

Minutes of the Regular Board Meeting of the Village of
Williamsville held in the Williamsville Village Hall, 5565 Main
Street, Williamsville, New York on July 24, 1995 at 7:35 P.M.

Present: Basil Piazza, Mayor
Joseph Frese Trustees
Richard Langenfeld
Barbara Schofield
William Wutz

Patrick Kelly, Village Attorney
Theresa L. Cummins, Vlg. Admin./Clerk-Treasurer
David Laubisch, Supt. of Public Works

Mayor Piazza called the meeting to order at 7:35 P.M. with the Pledge of Allegiance led by Trustee Langenfeld.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, the minutes of the regular meeting of June 26, 1995 were approved.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, the minutes of the Special meeting held July 5, 1995 were approved.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Langenfeld, it was moved to suspend rules for public participation.

Unanimously carried.

Jack Hewson, 148 Park Drive, the owner and manager of City Fence, Inc. addressed the Board about the fence the Village recently purchased for Lehigh Memory Trail. His concerns centered around the fact that there were no detailed specifications. The fence which the Village purchased was going to include 4" X 4" posts while the ASTM standards call for 6" X 6" posts for an 8' high fence; and the type of lumber was not the same as the current fence at that location.

Andrea Rebeck, 2 Fox Point Drive W., spoke regarding 23 Rinewalt Street. She discussed a plan for the renovation of the property and establish the property as a "learning laboratory" for all the students in the Williamsville School district. She reviewed the time line which they are presenting to address the violations which have been listed by the Building Department and elaborated on the plan and how it would be worked in conjunction with students' studies. She asked for the Village Board's blessing and cooperation in their plan.

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Trustee Frese stated that his concern is about the period of restoration which was presented. Mayor Piazza asked Ms. Rebeck to submit her oral presentation to the Board in writing for their review and asked where the funding for this work would come from. Ms. Rebeck stated there would be fund raising, grant writers would be asked to look for funding and local companies would be asked to donate materials and services.

Trustee Frese stated the Village's main objective is to leave the building standing, bring it up to code and make it a nice place for someone to live. We don't want to see it torn down but we also don't want it a living museum because we want someone responsible for it. He stated that he had approached Mr. Gordon about a special community group that was willing to take this home over and bring it back up to code and occupy it in a time frame that would be acceptable to NY State Code and the Village of Williamsville Code, not in a year and a half but within the required time frame. They had all sorts of donations and manpower, would allow the high school students to participate, and would place park benches on the property for joggers and seniors. He wondered why they wouldn't take a win-win situation such as that, have them do what they had to do and leave the house remaining, bring it up to code for the Village have them pay taxes, have someone live there. Why would they want to go through all of this when every aspect would be covered?

Ms. Rebeck stated her understanding is that the group would not be able to accept donation of the house for at least six months because they are still working on their "not for profit" status, but her prime concern was for education of the younger people.

Trustee Frese state he feels we are going in the right direction. The time frame seems a little long, but the Board will discuss that. He also stated that some local politicians have been canvassing or lobbying for people to side with either the Board members or Mr. Gordon. He stated there is no "siding". He does not want anyone to rest there laurels on this when they run for their next election. This is covered by NY State and Village of Williamsville code. We can adopt a time frame to help Mr. Gordon out but a political faction, no matter who he or she is, is not going to sway this Board one way or another.

Elroy Avery, 75 Rinewalt Street, asked Trustee Frese to put all the information he has about the community group, who are interested in 23 Rinewalt Street, in writing so their group can work on it.

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Trustee Frese stated that the Community Group is willing to take that house over and after Mr. Gordon releases the house to them, then it will be their responsibility to bring it up to code and if these people are still interested in the house, Trustee Frese will write Mr. Gordon a letter stating that they are interested in taking the property over. After that it would be their responsibility to bring it up to code and not the group that Mr. Avery is with.

Sean Millane, 59 Brandywine, an attorney who is representing the Community Group being discussed tonight, stated he is prepared to take title to the property tomorrow, even though the formation of the not-for-profit group will take three to six months. They do have a member who will take title in their name and then transfer it to the not-for-profit at a later date. At present they have a tremendous amount of backing including alarm systems, labor and money. Their group estimates they could have the renovation of the building completed within ninety days maximum.

Jim Mills, 7828 Northhill Road, Clarence Center, NY, a teacher at South High School stated that Jerry Gordon owns the property and his idea from the beginning was a rest area. If things get uneasy for us, and they are starting to get uneasy for us, Jerry will tear the house down. Mr. Mills has a company that will do it as a write-off and they will cart the wood away. Then it will be a piece of property that will be vacant and Jerry can keep it as long as he wants.

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

Unanimously carried.

Mayor Piazza reported that the Special Meeting of July 5th was to discuss Sanitary Sewer proposals with various engineering companies. Because we do not have enough data at this time to proceed with the work the sanitary sewer repairs will be on "hold" for the time being until we obtain the information with the help of the Town of Amherst.

Mayor Piazza stated at the pre-meeting, we had a representative from the State DOT discuss his parking problems. We also had gentlemen from ECOMC discussing the implications of the new federal law on Drug & Alcohol testing of Commercial drivers. Also present was Barbara Brewer from URS Engineering who discussed trenchless technology with the Board members, as well as a representative from Niagara Mohawk who discussed lighting of the bridge on Main Street over Ellicott Creek and the pathway from Main Street into Glen Park.

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Mayor Piazza also reported on comments in the "Bee Heard" column of the Amherst Bee regarding the DPW and also on changes that were being made to the renovation contract for the Village Hall. Supt. Laubisch, through his network of contacts, was able to save the Village \$7,000 - \$8,000 on these changes. The Meeting House doors will be repaired shortly, keeping in mind their Historical significance. He also reported that the Village Glen has had their assessment reduced significantly and this means that we have been directed, by court order, to refund them approximately \$13,000.00 in prior years taxes paid. The Village did receive a \$3500.00 State Archives Grant, which will help pay for an upgrade of the Village's records which are currently bursting at the seams.

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

Vouchers in the amount of \$116,187.02 covering the period from June 23, 1995 - July 5, 1995 were approved:

Payroll fund w/e 6/24/95	\$ 25,574.28
General Fund	36,296.03
Water Fund	42,913.42
Sewer Fund	1.03
Glen Park Fun	768.38
Capital	1,500.00
Trust & Agency Fund	9,133.88
Grand Total	<u>\$116,187.02</u>

Large Vouchers:

Erie County Water Authority	41,319.29
L.R. Frank	10,500.00

Unanimously carried.

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

Vouchers in the amount of \$ 81,781.86 covering the period from July
6, 1995 - July 19, 1995 were approved:

Payroll fund w/e 7/8/95	\$ 22,702.11
General Fund	36,709.11
Water Fund	564.29
Sewer Fund	411.72
Glen Park Fun	1,763.83
Community Development Fund	1,400.00
Trust & Agency Fund	18,230.80
Grand Total	<u>\$ 81,781.86</u>

Large Vouchers:

American Refuel of Niagara	\$9,861.19
Niagara Mohawk	\$6,241.62

Unanimously carried.

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

RESOLVED that Theresa L. Cummins, Village Administrator, is
hereby authorized to attend the 40th Annual Training School
for City and Village Officials in Lake Placid, NY from
September 11-15, 1995 and the cost, not to exceed \$725.00 to
be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that Robert J. Miller & Associates, Inc., Tonawanda,
New York are hereby appointed Grant Consultants for the period
9/1/95 through 11/30/95 at a cost of \$3,000.00.

Unanimously carried.

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

RESOLVED that the Local Government Advisory Board is hereby
renamed the Mayors Advisory Council, and

FURTHER, RESOLVED that the membership of this council is to
include seven members, and

FURTHER, RESOLVED that the following individuals are hereby
appointed to the Mayors Advisory Council until the end of the
1995-1996 Official Village year:

Marina Woolcock, 67 Hirschfield Drive
Edward Rath III, 45 Arend Avenue
Donald A. Schueckler, 124 S. Union Road
John Tamaro, 125 Los Robles
Peter Galie, 22 Highland Drive
Walter Pacer, 87 Monroe Drive
Lois Idzak, 78 Pasadena Place

FURTHER, RESOLVED that Lois Idzak is hereby named Chairperson
until the end of the 1995-1996 Official Village year.

Unanimously carried.

Trustee Frese reported that construction on Village Hall is
progressing in a positive direction now after a few draw backs such
as 6 sq. yards of concrete which had to be removed before the
elevator pit could be placed. The brick work is done and the roof
has to be placed on the new addition before the stairwell can be
placed in.

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

RESOLVED that Change Order #01 (Revised) dated 6/30/95 for the
Village Hall reconstruction with C & A Painting Contractors,
Inc. in the amount of \$6,870.38 is hereby approved.

Unanimously carried.

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

RESOLVED that Change Order #2 dated 6/28/95 with C & A Painting Contractors, Inc. for the Village Hall reconstruction, which grants the Contractor a three day time extension to complete the contract to compensate for time lost due to inadequate soil compaction directly related to inconsistent soil conditions, is hereby approved.

Unanimously carried.

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

RESOLVED that Construction Change Directive #1 dated 7/6/95 for Village Hall Reconstruction with C & A Painting Contractors, Inc., which directs the contractor to install elevator hoist beam at the bond beam level to provide required clearances per the elevator manufacturer, is hereby approved.

Unanimously carried.

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

RESOLVED that Change Order #3 dated 7/18/95 with C & A Painting Contractors, Inc. for the Village Hall Reconstruction, which grants the contractor an increase of 7.5 days to complete the contract and an increase of \$3,020.30 in the contract amount, is hereby approved.

Unanimously carried.

ON MOTION by Trustee Frese, seconded by Trustee Langenfeld the following resolution was adopted:

RESOLVED that the Village Administrator publish notice of public hearing to be held at 7:30 P.M. on August 28, 1995 in Village Hall, for the purpose of hearing all persons interested in discussing a proposed amendment to the Village Code regarding Outdoor Seating.

Unanimously carried.

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Trustee Langenfeld reported that the Fire Department is going to have a "burn" on July 29th at the old green house on Wehrle Drive which will be training for the Fire Department members. He also reported that the Security guards which patrol the Village parks now carry two radios for communication. It is costing the Village a little more money but we feel it is a necessary expense.

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

RESOLVED that Chris Petrie, Al Weisser, Mike Meldrum, Rick Meldrum, Peter Stroebel and D. Anthony Schueckler, Jr., Williamsville Firemen, are hereby authorized to attend the 1995 Northeast Extrication Competition in Canastota, New York from August 3 - 7, 1995 and the cost, not to exceed \$100 total, to be paid by the Village of Williamsville.

Unanimously carried.

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

WHEREAS, the reconstruction of Route 5 (Main Street) by the New York State Department of Transportation has caused the need for NYDOT and related construction vehicles to use an area on North Cayuga for parking of said vehicles to properly reconstruct said Main Street, and

WHEREAS, the Village Board considers this reconstruction project a benefit to the Village and the parking of said vehicles an emergency need.

NOW, THEREFORE, BE IT RESOLVED that the Village Board is temporarily suspending enforcement of Village Law Section 103-16 as it applies to the construction vehicles solely under the following conditions:

1. The Village shall issue six (6) temporary passes to the construction manager's office of the New York State Department of Transportation. Said passes must be displayed at all times on any vehicle parked or standing in said area.
2. No vehicle may be stored in said area during non-working hours.
3. No vehicle may be parked longer than one (1) hour.

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4. Said vehicle are to be parked or standing solely in the following locations:

1. In front of #1 North Cayuga.
2. On the west side of North Cayuga across from #1 North Cayuga.

5. NY State Department of Transportation will install signs indicating that parking is for construction vehicles only during the length of the project.

Unanimously carried.

Trustee Schofield reported that Savor the Flavor had a banner year this year. Approximately \$3000.00 profit was made by the Parks Committee and a certain percentage will go to the Youth & Recreation Committee for use in the Parks. She thanked Dave Laubisch and his staff for helping get the Park ready for the event and cleaning it up afterward. She also thanked all the volunteers, young and older.

For Old Home Days, Trustee Schofield thanked Paul DeLaPlante, the Jolly Boys, the Mischlers, the Fire Department and the DPW for all their work to make the event such a success. Regarding the Senior Committee, they are trying to get more members and will have a membership drive. They will be having their luncheon in September. The Arts & Crafts show will be Sunday, August 27th in Island Park. We expect about 100 crafters to be present to display their crafts.

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

RESOLVED that the following individuals are hereby appointed to the Youth Committee until the end of the 1995-1996 official Village year:

James Maxson	43 Stanton Street
Shea Elizabeth Akers	170 S. Cayuga Road

Unanimously carried.

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

RESOLVED that the following are hereby appointed pool
attendants from July 6, 1995 until September 4, 1995 at a rate
of \$5.00 per hour.

- 1) Julie Noell - 61 Chateau Terrace E.
- 2) Laurie Thompson - 59 Sagebrush Lane
- 3) Parul Chandra - 236 Mill Street

Unanimously carried.

Trustee Wutz stated a committee which included a Fish & Wildlife
representative looked at the ponds in Glen Park recently and the
southwest pond, in particular, needs reclamation. To that end, we
may be taking some funds which were earmarked for education and
redirect them to the repair work.

ON MOTION by Trustee Wutz, seconded by Trustee Frese, the following
resolution was adopted:

WHEREAS the Village Administrator has advertised for sealed
bids for Street Reconstruction, and

WHEREAS Louis Del Prince, Cheektowaga, N.Y. submitted the
low bid meeting all specifications,

NOW, THEREFORE BE IT RESOLVED, that the contract for Street
Reconstruction is hereby awarded to Louis Del Prince
for their low bid of \$ 61,980.00 .

Trustee Wutz stated the streets to be rehabilitated this year
include Arend, Milton, Monroe, Columbia and the Glen Avenue
Extension.

Unanimously carried.

ON MOTION by Trustee Wutz, seconded by Trustee Frese, the following
resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized
to reimburse the Town of Amherst \$6,822.94, which is 50% of
the total cost of repairing the Sanitary Syphon at Ellicott
Creek, as per their billing of July 17, 1995.

Unanimously carried.

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Trustee Wutz commented on some of the comments made during suspension of rules. He stated his father taught him that if you have anything worth having, it is worth fighting for. The Board has its job to do and they were elected by all the people in the Village to use their best judgement to make some decisions. None of the decisions regarding the property on Rinewalt Street have been finalized but throwing in the towel and saying you're going to demolish the building did not sit right with him and he wanted the speakers to know that.

Administrator Cummins stated the Village received a \$3507.00 Grant from SARA which was about 38% of what we asked for because of the large number of requests that were received. We will be getting a part-time person for 207 hours to perform the inventory and a professional company to perform a needs assessment when the inventory is completed as well as some supplies for the project. Also as part of a Town of Amherst Grant, the Village has had all its minutes microfilmed from 1850 thru March of 1995. We also received a microfilm viewer, so as soon as the microfilm is received residents will be able to view the minutes on the machine.

Superintendent Laubisch thanked the Mayor for writing a letter to the "Bee" regarding the DPW. Regarding on-going projects, he reported that the windows in the bathrooms in Island Park have all been replaced with glass blocks. Also because many residents have complained about debris being left on curb-side early before pickup day, the DPW has since the last meeting handed out 76 notices for setting out their material too early. If the trash is still left out early, we will pursue further steps.

ON MOTION by Mayor Piazza, seconded by Trustee Frese, it was moved to go into Executive Session to discuss salaries, negotiations and a litigation item at 8:55 P.M.

Unanimously carried.

ON MOTION By Mayor Piazza, seconded by Trustee Wutz, it was moved to return to the regular agenda at 9:40 P.M.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Schofield it was moved to adjourn the meeting at 9:41 P.M.

Unanimously carried.



Theresa L. Cummins
Administrator/Clerk-Treasurer