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This Small Business Administration grant stretches the money we have by half again as much. We are applying for just about \$5,000 this time which we would be match by \$5,000 from the Village. He has put together a list of 28 trees in locations which are in the proposal and that can be flexible once we receive the grant. Those are locations that are perceived to need trees at this point.

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

WHEREAS, the NYS Department of Environmental Conservation, in conjunction with the U. S. Small Business Administration offers a grant program to provide local governments with monies to purchase trees to be planted on municipally owned property; and

WHEREAS, the Village wishes to plant additional trees to enhance the environmental and aesthetic quality of municipally owned property; and

WHEREAS, based on population, the Village is eligible for an award of \$4,990 which must be matched with in-kind services and cash;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor be authorized and directed to complete the necessary application, forms etc. to be submitted to the New York State Department of Environmental Conservation for the purpose of securing this grant, and

BE IT FURTHER RESOLVED, the Village's share of required matching funds, in an amount equal to \$5,009, is available from the village's 1995-1996 General fund Budget; the remaining matching funds to be contributed will be in the form of in-kind serves, and

BE IT FURTHER RESOLVED, that the Mayor be and hereby is authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

Trustee Lowther commented that we are talking about approximately 30 trees that are going to be planted and according to the listing that had to be turned in with the grant application, all 30 are slated to go on Hirschfield and Columbia Drive, however, that is a flexible item. The reality is that not all 30 will go in those spots.

Mayor Daniels stated before we plant trees, many times it is a responsive program whereby one person comes in and requests a tree and we go out and see if it is a suitable location, looking for overhead wires, fire hydrants nearest to proximity's of driveways or other trees and then approve or not, based on the request. This is more of a proactive approach where we go out and look at areas that we think could use trees.

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Two grants ago, Mayor Daniels submitted for Evans Street and from approximately Essjay to the Village line now there is about 27 trees that are Locust, Linden, Locust, Linden all the way down and that was thanks to this Small Business program. It allows you to do a block of the Village. What we do before we plant is we contact each homeowner and if they don't want a tree, then that tree is not planted or they might request some other variety that we did not specify and we do our best to accommodate. We offer everything from flowering crabs to huge Oaks and everything in between. Some areas are suitable for some and some are not so we work with the residents and also try to encourage to allow the tree to be planted because we think one of the neat things about the Village area is the trees and, in fact, by the next meeting the residents will see an aerial composite of the Village that was taken by the County. It was taken in the summer and it is a neat thing to see the Village from the air but because there are so many trees, you can't see too much besides trees and he thinks they need to take pictures of the Village area in the winter or in late fall when the foliage is gone, otherwise you can't see much but all kinds of trees. The aerial expands beyond the limits of the Village and when you get into Cheektowaga, all you see is barren land. You see the airport there with its tentacles stretching out for the runways and then beyond that, all these scrubby little trees all over but the Village, it's like a forest.

Unanimously carried.

Mayor Daniels stated his last resolution regards the grant writer that the Village has retained. We have many grants in process, although, only one has actually come in and that was last year's tree grant proposal. There's a good hope that several of those will be successful in the near future and some of the follow through is still needed on those grants. We are very optimistic that all of the efforts that Robert J. Miller & Associates and Arvela Heider, the specific grant writer, who is devoted to writing these grants, will start to bear fruit for us. Mayor Daniels is recommending that we continue this contract with that firm for another three months.

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

RESOLVED that Robert J. Miller & Associates, Tonawanda, New York is hereby appointed Grant Writer for the period January 16, 1995-April 15, 1995 at a fee of \$3,000.00

Trustee Lowther commented that Arvela Heider has done a phenomenal job. We had retained this company about a year and a half ago and at the end of one year, on a one year contract, Trustee Lowther was very reluctant to renew it because there had been absolutely no movement or action that she could perceive happening as far as retaining a grant. Since Arvela has been brought on, things are just happening all over. We are applying for many grants. She has been instrumental in sitting down and doing the nuts and bolts stuff and following through on everything. She is very competent and Trustee Lowther is pleased to see her.

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This is why we do the renewal on a quarterly basis now because based on the first year, there was much dissatisfaction with the fact that while Robert J. Miller and Associates is a very well known firm, she thinks we just didn't have the right grant writer and Arvela's energy and stick-to-it-ness and working with the Village has been absolutely wonderful. Trustee Lowther is pleased that Ms. Heider is the person that has been assigned to the Village.

Trustee Piazza stated he agrees with everything Trustee Lowther stated, ditto.

Mayor Daniels stated Ms. Heider has a Doctorate in chemistry.

Unanimously carried.

Trustee Piazza reported there is an ice rink in Island Park. We have ice, of sorts. Mother Nature has not been real cooperative with the situation. We had a beautiful layer of ice and as it started to freeze, the snow came and then it kind of created a blanket and the ground underneath hadn't frozen yet. It's created a few problems for us and we are attacking it. We are working on it. It will have to be closed for three or four days, probably until the weekend so we can try to get rid a couple of lumpy spots and try and smooth it out. People have used it over the weekend and those who used it, enjoyed it. We're hoping to get another six or seven weeks out of it before the season closes.

Trustee Lowther asked how will be get rid of lumpy spots?

Trustee Piazza stated we are waiting for Mother Nature to do some melting this week and then we will put another layer on top of that. We are going to some chipping.

Trustee Piazza stated the next Parks Committee meeting is this coming Wednesday, January 18th. We will be looking at budgeting at that meeting. We aren't planning for the summer activities quite yet.

Trustee Piazza reported the Government Advisory Board hasn't had a lot of activity lately. There was a water meeting on December 6th with Don Dehn, Superintendent Laubisch, Administrator Cummins and himself. He did put together a memo for the Board on that. We will be meeting again on January 17th as part of the continuing process of this kind thing and staying on top of the water situation.

Trustee Piazza stated his first resolution deals with water meters. We had talked about this several times and we are now at the point where we can accept the bids and start moving forward on installing water meters in the near future, here in the Village.

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

WHEREAS the Village Administrator has advertised for sealed bids for the purchase of encoder water meters with register and remote receptacles,

BE IT RESOLVED that the bid of Mass Installation, Inc. Norwood, MA., is hereby rejected as unresponsive, and

WHEREAS Schlumberger Industries, Hingham, MA., submitted the next lowest bid meeting the bidding specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for the purchase of encoder water meters with register and remote receptacles be awarded to Schlumberger Industries for their bid of \$160,324.00.

Trustee Lowther asked Trustee Piazza to review for the public why that was rejected.

Trustee Piazza stated the Village has certain specifications that were written into the bid and the low bidding company really didn't meet our specifications as we saw it; therefore, we did not accept that bid but we accepted the next lowest bid because they did meet our specific bidding specifications. It boils down to the fact the Schlumberger Company uses the same kind of water meters as the Erie County Water Authority and part of our ongoing discussion is whether we might some day turn the whole water system over to the Erie County Water Authority. This would give us the continuing flexibility to do so, whereas if we had gone with the other company, their specifications would not have matched the Erie County Water Authority Water Meter Specifications and it would have been a very expensive thing in the future to try to make a switch over to the Erie County Water Authority, if the Village so decides. To keep our doors open, this is why we picked the second lowest bid.

Mayor Daniels stated this is a remote read system that will eliminate the need for anyone to come into a resident's house to read the water anymore and we will be able to get around the Village much more quickly. The gun that water reader uses to read the meters is downloaded into the computer. It is very cost effective and efficient.

Trustee Piazza stated it is a very nice improvement to the current system. So many times peoples' houses may go a year or year and a half or even two years without actually having a meter read by our meter reader. Just recently we have run into a couple problems where people were calling in their meter readings to the Village but those readings were not accurate and when finally we had an actual meter read by the Village, those individuals were slammed with a \$1,000 plus water bill. He feels badly for people when they get hit that hard because even if it had been inaccurate for a year and a half or two years, no one wants to get hit with that much of a bill at one time. These kinds of problems will be eliminated.

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We also know that the time that the ladies in the office spend receiving in called in readings will be eliminated because everything will be done through this system, which is all computerized.

Unanimously carried.

Trustee Piazza stated his second resolution is related to that because we had originally broken our bid process down into the water meter, the product itself and then installation as a separate bid item. This resolution accepts a company for the actual installation of the meters.

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

WHEREAS the Village Administrator has advertised for sealed bids for the installation of the encoder water meters with register and receptacles, and

WHEREAS C/P Utility Services, Hamden, CT. submitted their low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for the installation of the encoder water meters with register and receptacles be awarded to C/P Utilities for their low bid of \$114,052.83.

Unanimously carried.

Trustee Lowther stated we will have something in writing as to a time frame because we didn't have anything at this point. Is that correct?

Trustee Piazza stated as of right now we don't have a written statement from the Schlumberger company exactly when the meters will be delivered. We have a vocal statement through the Superintendent of somewhere around two months, plus or minus, but Trustee Piazza understands that Superintendent Laubisch is going to be in contact with the individual in the next day or so and will elicit from him a written statement of the delivery from the water meter company. The second resolution dealing with the company that will install, they have a three month time frame in which to install the meters once the meters have been received here in the Village. We're talking around two months before the meters are in place and then from that point, the company will have three months to install them. As of right now, that is the way it stands. The Board has discussed the possibility of some short extension only under extraordinary circumstances but as of right now, the company is committed to a three month time frame from the time the meters actually are in place so they can start their work. We're assuming that the job will start in about two months and end in about five months from now, plus or minus.

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Trustee Piazza stated his third resolution involves water rates. Just recently the Village received a letter, by surprise, from the Erie County Water Authority concerning an increase in the water rates. Erie County Water Authority, effective January 15th, is raising their rates by 7% which that means to their customers, they are raising their rates by 13 cents per thousand gallons. This next resolution is only calling for a public hearing, it's not a public hearing tonight.

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

RESOLVED that the Village Administrator publish notice of public hearing to be held by the Board of Trustees in Village Hall on January 23, 1995 at 7:30 P.M. for the purpose of hearing all persons interested in discussing a proposed water rate increase per Section 107-9A of the Village Water Code.

Unanimously carried.

Trustee Piazza made the point again that Erie County Water Authority is going up 13 cents in dollar figures and 7% in percentage figures. We will be discussing that at the next meeting.

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

RESOLVED that the Village Administrator publish notice of public hearing to be held by the Board of Trustees in Village Hall on January 23, 1995 at 7:35 p.m. for the purpose of hearing all persons interested in discussing a proposed Recreational Master Plan for the Parks in the Village of Williamsville.

Trustee Piazza stressed that this is not an overall Village master plan for the whole Village. It is specifically for the parks. Trustee Piazza displayed the plan to the residents. Each of the Board members received one in their mail boxes. There will be one available at the front counter if anyone wants to come in and take a look at it. He would like to recommend that if there are any residents who are interested in our parks, take a look at what we have put together. We will gladly listen to and take into account any other continuing ideas. He is not saying that this is a final plan. We will have a hearing on what we have written so far.

Unanimously carried.

Trustee Piazza stated his next resolution comes out of a situation that has developed with sanitary sewer lines. The Town of Amherst wrote a letter to Mayor Daniels. Trustee Piazza read the letter. (Copy attached) We did discuss the letter at the pre-meeting. We feel this is a fair proposal by the Town. It is something that needs to be done and because of the Town's ruling to carry the ball on this one, it will go much more quickly. The resolution calls for accepting their proposal.



TOWN OF AMHERST

ENGINEERING DEPARTMENT

ERIE COUNTY NEW YORK

PAUL M. BOWERS, P.E., TOWN ENGINEER

January 5, 1995

Mayor Ronald W. Daniels
Village of Williamsville
5565 Main Street
Williamsville, N.Y. 14231-1557

RE: Repair of Sanitary Siphon at Ellicott Creek - Reference: Town of Amherst Job No. 920015

Dear Mr. Daniels;

As outlined in our original correspondence to the New York State Department of Conservation (NYSDEC), the Town attempted to clean the plugged 8 inch conduit of the siphon at Ellicott Creek and got stuck in the line.

We have since formulated a plan for a repair and have secured all the necessary permits from the NYSDEC and the US Army Corps. of Engineers. The plan includes all the preliminary and actual repair work as outlined in my September 30, 1994 letter to the NYSDEC (copy attached).

Because of the extent of the repair, we would like to use our General Repair and Construction Contractor to do the job which we estimate to take 4 to 5 days. We have estimated the cost of the repair at between \$7,000.00 to \$10,000.00, depending on the conditions and extent of repairs needed. Since the Siphon carries sanitary sewage from both the Town and Village, we are proposing a 50/50 split of the repair costs.

We have already met with the contractor regarding the scope of the work and would like to make the repairs as soon as possible. I am requesting the approval of the Village to make these needed repairs and hope that our proposal is satisfactory to you.

If you have any questions regarding any of the above, please call.

Very truly yours,

Frank P. Fanara
Sewer Maintenance Engineer

Attachment

cc: Paul M. Bowers, P.E. - Town Engineer
Thomas Ahern - Supervisor
David Laubisch - Superintendent, Village DPW

John P. Lane - Town Attorney
Patrick Kelly - Village Attorney
Theresa Cummins - Village Clerk ✓



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

RESOLVED that approval is granted for the Town of Amherst to perform necessary repairs on the Village Siphon and the Village to pay 1/2 of the costs of these repairs, not to exceed \$5,000 per letter from the Town Engineer dated January 5, 1995.

Unanimously carried.

Trustee Hillebrand stated we are having a Village Planning and Architectural Review Board meeting across the hall this evening to discuss various issues related to signage and other areas of the Village. It is a very informative group. Residents can go over there after this meeting if they want.

Trustee Hillebrand reported we are having an Environmental Committee meeting on January 17th here in this room. This will be a joint meeting with the Erie County Environmental Committee members. The Village will be acting as the host for all of the groups within Erie County interested in Environmental matters, which all residents are invited to attend. The Mayor will give us an introductory speech at that meeting.

Trustee Hillebrand reported we received a letter from Mr. Whitehead of the Castle Creek Development on the subject of sidewalks in his development and cul-de-sac. This is a call for a public meeting on this matter. It will be held in February to allow adequate time for the various planning groups within the Village to discuss the implications of this action.

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

RESOLVED that the Village Administrator publish notice of public hearing to be held by the Board of Trustees in Village Hall on Monday, February 13, 1995 at 7:30 P.M. for the purpose of hearing all persons interested in discussing an amendment to the Castle Creek Exceptional Development Permit which would grant the owner relief from the requirement for sidewalks in the cul-de-sac.

Unanimously carried.

Trustee Lowther reported there has been a date scheduled for the public hearing for the College Park Development.

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It's being built in the Town of Amherst; however, the development does abut up to the Village of Williamsville and there is some concern regarding traffic and signalization at Garrison Road and Wehrle Drive as well as drainage and storm water runoff from the development that could impact residents of the Village. Anyone who has concerns about it should be at the meeting next Tuesday at Town Hall for the public hearing at 7:30 p.m.

Trustee Lowther reported there are two vacancies on Village Committees, one she is liaison to which is the Traffic and Safety Committee. We have had a resignation from that group. There is also an opening on the Youth Board, which is Trustee Kaye's liaisonship. So if anyone is interested in either the Youth Board or the Traffic and Safety, we would be happy to meet with you and see if you would like to join us.

Trustee Lowther reported the Glen Park Joint Board met last week and we have changed our meeting place to the Village Hall and had our first meeting here which went very well. We met with Arvela Heider, who is our grant writer, and she had a lot of information for us regarding some things we are trying to do in Glen Park, one of which is trying to find out how we can repair the west wall in Ellicott Creek that butts up to the park. We had some cave-ins in the last year, actually in the park proper due to water seeping under the wall and undermining the actual ground itself and then it just drops out underneath and leaves a big hole in the middle of the park. Ms. Heider is working on that trying to obtain some money and she is also trying to facilitate a meeting between the DEC which comes into play, the County of Erie which owns and inspects the bridge on Glen Avenue, the Town of Amherst which owns half of Glen Park as well as the Village of Williamsville. So Ms. Heider has a big job ahead of her to try and get all these people to a sit down together to they can talk about what we are going to do.

Trustee Lowther reported she has had some information come to her about the signal that is to be installed at Evans and Essjay. From information she received from Jane Woodward at the Town of Amherst, the County has issued a permit to install the signal; however, it is contingent on the relocation of the south driveway of the Drexel Hill apartments on Evans because the driveway is actually too close to the entrance to Essjay Road. By closing that particular driveway, the Fire Department has a real concern because they won't have adequate access to either water to actually get into the development. So there is some discussion now about the developer of the Centerpointe project who is actually considering funding a new driveway to be put in that will come in off of Essjay Road from the Drexel Hill apartments which would give good access to the Fire Department and also to the water supply in case of a fire in that area. So that is on hold at this point. It doesn't look like anything is going to happen until the driveway situation is resolved. Trustee Lowther will keep the public posted on that.

Trustee Lowther reported that the Glen Park Education Subcommittee of the Glen Park Joint Board will be meeting on Wednesday, January 25th at 7:00 p.m.

Trustee Lowther reported the Local Government Advisory Board will be meeting here that night so we will be meeting in the smaller meeting room for probably a couple hours. We are working on determining how to spend a grant that we received last year.

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We have not come to the finalization of the actual spending of the \$20,000 that we got last year, which was a matching grant from the Department of the Interior as well as a \$4,900 contribution from the Village of Williamsville and a \$4,900 contribution from the Town of Amherst. We would like to do some capital physical improvements to the Glen Park Noll Nature Center. A number of things have come up that we are really interested in doing and we are going to be looking at all those on the evening of the 25th. If anyone is interested in what is going on at the Noll Nature Center as far as the Nature programs that we have instituted in the last two years or just what is happening in the park in general, they should feel free to stop in.

Trustee Lowther reported that tomorrow evening is the Youth Board meeting here at 7:30 P.M.. Trustee Piazza will be letting people in since Trustee Kaye will not be there.

Trustee Lowther stated that Trustee Kaye's resolution is an authorization to sign a contract for STOP-DWI under the auspices of Erie County. It is covering a period that has already expired. It covers January 1st to December 31, 1994 and it is her understanding from Administrator Cummins, they do not send us this notification until late in the year it actually happens. It sounds a little redundant. It's good for the Village. It gives us some funds that we receive through our court that go into our general budget.

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

RESOLVED that Mayor Daniels is hereby authorized to sign the STOP-DWI contractual agreement between the County of Erie and the Village of Williamsville covering the period from January 1 through December 31, 1994.

Unanimously carried.

Superintendent of Public Works, David Laubisch, reported that since the Christmas holiday we have been kept busy plowing snow. Immediately after Christmas this year it started to snow and didn't seem like it stopped until yesterday. The DPW forces have been busy plowing the streets, sidewalks, keeping municipal buildings and lots clear of snow and sanding the same.

Mr. Laubisch also reported that we do chip up Christmas trees immediately after Christmas but because of the snow, that task has a lower priority than plowing snow on the roads so we will be around starting tomorrow and chip up the Christmas trees residents put in front of their houses. If anyone here would like the mulch that is created when we chip the trees up, they can stop down at the Conrail property, Memory Trail and the mulch pile will be outside there. Residents are free to help themselves to any of the mulch that is piled up there and use it at home.

Administrator Cummins reported that at this time of the year she will be sending out the budget forms to the Village Board and the department heads asking to have them back by the beginning of February so we can start getting into our budget process.

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Mayor Daniels stated we have negotiations with the union members, who are the laborers actually, and also our budget negotiations going on starting now until we approve it. The Village budget year is a fiscal year from June 1st to May 31st.

Administrator Cummins stated tomorrow she will have a meeting with Arvela Heider, our grant writer, and Jim Tammaro who is the Region #9 head of the SARA program which is the records management program and we are going to be applying for a grant for our records management. We are doing some inventory work right now and hopefully we will get someone part-time to work with us to get our records in order.

Mayor Daniels stated we are getting a microfilmer from the Town grant that was applied for through their offices and the Village is part of that program as well. They have done a considerable amount of microfilming for us already and then we are going to get a reader very soon for Village Hall's use.

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

Unanimously carried.

Grace Barba, 5656 Main Street, stated she is here to talk to the Village Board about the parking situation that is next to the Meeting House. She lives in an apartment that is next to the Meeting House. There is no parking available for her. When she moved in there, she was told it was acceptable to park in the parking lot which is what she had done for three years. She is locked into a lease and now she can't park in the parking lot either. She doesn't know what she is going to do. She has called and talked to Trustee Lowther and Trustee Lowther told her to come and speak to the Village Board. There are two apartments back there and there are three cars between the two apartments. The Town rules state that they tell her the rules are she can't park in the street from November 1st to whenever. She doesn't know what she is supposed to do. She doesn't know if this is a permit situation or what can be done.

Mayor Daniels stated we have had problems with the area because this is one of those problems that there is probably no solution that is great for everybody. We don't have enough parking in the Village. As time goes by we seem to have even less. Many of the buildings house businesses which have employees and also carry on businesses that require more parking than actually they should have if they were built today. In other words, we require so many parking spaces for so many square feet of business area, depending also on what type of business it is. A lot of it is grandfathered in and a lot of it there is not enough parking. What was happening is that the Meeting House, which gets used by permit only, would be rented for a particular event and the parking lot would have cars in there making impossible for the users who rented the facility to use the parking lot. In an effort to solve that problem, we put a time limit on parking and that was only recently. Ms. Barba is unfortunately, one of the people caught in the middle between the owner of the apartment and as a renter.

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The Meeting House is getting used more and more as time goes by yet there are periods of times when that lot is vacant and truly there is a need for space for people to park. Ms. Barba's is specific problem that we really do need to look at and maybe a permit type of thing is something we could consider.

Ms. Barba stated the major problem is the overnight parking.

Mayor Daniels stated from 2:00 a.m. in the winter you can't park in the street as well. So it is a real problem and we need to talk and work something out because there is a problem there. He can't speak for the entire Board. We are aware of the problem.

Trustee Lowther stated we have discussed it a number of times, especially again after she spoke to Ms. Barba a few weeks ago and one of the problems that she sees is the fact that while Ms. Barba has been parking there for the last three years, it was completely illegal, now she is legal two hours of the time and the reason we did it was because of such an increased usage of the Meeting House. When we rent it to people and charge them money to use the building, they do expect and they do get the parking area. When we would go back there and people would pay \$75.00 or \$100.00 to use the building and they'd say gee, we can't even park there or have a wedding rehearsal or have a wedding. We are in a bad situation. Trustee Lowther thinks Ms. Barba was misled dramatically by the person that rented her apartment by saying she could park there when in fact that person did not own that property. That property is owned by the Village.

Trustee Hillebrand asked if Ms. Barba has asked them again.

Ms. Barba stated she has written. The owner is out of town. She has called and written and has gotten no response.

Mayor Daniels stated if the Board were to consider some sort of permit situation, the only thing he could imagine would still be some stipulations if allowed to park there by permit, that if a function were to take place there, then she would have to move her car elsewhere until the function was over or something like that.

Ms. Barba stated she is aware of the fact that it is used on Sunday nights. She knows about that because she tries to get the cars out for that.

Mayor Daniels stated there may be a way to notify Ms. Barba and require her to move. The problem is contacting her and then getting the car moved.

Ms. Barba stated she has an answering machine so if there is something going on and there is no one home-you can leave a message on the answering machine.

Mayor Daniels asked if Ms. Barba knew if there was anyone else in her situation.

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Ms. Barba stated yes, there is her car, her daughter's and a van to another apartment that they sometimes park there. There are three vehicles.

Mayor Daniels stated the Board needs a work session to talk about that. Also the Meeting House Committee has to be involved in this as well.

Ms. Barba stated there were notices put on the cars a couple days ago that on the 15th tickets would be issued.

Mayor Daniels stated this is a warning procedure that we had told our Parking Enforcement Officer.

Ms. Barba asked if it isn't resolved by the 15th, what should she do?

Trustee Lowther stated it will not be resolved by the 15th because we are going to have to call a meeting with the Meeting House Management Committee for whom we did pass this law and restrict the parking to two hours. When Trustee Lowther spoke to Ms. Barba, she had talked to her of possibly getting temporary permission either across the street in the Youngs parking area or down at the corner of North Ellicott and Main where there is parking. There are only two cars a day down there.

Ms. Barba stated given this weather and the fact that she has severe asthma, there is no way she can park at North Ellicott and Main and walk. What we have been doing is moving the cars first thing in the morning, she would assume between 12:00 a.m. and 6:00 a.m. there is nobody using the parking lot anyway, she goes to work in the morning sometime around 6:30 a.m. and 6:45 a.m. She makes sure the cars are out.

Mayor Daniels stated we will have to look at the facts. We have to make sure that we don't open up a problem where now the dentist who is next to it also says well, gosh, now they have a permit, why can't I have a permit? The fellow who had the garage over at Hettigs, was using their lot. You granted this person a permit, I'd like that same. How does the Board distinguish one from the other, so we have to look at many different things. Otherwise we are back to the lot being full. There are not that many spaces there anyway.

Ms. Barba stated her main concern is at night.

Trustee Lowther stated she thinks the tickets that have been issued have been done by our Parking Enforcement Officer, who works on a part-time basis Monday through Friday. That isn't to say anything other than to say that she works Monday through Friday on a part-time basis.

Ms. Barba stated that is why she makes sure the cars are out of the lot when she goes to work.

Trustee Lowther stated as liaison to the Meeting House Management Committee, she can request to have some representatives from there at our work session for the next meeting.

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The Board members agreed.

Ms. Barba asked if a permit is done, is there a way to record license plate numbers to identify cars?

Trustee Lowther stated we will see what we can do at the next meeting which is two weeks from tonight.

Wally Pacer, 87 Monroe stated he is here as President of the Williamsville Southeast Homeowners Association and would like to ask Mayor Daniels a couple questions. He appeared here a while ago representing the Homeowners Association asking for the Board's assistance. He suggested to the Board that it go to the Town of Amherst on behalf of citizens of the Village. It is the Board's duty, in order to press Village concerns relative to the College Park development. The hearing is coming up January 17th to consider the rezoning from MFR5 to office building. There are a number of concerns by members of our organization including drainage, traffic, those are primary concerns and there are aesthetic concerns which he thinks we should all be aware of as well. The primary concerns, drainage and traffic and the Mayor addressed drainage. It was heartening to see that in the memo which was sent to Supervisor Ahern December 17th but the drainage concerns remain and he thinks they are considerably more fundamental than simply moving the berm to the east. He does agree that something has to be done with the storm sewer system but he asks the Board if they are aware that the County has committed to doing anything along those lines in terms of either replacing, repairing, elevating or handling the storm sewer problem as Mayor Daniels enunciated in his memo.

Mayor Daniels stated the conversation that he had with Jeff Burrows, who is the Town Engineer most associated with that project, really recommended those things that appeared in Mayor Daniels' letters so it was not anything that he just walked over and said gosh, that looks like it should be lowered 12". This was resulting from conversations he had with Jeff and Jeff went over the berm situation and the drainage from the swale areas, the difference in elevation and the fact that was echoed by our Superintendent of Public Works, David Laubisch, that the County storm sewer drain on Wehrle does not function well. It never has for many years. That was the reason Mayor Daniels wrote the letter to Supervisor Ahern. He received a letter back from Supervisor Ahern saying that they were in unison with the Village's concerns and so was the Town Engineering Department. On January 4th Mayor Daniels received a letter back from Paul Bowers, who is the head of the Engineering Department for the Town of Amherst. The letter is addressed to Guy Puchio, who is the Erie County Department of Public Works Highway Division regarding the Wehrle Drive east of Garrison to Youngs Road which our Town of Amherst #840065. Mayor Daniels read the letter. (Copy attached) Mayor Daniels next follow up letter is back to the Town and copying to Mr. Guy Puchio saying that the Village is in unison as a Village Board in recommending that no work progress until the County has addressed the situation with the drainage and their failed storm sewer system on Wehrle Drive going toward Garrison. That is an ongoing fight that we, hopefully, won't have too much resistance from the County.

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Mayor Daniels does know that they are aware of the situation in talking to people from the County. It is not unknown to them that the Village is concerned.

Mr. Pacer stated if he understands Mayor Daniels correctly, it would be the Board's recommendation that if the County doesn't commit to improving the storm sewer system, then College Park will not go forward.

Mayor Daniels stated it is our request of the Town that the Village is against the work progressing without the drainage being solved and specifically that the County address the problem of the storm sewer inlet intake on Wehrle at the end. What it would be is some sort of a drainage pipe going from the swale area and if that sewage intake is lowered enough, it will be a positive flow towards that inlet. That is exactly what his stance has always been. It shouldn't go forward until the County has given us a definite on the fact that they are going to replace that.

Trustee Lowther asked isn't there a problem with inadequate actual storm sewer capacity?

Mayor Daniels stated that the receiver and a pipe going to Garrison and it has to be improved. It will probably be tied into the work on Wehrle Drive and the intersection of Garrison and Wehrle as well.

Mr. Pacer stated he noted in Mayor Daniels' memo, it is his understanding that Wehrle Drive is scheduled for rebuilding.

Mayor Daniels stated that is what the County told him.

Mr. Pacer asked who in the County and when.

Mayor Daniels stated Earl Dugan, a couple of weeks ago.

Mr. Pacer stated obviously he would anticipate that the building, that the construction is going to start fairly soon should this O/B designation be granted. We have been told that the County is going to do this, that it is on the County master list, the County is promising this, that, or the other thing. He has yet to find out, yet to have it actually stated in black and white that yes, Wehrle will be redone, will be reconstructed by "x" date. We've got absolutely nothing in writing and absolutely nothing confirmed as yet. Mr. Pacer suggested that if that doesn't come forth by January 17th, that the Village Board also go on record that in the line with its reasoning about the storm sewer improvements, it's just one more reason, he thinks, for construction not to go forward. He thinks it is not only a palatable but a formidable argument and suggests that the Board consider that.

Mayor Daniels stated that is his stance and we can discuss it more but he thinks we are all in agreement. We have had quite a few discussions about that and all of that is factored in. Working with the County and their Highway Department has not been a joy. It has not been a thrilling experience.

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Truly, they are working, he believes, to free up more money for their Highway Department and most of the bridges are in need of replacement and, in fact, the Glen Avenue bridge is in terrible shape and needs replacement. 80% of the highway system, 800 miles of the 1,200 are in need of repair. They've got a formidable task and not enough money. What we have to do is squeak the wheel louder than anybody else in regards to the drainage and traffic on Wehrle. We've been successful in getting the wheels squeaked before and he thinks we can do it again. We've got some real good support in the legislature now that he tends to yell and scream until they just to shut him up they do what he wants.

Mr. Pacer stated "we offer our total support and petition Erie County for their required upgrade", what did Mayor Daniels mean by that?

Mayor Daniels stated for the County's required upgrades for the sewers and the roads. In other words, we are offering the Town our total support in the Town's petition to the County regarding Tom wrote Mayor Daniels a letter saying that he would support the Village in this and that he is in unison with this and so did the engineering department and if the Town and the Village are both asking the County to do this, we are going to enter in an agreement with them towards that goal. That's all. Just something that showed cooperative effort towards getting the County to move.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Lowther, it was moved adjourn the meeting at 8:45 P.M.

Unanimously carried.

Theresa L. Cummins
Village Administrator/Clerk-Treasurer