

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, June 11, 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
David Laubisch, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

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

ON MOTION by Trustee Sugg, seconded by Trustee Murray, the minutes of the regular meeting held May 29, 1979 were approved.

Unanimously carried.

Mayor Kuzon reported that he had met with Supervisor Sharpe to discuss the moving of the police department into their new Audubon facility. They discussed what should remain in the Village and the staffing. At the end of the discussion it was left that the staffing would be left to Chief Zimmerman. The Mayor stated that he and Trustee Sugg will meet with the Chief tomorrow regarding the staffing and other police related matters.

Mayor Kuzon stated the listing of the upcoming Village committee meetings was at the bottom of the agenda.

Mayor Kuzon stated his first resolution is to proclaim Saturday, June 23rd as Youth Day. The purpose is that the youth group from the Cayuga Road Center will be holding a fund raising carnival in Garrison Park on that day to raise some of the funds that are needed to run the center.

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

RESOLVED that Saturday, June 23, 1979
is hereby proclaimed Youth Day in the
Village of Williamsville.

YOUTH
Youth Day Proclaimed

Unanimously carried.

Mayor Kuzon advised that the Board is presently revising the Building Department. Trustee Atkinson will be speaking further tonight on this and provide a financial breakdown on the revision of the department. Mayor Kuzon stated his resolution names Martin Meidel as Building and Plumbing Inspector, part time. He is

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working at Erie Community College teaching building construction, electrical and heating, plan and specification reading, etc. He is well qualified for this position.

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

RESOLVED that Martin Meidel is appointed Building & Plumbing Inspector (Part Time) in the Building Department at a rate of \$15.00 per hour.

APPOINTMENT

M. Meidel as
Building & Plumbing
Inspecto - PT

Unanimously carried.

Mayor Kuzon stated his next resolution also deals with the Building Department revision and appoints an Assistant Building and Plumbing Inspector. The Assistant would act only in the absence of the Building Inspector and provide the backup of a professional firm. The Assistant will be the Malcolm MacKay firm of Main Street in the Village. We feel they can give background in architectural appearance and planning. They will only be paid when they do work for us.

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

RESOLVED that Malcolm MacKay Associates are appointed Assistant Building and Plumbing Inspectors at the rate of \$18.50 per hour.

APPOINTMENT

Malcolm MacKay Assoc.
as Asst. Building Inspector

Unanimously carried.

Mayor Kuzon stated his fourth resolution concerns the application of S & W Associates for an Exceptional Development Permit for the corner of Main and Union Road.

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

RESOLVED that the application of S & W Associates for an Exceptional Development Permit for Townsend Square, Main Street and Union Road, is hereby approved based upon revised architectural and engineering drawings including drawings O11 dated May 22, 1979 and drainage plan dated May 18, 1979, revised June 4, 1979 and upon compliance with the conditions listed below:

EXCEPTIONAL DEVELOPMENT
PERMIT GRANTED

S & W Associates
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

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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 the developer 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 six (6) foot 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 of 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.

EXCEPTIONAL
DEVELOPMENT PERMIT
(Con't)

Townsend Square

Trustee Atkinson stated this has been a rather lengthy process for the developer and the Village. We have tried as best we can to answer those residents who have raised questions and feel these questions have been satisfactorily answered. There has been a considerable amount of patience on both sides. We wish them luck in their project, and look forward to what will be done at that corner.

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Mayor Kuzon advised that this is a question of exceptional development and not one of rezoning. An exceptional development permit can be used only for uses allowed in the zoning district. The permit was required for this project as it is over 10,000 square feet in gross floor area. Upon receipt of the application for the exceptional development permit, it was referred to the Planning Board, Environmental Council, Parks and Recreation Committee and the Traffic and Safety Committee. After receipt of their advisory recommendations a public hearing was held. Before they vote, the Board must find reasonable grounds that their action promotes the health, safety and welfare of the residents and they can add contingencies to their approval to bring this about. The developers still have to get final architectural approval by the Planning Board and the Building Inspector is responsible for seeing that it meets all the codes before issuance of a building permit. There were a number of objections or concerns raised. As elected representatives we have to try to answer, or at least speak to these objections. The Traffic and Safety Committee, Planning Board and Environmental Council made recommendations and at the public hearing residents expressed their concerns. The major concerns were the abundance of restaurants, increased traffic flow, hazards at the corner, parking congestion, existing curb cuts and what would be done with them, noise pollution, the creeping of business into the residential districts and site drainage. After the public hearing, the Board incorporated the advisory recommendations along with the concerns of residents in compiling a list of 10 requirements and submitted them to the developer. The developer has complied with nine of the requirements. The only remaining one concerns an easement for storm culvert and this is being worked on by their and our attorneys.

EXCEPTIONAL
DEVELOPMENT
PERMIT

Townsend
Square

Mayor Kuzon stated that if this were a rezoning question he doubted he would support it. From his personal point of view this is not in compliance with the Village character. He stated he could not find reasonable findings of fact to support his personal view. With the contingencies attached he stated he finds reasonable grounds to support this. Taking into account the size and location and use of the project and the use being in harmony with the zoning code, we feel it will not depreciate the property value or alter the essential character of the Village.

Vote on Roll Call: Trustee Sugg - aye; Trustee Brenton - aye; Trustee Atkinson - aye; Trustee Murray - aye; Mayor Kuzon - aye. Ayes - 5; Noes - 0.

Unanimously carried.

ON MOTION by Trustee Atkinson, seconded by Trustee Brenton, vouchers in the sum of \$61,494.09 as follows:

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Payroll Fund	W/E 6/1/79	\$ 3,249.41
	W/E 6/8/79	<u>3,336.35</u>
Total Payroll		\$ 6,585.76
General Fund	Abstract #442	15,739.78
Sewer & Water Fund	Abstract #23	33,001.55
Capital Fund	Abstract #96	2,767.00
Community Development	Abstract #29	<u>3,400.00</u>
Total Vouchers		\$61,494.09

There were large vouchers for Amherst Disposal - \$7,169.09; Niagara Mohawk Power Corp. - \$3,136.61; and M & T Bank - \$34,145.00.

Unanimously carried.

Trustee Atkinson stated that as Mayor Kuzon reported earlier tonight, one of the steps we hope to take this evening is a basic revision in our Building and Plumbing Department. For a number of years we have had a Building and Plumbing Inspector and a Building and Plumbing Department secretary. He stated he personally feels that one of the most successful kinds of operations we can have is a full time supervisor of the many activities in the department. He feels there should be a department administrator. This individual would be responsible for supervising and carrying out of the various procedures established by the Village and having to do with the Building and Plumbing Department. Onsite inspections would be carried out by the Building and Plumbing Inspector. We have taken a long, hard look at this item.

Trustee Atkinson reviewed the basic functions of the administrator. The administrator would supervise the operation of the department; be responsible for developing and complying with various department procedures, operating instructions and policies; reviewing and checking all plans and specifications submitted to see that they comply with all the codes and laws prior to review by the Building Inspector; issuing Inspector approved permits; explaining the requirements of the local Building Code; investigating complaints and assisting in presenting them to the Enforcement Committee for disposition; maintaining records of the acts and decisions of the department which may affect various Village codes; and preparing periodic reports of buildings and structures erected or altered, of permits issued, of fees collected and other reports as the Board feels necessary.

Trustee Atkinson stated the 1979-1980 budget provided \$16,000 for professional services and \$4,090 for a clerk in the department for a total of \$20,090. The fee for a part time building inspector would be \$11,700 and the department administrator would receive \$5,850 for a total of \$17,550. This is a savings of \$2,540 for

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the 1979-1980 fiscal year. Trustee Atkinson stated he made his resolution on the basis of this figure and the fact that we can provide the Village with full service in the operation of this department.

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

RESOLVED that the position of Building Department Administrator (Part Time) is hereby created in the Building Department.

PERSONNEL
Position Created -
Building Department
Administrator

Trustee Brenton stated we already have a very capable person involved in this department and without a doubt her skills are very fine pertaining to this department and she has done this work for us for four years. With this resolution, she will be upgraded to administrator. Doing this will increase her salary in the neighborhood of 25%. He stated he feels she is doing a fine job. However, he cannot convince himself that the work she presently does should merit a 25% increase.

Vote on Roll Call: Trustee Murray - aye; Trustee Sugg - aye; Trustee Brenton - no; Trustee Atkinson - aye; Mayor Kuzon - aye. Ayes - 4; Noes - 1.

Carried.

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

RESOLVED that Phyllis Prazmark is hereby appointed Building Department Administrator (Part Time) at a rate of \$4.50 per hour.

APPOINTMENT
Building Department
Administrator

Vote on Roll Call: Trustee Murray - aye; Trustee Brenton - no; Trustee Sugg - aye; Trustee Atkinson - aye; Mayor Kuzon - aye. Ayes - 4; Noes - 1.

Carried.

Trustee Brenton stated we have started on our paving program. We are a little behind schedule due to the rain. Long Street is being done now and should be completed by the end of the week. The Village has corrected a sanitary sewer problem on Cadman Drive. It was completed in one day. He stated he was able to witness the work done and is happy with the job the men did. He stated he had questioned whether they should be doing this type of job but feel they are capable of doing it and did a fine job.

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Trustee Brenton advised there is the need for a part time laborer in the Department of Public Works with the department being involved in the cleanup of parks, paving and other extra things that have to be done in the summer. There will be further sewer work to be done on Cadman Drive.

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

RESOLVED that Christopher Grady be appointed Laborer (Seasonal) in the Department of Public Works from June 11, 1979 to August 31, 1979 at a rate of \$2.75 per hour.

APPOINTMENT
Laborer (Seasonal) in
D.P.W.

Trustee Sugg advised that Mr. Grady had worked for the department last year and has shown he is very industrious.

Unanimously carried.

Trustee Murray stated the Senior Citizens Committee will meet on Wednesday. They have had bad news from Forest City Dillon regarding having a program at the Village Square Apartments. We had hoped to go into their community room in the fall. Since they use State funds in the program, people outside the apartments would have to be allowed to join the program there. Since this is a private building they have to keep it locked and secure and so they feel they cannot allow this program there.

Mayor Kuzon stated that in his discussions with Forest City they state that part of the reason is that liability is too high with outsiders coming in and it is a policy of their organization not to allow organizations outside their building to use their community room.

Trustee Murray stated they are still trying to pursue this matter. The Golden Agers are setting up a trip to Chautauqua on June 25th. They are buying equipment to use in the program next year with the funds they have and they hope to have the application in for next year's funding in the next week.

Trustee Murray advised that the Parks and Recreation Committee will be discussing the painting of the pools at their next meeting.

Trustee Murray reported that the Environmental Council met last week and the progress is very good on the landscape ordinance. If anyone has any input we would appreciate any comments they might want to make. Work is being started on the natural resource index.

Trustee Murray stated the Beautification Committee has planted geraniums at Main and Garrison and the annuals are being planted in Island and Garrison Parks.

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Trustee Murray stated she was tabling her resolution regarding MSR Engineers being retained as consultants to the Village in the matter of negotiations with the Town relating to the share of the Village in capital costs and maintenance costs in the new sewage treatment plant. The Board feels it has not had enough time to review this and it will be presented at the next meeting.

Trustee Sugg stated that earlier Mayor Kuzon had proclaimed Youth Day in the Village and she introduced some individuals present in the audience from the Youth Committee. They were Heather Affleck, Donna Schick, Sue Munderville and Monica Praetzel. On behalf of all the youths at the center she thanked the Board for proclaiming the Youth Day and stated we are all looking forward to seeing everyone at the carnival.

With respect to Glen Park, Trustee Sugg stated there is some new furniture in the park. Some of the trash receptacles have been put in place. A portable toilet is being placed in the park near the Nature Center. The supervisor for the workers in the park from Allentown Industries has requested this. The workers are working very hard in the park. In order for the workers to take a break they have to come across Main Street and it is a difficult trip for some of the handicapped workers. We are in the process of formulating regulations for use of the Nature Center. We have had one request for use of the building already.

Trustee Sugg stated there are volunteers working in the park throughout the week aiding the Allentown workers. We want to thank Mrs. Troy, Mrs. Fishburn, Miss Fishburn and Marie Wendling for giving direction to the people working in the park as to what we want to have done.

Trustee Sugg stated the problem of access to the Glenside Apartments has been partially resolved. The posts blocking the path have been removed by the Highway Department so that emergency vehicles have access to that road. We will be keeping a close eye on this as this path has been used in the past by cars which should not be in the park.

Trustee Sugg reported that the Village Meeting House Committee has made recommendations to comply with our insurance requirements. We want to thank Mr. Richard Spoth of Spoth Electric for checking the electrical wiring in the building and we will incorporate his suggestions into the overall plan. The committee will meet again on June 19th at 7:30 PM in the Village conference room.

Mr. Laubisch stated the Department of Public Works employees are installing a base around the trees on Main Street to eliminate weeding.

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

Unanimously carried.

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Kirsten M. Milbrath, Director of Services for the Aging in the Town of Amherst advised that the 17th Anniversary Celebration of the Senior Center will be held at 2:00 PM on Saturday, June 16th.

Mrs. Milbrath thanked Mrs. Slick for the program that is going on at the Library and we hope to have more permant quarters for this in the Village Meeting House.

Mrs. Milbrath stated she understands that Mr. Parsons will be in town on Wednesday and asked for the Board's help in talking to him regarding getting the support of Forest City Dillon for the transportation program. With the loss of CETA workers we will have to have permanent drivers and the price of gas is going up. The transportation program is very important to our being able to continue to service the senior citizens of the area.

Mayor Kuzon stated he will try to see Mr. Parsons when he is in town, and discuss the participation of Forest City Dillon in the transportation program.

Monica Praetzel stated the Cayuga Road Youth Center is holding a variety show at 7:30 PM at the Youth Center tomorrow night and invited the Board to attend.

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

Unanimously carried.

ON MOTION by Trustee Atkinson, seconded by Trustee Sugg, the meeting was adjourned at 8:08 PM

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer