

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, June 28, 1977 at 8:05 P.M.

One of the members who has served faithfully for the last several years is Malcolm MacKay. For business and personal reasons he has had to resign this past week. We want to thank him for his service on the Planning Board. He has done more than just show up for the meetings. He has handled several projects including Glen Park work, preliminary examination of sites with aerial photos for the senior citizens project and other projects.

Mayor Sheffer said they were all glad to see the Village Clerk back in the office and at tonight's meeting following the birth of her baby.

Trustee Idzak stated she has copies of the Town of Amherst Youth Board Annual Report for 1976. If anyone wants a copy of the report she has several available.

Trustee Idzak reported the Amherst Youth Board is beginning a study of the vandalism in this community. They want to document the extent and nature of the problems and try to develop a strategy to handle it. They are holding a special meeting tomorrow night and the Williamsville Youth Committee is invited to attend. On August 1st the Town of Amherst Board was scheduled to hold a hearing on the vandalism problem but this may be postponed.

Trustee Idzak stated Jack Daugherty, our consultant on tenant selection for the new senior citizens project, explained in detail to the Senior Citizens Committee the process of seeking out individuals who want housing in this building. The Committee has agreed to address the 2,200 envelopes that are being sent out to village residents. They will be doing this on Thursday.

Trustee Idzak stated she and the Village Clerk have begun to investigate a proposed local law which would raise the level of income of senior citizens from \$6,500 to \$7,200 in giving them a tax exemption. This would compare with the State legislation. The Town has a public hearing scheduled on a similar law on July 5th.

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

RESOLVED that the following appointment is made effective as provided below:

<u>Name</u>	<u>Board of Committee</u>	<u>Effective Date</u>	<u>APPOINTMENT - SENIOR CITIZENS COMMITTEE</u> Paul Mohn <u>End of Term</u>
Paul Mohn 108 Oakgrove 632-7267	Senior Citizen Committee	6/28/77	end of 1977-1978 official Village year

Unanimously carried.

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ON MOTION by Trustee Idzak, seconded by Trustee Miller, the following resolution was adopted:

RESOLVED that the Mayor is authorized to sign five amendments dated 6/20/77 to the Youth Program Budgets.

YOUTH - Mayor  
Authorized to  
sign amendments to  
program

Unanimously carried.

Trustee Idzak stated that in cooperation with the County of Erie five young adults are coming to work in the Village - four in the Parks Department and one in the Village Office. This is paid for under the County budget but we have to sign an agreement with them about this.

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

RESOLVED that the Mayor is authorized to execute agreement with the County of Erie Consortium for the Village of Williamsville to operate and function as worksite in the operation of a Summer Program for Economically Disadvantaged Youth under Title III of Comprehensive Employment and Training Act of 1973.

YOUTH - Mayor  
authorized to  
sign agreement  
with Erie County  
  
Economically  
Disadvantaged Youth

Unanimously carried.

Trustee Idzak stated we have a Youth Program that is run in cooperation with the YMCA and an amount has been budgeted for this.

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

RESOLVED that the Mayor is authorized to sign Youth Program contract between the Village of Williamsville and the YMCA of Buffalo and Erie County for the period June 1, 1977 to December 31, 1977 for a sum not to exceed \$5,833.00, of which the portion raised from Village taxes shall be used for the benefit of Village residents.

YOUTH - Mayor  
authorized to  
sign youth program  
contract  
6/1/77 - 12/31/77

Mayor Sheffer stated one-half of the amount is reimbursed by the State of New York.

Unanimously carried.

ON MOTION by Trustee Idzak, seconded by Trustee Miller, the following resolution was adopted:

RESOLVED that the Village Board sitting as Board of Fire Commissioners and acting upon

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the recommendation of the Review Board of Hutchinson Hose Company does appoint the following person as a fireman in the Williamsville Fire Department.

APPOINTMENT  
Fireman

<u>Name</u>	<u>Date of Birth</u>	<u>Address</u>
Tim Kuzon	5/4/57	56 S. Union Williamsville, N.Y. 14221

Unanimously carried.

Trustee Miller stated we are proceeding with the reorganization of the Department of Public Works. We are reviewing our equipment and deciding what needs to be replaced and what needs to be refurbished. The sidewalk plow is in Brant, New York for refurbishing and rebuilding.

Trustee Miller stated at the last meeting of the Board we approved the advertising for bids for a new dump truck. The old snow plow frame will be removed from the old truck by the dealer and will be attached to the new vehicle.

Trustee Miller stated we are proceeding with the water line repair on the north side of Main Street. We have run a series of pressure tests to determine the condition of the existing valves and pipes and have found that both ends of the pipe hold the pressure and there is no evidence of any leak. We will now purchase replacement pipe and install guard rails so there will be no damage from vehicles or snowplows. A vehicle recently damaged the south water line and it was shifted and damaged.

Trustee Miller stated we are going to consider replacing one of our vehicles in the highway department with a four wheel drive pick up truck. This could also be used as an auxilliary vehicle by the Fire Department if they would need a four wheel drive vehicle. We are advertising for bids for this to see what the cost would be and we will have to investigate where the money would come from for this.

Trustee Miller stated we have been proceeding with the water testing that is required by the Safe Water Drinking Act. It became effective on June 24th. We are researching the possibility of becoming a consecutive system to the Erie County Water Authority which would assist us by decreasing the cost of testing the water. We buy the water from them so get purified water from them. We can save a lot of the testing cost because the water is already tested by the Authority.

Trustee Miller stated he and Edward Way of the Department of Public Works have been meeting together on organizing the department and things are moving along quite well. He stated they agree on many points. The first area of concern is the Water Department. Additional employees are needed there. Also in the Highway Department. The Water Department personnel are not a separate work force. All members of the Department of Public Works are assigned their jobs by the General Foreman.

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On June 14th a public hearing was held concerning amending the water code with respect to fire protection systems and tap-in fees. We had found that our tap-in fees were lower than the cost of the materials that we supplied when the tap-ins were made. We wanted to bring the charges in line with the costs. This is also in line with the Erie County Water Authority charges. Also, there was no charge for installing fire protection systems and this involves maintenance supervision and tap-ins.

ON MOTION by Trustee Miller, seconded by Trustee Idzak, the following resolution was adopted:

RESOLVED that Local Law #7, 1977, Amendment of Water Code - Fire Protection System and Tap-In Fees as presented to the Trustees is adopted. (Copy of Local Law attached)

ADOPTION - Local  
Law #7 - 1977

Amendment of Water  
Code - Fire  
Protection System  
and Tap In fees

Unanimously carried.

Trustee Miller stated there was also a public hearing on June 14th regarding a local law to amend the water code with respect to water consumption charges. In the past small increases were absorbed by the Village but then there would have be a large increase in one year. We are trying to keep from having to make a large increase at a later date.

ON MOTION by Trustee Miller, seconded by Trustee Idzak, the following resolution was adopted:

RESOLVED that Local Law #8, 1977, Amendment of Water Code - Water Consumption Charges - as presented to the Trustees is adopted. (Copy attached)

ADOPTION LOCAL LAW  
#8 - 1977

Water Consumption Charge

Unanimously carried.

Trustee Miller stated his third and fourth resolutions deal with obtaining equipment for the Department of Public Works. The third resolution is to solicit bids for sale of surplus dump truck which will be replaced with a new one being purchased with federal funds. We want to solicit bids so we can have the option of getting the most for the truck either by sale as surplus or on a trade-in.

ON MOTION by Trustee Miller, seconded by Trustee Idzak, the following resolution was adopted:

RESOLVED that the Village Clerk is authorized to receive bids for the disposal by sale of the following surplus Department of Public Works equipment: one 1969 International Dump Truck, 8 cylinder, and one 1972 Ford Van E 100, 6 cylinder automatic. The Clerk shall open such bids at 4:00 P.M. on August 18, 1977 in the Village Clerk's Office and report all such bids to the Board of Trustees at its next regular meeting.

ADVERTISE FOR  
BIDS

Sale of Surplus  
DPW Equipment

~~County~~  
~~City~~ of ..... Williamsville .....  
~~Town~~  
Village

Local Law No. .... 7 ..... of the year 19 .. 77 .....

A local law Amending the Water Code to Establish Rates for Fire Protection Systems and Tap-ins  
(Insert title)

Be it enacted by the ..... Board of Trustees ..... of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of Williamsville ..... as follows:  
~~Town~~  
Village

Section 1. Section 65.10 (12) of the Village Code is hereby amended to read:

(12) FIRE PROTECTION SYSTEM - Pipes for suppression of fire in buildings, which fixtures are only intended for such use may be attached to the water supply system. The rates to be charged for this connection to the water supply system shall be determined by the Board of Trustees. The entire cost and expense of installing a fire protection system shall be borne by the owner of the premises. No connection shall be made under any condition with such fire protection fixtures for any purpose other than for fire purposes. The owner shall be deemed to have authorized free access by Village officials and employees at any reasonable time for the purpose of observing the fire protection system and appurtenances attached thereto. Any person using water or allowing water to be used for any other purpose from a fire protection system shall be liable for a fine as provided in Section 65.50

Section 2. Section 65.40-B is hereby amended to read:

B) Tapping Water Mains (including cock, curb stop and street box):

3/4 inch - \$40.00  
1 inch - \$55.00

Section 3. Section 65.40 is hereby amended by adding a new sub-division which shall read:

H) Fire Protection System

4 inch connection \$216.00 per year  
6 inch connection \$396.00 per year  
8 inch connection \$648.00 per year  
10 inch connection \$900.00 per year  
12 inch connection \$1200.00 per year

Charges shall be paid in equal monthly installments on the first day of each month.

Section 4. If any provisions of this local law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to effect, impair or invalidate the remainder thereof.

Section 5. This local law shall take effect immediately upon its filing with the Secretary of State.

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~  
~~City~~ of ..... Williamsville .....  
~~Town~~  
Village

Local Law No. .... 8 ..... of the year 19 ..77.....

A local law ..... Increasing the Water Consumption Rates .....  
(Insert title)

Be it enacted by the ..... Board of Trustees ..... of the  
(Name of Legislative Body)

~~County~~  
~~City~~ of ..... Williamsville ..... as follows:  
~~Town~~  
Village

Section 1. Section 65.40 (1) and (2) is hereby amended to read (A(3) to remain the same):

A) Water Consumption

- (1) \$1.64 per 1,000 gallons; minimum 5,000-gallons (\$8.20) per quarter year.
- (2) Temporary water supply for one or two family homes - \$5.00 per month and all others - meter loan and deposit of \$25.00 plus \$1.64 per 1,000 gallons consumed.

Section 2. This local law shall take effect immediately upon its filing with the Secretary of State.

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Trustee Miller stated the Ford Van is in quite poor condition and is from 1972.

Unanimously carried.

ON MOTION by Trustee Miller, seconded by Trustee Idzak, the following resolution was adopted:

RESOLVED that the Village Clerk is authorized to advertise for sealed bids to be opened in the Village Clerk's Office, 5583 Main Street, Williamsville, New York on August 4, 1977 at 4:00 P.M. for the following item:

AUTHORIZATION  
TO ADVERTISE FOR  
SEALED BIDS

One four wheel drive pick up truck, the specifications of which shall be drawn by Trustee Miller and approved as to form by the Village Attorney prior to such advertisement.

Four wheel drive  
pick up truck

The Clerk shall advertise for the bids in the official Village newspaper at least five days before the date on which the bids are to be opened and upon opening of the bids shall make a record by listing the name and address of each bidder, the amount of his bid, the nature and amount of security furnished, and all alternate bids and trade-in allowance, if any, and present such records to the Board of Trustees at the first regular or special meeting of the Board following the opening of the bids.

Trustee Miller stated the Department of Public Works will be definitely involved in reviewing the specifications that are drawn up.

Unanimously carried.

Trustee Kuzon thanked Mr. MacKay for his faithful and unselfish service as a member of the Planning Board. Because of the important work to be done by the Committee, it is important that this position be filled as soon as possible. He asked anyone interested in this position to contact either the Mayor or him about it.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, vouchers in the sum of \$73,672.55 were approved as follows:

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Payroll Fund	W/E 6/17/77	\$ 3,274.69
	W/E 6/24/77	<u>5,455.18</u>
Total Payroll		\$ 8,729.87
General Fund	Abstract #395	38,440.21
Water Fund	Abstract #385	20,296.41
Community Development Fund	Abstract #18	1,000.00
Trust & Agency Fund	Abstract #37	<u>5,206.06</u>
Total Vouchers		\$73,672.55

Unanimously carried.

Trustee Kuzon stated his next resolution dealt with setting a public hearing for an exceptional development permit. This is based on the requirement under our ordinances that such a permit is required for use of a lot in an R District for parking. This procedure involves obtaining recommendations from the Planning Board, Architectural Review Board, Traffic & Safety Committee, Recreation Committee and Environmental Council. Trustee Kuzon requested those committees to submit their recommendations to the Board by July 15th. The hearing is not being held until the hearing is advertised 15 days before the date of the hearing. This is required under the ordinance.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:35 P.M. on July 25, 1977 for the purpose of hearing all persons interested in an Exceptional Development Permit under Section 70.112 of the Village Zoning Code for parking on a residential lot located at 21 and 23 Highland Drive.

PUBLISH NOTICE OF  
PUBLIC HEARING

Exceptional  
Development Permit

21 and 23 Highland  
Drive

Unanimously carried.

Trustee Kuzon stated with respect to his third and fourth resolutions they dealt with parking restrictions on Hirschfield Drive. We have a local law restricting the parking on the west side of the street. A business concern on the corner has requested that we allow for a half hour parking zone for 180 feet on the west side of Hirschfield south of Main Street. He stated the present restrictions have created somewhat of a hardship on his business.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:40 P.M. on July 11, 1977 for the purpose of hearing all persons interested in a local law which would amend section 60.32(16)(B) of the Traffic Code of the Village of Williamsville by allowing parking along the west side of Hirschfield Drive between the south line of Main Street and a point 180 feet south of the south line of Main Street between the hours of 8:00 A.M. and 5:00 P.M. on Monday thru Saturday excluding Holidays.

PUBLISH NOTICE OF  
PUBLIC HEARING

Local Law to  
Change Parking  
along west side  
of Hirschfield  
Drive

Unanimously carried.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:45 P.M. on July 11, 1977 for the purpose of hearing all persons interested in a resolution limiting parking under section 60.33 of the Traffic Code as follows: Between 8:00 A.M. and 5:00 P.M., Monday thru Saturday, excluding Holidays, parking shall be allowed for 1/2 hour only along the west side of Hirschfield Drive between the south line of Main Street and a point 180 feet south of the south line of Main Street.

PUBLISH NOTICE OF  
PUBLIC HEARING

Resolution to  
Limit Parking  
along west side  
of Hirschfield  
Drive

Unanimously carried.

Mr. Way of the Department of Public Works stated the Garrison Park and Island Park pools will be in full swing for the July 4th weekend.

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

Unanimously carried.

Earl Willis, 128 Garrison Road, stated he would like to pursue a change in the water ordinance regarding the provision that property owners are responsible for the service between the main and the house. He feels this should be the responsibility of the Village at least to the curb.

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Trustee Miller stated a public hearing was held on this matter and the residents expressed pro and con opinions on this. As far back as we could research our records, it has always been this way. We want to keep our taxes as low as possible for our residents. We have certain regulations for those putting in the systems but we cannot be assured they were followed. Therefore, we do not know the condition of the pipes we would be taking over and this could run into a lot of money. This has also been the topic of public hearings held at other times, and no change has ever been made. Also the Water Department has a deficit to the general fund and also outstanding bonds and he stated he could not recommend to the Board that they take on old water lines due to the additional expense. It is an unfortunate situation but in representing the taxpayers we have to look to the majority.

Mr. Willis stated perhaps something could be worked out so that someone with a distance of 100 yards from the main and someone 35 yards from the main could share the cost. Trustee Miller stated the lines were originally installed on one side of the street where most of the houses were or due to paying.

Mr. Willis asked how he could pursue a change in the ordinance and Trustee Miller stated this had already been done by having the public hearing and it was now up to the Board to decide the matter. Mayor Sheffer stated the matter was thoroughly gone into at the public hearing and the Board has to decide now whether it is fiscally feasible for us to undertake this expense.

Mr. Finkbinder from the Little White House asked if one of Trustee Kuzon's resolutions dealt with a hearing on their request for a parking permit. Trustee Kuzon stated the hearing on the exceptional development permit related to their parking permit. Attorney Tisdall stated the Board has the power to make an interpretation regarding their permit. Mayor Sheffer asked what the interpretation involved and Mr. Finkbinder stated there were two rules governing their parking. One says parking is allowed on a residential lot next to a commercial district and the other states there is no parking in a front or side yard in a residential district. Attorney Tisdall stated that in an exceptional development situation the Board can modify zoning rules to accept an exceptional development situation if the Board feels this is necessary. This is literally a change in the zoning ordinance. If they do not like the decision of the Board they can appeal to the Board of Appeals on interpretation.

ON MOTION by Trustee Idzak, seconded by Trustee Miller, it was moved to return to regular session.

Unanimously carried.

ON MOTION by Trustee Miller, seconded by Trustee Idzak, the meeting was adjourned at 8:55 P.M.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer