

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, September 26, 1977 at 7:32 P.M.

Roll Call: Present John B. Sheffer, II, Mayor  
Lois S. Idzak  
Gordon J. Kuzon Trustees  
Warren D. Miller  
Roger C. Walker  
Theresa L. Cummins, Village Clerk  
Joseph C. Tisdall, Village Attorney

Absent Edward Way, Dept. of Public Works

Mayor Sheffer called the meeting to order at 7:32 P.M.

The Mayor stated Mr. Way was working at the dam due to the flooding conditions and the amount of debris that collects at the dam when the water is this high.

ON MOTION by Trustee Idzak, seconded by Trustee Walker, the minutes of the regular meeting held September 12, 1977 were approved.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, the minutes of the public hearing held September 12, 1977 regarding amending Section 60.30 of the Traffic Code were approved.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, the minutes of the public hearing held September 12, 1977 regarding amending Section 60.50 of the Traffic Code were approved.

Unanimously carried.

ON MOTION by Trustee Walker, seconded by Trustee Idzak, it was moved to suspend the rules at 7:35 P.M. in order to hold a public hearing regarding a resolution relating to the adoption of a fiscal impact procedure for the Village. The hearing was closed at 7:38 P.M.

Unanimously carried.

The Mayor stated the next regular meeting of the Board had been moved from October 10th to October 11th because of the holiday. Therefore, it will be held on Tuesday, October 11th at 7:30 P.M. He stated our meetings will generally be changed from Monday to Tuesday evening when a holiday occurs.

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Mayor Sheffer stated the Trustees and Environmental Council will be meeting with representatives from Niagara Mohawk Power Corporation to discuss a change in our lights on Main Street. We have 43 to 46 lamps on Main Street and the main goal of the change would be energy saving. He stated he wanted to announce this was being looked into and if the Trustees had no objection he wanted to call for a public hearing on this at our next regular meeting as he believed it is important to have public input. This hearing is not legally required so no resolution is required calling for a public hearing. No Trustees objected so the Mayor stated there will be a public hearing on this at our next meeting.

Mayor Sheffer stated his resolution dealt with fiscal impact procedure. While it is not our normal procedure to vote on a resolution the same night as the public hearing, this has been the subject of a previous hearing and the Trustees have been through this a number of times. We want to get this procedure into effect as soon as possible.

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

WHEREAS, numerous resolutions, local laws and communications which come before the Board of Trustees have serious fiscal impact on the budget of the Village of Williamsville, on the property tax rate, and produce significant change in the operations of Village offices, departments and boards; and

FISCAL IMPACT  
PROCEDURE  
ADOPTED

WHEREAS, the budget for managing the Village government and its operations is adopted prior to the commencement of the Fiscal year; and

WHEREAS, it is important in reaching sound decisions to know where money will come from for appropriation, if it will strain the previously adopted budget, what it is needed for, if it involves a new unbudgeted expenditure, whether funding from another municipality, the State or Federal government will be forthcoming and if so, on what formula (currently and in subsequent years), if it will affect Village taxes, whether it will necessitate deficit spending or borrowing, and what impact it will have on Village government operations, personnel, procedures and organization; and

WHEREAS, the best way to supply such fiscal and operational information is a concise but comprehensive written statement to the Trustees prior to their making decisions;

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NOW, THEREFORE, BE IT

RESOLVED, that (1) all proposed resolutions and local laws shall be submitted to the Village Clerk at least 3 days prior to the meeting at which action is sought, or a hearing is to be scheduled,

(2) a fiscal and operational impact statement (F.O.I.S.) shall accompany such submission to the Clerk,

(3) the F.O.I.S. shall supply all applicable information set out in Schedule A attached,

(4) the F.O.I.S. shall also contain any other information necessary to give the greatest appreciation of the fiscal and operational impact on the Village or necessary to avoid an answer that may be misleading; and

(5) a good faith response to all applicable questions is required; and

(6) all Village employees are directed to provide advice and information for the preparation of fiscal and operational impact statements.

FISCAL IMPACT  
STATEMENT

FURTHER RESOLVED that all communications to the Board of Trustees shall be submitted to the Village Clerk at least 3 days prior to the Board meeting at which action is requested; and upon receipt, the Board may:

(Continued)

(a) receive the communication and take action if a F.O.I.S. has been filed or if it finds there is a minimal fiscal or operational impact (under \$25 and no operational changes proposed), or table action on the matter pending a satisfactory F.O.I.S.

FURTHER RESOLVED, that for each resolution, local law, and communication upon which the Board takes action the Village Clerk shall file a copy of the F.O.I.S. in the Village file maintained specifically for that purpose.

Trustee Kuzon stated he finds the concept to be sound and agrees with it. However, he stated he has a few questions regarding the specific proposal and rather than give his consent this evening he wants to wait to see how it works out. Therefore, he stated he would vote no on the resolution.

FISCAL & OPERATIONAL IMPACT STATEMENT

RESOLUTION: To provide

SPONSOR: \_\_\_\_\_

PURPOSE: \_\_\_\_\_

SUMMARY OF PROVISIONS: \_\_\_\_\_

FISCAL IMPACT

Appropriation Request:

- 1) Total current appropriation requested \_\_\_\_\_
- 2) Material \_\_\_\_\_ Labor \_\_\_\_\_
- 3) If an on-going project, estimate approximate appropriation to be needed over the next 3 to 5 years \_\_\_\_\_

Source of Revenue (see instructions): \_\_\_\_\_

Tax Impact (see instructions): \_\_\_\_\_

Deficit Spending - Borrowing:

If insufficient local funds, how is the money to be obtained?

Bond Sale: Amount \_\_\_\_\_ Interest rate & amount \_\_\_\_\_

Length of time \_\_\_\_\_ Terms of Sale \_\_\_\_\_

OPERATIONAL IMPACT (see instructions): \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

ACTION TAKEN: \_\_\_\_\_

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Mayor Sheffer reminded the audience that while they had a chance to speak on this matter during the public hearing they could also be heard on this now that the resolution had been made and seconded. No one spoke.

Trustee Idzak stated she thought this was an excellent procedure and was one more check and balance on the Board's fiscal responsibility. She stated she would vote for the resolution.

Trustee Miller stated he was in favor of the resolution. He stated that from his experiences so far this was a very needed procedure and he would vote in favor of the resolution.

Vote on Roll Call: Trustee Idzak - aye; Trustee Miller - aye; Trustee Walker - aye; Trustee Kuzon - no; Mayor Sheffer - aye. Ayes - 4; Noes - 1.

Carried.

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

RESOLVED that the Village Board sitting as Board of Fire Commissioners and acting upon the recommendation of the Review Board of Hutchinson Hose Company does reinstate the following person as a fireman in the Williamsville Fire Department. REINSTATEMENT - Fireman

<u>Name</u>	<u>Date of Birth</u>	<u>Address</u>
Dennis Brown	1/31/46	104 Reist Street

Unanimously carried.

Trustee Idzak reported that the Beautification Committee met on September 13th and selected 8 trees to be planted on Main Street between Long and Reist. They are ash trees. She stated they have received permission from the State to plant these trees. She also stated that they have ordered and received the bulbs to be planted this fall.

Trustee Idzak reported that last week the results of the vandalism study were presented at a Youth Board hearing. It was very informative. She stated she has a copy of this report if anyone would care to see it. She stated the Youth Board had also presented some recommendations calling for legislative, executive and judicial action. Another meeting will be held on Wednesday, September 28th at the Highway Department cafeteria at which time more suggestions will be presented and the public will have a chance to comment on the subject. One of the suggestions is for a curfew. She stated she will report back to the Village on the hearing.

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Trustee Idzak stated Jack Daugherty, our senior citizen consultant, is going to attend the meeting tomorrow at the Senior Citizens Center regarding senior citizen housing. We have obtained quite a bit of information from our survey and he will have this with him.

Trustee Idzak stated she, Attorney Tisdall, and Trustees Walker and Kuzon met last week with a Law School Senior from the University of Buffalo. His name is Jonathan Silver. He is available to work for the Village under a federal work study grant. He would work approximately 12 hours a week for 20 weeks and the cost to us would total \$140 for his entire time. The rest of the \$700 would be picked up by the work study grant. This is the same type of thing we were able to do last year.

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

RESOLVED that Jonathan Silver be appointed Administrative Trainee (temporary) in the Law Department at a net cost to the Village of Williamsville not to exceed \$140.00.

APPOINTMENT -  
Administrative Trainee  
Jonathan Silver

Mayor Sheffer stated this is an invaluable program. It allows us to get some of the nitty gritty research and comparative type work done on ordinances and other matters. The cost is minimal. We are able to avail ourselves of this program through the contacts our Village Attorney has with the Law School.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, vouchers in the sum of \$54,524.73 were approved as follows:

Payroll Fund	W/E 9/16/77	\$ 3,730.48
	W/E 9/23/77	<u>3,495.80</u>
Total Payroll		\$ 7,226.28
General Fund	Abstract #401	27,147.06
Water Fund	Abstract #391	19,501.39
Trust & Agency Fund	Abstract #41	625.00
Federal Revenue Sharing Fund	Abstract #38	<u>25.00</u>
Total Vouchers		\$54,524.73

Trustee Kuzon stated there were two large vouchers - one for insurance amounting to \$19,553.00 and one for the purchase of water in the amount of \$19,329.26.

Unanimously carried.

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Trustee Kuzon stated his next resolution dealt with a local law which had been discussed at a public hearing on September 12th. It would amend the Traffic Code to allow for \$60.00 for towing a vehicle and the sum of \$5.00 for each day or fraction thereof during the time the vehicle remains in the pound. Under the present ordinance, the fees are \$15.00 for towing and \$2.00 per day. This is outdated and tow operators are reluctant to remove vehicles for these fees.

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

RESOLVED that Local Law #10 - 1977 - Amendment of Traffic Code Section 60.50(2), which was the subject of public hearing held September 12, 1977 is adopted. (Copy of local law attached.)

LOCAL LAW #10-  
1977  
Adopted  
Amendment of Traffic  
Code 60.50 (20)

Unanimously carried.

Trustee Miller stated that with the inordinate amount of rainfall we have had the Department of Public Works personnel has been quite busy insuring that the flood gates are out and the channel clear prior to the influx of water from the southern tier. There has been no flooding in the Village. We have been operating the gates in cooperation with the Town.

Trustee Miller reported that the Main Street water line replacement on the bridge is moving right along. We will install a guardrail on both the north and south sides of the bridge. We feel the guardrails are necessary to protect the water lines and also for pedestrian safety as a car could come over the line to the sidewalk and hit someone.

Trustee Miller stated his first resolution dealt with the bidding on our dump truck. It is going to the second highest bidder as the highest bidder withdrew his bid.

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

RESOLVED that the 1969 International Harvester Load Star 1700 dump truck is sold to Brian H. Groth, the second highest bidder for a price of \$850.00. The highest bidder, John DiCosmo, withdrew his bid.

Sale of Inter-  
national Dump  
Truck to second  
high bidder

Unanimously carried.

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

(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. 10 of the year 19 77

A local law Amend Traffic Code Section 60.50 (2)  
(Insert title)

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

COUNTY  
City of Williamsville as follows:  
TOWN  
Village

Amend Section 60.50 (2) Traffic Code as follows:

Any vehicle found standing in violation of any of the provisions of Village ordinances, or Local Laws, or the Vehicle and Traffic Law of the State of New York, by a police officer, may be removed and conveyed by, or under the direction of, a member of the Department of Police by means of towing or otherwise, to the vehicle pound. Such removal shall be at the risk of the owner of the vehicle. Before the owner or person in charge of the vehicle shall be permitted to remove it from the custody of the police, he shall furnish evidence of his identity and ownership or right to possession, shall sign a receipt for such vehicle, and shall pay to the Clerk of the Village Justice Court the sum of sixty (\$60.00) dollars for towing and the sum of five (\$5.00) dollars for each day or fraction thereof during the time the vehicle remains in the pound.

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

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PURCHASE OF DUMP TRUCK

RESOLVED that the resolution of August 31, 1977 awarding a bid for the purchase of a dump truck to Buffalo White Truck, Total Service Inc. be revised to delete the trade in and fix the price at \$31,897.00.

Amend resolution of August 31 to exclude trade in

Trustee Miller stated the reason for this resolution is that in his resolutions of a few weeks past we not only advertised for the purchase of a new truck but also asked for prices with and without trade in. We also advertised to the public for private sale of the old truck to see if we could get more money by selling it directly to the public rather than trading it in. We were able to get a few hundred dollars more by doing this.

Unanimously carried.

Trustee Miller stated the crews that are working the flood control gates are doing a good job.

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

Unanimously carried.

Mrs. Carolyn Schlifke, 192 Evans Street, asked Trustee Miller how long it would be before the water line replacement on Main Street was finished. Trustee Miller advised we are in contact with the supplier and he has to contact the fabricating shop to see how soon it can be done. Mrs. Schlifke stated the reason she asked was that the Traffic & Safety Committee has been contacted by Hutchinson Hose regarding this line. She stated there was a fire at the Eagle House on Main Street a few weeks ago and the firemen were hampered by the lack of water pressure in that area. She stated a copy of their letter to the committee had been sent to the Board. They state it is imperative that this line be connected as soon as possible, not only for the safety of the Village but also because the insurance underwriters will be considering the water situation in setting the rating.

MAIN STREET  
WATER LINE

Trustee Miller stated he has been in contact with Chief Lavery about this and we are aware of the situation. We are moving as expeditiously as possible. He stated it would be folly to install the water line before the guardrail is in. He stated the pipe should be delivered this week. We had some difficulty going through the State channels and finally submitted a design from a recently approved State guardrail in order to get approval faster.

Mayor Sheffer stated that because it is a serious situation and the condition has existed for a couple of years, the Board gave this a high priority on things to be done, and Trustee Miller has been following through on this since his election to the Board. He asked Trustee Miller if we can expect this to be fixed before

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winter weather sets in and Trustee Miller stated it would be done before then. He stated the Fire Department has a truck that can take water out of the creek if necessary during a fire. We also have a six inch line in full operation on the south side.

Mrs. Rita Andrews, 128 S. Union, thanked Trustee Walker for his assistance in getting the railroad tracks fixed. She stated they are in good condition now.

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

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the meeting was adjourned at 8:00 P.M.

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 Monday, September 26, 1977 at 7:35 P.M.

Roll Call: Present John B. Sheffer, II, Mayor  
Lois S. Idzak  
Gordon J. Kuzon Trustees  
Warren D. Miller  
Roger C. Walker  
Theresa L. Cummins, Village Clerk  
Joseph C. Tisdall, Village Attorney  
Absent Edward Way, Dept. of Public Works

Mayor Sheffer called the public hearing to order at 7:35 P.M.

The Clerk read the Notice of Public Hearing regarding a resolution relating to the adoption of a fiscal impact procedure for the Village of Williamsville.

PUBLIC HEARING -

The Mayor stated the fiscal impact statement would be a new <sup>Fiscal Impact</sup> procedure for the Village. Anytime the Trustees or Mayor propose a <sup>Procedure</sup> resolution at the same time they must submit a short statement setting forth the approximate cost of the resolution and where the money would come from, such as from what category of the budget, federal revenue sharing funds, anti-recession funds, etc. and whether it would involve a bond. This will be an attempt to answer these questions before the resolution is voted on rather than having to deal with these issues after the resolution is passed. The Mayor stated the operational aspect of the statement will deal with when resolutions have to be submitted and to what committees, if any, they should be referred to, etc. The statement is one page long and is submitted in addition to the resolution.

No one appeared to speak in favor of, or in opposition to the resolution.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, the hearing was closed at 7:38 P.M.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer