

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 25, 1980 at 7:35 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft  
Lawrence R. Brenton Trustees  
Connie C. Murray

Theresa L. Cummins, Village Clerk  
Edward Way, Dept. of Public Works

Absent

Paul Atkinson, Trustee  
Thomas V. Troy, Village Attorney

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

The Clerk read the notice of public hearing regarding a local law which would increase the earning limits of Senior Citizens from \$8,000 to \$9,200 and still enable them to qualify for the 50% Senior Citizen Exemption.

Mayor Kuzon stated the purpose of the hearing is to consider increasing our exemption limit from the current rate of \$8,000 to the new rate approved by the State Legislature of \$9,200. We presently have approximately 91 people who qualify for this exemption. We anticipate that with increases in benefits and social security some of these people may not qualify unless the limit is increased. Last year when we increased the limit from \$7,200 to \$8,000 an additional five people qualified for the exemption. Based on that, increasing the limit to \$9,200 might qualify an added 10 to 15 people for the exemption.

PUBLIC  
HEARING - Sr.  
Citizen

Mayor Kuzon stated that what this means to other residents is that the senior citizen exemptions will cause the needed additional revenues to be picked up by other areas. We anticipate the cost to the rest of us would be \$900:00 yearly, if the limit is increased.

No one appeared to speak for or against the proposed local law.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, the hearing was closed at 7:38 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft

Lawrence R. Brenton Trustees

Connie C. Murray

Theresa L. Cummins, Village Clerk

Edward Way, Dept. of Public Works

Absent

Paul Atkinson, Trustee

Thomas V. Troy, Village Attorney

Mayor Kuzon called the meeting to order at 7:31 PM.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the regular meeting held August 11, 1980 were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, the minutes of the public hearing held August 11, 1980 regarding our Sanitary Sewer Rehabilitation Program were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Bancroft, it was moved to suspend the rules at 7:35 PM in order to hold a public hearing regarding a local law which would increase the earning limits of Senior Citizens from \$8,000 to \$9,200 and still enable them to qualify for the 50% Senior Citizen Exemption. (The hearing was closed at 7:38 PM.)

Unanimously carried.

Mayor Kuzon reported that since the time of our public hearing regarding our Sanitary Sewer Rehabilitation Program we were accepting written comments up to today and we have received no comments regarding our program.

Mayor Kuzon reported that last Thursday the Village Clerk, Trustee Murray and he attended a meeting of the Erie County Village Officials Association and took an active part in the meeting. We volunteered our services in the following capacities: Village Clerk Cummins will be the Association's representative to the New York State Association of Financial Officers; Trustee Murray will represent them with the Erie and Niagara County Regional Planning Board; and Mayor Kuzon will represent them at the Western New York Association of Villages.

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ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, vouchers in the sum of \$84,337.31 were approved as follows:

Payroll Fund	W/E 8/15/80	\$ 4,622.39
	W/E 8/22/80	<u>4,443.56</u>
Total Payroll		\$ 9,065.95
General Fund	Abstract #471	33,900.78
Sewer & Water Fund	Abstract #52	29,915.51
Trust & Agency Fund	Abstract #91	2,858.14
Federal Revenue Sharing	Abstract #97	140.58
Capital Fund	Abstract #102	<u>8,456.35</u>
Total Vouchers		\$84,337.31

The largest vouchers were: Britting-Gelia (our insurance carrier) - \$18,755.00; Buffalo Crushed Stone (for street paving) - \$5,803.14; Erie County Water (purchase of water) - \$26,216.55; URS Co., Inc. (our sewer consultant) - \$6,016.07.

Unanimously carried.

Trustee Murray advised she spent a great deal of time working with our park security people last week. Our original security people, Parallel Protection has gone out of business and we have hired Globe Protection as their replacement. We have had some problems but they have been pretty well resolved between the police department and Globe and things are improved.

Trustee Murray advised that the Town budget process begins now and that the Glen Park Joint Board will begin work tomorrow on the park budget for next year. We have learned a lot this year since we are taking care of the park ourselves and should be able to do a good job next year.

Trustee Murray advised that the resolutions she will present would have been presented by Trustee Atkinson if he had been able to attend tonight's meeting. They both deal with community development. The first resolution authorizes the signing of an agreement with the Erie County Consortium for 1980-1981. The second resolution authorizes the signing of a contract with the Town to join with them for 1981, 1982 and 1983 instead of going with the County Consortium.

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

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RESOLVED that the Mayor is authorized to sign on behalf of the Village of Williamsville the 1980-1981 Community Development Agreement with the Erie County Consortium for the 6th Year Program.

AUTHORIZATION -

Mayor to sign 1980-1981 CD Agreement with County

Unanimously carried.

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

RESOLVED that the Village Board approves and authorizes the Mayor to sign a three (3) year cooperation agreement for the years 1981, 1982 and 1983 with the Town of Amherst and to request the U. S. Department of Housing and Urban Development designate the Town of Amherst a Metropolitan City for the Housing and Community Development Program.

C.D. Opt-out resolution from county consortium for 1981, 1982, 1983 with Amherst

Mayor Kuzon advised that last year we were presented with a similiar proposal by the Town to withdraw from the County Consortium and join with the Town and apply as a metropolitan city. We decided at that time notto withdraw for the reasons expressed then. We had many questions and wanted to get answers to them. We wanted to investigate the long range results of doing this. By joining with Amherst the Village will be able to receive additional funds in the amount of approximately \$15,000 from community development. We had questions last year about whether there would be additional administration expenses and what programs the Town would provide. We now have answers to these questions. There will be no additional administrative expense to the Village and we feel the risk we are taking is a manageable one and the agreement is one we can enter into with a reasonable amount of assurance.

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

Ayes - 4; Noes - 0.

Unanimously carried.

Trustee Bancroft advised that he acts as liason to the Village Meeting House, Senior Citizen and Youth Committees. They are less active in the summer months but will become more active in the coming months. There is a vacancy on the Senior Citizens Committee and if anyone is interested in getting involved in this program they can contact me, the Village Office or one of the other Trustees regarding this. There are also one or two vacancies on the Youth Committee as some members have grown up and gone on to other things. If anyone is interested in serving on this committee they can contact us.

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Trustee Bancroft stated his resolution deals with the reappointment of the Senior Citizens Program Coordinator, Beatrice Slick, for the period from September 1, 1980 to June 30, 1981 at a salary of \$2,475.00 per year, or \$247.50 for each of 10 months. Mrs. Slick has been very active and hard working and deserves much credit for the success of the program.

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

RESOLVED that Beatrice A. Slick be re-appointed Senior Citizens Program Coordinator effective September 1, 1980 until June 30, 1981 at a salary of \$247.50 per month.

APPOINTMENT -

Bea Slick as Sr.  
Citizen Coordinator

Unanimously carried.

Trustee Brenton stated that at our last meeting he told those attending that we were going ahead with the sewer work in front of this building even though we would be doing it without the 75% funding we would get if we waited for our sewer rehabilitation program to be approved by the State. We wanted to do this work while the State had the street torn up for the resurfacing work and we thought we had a good price on it. He stated he was happy to report that we had suspected a water leak in this area but that it was too expensive to go down and fix it. While doing the work on the sewer, we found more than one leak and while it is not yet confirmed we feel there are several more leaks in this same area. These leaks amount to about 2.6 million gallons per month which could result, when fixed, in a savings of about \$31,000 annually or reduce our unaccounted for water loss by 4%. Even though the money spent on fixing these will not be reimbursed by the state, it will be made up by saving money in other areas. We hope we will be as successful in a few other areas of Main Street where we think we have leaks.

Mr. Way reported that the pools at Island Park and Garrison Park will be closed as of a week from tomorrow.

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

Unanimously carried.

Mrs. Jane Vohwinkel, 50 N. Long Street, stated she and her neighbors on N. Long Street and Union Road have a problem with the creek and pond in that area due to the State work on Main Street. She stated the creek is behind her house and that they used to get back up water from the pond. Apparently about two years ago the pond was damaged and now it will not hold the water as it should. She stated the water in the creek behind her house came from the direction of Main Street. There is no water in the creek at all now and there has been no water there since the Main Street work started. She has been

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trying to find out why there is no water there and has been told the water was diverted into one of the sewers but they haven't told her why this was done. The absence of the water has altered the physical appearance of the property in this area and their property values have gone down. One of the reasons for moving in that area was the unique feature of the creek behind the house.

Mayor Kuzon stated he spoke with one of her neighbors about this today and suggested that two years ago work done on the pond was done by the Town and they should go back to the Town to ask what the status is.

Reister Pond

Mrs. Vohwinkel stated that if the Town did rectify this pond situation, they might get some of the back up water from the pond into their creek area but this will be stagnant water where the creek water before was running water. The creek is now completely dry and they get no answer as to why this is. The smell in this area is very bad at present. Discussion

Trustee Brenton stated he and Mr. Way did not know how the water would have been diverted. The State has put a new storm line down Main Street into the line near where McDonald's is supposed to go. He stated he did not believe the water in the creek came from this area but did come from the area behind Bells store. He suggested that perhaps the lack of water was due to the dry weather we have been having.

Mrs. Vohwinkel stated there is not even a trickle of water. If it had been drying up you would think there would be a trickle. She stated Mr. Collier told her they would never get water in that creek again as it has been diverted away from us. We were not notified that we would lose the creek. We have talked to the Environmental Agency and they have told us we're not protected because this has not been classified as a creek. It is in the classification of a ditch.

Trustee Brenton advised that it is designated as Town Drainage Ditch No. 9 and is a Town responsibility. He stated that Mr. Way would check on this tomorrow but do not know if we can assist you.

Mrs. Vohwinkel stated the other neighbors have told her that the water was always constant in the past and now it apparently has been cut off and they want to know why.

Trustee Brenton stated we will try to develop the facts on this. We are not sure we can be of much assistance in it. There have been complaints in the past of the creek overflowing and of sewage in the ditch and of the ditch not being cleaned. It was cleaned this year by the Town. This is the first he has heard of no water being there.

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Mrs. Vohwinkel stated we would live without the creek if we could but that they have easements on their deed that they cannot fill the creek bed up because of the need for this to take care of the water from the southern area when there is heavy rain. The only time we get water in the creek now is when it rains and then it lasts only about 24 hours. Then it is bone dry again. She stated they would appreciate it if the Board could help them out and answer their questions on this matter.

Mr. Nicholas Laratonda, 1211 Wehrle Drive, stated he has been trying for the last year to buy the Village owned land on old Wehrle Drive and he wanted to know what the status of this was.

Trustee Brenton advised that this will be discussed by the Board after tonight's meeting and that he should have an answer tonight regarding his purchase of this land. Trustee Brenton stated we are also negotiating with the Thruway to purchase some of their property and are at the stage where we are requesting a survey of the land so we can determine the boundaries.

Mr. Laratonda stated he has had some correspondence with the Village on this and it seems to be taking a long time to get results on this.

Trustee Brenton stated it takes government a long time to function in some matters but that this matter does not seem to be taking more than the usual amount of time. We have to consider what we want to do in this area and this involved the Thruway Authority.

Mr. Laratonda stated he did not know why the Village wanted this for a park area when they already have several parks.

Trustee Brenton advised we have more than two parks. We have three parks plus other areas. We are rich in parks. We want to serve the taxpayer to the best of our ability and feel we are doing this. This area is presently zoned M-1 and we don't feel we want an M-1 type of situation in that area and we don't feel the Village residents want this in that area either.

Mr. Laratonda stated the Village did not even know it owned that piece of property until I started this matter. Trustee Brenton stated Mr. Laratonda could purchase the entire parcel but that it would have to put out for bid. He stated the Board will be addressing this matter tonight after our regular meeting.

Mr. Laratonda asked about the leakage of water on Main Street. Trustee Brenton stated we had sewer work to be done there and while it was being done we discovered a number of leaks. The repair of those leaks should save us about 4% of our unaccounted for water loss. Mr. Morgan was doing the sewer work for us and is now doing the water work.

Mr. Laratonda stated it seems that he is making longer street openings than are necessary. Trustee Brenton stated he and Mr. Way have been at the scene every day and they have utmost confidence

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in Mr. Morgan. Mr. Morgan is the prime contractor for the Erie County Water Authority, and he has been in business for a long time. We are extremely confident in his ability to serve the Village.

Mr. Laratonda asked how much it was costing for this work. Trustee Brenton advised Mr. Morgan was working on a cost plus basis. He gave us a price that was under \$5,000 (\$4,975) and if the cost is less than \$5,000 the work does not have to be bid. The work could have cost more, but the Telephone Company put their line over our sewer line in 1936 and they had no right to do this. The Telephone Company is going to pick up some of the cost. We are fortunate in this particular incident. We won't be as fortunate with the rest of our rehabilitation program when we get on the sidestreets. We feel the decision to go ahead with this work was in the best interests of the Village.

Mayor Kuzon stated that regarding Mr. Laratonda's property proposal, he stated we will be discussing a different proposal than what was originally submitted to us. Mr. Laratonda has now submitted a proposal with a number of options. We hope to reach a decision tonight on this matter.

Mr. Laratonda asked if someone came in with a cost of under \$5,000 he automatically got the job. Trustee Brenton advised this was not so. We usually asked several different companies to look at a job and give us a cost on it. Mayor Kuzon stated we shop around and try to be intelligent consumers. We try to find the one that is the more reasonable.

Mr. Laratonda asked if the Thruway was going to sell the land to the Village for park area and Trustee Brenton advised that they were.

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

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the meeting was adjourned at 8:13 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer