

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 26, 1981 at 7:35 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 7:35 PM.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the minutes of the regular meeting held May 11, 1981 were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Kibby, the minutes of the public hearing held May 11, 1981 regarding a Local Law amending Section 17.00 of the Village Code (Refuse Law) were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Bancroft, the minutes of the public hearing held May 11, 1981 regarding amending various sections of the Village Code in relation to Fees were approved.

Unanimously carried.

Mayor Kuzon: I have no report this evening but do have a number of resolutions.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$69,677.25 were approved as follows:

Payroll Fund	W/E 5/13/81	\$ 4,313.26
	W/E 5/20/81	4,640.18
General Fund	Abstract #489	11,278.66
Sewer & Water Fund	Abstract #70	44,330.96
Trust & Agency Fund	Abstract #109	3,009.68
Glen Park Jt/Activities Fund	Abstract #9	839.11
Federal Revenue Sharing Fund	Abstract #109	237.90
Capital Fund	Abstract #115	<u>1,027.50</u>
Total Vouchers		\$69,677.25

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The larger of these vouchers are to Erie County Water Authority, Lancaster Land Fill and the Amherst Highway Department.

Unanimously carried.

Mayor Kuzon: My next five resolutions are year-end budgetary transfers, basically bookkeeping type of resolutions.

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

RESOLVED that the following budget transfers be made in the General Fund, effective May 26, 1981.

BUDGET TRANSFERS

General Fund

<u>FROM</u>		<u>TO</u>	
		1.1010.445	\$ 100.00
		1.1210.445	400.00
		1.1325.445	50.00
		1.1355.445	280.00
		1.1410.401	1,200.00
		1.1410.404	130.00
		1.1410.406	320.00
		1.1410.411	1,900.00
		1.1410.445	40.00
		1.1410.448	1,140.00
		1.1410.1	2,500.00
		1.1420.445	30.00
		1.1440.4	1,640.00
		1.1450.408	20.00
		1.1640.445	9,020.00
		1.1640.444	440.00
		1.3310.445	220.00
		1.3310.1	15,000.00
		1.3310.44	130.00
		1.3310.11	15,000.00
		1.3410.2	380.00
		1.3410.407	1,440.00
		1.3410.422	3,150.00
		1.3410.447	4,500.00
1.1640.1	\$ 4,500.00	1.3620.401	100.00
1.1910.4	3,500.00	1.3620.445	60.00
1.1990.4	24,000.00	1.3620.1	3,600.00
1.1991.4	13,775.00	1.5010.404	190.00
1.3310.444	1,800.00	1.5110.416	750.00
1.3410.418	3,000.00	1.5110.427	2,050.00
1.3410.445	1,000.00	1.5110.445	690.00
1.5142.1	9,100.00	1.5110.1	7,170.00
1.7141.1	5,900.00	1.5182.411	2,200.00
1.7140.1	10,000.00	1.1640.407	620.00
1.6326.1	2,100.00		

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Resolution re General Fund Transfers (continued)

<u>FROM</u>		<u>TO</u>		BUDGET TRANSFERS
1.7310.407	\$ 2,000.00	1.7141.411	\$ 2,620.00	General Fund (Con't)
1.7310.437	4,470.00	1.7141.449	10.00	
1.8160.411	20,000.00			
1.8170.1	3,800.00	1.7140.407A	560.00	
1.9071.8	6,500.00	1.7140.425	220.00	
1.9730.7	795.00	1.7140.443	90.00	
		1.7140.445	2,610.00	
		1.8020.417	10.00	
		1.8140.445	7,600.00	
		1.8160.416	600.00	
		1.8160.425	2,040.00	
		1.8160.433	4,200.00	
		1.8160.1	12,800.00	
		1.8560.416	1,100.00	
		1.8560.1	2,200.00	
		1.9030.8	1,300.00	
		1.9060.8	1,820.00	
	<u>\$116,240.00</u>		<u>\$116,240.00</u>	

Unanimously carried.

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

RESOLVED that the following budget transfers be made in the Water Fund, effective May 26, 1981:

<u>FROM</u>		<u>TO</u>		BUDGET TRANSFERS
6.1910.4	\$ 3,000.00	6.8320.4	\$ 5,000.00	Water Fund
6.1920.4	50.00	6.8340.401	210.00	
6.1990.4	3,600.00	6.8340.407	260.00	
6.1991.4	950.00	6.8340.41	120.00	
6.8310.1	2,000.00	6.8340.416	5,640.00	
6.8340.445	260.00	6.8340.425	1,000.00	
6.8340.448	260.00	6.8340.426	1,495.00	
6.8340.45	75.00	6.8340.444	1,490.00	
6.8340.1	1,600.00	6.9060.8	130.00	
6.9030.8	400.00	6.9730.7	3,240.00	
6.9040.8	240.00			
6.9041.8	100.00			
6.9070.8	200.00			
6.9071.8	550.00			
6.9730.6	5,300.00			
	<u>\$18,585.00</u>		<u>\$18,585.00</u>	

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Unanimously carried.

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

RESOLVED that the following budget transfers be made in the Sewer Fund, effective May 26, 1981:

BUDGET TRANSFERS

Sewer Fund

<u>FROM</u>		<u>TO</u>	
7.1990.4	\$ 2,500.00	7.8120.416	\$35,350.00
7.1990.4	650.00	7.8120.425	210.00
7.8120.41	3,270.00	7.8120.445	1,330.00
7.8120.4161	1,100.00	7.9060.8	130.00
7.8120.1	8,500.00	7.9730.7	200.00
7.8130.422	20,330.00		
7.9030.8	470.00		
7.9040.8	400.00		
	<u>\$37,220.00</u>		<u>\$37,220.00</u>

Unanimously carried.

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

RESOLVED that the following budget transfers be made in the Federal Revenue Sharing Fund, effective May 26, 1981:

BUDGET TRANSFERS

Federal Revenue Sharing Fund

<u>FROM</u>		<u>TO</u>	
3.3410.200	\$ 340.00	3.1410.445	\$ 270.00
		3.3410.445	70.00
	<u>\$ 340.00</u>		<u>\$ 340.00</u>

Unanimously carried.

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

RESOLVED that the Clerk-Treasurer be authorized to make any other budget transfers necessary at year-end, after all encumbrances and adjustments have been placed on the books.

AUTHORIZATION

Clerk to make additional year-end transfers

Unanimously carried.

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Mayor Kuzon: That's all I have - Trustee Bancroft.

Trustee Bancroft: Thank you Mr. Mayor. I have no report this evening and one resolution. The resolution pertains to a proposal by a group of residents residing on N. Ellicott that we consider the possibility of installing curbing along the entire length of N. Ellicott. This resolution will call for a public hearing on June 8th, at which time the Board will entertain discussion from the residents or anyone else in the community interested in the subject. This follows a meeting that I had with a group of North Ellicott Street residents last Tuesday where there was a substantial amount of discussion both for and against the curbing proposal. We feel it is in the best interests of the community to air all of the concerns in the form of a public hearing and, therefore, we will do so June 8th.

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

NOTICE OF PUBLIC HEARING

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on June 8, 1981 at 7:35 p.m. in the Municipal Building for the purpose of hearing all persons interested in discussing the installation of curbing on North Ellicott Street.

Proposal for curbs
on North
Ellicott Street

Unanimously carried.

That's all I have.

Mayor Kuzon: Thank you - Trustee Brenton.

Trustee Brenton: Thank you Mr. Mayor. For my report tonight we have completed the final paving of Los Robles in the block from Main Street to Milton Street. If my memory serves me correctly, I reported on that last week, but we completed it and, of course, as I emphasized at the last meeting we will be undergoing sanitary sewer rehabilitation work in that particular location that has been repaved so we have not put the finish coat of paving on. We will put on the finish coat after completion of the sanitary sewer rehabilitation work.

Basically, that concludes my report and I'll move right to my resolution. Resolution No. 1 deals with the amending of the various sections of the Village Code regarding fees. We have discussed this and feel that this is a necessary way to go in order to increase our revenues for services that are requested of the Village. I'll read the resolution.

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

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of Williamsville
Town
Village

Local Law No. 1 of the year 19 81

A local law to amend various sections of the Code regarding Fees
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City of Williamsville as follows:
Town
Village

(SEE ATTACHED SHEETS)

This local law will take effect immediately upon filing with the
Secretary of State.

Section 1.22 is amended to read as follows:

§1.22 FEES FOR SIGN PERMITS

Fees for each sign erected in a C or M District shall be payable on application on July 1st of every fifth year as follows:

	On Application	Renewal
Sign Area: 30 square feet or less . . .	\$ 20.00	\$ 30.00
31 to 40 square feet	\$ 30.00	\$ 35.00
41 square feet or more . . .	\$ 40.00	\$ 60.00

Section 7.14 is amended to read as follows:

§7.14 FEES FOR PERMITS

An application for a building permit shall be accompanied by payment of the permit fee. No fee shall be refunded, regardless of whether a permit is issued, unless the application is withdrawn before any review or action is undertaken by the Building and Plumbing Inspector. Fees shall be:

Residential buildings including additions:

Up to 1500 square feet of floor area.....	\$ 30.00
Between 1500 square feet and 2500 square feet....	\$ 50.00
Over 2500 square feet.....	\$100.00

Detached accessory buildings and structures, including garages and tool sheds, (\$.05 per square feet with a minimum of \$8.00)

Nonresidential buildings including building and structures accessory thereto and additions:

For the first 10,000 cubic ft. of volume	\$50
For the next 40,000 " " " " per 1,000 cubic ft. of volume,	\$2
For each 1,000 cubic ft. over 50,000	\$3
Alterations and repairs of nonresidential buildings	\$30

Section 7.30 is amended to read as follows:

§7.30 EXCEPTIONAL DEVELOPMENT PERMITS

No building permit shall issue, if proposed construction involves

- 1) five or more dwelling units; or
- 2) gross floor area in excess of 10,000 square feet; or
- 3) more than 30 feet between the grade of the street in which the property fronts and the top of the proposed building or structure; or
- 4) the use of a lot in an R district for parking,

until the Board of Trustees grants an exceptional development permit pursuant to the provisions of §70.112. Any application for an Exceptional Development permit shall be accompanied by an unrefundable fee of \$200.00 in addition to, the nonresidential building fee.

Section 9.50 is amended to read as follows:

§9.50 UTILITY LINES

1. Utility lines, including but not limited to water and sewer lines, shall be disconnected and repaired in accordance with appropriate Village Ordinances and/or as directed by the Building and/or Plumbing Inspector.

2. If a sewer connection and/or water service are to be abandoned, it must be done in the following manner:

Water service must be shut off at the corporation cock or water main. Storm and sanitary sewer lines must be discontinued at curb and properly plugged to prevent backup. All above work shall be done by a licensed plumber (Williamsville) and be inspected by the plumbing inspector, or authorized authority. Fee for sewer and/or water - \$20.00. If a street cut is necessary, a permit must be obtained from the proper authority.

Section 16.23 is amended to read as follows:

§16.23 FEES

A) An application for a permit shall be accompanied by the payment of the permit fee. No fee shall be refunded, regardless of whether a permit is issued, unless the application is withdrawn before any review or action by the enforcement officers. The fees shall be: For issuance of permit \$20.00; For extension of permit \$15.00; and for issuance of a consolidated permit \$30.00; B) For every violation order or notice of permit revocation served, each person served shall be liable for a fee of \$50.00 which must be paid prior to reissuance of a permit.

Section 19.20 is amended by the addition of Section 19.20(5) as follows:

§19.20 TANKS

(5) Any application for a permit required by §19.10 shall be accompanied by an unrefundable fee of \$100.00 which shall be paid to the Village Clerk.

Section 22.40, Junkyards, is amended to read as follows:

§22.40 LICENSE FEES, VALIDITY, REVOCABILITY AND POSTING

The fee for the license shall be fixed in the sum of five hundred dollars (\$500.00) to be paid at the time the application is made. Such license shall be effective from the date of its issuance until the 30th day of June of the year of such issuance, after which it may be renewed annually on July 1 of the new year. In event the application is not granted, the fee shall be returned to the applicant, less any costs of advertising such application, and other reasonable costs incident to the hearing as provided in the previous section. The license shall at all times be displayed in a conspicuous place at the licensee's place of activity or business. The license may not be sold, assigned, transferred, or disposed of, and does not go with the title of the land. The license may be revoked by the Board of Trustees after the licensee has not complied with, or has violated any of the regulations hereinafter prescribed. Such hearing shall take place after a thirty (30) day period during which time the licensee shall be permitted to correct any and all violations.

Section 25.150 is amended to read as follows:

§25.150 PERMIT FEES

There shall be a \$15.00 fee charged each park user for the issuance of a permit. No permit issuance fee shall be charged for any sport, game or other such activity scheduled by the recreation committee.

Section 40.81 is amended to read as follows:

§40.81 FEES BEFORE WORK COMMENCED. The following inspection fees shall be paid to the Village Clerk at the time the plan is filed:

1. Sewers from street to house	\$10.00
2. All inside work per inspection call	\$10.00
3. New cast iron drain inside of building when connected to old soil or waste lines	\$10.00
4. For each plan filed:	
One and two family dwellings only	\$10.00
All other plans, \$20.00 plus varied fixture fees.	
(Varied fixture fees - combined into one fee of \$2.00 for each fixture)	\$2.00
5. Demolition, sewer and/or water	\$20.00
6. For each 100 feet or fraction thereof of 4" or smaller sewer or drain,	\$2.00
7. For each 100 feet or fraction thereof of 4" but not more than 6" sewer,	\$4.00
8. For each 100 feet or fraction thereof of 6" but not more than 8" sewer,	\$8.00
9. For each 100 feet or fraction thereof of 8" but not more than 10" sewer,	\$9.00
10. For each 100 feet or fraction thereof of 10" but not more than 12" sewer,	\$10.00
11. For each 100 feet or fraction thereof of 12" sewer or drain,	\$12.00
12. For each outside and inside conductor,	\$5.00
13. For hot water heaters	\$5.00
14. Dishwasher	\$5.00
15. Water cooled air conditioner per ton,	\$5.00
16. Catch basins,	\$5.00
17. Garbage disposal,	\$5.00
18. Industrial disposal,	\$5.00
19. Sump pump,	\$5.00
20. Catch basin and/or gutter drain,	\$5.00

Section 40.81 (continued)

21. Backflow prevention devices:

There shall be a fee of \$25.00 at the time of issuance of the plumbing permit which includes one inspection call. Each inspection call thereafter is \$25.00. Annual testing as required by the New York State Code \$25.00

22. For each reinspection, -

\$5.00

Section 50.40(1) is amended to read as follows:

§50.40 STREET OPENINGS

1. No person, firm or corporation shall open or cause to be opened by cutting or digging the surface, pavement or soil in any street, highway or public ground for any purpose without first securing the written consent of the Board of Trustees and paying the following prescribed fees therefor or without complying with the following provisions and conditions relating thereto. The fees for street openings shall be as follows: \$10.00 to cover the cost of issuing the permit, plus \$50.00 for a cut or opening to the center of the street, and \$75.00 for a cut or opening extending beyond the center of the street.

Section 59.10(3) is amended to read as follows:

§59.10(3) GENERAL PROVISIONS

A fee of \$10.00. All plans for pools with a capacity in excess of 1800 cubic feet shall be drawn by an architect or a professional engineer licensed to practice in the State of New York.

Section 65.40 is amended to read as follows:

§65.40 WATER CHARGES

- A) Remains intact.
- B) Tapping Water Mains (including corporation cock, curb stop and street box):
 - 3/4 inch - \$400.00
 - 1 inch - \$450.00
 - 1 1/2 inch - \$625.00
 - 2 inch - \$650.00
- C) Meter - cost plus 10% plus \$25.00 for installation.
- D) Turn off (non-payment) - \$15.00
- E) Turn on (after payment) - \$15.00
- F) Inspection - New Service Line - \$15.00
- (G & H) Remain Intact

This local law will take effect immediately upon filing with the Secretary of State.

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RESOLVED that Local Law #1 - 1981 - Amending various sections of the Village Code regarding Fees - which was the subject of a public hearing on May 11, 1981, is hereby adopted.

LOCAL LAW
ADOPTED

#1 - 1981
Increase in
fees

(Copy attached.)

Unanimously carried.

Resolution No. 2 deals with the previously discussed federally funded guide rail project for Spring Street above Glen Park and for Rock Street, that portion running down the hill along side Glen Park. We have been approved for a significant portion of the cost of this project and, therefore, we are calling for bids for the material for the project and I'll read the resolution.

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for 424 feet of guide rail, material and posts, for installation on Spring and Rock Streets. Bids to be opened at 4:00 p.m. on June 16, 1981 in the Village Clerk's Office, 5583 Main Street, Williamsville, New York. The Clerk shall advertise for the bids in the official Village newspaper at least five days before the date on which the bids are to be opened and upon opening of the bids shall make a record by listing the name and address of each bidder, the amount of his bid, the nature and amount of security furnished, and all alternate bids and trade in allowance, if any, and present such records to the Board of Trustees at the first regular or special meeting of the Board following the opening of the bids.

ADVERTISE FOR BIDS

Guide Rail
Material

Unanimously carried.

I would like to comment on that particular resolution. This purely calls for the material itself. It does not call for the installation of the material on Spring and Rock Streets. It simply calls for the cost of material. We will develop that in our specs.

Resolution No. 3 deals with the federal pavement marking demonstration program in which we will have certain streets marked through federal funds through a grant which we applied for. The streets will be South Cayuga - that portion from the town line to Main Street, Reist Street - from the town line to Main Street, Mill Street - from the town line to Main Street, and Glen Avenue - from Mill Street to N. Cayuga Street. The purpose for that short section

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of Glen Avenue is to promote pedestrian safety through the center of Glen Park which is, of course, a heavily traveled street and has many pedestrians on it also. The pavement marking will be thermoplastic. It will aid our forces in that once it's installed it should last for a considerable length of time, even considerably longer than some of the Main Street thermoplastic that was installed last year has lasted because the plows that are used on Main Street have steel blades. Our plows for our residential streets have rubber blades so hopefully we'll have five or more years of service out of this material and it seems to be a good project. I'll read the resolution.

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

RESOLVED that the Mayor is authorized to sign project agreement for the Federal Pavement Marking Demonstration Program with the New York State Department of Transportation. Total cost of the project not to exceed \$8,147.24 and the entire amount to be reimbursable by the Federal Government.

AUTHORIZATION

Mayor to sign agreement
for Pavement
Marking
Demonstration
Program

Unanimously carried.

Resolution No. 4 deals with the concept of requiring ground fault interruption devices on any type of above ground or below ground swimming pool that would have electric capacity hooked up to it for the purpose of filtration, etc. These devices are not that expensive and would, without a doubt, prevent unnecessary death if someone is in the pool when that short occurs. We will discuss this at the regular Board meeting and hope to enact this into law. Resolution No. 4 reads -

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville, on June 8, 1981 at 7:40 p.m. in the Municipal Building for the purpose of hearing all persons interested in a Local Law which would add Section 59.90 to the Village Code - Ground Fault Interrupter.

NOTICE OF PUBLIC
HEARING

Ground Fault
Interruptors

Trustee Bancroft: May I ask a question - It will be specific for swimming pools?

Trustee Brenton: Right.

Trustee Bancroft: Is there anyway that we could include that in there so that people would know we were talking about ground fault interruptors

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for swimming pool use. There are other uses for ground fault interruptors. Those having swimming pools would be immediately affected. Can we call it ground fault interruptors for swimming pools or some-way convey this.

Mayor Kuzon: There is a section of the Code which deals with swimming pools.

Trustee Brenton: We can develop that.

Unanimously carried.

Resolution No. 5 deals with calling for bids for the material for the pavement demonstration marking and this will again entail purely the bid price for the material, not for the installation of the material. The reason for that is - I should clarify that - is that these projects do require force account, or by that term I mean labor from the Department of Public Works so that the theory is that we bid the material and have assistance given to our Department of Public Works to install it so that comes in another phase of installation. What we're doing here is calling for bids for the material. Resolution #5 reads as follows:

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for approximately 20,000 LF of thermoplastic pavement materials for portions of Mill, Reist Sts., Glen Ave. and Cayuga Rd. Bids to be opened at 4:00 p.m. on June 19, 1981 in the Village Clerk's Office, 5583 Main Street, Williamsville, New York. The Clerk shall advertise for the bids in the official Village newspaper at least five days before the date on which the bids are to be opened and upon opening of the bids shall make a record by listing the name and address of each bidder, the amount of his bid, the nature and amount of security furnished, and all alternate bids and trade-in allowance, if any, and present such records to the Board of Trustees at the first regular or special meeting of the Board following the opening of the bids.

ADVERTISE FOR BIDS

Thermoplastic
pavement marking
materials

Unanimously carried.

Trustee Kibby had to leave the meeting at 7:50 PM.

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

Unanimously carried.

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Trustee Brenton: This resolution deals with the hiring of two part-time workers for the Department of Public Works - summer help which we do every year at this time - hire additional local youth for our Department of Public Works. I will read the resolution.

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

RESOLVED that Mark Fonte and David Balk be hired as seasonal laborers in the Department of Public Works from June 1, 1981 to September 1, 1981 at a salary of \$3.25 per hour.

APPOINTMENTS

Seasonal laborers
in DPW

Unanimously carried.

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

Unanimously carried.

Trustee Brenton: That's all I have Mr. Mayor.

Mayor Kuzon: Thank you - Trustee Murray.

Trustee Murray: I would like to thank the ladies of the Beautification Committee, particularly Eleanor Holls, Katrina Wobschall and Marie Eyre for their efforts last week - their volunteer efforts in planting the island at Main and Evans in preparation for the parade that was held yesterday. These ladies continue their volunteer efforts every year to plant flowers for the Village of Williamsville and we appreciate it. They will be planting the Memory Garden in Garrison Park as soon as the D.P.W. has the bed prepared.

I have two resolutions this evening. First, at the last Board meeting I had a resolution to hire a man for Glen Park. It turns out the gentleman found a teaching job in his own field and declined to be hired by the D.P.W. so tonight I have a resolution for hiring his brother, who is also, as I said last time, a former employee of the Amherst Parks Department and was recommended by them when they were unable to hire him due to their budget this year.

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

RESOLVED that Timothy Vicari be hired as a seasonal laborer in the Glen Park from May 15, 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.

APPOINTMENT

Seasonal
laborer in
Glen Park

Unanimously carried.

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My second resolution pertains to the new refuse law that was proposed by the Environmental Council and which was the subject of a public hearing at the last Board meeting. I have included several changes that have been suggested at the public hearing and by the Board of Trustees. If you would like a copy of the final law, I would be glad to provide it for you at the end of the Board meeting. Most specifically, what I think needs to be said tonight is that starting June 1st the Village will no longer be picking up trash and the garbage collector picking up garbage. The garbage collector will be picking up both trash and garbage. The new refuse law sets the standard for a person to put out their trash and garbage, in other words, how you should handle it. Trash and garbage will be picked up Monday and Friday from April 15th to October 15th, and on Monday from October 15th to April 15th.

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

RESOLVED that Local Law #2 - 1981 - Village of Williamsville Refuse Law, which was the subject of a public hearing on May 11, 1981 is hereby adopted.

LOCAL LAW
ADOPTED
#2-1981
Refuse Law

(Copy attached.)

Unanimously carried.

Trustee Bancroft: On that subject, will there be a notice that goes out with the tax notices informing residents of this change.

Trustee Murray: Yes.

Mayor Kuzon: Mr. Way.

Mr. Way: I have no report.

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

Unanimously carried.

Mayor Kuzon: At this time, anyone in the audience who has anything to bring before the Board may do so. We ask that you state your name and address and use the microphone as our meetings are being tape recorded. Is there anyone in the audience? If there is no one -

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

Unanimously carried.

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City
Town of Williamsville
Village

Local Law No. 2 of the year 19 81

A local law Village of Williamsville Refuse Law - Amend Section 17.00
(Insert title)

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City of Williamsville as follows:
Town
Village

(SEE ATTACHED SHEETS)

This local law will take effect immediately upon filing with the Secretary of State.

DRAFT 10 March 1981
REVISION 16 March 1981
REVISION 1 April 1981
REVISION 6 May 1981
REVISION 19 May 1981

17.01 TITLE

This law shall be known as the "Village of Williamsville Refuse Law".

17.02 PURPOSE

The purpose of this law shall be to protect and promote the health, safety and welfare of the people of the Village of Williamsville and their property values by controlling the storage, collection and disposal of refuse within the Village of Williamsville and no persons shall dispose of refuse of any kind whatsoever, except pursuant to and in accordance with this law.

17.03 DEFINITIONS

For the purpose of this law, the following terms shall have the meanings indicated:

Refuse - includes rubbish, garbage and trash.

Rubbish - shall mean all dry material produced routinely by households, commercial or industrial establishments, such as paper, cans, containers made of glass and other material, ashes and other waste materials other than garbage or trash.

Garbage - all decayable wastes, except sewage and body wastes. The term garbage shall include animal offal, carcasses of dead animals, vegetables, fruit and table scraps.

Trash - includes bundles of brush, leaves, holiday trees, bulky objects including discarded household appliances, equipment or furniture, building demolition and construction wastes.

Person - any individual, firm, partnership, company, corporation, association, society or group.

Refuse Collector - any firm, corporation or other legal entity that receives, collects, transports or disposes of refuse within the Village of Williamsville.

17.04 CONTAINERS REQUIRED

(A) Every owner, lessee or occupant of any building, premises or place of business within the Village of Williamsville shall provide or cause to be provided at all times suitable and sufficient containers for garbage and rubbish that may accumulate upon said premises.

(B) All garbage containers shall be watertight, with proper, tight covers and handles or disposable plastic bags, securely tied or fastened. No garbage container shall exceed thirty-two (32) gallons capacity or weigh more than seventy-five (75) pounds when filled.

(C) All rubbish containers shall be designed for such purpose, either of metal or plastic material, except that bushel baskets with handles, disposal plastic bags, or cartons of heavy cardboard or other durable material, securely tied or fastened, may be used. No container, basket, bag or carton shall weigh more than seventy-five (75) pounds when filled.

17.04 CONTAINERS REQUIRED - continued -

- (D) Newspapers, magazines and other printed matter need not be placed in a container but must be bundled and tied in a secure fashion.
- (E) Portable transfer containers, designed to be transported by motor vehicle, exceeding the capacity and weight authorized by this law, may be used for outdoor storage of refuse on premises occupied for commercial, industrial, institutional or apartment uses. Such containers shall be emptied or replaced whenever full, and at least once each week if containing garbage. Such containers shall be maintained in a manner so as to prevent dispersal of the contents about the premises.

17.05 SEASONAL OR SPECIAL ITEMS

- (A) All furniture, refrigerators and other large items not capable of being enclosed in containers may be placed at the curblin~~e~~ or pavement line for collection on the days specified by the Superintendent of Public Works. At all other times such items may be placed for removal only with the prior permission of the Superintendent of Public Works. It shall be the sole responsibility of the owner to dismantle or secure the appliance or item of furniture, so that it will not be a hazard to the public. Doors or broken glass shall be properly secured or removed from the appliance or item of furniture before placing at the curb for collection. The Superintendent of Public Works may accept or decline collection of any such material in accordance with his considered judgment of the ability of the Village to handle and dispose of such items. Collection and disposal by the Village of such appliances or items of furniture shall extend only to those appliances or items of furniture actually used in a residence in the Village of Williamsville.
- (B) Any contractor creating debris from construction or from tree pruning or removal shall remove and dispose of said debris in a sanitary manner at no cost to the Village of Williamsville. In the event that any such debris results from work performed personally by an owner or resident, the debris may be placed at the curb for collection and removal by the refuse collector if the quantity of said debris does not exceed ten (10) containers and/or bundles of not more than seventy-five (75) pounds each in any week. Quantities of debris in excess of this amount shall be removed by the property owner or resident at his or her own expense.
- (C) During the months of October and November, leaves may be placed in piles not exceeding six (6) feet in diameter at the curb or pavement line, but shall not be placed on the paved portion of the street. At all other times of the year, leaves and similar waste material must be suitably bagged or placed in an appropriate receptacle.
- (D) Tree trimmings, logs, tree branches and trunks shall be cut to a length not exceeding four (4) feet and securely tied in bundles not more than two (2) feet thick. In no event shall any bundle exceed seventy-five (75) pounds in weight.
- (E) Holiday trees may be placed at the curblin~~e~~ or pavement line for collection in December and January without being cut and bundled as otherwise herein required.
- (F) Private, institutional or commercial establishments shall be required to secure portable transfer containers if disposition of refuse requires, on a regular basis, ten (10) or more containers for collection. It shall be the responsibility of the owner or occupant of such establishment to contract privately for the securing of portable transfer containers services.

17.06 PLACEMENT, TIME AND LIMITATIONS

- (A) The Board of Trustees of the Village of Williamsville shall designate the times for the removal of refuse from the streets of the Village.
- (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 6:00 p.m. of the day preceding the scheduled collection.
- (C) All containers shall be removed from the curbline or other place of collection by the owner or occupant of premises before 11:00 in the evening of the day on which collection is made from the premises.
- (D) All refuse containers, except portable transfer containers shall be stored in such fashion as to be screened from public view.

17.07 ACCUMULATION

- (A) No person shall accumulate or permit the accumulation of refuse on any premises owned by him or her within the Village of Williamsville, except for purpose of collection by the refuse collector.
- (B) The owner, lessee or occupant of every building within the Village of Williamsville shall keep the same free, clear and clean of all refuse and maintain sidewalks and yard areas free and clear of all refuse, and upon notice, shall within five days, cause to be removed any unsanitary or filthy condition on or about premises owned, used or occupied by said person within the Village of Williamsville.
- (C) Any compost or mulch pile within the limits of the Village of Williamsville shall be maintained in such fashion so as not to attract rodents or cause the development of obnoxious odors or other hazards to the health of safety of the occupants of neighboring properties.
- (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.

17.08 BURNING PROHIBITED

No person shall ignite, burn or cause to be ignited or burned, any refuse within the Village of Williamsville, unless such is placed in an incinerator constructed for such purpose and properly installed and equipped in conformity with all laws, rules and regulations pertaining thereto.

17.09 DEPOSIT ON PUBLIC OR PRIVATE PROPERTY

No refuse shall be carted to, dumped, or deposited in any manner upon any private or public property in the Village of Williamsville, except under the supervision and direction of the Superintendent of Public Works.

17.10 ENFORCEMENT

- (A) The Superintendent of Public Works or such other person as may be designated by the Board of Trustees, shall be authorized and directed to enforce this law.
- (B) Every violation by any person of any provision of this law shall be deemed to be an offense against this law and upon conviction, therefor, such person shall be subject to a fine not more than one hundred dollars (\$100.00).
- (C) The declaration of any portion of this law by a court of competent jurisdiction to be invalid shall not invalidate the entire law, but only that part thereof so declared to be invalid and the remainder of said chapter shall remain in full force and effect.

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 26, 1981 at 7:35 PM

Mayor Kuzon: If there is no further business -

ON MOTION by Trustee Murray, seconded by Trustee Bancroft, the meeting was adjourned at 7:55 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer