

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, July 24, 1978 at 7:33 PM

Roll Call	Present	John B. Sheffer, II, Mayor
		Gordon J. Kuzon Warren D. Miller      Trustees Roger C. Walker
		Theresa L. Cummins, Village Clerk Thomas V. Troy, Village Attorney John Anstett, Dept. of Public Works
	Absent	Rosemarie Sugg, Trustee Edward Way, Dept. of Public Works

Mayor Sheffer called the meeting to order at 7:33 PM.

Mayor Sheffer reported that Trustee Sugg was on vacation and would return in time for the next meeting.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the minutes of the regular meeting held July 10, 1978 were approved.

Unanimously carried.

ON MOTION by Mayor Sheffer, seconded by Trustee Walker, vouchers in the sum of \$106,149.02 were approved as follows:

Payroll Fund	W/E 7/14/78	\$ 3,723.79
	W/E 7/21/78	3,641.42
Total Payroll		<u>\$ 7,365.21</u>
General Fund	Abstract #421	16,304.35
Water & Sewer Fund	Abstract #2	23,815.50
EDA Glen Park	Abstract #20	58,030.40
Federal Revenue Sharing	Abstract #54	40.00
Trust & Agency	Abstract #53	<u>593.56</u>
Total Vouchers		<u>\$106,149.02</u>

There were the following large vouchers - Amherst Disposal - \$7,028.57; Erie County Water - \$23,500.81; and Four Winds Nursery - \$55,472.40.

Unanimously carried.

Trustee Miller reported that the guardrail on the Main Street bridge was damaged when struck by a car. There were no pedestrian injuries and both our water and gas lines are intact. There was no explosion and there is no exorbitant bill to be paid for repairs to these lines. He stated that he believes the guardrail has proved its worth.

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Trustee Miller next reported on the status of the water program in looking for leaks, etc. We have reviewed the existing records and put together a task force for water control. In two of the three meter pits we have found that the meters are reading over. In investigating this we believe we are being charged for water we don't use. We have been continuing our water district isolation program. To date we have found two leaks with the magnitude of 100 gallons per minute loss. We are further narrowing the areas of the leak to pinpoint their locations. So far we have found two leaks in the public sector and only two from the private sector. So far we have not had a great response to our public notice that homeowners can have their lines checked for leaks by our Village free of charge. We hope homeowners will have this done if they are suspicious of a leak.

Trustee Miller stated that the magnitude of the leaks when put in dollars and cents could approach \$4,000 per month or over four million gallons. Good progress has made on reducing some of the losses. Our 3:00 AM check on the 18th showed that our loss is now at 21,358 gallons. This is down quite a bit from the 34,000 gallons before. He stated we are working closely with the Fire Department on this. Two of the members of the task force are from the Fire Department.

Trustee Miller stated specs have been prepared for the North Ellicott water line between Edward and Chalmers. His first resolution dealt with this.

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

ADVERTISE FOR BIDS

RESOLVED that the Village Clerk is authorized to advertise for bids for reconstruction of water main in North Ellicott Street from Edward to Chalmers Street, upon specifications drawn by Bissell, Merrill Associates, Engineers. Bids to be opened at 4:00 PM on August 10, 1978 in the Village Clerk's Office, 5583 Main Street, Williamsville, New York. 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.

North Ellicott  
Street Water  
Line  
Reconstruction

Unanimously carried.

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Trustee Miller stated his next resolution dealt with spending Federal Revenue Sharing fund we already have for public works equipment. This is to augment our leaf pickup program.

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

RESOLVED that Trustee Miller be authorized to write specifications for one leaf vacuum for the Department of Public Works.

AUTHORIZATION  
Prepare specs  
for Leaf Vacuum

Unanimously carried.

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

RESOLVED that Federal Anti-Recession funds received July 18, 1978 in the amount of \$1,101.00 be appropriated to the account 1.5110.427.1 Street Maintenance, Oil, Blacktop and Stones.

ANTI RECESSIONS FUNDS  
APPROPRIATED

Unanimously carried.

Trustee Miller stated his next resolution dealt with passing along to consumers the water rate increase imposed on the Village by the Erie County Water Authority.

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

RESOLVED that Local Law #5 - 1978 - Increase Water Rates - which was the subject of a public hearing on June 12, 1978 is hereby adopted. (Copy attached.)

LOCAL LAW #5-1978  
adopted  
Increase Water  
Rates

Trustee Kuzon stated he previously prepared to not support this increase in rate. However, he has seen that the Village is taking definitive action on our various water problems and will now vote in favor of this.

Trustee Miller encouraged homeowners to have the Village check their pipes for leaks. The new rate is \$1.72 per 1,000 gallons. This is a 5% increase.

Unanimously carried.

Mayor Sheffer stated that this week will mark the culmination of many months of planning for Old Home Day. It will run for three days and involves several inovations. He thanked Lois Idzak who, as Trustee and then after April not as Trustee, has worked with this committee on this.

(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. .... 5 ..... of the year 19 .. 78 ..

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 65.40a(1) is hereby amended to read as follows:

A) Water Consumption

(1) \$1.72 per 1,000 gallons; minimum 5,000 gallons  
(\$8.60) per quarter year.

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

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Trustee Walker stated the new basketball netting for the South Long Street court is in the possession of the Department of Public Works and as soon as Old Home Day is over it will be installed. The contractor has recommended that the courts be sealed next Spring and this will be done.

Trustee Walker stated he has been thinking for a long time of increasing the length of terms for the Mayor and Trustees and was calling for a public hearing on this.

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 August 14, 1978 at 7:40 PM for the purpose of hearing all persons interested in a Local Law which would lengthen the term of Mayor and 4 Trustees from two (2) to four (4) years.

CALL FOR PUBLIC HEARING

Increase terms of Mayor & Trustees to 4 years

Trustee Walker stated the reasons for this are numerous. When a Trustee is in office for only two years he very often begins an important program and then if not reelected the program very often is dropped. Also, the Village has only two parties and we are small and this involves a great deal of hard work every year.

Mayor Sheffer stated this is for a public hearing only and it is obviously a matter of great importance. Many other municipalities are on a four year term.

Unanimously carried.

Trustee Walker stated his next resolution dealt with a 1967 Fire Pumper which is out of service at present for many reasons. One of these is that it has an obsolete engine and we would like to re-power this. We do not as yet have an answer back from the bondsman as yet. It will cost about \$25,000 for this and be financed by a bond, probably five years at either 5½% or 7%. As soon as we get an answer from the bondsman we want to go ahead and do this and get the engine recertified to meet 1978 standards. To get a new pumper it would cost us between \$80,000 and \$100,000.

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

RESOLVED that the 1967 Fire pumper #6 be repowered and recertified to meet 1978 standards.

AUTHORIZATION TO Repower & Recertify Fire pumper truck

Chief Lavery stated the pumper had been on a 15 year replacement program and with being repowered we could get another 10 years from it. We can't get parts for it now.

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Mayor Sheffer asked if this was the only resolution required for this and the Clerk advised there would have to be a bond resolution.

Unanimously carried.

Trustee Kuzon gave an up-date report on the recent survey conducted by the Traffic and Safety Committee. This was brought about by a request for parking restrictions on the east side of Evans Street. They surveyed the residents and reviewed the accident records for the street. 60 homes were included in the survey and of those interviewed six were in favor, 41 opposed, 3 undecided and 10 not home. This means 10% were in favor, 68% were opposed, 5% were undecided and 17% were not home. From the accident record for the period 1977-1978 there were 12 reportable accidents - 9 in 1977 and 3 this year to date. Of the 12, nine occurred at or near the intersection of Belmont and three in other areas. From this review, the cause of most accidents was not due to parking. From its review, the Traffic & Safety Committee recommends keeping the parking the same as it is today.

Trustee Kuzon stated the Planning Board met in July and quite a bit of business was done. They reviewed the parking plan for Larry Read's at 5661 Main Street and they eliminated the parking on the addition side to four spaces, will put in a sidewalk-curb from the present sidewalk in front of Focus Pocus around to the midpoint of parking space No. 4, and there will be a 10 foot buffer zone installed around Oakgrove and the south property line and this should be landscaped. There were three sign permits reviewed. They approved the one for Chocolate Pie Ltd. at 5424 Main Street and the one for Buffalo Savings Bank and the Bell's Market at 5305 Main Street. They denied the application of Fran's Sub Shop at 5650 Main Street. This was based on architectural review. The Board also approved an 8' fence for the H. L. Darling Company at 150 Milton Street and they considered a rezoning request for 44 S. Cayuga. A resolution will be made tonight regarding this requested rezoning.

Trustee Kuzon stated the Village Board can, under certain conditions, amend the zoning code. The zoning change request is for changing the property at 44 S. Cayuga Road from R3 to C3 to accommodate an accounting business. At present, 10 feet of the property is zoned C3 and they are requesting that the remaining 30 feet be rezoned this way.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held August 14, 1978 at 7:45 PM for the purpose of hearing all persons interested in a request to rezone 44 S. Cayuga Road from residential to commercial property.

PUBLISH NOTICE OF PUBLIC HEARING

Request to rezone  
44 S. Cayuga Rd.

Unanimously carried.

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Trustee Kuzon stated that the Traffic & Safety Committee has discovered that four stop signs in the Village are up but are not included in the Village Code. They would like to have these signs legalized.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held August 14, 1978 at 7:50 PM for the purpose of hearing all persons interested in a local law which would amend Section 60.40 of the Traffic Code for providing for stop signs at the following intersections: Columbia at Brookside; Monroe at Brookside; Pasadena at California; Monroe at Scott.

PUBLISH NOTICE OF PUBLIC HEARING

Amend Section 60.40 of Traffic Code Various stop signs

Mayor Sheffer asked if all these could be handled at one public hearing and Trustee Kuzon advised they could be but that each stop sign could be voted on individually.

Unanimously carried.

Mr. Anstett stated the following streets have been paved: Oakgrove, Eagle from Academy to Mill, and Pasadena. The big tree back by the railroad on Union Road has been removed and will be put back in place as soon as possible.

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

Unanimously carried.

James Saia, 20 Belmont, asked if the increase in the water rates meant an increase in the 70% sewer rate also and Mayor Sheffer advised it would include this. Mr. Saia stated he was against this increase in the rates. Mr. Saia also stated the Village should have a signed contract with the Town before it pays the \$180,000 bill for the new plant. Mayor Sheffer advised this bill would not be paid until such time as we have a signed contract with the Town. Mr. Saia stated he believes the residents of the Village will be paying for the majority of this and that the commercial area of the Village will not be paying their fair share of this bill. We should base this on assessment or lot size and not on water consumption. Mayor Sheffer advised that the formula has not as yet been worked out.

Mr. Saia stated there are some 26 homes that are polluting the creek and Trustee Miller stated they should be reported and if there was any pollution the County and State would take care of this.

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Richard Hill, 18 Brookside Drive, asked about the meter that was reading high and if it was the same kind of meter as those found in the homes. Mr. Miller stated these were compound meters but worked on the same general principals as the home meters. Mr. Hill stated he had been advised that a home meter could not read high when he began to receive higher than usual bills. Trustee Miller stated a home meter could read high.

Donald Schueckler, 124 S. Union Road, asked if the Village were going to request a refund from the Erie County Water Authority for the meter that was reading too high and Trustee Miller stated this would be done as soon as possible and would probably be a negotiated thing. Mayor Sheffer stated we have negotiated credits with them before and it is just a matter of coming to terms with them.

Mr. Hill asked what percentage of the meters have been sealed so far and Trustee Miller advised that about 20% have been done. Mr. Hill stated many rumors have been going around about how many meters have been tampered with and he asked if the number was as high as he had heard. Trustee Miller stated that according to his latest information only one meter was apparently tampered with. The recording head had been removed from it.

With respect to the new Senior Citizens housing, Mr. Schueckler asked if the contractor was living up to the points contained in the approval of the deal. It doesn't look as though they are. Mayor Sheffer stated the Building Department will look into this and the Certificate of Occupancy would not be issued unless they fulfill the contract.

Mr. Hill asked about the alleyway at the construction site and asked if it was Village responsibility to repair the damage done as a result of the big construction vehicles using it. Trustee Kuzon stated that Attorney Troy has advised that at this time it is the responsibility of the Village. However, this does not rule out some other type of compromise with the developer regarding repairs to this alleyway. Mr. Hill stated the contractors should be required to post a bond regarding this type of damage and Mayor Sheffer stated we are already doing this. He also stated that he believes Forest City intends to repair this road at the same time it does the driveway on its property so that it is compatible.

Former Trustee Lois Idzak spoke about Old Home Day and the activities that are planned. She urged everyone to attend and thanked all those who worked so hard on this.

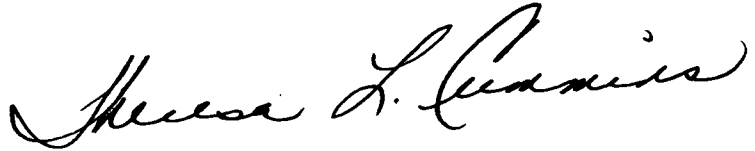
ON MOTION by Trustee Kuzon, seconded by Trustee Walker, it was moved to return to the regular agenda.

Unanimously carried.

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ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the meeting was adjourned at 8:25 P.M.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer