

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Tuesday, October 14, 1980 at 7:32 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  
Robert Andrews, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:32 PM.

A moment of silence was observed in memory of Dr. Richard Dunning who was a resident of the Village for fifty years and who passed away in the past few weeks.

ON MOTION by Trustee Bancroft, seconded by Trustee Murray, the minutes of the regular meeting held September 22, 1980 were approved.

Unanimously carried.

Mayor Kuzon stated that at our last meeting the topic of the access road into Evans Street was discussed. This is adjacent to a Town development. We have been in contact with Erie County and have had correspondence with them concerning this. He stated he will be meeting with County representatives this Friday afternoon to discuss this matter.

Mayor Kuzon stated that this past Thursday he was pleased to attend a dinner at the Senior Center sponsored by St. Peter and Paul CYO and the YES organization. He stated before he attended the dinner he had read an article in the paper regarding the bad things that youths do such as writing on the concrete and driving bicycles in the top soil. He stated the dinner was a good experience for him as he saw youths providing commendable service to the senior citizens and to the community in general.

ON MOTION by Mayor Kuzon, seconded by Trustee Atkinson, vouchers in the sum of \$141,790.69 were approved as follows:

Payroll Fund	W/E 9/24/80	\$ 6,921.99
	W/E 10/1/80	4,048.52
	W/E 10/8/80	<u>4,084.39</u>
Total Payroll		\$15,054.90

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Total Payroll Fund		\$15,054.90
General Fund	Abstract #474	52,191.77
Sewer & Water Fund	Abstract #55	63,315.95
Trust & Agency Fund	Abstract #94	7,638.12
Federal Revenue Sharing Fund	Abstract #100	40.50
Capital Fund	Abstract #105	2,389.45
Special Assessment Fund	Abstract #11	<u>1,160.00</u>
Total Vouchers		\$141,790.69

The large vouchers were for: Capital Fund - \$16,000.00; Erie County Water - \$24,447.91; General Fund - \$12,137.50; Amherst Disposal - \$8,426.27; M & T Bank - \$22,875.00; and M. C. Morgan - \$8,242.06.

Unanimously carried.

Mayor Kuzon advised his second resolution was to cancel old outstanding checks. There are 10 totalling \$91.64.

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

RESOLVED that the following old outstanding checks be cancelled:

Water - #463	\$ .55	CANCELLATION OF OLD OUTSTANDING CHECKS
#863	.50	
#484	1.50	
#802	1.23	
	<u>\$3.78</u>	
Payroll -	<u>\$6.91</u>	
General - #2820	\$55.00	
#1811	3.95	
#2255	10.00	
#28726	10.00	
#29221	2.00	
	<u>\$80.95</u>	

Unanimously carried.

Trustee Brenton advised that under the New York State Safer Local Roads and Streets Program we had applied for allocations for six projects in order to make our streets, highways and sidewalks safer. We also want to construct one new sidewalk. They have all been verbally approved and we have written verification on three approved projects. One approved is for constructing a sidewalk on Glen Avenue from N. Cayuga to Mill Street. We will pay 25% of the cost and the State will fund the remaining 75%.

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This will enhance Glen Park and make it safer. We have received some citizen complaints and requests for sidewalks in this area. Another approved project is for a guardrail on Oakgrove Drive where it makes about a 65° turn. The existing guardrail will be removed and the new one will be longer. It will be of core 10 steel which rusts and the rust finish should look well in this area. It should protect drivers from going into the creek. This will be about \$900. The third approved project is for a storm sewer of 268 feet at about 32 Garden Parkway. This should relieve ponding of water and the freezing of that water in this area.

Trustee Brenton advised that the Department of Public Works building has been energized, that is it has been redone to eliminate where possible excessive loss of heat. This has been completed.

Trustee Brenton stated his first resolution is one that has already been accepted in that Mr. Way and Mr. Anstett have already left today for the Annual Public Works School in Ellenville, New York. Sometimes people wonder whether these schools are worthwhile and if the money is well spent. After attending last year's school it was determined that we would only salt our intersections instead of the entire street. This proved to work well even though we had only a light winter. It was better for the environment and saved us money on the salt we had to buy. When we have an opportunity to send our employees to these types of schools we feel it is very worthwhile.

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

RESOLVED that Edward A. Way, General Foreman, and John Anstett, Working Foreman, are hereby authorized to attend the 21st Annual Public Works School in Ellenville, New York from October 14, 1980 to October 17, 1980 and the expenses not to exceed \$300.00 each, to be paid by the Village of Williamsville.

AUTHORIZATION

Attendance  
at Public  
Works School in  
Ellenville,  
N.Y.

Unanimously carried.

Trustee Brenton stated his next resolution deals with our Traffic and Safety Coordinator David Laubisch. The New York State traffic grant he works under is going to be continued until September 30, 1981. They have funding until September 15th of this year using state funds from the previous fiscal year. They are awaiting congressional action now on the Highway Safety allocation and this should be forthcoming. The State has advised us that the grant will be extended until September, 1981. We are hopeful that it will be continued beyond then also. Mr. Laubisch has been receiving the salary equal to that of a laborer under this grant. We feel that this position should be the same as what he received in his former category as a working foreman, which pays \$6.85 per hour. A laborer receives \$6.30 per hour. We are increasing his salary and this has been approved by the State. He will receive what he would get as working foreman. He is paid under the State grant and has nothing to do with the Public Works Department.

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

RESOLVED that the salary of David Laubisch, Traffic & Safety Coordinator, be increased to \$6.85 per hour effective October 1, 1980.

SALARY INCREASE

D. LAUBISCH

Unanimously carried.

Trustee Brenton advised that his third resolution deals with a school crossing walk on Glen Avenue to provide access from the north to the south side of Glen Avenue into St. Peter and Paul School. The school asked the Traffic and Safety Committee to review this and they have recommended this. A public hearing will be held at our next meeting regarding this.

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

RESOLVED that the Village Clerk publish a notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on Monday, October 27, 1980 at 7:35 p.m. for the purpose of hearing all persons interested in expressing an opinion on a proposed local law which would eliminate parking on the south side of Glen Avenue from the extended westerly pavement edge of Howard Avenue to a point 55 feet west of that point.

CALL FOR PUBLIC HEARING

No Parking on South side of Glen avenue

Trustee Brenton advised that the reason for eliminating the parking in that area is to prevent parked cars from shielding the children from the view of a motorist. Elimination of parking will provide clear vision for the motorist of children crossing the street.

Unanimously carried.

Trustee Murray reminded everyone that the Environmental Advisory Council is sponsoring a poster contest this year. The deadline is Friday, October 17th. She has entry blanks if anyone is interested in this. The judging will be on October 23rd and the awards will be made at the next Board meeting. The topic is Kids Can Save Energy Too. She read a letter from County Legislator Mary Lou Rath commending the committee for its choice of a theme and stating she feels that the children are the hope for the future in this area.

Trustee Atkinson had no report or resolutions.

Trustee Bancroft stated that in the Sunday Courier Express they had an informative article about a newly formed theatrical group called the Queens Players. The article stated the Village Board was considering them as a tenant for the Village Meeting House on Main Street. There was one inaccuracy. They referred to a lease agreement between the Village and the theatrical group. In fact,

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we are discussing and negotiating with them a lease agreement but we have not entered into that agreement yet.

Mr. Bancroft stated his resolution deals with appointing Joan Scalfani to the Village Meeting House Committee. She has been active on the Senior Citizens Committee and is transferring over to the Meeting House Committee.

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

RESOLVED that Joan Scalfani, 68 Hirschfield Drive, is hereby appointed to the Village Meeting House Committee until the end of the official 1980-1981 Village year.

APPOINTMENT

Joan Scalfani  
to Meeting House  
Committee

Unanimously carried.

Mr. Andrews stated that as of Monday, October 20th we will be starting to pick up leaves. We would appreciate it if the leaves are put between the sidewalk and the curb. You should try to keep them out of the gutter. Mr. Andrews also advised that twice weekly garbage pickup is finished and will not begin again until April 15th.

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

Unanimously carried.

Donald Schueckler, 124 S. Union Road, stated they are still having problems with the barber shop in that area. The man was taken to court and was ordered to stop. It has been two months and he is still doing business. Mr. Schueckler stated he had called Mr. Stoeckl and the attorney was surprised that he was still in business. Mr. Schueckler asked what was going to be done about this.

Mayor Kuzon advised that the Building Inspector has written a letter advising he must cease immediately and if he doesn't stop the fine will be increased. This is basically still in the hands of the prosecutor, judge and court. He was found guilty of violating the Zoning Code and a \$50.00 fine was levied. He was advised that operation must cease and if it was not stopped a \$500 fine would be imposed. The letter from the Building Inspector informs him of this and that the business must stop. It is possible that it will be on this week's court calendar. Mayor Kuzon suggested he call Mr. Stoeckl about this. He thought the letter from the Building Inspector was probably written after Mr. Schueckler had spoken with Mr. Stoeckl. Mr. Troy advised that the letter had gone to the gentleman's attorney and he will advise his client accordingly.

Mr. Schueckler stated this has been going on for a long time now. It seems that the Town moves faster on this type of thing than the Village does.

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Mayor Kuzon stated that unfortunately the Board is not able to do much about this. It is in the hands of the court.

Mr. Schueckler stated someone in the Village should have checked on this before now. It has been two months and apparently no one was aware it was still going on.

Trustee Brenton suggested that the letter should have gone to the gentleman himself rather than to his attorney. Mr. Troy advised he was not consulted on the letter but that he had read it and thought it was appropriate to send this to his attorney. In dealing with this individual there seems to be some failure of communication but his attorney should be able to get the message across to him and tell him what will happen if the business has not ceased by October 20th. The license has to be surrendered and if it is not he goes back to court and the full fine will be levied and perhaps other penalties the court may find appropriate. Mr. Troy stated it was good to send this to his attorney as he doesn't think Mr. Weber understands the full consequences of what he is doing.

Mr. Schueckler stated he has called the state about this man's license, both their Albany and Buffalo offices, and he has not surrendered the license. It was supposed to be surrendered immediately. Mr. Troy stated this will be taken care of by the court.

Mrs. Elizabeth Heuer 241 N. Forest Road, stated she is not a Village resident but will be affected by a decision of the Board of Education regarding the closing of a school. She stated she had spoken with the Mayor after an article appeared in the Bee about the Board's resolution concerning their opposition to the closing of Academy School. Only Academy has been mentioned in the past with respect to closing a school but this year are considering both Academy and Forest Elementary Schools. She stated that 45% of Village students attend Forest. She stated she hoped the Board would reconsider their position and make some kind of public statement not only supporting Academy but also Forest as a Village school. She feels the Board has an obligation to the residents of the Village who support Forest school.

Mayor Kuzon stated the Board feels the School Board will be focusing on Academy School and that is why we spoke out on it. We feel it is of intangible value to the Village and is a strong area of community identification and supplies a quality education. We feel it is important to have a school within the Village boundaries. We recognize the fact that Village children attend both schools but feel that Academy has an intangible value to the Village and would have an impact on the taxpayers and property tax values. The Village has had its police department moved and its post office moved and feel that someday down the road they will say why have a Village. We recognize that Forest provides a quality education to about half the Village residents but feel the focus will be on Academy. We are not stating that we favor the closing of Forest either.

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Mrs. Heuer stated they feel it will come to a decision between Forest and Academy, even though other suggestions have been made. She stated it is not the Village Board's place to advocate decommissioning one Village school over the other and this is how the Board's resolution appears to Forest parents. Forest is also a Village neighborhood school. Forest has more walkers than Academy. She stated they hoped the Board would also make a statement supporting Forest.

Mayor Kuzon stated this matter was discussed before tonight's meeting and feel that before the School Board discusses this matter the Village Board will make a statement regarding Forest.

Trustee Brenton stated that at one time there was only one Williamsville school and that was Academy. Then it was decided to centralize so they could provide more adequate education in the northern area. Now the worm has turned and we find ourselves to be less fortunate in the services provided than in the northern area. He stated the Board has to take the action that is in the best interests of the taxpayers of the Village. He stated that in his view it is best for his children to continue to have at their disposal the Academy School. He is supportive of those who elected him to office. It would certainly be wonderful and appropriate for both to remain open but we don't have any voice in what the School Board decides. We have a right to express ourselves as elected officials.

Mr. Paul Demskie, 185 S. Cayuga Road, stated we are all taxpayers. It is becoming uneconomical to keep both schools open and if one has to go it should be decided on the basis of which is more economical to keep open in terms of services to handicapped children and heating costs, etc. We all pay our taxes to the School Board. In looking out for the best interests of the people of the Town and Village it would seem that it should be decided on this basis. Certainly one has to go. It is not a popular choice but makes economic sense in the long run. The facility could be used for other purposes and remain in the Village as a private cultural center and the beauty of the building would be an asset to the Village. If the Village Board wishes to make a resolution and serve the taxpayers of the Village it should look at it in this sense.

Mayor Kuzon stated the Board is using population as one of the things considered in the closing. One of the things discussed in our meeting prior to tonight's meeting was that on all our streets in the Village there seems to be a large number of older senior citizens who will be moving to apartments and other such dwellings and their homes are sold to younger families with children. Perhaps the population figures the School Board is using are not really accurate. Perhaps the declining enrollment of the past few years will not continue. There is a teacher shortage projected in the 80's. The population in the Village and in the two schools will probably stabilize.

Mr. Demskie asked at what level it will stabilize. If at today's level it is uneconomical.

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Mayor Kuzon stated the intent of our resolution was to support the keeping of Academy Schbol open as a neighborhood educational facility. It was not intended to split Academy versus Forest. When this issue was last considered there was a working together of the Forest and Academy PTA's to preserve these and all the schools. We don't want to see this resolution destroy this rapport.

Mr. Demskie stated that in his view the children who go to Academy and Forest receive a basic level of education. The economic situation should be the factor considered. The total picture should be looked at before a decision is made on this. We have to pay taxes and it doesn't make sense as a taxpayer to continue to underpopulate schools to the extent that it is uneconomical.

Mayor Kuzon stated these are issues for the School Board to consider. There are several schools now that are at full or greater capacity and this should also be addressed.

Mrs. Heuer stated that if the Board feels the School Board's population figures are inaccurate they might wish to provide the School Board with information regarding this. She stated she is sure the Board did not intend to put school against school or neighbor against neighbor in taking this direction. We are saying that if the Board decides they must close a school, either Academy or Forest, the Village Board is not the body to make that decision. There are a great number of people affected by that decision besides those in the Village.

ON MOTION by Trustee Atkinson, seconded by Trustee Brenton, 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 8:10 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer