

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, July 23, 1979 at 7:34 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
		John Anstett, Dept. of Public Works
	Absent	Edward Way, Dept. of Public Works

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

ON MOTION by Trustee Sugg, seconded by Trustee Murray, the minutes of the regular meeting held July 9, 1979 were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, it was moved to suspend the rules at 7:36 PM in order to hold a public hearing regarding a proposed rezoning application for 5892 Main Street from C-1 to C-2. (The hearing was closed at 7:49 PM.)

Unanimously carried.

ON MOTION by Trustee Sugg, seconded by Trustee Brenton, it was moved to suspend the rules at 7:49 PM in order to hold a public hearing regarding a local law which would increase the earning limits of senior citizens from \$7,200 to \$8,000 and still enable them to qualify for the 50% senior citizen exemption. (The hearing was closed at 7:53 PM.)

Unanimously carried.

Mayor Kuzon stated that during the past year, from July 1, 1978 to June 30, 1979, the Village participated in a State funded senior citizens recreation program. It was a matching funds program. Since this program was initiated, many good things have been done for the senior citizens in the Village. The Board feels much of the credit belongs to the program director, Bea Slick and they presented Mrs. Slick with an award for her service.

Mayor Kuzon stated the preparations for Old Home Days are underway in Island Park and it will begin tomorrow at 7:00 PM with a parade. On Wednesday will be the Great Ellicott Creek Raft Race. On Thursday will be the YMCA Fun Run and Friday is German Day. International Cable will have a half hour special on our festivities.

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Mayor Kuzon stated that on page two of tonight's agenda was a schedule of meetings for the coming month.

Mayor Kuzon then proclaimed this week as Little League Week in the Village.

WHEREAS, this year marks the 25th anniversary of Little League in the Village of Williamsville, and

WHEREAS, this is an important milestone in the development of Little League Baseball in our Village,

NOW, THEREFORE, we, the Village Board of the Village of Williamsville do hereby proclaim the week of July 23, 1979 through July 27, 1979 as

"LITTLE LEAGUE WEEK"

in the Village of Williamsville and hereby offer the thanks and appreciation of the community to those past and present players, coaches, and managers who have devoted their time and efforts to make Williamsville a better place for all of us, and call upon all citizens of the Village to give the Little Leagues their continued interest, cooperation and support in the coming years so that an increasing number of young people and adults may benefit from the program.

Mayor Kuzon stated his next resolution dealt with the holding of sidewalk sales during the Old Home Days. He stated the Village business district has three zoning classes - C-1, C-2 and C-3. In a C-1 and C-2 district, sidewalk sales are prohibited. This resolution will allow these sales to take place. Anyone coming in from the outside will be required to obtain a Mayor's permit to sell things.

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

RESOLVED that the Board of Trustees consents that goods, wares, or merchandise may be placed upon the sidewalks of the Village of Williamsville for exhibition or sale on July 24 - 27, 1979. This consent is limited to persons who have conducted a business within the Village of Williamsville on a regular basis prior to July 21, 1979.

AUTHORIZATION

Sidewalk sales
during Old
Home Days

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The Village Board hereby consents to the exhibition or sale of goods, wares and merchandise by persons other than those who have conducted a business within the Village of Williamsville on a regular basis prior to July 21, 1979 only upon the issuance of a Mayor's permit. Mayor's permits shall be issued upon proper identification of the applicant and a \$10.00 fee.

Unanimously carried.

Mayor Kuzon stated his next resolution deals with continuing our involvement with the winterization/emergency repair program which is coordinated by the Town of Lancaster.

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

RESOLVED that the Mayor is authorized to sign Second Amendatory Agreement with Town of Lancaster for the extension of the winterization/emergency repair program for an additional 6 months period until November 30, 1979. Necessary funds to be allocated from Community Development thru the Erie County Consortium.

AUTHORIZATION

Mayor to sign Second Amendatory Agreement for Winterization Program

Unanimously carried.

Trustee Sugg stated the winterization repair program was discussed at our last meeting. The time has been extended. We are sending letters to several different groups in the community so their members are aware of the program and what services are available.

Trustee Sugg gave an up-date on the progress at Glen Park. She stated the workers from Allentown Industries and the Amherst Youth Board are involved in watering. They are using water from the ponds and creek. Mowing is also taking place. She stated we would like to commend the two supervisors working with the two groups of youths. They are coordinating the program well.

Trustee Sugg advised that several months ago the park received an award from the Western New York Nurserymen's Association for the landscaping. This was a first prize. This project was then sent on to the New York State competition and we came in second. The project that came in first was on an estate with \$1 Million in landscaping.

Trustee Sugg stated her resolution has to do with accepting Contract #2, the Four Winds Nursery landscaping contract.

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

RESOLVED that the landscaping work performed by Four Winds Nursery in Glen Park be accepted on a conditional basis. The conditions of acceptance are as follows:

GLEN PARK

Conditional
Acceptance of
Landscaping Work
done by Four
Winds Nursery

1) There is unsatisfactory turf in the "Amphitheatre" area, in the "Island" area, and in the area east of the handicapped parking space. Four Winds will continue maintenance on the unacceptable items until such time as they are acceptable.

2) Three sassafras trees have been unacceptable from the time they were planted. These are to be changed either in the fall or in the spring of 1980 and their guarantee will run for one year after planting.

3) Various species of ferns have not been totally acceptable. Four Winds will replace those ferns which need replacement, except for those that were vandalized this fall. Guarantee on all ferns will commence upon acceptance of the replacement ferns.

4) Another inspection of the park will be made by the Village Board prior to final acceptance.

5) The Village will continue to hold the unpaid funds on the project until the conditional items are completed.

Trustee Sugg stated that in relation to the sassafras trees, other trees will be replaced but these particular trees were never acceptable. She stated that on the 16th of the month, the Mayor, Trustee Murray and she went to the park with the landscape architect. Councilman Moses and Mr. Tammaro, Chairman of the Joint Park Board were with them. The conditional acceptance was discussed and it was felt that this was a reasonable request.

Unanimously carried.

ON MOTION by Trustee Atkinson, seconded by Trustee Sugg, vouchers in the sum of \$66,208.32 were approved as follows:

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Payroll Fund	W/E 7/13/79	\$ 3,785.37
	W/E 7/20/79	<u>4,034.79</u>
Total Payroll		\$ 7,820.16
General Fund	Abstract #445	15,008.33
Sewer & Water Fund	Abstract #26	26,541.26
Trust & Agency Fund	Abstract #66	16,392.65
Federal Revenue Sharing	Abstract #73	423.72
Community Development	Abstract #37	<u>22.20</u>
Total Vouchers		\$66,208.32

Unanimously carried.

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

RESOLVED that Theresa L. Cummins, Clerk-Treasurer, be authorized to attend the Annual Training School for Fiscal Officers and Municipal Clerks at Grossingers, Grossinger, New York September 11 - 14, 1979 and the expenses not to exceed \$300.00 to be paid by the Village of Williamsville.

AUTHORIZATION
Clerk to attend
Annual Training
School

Unanimously carried.

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

RESOLVED that Richard Hill, Chairman of the Traffic and Safety Committee, be authorized to attend the Annual Meeting of the New York State Association of Traffic Safety Boards in Binghamton, New York from August 26 - August 29, 1979 and the expenses not to exceed \$300.00 to be paid by the Village of Williamsville.

AUTHORIZATION
Ch. of Traffic &
Safety to
attend NYS Association
of Traffic & Safety

Unanimously carried.

Trustee Murray congratulated Bea Slick on a job well done. She has offered to help the goldenagers plan a trip to Niagara-on-the-Lake for July 30th. This is on her own. She has attended a 12 hour training course at the Blind Association so she can work better with the visually handicapped in her program.

Trustee Murray advised that our funding has come through for the senior's program. This is a \$2,000 matching funds program from the State. This means our program will be able to continue.

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With respect to the Parks and Recreation Committee, Trustee Murray stated there was a letter in the Amherst Bee last week from a concerned citizen about lifeguards at the wading pools. She stated she was working with the Erie County Health Department on this for a decision as to whether lifeguards are needed. She stated she hoped to be able to report on this at the next meeting and will respond in the Bee to the letter as soon as the information is available.

Trustee Murray reported that the Parks and Recreation Committee had money left in their budget and have purchased a new slide for Island Park and one for Garrison Park. They also obtained some new basketball equipment for the courts.

Trustee Murray reported that it has been requested that the gate be locked by the dams to help control the problems we have had there. We have been in contact with the police concerning our problems there.

Trustee Murray stated the Environmental Council did not have a quorum at their last meeting but that they have started work on our Natural Resource Index. We have come upon some funding for this work that we may be eligible for and this would give us 50% funding. We are looking into this.

Trustee Murray reported that the Avenue Nursery has completed the tree maintenance on Main Street and they look much better.

Mr. Anstett reported that paving has been completed on North Long Street, on S. Cayuga between Main and the parking lot, and on Scott.

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

Unanimously carried.

James Saia, 20 Belmont, stated there is a four-letter word on the Glen Bridge which should be removed. With respect to the moving of the police out of the building on Main Street, Mr. Saia asked what was being done to insure that the Village still had full police protection.

Attorney Troy stated a meeting will be held on Friday regarding this. Mr. Saia asked if the property where the police building is was ever transferred to the Town and if so what the agreement provided for. He stated the Village should have negotiated an agreement concerning police protection before the police moved to their new facility. Mayor Kuzon stated all of our discussions with the town pertain to maintaining 24 hour police protection for the Village. Mr. Saia stated he believes the police do a fine job for us but that the Town should live up to any agreement they have with us.

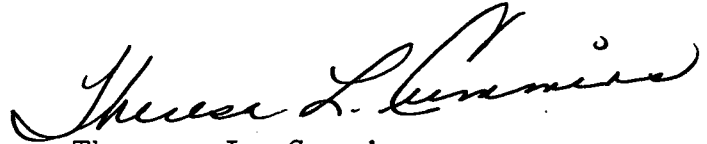
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ON MOTION by Trustee Sugg, seconded by Trustee Murray, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, the meeting was adjourned at 8:15 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, July 23, 1979 at 7:36 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

John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 7:36 PM.

The Clerk read the notice of public hearing regarding a proposed rezoning application for 5892 Main Street from C-1 to C-2.

Mayor Kuzon stated the purpose of the hearing is to provide three things. The developer presents his proposal for review, the public has an opportunity to question the proposal and comment on it, and the Board also has the opportunity to question and comment on the proposal. To be considered are the effect of the rezoning on the character of the district, suitability of the property for the proposed use, and conserving building values of the surrounding property. After the hearing the Board may change the zoning and provisional amendments can be provided for when the use goes from a more restrictive use to a less restrictive use, as is the case here. A C-1 use involves basically offices and a C-2 provides for retail and other commercial uses.

PUBLIC
HEARING

Proposed
Rezoning
of 5892
Main Street
from C-1
to C-2

Attorney Wayne Freid and William H. Zacher, Jr. were present. Mr. Zacher stated the property at 5892 Main Street is a single family home at present. He wishes to turn it into a women's boutique or shop. A small addition would be built on the front in line with the existing accountant's office next door which will be approximately 800 to 900 square feet. The design will be of a colonial type. It will have its own parking off Main Street for approximately 8 cars. There will be approximately one or two workers there.

Trustee Sugg asked Mr. Zacher to explain the two parking spaces to be in front of the building. Mr. Zacher stated they feel that with the spaces in front, if someone is driving down Main Street they will see the shop and stop when they see that there is parking available. He stated they are planning an island and landscaping in the parking area in front.

Trustee Atkinson asked what he intended to do with the second floor of the building and Mr. Zacher stated it would be used for storage.

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Mayor Kuzon stated one of the provisions of the code is that we seek the recommendations of the Planning Board and they made their recommendation at their July 2, 1979 meeting. The Planning Board approved the rezoning based on the fact that there are several stores already in the area. He stated we also had to secure a recommendation from the Erie County Planning Department and from the Town, because the property is within 500' of the Town. The County had no recommendations and we have not heard from the Town so we would assume that they had no recommendation.

PUBLIC
HEARING
(Con't)

Trustee Sugg asked if Mr. Zacher currently owned the property and he stated that they hoped to close within the next month. She asked if they realized the property next door was non-conforming and Mr. Zacher advised that they knew this.

Mr. Norbert Bishop stated his office was in the building immediately adjacent to the east and that those in his building wanted to be sure that there would be sufficient parking for a new store. He stated the parking in that area is already tight and they have just sufficient parking for their building. He stated they are also concerned about what could go into the rezoned building if the dress store left. There could be other businesses that would require more parking. He asked if the rezoning would be a permanent change or if it could be made temporary and then have to be reconsidered if another business wanted to go into the building.

PROPOSED
Rezoning
of 5892
Main St.

Mayor Kuzon advised that it was his understanding that if the zoning were changed to C-2 it would remain that way until another petition by the landowner or on recommendation of the Planning Board or Village Board that it be changed back to C-1.

Trustee Atkinson stated that one of the things we are very much aware of in changing a particular zoning is the business coming in and the possibility that this particular business may not stay and another less desirable enterprise might come in.

Mr. Zacher stated he has been a Village resident for 25 years and plans to put a substantial amount of money into the building and he intends to keep the business going. He stated he has eight parking spaces and this should be ample. There are usually never more than two to four customers in this type of store at a time, and parking should not be a problem.

Trustee Brenton stated this proposal has been reviewed by the Planning Board and they would have considered the parking situation. The Board recommended approval of the rezoning so the parking must have been adequate.

ON MOTION by Trustee Sugg, seconded by Trustee Brenton, the hearing was closed at 7:49 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, July 23, 1979 at 7:49 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
John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 7:49 PM.

The Clerk read the notice of public hearing regarding a local law which would increase the earning limits of Senior Citizens from \$7,200 to \$8,000 and still enable them to qualify for the 50% Senior Citizen Exemption.

PUBLIC
HEARING

Mayor Kuzon then turned the hearing over to Trustee Atkinson, who stated that what we are attempting to do is enable our senior citizens to avail themselves of the enabling legislation to take the social security increase and still have a 50% exemption on their property tax. Currently, approximately 95 of our residents avail themselves of this exemption. Without this increase, we anticipate that approximately 10% of our population would not be able to continue the exemption they have.

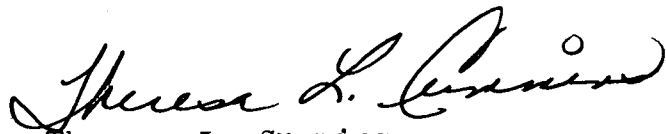
Senior
Citizen
Tax
Exemption

Trustee Atkinson opened the hearing to the public but no one appeared to speak for or against the proposed local law.

Trustee Murray read a letter from the Chairman of the Senior Citizens Committee. Mr. Nirschel wished to go on record as supporting the increase as it is very difficult for senior citizens to make ends meet with the rising inflation.

ON MOTION by Trustee Atkinson, seconded by Trustee Murray, the hearing was closed at 7:53 PM.

Unanimously carried.



Theresa L. Cummins,
Village Clerk-Treasurer