

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, March 13, 1978 at 7:30 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
Thomas V. Troy, Village Attorney
Edward Way, Dept. of Public Works

Mayor Sheffer called the meeting to order at 7:30 P.M.

ON MOTION by Trustee Walker, seconded by Trustee Idzak, the minutes of the regular meeting of February 28, 1978 were approved.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the minutes of the public hearing held February 28, 1978 regarding an exceptional development permit for Townsend Square were approved.

Unanimously carried.

ON MOTION by Trustee Idzak, seconded by Trustee Walker, the minutes of the special meeting held March 6, 1978 regarding election resolution were approved.

Unanimously carried.

Mayor Sheffer then presented his budget message, with respect to the tentative budget for the coming fiscal year and reporting to the Board and the public as to his recommendations. He reported as to the current fiscal condition of the Village and as to the future financial issues which we must today face squarely.

The Mayor then gave some initial observations as important background for the budget recommendations. 1) The Village is currently in a very strong financial position, having a Class A Moody rating. Bond Anticipation Notes were sold last week at the obviously favorable rate of 4.70%. The perpetuation of our strong fiscal posture is essential to the continued vitality of the municipality. 2) His second observation is the ease with which this position can be jeopardized by irresponsible planning. As solid a fiscal situation as the Village now enjoys, we must recognize that this is subject to precipitous change based upon the budgetary and fiscal decisions of the Board. A sobering example of this is had the Board adopted the tentative budget proposed at this time last year by our predecessor Board, municipal finances and our ability to sell bonds would today be crippled. He stated he was speaking of literal, legal insolvency - actual default on our legal obligations. The alternatives in that situation would be bankruptcy or deficit financing. The continued

Mayor's Budget
Message

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solvency of the Village and the capability to provide services are very much in the balance and dependent upon the financial stewardship of the Board. 3) His third observation was that of the 16 villages in the County the Village of Williamsville has the second lowest tax rate. Also, Village taxpayers pay significantly less than our Town counterparts - in other words, they pay fewer total dollars and still get more services. 4) The Village must seek a more equitable distribution of the tax burden among our taxpayers. This applies particularly to distribution of the costs of sewage treatment - the one item that dominates and will continue to dominate the Village financial picture.

MAYOR's Budget

Message

Mayor Sheffer stated that regretably many thousands of dollars have been deleted from the budget requests of the Trustees and Department heads. This is not because the requests are ill-conceived or superfluous but because of the commitment he has made to propose an austerity budget which is designed only to keep present services in tact at minimum cost. (Con't)

Mayor Sheffer stated that as an important part of this proposal he was recommending to the Board that all income and appropriations pertaining to sewage treatment and capital cost of sewer projects be segregated from the General Fund and, in fact, that such costs should be billed separately, either partially or entirely as a percentage of water consumption, rather than strictly as a function of property assessment. This is not requesting the implementation of a new tax, it is requesting a more equitable distribution of an already existing tax.

The Mayor stated that an interesting question was that in light of the fact that all residents of the Town are under the same burden with respect to skyrocketing sewer costs, how was the Town able to pass an annual budget calling for only a slight increase in property taxes. The answer is that sewer costs are not a part of the Town's General Fund and sewer costs are, therefore, not reflected in the tax rate increase.

The affect on Village taxes of segregating sewer costs and income would be to lower the tax rate significantly - by about 24% from \$15.28 per \$1000 of assessed valuation to \$11.71.

The Mayor listed the advantages of this proposal as follows: 1) Sewer charges based, at least in part, upon water consumption are more equitable in that the tax burden is placed upon those actually using the municipal service. Consumption from the water system has a direct correlation to the volume of waste water discharged into the sanitary sewer system. Those interested in saving costs can save not only on their water bill but on sewer charges as well by making the effort to conserve water. 2) Regardless of the fundamental fairness of this system, it is apparently the wave of the future. Not only is the Town contemplating a similar formula but indications are that state and/or federal authorities will be insisting on a

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consumption formula for sewer charges in the future. 3) Sewer costs are not only the most significant item in the financial picture, they are also the most variable in the sense that they are subject to our on-going negotiations and contractual arrangements with the Town and they will be inevitably increasing at a faster rate than other items in the budget and will hopefully be the subject of increasing state and federal aid. 4) Since sewer costs will be an increasing burden to taxpayers, particularly those on a fixed income, this proposal would have the advantage of putting what are now yearly payments on a quarterly basis and since the Village's computer is already set up to handle this method, no significant administrative cost would result.

MAYOR's Budget
Message

The Mayor stated the Board will need to make the decision whether the sewer charges should be based solely on water consumption or on a formula including consumption, assessment and perhaps front footage. He strongly recommended that the sewer items be segregated from the General Fund. (Con't)

The Mayor stated the tax rate reduction proposed this year is of no more significance than the major reduction in 1975 when a portion of our Village taxes was simply shifted to our Town taxes. He stated he concurred in the move that prompted this shifting of taxes to the Town - namely, that the Village now receives Sales Tax revenues directly from the County. He stated the tax rate reduction this year does not represent a decrease in total dollars that Villagers will be paying. Such reductions are out of the question until such time as the whole area resolves its sewer problems.

The Mayor summarized his budget proposals as follows: 1) That existing services be retained. 2) To pay for these services, with the exception of sewer costs, he recommended that a General Fund budget be approved calling for a tax rate of \$11.71 per \$1000 of assessed valuation. This represents a decrease in the tax rate of approximately 24% or \$3.57 per \$1000. 3) He recommended that revenues and appropriations pertaining to sanitary sewers and sewage treatment be segregated from the General Fund and billed, at least partially, as a percentage of water consumption, on a quarterly basis. 4) Although we have not as yet been notified by Erie County of any water rate increase, he recommended that if there is such a rate increase the Village should increase the rate to Village consumers correspondingly.

The Mayor stated he actively solicits the public's ideas, questions and criticisms on or before the public hearing to be held on April 10th.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, it was moved to suspend the rules for public comment on the budget.

Unanimously carried.

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Mr. Paul Atkinson, 80 N. Ellicott, stated the idea of segregating the costs was a good one. He asked if it would be a separate charge or would it be received on the water bill. Mayor Sheffer stated this would be taking an existing tax and putting it on a different payment basis. Mr. Atkinson asked about the Mayor's statement that the Village would have defaulted under the tentative budget proposed last year and the Mayor reiterated that given current income and expenditures we could not have paid our bills had that budget been passed.

PUBLIC COMMENT ON
MAYORS BUDGET

Mr. James Saia, 20 Belmont, asked if the formula for computing the sewer costs had been figured out. Mayor Sheffer stated this had not been done as yet. It could be done on a consumption basis or a formula consisting of consumption, assessment and front footage. If it was strictly on a percentage of consumption it would be in the neighborhood of 55% to 70% of a person's water bill. Mr. Saia stated that since businesses use less water it will follow that they will pay less and the burden will fall on the residents. The Mayor stated that is why a formula including assessment and front footage would be considered.

Dr. Charles Akers, 73 Oakgrove, stated that when he was at the sewage treatment plant it seemed to be that during the summer you have the most flow. He was against the straight water consumption formula. It should be some type of basis that could be on percapita basis - so many gallons per head rather than what goes into the property.

Mayor Sheffer again stated that if this were based strictly on a percentage of water the administrative aspect would entail very minimal cost as the computer is set up to handle this. If we go to a formula it would involve more administration cost because we can't just put it into the computer.

Mr. Richard Sweeney, 325 Mill Street, stated that last year there was a rather substantial increase in the budget with the sewer charges included in the General Fund. He asked what the amount of sewer charges will be for this year compared to last year. Mayor Sheffer stated that in the proposed budget for last year \$120,000 was budgeted. \$145,000 was budgeted and this was not enough to meet the current cost. He stated the Town charge could be from \$240,000 to \$265,000 this year. He stated that if this sewer charge was eliminated from the General Fund the residents would be able to see where their money went with more understanding.

Mr. Saia contended that the past taxes were reduced even though some was shifted to the Town. He stated there was a savings of \$3.00. The Mayor stated there had been an increase in assessment that year and the total dollars were just the same.

Mr. Walter Hansen, 42 California, asked what the taxes would be this year compared to last year if the sewer charges were left in the General Fund. The Mayor stated this depends on the exact

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amount of the Town charges but it could be about \$5.00 more than last year. Mr. Hansen stated it could be as much as \$21.00 per \$1000 and the Mayor stated it depended on the Town charges.

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

Unanimously carried.

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

RESOLVED that the Williamsville Village Board of Trustees pursuant to Chapter 619 of the Laws of 1977, does hereby petition the County of Erie to adopt a Local Law which would allow for the enforcement of unpaid Williamsville Village taxes by the County of Erie, further resolved that if said Local Law is adopted by the County, that on or before the 15th day of March each year, that the Village Treasurer transmit to the County Treasurer a list of said unpaid Village taxes.

TAXES - UNPAID
Turn over to county for collection

Mayor Sheffer stated the Village officials association had recommended that the County provide to all villages the same services provided to Towns and school districts. This would take the administrative burden off the Village. We don't know if the County will agree to do this but it seems to be a reasonable thing to do.

Unanimously carried.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held by the Board of Trustees of the Village of Williamsville in the Municipal Building, 5583 Main Street, Williamsville, New York on March 27, 1978 at 7:35 P.M. to hear all persons interested in expressing an opinion on the proposed use of Federal Revenue Sharing funds.

PUBLISH NOTICE OF PUBLIC HEARING
Proposed use of Federal Revenue Sharing Money

Mayor Sheffer stated this is the first of two public hearings that we are required to hold this year on the allocation of the money we get from the federal government in their federal revenue sharing program. Any Trustee will be glad to hear from anyone on or before the hearing date as to their suggestions for use of the money. The final vote will probably be taken on April 24th.

Unanimously carried.

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Mr. Saia asked why the Village can't investigate the possibility of building its own sewer plant and Mayor Sheffer stated all options are being considered.

Mayor Sheffer reminded residents that March 21st is election day. Voting will be from Noon to 9:00 P.M. at the Fire Hall, Methodist Church and Academy School. Two Trustees are to be elected and he wished all the candidates good luck.

Trustee Miller stated there have been many inquiries about where the \$51,000 went to that was to be used on the infiltration and inflow study. This study was mandated and we had no choice in the matter. We had to fulfill our responsibility to the Town for their grant application for their treatment plant. Required by the State to submit the study. The original amount proposed and allocated for this was in the neighborhood of some \$80,000. After taking office, Trustee Miller stated they were able to make use of information already collected and were able to reduce the cost to around \$50,000.

Trustee Miller stated he will be out of town until the next meeting and any calls regarding water, sewers or the Department of Public Works should be directed to the Village office and they will be directed to the proper individual.

Trustee Miller stated his resolution dealt with compensation for continuation of the on-call alternate program which expires on March 31st, prior to our reorganizational meeting. Under the current structure of the Department of Public Works no one is assigned to function in Mr. Way's absence if he is away on vacation or out of town. This is merely an administrative continuation of a three month program we had previously.

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

RESOLVED that the on-call alternate program for the Department of Public Works be extended thru March 31, 1978. Mr. John Anstett, Mr. David Laubisch and Mr. Vincent Wirth will be compensated an additional \$30.00 for the month each was on duty.

APPOINTMENTS -
On Call Alternates
for DPW

Unanimously carried.

Trustee Walker reported that the parks will soon be ready to open and anyone wishing to hold a function there should contact the Village office regarding a date. Under new rules established last year, a permit must be obtained and a fee paid, along with a deposit depending on the number of people in the group. This is for Village and Town residents only. Anyone interested in using the baseball diamonds should contact the recreation committee immediately as they fill up very fast.

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Trustee Walker stated that on March 25th the Amherst Jaycees will hold the Easter Egg Hunt in Island Park.

ON MOTION by Trustee Walker, seconded by Trustee Idzak, it was moved to suspend the rules in order to consider a resolution not on the agenda.

Unanimously carried.

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

RESOLVED that the Village Clerk be authorized to advertise for bids for 3" fire hose to be opened at the Village Clerk's Office, 5583 Main Street, Williamsville, New York at 4:00 P.M. on April 5, 1978. 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 tradein 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.

ADVERTISE FOR
BIDS

1000 feet of
3" fire hose

The Mayor asked if this item had been budgeted and Trustee Walker stated it had been.

Unanimously carried.

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

Unanimously carried.

Trustee Idzak stated that last Tuesday, ground was broken for the new senior citizens housing. This marks the beginning of construction of the Village Square Apartments.

Trustee Idzak stated the Vandalism Committee met last week. There were 40 people at the meeting, and the whole structure of the committee is well done. They want to establish a townwide method to reduce the vandalism and its cost in the Village and Town. Rita Andrews and Trustee Idzak are on the Community Crime Procedure Subcommittee.

Trustee Idzak stated she is asking that we form a permanent Old Home Day committee so that each year we will be assured of having this celebration continue. People would be named each year to this committee.

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

RESOLVED that a permanent "Old Home Day" Committee be established in the Village of Williamsville. The committee will be composed of nine members to be appointed annually who will serve at the pleasure of the Village Board.

OLD HOME DAY
COMMITTEE
ESTABLISHED

Trustee Idzak stated the committee could be composed of more than nine persons but this will serve as a start. Mayor Sheffer stated this year's dates are July 26, 27 and 28th.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Idzak, vouchers in the sum of \$90,064.47 were approved as follows:

Payroll Fund	W/E 3/3/78	\$ 3,146.08
	W/E 3/10/78	<u>3,150.08</u>
Total Payroll		\$ 6,296.16
General Fund	Abstract #412	58,706.71
Water Fund	Abstract #402	24,106.61
Federal Revenue Sharing	Abstract #48	394.99
EDA Fund Abstract	Abstract #14	<u>560.00</u>
Total Vouchers		\$90,064.47

Trustee Kuzon stated there were four large vouchers - 1) Town of Amherst \$17,540.47, 2) Amherst Disposal \$6,706.65, 3) Erie County Water \$23,816.96 and 4) Hutchinson Hose \$14,196.35.

Unanimously carried.

Trustee Kuzon stated his second resolution dealt with the Townsend Square project. A public hearing regarding this was held at our last meeting. The project will allow for the parking of 137 cars for the 29,500 sq. ft. of commercial and retail space. The Village Zoning Code requires an exceptional development permit for this project, and final approval rests with the Village Board, after advisory committee recommendations. He reviewed the recommendations of the various committees. The majority of their recommendations have been incorporated into the developer's plans. The developer has been very cooperative with the Board and various committees.

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Trustee Kuzon stated that from his viewpoint this would be a welcome addition to the Village. There will be an increase in assessment on the property bringing in more tax dollars. We hope that with its proximity to the new senior citizen housing there will perhaps be some stores in the complex they will be able to shop at. Considering the project from a neighboring homeowner's viewpoint there could be some reservations about this project but have to consider the whole of the Village.

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

RESOLVED that the application of S & W Associates, 5326 Main Street for an exceptional development permit, which was the subject of a public hearing on February 28, 1978 is hereby approved, subject to compliance with the recommendations of the advisory committees.

EXCEPTIONAL
DEVELOPMENT
PERMIT APPROVED
S & W Associates
Townsend Square

Trustee Kuzon stated the developer has, as a practical matter, complied with most of the committee recommendations and the phrase - "subject to compliance with the recommendations of the advisory committees" protects the Village so he complies with the remaining recommendations. He strongly recommended approval of this permit. He stated the developer has been very cooperative in every respect. He stated that a small strip of land involved in this project lies in the Town and this has to be rezoned. This is another hurdle the developer will have to overcome. To the extent that this Board and the public can support this before the Town Board and Town Planning Board would be a substantial advantage.

Mr. Hill asked if this has been acted on by the Town yet and Mayor Sheffer advised the Town Planning Board has a hearing scheduled for this week. He intends to appear at it to speak for the Village (and for himself) if the majority is in support of the project. The Town Board should consider the matter in April.

Vote on Roll Call: Trustee Idzak - aye; Trustee Walker - aye; Trustee Miller - aye; Trustee Kuzon - aye; Mayor Sheffer - aye. Ayes - 5; Noes - 0.

Unanimously carried.

Mr. Way had no report from the Department of Public Works.

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

Unanimously carried.

Mayor Sheffer reminded the public that on April 3rd the Board will hold its reorganization meeting and will be making most or all of the appointments to our committees. We would be happy to hear

DATE: February 1, 1978
TO: PLANNING BOARD
FROM: ENVIRONMENTAL ADVISORY COMMITTEE
SUBJECT: Landscaping - Townsend Square Development

The Plot Plan for the proposed Townsend Square Development was reviewed by the Environmental Advisory Council at the February 1 meeting.

It is requested that the landscape scheme be further clarified to include the names, size and number of each planting, so far as possible, as well as location thereof.

Copies of Plant Legend and Plant Schedule of another development are enclosed for your guidance.

Respectfully,

Joyce Troy
Joyce Troy, Secretary

cc: A.M. MUSSACHIO, Architect
ALFRED WEBER
RICHARD NAYLON
CHARLES AKERS

Village of Williamsville

5583 Main Street
Williamsville, New York 14221

1 / 18 / 78

Trustee Gordon Kuzon: Re: Exceptional development, Townsend Square

The Parks and Recreation Committee has no recommendations regarding the proposed Townsend Square Building. There is little impact concerning parks and recreations.

However, the committee does feel that this new building will be a welcome addition ; the current situation is unsightly.

Yours truly,



William Brunskill,
Chairman, Parks and Recreation
Committee

TO: Village Board
FROM: Traffic and Safety Committee
DATE: January 24, 1978
SUBJECT: Townsend Square (Main and Union Rds.)

A study was made of the preliminary plans and the following recommendations are made based upon such plans. Items not shown on present plans may require further recommendations.

1. Remove the curb cut on Union Road closest to Main Street, i.e. have only one driveway on Union Road. This driveway to be placed directly opposite the driveway from the Senior Citizen's Center if possible.
2. Right turn exits only on Main Street
3. 24' radius for driveways.
4. No shrubbery at exits to exceed 2 feet in height.
5. Stripping in parking areas to facilitate movement of traffic.
6. Stop signs at all exits.
7. Sufficient parking to comply with ordinance requirements.

It is our understanding that the Fire Department will be studying the plans and making their own recommendations.



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from anyone interested in serving on any of our committees.

Mr. Saia asked if the 14 contingent points had been met in the senior citizens housing project, especially the 15 foot strip right-of-way in the alleyway to the rear. Mayor Sheffer stated the right-of-way depends on which part of the alley. The strip from Main Street through the first driveway is 25' wide.

Dr. Akers asked Trustee Miller with respect to sewer costs if with the old lines we have in the Village we aren't paying for the treatment of rain water. He asked if anything has been done through the I & I study to bring the sewer lines up to date to eliminate this inflow, and has a cost analysis been done to determine whether it is cheaper to pay for treatment of the rain water than to repair our sewer lines.

Trustee Miller said this had been done. The different sources of water have been identified. In some cases it is cheaper to treat the rain water than repair the lines. We are going to eliminate the most infiltration we can at the least amount of cost, doing what will have the most impact on the system.

Dr. Akers asked if it wouldn't be cheaper to repair our lines now with inflation making the cost greater and greater every year. Trustee Miller stated we are going to eliminate the most infiltration we can for the least cost. There are many things that can be done without putting in new lines and new things are being discovered each year to help us in that regard. We know the condition of the inside of our lines through the camera studies done and we know what has to be done with each one.

Mayor Sheffer advised the Board was looking into different methods of sewage treatment including a plant of our own.

Richard Hill asked how we are going to pay the Town for inflow into their plant and Mayor Sheffer advised it was on a metered flow basis. Mr. Hill advised in his area there was a problem with flooding in the spring and the sewer has to take in more water. This would seem to create a problem if we have a rate based on what goes into the sewer. He asked if there were any way to eliminate this water. Trustee Miller stated the Corps of Engineers is working on this type of thing at present, and he discussed the way the channel has helped with the flow.

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

Unanimously carried.

ON MOTION by Trustee Miller, seconded by Trustee Walker, the

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meeting was adjourned at 8:45 P.M.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer