

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, May 11, 1981 at 7:33 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
Edward Way, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT the Board of Trustees of the Village of Williamsville will hold a public hearing on May 11, 1981 at 7:35 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in a local law which would amend Section 17.00 - Garbage - of the Code of the Village of Williamsville.

PUBLIC HEARING

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the hearing was opened at 7:33 PM.

Village Refuse Law

Unanimously carried.

Trustee Murray: Before asking for public comment, I would like to make a brief statement about the law. First of all is why the law was developed. To begin with, our present garbage code is ancient and out-dated as it exists today. Secondly, it sets a standard of conversion from the Village picking up trash and the collector picking up garbage to the collector picking up both trash and garbage on garbage collection day. The title of the proposed law is the Village of Williamsville Refuse Law. Since the law begins with definitions, I think it is appropriate to begin with an explanation of just what the term refuse means. Garbage is defined as decayable wastes. Trash is brush, leaves, clippings, branches and other large bulky items such as refrigerators and furniture. Rubbish is all other dry material such as paper, cans, containers and glass. The proposed law covers these three items all locked together under the term refuse that sets the standard for the collection, for the storage and the disposal of refuse. Sections 17.04 and 17.05 are long and set the standards for refuse receptacles. It requires that each owner, lessee or occupant provide appropriate receptacles for receiving and containing refuse accumulating on each premises. The law describes the appropriate manner for handling of each kind of refuse, that is whether it be garbage, trash or rubbish.

The proposed law adds to the previous Village Garbage Ordinance by requiring portable transfer containers, more commonly known as dumpsters, where a private institutional or commercial establishment requires, on a regular basis, 10 or more containers for collection. Also new is the requirement that each owner, lessee or occupant keep property, including sidewalks and yards, free and clear of

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refuse. It requires the proper maintenance of compost piles and it prohibits toxic, flammable and hazardous waste from being disposed of or placed for collection. The law prohibits inappropriate burning of refuse in the Village of Williamsville and the dumping of refuse on private or public property. The proposed law lastly calls for enforcement and sets the fine for violation of not more than \$100 for each offense. Before asking for public comment, I would like to add that I have copies of the law up here and available if anyone is interested after the meeting, or now if you want. I want to thank the Environmental Advisory Council and the Village Attorney for their help and input in the development of this proposed law.

PUBLIC
HEARING

Before asking for public comment, I would ask that you please state your name and address and come to the microphone because the meeting is being recorded.

Village
Refuse Law

Mrs. Carolyn Schlifke, 192 Evans Street: Before I go into a couple of points on the new ordinance, I would like to commend Trustee Murray. I think she has done an excellent job on something that was long overdue in rewriting our trash ordinance. A couple of points that I would like to question. The first one being under Item 17.05 - Seasonal or Special Items. "All furniture, refrigerators and other large items not capable of being enclosed in containers may be placed at the curblin or pavement line for collection on the days specified by the Superintendent of Public Works. Such items may be placed for removal only with the prior permission of the Superintendent of Public Works." Perhaps you could clarify that a little bit for me. The way I understand it, it means that the homeowner would have to contact the Superintendent of Public Works if he had an item, even an item of furniture he wanted picked up. (Con't

Trustee Murray: He would call the Superintendent of Public Works and he would say we would come and pick it up on Thursday, please put it out.

Mrs. Schlifke: In other words, you will not have a specific day for these large items.

Trustee Murray: Right.

Mrs. Schlifke: They will only be picked up when they receive a call.

Trustee Murray: Right.

Mrs. Schlifke: It seems as though to me this will place an undue burden on the Superintendent of Public Works. He could get a call every day of the week.

Trustee Murray: Isn't that the way it is done right now, Ed?

Mr. Way: On large items - yes, but what our thinking is that if we publish it and try to have this done on a Friday so that everything

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would be taken off the curb before the weekend. Any large items would be, as you say, refrigerators, etc. This way the people would publicly know the pickup is on Fridays and Fridays only. We will make a brief tour of the Village on Friday so if it is put out on Thursday night it will definitely be picked up.

Mrs. Schlifke: This sounds more feasible to me because otherwise, like I said, you could get a call every day of the week and you would have men from the Department of Public Works running around every day picking something up.

PUBLIC HEARING

Trustee Murray: Well, that is covered. Our Attorney says this is broad enough that if we specify Friday we can do this.

Village
Refuse
Law
(Con't)

Mrs. Schlifke: The prior permission seems to confuse the issue to me.

Trustee Brenton: The intent here is that with the new combination garbage and trash pickup which will be incepted after June 1st, the intent is that the contractor will pickup all large items, even couches can go into a compactor, and it is his responsibility to pickup the couch if, in fact, that couch or any other item weighs less than 75 pounds. The one exception to that is metal items - items like a refrigerator or stove, etc. and these items can be put out and we will pick them up. If the contractor prefers to pick them up, which he well might do, then they will be picked up by the contractor and they should be picked up on our grabage days, which will be Monday and Friday during the summer and Mondays during the rest of the year. So that to answer your question, everything should go out on these days unless the resident has some special item. This was the intent, I think as far as I was concerned, that we had pertaining to combination of garbage and trash pickup.

Mrs. Schlifke: In other words, they will be picking up large items would you say like a couch with the compactor?

Trustee Brenton: If it is under 75 pounds. The way I interpret the contract it is their obligation to pick it up.

Mrs. Schlifke: What I'm mostly concerned with is somebody putting out an item for the regular garbage day and it being left to sit there and then when it isn't picked up the homeowner calls the Department of Public Works and he says well all right we'll be there on Friday and the homeowner just lets it sit by the street. I really think if you specify one day a week for these large items that would not go into the compactor and let people be aware of it.

Trustee Brenton: Basically, what we'd like to develop here is a day for people to order this type of refuse to be picked up by the Department of Public Works. I think that as we try to educate people to the change - that is the drastic change that is being undertaken here-which we intend to do when we send our tax bills out, this will

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be accomplished, not immediately certainly, but over a period of time and that is the intent here in deviating from the garbage ordinance. However, I felt it was essential to have a new garbage ordinance at the same time we incepted a new method for picking up garbage and trash so that the Department of Public Works - the thought is for the DPW forces not to be patrolling the Village streets and wasting gas and wearing out trucks in order to look for the occasional item that might not be considered to be pickupable by the contractor and hopefully this is where we will end up - that we will spend very little time picking up larger scale items and that we will relieve our forces and they will be out of the trash business.

PUBLIC HEARING

Mrs. Schlifke: Well, I hope it works.

Village
Refuse
Law
(Con't)

Trustee Brenton: We have to make it work.

Mrs. Schlifke: All right. I have a couple of more items. Section 17.06 - Item B - "All refuse to be collected, except that in portable transfer containers, shall be placed at the curb, but in no event shall refuse for collection be placed at the curb before 12:00 noon of the day preceding the scheduled collection." I think the time is - it seems like a little bit too long a time to be having your garbage out for the next day's collection. I don't think it is necessary to have to put your garbage out on Tuesday at 12:00 noon in order to be picked up, in some areas of the Village, on Wednesday at 12:00 noon or later. Any comments?

Trustee Murray: I don't agree with that.

Mrs. Schlifke: Well you take the summer months when we have two collections. All right now, this is not going to be the norm of course - not everyone is going to put their garbage out at 12:00 the day before but there may be people who will. So you put it out at Tuesday at 12:00 noon and according to the next item - Item No. C - your containers have to be in by 11:00 in the evening of the day the garbage is collected, so you have the cans out there from 12:00 noon on Tuesday to 11:00 at night of Wednesday. They could go back out again on Friday at 12:00 noon and back in on Saturday at 11:00 in the evening. This seems like a long time for garbage cans to be out in front of houses. I don't think it's necessary and I think you're giving people too much leeway. Even if you change the times it will be hard to enforce. The reason for this new ordinance is to have something that the Village can use for enforcement. As you well know, some of these items which you have incorporated in here were incorporated at the request of the Traffic and Safety Committee. If you will recall I spoke to you I believe close to two years ago about one of these items and I'm glad to see it incorporated in the new ordinance, but I do think that to allow people from 11:00 in the evening to bring their cans in and put them out at 12:00 noon the day before collection is too long.

Trustee Bancroft: Carolyn, for the purposes of this public hearing would you have any alternate suggestion to make.

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Mrs. Schlifke: Well, I don't think garbage cans should go out before 6:00 at night. I mean that would be my suggestion. It's going to be a difficult thing to enforce no matter what, but if you don't have it in the ordinance you won't be able to enforce it at all.

Trustee Bancroft: Then on the 11:00 in the evening - what would you suggest.

Mrs. Schlifke: There again, some people don't come home until late. I don't even object as much to that as putting it out at noon the day before. It probably could be a little bit earlier - 9:00 - but two hours is not going to make that much difference.

PUBLIC HEARING

Trustee Kibby: What's a man to do who works the 2:00 to 10:00 shift.

Mrs. Schlifke: You mean he goes to work at 2:00 and they haven't picked up his garbage yet?

Village
Refuse
Law
(Con't)

Mr. Troy: Don't our wives take care of that anyhow?

Mrs. Schlifke: How many husbands take the garbage out anyway.

Trustee Kibby: The man works from 2:00 to 10:00 and his garbage truck happens to come by at 8:00 in the morning and - mine doesn't happen to and I can put my garbage out by 10:00 and still make it.

Mrs. Schlifke: Well I can't. I have to put mine out the day before because they're at my house at 6:00 in the morning. That would take care of bringing the cans in.

Trustee Kibby: It also takes care of getting them out. I mean he has to put the cans out at 11:30 or 12:00 at night. It may be something of a nuisance to some of the neighbors.

Mrs. Schlifke: I don't believe so. I mean if he's coming home from work his evening is beginning. For him to take the garbage out at 11:00 at night I don't feel is a handicap. I mean we all have to bend a little bit for the appearance of the Village and right now, and for years, this Village has looked like a garbage dump because the streets are constantly lined up with garbage cans and trash which has never been picked up on time. We have been told for years that trash day is on Monday and they haven't hit Evans Street on Monday in the last year and a half and people put it out on Saturday. I have an old couch on my street right now that has been sitting there since Saturday and it was still sitting there tonight when I came down to this meeting.

Trustee Bancroft: This new local law will permit you -

Mrs. Schlifke: I understand that.

Trustee Bancroft: to make an appointment to have your couch picked up.

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Mrs. Schlifke: I understand that but I don't believe you should give people too large a leeway to put the trash out. As I said before, you're going to have a hard enough time enforcing this because it's going to mean someone is going to have to go around and inform these people that are not conforming to the ordinance that they have to because it is very difficult to do. But, if Trustee Murray took the time and the effort which I'm sure was quite a big effort to rewrite this you've got to have some enforcement. Otherwise, it's just so much paper. I mean ordinances are fine if you want to just look at them but if you don't enforce them it just goes for nothing.

I have one more item under Section 17.07, item D - "Toxic, flammable or hazardous wastes not otherwise regulated by public authority, shall not be disposed of, or placed at the curb for collection by the refuse collector." This is the item that I referred to earlier that the Traffic and Safety Committee had brought up a couple of years ago. We had been notified that a business firm in the Village was disposing of medications, things like old syringes and what have you, in their garbage which was open to children walking by on the way to school and at that time we asked that something be incorporated in an ordinance to cover these things. I'm glad to see it's there because this will allow the Superintendent of Public Works to notify these people if they are still doing this, that this is no longer allowed. What I was wondering about though was the flammable waste. Most homeowners at times dispose of a can of paint - perhaps they change the oil in their lawnmower and got the old oil in a container. What are you supposed to do with these items now?

PUBLIC HEARING

Trustee Murray: Oil, if you take it to a gas station, I think it's a state or federal law that requires them to take the old oil.

Village

Refuse
Law

Mrs. Schlifke: Well, what about -as I say you clean out - you throw away old paint, old brush cleaner. I mean these are things that people have in the normal upkeep of their houses. Now it's flammable and I'm just wondering just how would you go about disposing of something like this if it's now against the ordinance.

(Con't)

Mr. Troy: I can only speculate too, Carolyn, and it would I suppose that knowing my nature I don't throw paint away until whatever toxic element is in it or whatever flammable is in it is pretty well dissipated. Usually mine is as dry as a bone -it's hardened like a rock.

Mrs. Schlifke: It's not flammable after that?

Mr. Troy: I doubt it very much. I think it would be very difficult for it to. I think most of the quality of flammability is probably dissipated. I'm just guessing. I'm not a scientist. We have others on this Board far better able to discuss that than I.

Mrs. Schlifke: From time to time we clean out the cellar and throw away old paint and it is hard and we are not able to use it any more. I don't know either but would that be allowed. There'd be no problem with that?

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Mr. Troy: We're not saying that. You've raised an interesting question which this committee will consider in the final draft of the law.

PUBLIC HEARING

Mrs. Schlifke: Well, it is something as I say that people would have a difficult time of disposing of if they just can't put it out with the garbage. That's all I have to say. I hope you'll take into consideration what I did say, especially the time element. I'm really concerned about that and as I say I find nothing so unattractive as riding around the Village and finding piles of garbage and trash in front of houses. Sometimes it seems like you go by them for days, and they're still there. I really think it would help beautify the Village and it also would be a safety factor. I mean you do have children go up and down the streets and they love nothing better than to go through garbage cans and I think the quicker we get them on the street and off I think it would be a healthier situation, a more beautifying situation for the Village.

Village
Refuse
Law
(Con't)

Trustee Murray: Thank you, Carolyn. Mr. Hill -

Richard Hill, 18 Brookside Drive: I'd like to ask a couple of questions. First, I'd like to agree with Mike Kibby that if I was working the 3 to 11 shift and come home at night and take out the garbage it may not bother me but might bother my neighbors. So I think the 11:00 at night may be wrong. I don't know. But, you said to me - I don't have a copy of the ordinance but you said to me that this included branches, trees, leaves and that. Now, I talked to Larry about this and I understood we were supposed to still have our leaves picked up and shrubs shredded by the Village but if we have to put it out by the curb for commercial pickup how do we have to pack our leaves, brush and so on - put all the leaves in bags, boxes, barrels or what.

Trustee Murray: The Village will still be picking up leaves during the fall season but when you have leaves at other times of the year the law does speak to the proper disposal of leaves if you look at it.

Mr. Hill: I'll look at it. If you have to bag them all - leaves only fall in the Fall.

Trustee Murray: There are some of us who don't get around to raking them in the fall and still have to put them in bushel baskets in the Spring.

Trustee Kibby: During the months of October and November leaves may be placed in piles not exceeding----at the curb level. So, in those two months you can just rake them right up to your curblin and leave them there. But, if you have leaves in Spring and I just had some last week, you can't rake those right up to the curblin. I'm afraid some people wouldn't be happy with me if the leaves sat there for a long time.

Mr. Hill: I just wanted to clarify this and will read the ordinance before the next meeting.

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Trustee Murray: Anyone else who would like a copy of this? Are there any more comments? Mrs. Bouchard?

Mrs. Bouchard, 1350 Maple Road, a business owner in the Village; I would like a copy please. (A copy was given to her.)

Trustee Murray: Any more public comment? Any comments from the Board?

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the hearing was closed at 7:58 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, May 11, 1981 at 7:59 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

Edward Way, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT the Board of Trustees of the Village of Williamsville will hold a public hearing on May 11, 1981 at 7:40 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in a local law which would amend the Village Code by increasing various fees and charges and transferring all fees to a new section of the Village Code - Section 4.00 entitled Fees.

PUBLIC HEARING

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, it was moved to open the hearing at 7:59 PM.

Local Law to Increase Various Fees

Unanimously carried.

Trustee Brenton: As background to this local law, it has been determined that it would be proper to upgrade some of our fees. For instance, where we have a street cut presently there are fees for cutting halfway to the middle of the street or a greater fee for extension through the midpoint of the street. These, as an example, are based on old costs of materials, blacktop to fill-in, etc. That is simply one example. There are fees for the Building Inspector, fees for dance halls. There are some situations that we don't even care to continue and hopefully the public doesn't either. So that the basic background here is to upgrade all of our fees and bring them to a more realistic level to the actual cost to the Village for the service provided. This is long overdue and I think basically equitable and that those that do require these services will pay a more appropriate cost for being provided them. Also, and the concept of this local law is the thought of placing our fees in a separate section so that in the event of future needs to raise them we could just raise the fees through the change of that particular new section which would make it much easier for us on a clerical basis and we wouldn't have to go through and raise the entire structure. Some other highlights because I don't think that you were provided copies of these fees and they are in their preliminary stages. Some other highlights would be sign fees which the Planning Board is confronted with many, many times. The bulk of the Planning Board's work is based on sign fees, and our Building Inspector has to go and examine these situations and if they have to be renewed it's a clerical problem so that just for example on a 30 square foot or less sign the old

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fee was \$15 on application and \$25 for a five-year renewal. Now it goes from \$15 to \$20 and from \$25 to \$30 on a five-year renewal. Not a significant increase but enough to bring it more in line with the services provided. Basically, I think the total fiscal impact of this proposed legislation would probably involve the Village receiving approximately \$3,000 or \$4,000, perhaps \$5,000 a year in additional funds for these services, which as I explained, is expended out in the form of Building Inspector or clerical help. We intend, as I believe I mentioned at our last meeting, to adopt a new section which will include the requirement to install ground fault interruption devices for those who have outdoor swimming pools regardless of whether they're only four foot in depth, and this is deemed to be good legislation because these ground fault interrupters, which I believe cost around \$30 or \$40, do prevent - eliminate the possibility of someone who might be in a pool being electrocuted because of some type of short in the device that filters a pool or some other means. It is explained to me that you can actually grab a hold of a live wire when you're in the pool and the ground fault interrupter will prevent your electrocution. I don't have any concrete verification of that so I wouldn't suggest you try it in the event you have a ground fault interrupter with your pool. So, essentially this is what this legislation is for and we deem it to be in the best service of the Village.

PUBLIC HEARING (Con't)
Local Law to increase various fees

And I would ask now if there is any comment from the public that you follow our prescribed procedure of coming to the microphone and stating your name. Is there any comment from the public?

No one appeared to speak.

Trustee Brenton: Seeing none, I would ask if there is any comment from the Board? Seeing none -

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, the hearing was closed at 8:05 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, May 11, 1981 at 7:31 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

Edward Way, Dept. of Public Works

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

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the minutes of the regular meeting held April 27, 1981 were approved.

Unanimously carried.

Mayor Kuzon: Next on our agenda are public hearings. There are two scheduled for this evening. The first one is on a proposed local law which will amend Section 17.00 of the Village Code and this concerns a new refuse law and the public hearing will be handled by Trustee Murray.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, it was moved at 7:33 PM to open the public hearing. (The hearing was closed at 7:58 PM.)

Unanimously carried.

Mayor Kuzon: The next scheduled public hearing is a local law regarding the creation of a new fee schedule to be included in our Village Code and also the revision of certain Village fees. I would now turn the public hearing over to Trustee Brenton.

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, it was moved at 7:59 PM to open the public hearing. (The hearing was closed at 8:05 PM.)

Unanimously carried.

Mayor Kuzon: That is the conclusion of our public hearing schedule for this evening and action will be taken on these proposals in the near future. Any questions or any second thoughts that you might have can be directed regarding the refuse law to Trustee Murray and regarding the collection of fees and the increase of fees to Trustee Brenton.

For my report this evening the first thing I would like to bring to your attention is that this weekend, May 15th, 16th and 17th a reunion has been scheduled for the Williamsville High School, now known as Academy Street School and formerly known as the Academy Institute and in honor of that reunion the Village Board has prepared

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a proclamation and I would like to read to you that proclamation at this time.

WHEREAS the traditions and ideals of Williamsville High School have become part of our heritage, and

PROCLAMATION

Academy High School Days Named

WHEREAS the Williamsville High School has given us a strong foundation upon which to build our lives as future citizens of democracy

NOW, THEREFORE, the Village of Williamsville Board of Trustees proclaims the weekend of May 15, 16 and 17, 1981 as Williamsville Academy High School Days in the Village of Williamsville.

And the festivities include a brunch and a dinner and also a picnic back on the Island on Sunday. Any specific questions or interest regarding the reunion should be directed to the Central Office - the Williamsville Central Office and the person to ask for is Mrs. Mary Jane Miller at the office or I also understand that former Mayor Richard Metz is very active in this endeavor so you can contact him or Mrs. Miller.

The second piece of information is that our County Legislator Mary Lou Rath has asked me to read this evening to the public that an informational meeting will be held on the county referendum and I believe they're speaking about the referendum to reduce the size of the legislature from 20 to 17. This meeting on the referendum will be held in the Town Hall here in Amherst, 5583 Main Street on May 14th at 7:30 PM. This meeting is being sponsored by our Legislator Mary Lou Rath and also Richard Anderson who is a Legislator from Amherst. Assistant County Attorney David Ferster will participate in the presentation and Mary Lou encourages the public to attend that meeting.

Another piece of information is from the Amherst League of Women Voters and the League in cooperation with the Atlantic Richfield Company is sponsoring, I think for the second year, their Annual Free Car Care - Not For Men Only Clinic in the Town of Amherst. This year it will be held on Wednesday, May 27th at 1:00 PM at the Arco Station, 5215 Sheridan Drive at the corner of Sheridan and Evans and they're encouraging people to contact the League if you're interested in the car care clinic.

One other piece of information is that maybe you read in the newspaper that Niagara Mohawk has applied to the Public Service Commission to increase their rates. It will not only affect you and me as homeowners but it will also affect the Village in their charge to us for our street lighting and the notice that I'd like

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to read to you is that the Public Service Commission will conduct a special public hearing to receive comments from members of the public concerning this revenue increase and rate change proposed by Niagara Mohawk and this will be held here in Western New York on June 22, 1981 and this will be held in the State Office Building, 65 Court Street in Buffalo and there's an afternoon session - in fact there's two sessions one in the afternoon at 2:00 and an evening session at 7:00 PM.

I have one resolution this evening and that's for vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$34,009.49 were approved as follows:

Payroll Fund	W/E 4/29/81	\$ 4,297.03
	W/E 5/6/81	4,279.06
General Fund	Abstract #488	20,965.98
Sewer & Water Fund	Abstract #69	509.65
Trust & Agency Fund	Abstract #108	1,597.26
Glen Park Jt/Activities Fund	Abstract #8	636.51
Federal Revenue Sharing Fund	Abstract #108	1,424.00
Special Assessment	Abstract #15	<u>300.00</u>
Total Vouchers		\$34,009.49

The larger of these vouchers are to Amherst Disposal for trash and garbage collection and to Niagara Mohawk.

Unanimously carried.

Trustee Murray.

Trustee Murray: Thank you. I'd like to call your attention to the bottom of the agenda that the Beautification Committee meets at 10:00 tomorrow morning. The Beautification Committee only meets seasonally as it is needed. If anyone is interested we would welcome their attendance.

The Environmental Advisory Council at their meeting last week met with the Village Attorney to discuss his notes on the refuse law. We also met with Mr. Teibel from the Eagle House and he finally came up with a landscape plan by a landscape architect. It was approved by a vote of 3 to 2 with a quorum present. So the Eagle House will be landscaped with the new development and I think it's going to look lovely.

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My resolution pertains to some of the discussion of the Glen Park Joint Board at the last meeting during our budget discussions last September and October which we had to do because the Town puts their budget together then. We had discussed hiring someone full time in Glen Park during the summer for eight hours a day constantly mowing, trimming and weeding, and I have been trying to find someone who could do that for quite a while now and was able to find a person through the Amherst Parks Department. The Amherst Parks Department summer help has been reduced through their budget this year and there were some people they were unable to hire and I appreciate Paul Vergils directing us to the person that is in my resolution tonight.

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

APPOINTMENT

RESOLVED that Anthony Vicari be hired as a seasonal laborer in the Glen Park from May 11, 1981 until September 7, 1981 at a rate of \$3.25 per hour and that his salary be paid from the Town of Amherst-Village of Williamsville Glen Park Joint Activities Fund.

Temporary Seasonal
help for
Glen Park

Unanimously carried.

That ends my report.

Mayor Kuzon: Thank you. Trustee Bancroft.

Trustee Bancroft: Thank you Mr. Mayor. There are two brief announcements. The Williamsville Old Home Day Committee met in mid-April and is making plans for this year's Old Home Day celebration. One of the features of the Old Home Day activities will be a parade down Main Street and any groups interested in participating in the parade are asked to contact Bill Baumann at 634-1778. There will be prize money for the winning parade participants in a variety of different categories and they are certainly encouraged to participate in the parade.

Secondly, the Amherst Youth Board is sponsoring a day at Erie County North campus. It is called A Day of Learning. It will be this Saturday, May 16th from 9:45 AM until 3:30 in the afternoon. It is open to youth in the junior high-senior high age bracket and there are various workshops for self-improvement and for additional youth information and people are asked to contact Kathy Mobarek at the Amherst Youth Board if they are interested in attending.

That is it. Thank you.

Mayor Kuzon: Trustee Brenton.

Trustee Brenton: Thank you Mr. Mayor. For a report tonight I would like to bring you up to date pertaining to some of the activity you might

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have noticed today on Mill Street or Los Robles where we have had the first block of Los Robles milled by a private contractor. That is, the top three inches of the surface have been removed, and as will be the case of Los Robles in the near future, very near future, repaved with the binder layer of asphalt. Then it will stay in that status, until hopefully, our sewer rehabilitation program addresses Los Robles in that particular block between Main and Milton where we have had the milling done, and after the cuts that will be made in the street are repaved, then we will put our final coat, armored coat on. The reason I point this out is to make you aware of the fact that we do know what we are doing. However, scheduling is difficult. As you know, our sewer rehabilitation program is a state/federal funded program and it had been hoped it could be let out for bids and Los Robles, in that block in question, would have been repaired. However, our engineering firm has fallen behind, or at least has not had the specifications developed to the degree that they can be forwarded to Albany for approval, and the milling of the street was also a grant application which I applied for last year. I tried to coordinate this with our sewer rehabilitation. However, it didn't quite work out that way but it won't affect things that much. It won't affect things at all but it will look a little irregular when somebody sees them, maybe a month or two from now after we've repaved, and people think, well, they don't really know what they're doing. They just paved the street and now they're digging it up again, but we will only be, and I repeat, putting down the binder and when we're all done with our sewer work we will put down the finish coat. This procedure of milling on Mill Street between approximately 115 Mill and Belmont where we had a very bad section of pavement and it is definitely advisable to have this milling done. It will be repaved after the curbs are installed on the east side of Mill Street. Those curbs are resultant from the Mill Street water line. The specifications call for new curbs to be installed so when the new curbs are installed we will proceed to pave it. Mill Street is not a federal/state grant and is being paid for purely out of Village funds. We will move to North Ellicott Street tomorrow. Certain sections of N. Ellicott will be milled in order to provide a better profile and then we will be laying down our binder coat and a finish coat for just about all of N. Ellicott from Eagle down except for the last block where we have not determined whether we will pave that or not. So that is what's going on as far as the big machines are concerned. They will be gone tomorrow. There will be some rough pavement for awhile and speed limits have been posted and I would urge the public to adhere to the posted speed limit and drive carefully. There might be some loose debris. It's certainly not going to be a good pavement.

I would move now to my resolution which pertains to the awarding of our contract for refuse and garbage collection. We, every two years, place our garbage collection up for bid. This year after a significant amount of effort and much preliminary thought and input from the Department of Public Works, Mr. Way in particular, and the Trustees, it was deemed advisable to attempt to secure bids that were

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cost effective pertaining to having our garbage and our trash picked up at the same time. Previously, the Village has had the firm of Amherst Disposal and we have had a very good relationship with this firm and they have done a fine job in the past. However, in receiving the bids the firm of Cataract Disposal came in as the low bidder and certainly is cost effective, I believe, when you compare the prices that were received and the amount of money the Village Board has budgeted for the trash collection which was to begin with our June 1st fiscal year. We had budgeted \$145,000 for this combined garbage and trash collection, thus basically to relieve our forces, to relieve the Village taxpayers with the necessity of buying a new packer which, with interest costs, would have gone over \$100,000 payable in five years which is the equivalent of \$1.00 per \$1,000 on your taxes. This is what we tried to do and we have been, in fact, even more successful than we had hoped, because as I mentioned, the projected budgetary amount was \$145,000 and the low bid was \$99,324.00, thus in effect, saving \$2.00 per \$1,000 on what we projected on the tax base and relieving our Department of Public Works forces at the same time, and again not requiring us to go out and buy new equipment. We will now have a new firm, Cataract Disposal. We have inquired as to their background from the other municipalities that they serve and they appear to be satisfied with this firm's service, and I'm sure, we might have some sort of ironing out stage to go through, and of course with the new method of combined trash and garbage and having one contractor pick up both and with the new days of pickup. The new days will be Mondays and Fridays and this is in the specifications. We could of, perhaps, opted out for Thursday but I think Friday and Monday is a short time span. However, Monday pickup is your heavy accumulation from the weekend when your homeowners clean out a lot from their yards, etc. I think this whole situation has been thought out, and I think we're headed in the right direction. Again, I'd like to say there might be a little break-in period required. It shouldn't be any more than five to six years, make that weeks, make that months.

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

WHEREAS the Village of Williamsville has advertised for sealed bids for garbage and trash pickup, and

WHEREAS Cataract Disposal, Inc. of Kenmore, New York submitted their low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the Contract for garbage and trash pickup be awarded to Cataract Disposal, Inc. for their low bid of \$99,324.96.

CONTRACT AWARDED

Cataract Disposal,
Inc. to
pick up garbage
& trash eff.
6/1/81

Unanimously carried.

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Trustee Brenton: I might add in the event that anyone in the audience is wondering what we're going to do with the surplus of funds that we have come across, of course it is too late to basically change the tax rate. However, we are going to allocate \$8,000 into various Niagara Mohawk situations. One of them would be Niagara Mohawk as it pertains to Brookside Drive. We are exploring the concept of not having Niagara Mohawk install lights on Brookside Drive but rather having the Village contractor - having the lights installed ourselves and pay a one time fee and the electricity charges thereafter. To that end, I have written to Niagara Mohawk requesting that they hold in abeyance our work order for street lights on Brookside Drive, which is two years old, at least, and we will proceed to now develop a contractual method of having those lights either bid for putting in place or having a firm come in and do them. There is also \$2,000 set aside for the hopeful purchase of abandoned light standards along the Youngman Highway. I'm not sure we will be successful in obtaining them. They have been allocated to the City of Buffalo at a cost and negotiations will take place now with the City of Buffalo. However, I think it would be wise to accumulate 20 plus or minus more of these standards in the event that this Board, or future Boards, would decide to light the north side of Main Street from the Creek east to the Village line. This is similar to what we did with the State's cooperation in that area from Grove Street to Union Road with aluminum standards and removing the wooden poles. And, there is \$3,000 set aside for the rate increase for Niagara Mohawk that the Mayor mentioned that we will incur. The remaining amount will be utilized and has been utilized in reducing our appropriations by \$37,000 which in turn reduces our appropriated surplus by a like amount.

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, it was moved to suspend the rules to consider a resolution that is not on the agenda.

Unanimously carried.

Trustee Brenton: This resolution deals with the hiring of the professional firm of Pitometer Company to conduct a leak detection survey of our water system. We have been on top of our water system with our own manpower and we have found considerable leakage. There is a graph in the Water Department area of the Village Clerk's Office which indicates the success that we have achieved in correcting unaccounted for water, which generally is a term for leaks and we have been very successful in that. However, the Pitometer Company is a professional firm that covers a good deal of North American continent and some of the South American continent and they are the recognized firm in leak detection and I have requested that this firm be allowed to come in to the Village for the primary purpose of testing our four master meter pits. These master meter pits are where we are billed in from the Erie County Water Authority and there is some question of the accuracy of these meter pits. Generally these meter pits, if they are inaccurate, tend to run fast rather

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than slow. If they ran slow they'd be in favor of the Village and if they ran fast they'd be in favor of Erie County Water Authority. We will have the pits tested. We're going to have 25% of our system tested by this representative of Pitometer Company and if he finds significant leaks in the 25% that he tests he will proceed with the rest of our system. If he doesn't find significant leakage in the 25% that he tests he will verify our own leak detection program and with that we will relieve Pitometer Company of any further responsibility. The charge for this is \$365 a day plus expenses.

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

RESOLVED that Pitometer Co. be hired to perform a water loss survey in the Village at a per diem fee of \$365 plus expenses and a total cost not to exceed \$8,000.

APPOINTMENT

Pitometer Co. to conduct water loss survey

Unanimously carried.

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

Unanimously carried.

Mayor Kuzon: Trustee Kibby.

Trustee Kibby: No report.

Mayor Kuzon: Mr. Way from the Department of Public Works.

Mr. Way: No report.

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

Unanimously carried.

Mayor Kuzon: At this time anyone in the audience may address the Board. Mrs. Schlifke.

Mrs. Carolyn Schlifke, 192 Evans Street: I just have a question for Trustee Brenton in regard to the contract for the refuse and garbage. Could you tell me how many other bids were received and their approximate amounts.

Trustee Brenton: I can tell you exactly how much. We received one other bid from Amherst Disposal and if I'm not mistaken it was about \$147,000.

Clerk: It was \$139,279.47.

Trustee Brenton: \$139,279.47. Our long time relationship with

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Amherst Disposal has to be concluded with that kind of price differential.

Mrs. Schlifke: Did you question Cataract as to the reason for the difference?

Trustee Brenton: I did not personally question Cataract but I am basically, I believe, aware of the difference. However, that is really not a function - I don't believe that's a function of my office to ask a low bidder why he or she bid low. In other words, if we receive bids for water lines, etc., sewer lines, etc. we just have to, I believe, assume that the individual knows what they're bidding on and how they're bidding. Quite frankly, I think there is a reason why but it would only be supposition to elaborate that reason on my part and I very honestly don't want to - I don't believe this appropriate to involve myself in supposition.

Mayor Kuzon: Mr. Hill.

Richard Hill, 18 Brookside Drive: When you mentioned the streets to be worked on this summer you didn't mention Rock or Spring Streets. Are they out the window or are they still on or what?

Trustee Brenton: My purpose for that particular area of my report was to update the citizens as to what was happening immediately. There certainly are other projects that will be shortly incepted. As far as Rock Street is concerned we have begun. We have the right-of-way determined on Rock Street and Rock Street will - I believe it has an April 1st or April 15th inception date and by having the right-of-way determined we are proceeding with that particular project. Of course, that's a Safer Local Roads project and pertaining to the guide railing on Rock Street which is a separate entity under other funding than under direct federal government funding, we have received a cost estimate as to guide railing. However, that will have to be more further developed to the extent that I think we will have to advertize for bids for the rails themselves and then we essentially have to force account for the installation of the rail itself. So that I believe that any project that you are aware of, there has been no decision to not partake of those projects for this year. In fact, we will be involving ourselves in further projects in our paving program, etc. We have a very, very busy schedule for the Department of Public Works for this summer season and I think when we're done with it we will be successful and I think the community is in many areas going to look a lot better for it. There is a sidewalk to be put in yet at Glen Park. There is a project on Garden Parkway, a Safer Local Roads project still to do, to put the drain tile in. Any project that you are aware of.

Mr. Hill: Now, I've got a very personal request. Could you someplace in the Village when you're doing all this paving, find a little bit of blacktop that you could bring out to the corner at Brookside and Wehrle and fill in the ruts in the lake there, so

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that the cars coming both ways don't have to climb up and down the mudholes and the hole with two feet of water to get out onto Wehrle Drive. This has existed for three years now and I hope this year maybe you'll get up there.

Trustee Brenton: As Mr. Way explained it, it has to be paved. It can't be patched and, with our sewer rehabilitation program and my knowledge of it, I think that it would not be wise to pave it at this time in the event we have to go out and need to open the surface of the street for our sewer rehabilitation. As you know, I tried personally to have an easement granted to the Village in that particular area to which you're referring now and I was unsuccessful in this. This easement would have been for construction of a storm drain so that we were forced to go further down the street and with that need to construct our easement out in approximately the intersection of Columbia and Brookside where we will begin our storm sewer and drain towards the street and we will be unable to proceed through the general area you're referring to for storm drainage because of the reluctance on the part of some people up there to have a storm drain put through their property.

Mr. Hill: Are you talking about a sanitary sewer or a storm sewer?

Trustee Brenton: I'm ~~talking~~ about both because in the event the sanitary sewer work has to be done in the area you're questioning right now it probably would be inappropriate at this time to go ahead and do any paving because it will be after Los Robles. Our second target for our sanitary sewer rehabilitation program will be Cadman and Brookside and this will be our second area. Hopefully, we might be involved in that activity before the end of the summer. It is intended to be under construction before the end of summer. We also are engaged in the construction of a limited storm sewer on Brookside Drive.

Mr. Hill: That won't help that situation.

Trustee Brenton: I would think that probably - I don't think it would offer any relief. We will go as far as Monroe. If your elevations are in anyway beneficial in that area we will be having a DI constructed around that drain around Monroe and Brookside and maybe once we get the sanitary sewer work done perhaps then we can come up and address the situation of perhaps paving in order to drain towards this drain which will be located at Brookside and Monroe.

Mr. Hill: That's the wrong way. You're going up hill.

Trustee Brenton: We'll see if we can accomodate it with paving.

Mr. Hill: Maybe next year we can get the sewer at the corner of Wehrle and Brookside fixed.

Trustee Brenton: Maybe by the end of summer. No promises.

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Mayor Kuzon: Anyone else? Mr. Bertini.

Nicholas Bertini, Village Showcase at Main and Rinewalt Streets: Since I wrote to you I have done a little homework and in front of the White House between trees is around 42 feet, in front of the Williamsville Towers is 40½ feet, in front of the Figurehead Hair Salon is 39 feet. I can't understand why this Board wants to put a tree 24 feet in front of my store. I'm a taxpayer and this jeopardizes my business and also jeopardizes the safety of the public. I wrote a letter, a copy of which you received, to John Hughes of the New York State Transportation Department. I want an answer.

Mayor Kuzon: As we discussed on Friday and your letter is going to be shared this evening, after our Board meeting, with the Board of Trustees. It is on our working agenda and is one of the items we plan on discussing tonight and the Board does have individual opinions on it and by the end of the evening will have a collective opinion so that we will share your letter and this will be very helpful to the Board in explaining the situation that developed up there the other day where there was a near accident.

Mr. Bertini: It was a near accident. A truck driver was involved and I have his name and the names of two witnesses. I think somebody has a stubborn idea to put a tree over there. Now why? I know the answer.

Mayor Kuzon: Thank you very much.

Trustee Bancroft: Where is your property.

Mr. Bertini: It is not my property. I run a business at Main Street and Rinewalt.

Trustee Brenton: Do we have that information you read out about the various locations of the other trees?

Mr. Bertini: I don't know. I did it myself. I walk around and I see - I can't understand why mine is 24 feet and some is 40 feet and you have another situation in the winter. You're going to plow the snow and the snow's going to make a big pile and obstruct the vision of the people coming out of Rinewalt and down Main Street.

Mayor Kuzon: Could you read those figures one more time?

Mr. Bertini: Yes Sir: Little White House 42 feet.

Trustee Brenton: Is that from one tree to another?

Mr. Bertini: Yes. Williamsville Towers 40½ feet. Figurehead 39 feet. I heard they ran out of trees. They are perfectly welcome to take my tree and place it someplace else.

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Mayor Kuzon: Anyone else in the audience have anything? Any Board member have any additional items to bring up?

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

Unanimously carried.

Mayor Kuzon: Before adjourning tonight there are two items. The first one is that our next meeting will be on Tuesday following Memorial Day May 26th here in the Board Room.

I would also remind you that there will be a parade in the Village on Monday, May 25th at 2:00 PM.

In adjourning this evening, I would like to adjourn with a moment of silence for a former Village Treasurer and Trustee, Mr. William Bingham who passed away within the last two weeks. So before adjourning I would like a moment of silence for Mr. Bingham.

Thank you.

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the meeting was adjourned at 8:40 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer