

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, January 26, 1981 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
		Thomas V. Troy, Village Attorney
		Edward Way, Dept. of Public Works

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

ON MOTION by Trustee Bancroft, seconded by Trustee Murray, the minutes of the regular meeting held January 12, 1981 were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the minutes of the public hearing held January 12, 1981 regarding a local law to amend the Zoning Law relating to adult uses were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the public hearing held January 12, 1981 regarding a local law to increase the term of office of the Mayor and Trustees to four years were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$86,939.76 were approved as follows:

Payroll Fund	W/E 1/14/81	\$ 4,685.39
	W/E 1/21/81	4,742.32
General Fund	Abstract #481	16,743.58
Sewer & Water Fund	Abstract #62	42,945.95
Trust & Agency Fund	Abstract #101	14,449.84
Community Development Fund	Abstract #53	3,059.00
Federal Revenue Sharing Fund	Abstract #104	201.67
Glen Park Jt/Activities Fund	Abstract #2	<u>112.01</u>
Total Vouchers		\$86,939.76

The larger vouchers were to: Erie County Water for purchase of water - \$39,291.64; Amherst Disposal for collection of garbage - \$8,426.27; and Hutchinson Hose Co. - \$10,605.68

Unanimously carried.

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Mayor Kuzon stated his next two resolutions deal with the subject of a public hearing held at our last meeting dealing with the proposal to increase the terms of Mayor and Trustees to four years. It is our intention to include this concept on the March, 1981 ballot as a proposition so voters can decide on it. Under the law, before it can be put on the ballot it has to be acted upon so his first resolution adopts a local law increasing the terms of office and the second resolution would resolve that it be placed on the March ballot as a proposition. If this is defeated in March it will not take effect and the local law would be rescinded by the action of the Village voters on March 17th.

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

RESOLVED that Local Law # - 1981 increasing term of office of Mayor and Trustees from 2 years to (4) years, which was the subject of a public hearing on January 12, 1981, is hereby adopted.

LOCAL LAW
ADOPTED

4 year terms
for Mayor and
Trustees

(Copy attached.)

Unanimously carried.

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

RESOLVED that the foregoing local law be placed on the March 17 election ballot as Village Proposition #1.

PLACE FOREGOING
RESOLUTION
ON ELECTION
BALLOT

Unanimously carried.

Mayor Kuzon stated this proposal of increasing the terms is subject to municipal referendum and the residents could petition to have this put on the ballot themselves. However, the Board has already done this for them.

Trustee Bancroft stated his four resolutions pertain to the upcoming Village election, which is scheduled for March 17th.

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

WHEREAS the next general Village election for officers will be held on March 17, 1981, and

VILLAGE ELECTION
DATES SET

WHEREAS no person shall be entitled to vote at any Village election whose name does not appear on the register of the Election district in which he claims to be entitled to vote, and

WHEREAS it is the duty of inspectors of election to prepare such register of qualified voters for the district for which they are appointed, and

VILLAGE
ELECTION

WHEREAS Section 516 of the Election Law of the State of New York requires that every Village hold a registration day for each general Village election.

REGISTRATION
DAY SET

First: The inspectors of election shall meet on the 28th day of February 1981 at the Village Clerk's Office beginning at 12:00 noon and ending at 9:00 p.m. to commence the preparation of the register for the forthcoming Village election.

Second: Registration day for the Village shall be held on Saturday the 28th day of February 1981.

Third: Such registration shall be held at the Village Clerk's Office in the Municipal Building, 5583 Main Street, Williamsville, New York 14221 from 12:00 noon to 9:00 p.m.

Fourth: At least ten days prior to the registration day set in this resolution a copy of such resolution shall be published in the official newspaper and a copy shall be posted in at least one conspicuous public place in each election district.

Fifth: This resolution shall take effect immediately.

Unanimously carried.

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

RESOLVED that the Board of Trustees of the Village of Williamsville determines that more than one-half of the voters qualified to vote at the forthcoming election for the Village officers were registered at the last preceding general election; that taking registration for the forthcoming election will be accomplished more efficiently and economically at a single place and by a single board of inspectors of registration; and it hereby appoints: Richard Hill, Marian Garono and Esther Wirth as a single Board of Inspectors to conduct registration for such forthcoming election for each of the three Village election districts.

VILLAGE
ELECTION

SINGLE
REGISTRATION
DAY SET

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The compensation of inspectors shall be \$3.00 per hour and Richard Hill shall be Chairman of Registration. Registration for the forthcoming election shall be conducted on February 28, 1981 from noon until nine o'clock in the evening at the office of the Village Clerk, 5583 Main Street, Williamsville, New York.

Unanimously carried.

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

WHEREAS the Annual Village Election of the Village of Williamsville is to be held Tuesday, March 17, 1981, and

VILLAGE
ELECTION

WHEREAS at the last general Village election more than eight hundred votes were cast,

ELECTION
DISTRICTS
SET

NOW, THEREFORE, BE IT RESOLVED that said Village shall be divided into three election districts and the places of holding such election shall be as follows:

POSITIONS TO
BE FILLED
LISTED

District #1 - At the Williamsville Methodist Church, 5681 Main Street. District #1 includes the entire area east of Ellicott Creek, South of Main Street.

District #2 - At the Williamsville Fire Hall, 5570 Main Street. District #2 includes the entire area west of Ellicott Creek, both sides of Main Street.

District #3 - At the Academy Elementary School, Academy Street. District #3 includes the entire area east of Ellicott Creek, North of Main Street.

None of such districts contain more than eight hundred qualified voters.

BE IT FURTHER RESOLVED that the offices to be filled shall be: one (1) Mayor for a two (2) year term and two (2) Trustees for a term of two (2) years each.

Unanimously carried.

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

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RESOLVED that the following be and they hereby are appointed inspectors of election for the Annual Election of the Village of Williamsville, to be held March 17, 1981 to be paid a fee of \$30.00 each.

VILLAGE
ELECTION

DISTRICT #1 - Esther Wirth, Ch.
Betty Klute
Dorothy Goodwin
Marie Eyre

INSPECTORS OF
ELECTION NAMED

DISTRICT #2 - Richard Hill, Ch.
Joyce Troy
Marian Garono
Betty Schueckler

DISTRICT #3 - Ethel Henning, Ch.
Henry Moore
Mary Ann Piazza
Suzanne LaVere

BE IT FURTHER RESOLVED that the following are appointed alternate inspectors:

Mary M. Hughes
Janet Mathews
Jack McMillan
Marion Blocher

and,

BE IT FURTHER RESOLVED that Richard Hill is Chairman of the Election Inspectors, and

BE IT FURTHER RESOLVED that in the event of absence or inability of any of the above to serve, the Mayor is hereby authorized and empowered to appoint a substitute.

Unanimously carried.

Mayor Kuzon advised that this year the Village election is on St. Patrick's Day, March 17th. There was a provision in the law that says the Board could change this to March 18th if it so desired. However, the Board found that this would have had to been changed back in November so we were unable to do this.

Trustee Brenton reported on the status of our acceptance of the Main Street preservation project by the State. This was the reconstruction of Main Street and the removal of the railroad bridge, etc. In order for the State to come in and do this project, the Village had to agree to allow the utilities, sanitary sewers and water lines to be moved or to have done what was necessary to the project. Now that the project is completed,

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the State wants us to accept the project as completed and in that regard certain items are unacceptable. These have been identified to the State. The sanitary sewer manholes were identified in a memo from me to the state. The state was made aware of our low sanitary sewer manholes but they were not addressed during the project and, therefore, an impass has developed between the Village and the State. In order to solve this an inspection of the sanitary sewer manholes in question was made by Mr. Casseday, the regional construction engineer, and myself with the help of Mr. Anstett of the Department of Public Works. These low manholes add to the problem we have with infiltration of storm water into the sanitary sewer system. Our major sanitary sewer rehabilitation program is beginning now and the purpose of this program is to prevent situations of this nature and we feel that the State of New York should correct these conditions. We have not relied on our own opinions on this. We have had URS, our engineering firm for our sanitary sewer rehabilitation program, inspect these manholes and they found them to be low and they have forwarded their findings to the State. At this time we are not prepared to accept the Main Street project until this problem relating to the seven sanitary sewer manhole covers can be solved. Trustee Brenton advised we have also found problems with the concrete work and they have been identified for the State also. We are holding our acceptance in abeyance on the concrete work until after the winter months so we can see how the sale will affect it. There are also some manholes that are owned by Bell Telephone that have not been addressed. They are creating an uneven riding condition. These covers are over vaults containing the various switching points, etc. and it would be extremely expensive to raise them. Therefore, we think that in all probability the Village will be stuck with them. However, our main area of concern is the sanitary sewer manholes and we will continue to pursue this.

Trustee Brenton stated his first resolution deals with the annual contract for the Village to plow the county highways within the Village. These are Garrison Road and Evans Street and we are reimbursed for our expenses pertaining to that plowing.

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

RESOLVED that the Mayor is authorized to sign
1980-1981 Snow Contracts for snow plowing
between the Village and the County of Erie at
the rate of \$650.00 per lane mile.

AUTHORIZATION

Mayor to sign
1980 - 1981 Snow
Contract with
County of Erie

Unanimously carried.

Trustee Brenton stated his second resolution deals with the cleaning of Fire Station No. 1. The firm that presently cleans it is being terminated as the company solicited bids for this work and they have selected, through Village acquiescence, the low bidding firm. This, in effect, terminates the services of the present maintenance company.

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

CONTRACT CANCELLED

RESOLVED that the contract with Town & Country Building Maintenance for cleaning the Hutchinson Hose Fire Hall at 5570 Main Street is hereby terminated effective February 1, 1981.

Town and Country
at Fire Hall

Unanimously carried.

Trustee Brenton stated his next resolution pertains to hiring the new firm to do the work.

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

CONTRACT AWARDED

RESOLVED that Henry W. Suhr, Amherst, New York be hired to perform cleaning and maintenance at Hutchinson Hose #1, 5570 Main Street at the rate of \$238.00 per month effective February 1, 1981.

Henry W. Suhr to
clean station #1
of fire hall

Unanimously carried.

Trustee Brenton advised that his fourth resolution pertains to an addendum to our SSES and rehabilitation program necessary for flood plain studies to be included in that program. This increases the fee paid to URS. These monies are 87 $\frac{1}{2}$ % refundable by the federal and state governments.

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

RESOLVED that the Mayor is hereby authorized to sign agreement with URS to prepare an addendum to the SSES & Environmental Document at an additional cost of \$1,310.00.

AUTHORIZATION

Mayor to sign
addendum for URS

Unanimously carried.

Trustee Brenton advised that his fifth resolution deals with utilization of community development funds that the Board, and some past members of it, have agreed were not to be spent in the original area intended. In some instances it was felt that it was not fiscally responsible as there were areas of greater priority in the community for the funds to be expended on. We have taken all unexpended community development funds and are consolidating them and applying them to the Mill Street water line project. He stated he was very pleased that this Board and Trustees Atkinson and Sugg of former Boards, feel that this is an area of priority for these funds. We feel that this is a very positive step on the part of the Board to put these funds into the water line. He stated his resolution basically identifies the areas where the funds are coming from.

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

RESOLVED that the following Community Development Fund transfers be approved:

COMMUNITY
DEVELOPMENT
FUNDS TRANSFERRE

\$13,836.18 from 1978-1979 Glen Park Facilities
(Project # WILL 4-C-4.0) into Mill Street
Water Line;

Mill Street
Water Line

\$30,000.00 from 1979-1980 Neighborhood Facilities
Island Park (Project # WILL 435430) into Mill
Street Water Line;

\$13,000.00 from 1980-1981 Neighborhood Improvements
(Water Lines on Main Street) (Project # WILL 436431)
to Mill Street Water Line;

\$20,000.00 from 1980-1981 Neighborhood Improvements-
Street Improvements - (Project # WILL 436431) to
Mill Street Water Line.

Trustee Brenton stated the \$33,000.00 transfer related to Island Park dealt with the concept of installing a sewer line back to the restrooms in the Park. Trustee Brenton stated the transfers total about \$79,000 and this will be utilized with some future community development funds for the water line.

Mayor Kuzon advised that the street improvements transfer related basically to curb cuts for the handicapped but the Main Street preservation project took care of this.

Trustee Bancroft asked if it was known what the total cost of the Mill Street water line would be. Trustee Brenton stated this will depend on how much of the line the Board wishes to have done at this time. At the present time the area between Eagle and Edward Streets would be done and would cost about \$220,000.

Vote on Roll Call: Trustee Murray - no; Trustee Bancroft - aye; Trustee Brenton - aye; Mayor Kuzon - aye. Ayes - 3; Noes - 1.

Carried.

Trustee Murray explained her no vote on the preceding resolution. The \$33,000 for hooking up the Island Park facilities to the sewer lines is important. The EPA could call us on the facilities there and with no hook up would close the facilities.

Trustee Murray advised that the School Board will hold a public hearing tomorrow night at 7:30 PM at East High School and all Village residents should attend as it relates to school closings.

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Trustee Murray stated her resolution deals with an agreement with URS covering the sanitary sewer rehabilitation program, specifically the design and construction phases.

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

RESOLVED that the Mayor is hereby authorized to sign agreement with URS covering the Sanitary Sewer Rehabilitation Program - Step II and Step III which services are intended to result in a complete project meeting all Federal, State and local regulatory agency requirements and obtaining all approvals therefrom, and further with all services in conformance with applicable Federal, State and local standards.

AUTHORIZATION
Mayor to sign
agreement with
URS Re:
Sewer Rehab
Program

Unanimously carried.

Mr. Way had no report.

Mayor Kuzon reminded everyone that the parking ban is in effect from November to April from 1:00 AM to 6:30 AM so that the plows can do their work.

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

Unanimously carried.

Richard Hill, 18 Brookside, asked if the State does the plowing on Main Street. Mr. Way advised that they do.

Mr. Hill asked if he understood correctly that because of the transfer of the funds to the water line the restrooms in Island Park would be closed. Trustee Murray stated the EPA requires that they be hooked up to the sewers and if they insist on this we will not now have the funds to do this. If we don't have the funds, the Board intends to close the restrooms. Mr. Hill stated this will restrict the use of Island Park to very short periods of time. Trustee Murray stated the Board feels that portable units will suffice. Mr. Hill stated he protested the transfer of the funds and doing away with the sewer line. He realizes that the Board has already voted on this but does not think it is a good idea. He stated this really should have been taken care of years ago but it kept getting put off.

Mayor Kuzon stated we have established priorities for the water lines first and the sewer lines later. The \$33,000 would be put in for a line that would be used only six months a year. We feel the present holding tanks are sufficient and if the EPA requires they be hooked up we feel it would be cheaper to rent the lavatories than put the line in.

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Trustee Brenton stated the \$33,000 figure for the cost of putting in the line was arrived at four to five years ago. This is an unrealistic figure to begin with because with inflation it would probably require \$50,000 to \$70,000 to put that line in. This is no small project. The line would have to go out to Main Street. We can base a present cost on what it cost to replace the lines in front of this building. The present holding tanks are sufficient as long as they are properly maintained and pumped out. There is no priority to install the sewer line here and in fact if you compare it with some of the Town parks they have no facilities at all. Trustee Brenton stated he feels the Board has been very wise and displayed a great deal of judgement in transferring this money into the water line.

Mr. Hill stated they have been talking about putting the line in for ten years and it would have cost a lot less if it had been done in the beginning instead of being put off. We are going to have to do this someday.

Trustee Brenton stated he didn't think we would ever have to do this.

James Saia, 20 Belmont, asked if the new tank is sufficient for the normal traffic that goes through it and Mayor Kuzon advised that it was if it is pumped out properly. Mr. Saia stated we have so many on the Island during Old Home Days that this may not be true then. He made a suggestion that Old Home Days be done away with as it is getting too big for the Village.

Trustee Murray stated the EPA has been checking on the tank and say they are not sufficient.

Mr. Saia stated you should go by the EPA and also the New York State Fire Code as you have tents back there, too many people, and one exit from the Island. We could be breaking the Fire Code and this should be looked into. This celebration is getting too big for the Island and perhaps should be moved to Bassett Park with only the Raft Race held at Island Park.

Trustee Bancroft advised that there is a meeting of the Old Home Day Committee on February 5th and perhaps Mr. Saia could attend the meeting and make his feelings known to them. Mr. Saia stated he would do that.

ON MOTION by Trustee Bancroft, 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 8:06 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer