

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, April 13, 1981 at 8:25 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft

Lawrence R. Brenton

Michael Kibby

Connie C. Murray

Trustees

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 8:25 PM.

The Clerk read the notice of public hearing regarding the 1981-1982 General Fund, Water Fund and Sewer Fund Budgets for the Village.

Mayor Kuzon advised that this is the time of year for the annual budget hearing which is required by law. In early February, the Mayor (who is usually the budget officer) prepares a tentative budget covering the fiscal year from June 1st to May 31st. He then spoke on the Village's finances and the current condition of the economy.

PUBLIC
HEARING

1981 -

1982

Budgets

Mayor Kuzon reported that the Village is in sound fiscal condition and we want to continue this way. There are some costs that can't be changed. We have to carefully scrutinize how we spend our tax dollars. We want to provide the essential services in the best and most effective manner and are confident this is possible with sound fiscal planning. The Village has the second lowest tax rate in the County. There is only one other village lower than us. It is important to continue the Village form of government. We are close to the people without having the expensive bureaucracy. Some of our expenses are going up due to county, state and federal mandates. The overturning of the IRS ruling concerning interest on time deposits is good news for the Village. These had to be taken into considerations of the budget along with many other things. The cost of doing business has gone up due to utilities, insurance, salaries, employee benefits, etc.

Mayor Kuzon stated the proposed budget is \$925,900.70, or some \$80,000 higher than last year. The Sewer Fund is \$317,312 and the Water Fund is \$485,189.

The General Fund tentative budget proposes expenditures of some \$925,900, revenues at \$426,630 and appropriated cash surplus of \$155,143. Based on these figures the tax rate will be \$16.09 per \$1,000 of assessed valuation. Despite this tax increase of \$1.19 it is less than last year's increase and lower than other comparable villages in Erie County.

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, April 13, 1981 at 8:25 PM

PUBLIC
HEARING (Con't
1981 - 1982
Budgets

Mayor Kuzon then listed some of the items of major expense. Contractual expenses are about 55% of the appropriations, employees expense and benefits about 32%, utilities at 8% interfund transfers and debt service are 11% and the miscellaneous items are 4%. Of the appropriations that have changed from last year, there are 38 items and of these 21 have decreased or remained the same and 17 have increased, 10 of these by \$2,000 or less. The increase in the Clerk's Office is some \$5,000 and is directly related to office expenses and postage. We are going to have a change in our telephone service. A new private system will be used which will improve our service and save us money in the long run. This one time cost of installing this service will save us some \$3,500 annually. Street lighting has increased \$6,000 simply because of utility charges to us from Niagara Mohawk increasing. The Fire Department is up some \$12,000 because of truck expenses, fire alarm expenses and building expenses. Refuse collection has increased by some \$20,000 the reason being that a new contract is being bid for both garbage and trash collection. The Village will only pick up larger items such as refrigerators. There will be twice weekly pickup in the summer. Street maintenance expenses have increased due to the cost of gas, oil, blacktop and the safer roads program.

The total increase in water and debt service funds of \$1.19 or 8% is less than the inflation rate. Of the \$16.09 tax rate, approximately \$3.54 is spend on general government, \$4.34 is spent on streets, \$2.57 on refuse, \$1.61 on the Fire Department, \$.64 on parks, \$.49 on community services (youth and senior citizens), \$1.13 on employee benefits, and \$1.77 on transfers and debt service. The impact on Village homeowners with a \$7,000 assessment would be an additional \$.70 per month in village taxes. Over the past ~~13~~ years the increase has been 18% or an annual average of 6%.

The Water Fund totals about \$485,000. The largest expense is the purchase of water which is anticipated to be \$353,000. However, at this time we have not been notified of any increase in rates but if they do increase the Village will be compelled to raise the rates to the consumer.

The Sewer Fund is some \$317,000 with our share for the sewage treatment plant some \$235,000. There will be a public hearing tonight regarding the sewer rates for the coming year. These aren't increasing but will remain the same as last year - \$.62 per 1,000 gallons and \$5.21 per \$1,000 assessed valuation.

Mayor Kuzon advised that all Trustees were involved in the budget process. Department Heads met with the Board to examine their fiscal needs and priorities. We are trying to plan the budget using sound fiscal planning and professional management.

Mayor Kuzon said the budget is scheduled to be adopted on April 27th. The Board wants to hear the public's comments tonight and also the public can contact Board members if they have any comments after tonight but before April 27th.

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, April 13, 1981 at 8:25 PM

James Saia, 20 Belmont, stated some don't agree with the budget. It is said to be based on sound fiscal planning. There is a move toward economy at the federal government level and the Village government should do likewise. Under the two-party Board in the past the anticipated budget was available before election. Mr. Saia stated the General Fund has gone from \$691,000 to \$925,000 in two years. The Sewer Fund has been removed from the General Fund. By doing this a special assessment has been created and we have some residents who are not charged this fee. Some do not have water and some are within 150 feet of a line and are not charged. Some don't have sewers and they have lower taxes. They are in a special sewer district. They should pay their fair share. This sewer tax has also seemed to result in an illegal exemption for those having senior citizen and veterans exemptions on their taxes. They should not be exempted from this fee. The Town does not allow exemptions on this fee. If the Village does not remove the exemption from this fee it puts a burden on the rest of the taxpayers. Government books should be audited once a year. This is not done here. An audit might discover some charges that are overlooked in the Sewer Department. Our water rates are higher than those in Kenmore and some other areas. The water loss is 45% to 50% despite spending money which has not produced positive results and is driving up the debt in the Village. He stated there is a problem with the parking behind the Eagle House and Fire Hall. The Eagle House is expanding and he thinks they are doing a good job with it but the parking situation remains a problem. A member of this Board is concerned with the green area in the parking lot. A business will occupy every available parking space it can. The Village passes on the cost of maintaining this area behind the Eagle House and if there is green area we will have to take care of this too. We also have to do paving and plowing of this area. This should have been stopped. The Fire Department parking lot is not a public lot. He stated he furnished documentation to the Zoning Board meeting and no action was taken. This expansion will contribute to the high density of cars in this area and add to the pollution. Mr. Saia said the antiquated method of figuring parking spaces should be discarded and a new method used that would take into account the smaller size of today's cars. In the past, Boards have taken the initiative and made changes in ordinances and zoning laws in the best interests of Village residents. Examples are the Jacobs' property and Glen Park. Perhaps a pay-as-you-go parking area should be considered.

PUBLIC
HEARING
(Con't)
1981 -
1982
Budgets

Mr. Saia stated that he was appalled at the Zoning Board meeting to find that the Fire Department and Traffic and Safety Committee were not notified of the expansion at the Eagle House. This should have been done.

Mr. Saia stated fiscal impact statements should be made available on projects that are proposed. We should have one tonight for the Mill Street water line. We never seem to get any fiscal impact statements.

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, April 13, 1981 at 8:25 PM

Mr. Saia stated the Mill Street sewer project has been completed and the residents have not yet started paying for it. Has this been paid from the General Fund? If so, this is costing the rest of the taxpayers money.

PUBLIC
HEARING
(Con't)

Mr. Saia stated he thought the Village Board should have become more involved in the Academy Street School closing. There should have been a public hearing held by this Board for Village residents only. The Village should have tried to get Village residents more involved before the vote to close the school. The value of Village homes will be affected by this closing. There was only a letter sent by this Board to the School Board asking for a meeting between the two Boards before the vote took place.

1981 - 1982
Budgets

Mayor Kuzon advised we have a Local Government Committee which is studying ways to improve our government and they are receiving assistance from the State in this endeavor.

Mr. Saia stated the Village has lost the police station, the post office and now the school.

Mayor Kuzon said that with respect to an agreement to publish the budget before elections he was not on the Board at that time and was not aware of any resolution to this effect. He stated the budget should not really be a political issue. It should be taken as a serious issue. Mr. Saia stated he believes a resolution was made regarding this and Mayor Kuzon advised he will check on this.

Mr. Saia stated there are some people who are not paying their fair share of the sewer fee since it was separated from the General Fund. Mayor Kuzon stated that when the sewer fund was separated from the general fund there was controversy over this, especially over the way the charge was being assessed. He stated one of his campaign promises was to change the method so that operation and maintenance costs were based on consumption and the capital costs were based on assessed valuation. Those who use the service should pay for what they use. We believe the method presently used is the most equitable method. All of us who live in this area where the sewage treatment plant is should share in the capital costs so it is based on assessed valuation. That way, even if they don't have a sewer now they are helping to pay for the capital cost of the plant because at some future time they may tap into the sewer. We feel that everyone is now being charged their fair share of the costs. Mr. Saia stated he agreed with this. He stated he understood that the senior citizens and veterans who have exemptions on their other taxes also are getting exemptions on this sewer tax. This is not fair. Mayor Kuzon advised that the exemption is only good on the property taxes and does not apply to the sewer tax.

Mr. Saia stated by taking the Sewer Fund out of the General Fund it would seem we are paying less in tax but this is not true. Mayor Kuzon stated there was a reduction in property taxes but the residents pay a sewer charge.

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, April 13, 1981 at 8:25 PM

Mr. Saia stated the residents on Danbern Lane do not pay a fee. They should be connected to the system and not have septic tanks. They are in a sewer district. Mayor Kuzon stated he does not think Village law allows us to have a special assessment district. The Town is governed by a different law. Mr. Saia stated the Town pays a lesser rate but there are charges to those in sewer districts. People were all paying into the sewer fund before it was separated and it seems that by taking out the sewer fund you are rewarding these people for not having sewers. There is no reason to tap into a sewer if you don't have to pay for it. He stated he had to wait 22 years for a sewer on Mill Street but he still paid the general tax which included the sewer tax at that time.

Mayor Kuzon stated that with respect to the lack of an audit, the New York State Comptroller's Office just did an audit last summer. Mr. Saia stated he doesn't think the State knows what they are doing. Mr. Saia also stated he thought it was illegal when the Village was charging a sewer fee based on the total cost of the water bill and not on the water consumed. Did the audit find that. Mayor Kuzon stated they checked the books but did not list this as a problem. Mr. Saia stated the State is not doing its job. There will not be another audit for three years. He feels that one should be done every year.

PUBLIC
HEARING

With respect to the water loss question, Mayor Kuzon stated he feels the Board has taken positive steps to reduce this loss. One is completion of the Mill Street water line. There is a water loss detection program underway. With respect to the 45% to 50% water loss this is not accurate. The amount of loss varies during the year and can run extremely high in cold weather and low in hot weather. The Board is taking steps to reduce the water loss. Mr. Saia stated that when someone questioned what the water loss was previously it was stated to be 50%. This hasn't seemed to change much and a lot of money has been spent on leaks. Mayor Kuzon stated he can show Mr. Saia charts in the Water Department regarding the correct amount of leakage.

(Con't)

1981 - 1982
Budgets

With respect to fiscal impact statements, Mayor Kuzon stated there is one attached to tonight's agenda for the Mill Street water line. Mr. Saia stated that when he has asked in the past no answer was given to him. Mayor Kuzon stated they are available in the Village Clerk's Office on most occasions.

Mayor Kuzon stated that with respect to the Mill Street sewer line this has not been billed as yet because we have been involved in litigation. This has been recently settled. Mr. Saia stated some of the bill must have been paid and was it paid out of the General Fund. Mayor Kuzon stated this project was done under a bond and this means interest. The residents are given two choices - to pay one large payment or to pay it over a few years on their tax bill. This matter was in arbitration and could not be billed to the residents. Trustee Brenton stated the job is still not actually completed. Mr. Saia stated the Village has to pay interest

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, April 13, 1981 at 8:25 PM

while waiting for the litigation to be resolved. Mayor Kuzon stated he believes the interest would have been there even if there had been no litigation. Mr. Saia stated if the fund is paying interest at present that is the whole Village paying the interest. If this had been paid for by the residents involved the whole Village would not be paying this. Mrs. Cummins stated the Village will be paying one-third and the affected people two-thirds of the cost so the whole Village is not paying the entire cost of the interest. It is impossible to bill a project like this until we have a total cost in because it is on a per foot basis and a public hearing has to be held to tell the affected residents how much it will cost them. If it is not complete you cannot tell the residents their share is so much and then go back and tell them you need more later. Mr. Saia asked when the residents tapped into the sewer and Mrs. Cummins advised is was 1½ to 2 years ago.

PUBLIC HEARING
(Con't)

Mayor Kuzon stated that as far as the closing of Academy School was concerned the Board members were involved in trying to keep the school open. We passed various resolutions concerning this. We sent a letter to school board asking to meet with them concerning the closing. He stated he didn't feel it was the responsibility of the Board to call for a public hearing. The School Board held hearings on this. Our actions are limited by certain statutes. We did as much as we could. The letter to the school board was not a token letter. Mr. Saia said the Village Board members did make individual statements on this. If the Board had taken action such as was done when the airport wanted to enlarge perhaps we could have been as successful. He feels the value of the homes has been affected by the closing. Mayor Kuzon stated he had not seen any figures that the closing had any effect. The others who moved out of the Village had nothing to do with Village government. The post office is a federal facility, the police station is a Town facility and the school is dealt with by the school board. The Village itself has not decreased its services. The changes were made because the agencies involved felt it would improve services, and they are responsible for moving the facilities.

1981 -
1982

Budgets

Mayor Kuzon asked if Mr. Saia could name anything that in anyway been decreased as far as Village services are concerned. Mr. Saia stated he did not see that anything had decreased. Mayor Kuzon stated we have increased the parks and the recreation programs within the parks. We are adding what we hope will be increased garbage service. Mr. Saia stated we are paying for some of these things like youth and senior citizens in the Village and are also are paying for the Town program and this is double taxation. We pay twice for it.

Mr. Saia wanted to discuss the parking behind the Fire Hall. Mayor Kuzon stated he does not feel this is related to the budget. Mr. Saia stated we are paying for maintenance of the lot. Mayor Kuzon stated we have a contract with the Eagle House and with Gelia to basically light, plow and when necessary, pave it. It has not been necessary to pave this lot in recent years. Our present responsibility is to plow and light it. Mr. Saia stated this is a cost to the taxpayer. Mayor Kuzon stated the cost is no more this year than last year.

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, April 13, 1981 at 8:25 PM

Trustee Murray stated that with respect to the budget it is discussed in work sessions and these are open to the public and they are invited to come and see what is being done. She stated she was disappointed that Mr. Saia didn't come. Mr. Saia stated he does enough for the Village and he doesn't get paid for it. He stated he went to the Zoning Board meeting regarding the parking. The Board members are his representatives.

PUBLIC
HEARING
(Con't)

Trustee Murray stated she agreed that the Board did not do enough to save the school but took exception to the statement that they didn't do anything. She stated she was deeply involved in trying to save Academy. Mr. Saia stated he knew the Board members had worked individually to save the school but that the Board should have acted as a body representing all the residents of the Village. They should have held a public hearing for the Village residents. Many wanted to see Academy stay open.

1981 - 1982
Budgets

Richard Hill, 18 Brookside, asked if the Village went with the private collection of garbage and trash, would that include leaves and brush. Mayor Kuzon stated it would include brush and lawn clippings. Leaves will still be picked up by the Department of Public Works as will the larger items such as refrigerators. The private contractor would pick up things that can be put in cans or trash bags. There is a proposal that the Village purchase a leaf baler. With the baler the leaves would be baled like hay and left at the curb for later pickup.

Mrs. Carolyn Schlifke, 192 Evans Street, said the Village seems to be spending more money on picking up garbage than on any other item. This does not seem proportionate. She knows this is an expensive thing to do but there must be some way this can be trimmed. You have \$150,000 for refuse collection compared with \$91,000 for street maintenance. Mayor Kuzon said the average person is paying \$2.57 per \$1,000 for refuse and garbage. An average home of \$7,000 comes out to be a little more than \$17.00. In Amherst you pay about \$60.00 a year for this service, so we have a savings here. Mrs. Schlifke stated this seems reasonable but it also seems that the proportion is all wrong.

Trustee Brenton stated this concept of picking up the trash with the garbage is the lowest pickup cost in the whole area. There are 2,200 stops. The contractor knows this. Also you pay for this with your taxes so it is deductible. It is not deductible in the Town. Service is provided twice a week during the summer and last year it was estimated it costs \$10,000 to \$15,000 for the extra pickup. While this is a luxury, Village residents don't seem to want to give this up.

Mrs. Schlifke asked if this cost includes the cost of the Department of Public Works picking up the larger items of trash. Trustee Brenton stated it did. They pick up large tree limbs and metal items. They will pick up the items that would not compact easily. By going with a private service we do not have the responsibility of buying a new packer which would cost about \$70,000 plus the

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, April 13, 1981 at 8:25 PM

interest. Also, dump fees are increasing all the time. The whole project has been discussed and thought out over the past year. We hope to be soon enacting a Village ordinance regarding garbage and trash and we will explain to the public how things should be done as far as using containers and the sizes of items that will be picked up.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the hearing was closed at 9:23 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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, April 13, 1981 at 9:23 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft
Lawrence R. Brenton, Trustees
Michael Kibby
Connie C. Murray

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 9:23 PM.

The Clerk read the notice of public hearing regarding the 1981-1982 Federal Revenue Sharing Budget for the Village.

PUBLIC HEARING

Mayor Kuzon advised that this is the second of two required public hearings regarding our Federal Revenue Sharing Funds. At the first public hearing we solicited public comment as to how to spend the funds. No one spoke at that hearing. Since that time, the Board has put together a budget as to how we want to spend these funds. We have a total amount of \$53,000. The proposed spending plan is: \$1,200 for the Treasurer's Office for a new typewriter; \$300 for the Clerk's Office; \$9,300 for repairs at the Department of Public Works garage; \$25,434 for the Fire Department for major equipment and \$3,541 for radio repairs; \$3,000 for new cleats for the sidewalk plow for snow removal; in the area of parks - repairing restroom doors on Island Park \$595; tables \$2,000; and Garrison Park pool repairs \$1,800; for shade trees, the purchase of a leaf machine at \$5,780.

1981 -
1982
Federal
Revenue
Sharing
Budget

James Saia, 20 Belmont, stated the Island Park area is used by the Town as well as Village residents and perhaps the Town should be paying for some of the repairs back there. The Town residents use this park and when you have Old Home Days back there you have a lot of people using it. More people use it during Old Home Days than during the rest of the year. He stated the Town should be paying some of the cost.

Mayor Kuzon advised that the Town's position on this would be that they don't own the park and would not pay anything.

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, the hearing was closed at 9:28 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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, April 13, 1981 at 9:28 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft

Lawrence R. Brenton

Trustees

Michael Kibby

Connie C. Murray

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the hearing to order at 9:28 PM.

The Clerk read the notice of public hearing regarding the proposed sewer rent rates for the 1981-1982 year per Section 41.20(1) of the Sewer Rent Code.

PUBLIC HEARING

1981 -

1982

Mayor Kuzon advised that the sewer rent charges have been an item of much controversy for the last few years since its separation from the General Fund. He stated he had made a campaign promise when he ran for Mayor to examine the way the charges were assessed and a more suitable method of charging for this has been adopted. The charges consist of two items - the cost for operation and maintenance includes treating the sewage and running the plant, and the capital cost is for paying off the principal and interest on the construction costs of the plant. To make the charges more equitable, the operation and maintenance costs are based on water consumption on the theory that the best method is for a consumer to pay on the basis of how much he uses. The capital costs are based on assessed value. This year the method will remain the same. Part of the procedure established was that the method would be the subject of a public hearing every year. One problem with the former method was that once it was adopted there was no room for change other than to enact a local law and it was felt that it should be reviewed every year to see if changes were required so this was built right into the procedure. The sewer charges will be \$.62 per 1,000 gallons for operation and maintenance and \$5.21 per \$1,000 assessed valuation for capital costs. These are the same rates as last year. There is no increase.

Proposed Sewer Rates

James Saia, 20 Belmont, stated he had disapproved of the original method that was used. Mayor Kuzon stated that method was used for a year and then revised. Mr. Saia stated he thinks this plan is proper but there are a few flaws. He stated there are some people in the Village who do not pay this even though they are within 150 feet of a sewer. Mayor Kuzon stated we would like to know who they are and Mr. Saia said it was the Village's job to find out who they are. If you live in the Village and don't have water you pay \$5.21 per \$1,000 on assessed valuation. If you live on Creek Road you have water but don't have the sewer and are polluting (which the government is trying to eliminate under the Clean Water Act) and these people should start paying the \$5.21 per \$1,000 fee because someday they may be tapping into the sewer and they should start paying for

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, April 13, 1981 at 9:28 PM

it now.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was closed at 9:33 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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, April 13, 1981 at 7:36 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft
Lawrence R. Brenton Trustees
Michael Kibby
Connie C. Murray

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:36 PM.

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

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the minutes of the public hearing held March 23, 1981 regarding proposed use of 1981-1982 Federal Revenue Sharing Funds were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, the minutes of the reorganizational meeting held April 6, 1981 were approved.

Unanimously carried.

Mayor Kuzon introduced Tom Maynard of the Federal Emergency Management Agency who presented his agency's flood insurance study. This is in draft form.

Mr. Maynard introduced Jim Peterson of DeLeuw, Cather who did the study for the federal government.

FLOOD INSURANCE
PRESENTATION

Mr. Maynard stated the flood insurance plan has two basic purposes - low cost subsidized flood insurance for those in identified flood areas (the dark shaded areas on the map), although insurance is available to anybody in the Village because the Village participates in the program; and to prevent any future unwise development in identified hazardous areas. There are two aspects to the program. One is obtaining flood insurance from an insurance agent and the other is flood plain management in regard to future development of an area. There are two phases to the program. The Village is now participating in the emergency phase. The Village will convert to the regular program when the study is complete. There are some important differences between the emergency and regular programs in terms of insurance and flood plain management.

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, April 13, 1981 at 7:36 PM

Mr. Maynard passed out booklets and directed everyone's attention to page 4 and a table indicating the insurance coverage available and the rates it can be obtained at. Under the emergency program a single family home can obtain as much as \$35,000 at the subsidized rate of \$.25 per \$100 or \$88 per year. There are other types of coverage available, such as covering contents for \$10,000 at \$.35 per \$100. Also you can get coverage for nonresidential and contents at the rates indicated in the booklet. These rates are subsidized and not based on degree of risk. The rates are the same throughout the Village regardless of the risk because the flood insurance study is not done. Because of the study we have a better idea of what the true risk areas are so an additional layer of insurance is available after the study when you convert to the regular program. Under the regular program a single family home can obtain \$185,000 coverage with contents at \$60,000 and other coverages are available. The rate structure for the second layer is different. It is available at actuarial rates and based on the degree of risk. An existing single family home in the dark area, or the 100 year flood plain, built before the completion of the study is considered to have been built without knowledge of the flooding and can still be insured for the first layer of \$35,000 at the subsidized rate of \$.25 per \$100 and an additional \$15,000 can be obtained at the actuarial rate (for example if the house is \$50,000). Chances are it will be more expensive in the dark area. If a building is located in another area such as Zone B (500 year flood plain) the actuarial rate is cheaper than the subsidized rate.

FLOOD INSURANCE
Presentation (Con't)

Mr. Maynard stated there is an important correlation between the insurance rate and the manner in which new buildings are constructed. The rates pertain only to existing buildings. Any new buildings after the study is in effect after a year or less, those rates will be actuarial for the full amount of coverage because we have better information from the study and maps. We want any new building to be built properly. If a structure is built so the lowest floor is below flood level the actuarial rate would be very expensive because the risk of flooding is more likely.

Mr. Maynard said that as a condition for joining the flood program the Village adopted a resolution or local law to get into the program and had certain minimum requirements. Now that the study is done the Village will have to update the law to make use of the information provided by the study. There is a squiggly line indicating elevation above the 100 year flood level. With that knowledge it is required that the lowest floor, including the basement, be elevated so it is equal to, or above the 100 year flood level. If it is non-residential you can require this or a dry, flood-proof building. Mr. Maynard stated his other map shows the floodway, or the area within 100 year flood plain which is the most hazardous part of the community. This area is usually closest to the channel where the velocity of the water flow is the greatest. It can also be used as a tool to prevent encroachment into the flood plain and the acceptable limits of encroachment. If there is obstruction 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, April 13, 1981 at 7:36 PM

the flood plain when you have a flood the water cannot pass through there efficiently because you have created additional obstructions and the water has a tendency to rise up and you want to control this encroachment. You can still build in the flood plain but the restrictions are stringent, especially in the floodway. This area is quite narrow in this community. It is usually at the channel banks or a few feet on either side. There would be a new law with no buildings in the flood plain or doing any filling or grading that could affect the flood heights. The administrative system will be a building permit system, and the Building Inspector is asked to review any proposed development in the 100 year flood plain, including buildings and fill, to establish whether it will have an adverse effect on flooding. He would have to require that the application indicate that the building will be elevated to or above the 100-year level and whether it encroaches in the floodway. Fill is okay but not in the floodway. Mr. Maynard stated he will leave a copy of a model law with the Village Attorney for guidance in formulating a local law, and it includes the standards that have to be incorporated in the law to maintain eligibility for the flood insurance program.

FLOOD INSURANCE
Presentation

Mr. Maynard introduced Rebecca Anderson of the New York State Department of Environmental Conservation who will provide any necessary assistance when adopting this law. There are a few steps between now and then. We have met in the past to decide what to study and then to go over the work maps prepared by DeLeuw, Cather. Now we are going over the maps that were prepared. These are draft maps. If there are any major problems or concerns they should be brought to our attention tonight and before the 90-day appeal period is up. The appeal period begins after the second publication of a legal notice in the Village newspaper. After the appeal period ends you have six months conversion period when the Village has to update its law to meet the minimum federal requirements. At the end of the six months the Village will be converted to the regular program and federal insurance amounts made available. (Con't)

Mr. Maynard advised that the Village can enter the program a little earlier if they wish. Another Village wanted to enter the program early and they sought the assistance of Congressman Kemp and they were able to enter the plan quicker than normal. Congressman Kemp has requested that this consideration be given to all his district. If the Village wants to get into the program earlier they may do so as long as they adopt a law before the 90 day appeal period ends. He stated that Rebecca Anderson and he will contact the Village to see if they want to do this.

Mr. Maynard then opened the presentation for questions.

James Saia, 20 Belmont, asked if we have had this program before. Mr. Maynard stated this program has been in effect for six years.

Mr. Troy asked if the underlying basis for this program is a federal subsidy. Mr. Maynard stated that this is true at 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, April 13, 1981 at 7:36 PM

present time but hopefully over time it will not be. Mr. Troy asked what the administration's plans are for continuing subsidizing this. Mr. Maynard stated he does not know what the plans are. The program is based on the premise that this will eventually save the taxpayer money. Without this program when you have disasterous floods the amount you pay out in disaster assistance and small business loans is enormous. With proper management over a period of time, there will be less and less need for this type of assistance because the buildings will be properly constructed and won't be affected by the floods as in the past.

FLOOD INSURANCE

Mr. Troy asked what the effect would be if the Village decides not to continue in the program. Mr. Maynard stated that normally the community would be suspended from the program, and insurance would not be available if someone needs it or a policy could not be renewed. However, New York State has a law covering this.

PRESENTATION

(Con't)

Rebecca Anderson stated that if a community is suspended from the flood insurance program the State comes in and puts the community under Section 500 of the Environmental Conservation Law and sets up a program for the community. You would need permits to build under this law but they would be obtained from the State Environmental Conservation Department on Delaware Avenue rather than from the community.

Mr. Troy asked if anyone knew how many Village residents are participating in this program. Mr. Maynard stated he could look that up and let us know. Mr. Maynard explained that flood insurance is mandatory if a person is obtaining a mortgage for building in the 100 year flood plain and obtains the mortgage at a federally regulated bank. The bank has to require flood insurance to approve the mortgage. Mr. Troy asked what a federally regulated bank is and Mr. Maynard advised it was really any bank that was covered by the FDIC or other federal regulations. Mr. Troy stated he could see that being true in the case of a VA or FHA mortgage but was not sure this was true if the bank just had FDIC regulations. Mr. Maynard stated this was the case and they have to require flood insurance if the building is in the 100 year flood plain.

Trustee Bancroft asked how the 100 year flood plain was established. Mr. Peterson stated it was a statistical determination. Trustee Bancroft asked if anyone made an actual physical survey of the 100 year flood plain area. Mr. Peterson stated it was a combination of a survey and a desk-type analysis. There were aerial photos from which the elevation was taken and used the computer for the 100 year discharge. Trustee Bancroft asked whether previous data available to us as a community would have indicated a greater or lesser 100 year area. Mr. Peterson stated the 1960 flood was a 20 year occurrence and these are the first records kept of the flooding. There was a worse flood in 1936 but they did not keep records at that time. It was estimated that the 1936 flood was about a 50 year occurrence and there have been changes in the water shed since that time.

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, April 13, 1981 at 7:36 PM

Trustee Bancroft said that the only information available then would be on the 1960 flood. Mr. Peterson stated the Corps of Engineers had information on that flooding and this was used in their analysis. Trustee Bancroft asked if we have a significant flood plain area. There are some portions of Ellicott Creek and Tonawanda Creek that are more prone to flooding but the Village itself does not have that much flooding. Mr. Peterson stated it depends on what you mean by severity of flooding. At the 100 year stage we are dealing with two to three feet of flooding from the existing street level as an average of the community. Eighty percent of the area would be flooding to that degree but you would have some areas of deeper flooding and some who were shallower.

FLOOD INSURANCE

(Con't)

Trustee Bancroft stated the Village is a relatively mature and developed community and asked if they were familiar enough with the maps to identify where the developed areas are that fall within the 100 year flood plain. Mr. Peterson stated the only area not developed would be Glen Park but he is not familiar enough with this area to say what else would be affected.

Trustee Kibby asked if all buildings are required to be above the flood zone or floodway. Mr. Maynard stated they have to be at or above the 100 year flood level. If the building is in the flood plain it has to be elevated, including the basement. In the floodway no new buildings or fill are allowed. The floodway would be within a few feet of the creek but the area would be wider in the northern part of the Village. The floodway map shows it to be not more than 200 feet at that point, including the creek.

Trustee Kibby asked who is required to have flood insurance and if he knows who in the area already has insurance. Mr. Maynard stated he does not have a listing at hand on those who have the insurance but he can get that. Residents in the dark shaded area would be the ones required to have flood insurance if there were any turnovers in the housing or a new building built since the program went into effect. Also some may have purchased insurance in a year such as 1977 when flooding was expected but they could have let their policies lapse when no flooding occurred.

Trustee Kibby stated if you participate in this program he could see that within 30 years anyone using a federally regulated bank for a mortgage would have to get this insurance and you could not buy or build unless you had a rich uncle if you did not want to take this insurance. Trustee Kibby stated that in a few years the total premiums for this insurance could be substantial on a large home.

Trustee Kibby asked if the only amount required is that on the unpaid principal that is outstanding from a federally regulated bank. Mr. Maynard stated this is correct but more is available if someone wants it. Trustee Kibby stated he doesn't believe there will be a great groundswell in the community to go after this insurance. He stated you may have a \$45,000 mortgage now

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, April 13, 1981 at 7:36 PM

and pay \$88 per year for the insurance but feels that in three years everything could change. Mr. Maynard stated the first \$35,000 would still be \$88 if the building is already built and the other \$10,000 would be a little more depending on the elevation, roughly \$.40 to \$.50 per \$100. Trustee Kibby stated he is concerned about locking the community into what in 2 to 3 years or 12 to 14 years down the road could be an expensive bill to pick up. Mr. Maynard stated he does not have the figures with him but he can get them for us.

Mayor Kuzon stated we have to adopt a local law and enter the flood insurance program or opt not to do so and then the State would come in under Section 500 of the Environmental Conservation Law and we would have a flood insurance program under that. Miss Anderson stated if the State comes in it puts a burden on the residents of the community because if they want to build in the flood plain they have to come to the State to get a permit.

FLOOD INSURANCE

(Con't)

Mayor Kuzon stated the flood program includes adopting a local law and asked what impact beyond that it will have on the community, and what will be the responsibility of the Building Inspector, Village Board and Planning Board. Mr. Maynard stated the law has to be enforced. He stated that the federal and state governments will assist the community in implementing the program and meet with the people involved and go over the details of the program with them. This is done every few years, or more often in the more active communities, and there is plenty of assistance available if it is needed.

Mr. Troy asked if the Village, by adoption of this local law, will be required to undertake projects to ease flooding. Mr. Maynard stated this is not required. You don't have to do anything in the established flood plain. You prevent any new building from being a hazard and the program's approach is to mitigate the hazard in this way. If the community were to desire making certain changes to decrease flooding they will have the use of the study to determine what the flow is and where best to undertake work.

Mayor Kuzon stated he has read in the paper and talked with Supervisor Sharpe regarding anticipated channeling of Ellicott Creek downstream from the Village and asked if this will change the map for the Village. Mr. Maynard stated it is possible this will affect the map. If this is done when the work is completed it should be submitted and it will be analyzed to see what effect it will have.

Trustee Murray advised there were some inaccuracies on the maps as there were streets missing and if someone lived on a street in the flood area and the street is not listed they possibly could not get insurance. She stated the Village could provide a correct map for them to use. Mr. Maynard stated she should give the information to Mr. Peterson and they will be corrected on the final maps. The final maps are done after the appeals period. There is a period of time available to make changes either now or during the appeal period.

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, April 13, 1981 at 7:36 PM

Trustee Murray asked if population changes make any difference. Mr. Maynard stated this should be corrected. Trustee Murray stated our population is now 6,017.

Mr. Maynard asked the name of the paper for publication of the legal notice and was advised it was the Amherst Bee. Mayor Kuzon asked if Mr. Maynard was out of the New York City Office and Mr. Maynard advised he was. His telephone number is 212-264-4734. He did say that it would be better to call Miss Anderson first here in Buffalo. He asked where the maps would be available for public review as they have to include that in the legal notice. He was advised they would be in the Village Clerk's Office. Mr. Maynard stated the Village will receive notification of when the notice will appear. FLOOD INSURANCE (Con't)

Trustee Brenton asked if everyone in the Village had to have this insurance. Mr. Maynard said only those in the dark shaded area known as the 100 year flood plain, but anyone else can get it if they want.

Trustee Brenton asked if the DEC restrictions would be as stringent as the federal restrictions if the Village decided not to join the federal program and had the state program instead. Miss Anderson advised that the restrictions are the same.

Trustee Brenton stated there is a significant amount of property not developed within the flood plain area and he feels the restrictions would make development prohibitive to the owners in this area. He feels the cost of insurance would be very significant based on the \$88 for \$35,000 even if it is limited to those in the dark area and have significant impact on those wanting to buy or sell in this area. He doesn't really see the need for this program. He is very concerned about this program and in particular, about the community being forced into this type of situation. If we don't go with the federal program we have to take the state program and it is identical to the federal program. We have to do this. He stated he does not like the federal and state intrusion into this area.

A girl asked why it was necessary to have a flood plain at all. Mr. Maynard stated the data we have on a 20 year flood means that a 100 year flood is much greater and we don't have records of one happening in this community but it could. The girl asked why this was not an option but a requirement to have this insurance. Mr. Maynard stated you are obtaining money from a bank that is federally regulated and in some states where a law does not exist allowing the state to come in a bank would chose on its own not to issue the mortgage because they have to protect their investment. It is the same thing as requiring fire insurance.

Trustee Bancroft stated the flood plain is an anticipation of the worst flood that could occur. Mr. Maynard stated it is based on probability. There is a 1% chance in any year of this occurring.

Doris Bouchard, 1350 Maple Road, a business owner in the Village, asked who says a bank cannot give out a loan without the insurance. Mr. Maynard stated a federally regulated bank is controlled by 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, April 13, 1981 at 7:36 PM

acts of the congress.

A gentleman asked if copies are available of the map. Mayor Kuzon stated there are copies available in the Village Clerk's Office. These are preliminary maps. Mr. Maynard stated 25 are given to the community and also a copy of the draft report. FLOOD INSURANCE (Con't)

A lady asked if you already own a home are you required to have insurance. Mr. Maynard advised you are required to have the insurance only if you are refinancing your home and getting a new mortgage.

Mayor Kuzon asked what the next step will be. Mr. Maynard stated there will be a 90 day appeal period beginning in about a month.

Mayor Kuzon stated we can adopt a local law before the 90 days is up and go into the program early or we can wait until after that period. Mr. Maynard stated after the 90 day period you will be entering the six month conversion period and then have that time to adopt the law to maintain your eligibility. If you don't adopt a law then the state would come in.

Mayor Kuzon thanked Mr. Maynard for his presentation on the flood insurance study.

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, it was moved to suspend the rules at 8:25 PM in order to hold a public hearing regarding the 1981-1982 General Fund, Water Fund and Sewer Fund Budgets for the Village. (The hearing was closed at 9:23 PM.)

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, it was moved to suspend the rules at 9:23 PM in order to hold a public hearing regarding the 1981-1982 Federal Revenue Sharing Budget. (The hearing was closed at 9:28 PM.)

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, it was moved to suspend the rules at 9:28 PM in order to hold a public hearing regarding the 1981-1982 sewer rent rates. (The hearing was closed at 9:33 PM.)

Unanimously carried.

Mayor Kuzon then advised that at the reorganizational meeting on April 6th Trustee Brenton was designated Deputy Mayor. Also, the following committee assignments were made:

Trustee Murray - Parks and Recreation, Glen Park,
Environmental, Beautification

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, April 13, 1981 at 7:36 PM

COMMITTEE
ASSIGNMENTS
ANNOUNCED

Trustee Kibby - Planning Board, Board of Appeals, Building and Plumbing Department, Community Development Funding

Trustee Brenton -Department of Public Works, Water, Sanitary and Storm Sewers, Lighting, Fire Department, Traffic and Safety

Trustee Bancroft-Village Meeting House, Insurance, Youth, Old Home Day, Senior Citizens, Public Buildings

Mayor Kuzon - Personnel, Budget, Justice, Legal, Assessments, Intergovernmental.

Mayor Kuzon stated he has asked the Trustees to establish goals and objectives for their committees by May 1st and present them to the Mayor so we can set a course for the coming year. Some annual appointments were also made at the meeting. Mr. Troy will continue as Village Attorney as will Joe Stoeckl as Village Prosecutor. Judge Robinson will continue in his post as will Theresa Cummins as Tax Collector & Registrar. Mary Harrigan will continue as Deputy Clerk and Deputy Registrar and Elaine Garano will also continue as Deputy Treasurer. Elizabeth Springer is the Village Historian.

Mayor Kuzon advised there is a slight change in our schedule of meetings. They will still be held on the second and fourth Mondays but during July and August there will only be one monthly meeting. This year the July and August meetings will be held on July 13th and August 10th. The rest of the meetings will be held on the second and fourth Mondays at 7:30 PM in this room.

Mayor Kuzon stated there will be a meeting of the Old Home Day Committee next week on April 22nd in the Village Conference Room at 7:30 PM. If anyone is interested in the preparations for Old Home Day they are welcome to attend.

Mayor Kuzon said that last year we had a major restoration and preservation project on Main Street. The State DOT has notified us that the work has been completed and accepted by the DOT and that the maintenance responsibility of the Village as outlined in the contract is now in effect. This is nothing new.

Mayor Kuzon advised that many local governments were concerned about the adverse effects of IRS Ruling 80-55 on them. The ruling was that commercial banks with time deposits of municipalities used as collateral for tax exempt obligations couldn't use the interest as a tax deduction. He advised that the IRS has withdrawn this ruling so this will be good for our fiscal situation.

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, vouchers in the sum of \$75,513.98 were approved as follows:

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, April 13, 1981 at 7:36 PM

Payroll Fund	W/E 3/25/81	\$ 7,202.21
	W/E 4/1/81	4,357.44
	W/E 4/8/81	4,370.74
General Fund	Abstract #486	41,439.22
Sewer & Water Fund	Abstract #67	1,524.62
Trust & Agency Fund	Abstract #106	4,564.80
Federal Revenue Sharing	Abstract #107	10,182.06
Glen Park Jt/Activities Fund	Abstract #6	42.39
Community Development Fund	Abstract #57	935.54
Special Assessment	Abstract #14	174.83
EDA	Abstract #33	<u>720.13</u>
Total Vouchers		\$75,513.98

The largest vouchers were: Amherst Disposal for garbage collection - \$8,426.27; Water Fund transfer - \$10,000.00; and Niagara Mohawk for utility bill - \$4,462.35.

Unanimously carried.

Trustee Brenton stated that two years ago when he was first asked to run for this Board and reluctantly agreed to do so, his campaign promise was to look at all fiscal matters of the Village and identify areas where money could be saved. He found that the rental situation for the Village Offices involved paying the Town for occupation of our quarters when the Village was supposed to have free lifetime use. We have withheld payments from the Town of those monies designated for rental and have received about \$8,000 in interest on this money, saving the taxpayer almost \$.50 per \$1,000 on his taxes. There are probably \$80,000 to \$90,000 in former erroneous payments to the Town and we are presently awaiting the Town's determination as to how those monies will be handled.

With respect to Island Park, Trustee Brenton stated at one time the Town wanted to pay us for the park. The Village Recreation Committee felt it was inappropriate to sell any interest in that park so we still own 100% of it. The Town can't be expected to pay anything for repairs there if they don't own any of it. With respect to Old Home Days it was determined that the Town was not paying their fair share of this. This situation has been upgraded to the extent that the Town does pay for 50% of Old Home Day. He stated he will leave it to the community to determine whether or not Old Home Day is a good or bad thing for the Village.

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, April 13, 1981 at 7:36 PM

Trustee Brenton stated there are areas the Board is very concerned about in the budget but we have worked hard to keep a low tax rate and still provide the services and thinks we have done a pretty good job.

Trustee Brenton stated his first resolution concerns the Mill Street Water Line. There is a fiscal impact statement regarding this attached to tonight's agenda. It has been deemed to be in the best interests of the Village to install this line, particularly since this line had such extremely poor fire hydrant flow when the hydrants were tested. They had not been tested in seven or eight years. The Fire Department is very concerned about this. The Board has deemed this to be worthwhile project and we are putting our community development funds (some from this year, some from the next two years of the community development program, and some previously allocated to other projects) into this project. We feel this is a good use of our community development funds.

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

CONTRACT AWARDED

WHEREAS the Village of Williamsville has advertised for sealed bids for construction of a water main replacement in Mill Street, and

Mill Street Water Line to Cimato Bros.

WHEREAS Cimato Brothers submitted their low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for construction of a water main replacement be awarded to Cimato Brothers at their low bid of \$167,149.00.

Vote on Roll Call: Trustee Murray - aye; Trustee Kibby - aye; Trustee Bancroft - no; Trustee Brenton - aye; Mayor Kuzon - aye.

Ayes - 4; Noes - 1.

Carried.

Trustee Bancroft stated he believes the Mill Street Water Line project is very sound and very beneficial for the community and believes that the total impact on the community is acceptable relative to financing. He stated his no vote on the awarding of the bid is that we, as a Board, did not have adequate time to fully discuss and understand all aspects of what will be a proposal which will expend \$200,000. He voted no to indicate that he believes there should be adequate discussion on items of this magnitude and importance. He is not opposed to the project and thinks it is an excellent use of community development funds.

Trustee Kibby had no report.

Trustee Murray had no report.

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, April 13, 1981 at 7:36 PM

Trustee Bancroft called the residents' attention to a display this month which can be found in the Village branch of the Public Library. It consists of various crafts that have been made by our senior recreation program members.

Trustee Bancroft advised that the Amherst Youth Program which is sponsored by the Village, Town and YMCA again this year will be conducting 2 one-week recreation craft workshop programs. They will be held in Garrison Park the week of July 20th and in Island Park the week of August 17th. This is the first year that the program will be held in Island Park. This is the second year for the outreach program in Garrison Park. The program is supervised by a counsellor but the activities are conducted by the youths themselves and it is a very worthwhile and popular program.

Trustee Bancroft reported that the Village Meeting House is becoming more active and in addition to a production by the Queen's Players in May we hope to have two or three additional musical programs during the months of May and June. We will have more details on these later and think they will be of interest to the entire community.

Mr. Anstett announced that trash pickup week will be May 4th. The first 2½ days will be on the south side of Main Street and the remaining 2½ days will be on the north side of Main Street. All items that can be put in containers should be put in containers and they should not weigh more than 65 pounds. They will pick up the larger logs with the hilt, brush with the chipper and metal items such as refrigerators in a separate pickup.

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

Unanimously carried.

Richard Hill, 18 Brookside, stated that with respect to the Main Street work he understood that Trustee Brenton did not like some of the manholes. If this has been accepted by the State will we have any recourse if there are problems. Mayor Kuzon stated it has been accepted by the State and they are satisfied with the contractor's performance. Trustee Brenton advised we have indicated our concern over the quality of the manhole work, and in particular as it might pertain to the possibly of accidents involving bicycles, motorcycles and pedestrians. We do not believe the manholes should have been left at their present depth. The State is aware of our concern. There is a safety and driving problem involved. This will be reviewed in Albany and hopefully can convince them this situation should be corrected. Even if conditions are not corrected we have gone on record regarding this and think maybe something can be done. We were also concerned with the quality of the concrete work. We have understanding with the DOT that those areas that spawled through the winter would be replaced this spring. Some of the areas in question have spawled and my intention is to write to Mr. Cassidy and see if they will live up to their guaranties.

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, April 13, 1981 at 7:36 PM

Mr. Hill stated that two years ago the Board took a survey of those who wanted lights on Brookside Drive and found 17 wanted lights and 4 did not. We are trying to get some kind of answer as to whether or not the lights are going in and when they will go in. He asked if the Board is still in favor of putting lights on that street. Mayor Kuzon stated we have a problem with the power company. Mr. Hill stated last year a man from the power company came and asked permission to put a line through his yard and Mr. Hill gave his permission. He stated his neighbors are asking him all the time about these lights and he would like to be able to give them an answer. This has been going on for two years now. Mayor Kuzon stated the people could contact Niagara Mohawk about this if they wish and we can contact them also. Trustee Brenton stated a resolution was passed on this, which Niagara Mohawk has to have before they can install lighting. When they have been contacted about this they say they will schedule it when the schedule allows them to. The lights cost \$1,800 per year when we passed the resolution and probably will cost more now, maybe \$2,000 per year. There is a thought to put our own lights in there with a meter to measure usage, and then pay Niagara Mohawk for that. It is almost more cost effective to do this. Before doing this, we will contact Niagara Mohawk about this situation. Trustee Brenton stated he was glad Mr. Hill brought this to our attention. He stated he has spoken with Mr. Spoth regarding this and had been told there would seem to be no problem with putting our own lights in.

Mr. Hill stated he didn't particularly care how the lights are put in. He would just like to get the people off his back. He asked that the Board take some action on this so he can give some answer to these people. Trustee Bancroft asked how many lights are involved and Trustee Brenton advised there were nine.

James Saia, 20 Belmont, stated that with respect to Trustee Bancroft's no vote on the water line on Mill Street, was he aware that we are classed as a B Fire District. Trustee Bancroft stated he had no objection to the project. He didn't feel we had adequate Board discussion prior to the resolution but he was not opposed to the project. He stated he thinks this is a much needed project and a good use of community development funds and is an overdue project. He stated he just wanted to express his concern for the lack of Board discussion on the matter before voting and that is why he voted no.

Mr. Saia stated we are classed as a B fire district. The water has been bad for 25 years at least. Installing the water line could save residents money in additional insurance premiums if we could raise the Village to a Class A district. He thinks the water line will help to do this. He has heard for years that water was all that was keeping us from being a Class A district. Everyone else around is an A district.

Mr. Saia stated he expects the Board to pass an ordinance or resolution that there can be no fires in the Village on Friday during certain hours because if there is no parking available at the fire hall the firemen will not be able to get to the fires.

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, April 13, 1981 at 7:36 PM

Mayor Kuzon stated that most of the firemen have home receivers and go from home to the fires. Only a few go to the station to take out the equipment. It is wrong to infer that it will impair fire fighting because of a difficulty of finding parking spaces.

Doris Bouchard, 1350 Maple Road, operates a business at 5888 Main Street in the Village across from the Little White House. She stated she has spoken with Trustee Murray about her problem but they were not able to solve it. At least eight months ago she got a letter about trees to be put in front of her property. This is a business property. There are no curbs and she feels the trees will interfere with the parking. There is a hydrant there and also no parking on Rinewalt Street. Her mother has been paying taxes since 1939 here. Her mother uses a stair glide and when she wants to go in the car Mrs. Bouchard pulls up to the door. Two trees were to be put in and they were not placed at each end of the store. The hole has already been dug. She did not want anything else done until she had appealed to the Board. She asked if a business doesn't have any rights when it comes to what is put in front of the property.

Trustee Murray had copies of letters sent to Mrs. Bouchard on April 29, 1980 and May 14, 1980, and between those two letters she had a telephone conversation. The last letter says the Board, in work session, deemed the tree planting to be in the best interests of the Village. The first tree is in to the east of the building (Mrs. Bouchard stated she agrees with that tree) but even though the second tree has been repositioned Mrs. Bouchard does not want it there. She feels it interferes with the parking for her business. Mrs. Bouchard stated she does not know why the Main Street work was stopped where it was. She feels they will be putting in curbs. Trustee Murray stated she could give Mrs. Bouchard the name of the man to contact in the State about the curbs since Main Street is a State road.

Mrs. Bouchard stated she feels the tree will interfere with the hydrant and her parking. Trustee Murray stated the tree has been placed as close to the hydrant as we feel it can go. We don't want it to interfere with the vision of drivers on Rinewalt Street. Mrs. Bouchard stated she feels one tree would be adequate. She doesn't know if the trees will interfere with the curb when that is put in. It could also interfere with snowplowing and the hydrant. Trustee Bancroft stated there is an established tree line. He asked if in front of her business the sidewalk goes all the way out to the street and if the cars are parking on the sidewalk rather than on the street. If a curb is put in there would be a defined parking area and they could not park on the sidewalk. People should not be parking in line with the tree. There should be some offset. Mrs. Bouchard stated there is no curb here and Trustee Bancroft stated this is the problem. Mrs. Bouchard stated there is a storm drain in the street parking area and there is always water there. People would have to park in the gutter area and this is almost always filled with water. She stated she does not want this second tree.

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, April 13, 1981 at 7:36 PM

Trustee Bancroft stated there is a general consensus that trees add to the value of property and the appeal of a community. Mrs. Bouchard stated she doesn't feel it adds to the business. She asked if owning property and paying taxes doesn't mean anything. Trustee Bancroft stated this is a consideration but not the only consideration. Mrs. Bouchard stated she was going to make sure she attended more of these Board meetings. She wants to know what the Village does besides collect taxes.

Trustee Kibby stated that if the curbing is put in there should still be parking spaces available. Mrs. Bouchard stated that at present they have to park in a gully area where the water lies. Mrs. Bouchard said that by putting in the tree you are taking away parking. Trustee Kibby said if a curb is put in the cars would not be able to pull up on the sidewalk but there should still be parking.

Trustee Kibby asked if everyone in the community is being required to put trees in front of their property. Trustee Murray advised everyone had to do this. Mrs. Bouchard stated the Little White House was supposed to have three trees but they only have two. Trustee Murray stated she will check this out. If they are supposed to have one more tree they will get it. Mr. Anstett stated only two trees were put in. This was last year. They only had two trees left so a third was not put in. Trustee Brenton stated we should be able to compromise on this and locate the tree closer to the hydrant. Trustee Murray said she would ask Mr. Kinkel of the State about changing the location of the tree. We have to follow a State plan for this and cannot relocate a tree without their permission.

Mr. Saia stated Mrs. Bouchard would make a good candidate for the Environmental Council. Mrs. Bouchard stated trees belong in parks and not in front of businesses.

Mr. Hill asked if the Little White House was supposed to really have three trees. Trustee Murray stated she will check this out and if they need one more tree they will get it. Mr. Hill stated they have been trying to get the cars off the sidewalk at the Little White House and a third tree would help do this. He said there have been no complaints that he knows of regarding the parking in front of Mrs. Bouchard's property.

Trustee Bancroft stated we should be able to have a compromise here if Trustee Murray can get Mr. Kinkel's permission to put the tree closer to the hydrant. No one should be parking close to the hydrant anyway. Mayor Kuzon stated Trustee Murray will check with Mr. Kinkel regarding this and then let Mrs. Bouchard know.

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

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, April 13, 1981 at 7:36 PM

Mayor Kuzon advised that the Village Clerk's Office will be closed this Friday because of the holiday.

ON MOTION by Trustee Kibby, seconded by Trustee Bancroft, the meeting was adjourned at 10:16 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer