

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, February 12, 1979 at 7:35 PM

Roll Call

Present

Warren D. Miller, Acting Mayor

Gordon J. Kuzon  
Rosemarie Sugg Trustees  
Neil M. Frank

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

Acting Mayor Miller called the hearing to order at 7:35 PM.

The Clerk read the Notice of Public Hearing regarding a local law to amend Section 19.60 of the Village Code regarding self-service fuel dispensing.

PUBLIC  
HEARING

SELF SERVICE  
FUEL

DISPENSING

Acting Mayor Miller then turned the hearing over to Trustee Kuzon who gave some background on the proposed local law. The intent is to improve the safety for motorists, customers and residents around the self-service stations. This proposal is a modification of an earlier proposal which was the subject of a public hearing about two months ago. The earlier proposal contained a provision for requiring an attendant to be present on an island when they are open and dispensing fuel. In conversation with the Board and station operators the proposal has been considered further and been changed somewhat. The specific change involves having the attendant present on the island. The Board felt it could not support this requirement. The proposal now requires that signs be posted regarding no smoking and shutting off motor at each island. The Board may require and approve such additional signs as they may deem necessary. The control mechanism permitting operation of the pumps shall be under the observation of the attendant at all times while the pumps are dispensing fuel.

Mr. Carl Johns of Reid Petroleum asked for clarification of what is meant by having the attendant have full view of the pumps while they are operating. Does this mean two attendants so that one will take care of the pumps while another takes care of the convenient store. Trustee Kuzon stated that two attendants are not required. The attendant has to have unobstructed and clear vision. Concave mirrors on the island could be used for this and would not necessarily require two attendants. The two attendants was the major objection to the previous proposal.

Mr. Johns asked if this was just an idea or if it would come about and Trustee Kuzon stated this was discussed and we have worked with the operators and reached the compromise that mirrors would be installed and they stated they would do this at their own expense. The ordinance does not specifically state mirrors must be installed.

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, February 12, 1979 at 7:35 PM

Acting Mayor Miller asked if the Board could require the owner to erect signs regarding exact change only and regarding paying before dispensing fuel to eliminate some of the horn blowing, etc. Trustee Kuzon advised we can require any signs we feel are necessary.

PUBLIC  
HEARING

SELF SERVICE FUEL  
DISPENSIN

ON MOTION by Trustee Kuzon, seconded by Trustee Frank, the hearing was closed at 7:42 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, February 12, 1979 at 7:33 PM

Roll Call

Present

Warren D. Miller, Acting Mayor

Gordon J. Kuzon  
Rosemarie Sugg Trustees  
Neil M. Frank

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

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

ON MOTION by Acting Mayor Miller, seconded by Trustee Sugg, the minutes of the regular meeting held January 22, 1979 were approved.

Unanimously carried.

ON MOTION by Acting Mayor Miller, seconded by Trustee Kuzon, the minutes of the public hearing held January 22, 1979 regarding the Cayuga Road lighting were approved.

Unanimously carried.

ON MOTION by Acting Mayor Miller, seconded by Trustee Frank, the minutes of the public hearing held January 22, 1979 regarding the rezoning of the Cayuga Road property were approved.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Frank, it was moved to suspend the rules in order to hold a public hearing at 7:35 PM regarding a local law to amend Section 19.60 of the Village Code relating to self-service fuel dispensing. (The hearing was closed at 7:42 PM.)

Unanimously carried.

Acting Mayor Miller reported that in keeping with the requirements of adopting the New York State Fire Code the Village has begun a fire inspection program in the Village. The Fire Department and Chief Lavery have helped greatly in this undertaking and we thank them for all their advice and assistance. A list of buildings to be inspected was set up and they are being inspected starting with those of highest hazard. We have uncovered some problems, generally to do with housekeeping and extinguishers out of date. The Village gives notice to those people so they can clean up any mess and make sure their extinguishers are in order. This is not meant to harass people but to promote safety. When the inspector comes around he is also doing a cross connection control survey. We will be holding a public hearing on this. Cross connection control specifically speaks to preventing contamination of the public water system by toxic chemicals in private system.

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, February 12, 1979 at 7:33 PM

Federal and State mandates require the Village to insure that our public water system is protected from contamination. The Village needs to have an ongoing program to survey the need for different types of devices to protect the system. While we are making the fire inspections we are making cross connection and backflow inspections. Several buildings in the Village come within the range of the state law as far as requiring protection in the corporation line, but also in some cases within the building. After we have determined the degree of hazard we will see what portion of the law is applicable. A public hearing is required to adopt the State Code. It is cost prohibitive for the Village to do this alone and we plan to adopt the New York State Department of Health regulations.

ON MOTION by Acting Mayor Miller, seconded by Trustee Sugg, vouchers in the sum of: \$39,262.62 were approved as follows:

Payroll Fund	W/E 1/26/78	\$ 5,374.28
	W/E 2/2/79	3,248.89
	W/E 2/9/79	<u>3,173.69</u>
Total Payroll		\$11,796.86
General Fund	Abstract #434	25,147.19
Sewer & Water Fund	Abstract #15	1,533.05
Federal Revenue Sharing	Abstract #66	397.52
Capital	Abstract #94	<u>388.00</u>
Total Vouchers		\$39,262.62

There were large vouchers as follows: Amherst Disposal - \$7,028.57; Niagara Mohawk Corp. - \$3,054.57; and International Salt - \$2,914.70.

Unanimously carried.

Acting Mayor Miller stated his second resolution dealt with a water bill where there was a problem with the service over a period of time. When there are bills outstanding that cover a period of more than one water rate the Board has a policy of pro rating the consumption for each period under the rate in effect for that period. We resolved one bill under this method and feel we should do this for all the bills.

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

RESOLVED that the water bill covering water service of M. Killeen, 137 Highland Drive, for the period October 1, 1977 to October 1, 1978 be adjusted in the amount

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, February 12, 1979 at 7:33 PM

of \$169.26 by applying water rates as in effect during said period to a pro rata consumption figure. The Water Department is authorized to issue M. Killeen a check in the amount of \$169.26 since the bill has been paid.

WATER BILL ADJUSTMENT

KILLEEN

Unanimously carried.

Acting Mayor Miller stated his third resolution deals with water service resulting from an inoperative meter. Preliminary tests show that it is operating outside the allowable limits of the American Water Works Association. This is the only meter we have had a problem with. We feel that more testing should be done on the meter under laboratory conditions and we will probably send it back to the manufacturer for further testing. We will table this resolution until this data is available.

ON MOTION by Acting Mayor Miller, seconded by Trustee Frank, it was moved to table the resolution on the agenda regarding the water bill covering service to Paul Larmana at 125 Glen Avenue.

Unanimously carried.

ON MOTION by Acting Mayor Miller, seconded by Trustee Frank, 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 p.m. on February 26, 1979 for the purpose of hearing all persons interested in a local law which would amend the Water Code by providing for Cross Connection Control by requiring the installation of an approved backflow prevention device at the service connection and internal protection as required.

Call for  
PUBLIC HEARING

Local Law

CROSS CONNECTION  
CONTROL

Unanimously carried.

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

RESOLVED that the Village Clerk notify Niagara Mohawk Power Corporation that the damaged light standard at the corner of Monroe and Wehrle Drives be repaired and restored to service.

LIGHTING

Repair light  
standard Monroe and  
Wehrle Drives

Unanimously carried.

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, February 12, 1979 at 7:33 PM

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

WHEREAS the Village Clerk has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amounting to \$837.16 containing description of the land upon which such taxes are unpaid as the same were placed upon the tax roll, together with the amount of the tax so assessed and interest thereon, and

UNPAID TAXES

Return by Clerk to the Village Board.

WHEREAS the said Village Clerk under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

WHEREAS upon receiving such account from the Village Clerk, the Board of Trustees compared the same with the original tax roll of the Village, and

WHEREAS said Board of Trustees find such account to be true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct.

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Village of Williamsville is hereby credited by this Board of Trustees with amount of said account in said return, and

BE IT FURTHER RESOLVED that the unpaid taxes or tax liens shall be collected by the sale of taxes or tax liens to the Village, with interest at  $\frac{1}{2}\%$  per month, as provided by Section 1436 of the Real Property Tax Law and the proceedings thereunder shall be as provided in said section and a copy of this resolution certified by the Village Clerk shall be filed in the office of the Village Clerk with the account, affidavit and certificate of such unpaid taxes.

Unanimously carried.

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

RESOLVED that Old Home Days for 1979 be set at July 25, July 26 and July 27 and that Jean Gaulin be made Chairman for the

OLD HOME DAYS

Days and Chairman Designated

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, February 12, 1979 at 7:33 PM

1979 celebration and that William Wutz and George Measer be named honorary chairmen.

Unanimously carried.

Trustee Sugg stated we have a very active Youth Committee in the Village and it has been ably chaired for the past two years by Edna Cope. The Village has always had a financial input into the Town of Amherst Youth Board budget and a part in their program. In the past, the amount we contributed was \$5,000. It is established by the potential number of youths that can be served and the State Division for Youth matches the funds. This year (1978-1979) the State, by virtue of the federal census figures, has stated we are eligible for an increase in matching funds and that is why we are requesting an increase from \$5,000 to \$6,085.60. According to survey over 600 different youths were served last year. Last year a new youth program was introduced on a pilot basis for pre-teens. Funding for this came from the Williamsville Lions Club. The Youth Committee raises money by getting contributions from service clubs and raises money on its own. The Committee is looking into ways of expanding the youth center facilities. This would be done by using existing facilities in the community which are not being used as fully as they might be perhaps for some type of gym programs, etc.

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

RESOLVED that Acting Mayor Miller be authorized to sign a contract with the Town of Amherst on behalf of the Village of Williamsville authorizing a Youth Development Program for the period January 1, 1979 to December 31, 1979 at a cost to the Village not to exceed \$8,085.60. This cost will be divided as follows:

YOUTH  
Contract with Town  
for Youth Development  
Program

Youth Service Share	\$6,085.60
Utilities at 72 S. Cayuga Rd. (1/3 of Water, 1/3 of Electric and 60% of Telephone)	2,000.00

Unanimously carried.

Trustee Sugg stated her next resolution will be tabled because the Board feels that it would be advantageous to review them one more time and have our attorney and the Town attorney look them over.

ON MOTION by Trustee Sugg, seconded by Trustee Kuzon, it was moved to table the resolution on the agenda regarding Glen Park regulations.

Unanimously carried.

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, February 12, 1979 at 7:33 PM

Trustee Frank stated the Senior Citizens Committee in the Village is very active. It is chaired by Jerome Nirshel. They have planned programs for the next five months.

Trustee Frank reported the Environmental Commission is planning a poster contest and further details will be forthcoming.

Trustee Frank stated the community developments funds for the next three years will amount to \$46,017 per year and there has been much discussion about them. In order to use these funds certain procedures had to be followed. We have targeted a definite geographic area in the Village which meets the HUD requirements in that 51% of residents in the area have incomes which are low to moderate.

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

RESOLVED that the target area for 1979-1980 Community Development funds for the Village of Williamsville be designated as follows:

1979 Community  
Development Funds  
Target Area designated

See map attached with designated target area.

Trustee Frank then gave an outline of the streets bordering the area. He stated the survey has been completed and we are confident that we can meet HUD's requirement in this regard.

Unanimously carried.

Trustee Frank stated his next resolution dealt with the allocation of the community development funds. As long as we can find projects that meet the requirements we will be able to use the money. The projects were set up by the Citizens Advisory Committee, which committee is required by HUD regulations.

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

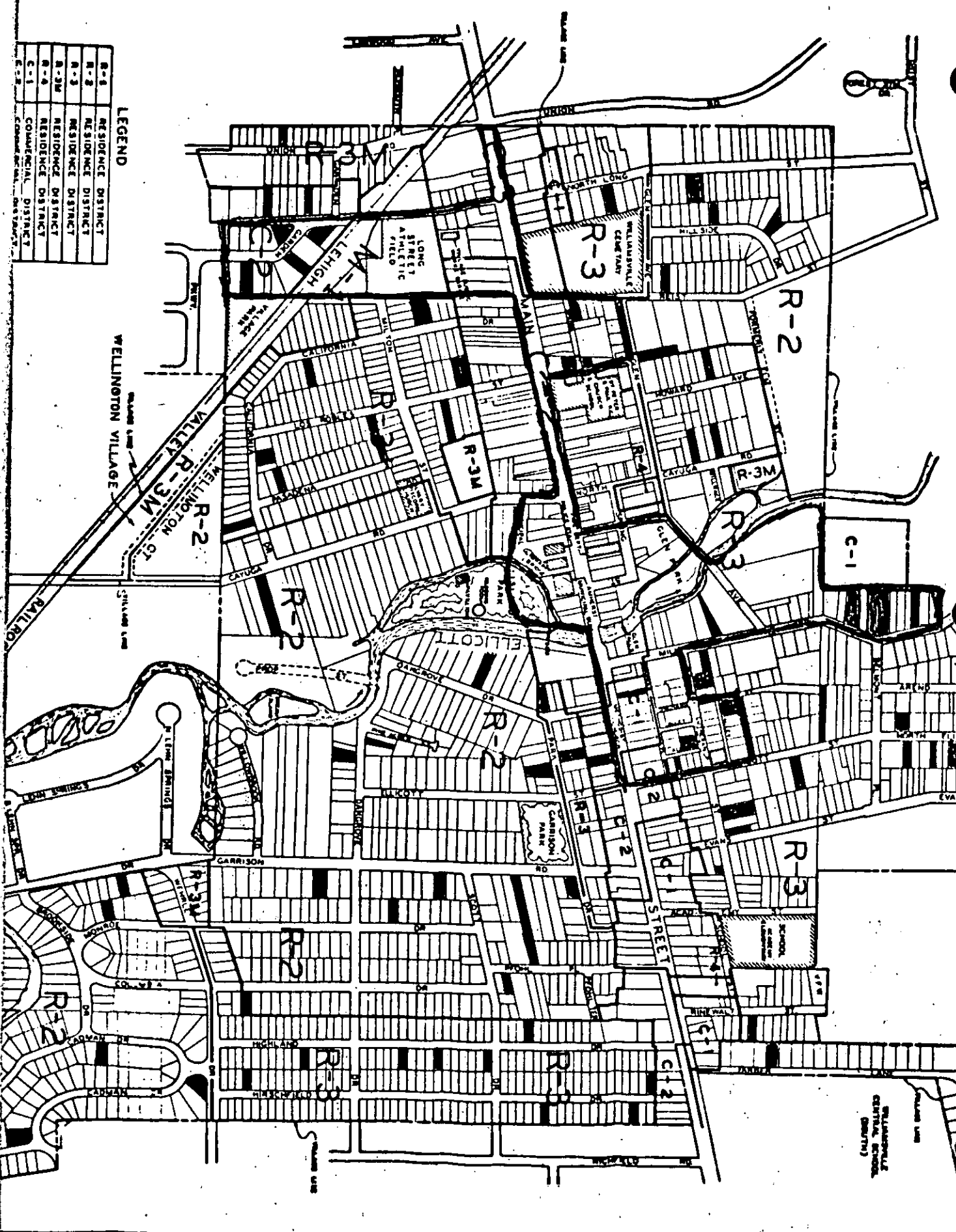
RESOLVED that the Community Development Projects for the Village of Williamsville for the next three (3) years are as follows:

1979 - 1982  
Community Development  
Funds allocations

1979-80	Gerard Survey	\$ 3,000
	Island Park	33,000
	Housing Rehabilitation	5,000
	Meeting House	5,017

R-1	RESIDENCE DISTRICT
R-2	RESIDENCE DISTRICT
R-3	RESIDENCE DISTRICT
R-3M	RESIDENCE DISTRICT
R-4	RESIDENCE DISTRICT
C-1	COMMERCIAL DISTRICT

**LEGEND**



WILLIAMSVILLE  
CENTRAL SCHOOL  
(DISTRICT)

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, February 12, 1979 at 7:33 PM

1980-81	Nature Center	\$ 2,000	
	Fire Hall	13,000	
	Curb cuts (20)	18,000	
	Meeting House	8,017	
	Housing Rehabilitation	5,000	
1981-82	Curb cuts (10)	8,500	1979 - 1982
	(Main/Evans & Main/Eagle)		
	Bus shelters (2)	2,000	Community
	Benches & Beautification	5,000	Development
	Fire Hall - ventilation	6,500	Fund
	Meeting House	14,017	Allocations
	Housing Rehabilitation	10,000	

Trustee Frank stated the curb cuts are to remove curbing and put in barrier free ramps so the handicapped and elderly would not have to go up and down curbs when crossing the street.

Trustee Sugg asked where the bus shelters would be located. Trustee Frank stated the Citizens Advisory Committee did not come up with any specific location for the shelters. They felt this could be decided in the future as the money would not be used until 1981-82. If this were done tomorrow, the committee would put one at the senior citizens housing and the other at Main and Evans.

Acting Mayor Miller asked Trustee Frank to go into more detail regarding what the money was being spent for. He stated he supported this and complimented Trustee Frank on the good job he did on this. He stated the allocations could be amended at any time.

Trustee Frank stated that for 1979-80 a survey had to be made in order to designate the target area. A two-page form is used which deals with income, occupation, head of household, etc. Because of the time limitations it was felt we needed a professional survey by someone who knew what we needed. The Gerard Survey did not cost \$3,000. It was \$2,500. When the application has to be submitted to Erie County if we need assistance in completing the application we have allocated an additional \$500 in the first year's funds for this purpose. We could have used the money to make public facilities barrier free but felt we can get better use of the money this way. There are only so many things we can spend the money on to make things barrier free.

The allocation for Island Park relates the fact that the Village is under directive to get the restroom facilities in Island Park tapped into the main sewer system. If we went only barrier free we could only fix the restrooms. By going this route we can fix the restrooms and tap into the sewer. The housing rehabilitation allocation would be for residents in the target area to receive money to fix up their houses. They could receive outright grants, low interest loans, or a combination of grants and loans. It would depend on their income. The Village Meeting House allocation is to do work to make the building structurally sound.

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, February 12, 1979 at 7:33 PM

With respect to the 1980-81 allocations, Trustee Frank stated it was the feeling of the Citizens Advisory Committee that the Nature Center needs benches and display cabinets for whatever organizations want to put on displays there. The fire hall has had no work done on it for many years, and needs rehabilitative work done. The cost has been pinpointed as much as possible. With respect to the curb cuts, the Village is under mandate to make access to buildings barrier free for the elderly and handicapped. The Village Meeting House allocation will be for further work on the building, and the housing rehabilitation basically is the same as 1979-80. When residents have to tap into the Mill Street sewer the expense will be a hardship for some. We have been told by the County administrator of the funds that depending on their income they could apply under the program for assistance for the sewer tap in.

1979 -  
1982

C.D.  
Allocations  
(Con't)

Trustee Frank stated the curb cuts for the years 1981-82 were for 10 cuts. With the 20 from 1980-81 this will give us 30 cuts. The original count for up and down Main Street was 50 and we are taking care of as many as we can. The bus shelters were suggested by a senior citizen representative on the Citizens Advisory Committee. He felt they should be provided for the elderly but all could use them. We thought benches could be installed on Main Street and we could use some money to help the tree planting program. There is a definite need for a ventilation system in the fire hall for when they are working on truck maintenance, etc. The allocations for the Meeting House and housing rehabilitation are for the same reasons as the other years.

Trustee Frank stated that if the money is not totally used for any one project it can be reallocated if the project meets the requirements. At present we will submit our application to the County and they will present it to HUD. We will be notified later in the year as to whether it is approved or not. All indications in talking with the County and Dr. Gerard are that the steps we have taken at this point should qualify us under the community development program.

Trustee Kuzon asked why the curb cuts in 1980-81 cost about \$900 per cut and those in 1981-82 will cost about \$850 per cut. Trustee Frank stated the figures are by the Village Engineer. There are labor costs involved as well as engineering costs related to the proper angle of drop and other requirements. These are not expected to cost as much in the second year.

Acting Mayor Miller stated that with the allocation of \$106,000 to projects in the Village we have the opportunity to save this in Village tax money that would have had to be raised through taxes to take care of these costs.

Unanimously carried.

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, February 12, 1979 at 7:33 PM

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

RESOLVED that the contract with Economic Consultants, to be funded by Community Development funds, to conduct a survey in the Village of Williamsville in order to designate a target area for Community Development Funds is hereby approved, not to exceed \$3,000.00.

APPOINTMENT

Economic Consultants  
to do C.D. Survey

Unanimously carried.

Trustee Kuzon advised that at the last Planning Board meeting they reapproved the application by Manufacturers Hanover Trust Company, 5712 Main Street, with certain revisions in their plans which were submitted on August 30, 1978. A sign permit was granted to Landmart Homes, 5501 Main Street and two signs were granted for 7-11 at 5775 Main Street at the Mobil Station. A sign permit was also granted to John B. Sheffer, II for his Assemblyman's sign. Trustee Kuzon stated Trustee Frank had appeared at the meeting and spoke on behalf of the allocations of the community development funds.

Trustee Kuzon reported on the fire inspection program that is being carried on in the Village. We identified approximately 50 buildings in the area that needed to be inspected and while the fire inspection is being done we are also doing a cross connection and backflow inspection. The inspections included hotels, motels, restaurants, schools, senior citizen homes and office buildings. Those of greatest hazard, with the heaviest occupancy were done first. Inspections take about an hour. We found most of the people have been most cooperative. We have done 13 so far. The people are willing to make the changes necessary to come into compliance with the code. Our procedure has been to notify a premises of an impending inspection. The Board wants to improve the safety of a building not to harass the people. Giving them prior notice of inspection may motivate them to clean up any hazardous conditions before the inspection. The next step is to make the inspection and make notations of any violations and discuss the procedure to follow at the Enforcement meeting. We notify the owners of violations and how they can be brought into compliance. We then make follow-up inspections and if they are not in compliance we can take legal action.

ON MOTION by Trustee Kuzon, seconded by Trustee Frank, it was moved to table the resolution on the agenda relating to Local Law #2, 1979 - Amendment of the Traffic Code.

Unanimously carried.

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, February 12, 1979 at 7:33 PM

Trustee Kuzon stated the resolution had to do with the parking of commercial vehicles on Village streets. We feel this should go to the Planning Board and Traffic and Safety before we vote on it. Since the time to vote expires tonight we will have to hold another public hearing on this. Another reason for tabling this is that Mr. Krieter has presented us with new information which we feel the Board should review.

ON MOTION by Trustee Kuzon, seconded by Acting Mayor Miller, it was moved to suspend the rules to consider a resolution not on the agenda.

Unanimously carried.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:35 p.m. on March 12, 1979 for the purpose of hearing all persons interested in a local law to amend Section 60.30(7) of the Traffic Code which would prevent the parking of commercially registered motor vehicles on Village streets between the hours of 1:00 a.m. and 7:00 a.m. throughout the year.

PUBLISH NOTICE OF  
PUBLIC HEARING

No parking of  
commercial vehicles  
on streets at night

Unanimously carried.

Trustee Kuzon stated that by having the hearing on March 12th there will be time for the matter to be considered by the Planning Board and the Traffic and Safety Committee.

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

Unanimously carried.

Robert Krieter, 62 Eagle Street, asked if the Board knew the law regarding this that was in effect in the Town. Trustee Kuzon advised that the Board was aware of this. This law could include recreation vehicles and vans and other vehicles registered commercial for insurance purposes. We need to give this a complete review. Mr. Krieter asked if the Village will check with the Town to see how the law is working and Trustee Kuzon advised that Traffic and Safety usually checks with the Town about these things. Mr. Krieter asked why this had been tabled at the December 26, 1978 meeting and Trustee Kuzon advised it was the Board's policy not to vote on the same night the public hearing is held.

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, February 12, 1979 at 7:33 PM

Acting Mayor Miller stated we feel we need to assess the impact on the Village as a whole. There may be another way to handle this.

Trustee Kuzon stated Mr. Krieter could attend the Traffic and Safety Committee meeting on February 22nd and discuss this with them at that time. They may have ideas on other methods to handle this problem.

Mr. Way reported that as in previous years we go back to summer hours in the Department of Public Works starting March 5th. The hours are from 7:00 AM to 3:30 PM.

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

Unanimously carried.

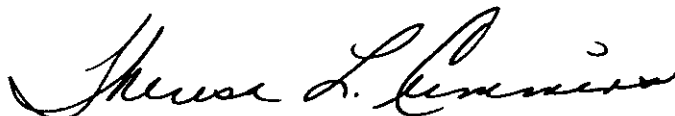
No one appeared to speak.

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

Unanimously carried.

ON MOTION by Trustee Sugg, seconded by Trustee Kuzon, the meeting was adjourned at 8:35 PM.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer