

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

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

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

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

*Also Present: Sherry Brink, Recording Secretary*

The Clerk read the notice of the public hearing being held by the Board of Trustees on Monday, 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-sacs.

ON MOTION by Trustee Hillebrand, seconded by Trustee Lowther, it was moved to open the public hearing at 7:42 p.m.

Unanimously carried.

Trustee Hillebrand stated an Exceptional Development permit was authorized for the development of Castle Creek. This exceptional permit required that sidewalks be installed in the cul-de-sac in that development activity. The developer of the work has requested that the Village amend the Exceptional Development to be in compliance with an ordinance that was passed last year stating that sidewalks are not required in cul-de-sacs. The purpose of this meeting is to hear all individuals interested in speaking to that matter.

Richard Sweeney, 325 Mill Street, stated he is a former Board member who helped to conduct the public hearings on the original Exceptional Development permit application for Castle Creek. This is a case where, in many instances, people run for political office because they think they want to make a difference, they want to do things differently, treat people fairly, be efficient, get government working properly to serve the community needs. He thinks this is a case where clearly there has been some rethinking of Village requirements but he implores the Board to go back to the original records. This is a case where a developer entered into a willing agreement with the Village Board, who had all the good intentions that Mr. Sweeney thinks this Board has, and reconsider the issue. They proposed after public hearings and after residents of the adjoining area sought safeguards that would protect the value of their own property from this threatened development of vacant area.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

Those protections were put in the form of requirements or restrictions or obligations that went beyond, in many cases, the Village Code or building ordinance requirements of the State or Village Codes strictly. Some of the things pertain to storm sewers, trying to preserve existing vegetation, trying to restrict anything that might pose a future flood plain impediment, increase the flooding risk to adjoining properties. One of the things among these future considerations that the developer agreed to and was written up was the agreement to construct sidewalks. It's an issue that has its pluses or minuses. Whether or not sidewalks should be constructed throughout the Village, can be debated. What Mr. Sweeney wants to present is that this is a case where this developer and this Village government agreed to certain conditions. That was the basis for this development. Other things that could have been considered, whether or not this developer should have put up \$4,000 or \$5,000 per lot to contribute to the park funds or other community enhancement projects that has been or is a part of the process of obtaining development permits in the Town of Amherst or the Town of Clarence were not required of this developer. Things that could have cost the developer more than sidewalks were not required. Things such as sidewalks were required and he agreed to it. There was a pact made and Mr. Sweeney wants to continue that theme. He did not vote on the Exceptional Development permit per se, but was part of the Board that led up to the conceptual approval of this development. One of the reservations that we had was the cost of water line installation. As it turned out, the water line improvement to serve this subdivision costs something more than \$100,000 more or beyond what the Village Board expected when it approved this development. The Village Board at that time did not have the option saying wait a minute, this is too expensive, let's cancel this development. We had an agreement and we stuck by it. He thinks this Village Board has every right to expect the developer to also live by that pact. He doesn't think this is a case of good or evil. It's simply a case of people running for political office and wanting to make a difference. There may be changes in Village ordinances that are appropriate and should be considered. He doesn't have any significant dispute with the change in the ordinance to exempt cul-de-sacs from sidewalks. He is simply presenting a case here where there was an agreement and he thinks all the reasons for that agreement still exist. Sidewalks are still a public safety feature. They enhance pedestrian safety, reducing the risk of pedestrian or child and traffic collisions. He thinks, in his own mind, sidewalks are an enhancement to the Village. They help to tie the community together. He sees them as a positive feature. He doesn't really want to get into debating sidewalks per se but he keeps coming back to the idea that there was an agreement and while he thinks the Board want to make a difference, he thinks this is a case where the differences in the Village character have previously been considered, they were incorporated after a public hearing into a pact that the developer agreed to. He thinks it is unwise and foolish for this Village Board to begin to try to give a benefit to one developer. The Board is simply going to encourage every other business person or individual to seek similar benefits. The Board is going to open the Pandora's box by simply encouraging people to come back and ask for additional favors. "Can you create a new law for me?", "Can you exempt me from some provisions?" Some of these things need to be thought through and there are always changes in the Village policies or Village laws that need to be changed. He thinks here it is simply a case of there is an agreement and there are valid reasons why that agreement should be upheld.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

Mayor Daniels stated that Mr. Sweeney had mentioned the upgrading on the water system. Just so it is understood, it was the developer's responsibility to run the water into his cul-de-sac area. It was not Village funds that did that. That money that was spent was for improvements to Willowbrook and Garrison Road. Is that what Mr. Sweeney was referring to?

Mr. Sweeney stated he doesn't have the balance sheet but overall what he is leading up to is that as part of providing water supply to this subdivision, the Village invested far more than it originally anticipated, when it agreed that this subdivision should be approved. Whether the money could be proportioned to Willowbrook or Garrison, he thinks those were areas that had a water supply and that did not need any enhanced services at the time. Arguments could be made to the contrary. It's a situation where the previous Board approved an agreement and this Board incurred additional costs beyond what may have been considered a good investment in what future revenues will come from eight or ten lots in the subdivision.

Mayor Daniels stated the fire flows on Willowbrook were deficient and that is why we ran a line down Willowbrook and also there were some real needs for some improvements on Garrison in which we took the opportunity for this development to improve at that point but they were on our master list of areas that were going to be rehabilitated anyway. The development itself, there was no money that went toward the developer in municipal funds to put water in his development.

Mr. Sweeney asked if the Village spent any money in providing the increased size water mains leading up to Castle Creek because of the need for Castle Creek to have a given water supply pressure.

Mayor Daniels stated the water supply, the pressure on Garrison and Willowbrook were not sufficient for the ISO readings at the fire hydrants. Therefore, we decided as part of providing a stub for Mr. Whitehead to tie into, to attack the entire area as part of an overall improvement to our lines and valves. Subsequent to that, we went over into the Cadman/Wehrle area and did another project there and in conjunction with the one on Garrison, we did the Swan Place water line as part of that same project and it was all part of a one package that we seized the opportunity. He doesn't want people to think that the Village spent \$100,000 to get Mr. Whitehead water. What it did was give the Village better fire flow and water pressure.

Mr. Sweeney stated he is not sure that he agrees with that distinction. His understanding is that the Village incurred far more than \$1,000 cost improving the water system so that it could supply a stub for Mr. Whitehead to connect into and service his subdivision.

Mayor Daniels stated we had the figures on the water system so we made a decision based on the facts that were presented to us at that time.

Mr. Sweeney stated it is not a case of he is trying to say it was a good or bad decision. The improvements are improvements. What he is trying to say is that there was an agreement and the Village incurred additional costs that it hadn't anticipated.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

He thinks this is a case of the developer is simply incurring the costs that he previously agreed to that there is no foul or fault on the Village's part. Mr. Sweeney is simply saying that there was an agreement he thinks the Village should uphold.

Bill Whitehead, developer of Castle Creek Trail stated in regards to the water line, there was sufficient water at that point of Castle Creek Trail and Garrison Road. The Village updated several streets and we tapped into that. There is no extra amount of funding or more money spent in order to facilitate water into his subdivision. Secondly, by updating the water line, it upgrades the fire protection for the homes in that area, not only the two streets within the proximation of his area but also the Cadman area and those that will be tied in eventually. He appeared here last year to have the amendment to the code changed so that he would not have to install sidewalks in Castle Creek Trail. As an added cost, Mr. Sweeney had mentioned the cost that Mr. Whitehead would incur would be just his home which he will be building later this year. The contractor would have to pay for the other sidewalks. That would be partly partial of the homes that would be built in that subdivision. It would be just a portion of that home. His offer at that time was to pay for the entire sidewalk establishment, which is about 1,300 lineal feet. His proposal at that time was to offer the Village \$8,064.00 that they could spend in any way, shape or form that they so chose. We decided that it might go to upgrading sidewalks on busy streets. The cul-de-sac will probably have 20 vehicles per day. Most of the cul-de-sacs in the Village will run 10-20 vehicles per day. Garrison Road has a traffic flow of 6,000 vehicles per day. That was prior to resurfacing. With resurfacing and new construction going on in the area, cars are funneled down into Garrison and he would say that, perhaps, there might be 7,500 cars per day as opposed to the cul-de-sac with 10 vehicles. Vehicles in a cul-de-sac will be moving at the rate of 10 or 12 miles per hour. You're either driving very slowly to reach Garrison Road from your driveway or you are slowing down to enter your driveway. Those are the, if you want to consider the safety factors, the safety factors we know. There are six cul-de-sacs in the Village that don't have sidewalks. The sidewalk law has been on the books for a very long time and has not been enforced. It hasn't been enforced in fifty years. He lives at 223 and homes going north or south of him total 12. None have sidewalks. So it hasn't been enforced nor has the cul-de-sac law been enforced. Mr. Whitehead is appearing here this evening to ask the Board to amend the law whereby sidewalks would not be required in Castle Creek Trail. His offer of \$8,064 still stands payable late this summer upon the changing of the Village ordinance.

Dick Swartz, 130 Cadman, stated he is favor of sidewalks; however he agrees with Mr. Whitehead. If the Board is going to enforce the ordinance that rules the regulation to have sidewalks, they should be enforced by every homeowner, to every homeowner, not just one or another. There are spots on Cadman, recent building on Cadman, that do not have sidewalks, so he doesn't see why the Board should force Mr. Whitehead to put them in.

Jim Tricoli, 4 Columbia Drive, stated that Mr. Whitehead had mentioned about the speed of cars to be between 10 and 12 mph in the cul-de-sac. He had a bumper hit his car at 5 mph. That bumper was badly dented. He assumes people will not be dented if hit at 10-12 mph. We had 349 more accidents in Amherst this year than we did last year. That should tell us there is a lot more traffic maybe or poorer drivers, but more likely there are more drivers on the road.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

In that particular area of Mr. Whitehead's development, it is a pretty active area and it will become more active as College Park is developed, he assumes.

Mr. Tricoli stated that Mr. Whitehead said something very interesting, he said "We decided", Mr. Tricoli assumes Mr. Whitehead and the Board sat down some place and decided what they are going to do with the money. He didn't know government was run that way. Mr. Tricoli was doing some work and found that in 1989 there was a letter from the Mayor to the Board saying that all correspondence between Mr. Whitehead and the Board was to go directly to him and only to him. Mr. Tricoli thought that this was interesting and is normal for Mayor.

Mayor Daniels stated he can't comment because he wasn't Mayor then.

Mr. Tricoli stated then the directive was for Mayor Daniels to receive the mail only as Trustee. Was Mayor Daniels a Trustee then?

Mayor Daniels stated how could he have said something as Mayor if he wasn't Mayor? He is very confused.

Mr. Tricoli stated he just corrected himself and said Mayor Daniels was a Trustee and Mayor Daniels said he was a Trustee.

Mayor Daniels stated yes, he was. What does that have to do with correspondence to the Mayor?

Mr. Tricoli stated Mayor Daniels received a directive and he said to the people around him and he wrote the directive saying that all information from Mr. Whitehead to this Board is to go directly to Mayor Daniels and nobody else. As Trustee or Mayor, he doesn't know how Mayor Daniels had that authority but he did write the letter and it is in the files unless it disappeared by accident.

Mr. Tricoli asked Trustee Piazza about the Fire Department.

Trustee Piazza stated Mr. Tricoli is making comments on sidewalks. The Board is accepting his comments on the sidewalks. He is not going to answer Mr. Tricoli's direct questions. Mr. Tricoli should make his discussion about the sidewalks. That is all the Board wants.

Mr. Tricoli asked if the Fire Department is in favor of this cul-de-sac.

Mayor Daniels stated the public hearing is for Mr. Tricoli's comments. This is not a cross examination

Mr. Tricoli stated he is going to wait here until the Board answers his questions.

Mayor Daniels stated the Board will have to have Mr. Tricoli removed.

Mr. Tricoli stated he is asking a simple question.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

Mayor Daniels stated Mr. Tricoli may ask a simple question and the Board can answer that but this is not the forum.

Mr. Tricoli asked if the Fire Department is in favor of the cul-de-sac. Is the Police Department in favor of that cul-de-sac?

Mayor Daniels stated Mr. Tricoli should put it in the form of a statement.

Mr. Tricoli asked Trustee Lowther if she knows if the police or fire department are in favor of this cul-de-sac.

Trustee Lowther stated her comments at the end of the public portion of this hearing will address those items for him.

Trustee Hillebrand stated we have three panels of the Village which are required to evaluate changes to Exceptional Development. These three panels include the Traffic and Safety Committee, the Village Planning and Architectural Review Committee and the Environmental Committee. He will now speak to these three committees and their views. Ms. Cummins will represent some comment from Trustee Kaye who was unfortunately not able to attend this evening. The first committee which evaluated this was the Traffic and Safety Committee. Trustee Hillebrand read into the record from the minutes of the meeting of January 19th, which among other items, the Traffic and Safety Committee addressed the subject of the amendment to the Exceptional Development permit that was requested by Mr. Whitehead. The Traffic and Safety Committee is on record as requesting that the amendment remain as written and that no relief be granted. (Copy attached) The Planning Committee addressed the matter, among other matters, that came up before the Board. "ON MOTION by Mr. Measer, seconded by Mr. Wutz, it was moved that the holder of the Exceptional Development Permit for Castle Creek be granted his request to be relieved of the sidewalk requirement." The committee voted five to one in favor of granting the relief, in other words, making the Exceptional Development compliant with the ordinance. The third committee required was the Environmental Committee. They met last Thursday on February 9th. Of the three members present, the voting went two members were in favor of leaving the Exceptional Development plan as it presently written; therefore, requiring sidewalks and one voted in favor of exempting the Castle Creek Exceptional Development, or allowing it to be in compliance with the ordinance. Those are the reports of those three committees who are obligated by the Village Code to examine and re-examine the Exceptional Development.

Administrator Cummins spoke with Trustee Yvonne Kaye today and she wanted Administrator Cummins to put into the record that Trustee Kaye is opposed to removing sidewalks because of safety considerations and she is in favor of the permit as originally granted.

Trustee Piazza stated he always thought it was a good idea not to require sidewalks in any cul-de-sac, including new ones and that is what we are discussing here today.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

He realizes that a Board, several years ago, set up various standards. Just based on what Mr. Sweeney talked about, he does commend previous Boards for very carefully looking at this development and trying to address all issues. He is sure the Boards, his predecessors, looked very carefully at this. Trustee Piazza commends them for that. But the fact is that Trustee Piazza does believe that this is not a safety issue, that cul-de-sacs have been in existence in the Village since the first one was put in, but certainly it is a very long time and it has never been a safety issue in any of these cul-de-sacs. He really believes what we should be addressing is those areas where safety is an issue. Garrison Road is certainly one of those, part of Reist Street - it is certainly a place that needs sidewalks-parts of Cadman need sidewalks where there is a lot of traffic and parts of Union. We know that these have already been identified. These are the areas where we should be talking about a need for sidewalks. This is one more cul-de-sac where safety is not a major issue and it is his firm belief that it is not necessary to place sidewalks in this new cul-de-sac.

Mayor Daniels stated his feeling is that since none of the other cul-de-sacs in the Village and by far the majority of cul-de-sacs in the Town by his survey, do not have sidewalks and especially the ones as small as only eight homes. In many cul-de-sacs, as his video of all the ones in the Village showed, they took opportunity to landscape up to the road in a very attractive fashion and indeed, there was no place for sidewalks to even be put in. Because it would be the exception rather than the rule to require sidewalks in this cul-de-sac and he truly believes it was never Mr. Whitehead's intention to want sidewalks because Mr. Whitehead had mentioned very early on that he wanted this to have a very country look to it, at the point in time where these Exceptional Development were approved, it was simply part of the package that he had to accept. Mayor Daniels is sure there were other parts of the package that he might have wanted to amend but as it stood at that point in time, Mr. Whitehead really had no alternative at that point, although he had expressed a wish from very early on that he would be relieved from that requirement. He just thinking it is in keeping with the way it has been in the Village. There is no record, to Mayor Daniels' knowledge, of any accidents of any kind in any cul-de-sacs because of the lack of sidewalks. For those reasons, he doesn't see it as a health and safety factor.

Trustee Lowther stated first and foremost she feels very strongly that the safety of our pedestrians is what is really important in this issue. From everyone who has come up here and discussed this, the only reason that she is seeing that we want to grant the relief is because it will look nicer. She agrees it will look nicer without sidewalks; however, she has a real concern for people and for children being pedestrians and riding their bikes and not being in the streets. We may have never had an accident on a cul-de-sac but the first one is going to be one that is tragic and she hopes it isn't here. It is a very grave concern of hers. The other item that ties into it for her is without sidewalks it leads to a sense of isolation. It leads to planting up to the road which is very attractive but it isolates residents from the community. She thinks this is the type of community that is very small, it is very friendly, it is very people oriented. People walk, jog, ride their bikes and she thinks in order to fulfill these activities you need sidewalks to do it. She had spoken to Captain Ron Hegelberger of the Amherst Police Department and they are on record as not being in favor of granting the relief on the permit because they don't feel the development should happen without sidewalks. As Trustee Hillebrand said, the Traffic and Safety Committee did vote that it should not be granted.

**Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.**

The Senior Citizen Committee has given the Board notice in writing that they are not in favor of not having sidewalks in these developments. The Fire Department, in a letter the Board received from Chief Jim Zymanek, said that they would like to see sidewalks in cul-de-sacs in developments throughout the Village. They were not in favor of this. This existing Board, with the exception of Trustee Hillebrand, did order in sidewalks on a cul-de-sac on Village Park Lane. We've also ordered in sidewalks to be installed on Evans Street when there was a property developed in that area. We also ordered in the installation of sidewalks at homeowner's expense in every one of the cases she is mentioning, on Cayuga Road near the entrance to the park. The fact that someone had mentioned that we had never enforced this law, that is not true. We have enforced it, she agrees it has been sporadic. She thinks it should be enforced 100% of the time. She is not in favor of previous Boards, previous Building Departments or whoever, picking and choosing who the laws are enforced on. She thinks we have laws on the books, they should be uniformly enforced. If they aren't or if people are not in agreement with them, we change the law. In this particular case, this Exceptional Development was granted several years ago and she would certainly be in favor of seeing sidewalks in there. Whether they go in or not, she is very happy to see that we are having eight new properties being developed in the Village. She welcomes the construction and welcomes the families to the Village when they purchase the homes.

Elroy Avery, 75 Rinewalt Street, stated it appears to him that all the committees except one have said no. If the Board is not going to pay attention to the committees, why have them? Let's disband all these committees and let the Board do what it wants.

Trustee Lowther stated those committees are advisory committees.

Mr. Avery stated then the Board should take their advice.

Trustee Lowther stated we do, we weigh their advice very strongly.

Mr. Avery stated not according to what he is seeing here.

Trustee Lowther stated she does.

Trustee Hillebrand stated as another comment in discussion in times past, it was mentioned how the Town's policy on sidewalks was relevant. In fact, the Town's policy is not relevant at all. In the matter of sidewalks, he believes the Town now is reconsidering their policy on sidewalks as was recently announced in the press and they are no longer requiring sidewalks in areas where it is not warranted. It was stated previously that Town policy was in some way precedent so he thought he would later that note.

Mr. Avery asked about what the Town is changing their policy.

Trustee Hillebrand stated the press reported that the Town Board has agreed to exempt certain building properties from the requirement of having sidewalks.

Minutes of the Public Hearing of the Board of Trustees held in the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:42 P.M.

Mr. Avery asked if the Town Board has done this.

Trustee Hillebrand stated yes, they have. That is what the press reported.

Mr. Avery asked if the Town Board has done this.

Trustee Hillebrand stated the press reported that the Town Board did that.

Mr. Avery stated the press says a lot of things. He lives right next to three cul-de-sacs at Centerpointe. There are sidewalks in front of each of those houses. They go no place and they stop no place but there are sidewalks, so evidently, the Town is still putting sidewalks in.

Trustee Hillebrand stated this happened just last week.

Mr. Avery stated the Town's rules are still there because they are still putting sidewalks in. Don't tell him the press has done it unless the Town has done it.

Mayor Daniels stated it is to be noted that there are more cul-de-sacs in the Town without sidewalks than with.

Mr. Avery stated he is talking about new ones going in now.

Mayor Daniels stated they are reconsidering that. You have to remain flexible in this life.

ON MOTION by Trustee Hillebrand, seconded by Trustee Piazza, it was moved to close the public hearing at 8:19 p.m.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:40 P.M.**

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

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

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

*Also Present: Sherry Brink, Recording Secretary*

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

Mayor Daniels stated that David Laubisch, Superintendent of Public Works, attended the work session but because of the snowy conditions everyone is needed on the roads so he rejoined the road crews right after our preliminary meeting. They will continue to salt and plow the roads so they are safe.

Mayor Daniels stated Trustee Kaye, as some of the regulars know, has not been here for several meetings. She is extremely ill and our thoughts are with her and as well as our well wishes. She is fighting cancer and undergoing radiation and chemotherapy for another ten days or so and we wish her well.

ON MOTION by Mayor Daniels, seconded by Trustee Hillebrand, the minutes of the regular meeting of the Board of Trustees held January 23, 1995 were approved.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved to approve the minutes of the public hearing of the proposed water rate increase held January 23, 1995.

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Hillebrand, it was moved to approve the minutes of the public hearing for the proposed Recreational Master Plan for Village Parks held January 23, 1995.

Unanimously carried.

**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, February 13, 1995 at 7:40 P.M.**

ON MOTION by Trustee Hillebrand, seconded by Trustee Lowther, it was moved to open a public hearing of the Board of Trustees regarding 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. (The public hearing closed at 8:19 p.m.)

Unanimously carried.

Mayor Daniels reported the ice skating rink has been up and running, although it has been a real challenge to keep the snow off of it. He has been going out and snow blowing it every morning, same this morning because it was snowing so hard. By the time he had finished, it had taken about two hours to blow it off with the snow blower. By the time he had finished, it probably would have had another three inches of snow in it, so he did not do that but early tomorrow morning he will be out there again. It is being used because there are all kinds of ice skate marks on the ice and people have been enjoying it. Unfortunately, it is not always the easiest thing to take care of. It was a great experiment for this year. It is so dependent on the temperature and the amount of snowfall and a bunch of other factors. A cut in the liner can leak the water out. For a long time we had a few days of freezing temperatures and then one with 45 degrees which completely ruined the ice. Several other times we would flood it and it would snow and the whole thing would turn to a slushy mixture which just would not work so we would have to get rid of the slush and start all over again. It's a natural ice rink that you have to go with the flow, more or less, in keeping at it. The ice is really pretty good out there now so if anyone wants to put on some blades they can get out there. Bring your own shovel if you want something perfect. We do try to keep it clear as much as volunteer labor will allow. We didn't want to use any tax dollars for the construction or the maintenance of that facility. We've been pretty fortunate so far. We would like to again thank the Williamsville Lions for their contribution and City Fence for the landscape timber that outlines the area. We're looking into some possible improvements or even different site location over there for next year, possibly in conjunction with a concrete or some kind of a pad that we would like to consider for the stage that was purchased last year that is used for events in the park. In the meantime we are learning and we will get better as we go at ice rink management/maintenance.

Mayor Daniels stated College Park has been an ongoing Town development issue mainly because of the impact that more development will have in the Wehrle/Garrison/Youngs Road quadrant. It's actually in the northeast section of the Village. We enter into it because of Hirschfield Drive and the concern of the residents, especially for the drainage but we are all impacted very heavily by the traffic that is generated in that entire area. The area was originally multiple housing zoning and still is. They proposed to change it to office and business zoning, which in most people's mind, is a better use given some of the alternatives that were originally presented for that area. There are still problems with the traffic and drainage in that area. Wehrle Drive is a County road and the County as we will recall, when Ingram Micro was built, widened and improved, the area of Wehrle Drive directly in front of Ingram Micro and that relieved the traffic right there in front of the office building but it certainly did nothing for the traffic once it left that nice new piece of black top.

**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, February 13, 1995 at 7:40 P.M.**

What we want to do is get the County to complete the improvement to the infrastructure both in the storm sewer drainage and the road surface and the intersection of Garrison and Wehrle where the blinking light is and to that end he has called for a meeting between Erie County Highway Department and the Town of Amherst and the Village of Williamsville for tomorrow morning at Town of Amherst Engineering at 8:30 a.m. Paul Bowers, and Bill Coughlin have been monitoring this project for the Town Engineering, Supervisor Ahern, Highway Superintendent Pat Lucey, Deputy Commissioner David Cumerford from the County and Commissioner John Loffredo from the County and others. Mayor Daniels sent a letter to Southeast Amherst notifying them of the meeting and what we would like to do is very thoroughly present the scenario of the southeast area there to the County and try to get some kind of plan in writing from the County that will address the areas of concern. It has to do with the improvements that are long overdue on Wehrle. That area of the road is just as bad as Garrison was before we got it repaved and address the problems underneath as well. Because it is an economic development, it's improvement to the area, they do have money in the budget. They've got about a 2.7 million dollar surplus in the County Highway fund right now which is just sitting there, so we think we can be successful. Our feeling is that if they found \$200,000 overnight for right in front of Ingram Micro, they certainly can find some more to complete the job they started a year ago.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, vouchers in the amount of \$220,822.69 covering 01/20/95 - 02/09/95 were approved:

Payroll fund w/e 02/04/95	\$20,256.96
General fund	66,184.65
Water fund	34,663.62
Sewer fund	2,347.20
Glen Park	400.25
Trust & Agency fund	13,463.00
Capital	<u>83,507.01</u>
Grand Total	<u>\$220,822.69</u>
Large Vouchers:	
Town of Amherst	\$82,157.01
Chemical Bank	20,647.50

Unanimously carried.

**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, February 13, 1995 at 7:40 P.M.**

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

RESOLVED that \$1750.00 is hereby transferred from General Fund Account #01-1900-1990-4000 Contingent Account into General Fund account #01-3600-3620-445 Building Dept. Miscellaneous Expense to pay for 1/2 cost of updating the Village of Williamsville Flood Insurance Map. The other 1/2 of the cost to be paid by the Town of Amherst.

Mayor Daniels explained that through the work of the Army Corp of Engineers and the County in improving the Wehrle Drive bridge near Aero Drive and Wehrle, we realized a less restrictive flow and an improved creek flow pattern because of that project. The bottom line of that improvement, which was several years ago now, was that it removed all of the dwellings in that area that had required flood insurance out of the flood plain and no longer needs flood insurance. We requested a remapping of that based on the Army Corp of Engineers figures which saved us a lot of money. They gave us a lot technical assistance and the Town of Amherst which is affected by in Lehn Springs area by that same project will bear half the cost of the remapping of FEMA which is a requirement which normally costs about \$15,000 to \$20,000. We're able to do it for 1/2 of about \$3,800. That is the reason for this resolution which covers half the cost of this flood map updating which benefits the residents in that area.

Unanimously carried.

Trustee Lowther reported that for anyone who tried to attend Winterfest two weeks ago, it was canceled due to the wind chill factor being so low that Kelkenberg would not bring the horses out for the hayrides and that is a basis for a large portion of the entertainment plus it was around 20 degrees below wind chill factor and it was a pretty bad day so it was canceled and rescheduled to happen in Glen Park on February 26th from 1:00 p.m. to 4:00 p.m. She would like to see a notation in the Bee again because a lot of people were not aware that we had postponed it rather than canceling it. We are looking forward to that.

Trustee Lowther reported the Senior Citizens Committee will be meeting on February 22nd here at Village Hall at 7:30 p.m. The Glen Park Joint Board will be meeting tomorrow night here at 7:30 p.m. The Youth Board meeting that was scheduled for tomorrow night is going to be canceled. They are going to be having the Winterfest in another week and a half so they decided to cancel this meeting that was scheduled for tomorrow night seeing how they have everything under control already, which is good news. The Traffic and Safety Committee will be meeting this coming Thursday here at Village Hall at 7:30 p.m.

Trustee Lowther stated that one other item that was brought to her attention was that Jane Woodward, who is a council member from the Town of Amherst, is planning on having a public hearing on the signalization of Garrison and Wehrle.

**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, February 13, 1995 at 7:40 P.M.**

While that is outside the Village of Williamsville and we do not control that intersection itself, the Village exists on both sides of the street even though it is a County road and out of our control, she thinks it interests a lot of residents because we do pass through there all the time. That public hearing being held by Councilmember Woodward is going to be in the Town of Amherst Chambers during their meeting on February 27th if anyone is interested in attending or participating in that. We, as a Board, have recommended that something happen with the signalization to improve the intersection signalization as part of the package in the College Park development.

Trustee Lowther stated the DPW has been replacing a number of signs throughout the Village. The overnight parking signs, as you enter the Village, had really fallen into disrepair and were very shabby looking. They have recently been replaced. They look very nice and they have done a real good job on those.

Trustee Lowther stated the Fire Chief has asked her to remind residents to be sure, with this heavy snow we have had and the plowing that has gone on, that any fire hydrants adjacent to resident's properties are dug out. If a resident ever needs them and that extra minute or two it would take a fire fighter to dig it out could be very much of a loss to the residents if it wasn't done. So a couple minutes of work for a resident will give residents a lot of good insurance on the fire problem.

Trustee Lowther stated her first resolution is to award the contract for the firemen's new uniforms which we are hoping to have completely here, fitted and set to go for our Memorial Day parade. They have been wearing the same uniform for over 20 years. They have had the same uniforms perfectly and meticulously maintained but now it is time to progress into the next century and they are going to get new uniforms and they are going to look wonderful. They are going to start doing the fitting and the measuring tomorrow for the active members and they are going to follow that with the fittings for the exempts and everyone should have their uniforms in place and be ready to go for the Memorial Day parade. The price came in and is slightly less than we anticipated and that is also very good news.

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

WHEREAS the Village of Williamsville has advertised for sealed bids for Fire Department Uniforms, and

WHEREAS United Uniform Company, Inc. submitted their bid meeting specifications,

NOW, THEREFORE BE IT RESOLVED that the contract for Fire Department uniforms is awarded to United Uniform Company for approximately 80 sets of uniforms as follows:

**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, February 13, 1995 at 7:40 P.M.**

Navy Serge Blousecoat, Double Breasted, Four Button furnished with 1/2" Red braid sewn one row on each sleeve, Silver or Gold FD buttons as required, Our emblem sewn on Left Sleeve, Flag emblem sewn and furnished on Right Sleeve.

Navy Blue matching trousers customized with one row of 1/2" Red braid to the waistband

@ 144.90 per set.

Tie-Redi-made clip-on tie @ 4.90 each.

Long Sleeve Shirt Model #775 S/B cut to short sleeve with Our emblem sewn on Left Sleeve, Flag emblem sewn and furnished on Right Sleeve

@ 28.90 each

Namebar -Brushed finish with firefighters first initial and last name engraved

@ 6.90 each

Serving Since Tab - Brushed finish with years of service engraved

@ 6.90 each.

Normal oversize charges and special cut charges to be applicable.

Unanimously carried.

Trustee Lowther stated her second resolution has to do with a grant that Arvela Heider, our Village grant writer has been working on. The Mayor, Arvela and Trustee Lowther took a leisurely stroll over an hour in Glen Park Saturday morning. There are a number of things that need to happen in Glen Park. The Park is now 16 years old. The wiring is now basically wearing out between the poles throughout the park. When it was built, it was not required that it be housed in conduit and as a result after 16 years of sitting on rock and fill, the wires are starting to deteriorate and let go, so it needs to be replaced. We have a continuing problem with a leak in the wall that runs along Ellicott Creek. We have experienced two cave-ins due to undermining with water coming in from the creek, actually under the park proper, eating the ground underneath and then pieces of the ground actually sinking out. This really needs to be addressed within the next year or two so this grant will help work toward that. We are also looking at doing some improvements to trails. We basically have no trails in the north section of Glen Park around the Nature Center and it seems that every time we have a nature program that includes anyone who is familiar with nature or leads anyone on a nature walk, the first thing they do is walk around the entire northern perimeter because it butts up to the area toward the creek, all the trees, it's off the grass and sort of into the woods and it is a wonderful nature area and to have a path that would go around the perimeter through that area would be a real asset to the park.

**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, February 13, 1995 at 7:40 P.M.**

It would really enhance the use of the park as far as a nature preserve sort of area. With lots of measurements and lots of discussion, we are proposing that we apply for this \$80,000 match grant. Much of the \$80,000 in the match could be used as in-kind services which means nobody would actually come up with \$80,000 to match it. We, on the Glen Park Joint Board, have a PE who is an engineer who has real expertise in this. We could use much of his time to help us. We could use people in the Town of Amherst who are joint owners of this park to help offset some of the in-kind services and the DPW and possibly use the people who are working with through the courts who are serving community sentences. There are a lot of options open to us and she thinks this is the best way to try and get some of these more expensive items done. She guesses when we first got the park 15 or 16 years ago, we had grants that everyone was all gun-ho for and now everyone uses them to death. The maintenance has really started to become a real factor. Anytime you have something brand new you don't really consider that and the maintenance now has come home to roost and we really have to do something about it and by doing some of these new additions, we would acquire enough funds to enhance maintenance items and other areas of the park.

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

WHEREAS the NYS Department of Parks, Recreation, and Historic Preservation offers a grant program under Title 9 of the Environmental Protection Act of 1993 to develop and enhance recreational facilities:

WHEREAS, the Village wishes to make improvements to Glen Park including new lighting and trails, as announced in the Village's Recreation Master Plan;

WHEREAS, the estimated cost for this project is projected not to exceed \$80,000; and

WHEREAS, the Village is eligible to apply for a grant to fund up to 50% of the proposed costs association with the project;

NOW, THEREFORE BE IT RESOLVED, that Robert J. Miller and Associates, the Village's grant consultants be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Department of Parks, Recreation, and Historic Preservation for the purpose of securing this grant, and

BE IT FURTHER RESOLVED, the Village's share of required matching funds, in an amount not to exceed \$40,000 which will be provided through a combination of in-kind services; capital funds from the Glen Park Joint Board, Village of Williamsville and Town of Amherst; and the receipt of additional grant monies, and

**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, February 13, 1995 at 7:40 P.M.**

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.

Unanimously carried.

Trustee Hillebrand reported that in the last reporting period he was liaison to several Boards of the Village, the Planning and Architectural Review Board, it consists of six citizens who are doing a very fine job on assessing various property and sign changes other people bring forward in the Village to which all Village residents are invited to come. Residents would find that they are working very hard to give the Village the kind of character that we perceive it to have or should have and over a long period of time they are working that way. Most of the matters that are brought to the attention of that panel have to do with signs and signage and there is quite a subjective area necessary in doing that right. We don't always recognize that in the past they have continued on when it concerns external lighting and awnings. All citizens here, if they find signs that they perceive are not in character or find objectionable or other issues, things are never really over. We can always bring them up again. There are some things in the Village that we wish people got a little over zealous and we may be able to correct it over time. Resident's comments are always welcome.

Trustee Hillebrand reported the Environmental Committee discussed several matters, one of which is the mosquito spraying issue. It seems strange to be discussing that in February but we need a policy by spring time and the committee is keeping track of what's happening in the Town, which of course has a much more extensive expensive and more vocal people so instead of creating a lot of funded items on our own, we are trying to keep up where the Town is going. In the next few meetings or so, the committee will come forward with a recommendation to the Board on matters involving spraying and other things about mosquitoes.

Trustee Piazza reported that the ice rink in Island Park is in operation. Trustee Piazza thanked Mayor Daniels for his effort to keep the snow off of it. It certainly is not in the Mayor's job description to spend a couple of hours a day snow blowing but he has been doing it for us. We do have a sign out there, "Shovel and use at your own risk". He thinks people are not taking the shovel part to heart so the Mayor has been doing a lot of help on that side. The DPW did some additional help a couple weeks ago on some additional flooding. Though it is functional, we would recommend that if people want to go out there, bring a shovel along and shovel off some of your area anyway. We'll keep trying to attack it if we can.

Trustee Piazza reported the Parks Committee is meeting February 15th, this Wednesday. We will begin our initial planning for Savor the Flavor although it is a low key planning at this point in time.

**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, February 13, 1995 at 7:40 P.M.**

Trustee Piazza reported one of the Government Advisory Board's subcommittees is looking into the exemptions system that we have right now for senior citizens to look into the feasibility of making some changes on that. Keep in mind that whatever changes they make, we have that subcommittee and the Government Advisory Board both have to look into how that impacts on the general tax rate at the same time. We are not trying to punish working folks by giving senior citizens excessive exemptions but we are looking at trying to give a fair break to those that deserve that break. That is being looked into at the moment.

Trustee Piazza reported on water. We did have another brainstorming session a couple of weeks ago with Don Dehn, Dave Laubisch, himself and Administrator Cummins. Out of that came one of the actions that the Mayor mentioned, dye testing at Main and North Long. We found that there is a certain amount of water going into our sanitary sewer that should be going into the storm sewer. We pay for sanitary sewage treatment and so we don't want that to happen so we are going to put them on notice to clean up their act in that particular case. We have already begun planning on coordinating with the State DOT for the infrastructure that will impact on us as far as Main Street is concerned going out from Main and Mill out to Youngs Road. Even though that may not be done until 1996, we want to impact on DOT planning to make sure that they take into account our needs as far as water and sewer if they are going to move those lines anyway. We had a grants meeting this past Thursday and out of that came some new ideas on how to better organize some of the organizations within the Village to make those groups ready for future grants. Trustee Piazza doesn't fully understand what those letters meant.

Administrator Cummins stated it is 501(C) (3) Not for Profit Organizations that are tax exempt.

Trustee Piazza stated we are thinking of taking some of our committees and forming these and that group could then seek grants through our grant writer. We are hoping that this idea will make it easier to seek grants in the future. We keep looking for new ideas like that.

Trustee Piazza reported that some of the water meters are beginning to come in but there is going to be a hold up on that because we received notice that there is a world wide shortage of computer chips so that the whole process may be held up by about 60 days from what we originally anticipated. There will be more to come on that as he has the information.

Trustee Piazza stated he has several bids from various plumbing companies for the Island Park bathroom facilities. We would like to have those ready for the summer to meet ADA requirements. He mentioned at the pre-meeting that he would like in a new resolution for our next formal meeting here so that we can start moving on that. Our Building Inspector, David Sutton, has looked at six different plumbing companies. He's done yeoman service for us making sure he can get the best price and between that and some support through the DPW, we are hoping to bring it in much less than we originally anticipated. As far as the DPW is concerned, specifically, when the snow wasn't out up until last week or so, they were doing some extensive tree removal because they hadn't been able to keep up with that last year. The DPW is moving along on that.

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, February 13, 1995 at 7:40 P.M.

At the moment they are back into the plowing mode, but if we get another break in the weather, they will go back to taking care of those trees that need removing. As Trustee Lowther already mentioned, they've also done a good job of putting some new signs up where necessary.

Trustee Piazza stated his first resolution deal with a master plan. We had a public hearing on this. He tried to make amendments and did make some that fit comments that a couple of residents made and also the Parks Committee. The resolution is to adopt it as revised.

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

RESOLVED that the Village of Williamsville Parks and Recreation Master Plan, which was the subject of a public hearing on January 23, 1995, is hereby adopted, as revised.

Unanimously carried.

Trustee Lowther asked Trustee Piazza if he would describe the major changes that were made.

Trustee Piazza stated some of the comments dealt with the way we had worded the pool and rather than calling for eventual replacement of the pool, we worded that back to possible major repairs of the pool rather than using the word "replacement". He agrees that if the pool ever went, current regulations probably would not allow us to replace the pool. As far as the bathroom facilities, we added the words "to meet ADA requirements" within one sentence to make sure that it was consistent with where we had also said ADA requirements in another paragraph. Also, we had raised the issue of connecting the bathroom to a new sanitary line and we backed off on that slightly mentioning that if grant money is available because we realize that would be a very expensive proposition to attempt on our own. Another comment about the depot, we added the words "and lease area" to paragraph 4 A-1 where it deals with Lehigh Memory Trail and the depot. He thinks any other changes in here may have been merely semantic, a word or two. Those were the major items.

Trustee Lowther asked about the boat launch. It was a matter of concern.

Trustee Piazza stated we are leaving that in there. As he was advised by Arvela Heider, that is one of the words that might help us get the grant even though we may never really use it as a boat launch. He can say here it may never be a boat launch in fact, but it is a boat launch in words. If that is a problem for somebody, he will discuss it with them.

**Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, February 13, 1995 at 7:40 P.M.**

Trustee Piazza stated his next resolution is concerning a release of easement from a house at 218 Evans Street. Apparently, this easement was included for this property to allow a storm sewer to go through there, when originally Edward Street was supposed to go through to Evans Street and obviously now that there is a house there we can't run a storm sewer right through the middle of the house. Someone noticed it and we are making it official that we are not going to run a storm sewer through this person's house.

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

RESOLVED that the Mayor is hereby authorized to sign a Partial Release of Easement form covering a storm sewer easement across parcel A at 218 Evans Street.

Unanimously carried.

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

RESOLVED that Donald Dehn, Water and Sewer Maintenance Man, is hereby authorized to attend the AWWA Satellite Teleconference on "Safe Drinking Water" to be held at the Finger Lakes Community College, Canandaigua, New York on March 9, 1995 and the cost, not to exceed \$75.00 - to be paid by the Village of Williamsville.

Mayor Daniels stated in this politically correct era, we need to do something about the title of Water and Sewer Maintenance Man.

Administrator Cummins stated officially civil service classifies him as a Water and Sewer Maintenance person or something like that.

Unanimously carried.

Trustee Piazza stated his next resolution involves an EPA grant that Mrs. Heider is also working on. We are seeking a \$5,000 grant. The grant would assist teachers to teach about the wet lands in Glen Park. The match to this will be in-kind services and not cash on our part.

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, February 13, 1995 at 7:40 P.M.

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

RESOLVED that the Mayor is hereby authorized to sign 1995 Environmental Education Grant Application forms covering Wetlands Education for students as follows:

1. Assurances; Form 424B
2. Procurement Certification - Form 5700-48
3. Request for Advance or Reimbursement; Form 270
4. Financial Status Report; Form 269A

Unanimously carried.

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

RESOLVED that the Village Administrator is authorized to advertise for a public hearing to be held on February 27, 1995 at 7:30 p.m. for the purpose of hearing all persons to discuss the proposed uses for the 1995-1996 Community Development Block Grant funds in the amount of \$54,950.00.

Unanimously carried.

Mayor Daniels stated we are finally wrapping up what has turned out to be a four year discussion with Niagara Mohawk regarding the lighting in the Village, especially in the southeast quadrant again, Monroe/Columbia/Scott/Oakgrove, the areas with the old converted green gas lights which are still incandescent lighting. We are under another mandate to change that into high pressure sodium lighting. When the Niagara Mohawk normally does that, they put in very plain generic lighting poles and fixtures on top which really aren't in keeping with the Village atmosphere. As far as Historic Preservation in keeping the quaintance of the Village, he was long in favor of keeping those types of poles in the Village, only new versions of those with the high pressure sodium heads. Originally, neither the pole or the acorn style glass globe that is on top of those was within the Niagara Mohawk specifications but through quite a bit of lobbying on his part and also the part of the sales representatives of the two companies who sell that, they are now acceptable units for installation by Niagara Mohawk through the Syracuse office statewide. We'll have the representative, Bob Reynolds from Niagara Mohawk, here next meeting to hopefully finalize the installation and conversion of the new 89 remaining old lights in that area. If you live in that area, you know that many of those lights were on concrete foundations and the bolts have rusted through. You can literally go and wiggle the poles back and forth. The only thing holding them up is the actual cable going to the light. Most of the fixtures on top are held in place with duct tapes. It's really time that they were redone. This should be a very good spring project. There are some costs associated with it; however, he thinks they are fairly unavoidable.

**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, February 13, 1995 at 7:40 P.M.**

Mayor Daniels stated that Dave Laubisch is out plowing and wanted to tell residents that the DPW is cutting trees down at this point in time. The tree warden should know that there are people that have been contracted. If there are any more trees that can be put on their list, residents should call David Laubisch and let him know which ones they are. Mayor Daniels asked Richard Sweeney to look at the house on 54 Howard which has the one branch that is intimidating, the Crimson King Maple. The resident would appreciate it and we will take Mr. Sweeney's recommendation on that.

Administrator Cummins reported that with the election coming up on March 21st, the petitions are due tomorrow by 5:00 p.m. for whoever is going to be running and if anybody knows anyone who needs an absentee ballot or an application for an absentee ballot, they should contact the office and the applications will be sent out to them. They are due back in the office by March 14th so we can send out the regular absentee ballots.

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

Unanimously carried.

Jason Frese, 275 Mill Street, stated he is a student at Williamsville South high school. If the Village needs any help with the ice rink, there are students in his class that are looking for community service. The Board can contact Jim Mills at 626-8200.

Carolyn Schlifke, 192 Evans Street, stated about a week ago Niagara Mohawk made their yearly trip down Evans Street to trim any of the trees that were interfering with the power lines. We have a very strong power line at the very top of the poles on Evans Street. It services a lot of areas and it's more powerful than some of the other power lines you may find in other parts of the Village. If you look at the west side of Evans Street where this line is, we really only have about six trees between the sidewalk and the street. A couple of them are brand new so they are very small. A couple down the street are medium sized but up on the hill a well-meaning resident, about 15 years ago, put in two saplings between the sidewalk and the street. These were fast growing Maple trees, not the type that grow straight but rather that splits and branches out. They have now become very large and every time Niagara Mohawk comes down, they chop away at them. They have now become very ugly. They are even ugly in the summer time when the leaves are on them. Years back, one of the neighbors on the street had complained about them because they blocked their sight when they backed out of their driveway. Inasmuch as they are on Village property and she doesn't know how the people in that house feel, but she does think it would benefit the Village to remove those two trees. The Village doesn't need their permission. They are a danger and they certainly are not attractive trees. They are quite ugly. Niagara Mohawk took off one large branch and now they grow on either side of the wire. She thinks they are a hazard rather than something that benefits the Village.

Mayor Daniels asked Mr. Sweeney to look at those two trees on Evans.

**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, February 13, 1995 at 7:40 P.M.**

Ms. Schlifke stated they are north of Belmont, it's a grey house.

Trustee Lowther stated there is a huge scab on there from where they took the branches off.

Ms. Schlifke stated the whole center of the tree is gone because they never should have been planted there in the first place. They were the wrong type of trees to plant in that type of an area and people don't realize that when they plant trees that they don't stay small.

Ms. Schlifke addressed the budget. She always thought it was strange that budgets were planned by people who may no longer be serving on the Board and then newly elected people had to live with the budget that somebody else made up. One of the items she would like to bring to the Board's attention, even though it may not be something they are concerned with, is employee's health insurance. When you say employee's health insurance you think of people that work for the DPW or people that work in Village Hall. It has come to her attention and it seems like to many municipalities attention in the past couple of years that elected officials are being classified as employees and have the right to request medical insurance. She doesn't look at it that way. To her, an elected official is someone who is being paid "x" number of dollars to do a job that he wants to do and he can leave at any time he wants. He doesn't have to run again and Mrs. Schlifke doesn't see how anyone can call them an employee because if she didn't vote for them, she didn't employ them and to her, that is what an employee is. Somebody that she would want to be servicing her. In the newspaper, quite often, there are municipalities that are renewing their policies. She knows all elected officials do not take this perk. Some do. We are looking at a drastic change of this Board coming up in March. One way or another, there will be a drastic change and there is no guarantees as to how many of the Board members may request this insurance. She can almost guarantee that if she surveys the people in this Village, more than 75% would not be aware that tax dollars are going to pay for medical insurance for elected officials. She thinks it is wrong. She doesn't think the tax payers should be obligated to pay for any of the elected officials' medical. They run for a certain amount of a salary. They don't put in their campaign literature that if they get elected they are also going to get this perk and she thinks that it is time now, in a time when money is tight-the Board has held the line on taxes for quite a few years and that isn't going to last forever- she thinks it is time that the Board looks at some of these things that the tax payers really don't benefit from. She doesn't benefit from the fact that any of the Board get medical insurance. There are people in this Village who probably can't afford medical insurance and are paying Village taxes which is buying medical insurance for elected officials. She would like the Board to at least consider it. Just because something has always been in the past doesn't mean it has to continue. Everyone is taking cut backs. People aren't getting raises. Perks are being taken away from people just so that they can keep their jobs. The officials wanted this job and she doesn't think that the Village tax payers should be paying medical insurance for any of the elected officials. She hopes that when the Board does the budget, even though some members will be out the door and somebody else is going to be living with it, she thinks the Board are the people who have to make the decision because they are the ones that have been here and have the experience to make the budget. It would be very difficult to do a budget after a whole new Board came on hand because they wouldn't know where to begin.

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, February 13, 1995 at 7:40 P.M.

The Board knows where the dollars are, what the dollars are being spent for and she thinks that it is something that the taxpayers of the Village would certainly appreciate.

Mayor Daniels stated it should be noted that the Board does not approve the budget. The new Board will. Ms. Schlifke will need to give that same speech one more time.

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

Unanimously carried.

ON MOTION by Mayor Daniels, seconded by Trustee Piazza, it was moved adjourn the meeting at 9:09 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Administrator/Clerk-Treasurer