

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, April 14, 1980 at 7:33 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Connie C. Murray

Trustees

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

John Anstett, Dept. of Public Works

Absent

Paul Atkinson

William Bancroft

Trustees

Edward Way, Dept. of Public Works

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

Instead of a moment of silence, Mayor Kuzon had a moment of recognition for a former Village employee John Klute. He was an employee of the Village and a resident for many years. Those who know him might take time to send him a card. He is recuperating from a stroke at the Heathwood Health Care Facility on Hopkins Road.

Mayor Kuzon advised that Trustee Atkinson is home ill tonight and cannot attend the meeting. Recently elected Trustee Bancroft is on a personal vacation which was planned prior to his recent election.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the regular meeting held March 24, 1980 were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, the minutes of the public hearing held March 24, 1980 regarding the proposed use of Federal Revenue Sharing Funds were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the reorganization meeting held April 7, 1980 were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, it was moved to suspend the rules at 7:35 PM in order to hold a public hearing regarding the General, Water, Sewer and Debt Service Funds budget. (The hearing was closed at 8:53 PM.)

Unanimously carried.

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ON MOTION by Trustee Murray, seconded by Trustee Brenton, it was moved to suspend the rules at 8:53 PM in order to hold a public hearing regarding the Federal Revenue Sharing Budget. (The hearing was closed at 8:59 PM.)

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, it was moved to suspend the rules at 8:59 PM in order to hold a public hearing regarding a local law relating to the defense and indemnification of Village officers and employees. (The hearing was closed at 9:02 PM.)

Unanimously carried.

Mayor Kuzon advised that the budgets and local law discussed at tonight's public hearings will be on the agenda at our next meeting for adoption.

Mayor Kuzon advised that Chief Evor Williams will be retiring from the Fire Department effective May 1st and we want to thank him publicly for his dedication and unselfish service to the Village. We appreciate the fine job he has done for the Village and hope he will be continuing with some of his fire protection work. Mayor Kuzon congratulated the new Chief, Rick Andrews and the new First Assistant Chief Tony Schueckler.

Mayor Kuzon reported that last year the Trustees were asked to prepare annual reports for their areas of responsibility and these reports have now been submitted. He thanked them for submitting them so promptly.

Mayor Kuzon reported on the reorganization meeting held April 7th. He listed the areas of responsibility for each Trustee for the coming year. Trustee Atkinson will handle the Planning Board, the Board of Appeals, the Building and Plumbing Department, Insurance, Assessments, Funding and Community Development. Trustee Bancroft will handle the Meeting House, Public Buildings, Youth, Senior Citizens and Old Home Day for 1981. Trustee Brenton will handle the Department of Public Works, Sanitary and Storm Sewers, Lighting, Fire Department and Traffic and Safety. Trustee Murray will handle Glen Park, Parks and Recreation, Environmental, Beautification and Sewer Funding. She will also handle Old Home Day for this year. Mayor Kuzon advised he will handle Personnel, Budget, Legal, Justice and Intergovernmental Relations.

He again requested that Trustees submit annual reports at this time next year on their areas of responsibility.

Mayor Kuzon advised that many appointments were made to various Village committees at the reorganization meeting. Some vacancies still exist. If anyone is interested in serving on a committee they can contact the Mayor or any Trustee and they will consider appointing them.

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Mayor Kuzon stated his first resolution deals with court fees paid by towns and villages to the State. This matter was brought to our attention by the New York State Conference of Mayors. Local courts are performing for the state in enforcing laws and imposing fines. It is felt the state should bear more of the cost for this.

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

RESOLUTION RELATING TO INCREASING THE FEES
PAID TO TOWNS AND VILLAGES FOR VARIOUS
SERVICES RENDERED IN RELATION TO CRIMINAL
ACTIONS AND PROCEEDINGS

WHEREAS town and village courts hear and determine cases involving violations of state law, and

WHEREAS fines and penalties collected by such courts are paid to the state in recognition of the fact that such violations are state offenses, and

COURT FEES

WHEREAS in recognition of the services provided by such local courts, the State of New York has provided in Section 99-1 of the General Municipal Law that towns and villages shall be reimbursed for services rendered in such cases in the amount of \$5.00 per case, and

Resolution asking
State to increase
fees

WHEREAS the amount of \$5.00 was originally set forth in the Code of Criminal Procedure, Section 740-a, by Chapter 737 of the Laws of 1939, and has remained unchanged for the past 41 years, and

WHEREAS the per case costs of the operation of local courts have increased substantially since 1939 while no increase in reimbursement by the state to local governments for court services has been granted, and

WHEREAS the net result is that the burden of the said additional cost of administering this state operation is borne by taxation of local real property rather than by general taxation,

NOW, THEREFORE, BE IT RESOLVED that this body does hereby strongly urge the Legislature and

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the Governor to act favorably on pending legislation which would increase substantially the amount returned to towns and villages in lieu of the present inadequate \$5.00 limit as set by the present provisions of law (Senate 2397-A; Assembly 10900), and be it further

RESOLVED that a copy of this resolution be forthwith forwarded to the HON. HUGH L. CAREY, Governor; HON. WARREN M. ANDERSON, President Pro Tem of the Senate; HON. MANFRED OHRENSTEIN, Senate Minority Leader; HON. STANLEY FINK, Speaker of the Assembly; HON. DANIEL B. WALSH, Assembly Majority Leader; HON. JAMES L. EMERY, Assembly Minority Leader; HON. JESS J. PRESENT, Chmn., Senate Committee on Local Government; HON. JAMES W. MC CABE, Chmn., Assembly Committee on Local Government; and to the HON. WALTER J. FLOSS, State Senator and HON. JOHN B. SHEFFER, Assemblyman serving this area.

Unanimously carried.

Mayor Kuzon stated his second resolution calls for a public hearing regarding the rates for sewer charges for the coming year.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville, Monday, April 28, 1980 at 7:35 p.m. to hear all persons interested in expressing an opinion on the proposed sewer rent rates for 1980-1981 year per Section 41.20(D) of the Sewer Rent Code.

CALL FOR PUBLIC HEARING

Sewer Rents for 1980 - 1981

Unanimously carried.

Mayor Kuzon stated his next resolution related to vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$124,162.91 were approved as follows:

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| | | |
|-------------------------|---------------|-----------------|
| Payroll Fund | W/E 3/28/80 | \$ 6,590.61 |
| | W/E 4/4/80 | 3,835.64 |
| | W/E 4/11/80 | <u>3,867.01</u> |
| Total Payroll | | \$ 14,293.26 |
| General Fund | Abstract #462 | 70,060.92 |
| Sewer & Water Fund | Abstract #43 | 28,270.48 |
| Trust & Agency | Abstract #82 | 7,707.80 |
| Federal Revenue Sharing | Abstract #89 | <u>3,830.45</u> |
| Total Vouchers | | \$124,162.91 |

The largest vouchers were as follows: \$7,169.09 to Amherst Disposal; \$15,606.09 to M & T Bank; \$31,463.25 to Wayne Transp. Prod. for the new rescue vehicle; and \$8,898.18 and \$16,687.47 to Erie County Water Authority.

Unanimously carried.

Trustee Brenton congratulated Chief Williams on completion of another term as Chief of the Fire Department. He wished the best to Rick Andrews and Tony Schueckler on their new positions. The department has done a fine job under Chief Williams.

Trustee Brenton stated there will be less noise from the fire sirens as we will soon only have two in the community - the one at Island Park and the one at Station #2. The department has equipped itself with paging devices and has been trying them for the last eighteen months. They have worked out well and they are sure they will function just as well with the pagers and there will be less noise.

Trustee Brenton stated that in going through the ordinances of the Village he has found a code pertaining to junkyards. This should be eliminated as we no longer have any in the Village and hopefully would eliminate the possibility of ever having one. His first resolution deals with this.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on April 28, 1980 at 7:40 p.m. for the purpose of hearing all persons interested in a proposed local law which would abolish Section 22.00 - Junkyards from the Village Code.

CALL FOR PUBLIC HEARING

Local Law to Abolish Section 22.00 Junkyards

Unanimously carried.

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Trustee Brenton stated his second resolution deals with replacement of a light standard on Oakgrove Drive. Niagara Mohawk has to have a resolution to do this.

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

RESOLVED that the Village Clerk notify Niagara Mohawk Power Corporation that the damaged light standard at 55 Oakgrove be repaired and restored to service.

LIGHTING
Replace Light Standard
55 Oakgrove

Unanimously carried.

Trustee Murray stated the correct time for the Beautification Meeting tomorrow is at 10:00 AM instead of 7:30 PM as listed on tonight's agenda.

Trustee Murray stated she is working on learning about Glen Park so she will be able to do a good job. Trustee Sugg did a fine job with her responsibilities in this area.

Trustee Murray advised that she has openings on the Environmental Advisory Council and they are looking for people interested in working on the committee. There are two openings left.

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

RESOLVED that the following appointments are hereby made to the Environmental Advisory Council until the end of the 1980-1981 official Village year:

APPOINTMENTS
Environmental Committee

Ronald Pierce - 160 Eagle St.
Warren Thomas - 125 S. Ellicott

Unanimously carried.

Trustee Murray stated her second resolution authorizes her and Mrs. Cummins to attend a conference run by Assemblyman John Sheffer and Assemblyman Kennedy on local government.

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

RESOLVED that Trustee Connie Murray and the Village Clerk, Theresa Cummins, be authorized to attend the 2nd Annual Seminar on Local Government to be held May 4 - 6, 1980 at the Turf Inn in Albany, New York and the expenses not to exceed \$150.00 each, to be paid by the Village of Williamsville.

AUTHORIZATION
Attend Conference
2nd Annual Seminar
on Local
Government

Unanimously carried.

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Mayor Kuzon stated he would take Trustee Atkinson's resolution for tonight. It calls for a public hearing regarding rezoning. We recently received a request from the owners of property at 44, 50 and 54 S. Cayuga requesting that these adjacent pieces of property be rezoned from C-2 and R-3 to R-3M, multiple dwelling, for developing and building townhouses on that property.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on May 12, 1980 at 7:35 p.m. in the Municipal Building for the purpose of hearing all persons interested in a proposed rezoning of 44 S. Cayuga from C-2 and R-3 to R-3M, of 50 S. Cayuga from R-3 to R-3M and of 54 S. Cayuga from R-3 to R-3M.

PUBLISH NOTICE OF PUBLIC HEARING

Rezoning - 44, 50, & 54 S. Cayuga Rd.

Unanimously carried.

Mayor Kuzon advised that a rezoning proposal has to be sent to the Planning Board for their input and he therefore was referring this proposal to the Planning Board and requested that they make their recommendations and comments to the Board of Trustees prior to the public hearing on May 12th. The reason for the hearing being held on May 12th is that there is a legal requirement that there be 20 days prior notice of the hearing.

John Anstett wished Chief Williams luck on his retirement from the Fire Department and welcomed Rick Andrews and Tony Schueckler in their new positions.

Mr. Anstett advised that our annual trash pickup will be held May 5th through May 9th. On Monday, Tuesday and one-half of Wednesday we will do the south side of Main Street. The remainder of Wednesday, Thursday and Friday we will do the north side of Main Street. We request that the trash be out by 7:00 AM each day and that if it can be put in containers it should be put in containers.

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

Unanimously carried.

Charles Flynn, 83 Union Road, stated there are junkyards in the backyards of some buildings in his area. There is a lot of junk behind 93 S. Union. Some of this eyesore should be eliminated and the junk is causing rats to be in this area.

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Mayor Kuzon advised Mr. Flynn to speak with our attorney after the meeting. Our enforcement meeting will be this week and if he has the information on the matter he can research the problem and see if anything can be done under our codes to correct the problem.

Mr. Flynn stated they just want a neighborhood they can be proud of and they take pride in what we have. They will appreciate anything the Board can do about this condition.

Mrs. Rita Andrews, 128 S. Union, stated that she had a group in Glen Park during Easter vacation and they were almost knocked down by the bicycles there. How are we going to enforce the rule against bicycles. She stated she had been told there were no written rules. She also saw cars in one of the blacktop areas of the park. Mayor Kuzon stated that in the other parks the rules are posted at the entrances. There are signs about no bicycles in the park. This is difficult to enforce but we will be having park guards in the summer.

Mr. Flynn stated there is a New York State traffic box in front of the golf and linoleum stores on Main Street and there is a space between the concrete and steel cover on the sidewalk. Someone is going to trip on this and fall. Trustee Brenton advised we will look into this.

Former Trustee Mrs. Sugg advised that the regulations for Glen Park are posted in the window of the Nature Building. There are too many to put on a placard at the entrances to the park. We have sent a letter and a copy of the regulations to the police department so they are aware of them. We also give a copy to our park guards. Perhaps Trustee Murray could encourage the newspapers to cite some of the regulations so the public is aware of them.

Mrs. Carolyn Schlifke, 192 Evans Street, asked if the Board has ever received any notification from the senior citizens housing on Main Street as to street lights. Mayor Kuzon stated this has been discussed verbally but he did not know if a letter had been received. Mrs. Schlifke stated she had been approached by Sister Serena last May. She is the manager of the building. It was in regard to getting some type of street lighting on the Alley. It was brought up at the Traffic and Safety meeting and it was decided that she should make a written request on this. The building residents think there was some written communication regarding this. She asked if Niagara Mohawk had been contacted. They want a light on the Alley and it is also rather dark around in the back.

Mayor Kuzon said Niagara Mohawk was contacted. The Department of Public Works is in the process of repairing the Alley and the matter was tabled until the street is repaved. It is one of the first things for the summer street work.

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Mrs. Schlifke stated the condition of the street is really deplorable. She stated she has traveled it herself and one side is so bad and full of ruts and that she is afraid to go back there if it is rainy. People are coming around the back part and some are going the wrong way and out to Main Street and some are cutting through the drive of a building in the back. We have had reports in the past that they do not want people going through the drive for the business. They have not done anything as yet but she is sure they are not going to want this to continue in the future.

Trustee Brenton stated we have acquired some of the aluminum light standards from the Youngman Highway. We hope to be able to use them on certain sections of Main Street. We are going to be charged by Niagara Mohawk for relocation of the light poles when the state does the work on Main Street. We have to work on how to hook them up but we are getting them for the cost of our labor. With respect to the Alley situation the Department of Public Works has been working to maintain the Alley over the winter as best it can. We will be addressing the paving situation as soon as paving season starts. He also stated he does not know of any letter being received concerning the lighting situation.

Mrs. Schlifke stated they seem to be under the impression that the Board is not moving on this. She stated she had been contacted but that the Board has to act on this before Traffic and Safety can make any recommendations. She will advise the residents to write a letter to the Board regarding the lighting.

Mayor Kuzon stated they had received correspondence from the residents regarding the use of the term Alley for the street next to the building. The Board has discussed this and have determined that it will be called ~~Green~~ Lane. Mrs. Schlifke stated that although the senior building and the businesses there have Main Street or S. Long addresses it might be nice to erect a street sign on the corner.

Mrs. Schlifke stated she will advise Sister Serena to send a letter to the Board. Trustee Brenton stated he has also advised one of the residents to send a letter to the Traffic and Safety Committee on this.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, the meeting was adjourned at 9:33 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, April 14, 1980 at 7:35 PM

| | | | |
|-----------|---------|-------------------------------------|----------|
| Roll Call | Present | Gordon J. Kuzon, Mayor | |
| | | Lawrence R. Brenton | |
| | | Connie C. Murray | Trustees |
| | | Theresa L. Cummins, Village Clerk | |
| | | Thomas V. Troy, Village Attorney | |
| | | John Anstett, Dept. of Public Works | |
| | Absent | Paul Atkinson | |
| | | William Bancroft | Trustees |
| | | 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 1980-1981 General Fund, Water Fund, Sewer Fund and Debt Service Fund budgets for the Village.

Mayor Kuzon advised that New York State Village Law provides that the municipal budget officer prepares a tentative budget to be presented to the Trustees and public before final adoption. The Trustees have been actively involved in the budget process so the purpose tonight is primarily to present the tentative budget to the residents. He stated he will again present a statement on the fiscal condition of the Village and feels such a report should be made each year.

PUBLIC
HEARING

General,
Water,

Mayor Kuzon reported that the Village continues to be in sound fiscal condition. Inflation has increased the responsibility of Village officers to address fiscal issues. One question is whether Village government can remain cost effective. There is increasing outside pressure from state and federal governments and it is becoming more difficult and expensive to provide services. We must have responsible fiscal planning. He stressed the fact that Village government is worth preserving as it is government at its most effective level. It is subject to daily taxpayer scrutiny and must be responsible to them. The budget procedure is of critical importance in maintaining the present form of Village government, its continued solvency and the capability to provide services.

Sewer, &
Debt
Service
Budgets

Mayor Kuzon stated that of the 16 Villages in the County, Williamsville will continue to have the second lowest tax rate.

Mayor Kuzon advised they have tried to have a more equitable method of sewer taxing in this year's budget. The charge will be computed annually and billed at the same time as the taxes. The capital cost of the sewer will be based on assessed valuation and the operation and maintenance cost will be based on water consumption. This is not elimination of any sewer charge but will equalize the cost.

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Mayor Kuzon stated the budget has been carefully studied by the Board. The entire Board was involved in the preparation and for the first time meetings were held with department heads to examine their needs and priorities. This is an austerity spending plan designed to provide only necessary increases while keeping necessary services in tact.

PUBLIC HEARINGS
(Con't)

Mayor Kuzon reported that budget appropriations total \$850,934. This represents a \$159,640 increase over last year's budget. This increase is directly related to increasing utility costs, gas charges and wages and benefits. There is no increase planned or budgeted for elected officers. We are presently negotiating increases for the balance of Village employees. Allowance is made in the tentative budget for increases in employees' wages and benefits. The revenues are \$536,044, which is an increase of \$109,253 from last year. General revenue is \$399,825 or a \$46,000 increase from last year. There is an anticipated surplus of \$135,744, a difference of \$72,000 from last year. There is a prior year exemption adjustment of \$475. The amount to be raised by taxes is \$314,890. This is \$40,000 greater than last year and results in \$1.80 tax increase.

General, Water,
Sewer &

Mayor Kuzon stated that in examining General Fund items there are 39 major line items. Seventeen decreased or remained the same. Of these eight remain the same, seven decrease and 2 had very minimal increases. Of the remaining 23, fifteen increased by less than \$6,000 and eight increased by more than \$6,000. The Mayor discussed some of the items which increased.

Debt
Service Budgets

Mayor Kuzon advised that there are increases in the areas of insurance, association dues, taxes on Village property, the contingency account and salary increases. This is a \$21,000 increase proposed from last year. The majority of it is directly related to salary increases. There is \$5,000 for insurance and \$4,000 for the contingency account.

With respect to the Fire Department, Mayor Kuzon reported an anticipated increase of \$42,900 which would be an appropriation of \$78,400. This is up from last year's \$35,000. A direct cause of this is truck expense, equipment and other supplies such as first aid equipment, ladders, etc. Also, the increase is related to the new fire protection contract with the Town. Previously, Hutchinson Hose Company purchased many items out of their own money which was raised through various enterprises. Under the contract with the Town, the Town pays 53% of the fire district cost as not all of the districts are within the Village. This is a more realistic picture of the fire department needs.

With respect to the street maintenance portion of the budget, \$14,000 has been added this year for personnel services, repairs on equipment, gasoline, supplies, etc. The major portion is for employees and gasoline. There is \$4,000 for gas alone.

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Mayor Kuzon advised that for the first time there is a separate item for Glen Park. Last year \$3,000 was allowed in the general parks and recreation budget. There is an increase of \$10,200 from last year. It allows for personnel and contractual expenses. We have an agreement with the Town in our joint ownership with them. 50% of the total of \$13,200 will be reimbursed by the Town. Therefore, the Village share would be \$6,600 which is only \$3,600 up from last year.

PUBLIC HEARING (Con't)
General,
Water,
Sewer, &
Debt
Service
Fund
Budgets

There is a \$15,000 increase in the parks budget. This is for personnel services, equipment and contractual expenses. The majority of increase is for personnel. Also, we have to bring the swimming pools up to the standards of the Erie County and New York State codes.

With respect to refuse or garbage, the budget provides for a \$8,000 increase. This is for personnel services, contractual expenses and the contract we have for the collection of our garbage. This will allow for pickup twice a week for six months in the summer. It allows for expansion to include the collection of refuse as well as garbage by our collector. This would be for brush and small types of refuse. The major refuse such as refrigerators, washers, etc. would continue to be picked up by the Department of Public Works once a week. This could provide savings in the long term in the area of dump fees. There is a monthly increase in these fees. There would be a decrease in personnel expense as well as in man-hours required to collect the trash. There would also be a savings on repairs to equipment, gas and the need to purchase new equipment. If we continue to collect trash there could be the need to purchase a new packer.

There is a \$7,000 for employee benefits. This is for retirement, social security, workmen's compensation, disability, major medical, unemployment and additional benefits. These are currently being negotiated.

The debt service fund is up approximately \$14,000 and is related to principal and interest on bonds.

Mayor Kuzon stated there is an increase in our central alarm expense. The office has been moved from the nearby police station to Audubon and this has resulted in an increase in charges as the rate is based on telephone line distance.

We are increasing our funding for the Program for the Aging by \$2,000. This is directly related to the successful recreation program for our senior citizens under the direction of Bea Slick and Trustee Murray.

We have allocated \$5,000 for repair of the storm sewer receivers. This is not the only area of the budget which allocates money to deal with our problems in this area. We also have additional funds under our federal revenue sharing budget for this.

Mayor Kuzon stated the water budget is \$401,353 and the sewer budget is \$296,027. The expense for sewage treatment cost to be paid to the Town is \$201,000. We will be having a hearing at our next meeting to discuss the specific rates as they relate to sewer charges. We have a new means of assessing this now.

PUBLIC HEARING
(Con't)

The budget of \$850,934 results in a tax rate of \$14.90 per \$1,000. This is \$1.80 more than last year or a 14% increase. The percentage of increase is well within the projected inflation increase of this year's 18%. This averages out to a 10½% increase over the last two years and we think this is modest.

Mayor Kuzon advised that we have not yet been notified of any increase in the water rates but if we are notified of any increase, before accepting it we will ask for a detailed breakdown of the increase as it relates to the cost of the system to determine that the Village and users are paying only their fair and legal share of the cost. We want to pay for the benefits we are deriving from the authority but do not think we should be double-billed for certain things. If there were to be any increase, a public hearing would be held on it.

General,
Water,
Sewer &
Debt
Service
Fund
Budgets

Mrs. Marina Woolcock, 67 Hirschfield, stated she had reviewed the budget, and has some concerns. She believes the Village is in a precarious position and we seem to be getting more and more involved with expenditures with the Town. She questioned whether we need twice a week pick up of the garbage.

Mayor Kuzon stated that last year we considered taking over this service and we examined a number of possibilities, including could costs be cut by having only once a week pickup. It was found that the savings would be small. Trustee Brenton stated the difference is in the neighborhood of \$10,000. It is the general feeling that this is a luxury we can afford. Mayor Kuzon stated it comes out to about \$.50 per thousand per house.

Mrs. Woolcock stated she wanted to be sure that the Board examined every item in the budget carefully. She stated she thinks Americans have to pull in their belts instead of going merrily along as they have been. We want to take pride in our community and do a good job for our citizens but we should be sure we are considering every item fully. She is concerned that we will fall along the wayside. Grass root government is the most effective. We have to fully consider every item and should plan for contingencies. We had a mild winter this year but can we afford another blizzard such as we had in 1977.

Trustee Brenton stated that while it was a mild winter, we still had men and equipment out sanding and doing plowing when needed. The Department of Public Works has two less men now than last year. This could only be temporary but then again it could continue. Even with this reduction they have continued to do a fine job.

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Trustee Brenton stated you cannot budget for something like the blizzard. You have to take it as it comes and if we have to cut then will do it.

Mrs. Woolcock stated there must have been savings in the area of pot holes and salt useage. Mayor Kuzon stated this was one of the areas of decrease. The salt left over due to the mild winter allows for a decrease in this area. The plows were out but less than last year.

PUBLIC HEARING
(Con't)

Mrs. Woolcock asked if the Village had any provisions for storing gasoline. There may be problems with availability. She asked how the Village and Department of Public Works is saving on gas. Trustee Brenton stated there is a verbal understanding with Mr. Way and the men that whenever possible they will limit the use of vehicles and turn the motors off. Sometimes the motors have to be left running when certain work is being done.

General,
Water, Sewer,
& Debt
Service
Fund
Budgets

Mrs. Woolcock questioned the increase for the Fire Department. She asked why we pay rental on Station #2. There is no question that the fire department is needed. Mayor Kuzon advised that the station was built and is owned by the Hutchinson Hose Company. The company is completely volunteer. The original rental went to pay the mortgage on the building. This is no longer an item of negotiation between the Fire Department and the Board. Firematick equipment is becoming more and more expensive. The rental is basically to help the fire company pay off the mortgage and help them pay the utility and maintenance costs on the truck bays where the Village owned equipment is kept.

Fire Chief Evor Williams stated that for many years we have used money we have raised ourselves to purchase different items. The volunteers do not get paid. We have not been raising as much with our activities as we used to due to the way the economy presently is. Previously when we bought equipment we used our own funds and really could not prove the cost. To prove the cost and get a fair share of the money we have to be able to prove our costs. The Town will not share in the cost if we cannot prove it. The fire company believes the people it serves should help out.

Mrs. Woolcock stated she just wanted to be sure that the Board had carefully examined the entire budget. Mayor Kuzon stated the Board shared her concern. Things are getting tough and her concerns are well founded. We have tried to look at every aspect of the budget. He stated the Board is glad the residents are examining the budget and voicing their concerns as the residents often have a different viewpoint about things and this could lead to our reexamining an item from their point of view. We sometimes get caught up in details and miss the general idea.

Mrs. Woolcock stated she was very pleased that the Village was going to lok at the water increase from the County. She is concerned that the county is charging us for services we do not receive.

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She stated she has been told there will be an increase of 4% in the water rate from the county. We do not receive the same services other communities receive yet we get the same rate increase. She stated she could not get a direct answer from the county on this.

Mayor Kuzon stated that our concern is that the increase is related to maintenance as well as water. We do our own maintenance and line repairs and we should not pay any increase that is not related to the purchase of water as the maintenance of the authority does not apply to us.

PUBLIC HEARING
(Con't)

Mrs. Woolcock stated the increase last year was 7% across the board. Trustee Brenton stated we asked the county to take over our system and were rejected by them due to the large amount of unaccounted for water loss from leaks. We have been working to correct this condition but have not been all that successful. We feel if they don't want to take over the system they should be more specific as to what the rate increase is based on.

General,
Water,
Sewer,
& Debt
Service
Funds

Trustee Brenton stated that with respect to the fire department, he and the officers of the department have been working since December on their budget. As a result of the input of the department, we have lowered the cost to the Village residents for fire protection and raised it to the Town residents. There are many who receive protection but do not live in the Village. Previously, the fire department tended to pick up the cost of many vehicles and equipment but with the fund raising down this is a realistic budget for the department. The Town pays 53% and the Village 47%.

Mayor Kuzon stated the Board feels it has prepared a realistic budget. In the past it seemed that when a Board came into office their first task was to review a tentative budget and then hold a public hearing. Many times the tax rate of the former Board was the first concern and was subject to arbitrary cutting and reducing of expenditures. We have made an honest attempt to budget where needed. We could have budgeted less for gas and then we would have had the account overspent and this would have looked like poor management by the Department of Public Works and poor budget control. We tried to be realistic and if something was not needed it was eliminated. With respect to the fire department they will not need to do as much fund raising and will be able to attend more classes and such to improve their skills. There are increasing demands on them to meet state, county and federal firematic standards.

Jarice Reger, 244 N. Ellicott, thinks the twice weekly pickup is something that should be discontinued. If the Board has left in a \$10,000 affordable luxury there, is there elsewhere in the budget where they have done the same thing. She asked that the garbage and trash situation be explained.

Mayor Kuzon stated that six months of the year the garbage is picked up twice a week. Since they are going around anyway, we are considering asking our garbage collector to pick up the brush and tree and grass clippings when they pick up the garbage. The DPW would still go out to pick up the large items. Last year we examined the possibility of having the Village pick up everything and whether or not it should be done once or twice a week. The garbage contract is in the neighborhood of \$100,000. With dump fees going up and the price of gas we felt we should continue as we were.

PUBLIC HEARING
(Con't)

Mrs. Reger stated it seems we are adding additional services by having the collector pick up the trash. Trustee Brenton advised this is not adding on any service. At the present time we are still in the process of exploring the possibility. If we had gone with the proposal for the Village employees to pick up the garbage it would not be economically feasible. It would cost us more money to do this. We felt we could still afford the luxury of twice weekly pick up for six months a year. If we decide to go with having the garbage and small trash picked up by a collector we would more than likely ask for bids and compare them with our present costs before we make a final determination. If we did it all we would have the cost of the compacter truck, gas and dump fees. He stated he thinks that we can get a lower bid for this service and not buy a new truck which would require a bond. We have a reduction in our DPW forces and are trying to work with what we have. We could save money and man hours and pick up large items only on order. It now takes the men one full day to pick up trash and uses all our man power. We want to see which method of pickup will cost us the least. In talking to residents they seem to feel we should continue with the twice weekly pickup.

General,
Water,
Sewer,
Debt
Service
Fund
Budgets

Mayor Kuzon stated we have looked at the budget and have tried to examine it from every perspective. We have tried to cut things that are not necessary. We welcome different points of view. We have tried to make the budget as cost effective as we could. As politicians we would like to be able to have a low tax rate but in present times this can't be done. We have tried to keep the increase as low as possible.

Mrs. Esther Wirth, 325 N. Ellicott, asked if the DPW will get back one of the two men it has lost. Trustee Brenton stated one man had resigned and was not replaced. The other is working under the New York Traffic and Safety Grant so his total wages and fringe benefits are being paid by the State. He is not available to the department. Mrs. Wirth asked when the grant ends and if we will be able to pick him back up on the payroll. Trustee Brenton stated it is supposed to end in September but that it may be continued until December. Mrs. Wirth asked how many men are in the department and Trustee Brenton advised there are 12 men including Mr. Way and two working foremen. Mrs. Wirth questioned the need to have two working foremen for twelve men.

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Trustee Brenton stated we only have one working foreman at present. When Mr. Laubisch returns he would most likely be returned to working foreman position. We used to have working foreman in the past and then in 1976 the position was abolished by the then Board. We have recently reestablished the position as we felt the men were working without supervision. Mrs. Wirth asked if there was still the policy of paying two men on alternate months for standing by in case of emergencies. Trustee Brenton stated that in the event a Village employee was injured on the job, going into a sewer or something like that, the question would be asked as to who was in charge and previously the Village would have had to answer no one was in charge. The sole purpose of the practice of having men on standby was so someone would be available on weekends or when the DPW was not functioning. They were paid \$30.00 for that job. A working foreman receives \$6.40 per hour. Previously they received \$6.21 per hour. They are no longer receiving the \$30. There is no real increase in expenditures.

PUBLIC
HEARING
(Con't)

Mrs. Wirth stated their wages would be increased when the wage negotiations are completed. Trustee Brenton stated the working foreman has certain capabilities that the other men don't have. Their talent and ability should be recognized. They can operate any equipment we have in the DPW. They are skilled workers and if went elsewhere could earn \$15 for operating only one machine. He knows about the water department and about paving. They get their hands dirty. Mrs. Wirth asked what the general foreman does. General Foreman spends most of his time in the Village barn or going around the Village. He doesn't supervise per se. He is really a superintendent of public works.

General,
Water,
Sewer, &
Debt
Service
Fund
The
Budgets

Gail Mattulke, 101 Chalmers, asked about the shade tree budget and if the amount was in addition to the amount for Glen Park. Mayor Kuzon stated this was in addition to Glen Park. The Glen Park money is reimbursed 50% by the Town. Trustee Murray stated the term shade tree is misleading. It does not pertain to planting or buying new trees. It has to do with trimming and removal of existing trees. Mayor Kuzon stated this also covers leaf pickup. He also advised that part of the cost is for the wages of those performing the work. In our budget we allow an amount in each category to cover the wages of those working in that area.

Mrs. Woolcock asked where the trees are removed from. Trustee Brenton stated they are between the sidewalk and the curb. We still have a few elm trees in the Village and cut diseased or dead trees. Mrs. Woolcock asked if the department would cut down a tree struck by lightning. Trustee Brenton advised they would not cut down trees on private property. Mrs. Woolcock stated this would be covered on most homeowner's policies. Trustee Brenton stated the Village does go on private property to remove stumps as we have a machine that does this. The owner has to request this and sign a permission slip.

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Donald Schueckler stated the residents are having trouble understanding that a certain amount of money is listed under each category for wages. The money is put where you think the work will be done. If all the money is not used in one category it is transferred into another one where it can be used. Mayor Kuzon stated the budget is made up in this form for the State Comptroller, and the reports that we have to make.

PUBLIC
HEARING
(Concluded)

General,
Water, Sewer
&
Debt
Service
Fund
Budgets

Charles Flynn, 83 S. Union Road brought up the subject of the barber shop located in a nearby residence. He stated the licenses have not been transferred from the shop on Genesee Street. He is in violation all the way around. Mr. Troy advised that there will be an enforcement committee meeting on Thursday and this is on the agenda. At our last meeting the Building Inspector was instructed to investigate the situation and report back to us. This man is a citizen and we have to protect his rights too. Mr. Flynn stated this has been going on for five months now. Mr. Troy stated that we have no proof of anything yet. Mr. Flynn stated he has been counting the cars and has a list of license numbers, etc. Others in the neighborhood have been observing what is going on too. Mr. Troy stated he is aware of this. We must keep in mind that we do not know what the people do once they enter the residence. This is one of the difficulties we have with this case. We are giving it our attention. Mr. Flynn stated this type of activity will depreciate our property. Mayor Kuzon asked Mr. Flynn to make any further comments he had during our regular meeting and the suspension of rules.

Mayor Kuzon thanked the Village Clerk for making up the graphs detailing the appropriations and revenues for the budget. We appreciate it. The budget will be on our agenda at the next meeting on April 28th for adoption. If anyone has any concerns or questions or comments they can call us between now and the 28th and we can discuss them with them. Changes can still be made in the budget. This is a tentative budget at this time.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the hearing was closed at 8:53 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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| Roll Call | Present | Gordon J. Kuzon, Mayor |
| | | Lawrence R. Brenton |
| | | Connie C. Murray Trustees |
| | | Theresa L. Cummins, Village Clerk |
| | | Thomas V. Troy, Village Attorney |
| | | John Anstett, Dept. of Public Works |
| | Absent | Paul Atkinson |
| | | William Bancroft Trustees |
| | | Edward Way, Dept. of Public Works |

Mayor Kuzon called the hearing to order at 8:53 PM.

The Clerk read the Notice of Public Hearing regarding the 1980-1981 Federal Revenue Sharing Budget for the Village.

Mayor Kuzon advised that the anticipated funds are \$42,500.00. The amount to be received for this year is expected to be \$40,400. There is \$1,800 remaining from a prior year and \$300 in interest. This is money received from the federal government. The amount is subject to change. The President has stated he wants to balance the budget and has suggested eliminating or reducing drastically the amount of money shared with local governments. We have to be very cautious as to how we allocate the funds. If they reduce the amount of funding the projects would have to be picked up on our tax rate.

PUBLIC
HEARING

Mayor Kuzon stated this is the second of two required public hearings on this matter. The first hearing was on March 24, 1980. At that hearing, no one spoke in support or opposition to any proposals. Trustee Brenton did state that because of the problems and needs of the Water Department, some funding be allocated to this area. Since that time, we have received a letter from Richard C. Landel, 178 Garrison Road, and this will be included in tonight's minutes. Mayor Kuzon read Mr. Landel's letter which related to using the funds to repair some of the Village sidewalks that are in very poor condition. Mayor Kuzon advised that the Village Code states that it is the responsibility of the property owner to repair their sidewalks. While we agree that many walks are in deplorable condition the code provides that the property owner is the responsible party. We thank Mr. Landel for expressing his opinion on the use of the funds.

Federal
Revenue
Sharing
Fund
Budget

Mayor Kuzon stated the Board has discussed the allocation of the funds and is making the following proposals: \$3,000 to the Department of Public Works garage to make it more energy efficient by repairing windows and doors and adding some insulation; \$14,700 to the Fire Department (\$12,700 for fire equipment and \$2,000 for plans for the new fire hall); \$4,800 for street maintenance (blacktop, oil and stones);

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\$5,000 to storm sewers for repairs to receivers and \$5,000 for the downpayment on the Cadman Drive sewer (total to sewers \$10,000); and \$10,000 to the Water Department for repair of the lines. Sewer and water allocations also appear in the general fund, water and sewer budgets.

No one appeared to speak in favor of, or in opposition to the proposals or to make any suggestions.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, the hearing was closed at 8:59 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, April 14, 1980 at 8:59 PM

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| Roll Call | Present | Gordon J. Kuzon, Mayor |
| | | Lawrence R. Brenton |
| | | Connie C. Murray Trustees |
| | | Theresa L. Cummins, Village Clerk |
| | | Thomas V. Troy, Village Attorney |
| | | John Anstett, Dept. of Public Works |
| | Absent | William Bancroft |
| | | Paul Atkinson Trustees |
| | | Edward Way, Dept. of Public Works |

Mayor Kuzon called the hearing to order at 8:59 PM.

The Clerk read the Notice of Public Hearing regarding a local law relating to the defense and indemnification of Village officers and employees.

PUBLIC HEARING
Local Law #5-1980

Mayor Kuzon advised that since Trustee Atkinson was ill tonight and not present, he would handle the hearing.

Defense of Village Officers

Mayor Kuzon stated the purpose of this local law is to provide legal and financial protection for those individuals serving the Village from losses resulting from civil actions or proceedings which may be brought against them in their individual capacity for actions taken while in the performance of their official duties and responsibilities. In enacting this law, the Board finds that the State has enacted similar provisions for the legal and financial security of its officers and employees and further finds that such security is also required for local personnel. By enactment of this law, the Board does not intend to limit or otherwise abrogate any existing right or responsibility of the Village or its employees with regard to indemnification or legal defense. It is solely the intent of this law to provide similar coverage for local employees as is presently provided for state employees, so as to continue to attract qualified individuals to local government service.

Mayor Kuzon stated he understands that Village employees and officers are personally and legally responsible for their actions while in service of the Village and that the Board can be sued for their actions even when they are no longer on the Board. There was a question as to who was responsible for the legal costs if suit occurred after leaving the service of the Village. There is a recent opinion of the State Comptroller that the Village is responsible for the legal expenses and their defense in such cases where suit is brought against them for actions while they were on the Board and serving the Village.

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No one appeared to speak in favor of, or in opposition to the proposed local law.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, the hearing was closed at 9:02 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer