

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, May 14, 1979 at 7:41 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Paul Atkinson
Lawrence R. Brenton Trustees
Connie C. Murray
Rosemarie Sugg

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Dave Laubisch, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 7:41 PM.

PUBLIC
HEARING

The Clerk read the notice of public hearing regarding a local law which would amend Section 41.20 of the Sanitary Sewer Rent Code.

AMEND

Mayor Kuzon advised that the purpose of the hearing was to discuss the method in which sewer charges are billed. With the 1978-1979 budget, the sewer charges were separated from the general fund and not included in the regular tax bill. This is billed quarterly and is based on a percentage of the water bill. Those residents interested in reducing their cost could decrease the amount of water they used. This charge is the way of the future. State and federal governments are requiring this. There have been comments both pro and con regarding the sewer charges and the method used to set them. He stated that sewer costs fluctuate from year to year and therefore, a public hearing should be held each year to review and possibly revise the method of assessing the charges. These costs will go up faster than any other cost and hopefully will be subject to state and federal aid.

SANITARY
SEWER
RENT CODE

Section 41.
20

Mayor Kuzon stated the present charge is 70% of a water bill, which amounts to \$1.21 per 1,000 gallons of water consumed. The new charge would be \$.97 per 1,000 gallons because of a reduction in sewer costs. These costs are variable and was decreased because the Town charges decreased. The capital costs included in last year's bill covered a few years back. The new bill will include one year's cost. This should not be taken as a sign this bill will be lower as it will be increasing rapidly in the future.

With respect to the doing away with a minimum charge, we have approximately 90 consumers who use less than the minimum amount of water. In the past they had to pay the minimum charge of \$1.20 per thousand. The \$.97 means that they will pay only for the amount they actually use.

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Mayor Kuzon stated that the recent election campaign focused on the method of setting the sewer charges. He stated he had presented a proposal regarding this at that time and he wanted the public to know that it has not been forgotten. Government works slowly and there are a few practical problems to be worked out on the proposal. Due to the timetable of billing the charges this cannot be implemented this year anyway but we hope to implement it in the near future.

Mrs. Carolyn Schlifke, 192 Evans Street, asked whether we now have paid up the past due capital costs to the Town and Mayor Kuzon advised this has not been paid. We are still negotiating these charges with the Town.

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, the hearing was closed at 7:48 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, May 14, 1979 at 7:48 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Paul Atkinson
Lawrence R. Brenton Trustees.
Connie C. Murray
Rosemarie Sugg

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Dave Laubisch, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 7:48 PM.

The Clerk read the notice of public hearing regarding a local law which would amend Section 65.40 of the Water Code concerning water charges.

PUBLIC
HEARING

Mayor Kuzon then turned the hearing over to Trustee Brenton who stated the reason for the change in the ordinance is mandated by the fact that the Erie County Water Authority will raise the cost of the water it sells to the Village by \$.07 per thousand on June 1st. The basic new charge will be \$1.79 per 1,000 gallons, the minimum being 5,000 gallons (\$8.95) per quarter year. For temporary water supply for one or two family homes it will be \$5.00 per month and all others - meter loan and deposit of \$25.00 plus \$1.79 per 1,000 gallons consumed.

AMEND
SECTION
65.40 of
WATER
CODE

Mrs. Marina Woolcock, 67 Hirschfield, asked what portion of the increase related to water processing and what portion to services that the Village rather than the Water Authority provides.

Mayor Kuzon advised that the information they had said, the increase was due to rising operation and maintenance costs, new pollution control equipment, etc. Mrs. Woolcock stated it seems inequitable for us to be charged for services we don't receive and the Board should protest this. Mayor Kuzon stated this will be checked out. Trustee Brenton stated this is one of the problems of the Village being in the water business. We are attempting to rectify this inequity but don't know if we will be successful.

ON MOTION by Trustee Sugg, seconded by Trustee Murray, it was moved to close the hearing at 7:55 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

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Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Dave Laubisch, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 7:55 PM.

The Clerk read the notice of public hearing regarding an Exceptional Development Permit for Townsend Square, Main Street and Union Road.

Mayor Kuzon stated that exceptional development permits are special building permits required by the zoning code for projects with a gross floor area in excess of 10,000 square feet. Before making a final determination on the permit, the Board requests advisory recommendations from the Planning Board, Traffic and Safety Committee, Parks and Recreation Committee and Environmental Council. We also have to hold a public hearing on the permit.

PUBLIC HEARING
EXCEPTIONAL DEVELOPMENT PERMIT

Mayor Kuzon advised the proposal is for a retail, commercial and restaurant development at Union Road and Main Street. The old Culligan building will be expanded and a second floor will be added. The old gas station will be demolished. There will be a free-standing restaurant seating approximately 120 people. The total retail space is 9,900 square feet, the office space is 9,800 square feet and the combined total is 19,700 square feet. The restaurant will be approximately 6,000 square feet. The project is able to provide the amount of parking that is required for this square footage.

Townsend Square

Mayor Kuzon summarized the recommendations of the various committees. The Planning and Architectural Review Board reviewed this on May 7, 1979. They conditionally approved the project subject to the following restrictions: a stockade fence along the north and east property lines which abut residential districts, a 10 foot area to the north as a buffer zone, wheel bumpers of some type in all parking areas, compliance with the Building Inspectors recommendations regarding site drainage and problems relating to the culvert, bay window cannot project into the state right-of-way, and they found the architecture is in keeping with the Village atmosphere but this is not their final approval. They also noted that expansion of the existing building is more than 25% of the existing floor area and this is in conflict with Section 70.53 of our code.

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Mayor Kuzon stated the Traffic and Safety Committee advised that the entrance and exit be moved as far north as possible to remove the conflict with the present traffic flow. There should be a 25' minimum width and an 18' radii for turning. The Parks and Recreation Committee had no recommendations.

Trustee Murray stated the Environmental Council had requested her to go over each point but she stated she thinks it would be better to turn over these recommendations to Mr. Weber and Mr. Mussachio and we can receive their response to each point at a later date. The Environmental Council would like to see more major trees within the parking lot expanse. The plans show small trees at present. It would be nice to have an island of green within the lot. One concern is that one of the plants shown on the plans has a poisonous seed and we recommend that it not be placed near the restaurant where small children may eat them. We look forward to discussing the points made by the Council at a later date.

PUBLIC
HEARING (Con't)

Mrs. Pearl Chimera, 37 N. Union Road, stated there are presently 13 restaurants in this area and we do not need another one. This is an already congested corner and hazardous with what is there now. There is a sewer problem there at present and this will not help it. She stated she objected to the restaurant at the corner.

EXCEPTIONAL
DEVELOPMENT

Joseph Chimera, 37 N. Union, asked if the Planning Board has a plan for the Village and if there is one, whether it included a restaurant at that corner. Mayor Kuzon stated the Village does not have a plan as to the number and type of businesses. We have zoning maps and this is zoned C-3 and everything that is proposed is allowed in a C-3 zoning district. Mr. Chimera stated he feels the restaurant could pose a real problem at that corner. He feels there will be problems with odor, garbage and kids hanging around there at night.

PERMIT
Townsend Square

Mrs. Chimera stated there will be increased pollution in the form of noise, garbage and water.

Donald Hellenbrook, 45 N. Union, stated he feels this area is too congested with restaurants already. Another business might be better here.

Dr. Charles Akers, 73 Oakgrove, stated he was speaking personally rather than as a member of the Environmental Council. One major concern is the encroachment of commercialism into the residential areas. Also, the original plans called for small stores on the first floor and office space on the second floor. Now it seems there will be one large tenant (a drugstore) on the first floor and he stated he feels it would be better to have small stores or boutiques. When you go down Main Street the first thing you see will be the parking lot for this project, the Bells parking lot, the gas station and the parking at the copy store. There should be more green areas. He stated he also feels that the

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proposed fence between the residential and commercial property is not the best idea. He feels that some type of green hedge would be better.

Mrs. Carolyn Schrauger, stated that she understood that once there was a curb cut it was always a curb cut. She asked if this had been taken into consideration in the planning. Mayor Kuzon stated that you needed the approval of the New York State DOT for a cut on Main Street or Union Road. The plans show one curb cut on N. Union and two on Main Street. They will be closing two curb cuts.

PUBLIC
HEARING
(Con't)

Mrs. Carolyn Schlifke, 192 Evans Street, asked how they are going to close the cuts off. Mayor Kuzon advised there will be an area of grass and shrubs to close these off. Mrs. Schlifke asked about the fence that is proposed. She feels the fence is a better idea as it takes a hedge a while to grow. The fence would give the residents immediate privacy. With respect to an increase of plantings in the parking lot area, islands of greenery often become islands of neglect and seem to attract a lot of garbage, etc.

EXCEPTIONAL

Trustee Atkinson stated the permit we are discussing is not being looked at with respect to the use of the property. The property is zoned C-3 and this can be used for a restaurant. Any owner of that property could use it for that purpose. If this were being rezoned it would be a different matter. The exceptional development permit is needed simply because of the size of the project and not for its use.

DEVELOPMENT

Townsend
Square

Mrs. Chimera asked what the purpose of the hearing was if we have no say in the result. Trustee Atkinson stated it is to have input from the community regarding the project to see what, if anything has to be done to bring the project into compliance with our codes. We will not vote on this for a few weeks and we have to sift through the information and meet with the developers to see if we can make everyone happy.

Mrs. Chimera asked about the sewer. Trustee Atkinson stated the Building and Plumbing Inspector and the Planning Board have reviewed this and recommendations have been made. Mr. Mussachio stated they are undertaking a study of the total impact of the storm water amount on the area. We will have storm retention system on our property to help in this area so we don't overload it.

Mrs. Chimera asked if a traffic study wasn't undertaken when this project was first submitted last year. Mrs. Schlifke stated this was sent to us for our review and we made recommendations as to the traffic patterns, driveways, etc so that the traffic flow would be as safe as possible. Mrs. Chimera stated there is a great deal of traffic at this corner and it is hazardous.

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Mr. Chimera stated that if they had realized a restaurant might go into the corner they would have objected more strenuously the first time this came up for a hearing. He stated they do not object to an office building going there instead. Mayor Kuzon reminded the residents that this is not a rezoning hearing but a hearing for an exceptional development permit. All the proposed uses are permitted under the present zoning. If the restaurant came in alone and not as part of the permit process they could get approval under the regular building permit process.

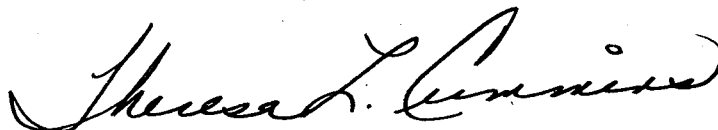
Trustee Sugg spoke regarding the traffic patterns within the parking lot itself. She feels there should be islands in the lot for better safety.

Trustee Brenton spoke regarding the restaurant. He stated there are many kinds of restaurants. We could have one which sells alcoholic beverages or has other bad features. McDonalds seems to have a good record.

Mayor Kuzon stated the purpose of the public hearing is to express our concerns and solicit comments and then the Board has the job of ironing out the difficulties between the residents and the businessmen. He stated our next meeting will be on May 29th due to the Memorial Day holiday on Monday. We anticipate making a decision on this property at that time. Between then and now we will be working to overcome any difficulties we have on this project.

ON MOTION by Mayor Kuzon, seconded by Trustee Sugg, the hearing was closed at 8:27 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer

TOWNSEND SQUARE

1. Drainage - a complete explanation of the proposed overall drainage system for the entire Phase I, II, and III of the project. The explanation should include a proposal for control of potential runoff which might affect adjoining premises.
2. Sewers - the number of people estimated to use retail and commercial portions and estimated contribution to the Sanitary Sewer System.
3. Easement for Storm Culvert - Request that you produce evidence of existing easement or be willing to enter into a new storm sewer easement in favor of the Village of Williamsville.
4. Stockade fence - A 6 foot stockade fence will be provided along the north and easterly property lines.
5. Approval of existing fire prevention control systems should be sought from the Williamsville Fire Department.
6. The bay window on the former Culligan building cannot extend into the public right way.
7. Provide an overlay which would indicate what the parking situation would be if three additional planting islands were included on the site while still maintaining the 25' driveway widths.
8. Driveway - provide a series of overlays, for both the east and west side of N. Union Road, which would indicate the relocation in a northerly direction of the Union Road exit on the east side, taking into account the westerly exits into Union Road.
9. Replace laburnum with appropriate substitute.
10. Consideration should be given to utilizing a mixture of both evergreen and deciduous shrubs and trees.

TO: BOARD OF TRUSTEES
FROM: TRAFFIC AND SAFETY COMMITTEE
DATE: MAY 1, 1979
SUBJECT: TOWNSEND SQUARE

The site plans for the above project have been reviewed and we make the following recommendations:

1) The Entrance/Exit on Union Road should be moved as far to the north on the property as possible. Entrance to the "Drive-up" window can be accomplished by making a right turn in the parking area circling the building and going straight out on leaving.

This would provide a free flow of traffic IN and OUT of the parking area by making it independent of congestion that occurs at the intersection.

2) Minimum throat width at the Long Street and the Main Street Exits/Entrance should be 25 ft., with 18 ft. min. radii on the approach from Long Street.

3) All other approaches should incorporate 25 ft. min. radii.

RECEIVED
MAY 1979
TRAFFIC AND SAFETY COMMITTEE

Village of Williamsville

5583 Main Street
Williamsville, New York 14221

May 11, 1979

To: Mayor Gordon Kuzon

RE: Exceptional Development

Sir: The Parks and Recreation Committee is of the opinion that the exceptional development at Main and N. Long will have no impact on recreational activities in the Village of Williamsville.

William Brunskill, Chairman

Village of Williamsville

5583 Main Street
Williamsville, New York 14221

TO: Connie Murray - Liaison
FROM: Environmental Advisory Council
DATE: May 14, 1979
SUBJECT: Townsend Square Exceptional Development Permit

The exceptional development permit for Townsend Square was considered, per Mayor Kuzon's notice, at the May 9, 1979 meeting of the Environmental Advisory Council. The council hereby acknowledges the cooperation of the developer in addressing environmental concerns through the voluntary submittal of a landscape plan.

Upon review of the submitted landscape plan the following changes are recommended:

- 1) A landscaped median should extend into the parking area or green-space islands should be located so as to interrupt the visual monotony of parked cars. A minimum of 5 percent of the interior of the parking area between the Union and Main Street curb cuts should be landscaped area.
- 2) Installation of screen fencing along the north and east property lines of McDonald's restaurant with a buffer zone including tree plantings along the east side.
- 3) Garbage pick-up area should be fully screened with fencing and/or shrubs.
- 4) Suggest substitute tree plantings such as Maples, Locusts, etc. for Laburnum which has poisonous seeds.
- 5) Consideration should be given to utilizing a mixture of both evergreen and deciduous shrubs and trees.
- 6) Along Union Road all tree plantings should be Tilia for continuity.
- 7) Lighting fixtures should be of hooded design.

The council is willing to meet with the developer or architect to discuss these points in detail if so desired. Submission of a revised landscape plan is requested for approval.

TO: Connie Murray
SUBJECT: Exceptional Development Permit

p. 2

Upon review of the overall development it is the opinion of the Environmental Council that the proposed project is in harmony aesthetically with the character of the Village. Conditioned upon the architect's consideration of the above cited points, it is the recommendation of the Environmental Advisory Council that the exceptional development permit for Townsend Square be granted.

mrn

cc: Mayor and Village Trustees
Chairman Akers

TO: BOARD OF TRUSTEES
FROM: TRAFFIC AND SAFETY COMMITTEE
DATE: MAY 1, 1979
SUBJECT: TOWNSEND SQUARE

The site plans for the above project have been reviewed and we make the following recommendations:

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This would provide a free flow of traffic IN and OUT of the parking area by making it independent of congestion that occurs at the intersection.

2) Minimum throat width at the Long Street and the Main Street Exits/Entrance should be 25 ft., with 18 ft. min. radii on the approach from Long Street.

3) All other approaches should incorporate 25 ft. min. radii.



TOWNSEND SQUARE

1. Drainage - a complete explanation of the proposed overall drainage system for the entire Phase I, II, and III of the project. The explanation should include a proposal for control of potential runoff which might affect adjoining premises.
2. Sewers - the number of people estimated to use retail and commercial portions and estimated contribution to the Sanitary Sewer System.
3. Easement for Storm Culvert - Request that you produce evidence of existing easement or be willing to enter into a new storm sewer easement in favor of the Village of Williamsville.
4. Stockade fence - A 6 foot stockade fence will be provided along the north and easterly property lines.
5. Approval of existing fire prevention control systems should be sought from the Williamsville Fire Department.
6. The bay window on the former Culligan building cannot extend into the public right way.
7. Provide an overlay which would indicate what the parking situation would be if three additional planting islands were included on the site while still maintaining the 25' driveway widths.
8. Driveway - provide a series of overlays, for both the east and west side of N. Union Road, which would indicate the relocation in a northerly direction of the Union Road exit on the east side, taking into account the westerly exits into Union Road.
9. Replace laburnum with appropriate substitute.
10. Consideration should be given to utilizing a mixture of both evergreen and deciduous shrubs and trees.

Minutes of the Planning/Architectural Review Board held May 7, 1979
at 7:30 PM in the Municipal Building, 5583 Main Street, Williamsville,
New York

Roll Call

Present

Kenneth Selden, Acting Chairman
Richard Delo
Robert Buyer, Secretary
Norman Wolf
Bill Bancroft
Arthur Ticknor

Gordon J. Kuzon, Mayor
Philip Boudreau, Asst. Bldg. Insp.

Absent

Trey Measer
Thomas V. Troy, Village Attorney

Acting Chairman Selden called the meeting to order at 7:30 PM.

Trustee Connie Murray presented the Board with copies of the proposed landscape ordinance prepared by the Environmental Council. She asked that the members look it over between now and the June meeting and that it be placed on the June agenda for discussion. If there are any questions the members can contact Chuck Akers who is Chairman of the Council. Amherst has a similar ordinance. The proposed ordinance is based on the ordinance they have in East Aurora and was drawn up by Brian Saia. We would like to see this passed soon.

ON MOTION by Mr. Wolf, seconded by Mr. Selden, the minutes of the meeting held April 2, 1979 were approved.

Unanimously carried.

Log #281 Townsend Square/Weber Property
5326-5336 Main Street

This is for review of the entire plan for the Exceptional Development Permit with our recommendations to go to the Board of Trustees.

Architect A. Mussachio and Mr. Weber were present at the meeting. The plans are marked in three phases. The first phase has been started. Phase two is the office building and drug store on the first floor. The third phase is the restaurant. The permit would be for the entire plan. The phase three building permit will be separate. The restaurant has its own architect. The previously proposed Gleasons Restaurant is out and the plans are presently for a McDonalds Restaurant. The area of the second floor is approximately 9,000 square feet which is more than a 25% increase of the non-conforming building. The parking has been changed. The size of the restaurant has been reduced and we are within the required number of spaces. It was noted on the plans that the bay window projects into the State right-of-way and this is not permitted. The Town has rezoned the small part of the project that lies within its borders.

41A

Minutes of the Planning/Architectural Review Board held May 7, 1979 at 7:30 PM in the Municipal Building, 5583 Main Street, Williamsville, New York

It was noted that the buffer zone is only 6.8' but this can be brought up to 10' by reducing the width of the drive. The Traffic and Safety Committee recommends moving the exit on Union further north. There is a question as to whether an easement is needed for part of the drain pipe. Mr. Boudreau presented a list of things to be checked and gave a copy to the architect. The architect is to check with the Town regarding whether anything needs to be done because of the change in the plans

The plans for the McDonalds were also reviewed. McDonalds take care of enclosing their dumpster. Mr. Weber stated he has told his lessees that he as well as the Board must approve any signs. He stated any lights will be shielded.

The plans reviewed are dated as follows: Architect A. Mussachio - Phase 1 - March 2, 1979, page 2 - April 19, 1979 and page 3 - April 19, 1979; Phase 2 - April 30, 1979 - pages 1, SP1, 3, 4, and 5; Phase 3 - May 7, 1979. The McDonalds plans are by Architect D. E. Miller and dated August 1, 1976.

ON MOTION by Mr. Selden, seconded by Mr. Delo, the Board gives conditional approval on the concept review. The Board likes the layout with the following restrictions to it: (1) We recommend a stockade fence along the north and east property lines which abut residential districts. (2) There should be a 10' area to the north as a buffer zone. (3) Wheel bumpers of some type in all parking areas. (4) Compliance with the Building Inspector's recommendations relating to site drainage and protection of the existing storm culvert. (5) The bay window cannot project into the State right-of-way. (6) The architect's concept of the Culligan building in phases 1 and 2 we feel is in keeping with the Village atmosphere as much as possible. This is not to be construed as final architectural approval. We do have concerns over the continuity of materials between the roof of McDonalds versus phases 1 and 2. (7) The building is being increased more than 25% of existing floor area which is in conflict with Section 70.53 of our ordinances.

Unanimously carried.

Log #286 Dr. Hanley M. Horwitz
5611 Main Street

This is for review of the fencing in front of the building. Under Section 70.330 H of the Zoning Code this has to be reviewed by the Planning Board and they submit their recommendations to the Board of Trustees for final approval.

ON MOTION by Mr. Buyer and seconded by Mr. Wolf, the plan as submitted cannot be approved because the fence cannot be in the right-of-way, but we would have no problems with it being on the property line.

Mr. Selden abstained from the voting.

Carried.

4
B

Minutes of the Planning/Architectural Review Board held May 7, 1979
at 7:30 PM in the Municipal Building, 5583 Main Street, Williamsville,
New York

Log #287 Coulter & Young
5725 Main Street

This is for review of the parking plot plan. Mr. Coulter and Mr. Young were present. There would be 7 spaces - 5 at the side and 2 at the back with an open area at the back for snow removal. Only 5 spaces are needed. Will have a curb cut with the driveway entrance being cut through an existing hedge. It was felt this would be a hazardous exit.

ON MOTION by Mr. Selden, seconded by Mr. Ticknor, it was moved to approve the parking plan contingent on there being a 10' buffer zone along South Ellicott Street. We recommend to the Building Inspector that the hedge be reviewed as far as what the ordinance provides, as to whether it can be over three feet.

Unanimously carried.

ON MOTION by Mr. Selden, seconded by Mr. Buyer, Mr. Delo was named Chairman.

Unanimously carried.

The Board was advised that there is a Board of Appeals meeting on Wednesday with respect to Village Foreign Car Service, Inc. They requested a new sign permit to add a logo to their free-standing sign and the Board rejected this at our last meeting.

NOTE TO BOARD OF APPEALS: The Board feels that there are more signs than allowed by the code now. When this was reviewed the first time we made certain concessions with the property regarding the number of signs and we allowed more signs than the Code allowed. We feel that we do not want to allow any more signs than are on the property there outside.

NOTE TO THE BUILDING INSPECTOR: There is a portable sign for Carmer Auto Parts on Main Street which has yellow lights on the top. This should be checked to make sure they are not flashing lights as we do not allow this under our ordinances.

On the agenda for our next meeting we will consider the building permit checklist.

ON MOTION by Mr. Bancroft, seconded by Mr. Ticknor, the meeting was adjourned at 9:45 PM.

Unanimously carried.

Robert Buyer,
Secretary

411
C

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, May 14, 1979 at 7:33 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Paul Atkinson

Lawrence R. Brenton Trustees

Connie C. Murray

Rosemarie Sugg

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Dave Laubisch, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

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

Mayor Kuzon turned the meeting over to Trustee Murray for the presentation of awards for the Environmental Poster Contest which was conducted by the Environmental Council. Trustee Murray stated that under the Public Awareness Committee of the Environmental Council they sponsored a poster contest within the St. Peter and Paul School, Mill Middle School, Academy School and Forest Elementary School. The committee met on Wednesday and judged the contest. She stated the posters are on display this evening at the meeting. The idea was to promote awareness of environmental concerns within the schools.

Mayor Kuzon then presented the awards. There were three age groups: primary, intermediate and junior high. The winners were for primary grades 1 to 3 - Jennifer Broderick, first place; Donald Cole, second place; and Mike Harloff, third place. For intermediate grades 4-5 the winners were Eugene Covelli, first place; Mary Valentic, second place; and Tim Mattullhe, third place. The winners for junior high were Lisa Lalock, first place; Yishaiya Abosch, second place; and Matthew Beirne, third place.

Mayor Kuzon stated the posters will be placed in the foyer of Town Hall for the rest of the week. Dr. Akers says that stores in the Village are participating in the contest by agreeing to put some of the posters in their windows. We want to thank them for their cooperation.

ON MOTION by Trustee Sugg, seconded by Trustee Brenton, the minutes of the regular meeting held April 23, 1979 were approved.

Unanimously carried.

ON MOTION by Trustee Sugg, seconded by Trustee Murray, the minutes of the public hearing held April 23, 1979 regarding a local law to amend the Traffic Code, Section 60.32(13b) were approved.

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, May 14, 1979 at 7:33 PM

ON MOTION by Trustee Sugg, seconded by Trustee Brenton, the minutes of the informational hearing held April 23, 1979 regarding the Glen Park regulations were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the special meeting held April 25, 1979 were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, it was moved to suspend the rules at 7:41 PM in order to hold a public hearing regarding a local law which would amend Section 41.20 of the Sanitary Sewer Rent Code. (The hearing was closed at 7:48 PM.)

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Sugg, it was moved to suspend the rules at 7:48 PM in order to hold a public hearing regarding a local law which would amend Section 65.40 of the Water Code concerning water charges. (The hearing was closed at 7:55 PM.)

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, it was moved to suspend the rules at 7:55 PM in order to hold a public hearing regarding an Exceptional Development Permit for Townsend Square, Main Street and Union Road. (The hearing was closed at 8:27 PM.)

Unanimously carried.

Mayor Kuzon stated the NFTA is working on a master plan for the airport. This week they will advertise that phase one reports will be available for inspection in the different municipalities. It will be here in our Village Office for anyone who would like to see it. The objective is to formulate a long range development plan. Any activity involving the airport should be of great interest to Village residents and we feel many residents would like to review the NFTA's plans. The NFTA will be reporting on phases 2 and 3 and we will report to the public on them as soon as we have the reports.

Mayor Kuzon stated that he had been authorized to sign a contract with The Planning Group of Jamestown regarding our master plan for the Village. They have been taking strip photos along Main Street this week and will be working on other areas of the plan shortly.

Mayor Kuzon reported that five building permits have been approved since the time of our last Board meeting.

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Trustee Murray advised that the Senior Citizens Committee met and they are starting a program in the Village Square Apartments. They could not do this before. They are planning a program there for June 26th as a trial run so that Forest City Dillon can see what will be done. She stated that Bea Slick is working with the Golden-agers and they hope to plan a group trip.

Trustee Murray reported that the Environmental Council had met and they had judged the poster contest. We want to thank all the members for all the work they did.

Trustee Murray stated the Beautification Committee is working on many things at this time of the year. We have had some problems obtaining the size of trees we need for the Main Street planting. Four Winds had the lowest bid but they don't seem to be able to meet the specifications. We are presently looking for the trees in other places.

Trustee Murray advised that the Mayor had asked her to work on the sewer funding for the Village. She stated that this past week she had met with Hal Collier and Supervisor Sharpe from the Town to begin to talk about the funding. She stated she had taken a tour of the water pollution facility (#16) and was very impressed with it. She stated she met with Mr. Ketchum from the Town on the funding and hopefully we can cooperate with the Town on getting the funding that is needed. She stated she will continue to report to the public on the sewers and funding at each meeting. The public needs to know how much we might get and what the problems are.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, the following resolution was adopted:

RESOLVED that effective May 25, 1979, six (6) park guards be hired for Island and Garrison Parks on Friday and Saturday from May 25, 1979 thru June 9, 1979 and daily from June 15, 1979 thru September 9, 1979; and on weekends from September 14, 1979 thru September 29, 1979. The hours being from 7:00 p.m. until midnight at a rate of \$6.50 per hour.

PARKS

Park Guards Hired
5/25/79 - 9/29/79

Unanimously carried.

Trustee Sugg stated that several months ago she spoke regarding the problem we had with the youth funding because it was not going through the proper channels, the comprehensive planning program. Because of letter writing and pressure applied there has been a new bill proposed that would directly affect this circumventing of the comprehensive planning program and hopefully it has a good chance of being passed in the legislature. There is a chance that our funding could be increased by this.

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With respect to Glen Park, Trustee Sugg stated the regulations we approved at our last meeting have now been approved by the Town. Since approval, we have advised Chief Zimmerman of the regulations. We have asked that the police department keep an eye on the park on a regular basis. There is still work going on. The park has not been accepted from the nursery yet for the development phase and the people you see working in the park now are from the nursery, and they are reseeding, replacing trees, etc. There are no bicycling signs up now. They were put up by the Amherst Highway Department. The parking lot signs are up and this situation is getting better.

Trustee Sugg advised that the Village is looking into the Village Meeting House conditions. The Board and Village Clerk went on a tour of the building with a view to using it as a municipal building. There are a lot of questions regarding converting it to this use. We have been in contact with the community development representative and he has great deal of misgivings as to whether community development money could be used for this, even under historical renovation. The Village Meeting House Committee will consider the problems that have to be met. It is not appropriate for use at the moment.

Trustee Sugg stated her first resolution is to adopt a local law which was the subject of a public hearing at our last meeting. This will extend the no parking on Glen Avenue from the bridge on the south side going east to Mill Street.

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

RESOLVED that Local Law #6, 1979, Amend Section 60.32(13b) of the Traffic Code, which was the subject of a public hearing on April 23, 1979, is hereby adopted.
(Copy attached.)

LOCAL LAW ADOPTED

#6 - 1979

Amend Traffic Code

Unanimously carried.

Trustee Sugg said her second resolution involves two appointments to the Traffic and Safety Committee. Dennis Murphy is no longer able to serve and Rick Andrews, who represented the Fire Department, can no longer serve. We want to thank them both for their service to the Village.

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

RESOLVED that the following appointments are hereby made to the Traffic and Safety Committee for the following terms:

APPOINTMENTS MADE

Traffic & Safety
Committee

(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. 6 of the year 19 79

A local law Amend Section 60.32(13b) of the Traffic Code
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

~~County~~
~~City~~ of Williamsville as follows:
~~Town~~
Village

Amend 60.32
13. Glen Avenue - (B) South Side between North Cayuga Street and
Mill Street.

This local law will take effect upon filing with the Secretary of State.

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<u>Name</u>	<u>Effective Date</u>	<u>End of Term</u>
Edwin Lavery	5/14/79	End of the 1979-80
Richard C. Fiorella	5/14/79	Official Village Year

Unanimously carried.

Trustee Sugg advised that Mr. Lavery will be the fire company representative to this committee.

Trustee Sugg stated her third resolution related to the Village Meeting House Committee. It was originally formulated by John Sheffer but we feel the work ahead requires a larger committee. Two original members were asked to rejoin us - Earl Brock and Betty Schueckler. Those on the committee have long been interested in the Village. One member is an engineer and one an architect who does not live in the Village but who worked on the Prudential Building. The Village Historian is being asked to serve also.

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

RESOLVED that the Village Meeting House Committee be expanded to seven members plus a liaison from the Village Board, and the following appointments are made for the following terms:

APPOINTMENTS -
Village Meeting House Committee

<u>Name</u>	<u>Effective Date</u>	<u>End of Term</u>
Richard Macakanja	5/14/79	End of the 1979-80 official
Peter Tuyn	"	Village year.
Gartley Weller	"	"
Gary Diehl	"	"
J. Sidney Shrauger	"	"
Mary Scheeder	"	"
John D. Randall	"	"

Unanimously carried.

Trustee Sugg advised her next resolution involved the Glen Park regulations. The regulations have been adopted by the Village and the Town. However, the Town adopted one more regulation than we did. In the week between the votes on this it was decided that another traffic problem existed within the park.

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

GLEN PARK

RESOLVED that Section 26.140 be added to the Glen Park Regulations as follows:

Additions to Glen Park Regulations -

26.140 Skateboards, Unicycles and Roller-skates: Skateboarding, unicycling and rollerskating are not allowed in Glen Park.

Re: Skateboards, Unicycles, and Rollerskates

GLEN PARK REGULATIONS

- 26.10 Public Gatherings: Any public entertainments, demonstrations, assemblies, military and other parades are prohibited in Glen Park and/or Glen Park approaches without the written permission of the Glen Park Joint Board and permit issued through the office of the Village or Town Clerk.
- 26.20 Sales and Displays: No Commercial solicitation or display of any sort shall be permitted within the confines of Glen Park without the written permission of the Glen Park Joint Board and permit issued through the office of the Village or Town Clerk.
- 26.30 Sound Amplification: No sound amplification systems shall be used within the confines of Glen Park without the written permission of the Glen Park Joint Board and permit issued through the office of the Village or Town Clerk.
- 26.40 Firearms and Fireworks: No person shall discharge any firearm or fireworks of any description, throw stones or missiles, build any open fire or carry any firearm in Glen Park.
- 26.50 Sports and Games: Team sports or organized athletic competition of any type is forbidden in Glen Park.
- 26.60 Trees, Shrubs and Park Property: No person shall damage any plant, shrub, flower or tree, or deface, damage or remove any park equipment, building, monument, natural object, sign or marker, or molest wildlife.
- 26.70 Refuse Dumping Prohibited: No person shall throw or dump any material except in containers provided.
- 26.80 Motor Vehicles: All such vehicles as defined in the Vehicle and Traffic Law of the State of New York and in addition thereto, mini-bikes, mopeds, snowmobiles and all other motorized recreation vehicles except for emergency vehicles and vehicles operated by the Department of Public Works of the Town and Village are forbidden within the confines of Glen Park.
- 26.90 Night Closing: Glen Park shall be closed to the public each night between the hours of 10:00 p.m. and sunrise the following morning.
- 26.100 Swimming: No person shall swim or wade in Glen Park.
- 26.110 Bicycles: Upon entering Glen Park, a cyclist shall dismount and wheel the cycle through on foot using paths.
- 26.120 Alcoholic Beverages: No alcoholic beverages shall be consumed in Glen Park.
- 26.130 Dogs and Horses: Dogs and horses shall not be allowed in Glen Park.
- 26.140 Skateboards, Unicycles and Rollerskates: Skateboarding, unicycling and rollerskating are not allowed in Glen Park.

TOWN OF AMHERST
INTER-DEPARTMENTAL CORRESPONDENCE

TO Herky Moses, Councilman

FROM Cora

SUBJECT TELEPHONE MESSAGE - RE: GLEN PARK

DATE 4/26/79

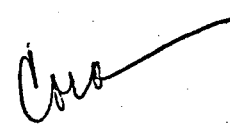
Herky,

Rosemarie Sugg telephoned to advise you of the following:

Regarding the Glen Park Rules & Regulations. Joan MacKay pointed out that there is no mention which prevents not only excluding bicycling, but also skateboarding, unicycling, or rollerskating.

Please consider adding this in a separate paragraph of the rules & regulations when they are presented to the Town Board for approval. Otherwise, they would only have to be added later, as the Williamsville Board is going to consider them at their next meeting.

ch



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Unanimously carried.

Trustee Sugg stated her fifth resolution concerned the protection in Glen Park. We own this jointly with the Town and last year when we discussed park security with the Town the Town Attorney advised that Amherst Police could not be appointed because they were employed on a full time basis in the Town. We have received some comment that the Town has not been following this and has them working in other facilities in the Town. This will be checked into. We will follow the policy we had last year for the present time. The same agency we hired last year will be hired this year. Their salary is \$4.30 per hour and will begin on May 11th. They will keep a log and have a staggered schedule. They are presently on a weekend schedule through June 1st and then will begin a daily schedule through Labor Day. At that time we will review the situation and decide what the rest of the hours will be.

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

AUTHORIZATION -

RESOLVED that the Mayor is authorized to sign an agreement with Parallel Protection Agency for security police for Glen Park. Funding to be provided jointly by the Village of Williamsville and Town of Amherst from their budgeted Glen Park Maintenance accounts.

Mayor to sign agreement with Parallel Protection Agency in GlenPark

Unanimously carried.

Trustee Atkinson stated he would like to commend the Department of Public Works for getting the swings out in advance of the normal opening date of the parks.

Trustee Atkinson advised that June 1st is normally the time we review our insurance program as the premiums come due. We met recently with our agency and asked them to review the 1974 study that was done with respect to various coverages we have to make specific comments as to what they have and have not accomplished. We have asked them to look to our coverages looking to higher deductibles. If there is anyway we can lower the cost without endangering the Village we will do so.

ON MOTION by Trustee Atkinson, seconded by Trustee Sugg, vouchers in the sum of \$113,442.12 were approved as follows:

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Payroll Fund	W/E 4/27/79	\$ 5,518.31
	W/E 5/4/79	3,097.69
	W/E 5/10/79	<u>3,098.50</u>
Total Payroll		\$ 11,714.50
General Fund	Abstract #440	17,521.15
Sewer & Water Fund	Abstract #21	82,007.38
Federal Revenue Sharing	Abstract #70	<u>2,199.09</u>
Total Vouchers		\$113,442.12

There were large vouchers for: Amherst Disposal - \$7,028.57 (garbage); and Town of Amherst - \$81,641.00 (1978 payment for sewage treatment).

Unanimously carried.

Trustee Atkinson advised his next resolution dealt with a fence permit which goes to the Planning Board for their review and comments and then comes before the Board for final approval. 5611 Main Street is a doctor's office, and is located next to the Creekside.

ON MOTION by Trustee Atkinson, seconded by Trustee Brenton, the following resolution was adopted:

RESOLVED that the fence at 5611 Main Street is approved as submitted to the Board of Trustees provided it is constructed on the property line.

APPROVAL

Fence at 5611 Main St.

Unanimously carried.

Trustee Brenton stated that in anticipation of comments regarding the potholes in the Village he wanted the public to know that only last Tuesday we go in the hot patch we need to do the job. The hot patch method is more permanent than the cold patch. We will be filling the potholes as soon as we can.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the following resolution was adopted:

RESOLVED that the Village Board sitting as Board of Fire Commissioners and acting upon recommendation of the Review Board of Hutchinson Hose Company hereby appoints the following person as a fireman in the Williamsville Fire Department:

APPOINTMENT

Fireman

Bradley Archdeacon

Unanimously carried.

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

WHEREAS the Village has advertised for sealed bids for Refuse Collection contract, and

CONTRACT AWARDED

WHEREAS Amherst Disposal submitted the lowest bid meeting specifications,

Refuse Collection to Amherst Disposal

NOW, THEREFORE, the contract for Refuse Collection is awarded to Amherst Disposal for their bid of \$89,403.41.

Mayor Kuzon stated the amount is approximately what we had expected with the increase. This will continue the twice weekly pickups in the summer and not get the Village involved in garbage pickup.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the following resolution was adopted:

RESOLVED that a Bond resolution authorizing the reconstruction and resurfacing of various streets within the Village is hereby adopted. (Copy of bond resolution attached.)

BOND RESOLUTION
Street Reconstruction

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Atkinson, the following resolution was adopted:

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

PUBLIC BOND RESOLUTION

Section 1. The Village of Williamsville, in the County of Erie, New York, is hereby directed to publish the foregoing bond resolution, in full, in the "AMHERST BEE", a newspaper published in Amherst New York, and having a general circulation in said Village, which newspaper is hereby designated as the official newspaper of the Village for such publication, together with the Clerk's statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

Street Reconstruction

Section 2. This resolution shall take effect immediately.

Unanimously carried.

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Mayor Kuzon stated Trustee Brenton's last three resolutions relate to our budget proposals in that we are not entering into the garbage business but will continue the contract procedure of bidding that service, and that we will bond the cost of repairing and resurfacing the streets.

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

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

Unanimously carried.

Mrs. Rita Andrews, 128 S. Union Road, asked a question of Trustee Murray regarding the six guards for Garrison and Island Parks and will meet with Trustee Murray after the meeting in the Village Office to obtain the information.

Bill Bancroft, 88 Oakgrove, stated that when the streets were resurfaced and repaired last year many manhole covers and valve caps were not raised to the new level of the blacktop. This is going to create potholes and they should be fixed. Also, when any such work is done this year to the streets this type of thing should be made level with the pavement. Trustee Brenton advised that the extensions we had ordered to do this were not delivered. We will be making sure that all depressions are brought up to the proper level. Mr. Laubisch stated the company we ordered from last year went out of business before they delivered our order. We now have a new supplier.

Mrs. Carolyn Schlifke, 192 Evans Street, asked Trustee Sugg whether there would be a handicapped parking sign erected in the parking area by the bridge and Trustee Sugg stated this is in the process of being done.

Dr. Charles Akers, 73 Oakgrove, asked if there was anything being done about doing away with a minimum water service charge. Someone only using one-half the amount of someone else would still be charged the minimum and it seems unfair, especially for those on a limited income. Dr. Akers also stated that there is a study being done on solid waste disposal in Erie and Niagara Counties. The Board would be well advised to wait for the results of that study before going into the garbage business. It should be finished in a year to a year and a half.

With respect to the minimum water charge, Mayor Kuzon stated the proposal considered tonight would do away with the minimum charge just on water actually used in relation to sanitary sewer rent. Trustee Brenton stated the minimum water charge is a concern of many people. However, we can't justify doing away with this minimum charge as the charge reflects costs for other services, such as the total valve replacement on Main Street. The Water Department needs as much revenue as it can get. This is one reason why the Village should not be in the water business. We could have financial problems in a few years because of the deficit we have there.

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Trustee Brenton advised residents who have trouble with the water lines freezing in winter to have the problem corrected now rather than waiting until they develop problems during the winter.

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

Unanimously carried.

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

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer