

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, December 11, 1978 at 7:34 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
John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Sheffer called the meeting to order at 7:34 PM.

ON MOTION by Trustee Walker, seconded by Trustee Miller, the minutes of the regular meeting held November 27, 1978 were approved.

Unanimously carried.

ON MOTION by Trustee Walker, seconded by Trustee Miller, the minutes of the public hearing held November 27, 1978 regarding a local law to amend the Sanitary and Water Code were approved.

Unanimously carried.

ON MOTION by Trustee Sugg, seconded by Trustee Kuzon, it was moved to suspend the rules at 7:35 PM in order to hold a public hearing regarding how the community development funds for the coming year should be spent. (The hearing was closed at 8:33 PM.)

Unanimously carried.

Mayor Sheffer stated we are approaching budget time in the Village. It has to be completed and approved by the end of April. Last year he set a time for the Trustees and department heads to submit their budgets. It was for the first meeting in February and that worked well in terms of our getting the budget prepared in time. He stated he was again requesting the Trustees and department heads consider as a firm deadline the first meeting in February. They should work with the Village Clerk toward that end. We must get started now in order to meet that deadline.

Mayor Sheffer stated that in the recent past the Mayor has been the budget director for the Village. In that he will be resigning at the end of the month and the Board will be appointing a new mayor or go to the end of March without one, in order to keep the budget process intact and running smoothly he stated he is appointing the Village Clerk, Theresa Cummins, as budget director. This is the way most villages in the area handle this, that the Treasurer is the budget director.

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ON MOTION by Mayor Sheffer, seconded by Trustee Walker, vouchers in the sum of \$82,074.29 were approved as follows:

| | | |
|-------------------------|---------------|-----------------|
| Payroll Fund | W/E 12/1/78 | \$ 3,082.41 |
| | W/E 12/8/78 | <u>3,157.01</u> |
| Total Payroll | | \$ 6,239.42 |
| General Fund | Abstract #430 | 60,810.59 |
| Water & Sewer Fund | Abstract #11 | 10,737.23 |
| EDA | Abstract #27 | 1,211.05 |
| Special Assessment | Abstract #4 | 850.00 |
| Federal Revenue Sharing | Abstract #63 | <u>2,226.00</u> |
| Total Vouchers | | \$82,074.29 |

The large vouchers were to: M&T Bank - \$9,140.00; Amherst Disposal - \$7,028.57; Nick Costa Const. - \$11,826.00; State Insurance Fund - \$7,848.32; American LaFrance - \$24,885.00; and Niagara Mohawk Power - \$3,033.80.

Unanimously carried.

Mayor Sheffer stated his next resolution deals with a program we entered into with the consortium of municipalities in Erie County about a year ago. The Village is not actively involved in administration of this. On this particular program the Town of Lancaster is the agent for all the towns and villages in the consortium. This program is the Winterization and Emergency Repair Program.

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

RESOLVED that the Mayor is authorized to sign the first amendatory agreement with the Town of Lancaster for the Erie County Consortium's Winterization and Emergency Repair Program.

AUTHORIZATION

Sign agreement
w/ Lancaster
re:winterization

Unanimously carried.

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

Unanimously carried.

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Mayor Sheffer stated he has been approached by a number of people to do with restricting the parking of commercial vehicles at night. We have been requested to enact a law similiar to the Town's and are calling for a public hearing regarding this.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held on December 26, 1978 at 7:40 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in expressing an opinion on a local law which would amend the Traffic Code by restricting the parking of commercial vehicles on Village streets between the hours of 1:00 AM and 7:00 AM.

NOTICE OF PUBLIC HEARING

Traffic Code

No parking commercial vehicles on Village streets between 1A.M. to 7 A.M.

Unanimously carried.

Mayor Sheffer requested that this proposal be submitted to the Traffic and Safety Committee either before or after the public hearing, but prior to our voting on this.

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

Unanimously carried.

Mayor Sheffer stated this is the last meeting of the Village Board that Trustee Walker will be attending as Trustee. Due to the fact that he has just purchased a home just several lots outside of the Village, Trustee Walker has resigned effective December 15, 1978. Mayor Sheffer said he wanted to take this opportunity to express to Roger his personal appreciation and the appreciation of the residents for his hard work and diligence that he has put into his job over the past two years. No Trustee in recent memory has put in the hours here at the Village office that he has. There are many indications of that in the Village, particularly in our parks and recreation program and wading pools. We wish him well in the future in all he does. Mayor Sheffer then presented Trustee Walker with a Distinguished Service Award and a Sepquicentennial Village plate.

Trustee Walker thanked the Mayor and the Board for the certificate and the plate. He stated he was sorry that he had to resign at this time but had to because of his move just out of the Village. He stated he had given this move a lot of thought. He has enjoyed his two years in office and it was a very awakening experience. This job takes a lot of time. He stated he was going to school and this required a lot of night work and he felt Village government was too important to suffer. He stated he would like to work

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with the new Trustee when the Mayor appoints him and help him to be brought up-to-date on the job. He thanked the Mayor and Board members for their cooperation in the past two years.

Trustee Walker stated his first resolution dealt with something that comes up every year regarding the fire protection contract between the Town and Fire Company which has to be approved by the Village.

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

RESOLVED that the Mayor execute in behalf of the Village contract with the Town of Amherst and the Hutchinson Hose Co. for fire protection in the following districts:

AUTHORIZATION

Mayor to execute fire contracts with Town of Amherst

| | |
|----------------|-------------|
| Autumn Harvest | District #1 |
| Lamm Post | " 2 |
| Lehn Springs | " 3 |
| Mill Street | " 4 |
| Park Club | " 15 |
| Williamsville | " 16 |

Unanimously carried.

Trustee Kuzon stated he wanted to join the Mayor and other members of the Board in thanking Trustee Walker for his service to the Board and Village. It has been a pleasure to work with him and get to know him. Even though he is of a different party than Trustee Kuzon, Trustee Walker was always willing to listen to both sides of an issue. He worked for the betterment of the Village.

Trustee Kuzon advised that as of November 30, 1978 our Building Inspector, Joseph Freeman, resigned that position for personal reasons. In the interim, until reappointment time, at the beginning of April, Bissell Merrill will pick up the slack. On April 10, 1978 they were appointed our assistant Building and Plumbing Inspector so they will fill right in so things move along smoothly.

Trustee Kuzon advised that at the December 4th Planning Board meeting one sign permit for Sench Jewelers was approved. Also, concept approval for offices and parking at 27 N. Long Street was given. There was also a lengthy discussion regarding the Comprehensive Planning Study that the Village is in the process of developing. This discussion was to fill in any gaps and answer questions the Village Board had and to bring them up-to-date on what has taken place so a status report can be submitted on its progress.

Trustee Miller stated that Trustee Walker was an extremely diligent and contributing member of the Board. He spent many hours working for the Village. He always remained objective and worked toward the betterment of the Village and its residents. He wished him the best in his future endeavors.

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Trustee Miller stated he and Trustee Kuzon will be meeting to discuss the Building and Plumbing Department and the situation there.

Trustee Miller stated he was happy to report that the valves are now in. Some residents may be getting some iced tea colored water coming out of their faucets for a while from stirred up sediment. But we do have more pressure now. He stated that Trustee Walker has supported the water department and thanked him for that.

Trustee Miller reported that the highway department plows are hooked up and ready to go whenever we get snow.

Trustee Sugg gave an up-date report on the status of the contract station for the post office in the Village. She has spoken with Mr. Nagowski and he states that the Village has been approved for a station but that the contracts for the bids have not been sent out yet to the three businesses interested in this. The hold up is in Rochester which is the regional office and from which all contracts emanate. The contracts should be ready after the first of the year. That is the best we can do at the moment.

Trustee Sugg thanked Trustee Walker for the help he has given her and wished him good luck in his new endeavors.

Trustee Sugg stated her first resolution dealt with the final change order for Glen Park. It is specifically for three items. One is for a water meter pit at the south end of the project, one is to add 60 euonymus coloratus for ground cover, and the third is to add 16 white pines. The total amount is \$1,311.91.

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

RESOLVED that the Mayor be authorized to sign Change Order #4, Glen Park Contract #2 in the amount of \$1,311.91 as requested by Don Ward.

GLEN PARK
Contract #2 - Change order approved

Unanimously carried.

Trustee Sugg stated her second resolution relates to the gazebo at Garrison Park. Community Development requires that we have a contingency fund for this and this is to switch the money. It is a mute point as the money is already used up.

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

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RESOLVED that funds in the amount of \$450.00 remaining in the 1975-1976 Community Development Funds for the Garrison Park Recreational Shelter account CD8690.0 Contingencies for WILL 1-C-2.0 be reallocated to account CD8662.0 Public Works Facilities and Site improvements.

COMMUNITY DEVELOPMENT
FUNDS REALLOCATED

1975-1976 from
contingencies for
Garrison Gazebo

Unanimously carried.

John Anstett of the Department of Public Works wished Trustee Walker all the luck in the world.

Mr. Anstett stated the Christmas decorations have been installed. With using the plugs on the poles for the lights they are all on at once and we can tell immediately if a bulb is not working.

Mr. Anstett stated the flood gates have been removed for the winter season.

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

Unanimously carried.

James Saia, 20 Belmont, stated he would like to see the Village have all the plans, or copies of them, of Village projects in the Village offices. We should not have to go to the engineers or elsewhere to get them. A copy should be kept in the Village. He stated he understands this is now being done but we should get the ones from the past also. Trustee Miller stated such a plan is now being put into the works and we are going to try and get copies of everything that has ever been done. Mr. Saia stated someone should be responsible for seeing that we have copies of all the plans in the future.

Mr. Saia stated that two weeks ago in the Amherst Bee there were some errors that the Village should have corrected. One particular one concerns the possibility of a street coming out of the Farber-Jacobs property opposite Belmont. This is not possible and the Village should have let this be known. This proposed street on the map would have been through the Blocher Home. The Board would have to rezone property on Evans in order for the roads to come out there. He stated he did not think the residents in the area around there wanted a street there.

Mr. Saia stated there has been a rumor in the Village that in connection with the Fire Hall building there was going to be a two or three tiered parking ramp behind that building. Mayor Sheffer stated a ramp is a possibility in any number of places for increased parking. Anything to do with the Fire Hall would be in that spot as an addition to the hall. Nothing has been approved yet. Traffic and Safety recommended some

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months ago that there be additional parking, perhaps in the form of a ramp somewhere in the Village and, of course, this is one of the places.

Mr. Saia asked if the resolution relating to the fire hall made some weeks ago had to do with the parking ramp and Mayor Sheffer stated it was included.

Mr. Saia stated he was unhappy about the sewer fees being charged since June. He stated he foresees an enormous surplus in the budget. He said the residents should mark their bills paid under protest. The inequities imposed upon the residents of the Village because of the sewer fee should rest on the Board.

John Berryman asked about whether a hearing was going to be held on his request for a zoning change. Trustee Kuzon stated he had received his letter on Friday and had referred it to the Village Attorney because there is a question as to whether the five dwelling units came under exceptional development. If such an exceptional development permit is required we will need to hold two public hearings. The attorney also advised we will need a legal description of the property in question. Mr. Berryman stated Bissell Merrill said our ordinance does not seem to require anything about townhouses and they are going to see if they can get some rules and regulations for him about this. Trustee Kuzon stated that there has to be 15 days between notice of the hearing and holding of the hearing and we have a problem with the calendar. It will probably be held the second meeting in January. Trustee Kuzon stated he will contact Mr. Berryman about this.

Chief Lavery thanked Trustee Walker for his work and his cooperation with the Fire Department.

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

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Miller, the meeting was adjourned at 9:07 PM.

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, December 11, 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
John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

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

The Clerk read the notice of public hearing regarding how to spend the \$46,017 fifth year grant the Village is eligible for under Title 1 of the Housing and Community Development Act of 1974. The hearing is to provide an opportunity for citizens to express community development and housing needs and to discuss possible projects or programs to meet those needs, particularly projects which would benefit low and moderate income persons in the Village.

PUBLIC
HEARING

Mayor Sheffer advised that this is the first of two mandatory public hearings on the allocation of community development funds for the next year. The \$46,017.00 that we will receive for the year is the first of a three year program and the amount will be the same for each year. A very large percentage of the Village budget is the result of state or federal mandates or aid. This program is to aid low and moderate income families and areas within the Village. Each year the government has become more restrictive in the rules which govern how these funds can be allocated. There are more restrictions this year than last year. This put the small municipalities such as the Village at a disadvantage. It is difficult to allocate the money to high priority items

1979
Community
Development
Funds

Mayor Sheffer stated that one of the obligations under the program is to indicate at the hearing the types of programs that community development funds have been put to in the past. They include the Garrison Park gazebo, the Glen Park restoration, the I & I sewer study, the Comprehensive Planning Study, perpetuating the Main Street shade tree planting program, a maintenance program for the Village parks by the handicapped, the Village Meeting House restoration, and the emergency vehicle for the Fire Department designed to aid the low income senior citizens in the new senior citizens housing project. The money is to be used this year in geographic areas or programs where 51% of the people benefiting from the funds are low to moderate income. Last year this meant that the income for a two person family would be approximately \$9,800 and for a four person family it would be \$12,300. The Village will do the best job it can in complying

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with these regulations in order to make use of this money. He stated the residents' ideas will be evaluated against the criteria to see if they will work or not. The second public hearing will be at our next regular meeting which will be on Tuesday, December 26th at 7:35 PM. The meeting is on Tuesday due to the Monday holiday.

The Mayor then introduced Mrs. Marilyn Taulbee who was present at the meeting to represent the County for the community development program. She stated the County is looking for one project that can be extended over a three year period. Several small projects could be part of one overall larger project. There is an emphasis on designating and preventing future slums or blight.

Public Hearing
(Con't)

Mayor Sheffer stated we find the three year program or one overall project very difficult in the Village. This last year each of the allocations in some way centered around low income senior citizens, including the emergency vehicle to aid in the first aid rescue calls at the new housing, the Village Meeting House and Glen Park improvements which were largely for the benefit of the senior citizens. Whether for the next three years we will be able to comply with that will depend on the ideas we get from the citizens. He stated that at the second public hearing we are obligated to give at least a preliminary idea of how the Board intends to allocate the money. We will use the information we receive at this hearing for that.

1979

Donald Schueckler, 124 S. Union Road, asked if the money were to be designated for senior citizens could it be used for perhaps a bus, for refurbishing the Meeting House or fixing some benches in the park. Mrs. Taulbee stated it would have to be documented that it was for use of the senior citizens and that over 50% of those using the facility fell into the low or moderate income group. She said the Village might consider some sort of long range capital improvement program.

Community
Development
Funds

James Saia, 20 Belmont, stated that in some other communities they have programs for cutting back the curbs to make it easier for senior citizens and handicapped individuals to negotiate the intersections. The Town is going to have a program to make it easier for the older people and handicapped individuals to negotiate the stairs and hallways. He stated he believed the Board should consider using some of the money for this type of program.

Gartley Weller, 129 Mill Street, stated he believed the Village Meeting House was a community development effort if we have any at all. We have people in all categories who will be using this. Senior Citizens meet there already, and we expect them to meet there more frequently in the future. Many other groups are using it. Some money was allocated but we can use more. Many things are needed in the old building. A rear exit is badly needed for safety reasons. The wiring is inadequate. Restrooms are needed.

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The stained glass windows should be covered with something to prevent vandalism. The exterior of the building badly needs paint. A beam needs to be repaired. All this requires money. The building will be used for years and years to come. It is in an ideal location. He suggested that the Board keep this in mind when allocating funds.

Mr. Weller asked Mrs. Taulbee how they could find out the incomes of those using the facility. They have a sign in list at present to document who uses the facility but have no way of asking what their incomes are. Mrs. Taulbee said perhaps they could use the 1970 census or perhaps there could be a way it could be done through the senior citizens center. She stated that unless there was some kind of documentation as to the income level it would be difficult to justify this particular project.

PUBLIC
HEARING
(Con't)

1979
Community

Mayor Sheffer stated this had been approved for an allocation this past year and perhaps could be eligible again this year but we have to document the use by low and moderate income people. These are the practical difficulties we run into again and again with this type of program. He said the time is going to come as the restrictions get worse when we will not be able to use these funds in the Village. It has already been pointed out that perhaps this year we will not be able to use the money. He said it was clear to him that our money was going to the federal government, being encumbered with these types of restrictions and then they come back to the Village and we can't use the money. It is a real problem.

Development
Funds

Mr. Saia asked what other communities do and Mayor Sheffer stated they are also having problems. The smaller the municipality the more difficult the problem. They are handling the problems in the same way we do. There are some small municipalities in blighted areas but we do not have a geographical area in the Village which we can tag this way.

Mr. Schueckler asked what happens to the money if we don't get this money. For example, if we only use \$20,000 who gets the rest of the money. Mrs. Taulbee stated she would have to find this out, and she would let us know.

Mr. Schueckler said we have a growth of the population in senior citizens in the area. The Amherst Senior Citizens Center is now talking about a satellite building. He asked if this growth could be documented would the county accept this.

Mrs. Taulbee stated it was not the county's intention to make things difficult for the smaller communities or to place restrictions on the use of the funds. The county has the guidelines from the federal government and we just pass them along to the communities. She stated the 1970 census is probably obsolete. It is very difficult to get proper documentation without invading someone's privacy.

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Mr. Schueckler stated if this was the right way to go he would go down to the senior citizens center tomorrow and start on this. Mrs. Taulbee said that maybe some type of survey method might be used. Mr. Schueckler stated the information could not be obtained for use at the second public hearing in two weeks. Mayor Sheffer stated it was not required by then. Mrs. Taulbee stated the Village's application does not have to be submitted until June to HUD and that the project descriptions to the county are not due until sometime in February. This would give you some time to document the income levels.

PUBLIC
HEARING
(Con't)

Mr. Schueckler asked if the funds could be used for a bus and driver and Mayor Sheffer advised they could not be used for transportation or salaries.

1979

Community
Development
Funds

Mayor Sheffer stated the county community development office has been extremely cooperative in going to bat with the government on what we have applied for.

Jerry Nirschel, 205 A. Evans Street, stated the 70 census would not be the right thing to use for documentation as we have had a lot of growth since then. He stated he agrees about the curbs and also about the Meeting House. He asked that the Board spend the money on the Meeting House as it is really needed there.

Mayor Sheffer stated that one of the programs we have had in the past is the planting of trees on Main Street. This was clearly turned down last year and so needs to be funded from other money.

Trustee Miller asked if there was any way to qualify a water or sewer system program for these funds. The program is clearly not designed to help villages such as Williamsville.

Mrs. Taulbee said this program can be a source of funding. The emphasis is on low and moderate income and there is a new emphasis on economic development or the creation of new jobs or preservation of existing jobs. They are looking to prevent or eliminate any type of blight. There is a way to use this but again it is difficult to document. If you can get businessmen in one area to state that it is absolutely essential to have a certain type of work done or they will have to move out you could get approval because it would preserve jobs. She stated another thing that can be done is to target the whole Village if you have people here who would need to have help to bring their homes up to a better standard. These people would be eligible for a number of different kinds of help.

Trustee Miller stated we don't have this problem in the Village. He stated we realize the county is the coordinator for this and is acting on our behalf and that they are not the one who says yes or no on the funds. Mrs. Taulbee stated the county is ready and willing to help the Village in any way it can to put the application together in such a way that it will be approved by HUD. Mayor Sheffer stated the county has been more than cooperative.

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Mr. Saia stated that with the loss of the police station, fire alarm office and perhaps the loss of the courtrooms, there will be less business in the area due to the lesser number of people coming into this area of the Village. Trustee Miller stated that the application cannot speculate on what might happen in the future. We have to have documentation for right now. Mrs. Taulbee stated that we want to try to have the community look ahead but you would need some businessmen to state that they believe from their experience that they will lose business because of these factors. This will be hard to do.

PUBLIC
HEARING
(Con't)

1979

Trustee Sugg asked for some information on the personal assistance programs that are available. Mrs. Taulbee stated the Village can commit a certain amount of its community development funds to the county and put it into a pot which would be used only for the Village residents. There are four existing programs at present. One is the Neighborhood Preservation Program and is for low and moderate income residents. They can receive outright grants or a combination type of thing. It is required that they try for a loan at a bank or savings or loan association before they can be accepted for this. This has to be done even though we know they will be turned down. The funds are to bring the house up to safe and healthful living standards. It is only for essentials, not for the extras. It will pay for a furnace, siding, roofing and insulation. If there is a large family and the situation is such that there is overcrowding it may pay for an additional bedroom.

Community
Development
Funds

Mrs. Taulbee stated there is an emergency program where because of the waiting list on the Neighborhood Preservation Program, you can get emergency help such as a new furnace or replacement for a leaking roof.

Trustee Sugg asked how much the administrative costs of such a program would run for the Village and Mrs. Taulbee stated the Village's primary responsibility would be to publicize the availability of the program and if they received any applications they would send them on to the county for processing.

Attorney Troy asked what kind of documentation you would need to justify allocation of funds of this sort and Mrs. Taulbee stated you would simply designate the entire Village as a target area. Others in the county office can give you more information regarding this. As she understands it, you target the entire Village, designate the amount of money to be put into the pot and this money can be drawn out by individual citizens in the Village for the purpose of bringing their houses up-to-date.

Mr. Troy asked what would happen if this money were so designated and no one drew on the account, who would get the left over money. Mrs. Taulbee stated she would have to find out about this. She believed the money could be reallocated using the criteria in effect at the time the money was originally designated. She will also have to check regarding the percentage of low and moderate income families necessary to take advantage of this.

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Trustee Miller asked if the program would assist people with paying their utility bills and Mrs. Taulbee stated it does not cover this.

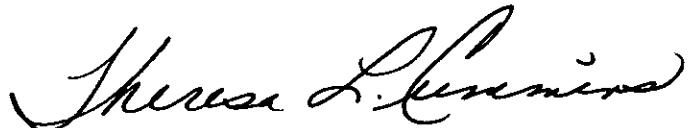
Mr. Saia asked if we would know how many people withdrew money from this type of account and was advised by Mrs. Taulbee that they kept records of any transactions involving the accounts.

Trustee Sugg stated she had received a letter from Mrs. Joan Scalfani, 68 Hirschfield Drive, requesting that the Village Meeting House receive the funds and be used as a community center and for some type of arts program. This could benefit people in all areas.

Mayor Sheffer stated information on the community development programs, including the regulations and records of our 1975, 1976 and 1977 applications are available between 9:00 AM and 5:00 PM at the Erie County Division of Planning in the Rath Building in Buffalo. Their telephone number is 846-8390.

ON MOTION by Trustee Kuzon, seconded by Trustee Sugg, the hearing was closed at 8:33 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer