

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 28, 1980 at 7:30 PM

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

Mayor Kuzon called the meeting to order at 7:30 PM.

ON MOTION by Trustee Bancroft, seconded by Trustee Murray, the minutes of the regular meeting held July 16, 1980 were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, vouchers in the sum of \$65,889.96 were approved as follows:

Payroll Fund	W/E 7/18/80	\$ 4,633.99
	W/E 7/25/80	<u>7,432.23</u>
Total Payroll		\$12,066.22
General Fund	Abstract #469	8,953.06
Sewer & Water Fund	Abstract #50	29,038.58
Trust & Agency Fund	Abstract #89	13,963.73
Federal Revenue Sharing Fund	Abstract #95	1,014.00
Community Development Fund	Abstract #49	<u>854.37</u>
Total Vouchers		\$65,889.96

The largest vouchers were for: Glamour Pools - \$2,999.00; Erie County Water Authority - \$27,636.15; Hutchinson Hose Company - \$8,716.26; and Marine Midland Bank - \$2,740.33.

Unanimously carried.

Trustee Bancroft stated his resolution pertains to awarding a contract for repair work at the Village Meeting House. Three bids were received. The scope of repairs includes repair of roof truss, installation of a second rear exit, modifying the front exit so it is accessible to the handicapped. These repairs are necessary for the building to meet the code requirements and make it occupiable. The cost is covered by community development funds from the year 1978-1979. The contractor

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 28, 1980 at 7:30 PM

has had prior renovation and restoration experience in Springville. He has also worked on the former Knox mansion on Delaware Avenue and the Amherst Old Colony Museum. He comes highly recommended.

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

WHEREAS the Village of Williamsville has advertised for sealed bids for Village Meeting House Renovation, and

CONTRACT AWARDED

Village Meeting House

WHEREAS Higgins & Kieffer, Inc. submitted the lowest bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the Contract for Village Meeting House Renovation, basic bid plus alternatives one, two and three, be awarded to Higgins & Kieffer, Inc. for their low bid of \$12,086.00, and

BE IT FURTHER RESOLVED that the Mayor be authorized to sign the contract on behalf of the Village for the Meeting House renovation.

Trustee Brenton advised that the alternatives referred to in the resolution pertain to repairing the outside chimney, repairing a supporting pier in the basement and removing an old unused chimney in the attic or rafter area.

Vote on Roll Call: Trustee Murray - aye; Trustee Brenton - aye; Trustee Atkinson - aye; Trustee Bancroft - aye; Mayor Kuzon - aye;

Ayes - 5; Noes - 0.

Unanimously carried.

Trustee Brenton advised that we have received several complaints pertaining to the Main Street preservation work in that traffic flow is not adequately maintained and there are instances of unsafe conditions in sidewalks with excavations there not being properly filled, etc. We have sent a letter to Mr. Ketchum, Director of the Department of Transportation in this area and are sure these complaints will be rectified.

Trustee Murray reported that there will be a public hearing at our next Board meeting in connection with the National Environmental Policy Act relating to our sanitary sewer rehabilitation program. Notice of the hearing appeared in the Bee on June 25th. It advises that residents can pick up two items to look at before the hearing takes place. These two items are available in the Village Office if anyone is interested in them.

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 28, 1980 at 7:30 PM

Trustee Murray hoped everyone would go by Glen Park and see what a great job the summer youth are doing for us. They have been working in the park since July 1st.

Trustee Murray reported that the new Island Park pool filter has been installed and the pool is open. It now meets the Erie County Health Department standards.

Trustee Murray stated we had a very successful Old Home Days celebration.

Trustee Murray advised that the Environmental Council had reviewed its first landscape plan for a development on Aero Drive and it met the requirements of the law. The law worked very well on this first occasion.

OLD HOME DAY
REPORT

Trustee Atkinson had no report.

Mr. Way thanked Mr. Schueckler for putting up the snow fencing behind the beer tent and it helped in stopping the debris from getting out of the area.

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

Unanimously carried.

James Saia, 20 Belmont, stated the Old Home Days celebration used to be for one day and now it is four days. He now hears talk about making it for five days. It now runs from Tuesday to Friday. He stated he has heard from some of the businessmen who do not like the way it is being handled. He stated it seems as though the Town is now running the celebration. He stated there are some costs involved in the celebration that the Board is not aware of. The Village cleans up Main Street very nicely, but he and other businessmen have to clean up the broken bottles and debris on their property and this costs money. There are problems on the side streets also. People don't care where they park. His tenant at Main and Mill had to close early on Friday night as no one could get into the parking area and this costs money. He asked why the celebration was from Tuesday to Friday and why couldn't it be held on Friday, Saturday and Sunday. Then we wouldn't have to pay the Department of Public Works overtime to clean up. They could do it on Monday. Mr. Saia stated our park is not that big and every year attendance increases. The crowd is great but we don't have toilet facilities for this amount of people. Some of the overflow is going into the creek. This is breaking health laws. The town should pay for some of the costs of the celebration. He stated he believes the Village should consider holding the celebration on Friday, Saturday and Sunday so it would not so adversely affect business.

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 28, 1980 at 7:30 PM

Mr. Saia also commented on the closing of the walkway over the dam by Ed Youngs Hardware. He stated he thought the walkway was supposed to be closed but people were parking in Ed Youngs lot and then using the walkway over the dam. They were climbing the gate there and then later the gate was unlocked and the walkway was open. This walkway is not safe. Someone is going to get hurt and it will be the Village's responsibility. Something has to be done about this. This celebration is getting too big for our little Village. We are getting too many people back there. Basically, the bridge behind Town Hall is the only exit if you have to get people out of there in a hurry.

BRIDGE OVER
DAM

Trustee Murray stated that with respect to the cost, we share the cost equally with the Town. When we had this last year, Trustee Brenton sat down and figured out the costs as to how much it cost for the Department of Public Works, etc. This was sent to the Town and they agreed to share in the cost. They have done it this year.

Mr. Saia stated there are hidden costs in what it costs businessmen to clean up their property and what they lose in business when customers can't get into their places.

LOCKING IT
VS.

Trustee Murray stated that the celebration is held from Tuesday to Friday because we cannot get the rides to come in on Friday, Saturday and Sunday. They feel this is a small event and they can go to bigger ones on the weekends. She said this is the only reason she knows of as to why it is held during the week. With respect to the Department of Public Works, they would have to be around no matter when the celebration is held because there are always things to be cleaned up and taken care of. The Town sent some men to help with the clean up this year. With respect to the toilet facilities, the tank is pumped out daily so there will be no overflow. With respect to the dam walkway, Trustee Murray stated there are plans to make this safe.

UNLOCKING
IT

Trustee Brenton stated no decision has been made regarding making the walkway safe. He stated that on April 28th he made a statement at this meeting that the walkway was an accident waiting to happen. The walkway is supposed to be only for Department of Public Works personnel. If people want to risk their lives by climbing over the fence it is difficult to stop them. In his April 28th statement, Trustee Brenton stated he had advised that the walkway would be closed because of input regarding its safety from the Village Attorney, Insurance Advisory Committee, Parks, Traffic and Safety, etc. He stated he does not feel that the walkway should ever be open with 12 feet of water there.

Mr. Saia stated the Village should put up a proper gate to keep people out. He thinks the Village would be held responsible if anything happened there. Trustee Brenton agreed that we need something better there. It is a very difficult situation. Mr. Saia stated the gate should be high enough to discourage kids from climbing it.

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 28, 1980 at 7:30 PM

Mayor Kuzon stated he had discussed the Old Home Day celebration with some of the businessmen in the area. He had reports on both sides of the question of whether this cost them business and money. Some said it did. Others said they did better. He stated some of the restaurants lost business due to the food concessions in the park. Mayor Kuzon stated he would like to see next year's committee work more closely with the business community and involve them in some way in the celebration.

Mr. Saia stated more and more people are coming to this celebration. We used to have many of this type celebration during the summer months but now we have only a few. We have to help out the businesses that are being affected by this.

With respect to the Village Meeting House, Mr. Saia stated he still believes that the Village is infringing on his constitutional rights. He stated he has asked before how much this project is going to cost us. He asked if there was a cost estimate on this. He stated that in the past he had been told it was going to cost \$14,000 and that the estimate had come from the Town engineer. He stated the building had been used for a time for church services. He felt this was against his constitutional rights regarding separation of church and state.

VILLAGE MEETING
HOUSE

Trustee Bancroft stated with respect to costs the contract that we advertised for bids and passed a resolution regarding tonight, pertains to basic structural repairs or those items required by code to make the building occupiable. The cost for this work is \$12,000. The \$14,000 estimate was made two to three years ago and with inflation we are coming out ahead by having the work done for less. We are also doing more work than was originally planned but are doing it for less. With respect to how much we are planning on spending on the building, we could spend as much as we would like to or as much as we can afford to. However, our present plans are to put only as much money into the building as is needed to make it occupiable so we can open the doors for public use. We will have to spend some money on improving the rest rooms and the wiring in the building. The parking lot is marginally improved at this point. We don't plan on paving it at present. We don't intend to spend a great deal on it until we get an idea as to the community interest in it as useable space. He stated he is aware of two or three interested groups, none of who is affiliated with any religious organization. One of the groups would be using it on a paid fee basis to help maintain and operate the building.

QUESTIONS
RE:

CONSTITU-
TIONALITY

Mr. Saia stated there has been discussion of moving the fire hall and Village offices to the court building. He asked why the room in the proposed new fire hall couldn't be used for community use instead of using the Meeting House. It doesn't make sense to have two meeting houses. Also, he stated he believed there was a law in

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 28, 1980 at 7:30 PM

the Village that said the parking lots had to be blacktopped or paved. The Village still has stone in the lot. The Village will eventually have to do something about this.

Richard Hill, 18 Brookside, stated that in 1978 or 1979 the Traffic and Safety Committee made recommendations about closing the gate and walkway over the dam. He asked if the Board had now changed its mind about closing the walkway. The gate was open for some of the time during Old Home Day and this should not have been. When it was open there were no precautions taken to keep people from getting hurt. There were no lifeguards.

Trustee Brenton stated it is the policy of this Board that the gates remain closed and the only keys would be with the Department of Public Works personnel. The Board wants to keep the gates closed and to make the gates harder to climb. There is really no reason to keep the gates open as there are really only a small number of people who would be really affected.

Mr. Hill stated the committee had recommended that if the gates were kept open, the walkway should be made safer by some type of fencing, but the Department of Public Works objected because they wouldn't be able to work on the dam or gates if there were fencing there.

Trustee Brenton stated he saw no need for the gates to be opened. Fencing would impede the Department of Public Works personnel. There is vandalism in that area. They have torn down a sign that was put up stating it was Department of Public Works personnel only. A sign like that costs about \$75.00.

Trustee Murray stated that at the bottom of tonight's agenda there is a listing for a meeting of the Glen Park Joint Board on August 5th. There will be no meeting in August. It has been decided to hold the next meeting for that Board on the first Tuesday in September.

Trustee Brenton stated that with respect to the Village Meeting House he saw no problem in using community development funds in this building. It is to make the building structurally sound. In the agreement turning the building over to us, it is agreed that in the event we decide to abandon plans for the building we would first have to allow the denomination to pick it up and pay us for any improvements to that structure. One of the groups interested in the building is a theatrical group and they would pay a fee for maintenance and operation of the building.

Mr. Saia stated that in the Village's agreement with the church group the Village agreed to set aside an area for meditation. We have not yet done so and if this area is set up he feels it violates his constitutional rights.

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 28, 1980 at 7:30 PM

ON MOTION by Trustee Bancroft, seconded by Trustee Atkinson, it was moved to return to the regular agenda.

Unanimously carried.

Mayor Kuzon stated our next meeting will be on August 11th. There are two important things taking place at that meeting. There will be a public hearing on our proposed rehabilitation of our sewers and the Village will be presented with a painting which won the Purchase Award at the Art Society Show in Glen Park.

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