

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, NY on Tuesday, December 27, 1977 at 7:30 p.m.

Roll Call: Present: John B. Sheffer, II Mayor

Lois Idzak  
Gordon J. Kuzon Trustees  
Warren D. Miller  
Roger C. Walker

Theresa L. Cummins, Clerk-Treasurer  
Thomas V. Troy, Village Attorney  
Edward A. Way, Department of Public Works

Mayor Sheffer opened the meeting at 7:30 p.m. with a minute of silence in honor of Mrs. Marion Carmer, a Williamsville resident and businesswoman, who passed away Friday.

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

Unanimously carried.

ON MOTION by Trustee Idzak, seconded by Trustee Walker, the minutes of the public hearing on Community Development Funds held December 12, 1977 were approved.

Unanimously carried.

ON MOTION by Trustee Idzak, seconded by Trustee Walker, it was moved to suspend the rules at 7:35 p.m. to hold a public hearing on Community Development Funding. The hearing was closed at 7:45 p.m.

Unanimously carried.

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

IT IS RESOLVED, that the Village of Williamsville elects to cancel and hereby declares void certain Restrictive Agreements recorded in the Office of the Erie County Clerk to which the Village of Williamsville is party, which Agreements affect certain parcels of those premises now included in the Glen Park development in the Village of Williamsville, as follows: GLEN PARK

(1) Agreement dated September 10, 1956, recorded at Liber 6083 of Deeds, page 201, as modified by an instrument dated March 3, 1965, recorded at Liber 7092 of Deeds, page 647. Cancel restrictive agreements

(2) Agreement dated September 10, 1956, recorded at Liber 6083 of Deeds, page 212, as modified by an instrument dated March 3, 1965, recorded at Liber 7092 of Deeds, page 653.

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(3) Agreement dated September 10, 1956, recorded at Liber 6083 of Deeds, page 195, as modified by an instrument dated March 3, 1965, recorded at Liber 7092 of Deeds, page 635.

(4) Agreement dated September 10, 1956, recorded at Liber 6083 of Deeds, page 215, as modified by an instrument dated March 3, 1965, recorded at Liber 7092 of Deeds, page 659.

Mayor Sheffer stated these agreements were negotiated and signed in 1956 and modified in 1965. They ran to the benefit of the Village by limiting what was park area and parking area. Since they are no longer applicable, the title company has requested that they be removed at this time.

Unanimously carried.

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

RESOLVED that the Mayor be authorized to sign form ED-113, "the outlay report and request for reimbursement for construction programs" for the EDA Grant - Glen Park Development Project. GLEN PARK  
EDA GRANT Mayor  
to sign ED 113 form

Mayor Sheffer explained that we have received 50% of the E.D.A. grant. This is a request for the second half of the grant.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, vouchers in the amount of \$140,128.23 were approved.

Payroll w/e 12/16/77		\$ 3,966.29
12/23/77		5,925.88
Total payroll		<u>9,892.17</u>
General Fund Abstract #407		28,018.72
Water Fund "	397	18,504.38
EDA "	9	43,478.25
Trust & Agency "	443	2,940.36
Federal Revenue "	44	<u>37,294.35</u>
Total Abstract		\$140,128.23

Unanimously carried.

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

WHEREAS, the Erie County Legislature adopted a five (5) year plan to set aside funds for libraries and cultural activities, and

ERIE COUNTY  
SALES TAX  
INEQUITIES

WHEREAS, the Erie County Legislature did not consult with the Village of Williamsville Board of Trustees before taking such action,

WHEREAS, the Village of Williamsville Board of Trustees has over the years consistently requested revision of the distribution formula to allow Villages to receive two of its four quarterly payments on the same population ratio basis as Villages in Monroe County now do,

NOW THEREFORE, BE IT RESOLVED that the Village of Williamsville Board of Trustees respectfully requests that the Erie County Legislature make the Board of Trustees aware of proposals on sales tax or any other monetary matters that affect the Village of Williamsville before taking action on such matters.

Trustee Kuzon requested the clerk send a copy of the resolution to the County legislature.

Mayor Sheffer stated that he cannot support the resolution as presented. It is often dangerous to use a resolution which is verbatim with one presented by another municipality, whereas Hamburg may have consistently requested revision of the sales tax formula this was untrue of Williamsville. The resolution also confuses the two sales tax distribution formula - the 1972 one which was inequitable to the villages and the 1977 formula which perpetuates the inequity. The actual request included in the resolution asking that Erie County inform us in the future does not speak to the original inequity.

ON MOTION by Mayor Sheffer, seconded by Trustee Miller, the following motion to amend was presented:

WHEREAS, the 1972 Sales Tax Distribution formula adopted by the Erie County Legislature is inequitable to the Village of Williamsville and other villages in Erie County; and

ERIE COUNTY SALES  
TAX FORMULA  
INEQUITIES

WHEREAS, the new formula recently adopted by the Erie County Legislature perpetuates

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this inequity and was adopted without the benefit of consultation with the Village of Williamsville and other Villages,

NOW THEREFORE, BE IT RESOLVED that the Village Board hereby voices its objection to the Sales Tax district formula and further directs the Mayor to submit a letter to the New York State Legislature requesting amendment of Section 1282 of the New York State Tax Law to allow all villages in Erie County to receive Erie County Sales Tax Legislature the same formula as townships and a similar request to Erie County.

Mayor Sheffer stated this resolution puts the Village on record and does not confuse the 1972 and 1977 formulas. It also does not refer specifically to libraries and cultural activities.

Roll Call was taken on the motion to amend: Trustee Miller - yes; Trustee Walker - yes; Trustee Idzak - yes; Trustee Kuzon - yes; Mayor Sheffer - yes!)

Unanimously carried.

Roll Call was then taken on the original resolution as amended: Trustee Kuzon - yes; Trustee Walker - yes; Trustee Idzak - yes; Trustee Miller - yes; Mayor Sheffer - yes.

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, NY at 7:35 p.m. on January 9, 1978 for the purpose of hearing all persons interested in a local law which would amend Section 60.32 of the Traffic Code of the Village of Williamsville by prohibiting parking along the west side of Arend Avenue from Belmont Street to Stanton.

NOTICE OF PUBLIC HEARING

Local Law to Amend Traffic Code

No parking on the West side of Arend Avenue

Trustee Kuzon stated the Traffic and Safety Committee has reviewed the situation on Arend and has recommended the change.

Unanimously carried.

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Trustee Miller reported the Village highways and sidewalks are in good shape. The new truck as well as the 4 wheel drive pickup are performing admirably. The Village now has three (3) CETA employees working in the Department of Public Works.

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

RESOLVED that the Mayor be authorized to sign a lease with Hutchinson Hose Company for rental of Fire Station #2 from June 1, 1977 to May 31, 1978. 1,750 square feet; annual rent \$4,500.00.

FIRE COMPANY

Sign lease by Mayor  
for 6/1/77 -  
5/31/78

Trustee Walker stated this is for the space we occupy at 5005 Sheridan Drive which houses a pumper, rescue truck and ambulance.

Unanimously carried.

ON MOTION by Trustee Walker, seconded by Trustee Miller, 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, NY at 7:35 p.m. on January 23, 1978 for the purpose of hearing all persons interested in a local law which would amend Local Law #2 for the year 1975 - Dog Control Law.

NOTICE OF PUBLIC  
HEARING

Local Law to amend  
Dog Control  
Law

Trustee Walker stated that the enforcement officer is the same for the Village and Town and we should conform with the Town of Amherst in this case.

Unanimously carried.

Trustee Idzak reported that on January 8, 1978 at 2:00 p.m. the Senior Citizen Program will be opened on weekends. The \$4,000 cost will be paid by the Village and the State will reimburse 50%. The program will be dedicated to Mr. Alphanse Chimera. The Senior Citizen Committee will meet on January 4th to determine the use of next years funds.

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

Unanimously carried.

Mr. William Williams, 328 Evans Street questioned as to why the water meters are not sealed against theft. He stated that without a seal, the meters may be removed, a pool could be filled and the meter replaced without the Village being aware of it. This in-

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creases the Village water loss and the cost of water to other consumers. Trustee Miller stated it was a good point and the Village will look into it.

Mr. Charles Akers, 73 Oakgrove, praised the Village forces for their snow removal effort. He felt, however, that dumping snow in Island Park was a mistake. The park is used year around and the snow was ruining the beauty of the park. The Mayor explained that no one likes the snow in the park but that cost was the most important factor. Use of the parks is the least expensive.

Mr. Akers then asked if the Village could dump the snow into the creek. Trustee Miller stated this was done in the past. Mayor Sheffer asked if the Environmental Committee could investigate the possibility of dumping into the creek again.

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

Unanimously carried.

ON MOTION by Trustee Idzak, seconded by Trustee Miller, the meeting was adjourned at 8:35 p.m.



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, NY on Tuesday, December 27, 1977 at 7:35 p.m.

Roll Call: Present: John B. Sheffer, II Mayor  
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Mayor Sheffer called the public hearing to order at 7:35 p.m.  
The Clerk read the notice of public hearing. PUBLIC HEARING

Mayor Sheffer stated this was the second of two (2) required hearings on Community Development Funding. The Community Development funds must be used for people who fall within the low to moderate income level. 1978 Community Development Funds

Mayor Sheffer gave a summary of the requests for funding which were presented at the December 12th meeting.

No further recommendations were made by the public nor the Board of Trustees.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, the public hearing was closed at 7:45 p.m.



Theresa L. Cummins  
Village Clerk-Treasurer