

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, March 9, 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

Absent

Michael Kibby, Trustee

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

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the regular meeting held February 23, 1981 were approved.

Unanimously carried.

ON MOTION by Trustee Bancroft, seconded by Trustee Murray, the minutes of the special meeting held February 28, 1981 regarding the election resolutions were approved.

Unanimously carried.

Mayor Kuzon advised that next Tuesday, March 17th is election day in the Village. The offices of Mayor and two Trustees are on the ballot as well as a proposition for increasing their terms of office from two to four years, to become effective in 1983.

Mayor Kuzon advised that the Local Government Review Committee will be meeting this Wednesday in the Village Conference Room.

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, vouchers in the sum of \$154,095.81 were approved as follows:

Payroll Fund	W/E 2/27/81	\$ 7,146.83
	W/E 3/06/81	4,479.71
General Fund	Abstract #484	67,431.07
Sewer & Water Fund	Abstract #65	5,835.24
Trust & Agency Fund	Abstract #104	4,731.92
Capital Fund	Abstract #112	61,287.54
Federal Revenue Sharing Fund	Abstract #105	3,143.50
Glen Park Jt/Activities Fund	Abstract #4	<u>40.00</u>
Total Vouchers		\$154,095.81

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, March 9, 1981 at 7:35 PM

Trustee Murray reported that Cub Scout Troop 444 has offered to clean up Glen Park on Saturday, April 4th.

Trustee Bancroft reported that the Village Meeting House Committee is still very active and is open to suggestions for additional uses for the Meeting House. The present uses include a theatrical group and the Senior Citizens Recreation Program. They have been using the building for the last month.

The Senior Citizens Committee is also very active and seeking new programs for our area seniors. They intend to open a new program in April and the details will be in the April calendar of events for Senior Citizens. This will be held at the Village Meeting House probably one morning a week and tentative plans are for a do-it-yourself clothing alteration type of workshop dealing with making clothing repairs.

Trustee Bancroft stated he intends to propose to the Board of Trustees after tonight's meeting that we consider in latter part of March or early April a series of informational meetings at the neighborhood level probably along the lines of the three election districts to make sure we are effectively communicating with the residents of the Village and that they have ample opportunity to meet with us and express any concerns they may have relative to their neighborhood or the Village in general. This suggestion is being made in the spirit of open and free communication in our community and in the absence of any formalized political opposition in the last several years it will give the people an opportunity to come out and express themselves. He is encouraging his fellow Board members to consider this concept. A number of suggestions can be discussed and will provide a good opportunity for those who don't attend our Monday night meetings to meet with us.

Trustee Brenton complimented Trustee Murray on showing concern over a garbage ordinance and hopes the committee will proceed quickly with work on this so it could be put in effect on June 1st and we will be able to get a private company to pick up both the trash and garbage in the Village. We would be able to inform the residents as to how their garbage and trash would have to be bundled for pick-up. This would allow us to relieve the Department of Public Works from this responsibility. This Board and previous Boards feel this is the right way to proceed. We will advertise for bids for the combined service. If the bids come in too high we will reassess the situation. It is getting to the point where the packer is almost worn out and a new one would cost about \$70,000. He hopes we can have the garbage ordinance in effect by June 1st so we can educate the residents on how this will work.

With respect to the fire hall situation, Trustee Brenton stated he wanted to clear this up and report on the "marriage" between the Town and Village on the buildings in the governmental complex. Two years ago, when we were going into our budgetary proceedings it was discovered that the Town had been charging the Village for amortization of the debt on this building, and when questioned the Town officials

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, March 9, 1981 at 7:35 PM

The larger vouchers were - URS Co. Inc. (our consultant for the sewer rehabilitation program) - \$15,093.92; Manufacturers Hanover - \$53,271.14; Amherst Youth Board (for utilities and year-end payments) - \$7,695.93.

Unanimously carried.

Mayor Kuzon stated his next resolution calls for the first of two required public hearings regarding the use of federal revenue sharing funds. The purpose of the first hearing is to secure from Village residents ideas as to how they want to see the funds utilized for their benefit. There will be approximately \$39,000 available. The hearing will be held on March 23rd.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, 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 in the Municipal Building, 5583 Main Street, Williamsville, New York on March 23, 1981 at 7:35 p.m. to hear all persons interested in expressing an opinion on the proposed use of Federal Revenue Sharing Funds for the 1981-1982 fiscal year.

CALL FOR PUBLIC HEARING  
  
PROPOSED USE OF 1981 - 1982 Federal Revenue Sharing Funds

Unanimously carried.

Trustee Murray reported on the activities of the committees to which she is liaison.

In February the Environmental Advisory Council met with a St. Catherine's firm that recycles paper. The Council is drafting a refuse and garbage law and will be meeting on March 16th to further discuss and revise this law. The Council is still missing two people and if anyone knows of anyone who would be interested in serving on this committee they should give Trustee Murray their names.

The Parks and Recreation Committee has been discussing security options for the parks and they met in February and decided to return to hiring off-duty Amherst policemen. The Glen Park Joint Board met and decided to hire off-duty policemen for Glen Park.

Trustee Murray stated that with respect to Glen Park it has been arranged for fertilization of the trees and shrubs in March and April. This is the final year in a three-year program. The landscape architect advised that fertilization was needed for the first three years and then it could be done every three years. A weed control service has also been arranged for to care for the turf areas to see if we can get rid of some of the weeds.

Trustee Murray advised that the Williamsville Methodist Church has requested permission to use Glen Park from 6:00 to 8:00 AM on Easter for a sunrise service and this has been granted by the Joint Board.

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, March 9, 1981 at 7:35 PM

felt this was not an inappropriate thing to do. The original contract between the Town and Village of several years ago (about 1965) indicated that the Village had free lifetime use of space in the building. Lifetime use does not seem to include debt amortization (retirement of the principal and interest on the building). This position is now agreed to by the Town and it is conceivable that we could trade off our equity in this building (about \$100,000) and previous charges and interest at 12% in the building for the purpose of combining the fire hall with the court facility. When the Courthouse is removed from the Main Street facility to a central Town location the Village could possibly trade our equity in this building for the courthouse building or some portion of it.

Trustee Brenton stated that as far as the truck bays are concerned, drawings have been developed and we have a total concept of what we will want to do. There is a question of whether or not we can accomodate the needs of the fire department in the courthouse basement and if we can we will proceed from there.

Trustee Brenton stated his first resolution deals with reconstruction of a collapsed area of the Eagle Street sanitary sewer. A month or so ago we declared this area to be an emergency situation and in that there was almost a complete obstruction of that pipe we asked our engineering firm of URS to submit to the Environmental Protection Agency under our Sanitary Sewer Rehabilitation Program an application for the inclusion of the Eagle Street line in our program as it had not previously been identified. They did so and we have been approved. The bids were opened on March 5th. M.C. Morgan and Cimato Brothers, Inc. were to bidders. The work to be done in this particular sanitary sewer will be done by the slip lining method where you enter the sewer through an excavation near a manhole and have polyethylene lining drawn through the area in question and terminate it at the next manhole. Each individual house is then cut into that lining and they are tapped into the now reconstructed sanitary sewer. Our engineering firm of URS recommends this method. Cimato Brothers bid \$46,175 and M. C. Morgan bid \$16,209. The Morgan bid is quite a contrast with the Cimato bid. We are happy with the low bid of \$16,209. We will be reimbursed by the state and federal governments for 75% of the cost since this is an emergency situation and is now included in our sanitary sewer rehabilitation program.

Trustee Bancroft asked where on Eagle Street the work will be done. Trustee Brenton advised it will be east and west of Orchard Place - on both sides of Orchard Place.

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

WHEREAS the Village of Williamsville has requested sealed bids for the emergency reconstruction of the Eagle Street Sanitary Sewer, and

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, March 9, 1981 at 7:35 PM

WHEREAS M. C. Morgan Contractors, Inc. submitted their low bid meeting specifications,

CONTRACT AWARDED

NOW, THEREFORE, BE IT RESOLVED that the contract for the Emergency Construction of the Eagle Street Sanitary Sewer is awarded to M. C. Morgan Contractors, Inc. for their low bid of \$16,209.00.

Eagle Street Sanitary Sewer Reconstruction

Unanimously carried.

Trustee Brenton advised that his second resolution pertains to police protection by the Town within the Village. As many know, the Town no longer functions out of the Town building except for the court personnel in daylight and evening hours when court is in session. In lieu of the lack of that protection it was deemed advisable to add to our agreement with the Town (original agreement dated in 1967) for 24 hours police in the Village. There is to be a motorized patrol to be totally and solely assigned to be in the Village except in some dire circumstance when it could be called to leave the Village for another area of the Town. With that patrol we also have some overlapping from two patrols assigned to the Town at the east and west ends of the Village. Execution of this agreement will provide us with 24 hour patrol within the Village. No area of the Town is entitled to this type of protection. We are able to have this because of our relationship to the Town and building where the police station was.

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

RESOLVED that the Mayor is authorized to sign agreement with the Town of Amherst redefining the nature and scope of police protection to be provided by the Town for the benefit of the Village.

AUTHORIZATION Mayor to sign agreement with Town of Amherst re: Police services

Vote on Roll Call: Trustee Murray - aye; Trustee Bancroft - aye; Trustee Brenton - aye; Mayor Kuzon - aye. Ayes - 4; Noes - 0.

Unanimously carried.

Trustee Brenton advised that his third resolution appearing on tonight's agenda will be temporarily withdrawn as we need more information pertaining to the bidder on this apparatus. When the issue is clarified we will propose it again. There will be a special meeting on March 17th regarding the election results and it may be proposed at that time if we have clarified this.

Mr. Way had no report.

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

Unanimously carried.

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, March 9, 1981 at 7:35 PM

James Saia, 20 Belmont, stated he had asked for a fiscal impact statement on the Mill Street water line project at the last meeting and now we have another project on Eagle Street for a sewer line. He asked if he could have a fiscal impact statement on this also. He said if the government reimburses the Village at 75% who pays the other 25%, the homeowners or the taxpayers in general. Mayor Kuzon advises this comes out of the sewer fund that everyone contributes to. New York State Village Law does not allow the Village to have a special district tax so something like this comes out of the sewer fund.

Mr. Saia said that when the Mill Street sewer was put in the homeowners were advised that they would have to pay for it, or at least that part of it not paid by the government. This was 12½%. Mayor Kuzon said in that case it was a new sewer on Mill Street and the cost was spread over the property owners. The Eagle Street sewer is a reconstruction of an existing sewer and this is different.

Mr. Saia asked when the property owners will be billed for the Mill Street sewer. Mayor Kuzon stated there has been a long drawn out legal process involved in a misunderstanding between the Village and the contractor. This has been settled but there is still some work that has to be done before final acceptance of the sewer. When this is done there will be a meeting to inform the homeowners how the cost will be spread.

Mr. Saia stated that in some previous years the residents were afforded a review of a tentative budget before elections were held. This year they have heard nothing about a tentative budget. Mayor Kuzon advised the budget comes out between the first of the year and before May 1st. This is specified under the law. It depends on who is in power if the budget is brought out at different times for different reasons or advantages. Mr. Saia stated he thought there had been a resolution passed that a tentative budget would be brought out before election time. Mayor Kuzon stated he was unaware of such a resolution. Mayor Kuzon advised the tentative budget will be out by the end of March.

Mr. Saia said someone had asked him before the meeting why the Village form of government was better than the Town form. Trustee Bancroft stated the Village form of government is more efficient because your work is at a very uncomplex level and is not bureaucratic. It is more personal because you know most of the people you represent. It is more effective because we get almost immediate feedback if there is a problem. Village government is less apathetic than the larger types of government, such as the Town, County and State levels. At those levels we are removed from those who represent us. There are many services as a Village that we do not provide and have to rely on others for, but those we do provide are done efficiently and effectively and we know whether the community is happy with the service we do provide. If you go into a Town meeting you know only a few people there and if you go into a County meeting you probably would not know anyone. At the Village level you are on a first name basis with many of the residents.

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, March 9, 1981 at 7:35 PM

Mrs. Carolyn Schlifke, 192 Evans Street, asked Trustee Murray to repeat what was said about the sunrise service at Glen Park. Trustee Murray stated the Williamsville Methodist Church at Oakgrove and Main had requested use of the park from 6:00 to 8:00 a.m. on Easter Sunday for a sunrise service. Mrs. Schlifke stated something like this could cause traffic problems in that area. She is not against it but they should consider requesting the church to ask the police or someone to provide assistance on that day as all the traffic would be funneling into a small area. There is no parking on either side of Glen Avenue so they would have to park in the lots. If there is no one there to direct them there could be problems. This should be brought to the Church's attention.

Trustee Bancroft stated he is a member of this particular church and a typical Sunday would see about 200 attending services on Sunday. This is the first time in some years that a sunrise service will be held and he would anticipate that you would have a very light turnout. If you have perhaps 75 or 80 people attending that would break down to about 20 to 30 families.

Mrs. Schlifke stated this is not the norm for this area, to have a sunrise service and there may be more people who would like to attend it and this could cause problems traffic-wise.

Trustee Bancroft said when he was first approached about using the park he thought they might try an ecumenical service and bring in other members of the community as well, but there was some concern at that point that we should see how it worked out as far as parking, weather and other factors before trying a larger service. Mrs. Schlifke stated this is a public park and is open to Town and Village residents. Therefore, it will really be open to all members of the community and you may get more people than you expect. She thinks that someone, perhaps the Town Police, should be on hand. They could make sure they park properly and look out for pedestrian safety. She thinks the Church should be requested to look into this. Trustee Murray stated she will send a letter to the church about this.

Mrs. Schlifke stated two of the no parking signs are down on Glen Avenue and perhaps the Highway Department could take care of putting up new ones.

Mr. Saia commented on the parking lot behind the Village Meeting House. When people attend functions there, such as the theatrical productions, they seem to do most of their parking in other business lots. The lot behind the Meeting House is in bad shape with ruts, mud and a bad fence. There is no parking on one side of Mill Street. There is no parking on either side of Glen Avenue. He stated he thinks the Board should consider the parking aspects of a building when they lease it out for something or have an event in the park. Maybe the Traffic and Safety Committee should look at an event to make sure enough parking exists for 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, March 9, 1981 at 7:35 PM

Mr. Saia stated the no parking sign in the Meeting House parking lot is illegal. You would not be able to tag anyone parking there. He stated he thinks this lot should be considered a public parking lot and anyone can park there when doing business at a Village establishment. He thinks the Village leased the building out with inadequate parking for the business being done there and seem to be relying on the area businessmen to supply the additional parking in their lots. He thinks if this is the case then the businessmen have a right to use the public Meeting House lot when spaces are available there.

Trustee Bancroft advised that the theatrical group had been advised to contact the businessmen in the area regarding the possible overflow parking going into their lots and advise them that if the owners did not want this to happen they would advise their patrons of this so they would not park there. Trustee Bancroft knows they spoke with Youngs about this. Mr. Saia stated they did not talk to Larry Read or anyone else he had talked to. Mr. Saia stated he had to have four cars tagged in his lot recently. Mr. Read told him his lot was filled and his tenants were complaining about it. Trustee Bancroft stated he will contact the theatrical group about why Mr. Read and others were not contacted. The Youngs did give their permission for parking there. The theatrical parking would primarily be at times when the lots would not be filled, after business hours. If people are using the lots without permission this will have to be clarified with everyone. When we entered into the lease with the theatrical group, it was made clear to them that only limited parking was dedicated to the Meeting House itself. It was made clear to the group that it was their responsibility to notify their patrons where they could and could not park. This is going to take some start-up period. They need a little bit of cooperation from the business community as well.

Mr. Saia stated you want the businessmen to let them park in their lots but the businessmen can't park in the Meeting House lot. There should be more cooperation on the Village's side if they want the businessmen to be more cooperative.

Trustee Bancroft stated they have had to request tenants in an adjoining apartment to not park in the Meeting House lot. The lot is not for private parking. We don't object to people using the lot for short periods of time but we do object to people using it for private parking. Mr. Saia stated the theatrical group cannot keep tabs on where people park. They will park in the most opportune spot, and this is the parking lots in the area. The businessmen he has spoken with are not too happy, especially with the no parking sign in the Meeting House lot. The sign is illegal.

Mrs. Schlifke stated the Traffic and Safety Committee was approached awhile back as to whether we felt it was a good idea to designate the Meeting House lot as a public parking lot. At that time we did not feel it was a good idea, mainly because you have a restaurant next door and one at the corner and there was talk about removing the fence between the back parking lots. The restaurant on the

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, March 9, 1981 at 7:35 PM

corner does not have sufficient parking for its patrons and if the fence were removed to join the lots we would be getting restaurant patrons parking there and not have any room at all for the Meeting House patrons. She stated she is not aware of the sign in the lot. The fence is in bad shape and feels it should be repaired. She does not think it should come down because you would lose the Meeting House parking that you do have and cause more infringement on the business lots in the area.

Trustee Bancroft stated the Traffic and Safety Committee had also looked at the entrance and exit on Main Street for the Meeting House and also on Swan Street. We wanted to wait to see how things worked out before anything was done on this. Mrs. Schlifke stated they wanted to make sure the driveway was wide enough for two-way traffic. With the theatre group, however, everyone will be coming at one time and then leaving at one time so you should have no problem with this. There was talk of having the entrance off of Swan Street but it was felt this was not a good idea because anyone not familiar with the area would not be able to find it. There was also talk of having the entrance on Main Street and the exit on Swan Street but does not know if the group was using the exit onto Swan Street.

Trustee Bancroft stated there is no exit on Swan Street at present. He stated they know that the parking lot has to be improved but they have had to wait for better weather to do this. He stated the side fence is the worst as it seems the next door owner has had the snow plowed from his area onto the fence.

Trustee Bancroft stated that even in the Municipal Lot you have problems with people who park longer than they should in the areas that are marked for specific periods of parking.

Mr. Saia stated he agrees with Mrs. Schlifke. There seems to be a double standard in operation. The Village pays to keep up the lot behind the Eagle House. A banquet was held there recently and they went over the limit as far as the number allowed for the available parking. Now the Eagle House is talking about expanding. Where are they going to park. There should be cooperation between the Village and businessmen as to the parking that is available. The Planning Board is supposed to be considering a master plan that involves parking changes.

Mayor Kuzon stated the suggestion of combining the Meeting House lot with Sorrentino's would have to be explored further to see if they would be amenable to this. The proprietor previously expressed interest in working with the Village and then changed his mind but if parking is that much of a problem perhaps something can be done. He stated he is sure the Traffic and Safety Committee and the Planning Board can consider this. As Mr. Saia stated there is a planning study being done to see what can be done to improve the parking.

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, March 9, 1981 at 7:35 PM

Mr. Saia stated the Board should meet with the business community regarding the parking lot. Some agreement should be made about using the Meeting House lot and the business lots in the area. There has been no approach to the business community regarding this and it should be done. They are mad about the no parking sign in the Meeting House lot. The Village seems to go out of its way in some areas and not others. Mayor Kuzon stated the Eagle House parking lot agreement has been in effect for years.

Trustee Bancroft stated part of the problem at the Meeting House lot is that the sub shop next door has no parking and its customers park in the Meeting House lot. Mr. Saia stated that after the sub shop burned down it should not have been given a permit to rebuild unless it had parking spaces available.

Trustee Bancroft stated this situation should be discussed further. He will bring it up to the Traffic and Safety Committee and stated he will be happy to discuss this further with Mr. Saia if he so desires.

Charles E. Hayman, owner of the Main Village Pharmacy, stated he was recently cited by Mr. Meidel for having window signs in excess of those allowed by the law in the Village. He was given five days to remove the signs that were in excess of the 20% of the window area that is allowed in the Village. He complied with this but upon further consideration he decided to replace the signs because other businesses were not in compliance. He stated he wrote a letter to the Board stating the law should be rescinded. He feels this particular code inhibits small individual businesses from advertising. He indicated he believed the signs could be decorative as well. He stated he received no reply from the Board on this and wants to know how they feel. Mr. Hayman feels the code should be rescinded or rewritten.

Mayor Kuzon stated they had received Mr. Hayman's letter and that Mr. Meidel had replied to the letter as our agent. The existing law within the Village is that only 20% of the window area can be covered with signs and this has to be enforced. Mr. Meidel tries to keep up with enforcing it and finding those to be in violation. Mayor Kuzon stated Mr. Hayman's suggestions on the law being changed can be taken to the Planning Board which is our citizen advisory group and they would make the recommendation for the change. He will take Mr. Hayman's suggestions to them. They will be meeting the first Monday in April at 7:30 PM and they can discuss this at that time.

Mr. Hayman stated that receipt of Mr. Meidel's letter was the first indication he had of the sign code restrictions and he has been here for seven years. There was no response to my letter from the Board. He wants to see what can be done about changing this law. Mayor Kuzon stated the Planning Board will be meeting

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, March 9, 1981 at 7:35 PM

the first Monday in April at 7:30 PM and he will see that this matter is placed on the agenda for discussion. They can then make their recommendations to the Board of Trustees. Mr. Hayman asked if the public is allowed to attend these meetings and Mayor Kuzon advised that anyone can attend. Mr. Hayman is welcome to attend the Planning Board meeting and can bring anyone else who is interested in this code with him.

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

Unanimously carried.

Mayor Kuzon reminded everyone that Election Day is next Tuesday and the polls will be open from Noon to 9:00 PM. The polling places are the Fire Hall, Academy School and the Methodist Church. He encouraged everyone to get out and vote.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the meeting was adjourned at 8:35 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer