

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, August 14, 1978 at 7:37 PM

Roll Call

Present

John B. Sheffer, II, Mayor

Gordon J. Kuzon

Warren D. Miller Trustees

Rosemarie Sugg

Roger C. Walker

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Edward Way, Dept. of Public Works

Mayor Sheffer called the public hearing to order at 7:37 PM.

The Clerk read the notice of public hearing regarding a local law amending Section 19.60 of the Village Code regarding Self-Service Fuel Dispensing. PUBLIC HEARING

Mayor Sheffer then turned the hearing over to Trustee Kuzon who stated the proposed amendment would require that at all times while the facility is open to the public the attendant shall be located on one of the dispensing islands and shall have unobstructed vision between the controlling mechanism and all dispensing islands. His primary function should be the dispensing of gas. This replaces the section that allows for a voice intercom, which in Trustee Kuzon's opinion is inadequate. This change is for safety purposes. Non-conforming stations would have one year in which to comply. SELF SERVICE FUEL DISPENSING

Mr. George Wiltse of Mobil Oil Company stated he and Mr. Halse of Mobil were present to give their views on this proposed amendment. They have a station at Main and Garrison in the Village which is self-service. He stated they do not disagree that the attendant should be able to see all the islands at all times but at present they have a setup whereby the attendant can sit at a console and completely monitor the islands. They do not believe you will improve the attendants' vision by putting them on the islands. He stated the National Fire Prevention Code is similiar to what the Village now has.

Trustee Kuzon stated the attendant's first function should be to monitor the islands and dispensing of gas and that his other functions of selling items such as milk and other groceries distract him from this.

Mr. Wiltse stated he believed the attendants were giving their primary attention to the dispensing of gas. He stated the fire and safety record of the self-service stations has been outstanding. He stated that many times self-service stations get a lower rating than regular stations.

Mayor Sheffer asked if the reason for the attendant being on the island was for safety purposes and Trustee Kuzon stated it was to improve the safety. There have been problems with motorists

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who come into the self-service stations late at night and at first do not realize it is a self-service station. They honk their horns and then make more noise using the intercom system which does not always work well. We feel that by having the attendant on the island it will improve this situation.

PUBLIC
HEARING
(Con't)

Mr. Wiltse stated this may have been the case a few years ago but motorists are now more aware of these stations. He also asked if the section of the code relating to the emergency power controls being located 20 feet from the dispenser could be changed as under the National Fire Prevention Code it is 100 feet.

Self Service Fuel
Dispensing

Trustee Kuzon asked if there would be a problem with putting two attendants in the stations and Mr. Wiltse stated that with only using one attendant the station is able to reduce its labor costs and therefore, reduce the cost of the gasoline. If you have to have two attendants the cost would go up.

Mr. Halse stated the Village requirement is that the emergency power controls are required to be not less than 20 feet from any dispenser and not more than 50 feet from the most distant dispenser. Mr. Wiltse stated that the State of Massachusetts just approved self-service and New York City is also allowing them now with requirements similar to those presently in the Village. Mr. Wiltse stated they have engineers who could work with the Village on modifying the present code and discuss the operation of the stations. Trustee Kuzon stated he would be agreeable to meeting with them and they should get in contact with him. This is only a public hearing to get input into a possible change in this ordinance. Mr. Wiltse stated he would have his people get in contact with Trustee Kuzon.

Mayor Sheffer stated the New York State Fire Prevention Code which the Village has adopted should be checked to see what requirements it contains in relation to self-service stations.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the hearing was closed at 7:52 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

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Mayor Sheffer called the public hearing to order at 7:52 PM.

The Clerk read the notice of public hearing regarding a local law which would lengthen the term of Mayor and Trustees from two (2) years to four (4) years. PUBLIC HEARING

Mayor Sheffer then turned the hearing over to Trustee Walker who stated he had been considering this for some time. He has looked at other communities in the county and of the 16 in the county, eight have four year terms for mayor and trustee. Other communities are also considering doing this. It has its advantages and disadvantages. If this is adopted, in 1979 three persons would be elected until 1983 and then have four year terms after that. The two elected in 1980 would serve until 1985 and then have four year terms. If the Board were to adopt this local law it would be subject to permissive referendum. The hearing tonight is just for public input.

James Saia, 20 Belmont, stated he did not know if he were for or against the idea. He stated, however, that the public should decide this and not the Board and that it should be placed on the ballot. Trustee Kuzon stated the Village Attorney is looking into the feasibility of having this put on the March ballot. Increase terms of Mayor and Trustees to 4 years

Trustee Walker stated other public hearings may be held on this. It is not going to be acted upon tonight or even within the next 60 days. We may investigate the possibility of placing this on the November ballot.

Former Trustee Walter Hansen stated he did not know if he were for or against this, but he did feel very strongly that this should be on the ballot for the voters to decide. Trustee Walker stated that if the Board passed on this the voters have the right of a public referendum. Mayor Sheffer stated we would either have to put it on the ballot or pass the local law and see if a public referendum takes place.

Donald Schueckler, 124 S. Union Road, stated this should go on the March ballot rather than the November ballot due to the number of outside residents who vote in the area in November and the fact that the issue may confuse the voters if on in November with all the other things that are on the machine.

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Mayor Sheffer advised he was substantially certain this could not be placed on the ballot for November.

PUBLIC HEARING
(Con't)

Mayor Sheffer also advised that no term of a current trustee could be extended. He would have to seek reelection.

Richard Hill, 18 Brookside Drive, stated this should go on the March ballot. It is a Village problem and should be kept in the Village. Perhaps we could have the trustees for four-year terms and the Mayor for a two year term. Trustee Walker stated it could be done this way. Mr. Hill suggested that perhaps a citizens committee composed of both parties could be formed to discuss this and come up with suggestions about it.

Increase terms of
Mayor and

Former Trustee Lois Idzak asked about the time structure if this were on the March ballot. Trustee Walker stated that if it were approved we would have three persons elected in 1979 who would serve until 1983. Two would run in 1980 for five year terms until 1985 and then would elect every two years. It would take a few years to get this running smoothly.

Trustees to
4 years

Trustee Sugg stated she would like to hear some comment on the philosophy of this rather than the mechanics.

Mr. Hansen stated there were arguments for both sides of the question. If a trustee were to run for mayor and get elected he could appoint someone to finish out his term. Mayor Sheffer stated the appointment could only be until the next election. Mr. Hansen stated an advantage would be that a trustee would have four years to work on a program.

Trustee Sugg stated she was strongly against this, because of the very nature of village elections. It is a grass roots sort of thing. With only a two year term you have to be on your toes and ready to take the flack every two years. It is good for all of us. Sometimes fresh air is healthy when you get new blood into a program that someone else has started.

Mr. Hill stated he felt the same as Trustee Sugg about this. He stated that he felt a dollar limit should be placed on what can be spent on a campaign. Trustees Sugg and Walker agreed with him on this. Trustee Sugg stated this needs reform.

Mr. Saia stated he agreed about placing the dollar limit on campaigns. He also stated this should go on the ballot so everyone could vote on it. This would take the politics out of the decision.

Mrs. Idzak stated she agreed on this. Campaigns are a financial hassle and are very time consuming on all levels of political activity. It has gotten out of hand. If the term of office is not changed, perhaps some sort of guidelines could be established for the money spent in campaigns.

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Trustee Kuzon stated he agrees that things have gotten out of hand. There should be some agreement between the parties as to literature and other things related to the campaigns.

ON MOTION by Trustee Walker, seconded by Trustee Kuzon, the hearing was closed at 8:15 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

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Rosemarie Sugg
Roger C. Walker

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Edward Way, Dept. of Public Works

Mayor Sheffer called the hearing to order at 8:15 PM.

The Clerk read the notice of public hearing regarding a local law which would amend Section 60.40 of the Traffic Code of the Village by providing for stop signs at the following intersections: Columbia at Brookside; Monroe at Brookside; Pasadena at California; and Monroe at Scott.

PUBLIC HEARING

Mayor Sheffer then turned the hearing over to Trustee Kuzon who stated that as a by-product of the Traffic & Safety Committee's investigation of the key intersections in the Village it was discovered that these key intersections have stop signs but they are not listed in this section of the Traffic Code. This hearing is being held to legalize these signs. They were most likely installed at the request of a citizen and we will leave them up pending passage of the law as people are used to having them there and removing them might cause a hazard. Also the cost of installing a stop sign is approximately \$60.

Local Law to amend

Section

60.40

of Traffic

Code

Richard Hill, 18 Brookside, asked if anything were being done to see that this did not happen again in the future. Trustee Kuzon stated the liason working with the Traffic & Safety group would schedule the appropriate public hearings. This will be discussed at their meeting on Thursday.

Former Trustee Lois Idzak stated she was in favor of the stop sign being retained at Pasadena at California. There is rather a blind curve there and there are many children in the area.

Various stop

signs

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the hearing was closed at 8:20 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

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, August 14, 1978 at 7:35 PM

Roll Call

Present

John B. Sheffer, II, Mayor

Gordon J. Kuzon

Warren D. Miller Trustees

Rosemarie Sugg

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 7:35 PM.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the minutes of the regular meeting held July 24, 1978 were approved.

Unanimously carried.

ON MOTION by Trustee Walker, seconded by Trustee Kuzon, the minutes of the special meeting held August 9, 1978 were approved.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, it was moved to suspend the rules in order to hold at public hearing at 7:37 PM regarding a local law amending Section 19.60 of the Village Code relating to Self-Service Fuel Dispensing. (The hearing was closed at 7:52 PM.)

Unanimously carried.

ON MOTION by Trustee Walker, seconded by Trustee Kuzon, it was moved to suspend the rules at 7:52 PM in order to hold a public hearing regarding a local law which would lengthen the term of Mayor and Trustees from two (2) years to four (4) years. (The hearing was closed at 8:15 PM.)

Unanimously carried.

ON MOTION by Trustee Sugg, seconded by Trustee Kuzon, it was moved to suspend the rules at 8:15 PM in order to hold a public hearing regarding a local law which would amend section 60.40 of the Traffic Code by providing for stop signs at the following intersections: Columbia at Brookside; Monroe at Brookside; Pasadena at California; and Monroe at Scott. (The hearing was closed at 8:20 PM.)

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, it was moved to table the hearing for rezoning of 44 S. Cayuga at the request of the petitioner.

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Mayor Sheffer stated we had heard from the petitioners and they are considering other property within the existing commercial district in the Village and they hope to put that deal together making it unnecessary to hold a public hearing on this property.

Unanimously carried.

ON MOTION by Mayor Sheffer, seconded by Trustee Kuzon, vouchers in the sum of \$134,797.81 were approved as follows:

Payroll Fund	W/E 7/28/78	\$ 6,986.49
	W/E 8/4/78	3,550.22
	W/E 8/11/78	<u>3,606.01</u>
Total Payroll		\$ 14,152.72
General Fund	Abstract #422	81,452.22
Water and Sewer Fund	Abstract #3	5,427.71
Federal Revenue Sharing	Abstract #55	13,933.25
Trust & Agency Fund	Abstract #54	4,067.59
EDA Glen Park	Abstract #21	<u>15,764.32</u>
Total Vouchers		\$134,797.81

Unanimously carried.

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

AUTHORIZATION

RESOLVED that outstanding water checks are hereby cancelled:

Cancel old water checks

<u>Check #</u>	<u>Pay To</u>	<u>Date</u>	<u>Amount</u>
935	Bessie Doxtrader	2/6/75	.50
1155	Tom Nestle	2/27/76	8.90

Mayor Sheffer stated these are Village of Williamsville checks payable for refunds on the water bills when they closed their accounts. We have been unable to locate these people and are doing this in order to bring our accounts in order.

Unanimously carried.

Trustee Sugg reported that a picnic was held in July to honor the group Youth Engaged in Service. They have spent countless numbers of hours dedicating themselves to the needs of the community. This is a part of the youth program in the Town and Village. They did a great deal of work at the Old Home Day celebration.

Trustee Sugg stated the YES group has volunteered to paint the pavillion in Island Park and we are supplying the paint and brushes for this.

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Trustee Walker stated he wanted to thank the YES group for all their work in the Village.

Trustee Walker stated the basketball courts at South Long Street are now finished.

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

RESOLVED that Theresa Cummins, Clerk-Treasurer, be authorized to attend the Annual Training School for Fiscal Officers and Municipal Clerks at Grossingers, Liberty, New York, September 19 - September 22, 1978 and the expenses not to exceed \$300. to be paid by the Village of Williamsville.	AUTHORIZATION Clerk to attend training school
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Trustee Walker stated the Clerk attends this school every year. They hold numerous seminars and she brings back a lot of information for us.

Unanimously carried.

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

RESOLVED that the Mayor be authorized to sign a supplemental contract with the Osgood Group covering the Glen Park project.	AUTHORIZATION Mayor to sign supp. contract w/Osgood
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Trustee Walker stated the original contract was signed on April 4, 1977 and there has now been a change due to a change in the auditing procedures by the federal government. We had a percentage instead of the actual dollar amount, and the present contract changes this. There is no variance in the dollar amount of the contract.

Unanimously carried.

Trustee Kuzon reported that the Planning Board met on August 7th. At that meeting they approved two sign permits - one for Dooly's Deli and the other for Stereo Advantage, both on Main Street. The Board also architecturally reviewed two site plans. One was for a physician's office at 5611 Main Street. Recommendations were made relative to parking and architectural treatment of the building. An addition was proposed for a vestibule in front of the Williamsville Inn and this was denied under architectural review authority. There was also discussion of the sign code and ways to improve the administration of it. He stated he had a resolution regarding this for tonight. He stated the Board also discussed dustless surfaces and have made a recommendation to the Board of Trustees about this.

Trustee Kuzon stated the Planning Study is still being reviewed by the Community Development office. He spoke with the man there and he stated it was being held up by vacations and by a request from HUD regarding county funding. He perceives no problem with the study and will notify us as soon as possible about this.

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Trustee Kuzon stated his first resolution dealt with calling for a public hearing regarding amending the sign code. At present sign permits are renewed every year and this would require renewal every five years. There would also be an increase in fees.

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 in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:35 PM on August 28, 1978 for the purpose of hearing all persons interested in a local law which would amend Sections 1.12 and 1.22 of the Sign Code of the Village of Williamsville by providing for an increased initial fee for obtaining a sign permit and changing the renewal of sign permits to every five years on July 1st rather than yearly.

PUBLISH - Public Hearing
Amend Section 1.12
and 1.22 of Sign Code

Mayor Sheffer asked if the increase of fees was simply due to the increase of time that the permits were effective and Trustee Kuzon stated this was being left open for further discussion by the Board. We would like to get Board and public input before this is decided.

Unanimously carried.

Trustee Kuzon stated the Traffic & Safety Committee did an investigation of all the key intersections in the Village. They have a request from citizens that a stop sign be placed on Spring Street at Reist Street and they are recommending this.

ON MOTION by Trustee Kuzon, seconded by Trustee Sugg, 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 PM on August 28, 1978 for the purpose of hearing all persons interested in a local law which would amend Section 60.40 of the Traffic Code by providing for a stop sign on Spring Street at Reist Street.

PUBLISH - Public
Hearing
Amend section 60.40 of
Traffic Code
Stop sign on Spring &
Reist

Unanimously carried.

Trustee Miller stated we are continuing the isolation studies of the water system. We have completed the area east of Ellicott Creek and north and south of Main Street. We are now working on the lines west of the creek.

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Trustee Miller stated one of his resolutions tonight will call for the awarding of the bid regarding reconstruction of the North Ellicott Street water line which we found to be defective and which is one of the worst lines in the Village.

Trustee Miller thanked the Department of Public Works for the fine job they did throughout the Old Home Day celebration. Also, the department has done a fine job of paving this year. They have exceeded some of the money allowed for this this year. There may be an allocation of surplus money for more street restoration.

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

WHEREAS the Village has advertised for sealed bids for Reconstruction of the North Ellicott Street Water Line, and

CONTRACT AWARDED
N. Ellicott Street
Water line

WHEREAS Nick Costa Construction Company submitted the lowest bid meeting specifications,

NOW, THEREFORE, the contract for the reconstruction of the North Ellicott Street water line is awarded to Nick Costa Construction for their low bid of \$24,293.00.

Unanimously carried.

Trustee Miller stated his next resolution dealt with disposal of leaves that will fall this fall. We are initiating a program that should give us the best service in removing the yard debris and leaves. The Village will be divided into two districts when we have two leaf machines. We only have one at present. Also, we have some new containers on trucks for this purpose so they will be able to go along with the leaf machines.

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

RESOLVED that the Village Clerk is authorized to advertise for bids for one leaf vacuum for the Department of Public Works. Bids to be opened at 4:00 PM on August 24, 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 tradein allowance, if any, and present such records to

ADVERTISE FOR BIDS
Leaf Vacuum

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the Board of Trustees at the first regular or special meeting of the Board following the opening of the bids.

Unanimously carried.

Trustee Miller advised the men from the department will be working three shifts in order to do the isolation study. He advised residents that if they see anyone moving around their area in the early morning hours they should check to see if there is a department truck nearby. We had a problem with someone calling the police and reporting prowlers recently and hope this will not happen again.

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

Mayor Sheffer stated he wanted to thank the Department of Public Works for the fine job they did throughout the Old Home Day celebration.

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

Unanimously carried.

Mr. Vincent Rolletta of the Georgetown Apartments stated he and Mrs. Barbara Eddy were present tonight representing the Georgetown Apartments Association. The complex consists of 184 units housing 300 individuals and families. The landlord notified tenants who had leases up in October that the rent would be raised \$35 to \$85 a month. He gave them notice at the end of July and they had until August 1st to notify him of their decision regarding their leases. Mr. Rolletta stated many senior citizens live at these apartments. He stated that maintenance at the complex has been very bad the last few years. The landlord has told them he must raise the rents due to the increase in taxes but this does not seem to be so.

Mrs. Barbara Eddy of the Georgetown Apartments, gave some pictures of the maintenance problems in the complex and listed some of them for the Board. There is a problem with lighting, with doors jamming and with leaks in the roofs. Some of these are safety hazards. She stated the landlord had done some outside work since the association had gone to the Town Board with their complaints and had had some newspaper coverage on their problems. She asked if the Board could help them out with some of the problems at the complex.

Trustee Miller stated the Board could investigate any violations of the building code and other village ordinances and if there are any violations require compliance with the law.

Mrs. Carolyn Schlifke, Evans Street, stated she knows of the problems these tenants are having. A question to be considered, however, is how much power does a municipality have once a developer comes in, builds a building, and then does not maintain it. An example is the Georgetown and Evanstown Plazas where maintenance has not been done.

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Mayor Sheffer stated we can only act within the ordinances pertaining to things like safety hazards. There is a point where the ability of the municipality to act ceases. There is a fine line between intrusion into the private area and protecting the common good.

James Saia, 20 Belmont, stated he is a landlord and with the increase in the utility bills and other expenses there is some necessity to increase rents, especially if they are included in the rent.

Richard Hill, 18 Brookside Drive, asked if it were true if the police could do nothing if a car comes up onto your private driveway and blocks it. Mayor Sheffer stated the police cannot tow anything from private property. You have to get someone to tow it and bring a civil claim for your cost and damages. Depending on the circumstances you may every have a criminal complaint for harassment.

With respect to Mr. Hill's question regarding the derelict car behind the Buick Motors building on Evans, Trustee Kuzon advised the Village has an ordinance about this sort of thing. Mr. Freeman of the Building Department and Village Attorney Troy will look into this.

Mrs. Eddy and Mr. Rolletta stated they have tried to get the landlord to meet with them and that he will not do so. They feel the rent raises are too much. They feel he is raising them because of the financial problems he is having in other areas.

Trustee Miller asked if they had checked on the rental prices in other apartment complexes similiar to Georgetown. They stated they have done so and that some of them are the same prices but that upkeep is much better.

James Saia asked if the YES kids that are painting the pavillion in Island Park have insurance and Trustee Walker stated they did.

Mr. Hill asked how the department of public works was coming with the sealing of water meters and Mr. Way stated about 25% have been done and they are working on doing this as much as they can.

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

Unaniously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Walker, the meeting was adjourned at 9:05 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer