

**Minutes of the Regular Board Meeting of the Village of
Williamsville held in the Williamsville Village Hall, 5565 Main
Street, Williamsville, New York on September 11, 1995 at 7:30 P.M.**

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

Patrick Kelly, Village Attorney
Elaine Smith-Honan, Deputy Vllg. Clerk
David Laubisch, Supt. of Public Works

Absent: Theresa L. Cummins, Vlg. Admin./Clerk-Treasurer

Mayor Piazza called the meeting to order at 7:30 P.M. with the Pledge of Allegiance.

ON MOTION by Mayor Piazza, seconded by Trustee Schofield, the minutes of the regular meeting held on August 28, 1995 were approved. The Mayor made a statement regarding the elevator project, in a past meeting he made a technical error stating the cost of a change order of \$8,000.00 was actually a little over \$4,500.00 due to Supt. Laubisch's efforts on behalf of the Village.

Unanimously carried.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, minutes of the Public Hearing on Outdoor Seating held on August 28, 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.

Barbara Sandall, 38 Richfield Road, to go on record to say that we hope that the recommendation that the Village trustees are making to the Town Board regarding the property at Hirschfield and Richfield for proposed development is one that takes into account the fact that it would mean rezoning a portion of residential property on Richfield and that the project is a highly speculative development and also an unusual one that its precedent setting because it crosses over from the Town to the Village. Will there be a meeting between the Town and the Village?

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Mayor Piazza stated that the Village Board likes the projects concept, but, no official application has been received from any concern or business and its hard to give any official comments. He knows there are many questions that have to be answered regarding rezoning and other questions that the Planning Board and Village Board would have to look at.

Trustee Frese commented that this project is an exceptional development and it must be brought in front of the Village Board. Again, because its over 10,000 sq. ft. it would require a vote and that this is extremely preliminary and a long drawn out affair to follow.

Attorney Kelly read the contents of the letter he prepared to be typed and taken to the Amherst Planning Board. (copy attached) He noted that the Village Board is giving no formal approval to anything until they have received a formal application. The Board is not opposed to it, their not in favor of it, they think its an improvement.

Trustee Frese stated that the content of the letter indicated that the concerns of the residents of the Town and Village are in mind.

Attorney Kelly advised that the proposed concept within the Village portion is properly zoned C-2 and would be wholly within the commercial area, but nothing formally brought to the Board.

MaryAnn Avery, 64 Garrison Road, the issue of the Glen Park Noll Nature Bldg. and the federal grant application. She indicated that past Village Board members had taken on the task of rewriting the Village codes, within which the specific area regarding the use of the Noll Bldg. were not taken into account and that her interpretation indicates that the Noll Nature Bldg. was to be used for Community purposes; making a comparison with the Town's Nike Center on Smith Road had not followed the federal regulations for that building and they ended up paying for the land that they would have gotten for nothing. The Village is trying to restrict it and there are federal regulations on it, it would behoove the Village to look into this a little further, if the Village does not care to continue to use the grant money as it was originally granted.

Mayor Piazza commented that there were a lot of assumptions in some of the statements and we will verify the validity of what was said.

Trustee Frese stated that the building itself without restrooms, without running water, cannot be a place of public assembly at this time. For an education, school type classroom its an ideal situation, but for lack of bathrooms, running water and sufficient heating system it is not, under NYS Code capable of handling a place of assembly at this time.

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Trustee Wutz thanked Miss Avery for the information and commented that the issue is not education, the issue is accountability. Education has become point of defocusing off the accountability factor, our position has been what's been going on, who authorized the sub-committees, who authorized these grants, that is what we're trying to find out.

Jim Tricoli, 4 Columbia Drive, followed up Miss Avery's comments by mentioning that former Mayor John Sheffer stated in the state of the Village message, that the Noll Nature Center was to be used also for educational purposes.

Mr. Tricoli stated that from his review of past Village minutes he still has questions regarding the elevator project. The project bid amount, change orders and the contractor called in, as well as, the letter for Mr. Avery.

Paul Krieter, 29 S. Ellicott Street, asked about the boards formality with resolution motions and carry's.

Jim Mills, 7828 Northfield Road, Clarence Center, spoke regarding 23 Rinewalt Street, he mentioned the "mystery group" has made no additional contact. Jerry Gordon received 23 violations from the building dept; the estimated 1,000,000 honey bees living in the home, their hope to have the bees removed safely for Cornell Research and not extermination.

Trustee Frese emphasized the fact that he was not attempting to dictate to Jerry Gordon on what he had to do with 23 Rinewalt, he stated by law the Village Board cannot do anything about the summons, the Village Board wants to work with Mr. Mills and Jerry Gordon, by code, by law the issues must be taken up by the courts.

Mary Lowther, 120 N. Ellicott Street, regarding summons issued to property owners while she was a board member that were extended for the Ice House and Miller's property.

Attorney Kelly clarified that he believed that those were demolition only which could be adjourned.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz, it was moved to close public participation and return to the regular agenda.

Unanimously carried.

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Mayor Piazza reported that he attended a meeting concerning the retaining wall with Supervisor Ahern, Trustee Wutz, Town Engineer Bill Coughlin. Thanking Trustee Wutz for moving this out of the Glen Park Joint Board into the Town of Amherst Engineering Dept. where action was taken towards a very serious problem which will soon be solved.

Mayor Piazza also stated that this problem was discussed with the grant writer for the Village and the company is looking into the possibilities of finding monies in the future for long range improvements to the retaining wall.

Mayor Piazza mentioned the chaotic situation created by Erie County repairing the bridge on Glen Avenue from 9/11 - 9/15.

Mayor Piazza stated that the board looked at the north side of the Main Street bridge along with a rep from Niagara Mohawk because its very dark which raised concerns for pedestrian safety. They discussed lighting which would make the north side of the bridge safe and look nicer. Will pursue getting funding at some point once its installed.

He also mentioned the possibility of having a full-time engineer for the Village because there are times when we need technical backup, he will continue investigating this.

The water meter company left without completing the meter installation, we have received a bill from them for those meters they did install, but we are not paying them until the locations are verified.

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

Vouchers in the amount of \$130,143.28 covering the period from
August 24, 1995 - September 7, 1995 were approved:

Payroll fund w/e 9/2/95	\$ 20,923.57
General Fund	32,370.30
Water Fund	36,005.52
Glen Park Fund	928.16
Trust & Agency Fund	5,455.05
Community Development	256.00
Capital Fund	34,204.68
Grand Total	<u>\$130,143.28</u>

Large Vouchers:

C & A Painting Contractors, Inc.	\$44,104.68
Erie County Water Authority	35,613.91

Mayor Piazza's second resolution pertaining to the Amherst Symphony
Orchestra was incomplete and he will have next week. Essentially
the Village Board will be putting together a resolution honoring
their 50th Anniversary year.

Trustee Schofield reported that the Youth & Recreation committee
are putting the finishing touches on the questionnaire which will
be going to the High School and Mill Middle to determine and assess
needs for the programs for some of the young people and hope that
they will participate in finishing it.

She said that we were getting our new T-Shirts designating Youth &
Recreation Board, the seniors had their luncheon today to kick off
the Evergreen program. She asked that if anyone attending
tonights' meeting knows somebody that would be interested in the
senior activities, we are encouraging future membership.

She stated that they are making a supplemental policy to the parks
Master Plan for the Garrison and Island Park pavilions,
specifically rental fees, when does our season open and close,
tying up any loose ends and making everything consistent.

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The fence at Lehigh will be installed within the next week or so. She met with Mr. Kocsis of the WNY Railway Society to discuss ideas regarding the depot and the surrounding area of the park. She wants to see better coordination between the public and the planting of trees.

Trustee Wutz reported about the situation with the wall at Glen Park that abuts with Ellicott Creek, on the west side of the creek and the south side of the Glen Avenue Bridge the water has been rushing at such a rate that it has created a scour, a washing out of the materials underneath the wall, identified about 2 years ago and now has become a sense of emergency because the wall could collapse. There is a firm coming in to fill it in with a concrete/epoxy material to hold it in so that the sinkholes which have occurred behind it do not happen again and put bags of grout down to breakup what could be an eddy if the current was a little stronger. The Village and Town are splitting the cost which could be around \$38,000.00, the projects should be done this year, the engineers have stated there is a sense of emergency and should have been done a while ago.

He continued to report that there is a problem with the pond that is furthest west and to the south as well as the highest that will be taken care of within the next couple of months.

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

RESOLVED that David Laubisch, Superintendent of Public Works and Paul McMenamin, Working Crewchief in the Department of Public Works are hereby authorized to attend the 1995 Public Works School in Niagara Falls, New York, from October 16-19, 1995 and the cost, not to exceed \$200.00 each, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that the Village Clerk advertise for sealed bids for the purchase of one leaf machine for the Department of Public Works. Bids to be opened in the Village Clerk's office at 2:00 P.M. on October 3, 1995, under the terms of the standard bidding resolution.

Unanimously carried.

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

RESOLVED that the Village Clerk advertise for sealed bids for the purchase of one (1) Chipper for the Department of Public Works. Bids to be opened in the Village Clerk's office at 2:15 P.M. on October 3, 1995 under the terms of the standard bidding resolution.

Mayor Piazza asked Superintendent Laubisch to comment on both equipment resolutions before they were carried.

Superintendent Laubisch stated that both pieces of equipment were a part of a recycling grant that Yvonne Kaye initiated as Trustee whereby 50% of the cost will be reimbursed by the state through the recycling grant submitted in 1992 or 1991.

Motion carried.

Mayor Piazza referred back to the retaining wall estimated repairs and that the Glen Park Joint Board fund has enough surplus to cover the cost.

Trustee Frese reported on the current elevator project and reviewed the contract in its entirety and that by federal mandate we had to bring our building up to code and handicapped accessible.

He mentioned he contacted Niagara Mohawk because he received a complaint that a light pole was on for 24 hours on Glen Avenue.

The outdoor seating proposed code public hearing provided Trustee Frese with a lot of information to compile a code that would benefit businesses and residents alike.

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

RESOLVED that Change Order #4 dated 8/17/95 for the Village Hall with C & A Painting Contractors for additional framing around the sliding glass window and the installation of a new threshold at the exterior vestibule door, in the amount of \$389.84 is hereby approved.

Unanimously carried.

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

RESOLVED that William Grady, Fire Inspector, is hereby
authorized to attend the Fire Marshal and Inspectors Seminar
in Montour Falls, New York from October 17-19, 1995 and the
cost, not to exceed \$200.00 - to be paid by the Village of
Williamsville.

Unanimously carried.

Trustee Frese stated this keeps our fire inspector up to date on a
lot of the codes he has to follow, continue to change and improve.

Trustee Frese also commented that his resolution #3 is a NYS Law
that has been changed affecting the different factors regarding use
variances or area variances.

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

RESOLVED that a public hearing be held by the Board of
Trustees of the Village of Williamsville on September 25, 1995
at 7:30 P.M. for the purpose of hearing all persons interested
in discussing a proposed local law which would amend Section
112-23C of the Zoning Code regarding the Zoning Board of
Appeals.

Unanimously carried.

Trustee Langenfeld reported that the Traffic & Safety Committee
recommended to provide a more official uniform for our Parking
Enforcement Officer.

The Williamsville Fire Department held their inspection of
personnel & equipment on Saturday September 9, 1995 with a
dinner/dance following. Trustee Langenfeld thanked Chief Zymanek
and the fire department for that.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz it was moved to
suspend rules to consider a resolution not on the agenda.

Unanimously carried.

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

RESOLVED that up to ten members of the Williamsville Fire
Dept. are hereby authorized to attend the 1995 International
Auto Extrication and Learning Symposium in Mississauga,
Ontario from September 19-25 at no cost to the Village of
Williamsville.

Unanimously carried.

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

Unanimously carried.

Superintendent Laubisch reported that trash pickup is Tuesday and
the last scheduled pickup is October 10th, then leaf pickup program
begins. After leaves, residents can call for appointment. Will
analyze situation for resolving resident placing trash out too
early.

ON MOTION by Mayor Piazza, seconded by Trustee Wutz the meeting it
was moved to adjourn the meeting at 8:56 P.M. Next meeting is
September 25th.

Unanimously carried.

Elaine Smith-Honan
Deputy Village Clerk

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 11, 1995 at 7:45 P.M.

Present: Basil J. Piazza, Mayor
Joseph Frese - Trustees
Richard Langenfeld
Barbara Schofield
William A. Wutz

Patrick Kelly, Attorney
David Laubisch, Supt. of Public Works
Elain Smith-Honan, Deputy Vllg. Clerk

Absent: Theresa L. Cummins, Admin./Clerk-Treas.

ON MOTION by Mayor Piazza, seconded by Trustee Frese, the public hearing was opened at 7:45 P.M. concerning the dedication of Castle Creek Trail to the Village.

Unanimously carried.

The Deputy Village Clerk read the notice of public hearing which is being held for the purpose of hearing all persons interested in discussing the proposed dedication of Castle Creek Trail and the related public utilities easements to the Village of Williamsville.

Mayor Piazza addressed the meeting by stating that Castle Creek Trail as an Exceptional Development has been in process for several years and previous Board's approved all the actions already. We presently, only as a formality prior to accepting it as a Village street, are making sure that all the bonds are posted, all necessary utilities have been coordinated between Superintendent Laubisch and the developer, prior to its dedication as a Village street.

No comments were made by the public or the Village Board.

ON MOTION by Mayor Piazza, seconded by Trustee Frese, it was moved to close the public hearing and return to the regular agenda at 7:48 P.M.

Unanimously carried.

Elaine Smith-Honan
Deputy Village Clerk

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, September 11, 1995 at 7:35 P.M.

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

Patrick Kelly, Village Attorney
David Laubisch, Supt. of Public Works
Elaine Smith-Honan, Deputy Vllg. Clerk

Absent: Theresa L. Cummins, Vlg. Admin., Clerk-Treasurer

On Motion by Mayor Piazza, seconded by Trustee Frese, the public hearing was opened at 7:35 P.M.

Unanimously carried.

The Deputy Village Clerk read the Notice of Public Hearing which was being held for the purpose of hearing all persons interested in discussing a proposed Local Law which would amend Section 103-16 of the Vehicle & Traffic Code and would eliminate parking on the east side of Reist Street between Glen Avenue and a point 187 feet north of Glen Avenue.

Trustee Langenfeld stated the meeting was open to the public and those who wished to speak for or against could do so.

Mary Lee Rath, 116 Reist Street, was very much in favor of the proposed local law but wanted it to extend to No Parking on Glen Avenue up to Grove Street because traffic coming from Main Street on Reist Street turning onto Glen Avenue cannot negotiate that corner when cars are waiting at the intersection and cars are parked to the corner.

Patricia Lerner, 195 N. Long Street, concurs with the proposed amendment, as a frequent bicycler, that intersection is a horrendous place to get around, coming down the hill, you cannot see around the corner for on-coming traffic and you can't hug the road because of the parked cars.

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Leanne Kanaby, 88 Reist Street, definitely needs to be passed, she lives 3 houses from corner of Glen Extension, parking is dangerous, has seen near accidents. Agrees there shouldn't be parking on Glen Avenue to Grove Street. Two (2) cars cannot fit through intersection. Parking situation goes further, Reist from Main to Glen is a problem. Cars are parked where they're not supposed to be. Vehicles exiting onto Main Street block vehicles entering Reist from Main because of cars parked up to the corner. Suggestions made to issue resident parking permits.

Mayor Piazza agreed with all comments that were heard tonight because he travels thru that intersection and the area in question does create a hazard for bicyclers, walkers and cars.

Mayor Piazza asked Trustee Langenfeld if he had any comments, he said as liaison to Traffic & Safety, that this committee has spent a lot of time in this area because of the concerns and problems and the changes hopefully will alleviate the immediate problems there.

Mayor Piazza requested that the other area of concern brought up here tonight should be looked into by the Traffic & Safety committee at their regular meeting the 21st of September at 7:30 P.M. in Village Hall, Trustee Langenfeld agreed.

ON MOTION By Mayor Piazza, seconded by Trustee Langenfeld it was moved that the public hearing be closed and return to the regular agenda at 7:45 P.M.

Unanimously carried.

Elaine Smith-Honan
Deputy Village Clerk