

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, August 27, 1979 at 7:35 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  
Edward Way, Dept. of Public Works

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

The Clerk read the notice of public hearing regarding the application of Amherst Cablevision, Inc., d/b/a International Cable for an amendment to its cable television franchise for the Village of Williamsville to provide for an increase in its monthly rate for basic cable service to \$8.00 effective December 1, 1979 and to \$8.50 effective December 1, 1980.

PUBLIC HEARING

Mayor Kuzon stated the increase shall not become effective without the approval of the New York State Commission on Cable Television. The public hearing must be held and the increase acted upon by the Board before submission to the New York State Commission.

INTERNATIONAL CABLE REQUEST FOR RATE INCREASE

Mr. Peter Gilbert, President of International Cable, appeared at the hearing. He stated that the increase was needed due to inflation. Costs have risen staggeringly. The increase is needed to protect the company and jobs. He stated they feel they have served the community well and they take pride in their public service record. He stated costs have risen to the point where the rate increase cannot be avoided. Mr. Gilbert stated there are three basic elements of cost in running a cable business. One is overhead costs such as salaries, heat, power, rent, insurance, telephone, legal and professional fees, etc. These costs have risen even though economy programs have been undertaken. The second element is programing costs. These are paid on a subscriber basis. Copyright fees did not exist in 1977 but as a result of an act of congress as of January 1, 1978 we have to pay roughly 2% per month per customer. The copyright tribunal has reserved the right to raise its rates and these may be going up shortly. The third element of cost we have no control over and is not included in subscriber cost. As a result of road widenings, etc. utilities have to move their poles and lines and we have to move with them. These costs show up as capital assets. It does not add a subscriber but costs money. Mr. Gilbert stated they want to expand their programing and maintain the integrity of their service. He strongly urged the Board to approve their application for an increase.

Trustee Atkinson asked how many subscribers were in the Village. Mr. Gilbert stated that as of August 24, 1979 they have 971 homes in the Village on the cable.

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Mayor Kuzon asked how many employees the company has and Mr. Gilbert advised they have 110 people employed directly and 45 indirectly or part time.

Trustee Sugg asked if they were gaining new subscribers and Mr. Gilbert stated that in September, 1977 they had 41,000 subscribers and in May, 1979 had approximately 57,000. He stated they service 13 contiguous communities, the entire perimeter of the city. He stated a public hearing was held on this in Amherst last week. Eleven of the municipalities have scheduled public hearings to date.

PUBLIC  
HEARING (con't)

International  
Cable rate  
increase

Mayor Kuzon asked what the effect would be if one municipality out of the 13 chose not to approve the rate increase. Mr. Gilbert stated they would have to then consider what options would be open to them. We could not go the State Commission with a rate increase application for a municipality that did not approve the increase. The Commission does not have power of approval but they can deny an increase if they feel it is too high.

Trustee Sugg asked if the company had any data on how they had improved their service and whether anything was being done about non-subscribers who are getting service without payment.

Mr. Peter Schwab, Vice President of Service, stated that since 1976 they have made electronic improvements that have upped the reliability by about 32%. We now have less people with less problems. With respect to those who are illegally getting our service the company conducts audits and we prosecute anyone we find doing this. We have had cases in Cheektowaga and Tonawanda. Mr. Gilbert stated they have eight people on this audit full time. The rate of illegals is about 3.7%.

Mr. Troy asked if there would be a difference in rates if some communities approved the increase and others did not. Mr. Gilbert stated they have uniform rates throughout the system and have never had different rates in different communities.

Trustee Brenton asked what the amount of the increase would be. Mr. Gilbert stated it would go up \$.50 on December 1, 1979 and up an additional \$.50 per month on December 1, 1980.

Mrs. Rita Andrews, 128 S. Union Road, asked if Home Box Office would be going up. Mr. Gilbert advised that would stay the same.

James Saia, 20 Belmont, asked if the Village gets some type of tax on the cable as a utility and would that amount increase if the cable rate is increased. Trustee Atkinson advised that we get some money from this and it would increase.

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Trustee Atkinson asked what would happen if only got 12 approvals. Mr. Gilbert stated the 12 would go to the State Commission. We would have to consider what to do about the other one. They might not get Sabre games, ballgames or something like that. Under the rules we are only required to carry Channels 2, 4, and 7 and there are no other laws about what we have to carry. He stated they are going to be expanding their programing in the middle of September at no additional costs.

Mayor Kuzon read a letter from Molly Richardson of the United Cerebral Palsy Association of Western New York regarding the service that the cable company performs for them. A copy of the letter is attached to the minutes.

Mr. Harry Perlow, Vice President of Engineering for International Cable submitted a copy of a letter from the New York State Commission on Cable Television regarding testing they did in this area recently. A copy of this is attached. Mr. Perlow stated they think they have one of the finest systems in the State. He said most letters from the Commission begin with "You are hereby ordered to" and ours started with Dear Harry. Mr. Perlow stated we have put off the increase as long as possible, but it is needed now.

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, the hearing was closed at 8:03 PM.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 27, 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

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 August 13, 1979 were approved.

Unanimously carried.

ON MOTION by Trustee Sugg, seconded by Trustee Brenton, it was moved to suspend the rules at 7:35 PM in order to hold a public hearing regarding an application by Amherst Cablevision, Inc., d/b/a International Cable for an amendment to its cable television franchise for the Village to provide for an increase in its monthly rate for basic cable service to \$8.00 effective on December 1, 1979 and to \$8.50 effective December 1, 1980. (The hearing was closed at 8:03 PM.)

Unanimously carried.

Mayor Kuzon advised that it was normal procedure to hold a public hearing and then to consider the matter at our next regularly scheduled Board meeting. Our next meeting will be on September 10th.

Mayor Kuzon stated there is a schedule of upcoming committee meetings in the Village listed on the bottom of the first page of tonight's agenda.

Mayor Kuzon reported that our Secretary and Deputy Treasurer Marjorie Mahoney has resigned to take a job with the State University. She did a fine job and we will miss her. We wish her luck in her new position.

Trustee Brenton stated his first resolution deals with authorizing Mr. Way and Mr. Laubisch to attend the Annual Public Works School which is very informative for them and helps them to do a better job.

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

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RESOLVED that Ed Way and David Laubisch from the Department of Public Works be authorized to attend the 20th Annual Public Works School in Ellenville, New York from October 9 - October 12, 1979 and the cost not to exceed \$250.00 per person to be paid by the Village of Williamsville.

AUTHORIZATION

Attnd Public Works  
School

Unanimously carried.

Trustee Brenton stated his next resolution deals with a program which will enable the Village to take an inventory of our highway marking devices such as signs, crossings, painted school areas, etc. It is federally funded and administered through the state. The Department of Public Works has been working with the former chairman of the Traffic and Safety Committee, Dennis Murphy, in putting together our application. Hopefully we will be accepted into the program but this is not a certainty.

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

WHEREAS the Federal Government, through the Federal Highway Safety Program, has made funds available to the State and units of local government under Section 402(c) of Public Law 89 - 564, as amended, to assist them in establishing coordinated Highway Safety Programs; and

AUTHORIZATION

Mayor to sign grant  
application for

Williamsville  
Traffic Control  
Survey

WHEREAS Governor's Traffic Safety Committee has been given the authority to review local programs and allocate funds to local applicants; and

WHEREAS the Village of Williamsville is desirous in participating in such a program and has developed the following project: Williamsville Traffic Control Survey in accordance with the guidelines and objectives of the GTSC,

NOW, THEREFORE, BE IT RESOLVED

1. That the Mayor of the Village of Williamsville, be and he is hereby authorized to sign an application with GTSC, in order to receive funds for participation in the said project in the Village of Williamsville; and
2. That the Mayor of the Village of Williamsville, be and hereby is authorized to enter into a grant application with the GTSC, pursuant

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to the above mentioned program; and

3. That the Mayor of the Village of Williamsville be and hereby is authorized to advertise for bids and award contracts in accordance with this application.

Unanimously carried.

Trustee Brenton stated his third resolution deals with a part-time water meter reader. Our former reader has left us to pursue high school activities so we have to hire a new one.

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

RESOLVED that Joseph Wahlgren is hereby appointed part-time meter reader for the Village of Williamsville effective August 28, 1979 at an hourly rate of \$2.75 per hour.

APPOINTMENT

Joseph Wahlgren -  
PT meter reader

Unanimously carried.

Trustee Murray advised that Mr. Way has informed us that the parks equipment ordered from the 1978-1979 budget is now in. There is a new slide for Island Park and new players benches for the basketball courts. He has recommended that we not put them up until next year and this will be done.

Trustee Murray reported that we have received a letter from the state regarding the sanitary sewer program so we know they are now looking at it. Ken Kloeber of MSR is going to Albany to discuss this with them. There is a chance they may require a test rehabilitation program in the Village. This has been done in the southtowns. It is good that we have MSR for this as they have been doing this in other areas. They would take one, two or three streets and would line sewer or do other rehabilitative work. They would require a flow reading before and after to determine the effectiveness of the program. They like to test to see if the recommendations would work before they go on with the program. The testing would be funded by the state. Mayor Kuzon stated Mr. Kloeber has been working on the program for us so he can answer any questions that come up in Albany.

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

RESOLVED that Beatrice A. Slick be appointed Senior Citizen Program Co-ordinator effective September 1, 1979 until June 30, 1980 at a

APPOINTMENT

Sr. Citizen Program  
Co-ordinator - Bea  
Slick

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salary of \$200.00 per month. One-half of the salary will be paid by New York State under the approved Senior Citizen program for the period 7/1/79 to 6/30/80.

Unanimously carried.

Trustee Sugg reported that with respect to Glen Park the summer Youth Program project came to an end on August 23rd. The Allentown Industries work will conclude on September 14th. The grant will run out then. She said the Board wanted to commend the two groups for the fine work they did in the park. They had excellent leaders. She thanked the Amherst Bee for their fine article highlighting the kids activities in the park. It shows what the youth of the Town and Village can do. The maintenance will now be taken over by the Department of Public Works and the Parks Department of the Town.

ON MOTION by Trustee Atkinson, seconded by Trustee Murray, vouchers in the sum of \$53,002.96 were approved as follows:

Payroll Fund	W/E 8/17/79	\$ 3,947.03
	W/E 8/24/79	<u>3,896.53</u>
Total Payroll		\$ 7,843.56
General Fund	Abstract #447	7,277.72
Sewer & Water Fund	Abstract #28	25,442.79
Trust & Agency Fund	Abstract #67	9,627.59
Community Development Fund	Abstract #38	2,784.30
Federal Revenue Sharing	Abstract #75	<u>27.00</u>
Total Vouchers		\$53,002.96

The large vouchers were for: Lancaster Sanitary Land Fill - \$1,372.80; Erie County Water Authority - \$24,889.95; Hutchinson Hose Co. - \$7,150.63; Allentown Industries - \$2,738.40.

Unanimously carried.

Mr. Way had no report.

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, asked about the status of the police station. He also asked about the yellow lines on Glen Avenue by the park. He said that on the bridge there is always a puddle after the rain. The cars used to go around it but with

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the double yellow line they go through the water and splash the pedestrians. Trustee Sugg said they will go through any water slowly and this should reduce the splashing. Mr. Saia stated he thinks a receiver should be put in on the bridge. The receiver to the west works well and we should have one on the bridge. Trustee Brenton stated the county owns the bridge and we will have to talk to them regrading this.

Mr. Saia asked about the status of talks on the police station. Mayor Kuzon stated that since the last meeting we have sent a memo to the Town and we feel 24 police protection is needed. We have had discussions with the Town Attorney and are scheduled to talk with the police chief tomorrow morning on this.

Mrs. Carolyn Schlifke, 192 Evans Street, asked if the position of program co-ordinator for the senior citizen program was a new one, and she stated she thought this was a volunteer job and not a salaried one. Trustee Murray stated Mrs. Slick held this job last year. She left the senior citizens committee to take this job as a salaried employee of the Village. It is paid one-half by the Village and one-half by the State under the matching funds program. The other money is used for supplies, crafts and other things needed to keep the program running. Some goes to speakers and some to pay Mill Middle School for the use of their pool. They have used some of it for trips. It is a very varied program.

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

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Atkinson, the meeting was adjourned at 8:20 PM.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer