

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Tuesday, January 25, 1977 at 8:03 P.M.

Roll Call: Present Marvin H. Mason, Mayor
Richard C. Baer
Walter A. Hansen Trustees
Gordon J. Kuzon
John B. Sheffer, II
Theresa L. Cummins, Village Clerk
Joseph C. Tisdall, Village Attorney
Edward Way, Dept. of Public Works

Mayor Mason called the meeting to order at 8:03 P.M.

ON MOTION by Trustee Hansen, seconded by Trustee Sheffer, the minutes of the regular meeting of January 11, 1977 were approved.

Vote on Roll Call: Trustee Baer - aye; Trustee Sheffer - aye; Trustee Hansen - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

The regular meeting was recessed at 8:05 P.M. in order to hold a public hearing on the use of 1977 federal Community Development funds. The regular meeting was resumed at 8:32 P.M.

Trustee Baer advised that last night the Amherst Town Board approved a bond resolution for \$238,000 which would reimburse the Village for one-half the purchase price and development cost for Glen Park. This will be in addition to the federal funding we have received. We have received about \$750,000 from sources outside the Village.

ON MOTION by Trustee Baer, seconded by Trustee Hansen, the following resolution was adopted:

RESOLVED that the Mayor be authorized to initial the amended cooperation agreement with the County of Erie covering the County's fiscal year application for 1977. HOUSING AND COMMUNITY DEVELOPMENT FUNDS Mayor authorized to initial amended agreement for 1977

Vote on Roll Call: Trustee Kuzon - aye; Trustee Baer - aye; Trustee Sheffer - aye; Trustee Hansen - aye; Mayor Mason - aye. Ayes - 5; Noes - 0

Unanimously carried.

Trustee Baer stated the Board would not be voting tonight on the community development funds. They will vote between now and February 1st and will have a meeting to do this.

ON MOTION by Trustee Hansen, seconded by Trustee Baer, the following resolution was adopted:

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APPOINTMENT -

RESOLVED that Rita Andrews, 128 S. Union Rd. be appointed Village Liaison to the Town of Amherst Youth Board. Village Liaison to Town Youth Board Rita Andrews

Vote on Roll Call: Trustee Kuzon - aye; Trustee Sheffer - aye; Trustee Baer - aye; Trustee Hansen - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Hansen, vouchers in the sum of \$39,541.69 were approved as follows:

| | | |
|----------------------------|---------------|-----------------|
| Payroll Fund | W/E 1/14/77 | \$ 3,646.26 |
| | W/E 1/21/77 | <u>2,821.66</u> |
| Total Payroll | | \$ 6,467.92 |
| General Fund | Abstract #385 | 11,485.12 |
| Water Fund | Abstract #375 | 19,443.27 |
| Trust & Agency Fund | Abstract #32 | 701.98 |
| Federal Revenue Sharing | Abstract #25 | 998.00 |
| Community Development Fund | Abstract #11 | <u>445.40</u> |
| Total | | \$39,541.69 |

Vote on Roll Call: Trustee Sheffer - aye; Trustee Baer - aye; Trustee Hansen - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Baer, the following resolution was adopted:

RESOLVED that the Board of Trustees of the Village of Williamsville determines that more than one-half of the voters qualified to vote at the forthcoming election for the Village officers were registered at the last preceding general election; that taking registration for the forthcoming election will be accomplished more efficiently and economically at a single place and by a single board of inspectors of election; and it hereby appoints:

VILLAGE ELECTION

Appointment of Inspectors for Registration

Naming of place and time for registration

Richard Hill, Chairman
Marian Garono and Betty Schueckler

as a single Board of Inspectors to conduct

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registration for such forthcoming election for each of the three Village election districts. The compensation of inspectors shall be \$2.25 per hour and Richard Hill shall be Chairman of Registration. Registration for the forthcoming election shall be conducted on February 26, 1977 from noon until nine o'clock in the evening at the office of the Village Clerk, 5583 Main Street, Williamsville, N.Y.

Vote on Roll Call: Trustee Sheffer - aye; Trustee Baer - aye; Trustee Kuzon - aye; Trustee Hansen - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Sheffer, the following resolution was adopted:

WHEREAS, pursuant to Section 516 of Election Law, a Registration Day has been set for Saturday, February 26, 1977 from 12 noon to 9:00 P.M. to be held in the Village Clerk's Office.

VILLAGE ELECTION

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Section 516 of the Election Law, four inspectors of election for each district shall be appointed to act as such for the annual election of the Village of Williamsville, to be held March 15, 1977.

Naming of Election Inspectors

BE IT FURTHER RESOLVED that the following be and they hereby are appointed inspectors of election as aforesaid for the Annual Election of the Village of Williamsville, to be held March 15, 1977 to be paid a fee of \$22.00 each:

Naming of dated and time of Village election

- District #1 Richard Hill - Chairman
 Betty Klute
 Mary Nietopski
 Esther Wirth
- District #2 Marian Garono - Chairman
 Gladys Horey
 Agnes Irr
 Betty Schueckler
- District #3 Marie Eyre - Chairman
 Rita Breen
 Frederick Haller
 Joyce Troy

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BE IT FURTHER RESOLVED that Richard Hill is Chairman of the Election Inspectors, and

BE IT FURTHER RESOLVED that in the event of absence or inability to serve, the Mayor is hereby authorized and empowered to appoint a substitute.

Vote on Roll Call: Trustee Baer - aye; Trustee Hansen - aye; Trustee Sheffer - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Baer, the following resolution was adopted:

WHEREAS the Annual Village Election of the Village of Williamsville is to be held Tuesday, March 15, 1977; and,

WHEREAS at the last general Village election more than eight hundred votes were cast;

NOW, THEREFORE, BE IT RESOLVED that said Village shall be divided into three election districts and the places of holding such election shall be as follows:

VILLAGE ELECTION

Naming of election districts and placing of voting

District #1 - At the Williamsville Methodist Church, 5681 Main Street. District #1 includes the entire area east of Ellicott Creek, South of Main Street.

District #2 - At the Williamsville Fire Hall, 5570 Main Street. District #2 includes the entire area west of Ellicott Creek, both sides of Main Street.

District #3 - At the Academy Elementary School, Academy Street. District #3 includes the entire area east of Ellicott Creek, North of Main Street.

None of such districts contain more than eight hundred qualified voters.

BE IT FURTHER RESOLVED that the offices to be filled shall be for one Mayor and two Trustees for a term of 2 years each.

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Vote on Roll Call: Trustee Sheffer - aye; Trustee Baer - aye; Trustee Hansen - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

Trustee Kuzon stated his next resolution dealt with approval of a state business incentive law under which tax exemptions are granted to businesses which conduct expansions of at least \$10,000. The tax exemption will be 50 per cent the first year and will decrease 5 per cent each year for 10 years.

ON MOTION by Trustee Kuzon, seconded by Trustee Sheffer, the following resolution was adopted:

RESOLVED that the Village of Williamsville hereby accepts the provision of Section 485-b of the real property tax law reducing taxes on business properties effective immediately.

REDUCTION OF
REAL PROPERTY
TAXES
Business Properties
expanding at least
\$10,000.00

Vote on Roll Call: Trustee Baer - aye; Trustee Sheffer - aye; Trustee Kuzon - aye; Trustee Hansen - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Sheffer, the following resolution was adopted:

RESOLVED that the Village Clerk publish notice of public hearing to be held at 8:05 P.M. on February 8, 1977 in the Municipal Building, 5583 Main Street, Williamsville, N.Y. for the purpose of hearing all persons interested in a local law which would amend the Traffic Code which would provide for no parking 30 feet back from the entire intersection of Milton and Pasadena.

NOTICE OF PUBLIC HEARING

Amend traffic code to provide for no parking 30 feet back from the entire intersection of Milton and Pasadena

Trustee Kuzon stated Traffic & Safety recommended this due to the hazardous conditions caused by cars parked close to the intersection and to help the movement of emergency equipment.

Vote on Roll Call: Trustee Hansen - aye; Trustee Baer - aye; Trustee Sheffer - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

Trustee Sheffer asked if the election districts were the same as in other years and Trustee Kuzon advised they were the same.

Trustee Sheffer stated representatives from the Town Board, this Board, the Williamsville Historical Society and the former Christian

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Church met yesterday at the Church. A short program was presented including slides on how the Church used to be. Although the Town has made no commitment yet they did make a commitment that the Church would not be torn down. Whether the renovation is done through use of community development funds, private funding or government funding Trustee Sheffer stated he believes this is a matter to be handled from the Church's standpoint.

Trustee Sheffer reported there has been substantial progress on the senior citizens housing situation regarding the proposed "Ernie's site" on Main Street. Several weeks ago the Board was most discouraged about this going through due to land problems. They are not yet settled and the land has not yet been acquired by the developer. The situation regarding Ernie's is much more encouraging now and are optimistic that a low rise building will eventually be built on that site. More than a month ago the Board went on record designating that site and appointing Forest City Dillon of Cleveland as the developer.

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

Vote on Roll Call: Trustee Hansen - aye; Trustee Kuzon - aye; Trustee Baer - aye; Trustee Sheffer - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Sheffer, seconded by Trustee Baer, the following resolution was adopted:

RESOLVED that the resolution of this Board adopted on December 14, 1976 relating to housing for senior citizens be amended to read as follows:

SENIOR CITIZEN
HOUSING

Amendment of
site selection
resolution of
December 14, 1976

"RESOLVED that the Village Board, after review of alternate sites and in conjunction with our Village committees and the Department of Housing & Urban Development, hereby designates 5397 and 5403 Main Street as the location for the development and construction of a no more than 45' high senior citizen housing project and hereby designates Forest City Dillon of Cleveland, Ohio as the developer."

Vote on Roll Call: Trustee Hansen - aye; Trustee Baer - aye; Trustee Kuzon - aye; Trustee Sheffer - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

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ON MOTION by Trustee Sheffer, seconded by Trustee Kuzon, it was moved to return to the regular agenda.

Vote on Roll Call: Trustee Baer - aye; Trustee Hansen - aye; Trustee Kuzon - aye; Trustee Sheffer - aye; Mayor Mason - aye. Ayes - 5; Noes - 0

Unanimously carried.

ON MOTION by Trustee Sheffer, seconded by Trustee Hansen, the following resolution was adopted:

RESOLVED that the Surplus 1958 Ford
750 GPM Pumper Truck be sold to Niagara
Engine Co. No. 6, Inc., Schoharie, New
York at their high bid of \$2,677.93.

SALE OF SURPLUS
FIRE EQUIPMENT

1958 Form 750 GPM
Pumper Truck

Vote on Roll Call: Trustee Baer - aye; Trustee Kuzon - aye; Trustee Sheffer - aye; Trustee Hansen - aye; Mayor Mason - aye. Ayes - 5; Noes - 0

Unanimously carried.

Trustee Sheffer advised this bid was somewhat higher than we had expected.

Mayor Mason stated he hoped the ground would be broken for the senior citizen housing in a few months. Trustee Sheffer stated there are troubles with the leases at Ernie's but things seem to be falling into place. Plans have to be submitted by Forest City Dillon and then have to be referred to the various committees. The informal opinions from the committees have been most favorable. It is a different story from last summer.

Mr. Way stated the Christmas decorations have finally been taken down. They are trying to get the snow off Main Street again. Due to weather conditions the job was never finished before.

ON MOTION by Trustee Kuzon, seconded by Trustee Sheffer, it was moved to suspend the rules for public participation.

Vote on Roll Call: Trustee Baer - aye; Trustee Sheffer - aye; Trustee Hansen - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

Attorney Leo Lynett appeared on behalf of Mr. and Mrs. Edwin Pope, 57 Columbia Drive with respect to their complaint that the dwelling at 63 Columbia Drive is being used as an apartment. This use is restricted by Village ordinances. They feel this use depreciates the value of their home. He showed the Board a petition signed by others in the neighborhood who feel the same - he did not file it. Mr. Lynett stated the first question is whether there is an apartment there and secondly whether the burden is on Mr. and Mrs. Pope to go to Supreme Court in an Article 78 proceeding about this.

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They would like the inspector sent out to see if the plumbing is in for a refrigerator and stove. Inspector was previously there in January, 1976, and he did find a sink there. This was supposed to be a mother-in-law type arrangement on the original building permit.

Attorney Tisdall advised an information form should be filled out. If there is an apartment it is a violation and an appearance ticket would be issued. No arrest is made. Prosecution must be based on information and personal knowledge. The burden of proof is less in Supreme Court than in Village Court.

Building Inspector Freeman stated there is no argument about the apartment but no proof the dwelling is being used as a two family home. There was litigation in 1951 and Village Board dismissed it as no violation at that time.

Attorney Tisdall advised Mr. and Mrs. Pope to talk with the Village Prosecutor regarding the information needed. The number of prosecutions in Village Justice Court has gone up this past year due to the efforts of Mr. Freeman and Village Prosecutor Joseph Stoeckl. There have been 22 Village ordinance violations and the traffic violations have also gone up.

ON MOTION by Trustee Kuzon, seconded by Trustee Baer, the Board resumed regular session.

Vote on Roll Call: Trustee Hansen - aye; Trustee Sheffer - aye; Trustee Baer - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

Trustee Sheffer advised he had received complaints from property owners on the north side of Main Street in the block around Roneker's regarding water lines freezing. They believe it is a Village problem as several in one block were affected. From tests done it is an individual problem and not a Village problem. He asked that Mr. Way keep track of the situation.

Mr. Way advised the lines run approximately 2 to 3 feet underground and with the cold we have had they will definitely freeze up. We only go as far as the main - nothing from the main in. When reports came in of the freezing we opened the hydrants and they ran full flow. The main is not frozen.

ON MOTION by Trustee Kuzon, seconded by Trustee Baer, the meeting was adjourned at 9:02 P.M.

Vote on Roll Call: Trustee Hansen - aye; Trustee Sheffer - aye; Trustee

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Baer - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Tuesday, January 25, 1977 at 8:05 P.M.

Roll Call: Present Marvin H. Mason, Mayor
Richard C. Baer
Walter A. Hansen Trustees
Gordon J. Kuzon
John B. Sheffer, II
Theresa L. Cummins, Village Clerk
Joseph C. Tisdall, Village Attorney
Edward Way, Dept. of Public Works

Mayor Mason called the public hearing to order at 8:05 P.M.

The Clerk read the Notice of Public Hearing regarding the use of 1977 federal Community Development funds in the Village of Williamsville. Mayor Mason then turned the hearing over to Trustee Baer.

PUBLIC HEARING

Trustee Baer stated the Village is eligible for approximately \$46,000 in 1977 Community Development funds. The Village does not apply directly but is part of a consortium through Erie County and we apply through the County. In 1975 we received approximately \$17,000 which was used to construct the gazebo in Garrison Park and for materials for the Strip Park. The 1976 funds for Glen Park will be reallocated now that we have received the grant from the federal government for Glen Park. We would like suggestions from the people in the Village on how the money for 1977 should be used. The application has to be in to the County by February 1st and we will hold a meeting before then to vote on how the money will be spent. Trustee Baer then read the criteria set forth by the County as to the types of projects it would be best to submit. The first criteria is for projects for low and moderate income people that would affect them directly and immediately. Then they consider urgent community needs - those creating health and safety hazards. Then they consider water and sewer improvements.

Trustee Baer then opened the hearing to the public for their suggestions.

Dr. Robert Guthrie, 76 Academy Street read a letter from Project Retap and Allentown Industries, asking for \$16,800 from the funds to support a full time supervisor and four handicapped persons for six months to work on maintenance in Glen Park. Mayor Mason asked if the employees would be from the Village and Town and Dr. Guthrie stated this could be worked out. He stated he thought the supervisor would be paid about a third of the \$16,800.

USE OF 1977
Community Development
Funds

Mr. Gartley Weller, 129 Mill Street, stated he was involved with people who were forming the Williamsville Historical Society. They are interested in the old Christian Church on Main Street near Mill Street. They would like \$15,000 to renovate the Church.

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Mr. Weller stated other refurbishing work would be done on a gradual basis and the Society is planning projects to raise money for this. Trustee Sheffer stated a condition of sale is to be that space be set aside for a nonsectarian chapel. There is a question of separation of church and government and Village cannot directly support the church. He asked if the Society would be willing to be responsible for the ongoing operation of the church and Mr. Weller stated they are interested in doing this when they are fully organized. Attorney Tisdall will look into whether this involves a separation of church and government problem. Mr. Weller stated the Williamsville Historical Society is not associated with the Amherst Historical Society or the Old Colony Museum.

PUBLIC HEARING
(Con't)

Mr. Robert Cymerman, Acting Director of the Amherst Senior Citizens Center appeared on behalf of the elderly and asked that some of the money be used to expedite development of senior citizen housing.

Mrs. Carolyn Schrauger, 55 Oakgrove Drive, asked if some of the money couldn't be spent to help finish planting the trees on Main Street. Also, the pavilion in Garrison Park needs to be landscaped. She also asked what happened to the tennis courts that were to be at South Long Street. Trustee Hansen stated it is on the list of the Town's projects and we have been verbally told it will be done this spring.

Use of 1977

Trustee Sheffer thanked everyone for coming. There was a much better turnout this year than last year. In addition to suggestions for the upcoming 1977 funds we also take these into consideration for using the 1976 funds which we will not now need for Glen Park.

Community Develop-

Funds

Mayor Mason stated he had received a suggestion for fund use from Mr. Spencer Schofield of 153 Highland Drive. He suggested construction of a pedestrian bridge to join Glen Park and Island Park. He also stated that if there was sufficient money they should consider obtaining the property adjacent to Town Hall (the welding shop and gas station) and use it for park purposes.

ON MOTION by Trustee Baer, seconded by Trustee Sheffer, the public hearing was closed at 8:32 P.M.

Vote on Roll Call: Trustee Hansen - aye; Trustee Kuzon - aye; Trustee Baer - aye; Trustee Sheffer - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Tuesday, February 8, 1977 at 8:03 P.M.

Roll Call: Present Marvin H. Mason, Mayor
Richard C. Baer
Walter A. Hansen Trustees
Gordon J. Kuzon
John B. Sheffer, II
Theresa L. Cummins, Village Clerk
Joseph C. Tisdall, Village Attorney
Edward Way, Dept. of Public Works

Mayor Mason called the meeting to order at 8:03 P.M.

Four students from SS Peter & Paul's School led the group in the Pledge of Allegiance.

In honor of the valuable contribution made to the Village by SS Peter & Paul's School, the Mayor proclaimed the week of February 13, 1977 to February 20, 1977 as "Catholic Education Week" in and for the Village and all citizens are encouraged to participate in the week long program. Student Tim Grady accepted the proclamation for the School. The school will hold Open House on Tuesday, February 15th and on Thursday, February 17th and the public is invited to attend classes on those dates from 9:00 A.M. to 2:00 P.M. The invitation was extended by Tim Grady and by school Principal Frances A. McLaughlin.

ON MOTION by Trustee Hansen, seconded by Trustee Baer, the minutes of the regular meeting of January 25, 1977 were approved.

Vote on Roll Call: Trustee Sheffer - aye; Trustee Baer - aye; Trustee Hansen - aye; Trustee Kuzon - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Sheffer, seconded by Trustee Hansen, the minutes of the public hearing held January 25, 1977 regarding 1977 Community Development Funds were approved.

Vote on Roll Call: Trustee Kuzon - aye; Trustee Hansen - aye; Trustee Baer - aye; Trustee Sheffer - aye; Mayor Mason - aye. Ayes - 5; Noes - 0.

Unanimously carried.

Trustee Baer commended the Department of Public Works employees for their service during the storm. Williamsville was one of the few municipalities during the recent storm which had all its streets open at all times during the storm. This is directly due to the employees who worked around the clock on Friday and Saturday and who also kept our roads open before the storm hit so many problems were avoided. The residents owe them a debt of gratitude.