

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, August 10, 1981 at 7:36 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton
Michael Kibby Trustees
Connie C. Murray

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Edward Way, Dept. of Public Works

Absent

William Bancroft, Trustee

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on August 10, 1981, at 7:35 PM in the Municipal Building, 5583 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in an amendment to Section 60.32(22)(B) of the Traffic Code which would eliminate parking on the west side of Pasadena Street between Milton Street and a point three hundred (300) feet south of Milton Street.

PUBLIC HEARING

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, the hearing was opened at 7:36 PM.

Unanimously carried.

No Parking on west side of Pasadena

Mayor Kuzon: As the Clerk and I have already stated this hearing regards a proposal eliminating or prohibiting parking on Pasadena 300 feet south from the intersection of Milton Street. This proposal comes about as a request, or a concern of the neighbors in that intersection. It seems the neighborhood has changed over the past couple of years. It has changed from a neighborhood of older residents to one of younger residents with a number of children. In fact, at this time I would like to read a paragraph from a letter which basically sums up the situation.

300 feet south of Milton Street

"May this advise that there has been a change in the composition of our neighborhood and specifically Pasadena Street near its juncture with Milton Street in the Village of Williamsville. The former residents have sold their homes and in their place there are now four young couples who have between them nine children. Also, two of the women are pregnant and, therefore, expecting additions to their families in the near future. With one exception, the age of the children ranges from two to six. These families and the children occupy both corner residences at Milton and Pasadena and occupy the second and third houses from the corner. The young children are all playmates and there is considerable movement among them as

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, August 10, 1981 at 7:36 PM

between houses on both sides of the street. The children are, of course, so young that despite perpetual vigilance and constant warnings, they, nevertheless, cross Pasadena Street without exercising the same degree of caution that an adult might."

Mayor Kuzon: In going on in this letter, the resident in question requests a children at play sign as a minimum type of warning in this area. However, in talking with the individual on the phone we thought that possibly part of the parking problem was the overflow parking from the church that parks on Pasadena Street and that by eliminating parking it could be an effort to solve some of the problem. The problem being that the children are smaller and cannot be seen above the hood of a car and when they come out from between the parked cars create a hazardous situation. I would add that this matter hasn't been fully reviewed by the Traffic and Safety Committee, it being the summer months, and they are not meeting this July. However, I have talked with Mr. Hill, Chairman of the Committee and he advises the Traffic and Safety Committee does not support, or does not recommend this proposal this evening. Their suggestion is that a stop sign be posted at the intersection of Pasadena and Milton. In fact, Trustee Brenton is calling for a public hearing on this proposal this evening. Basically, these are some of the reasons for this proposal and at this time I would like to ask if anyone from the audience wishes to comment on the proposal. Yes, Sir. Please use the microphone. We would appreciate it because we tape record our meetings.

PUBLIC
HEARING
(Con't)

No parking
on
west
side of
Pasadena

300 feet
south of
Milton St.

Michael Hayes, 17 Pasadena Street: I'm one of the residents on Pasadena. Some of the children - at least one of the children involved in this situation - We are I think - From what you read in that letter fairly states the situation and are quite concerned about the situation. We've got four children who are four years old. They're all playmates who live on either side of the street and they play on the one side for awhile and will go to the other. We all four families try to keep an eye on them, the little kids, and we pretty much do, but it's a very quiet street generally and the kids for the most part can negotiate and cross the street. With the parking - the parking generally results from the church and their activities which are almost on a daily basis. The children being small cannot see over the hood of the car and with the church attendance those people are not familiar with our neighborhood and really don't have an awareness that you've got a lot of little children living on the corner. And our concern is that children are going to go out and not look as they should and not be able to see around - over the hood of the car and one of these people frequenting the church, not being aware there are children in the area, is going to be driving along or turning around and because they don't see a head moving or a body they will not perceive there are children and there will be some tragedy.

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, August 10, 1981 at 7:36 PM

The situation isn't going to change in the immediate future because as our letter indicates, two women are pregnant and it's going to continue for some period of time. A stop sign at the corner might help the traffic situation on the street somewhat. It's not going to change the situation in respect to the children and will not eliminate our problem at all.

PUBLIC HEARING
(Con't)

Thomas Lombardo, 28 Pasadena: I have three points I'd like to make. Number one is that out of the five houses - six houses involved four have children. The other two are also elderly people living alone so it's going to get worse. When we moved there we were the only young couple four years ago. Now we're the veterans on that block and there's two old people - one a widower and one a bachelor and I'm sure in the near future those things are going to change too. This is not a situation unique to our street. I'm sure this is happening all over Williamsville and if we're a progressive village and a progressive town we're going to have to take things into consideration like urban blight. Things that might have changed. Old neighborhoods are going to become young neighborhoods and we can't solve these problems by saying parents should be watching for their children and putting stop signs on the corner.

No parking on west side of Pasadena

300 ft. south of Milton

The second point is that as neighborhoods change there's more younger people in the neighborhood and there are also young drivers in the neighborhood who aren't good drivers. They're fast drivers. They're not careful. I was one of those. You were one of those. We all were. There's a number of those on our street and like Mr. Hayes says there's going to be a problem. It's not going to be one of my kids and I think we've got to be progressive and think about these things. A stop sign is garbage and a stop sign is stupid. There's not been a stop sign there ever and most people stop at that corner. It's stupid not to stop at that corner as it's the end of the street. How can you not stop. I don't see anybody not stopping at that corner. But a stop sign? That's dumb. Totally dumb.

Mayor Kuzon: Thank you. Anyone else? Mrs. Schlifke.

Mrs. Carolyn Schlifke, 192 Evans Street: I'm secretary of the Traffic and Safety Committee. While we fully sympathize with the residents on Pasadena what the people must understand is we cannot change parking restrictions in spot areas. It is the same as spot zoning. We have plenty of streets in the Village that have probably the same situation they do. There may be three houses in the middle of another block that has a concentration of seven or eight children. If we allow them to have their parking restrictions on Pasadena, how do we say no to someone else. I understand it's very difficult to restrict children. My thinking is a two or four year old does not belong in front of the house crossing the street. Children must be instructed that they are not to cross the street. They should stay in their

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, August 10, 1981 at 7:36 PM

yards. If they want to play, the mother's going to have to come out and take them across the street. I understand it's a problem and nobody wants any child to be hurt but to remove the parking in that area - the gentleman said the nature of the neighborhood has changed. In two or three years these people may outgrow their homes. They may move out of them. Who knows who will buy them. We have put a parking restriction on the street. We must start all over to again change that parking restriction. We must have some uniformity in the Village of Williamsville. We've been approached before by people on other streets. The people on Oakgrove came to us a couple of years ago. They wanted us to put up children at play signs. Children at play signs are really supposed to be put up in areas of playgrounds. Not in residential areas. You will find them in residential areas only because a Board has been browbeaten into putting them up. They really don't do any good. Any motorist traveling on a residential street should be aware that there can be children. You just can't change parking restrictions for individuals. Now, we could go along with a no parking restriction back to the end of the first driveway but 300 feet encompassing three properties - we don't feel that we can go along with it. We did not want to recommend a stop sign at the corner because as the gentleman stated, it is a T-intersection. Stop signs are not necessary at T-intersections but we felt that if they felt it would help stop the traffic so the children could cross at the corner fine, we would go along with a stop sign. There are many T-intersections in the Village of Williamsville that do not have stop signs. We've discussed putting them up. We didn't feel it was necessary and an unnecessary expense to the Village of Williamsville. But with no parking on one side of the street we felt that is sufficient to cover this problem. The children will just have to be made aware that they do not run out into the street or the parents will have to be more observant. This is our recommendation.

PUBLIC
HEARING
(Con't)

No
parking
on west
side of
Pasadena

300 ft.
south of
Milton

Now, Mr. Mayor you stated that the Traffic & Safety Committee had not gone into this thoroughly. While we did not have a meeting...

Mayor Kuzon: No. I just meant they didn't meet in July.

Mrs. Schlifke: We did not meet in July due to vacations and things but a majority of our members made individual, personal trips over to that area and observed. When I was there there were four children on bicycles on the street - not on the street, I'm sorry - on the sidewalk. What their ages were I do not know but there weren't any in the street at that time. But the majority of our members did go over, look at the situation. One of our members, as you know, is Henry Smith who is the Traffic and Safety Coordinator for the Town of Amherst. He did not feel that this was a feasible solution to their problem. One of our members also is a member of the Amherst Police Department. He also did not feel that this was a step we should be taking. Now if there are problems with cars parking in restricted areas

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, August 10, 1981 at 7:36 PM

then they are free to notify the Amherst Police because the cars are parking in a non-parking area and they can be ticketed and the Amherst Police will come and ticket them.

PUBLIC
HEARING
(Con't)

Mr. Lombardo: Did any one go there during church activity.

No parking
on west side
of Pasadena

Mrs. Schlifke: I don't know. I did not.

Mrs. Lombardo: The point here is not - we're not claiming this is the only street in Williamsville that has young children. We're not that naive. We are one of the few streets that have a church and this is an active and busy church. This has got to be one of the most active churches in the state. I mean it's unbelievable. We are part of the church's parking lot. That street is part of the church's parking lot. That is the crux of the issue. It's not just that we have children but that there's an overflow onto our street and it is absolutely horrible. Now, I'm not claiming that every street in Williamsville should have special care but streets that have as active a church as this - I mean five nights a week and all day Sunday with as many cars parking on that street as there are. Something should be done. Now I don't care. I want to know if anyone went there during the church's activities. The church activities are at dusk which is the most dangerous time and I don't care how many times you tell a little kid - and I don't care if it's a six year old kid - we are the church parking lot on Pasadena Street. We're the church parking lot.

300 ft.
south of
Milton

Mrs. Schlifke: On Oakgrove they have a church also and...

Mr. Lombardo: As active as this?

Mrs. Schlifke: I don't know. But I'm sure the Methodist Church gets quite an overflow on Oakgrove.

Mr. Lombardo: This church has weight control. This church has teen activities. This is a great thing. I'm not putting the church down. It's a great church. You should find out if anyone went over during the church's activities.

Mrs. Schlifke: Yes, but if the people are going to church all the time they are certainly familiar with the neighborhood. You said people that go to that church are not familiar with that neighborhood. I am probably less familiar with your neighborhood than the people that go to that church. I never drive down Pasadena.

Mr. Lombardo: I don't get the point. I don't understand.

Mrs. Schlifke: Well, you're blaming the problem on the church because the street is being used by them. We cannot restrict the use of the street because streets are public. If a business has an overflow it's going to go onto the street.

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, August 10, 1981 at 7:36 PM

Mr. Lombardo: Why isn't it the church's responsibility to provide parking for their parishioners?

Mrs. Schlifke: Well we cannot say the people from the church cannot park on Pasadena but the residents and their guests can.

Mr. Hayes: Two points I'd like to make very briefly. With respect to the possible spot zoning problem, it is my understanding that if this ordinance were directed to restricting parking solely to the church vehicles or perhaps even vehicles during certain time periods, that there might be some problems with it. But this is an all encompassing ordinance that restricts parking on the street for all individuals using that particular street be they resident or visitor. I've discussed the matter with other residents on the street involved and received their assurances that the residents and their guests will use their driveways and would not extend further up past the fourth house and take up somebody else's parking space. The reason for this is to keep the sight lines unobstructed so the people can see the children and the children can see the people. I'd like to say just one other thing. An experience that I had not too long ago that affected me quite a bit. It was on a church night. I think it was on Saturday evening. I'm not sure. About six o'clock at night. Kind of dusky but not really. It was rainy and not too many kids were outside. My little boy wanted to go out and he wanted to go across the street where he could play inside. I said fine. I said be careful the church people are here tonight. I also said since all the kids are inside these people are not going to expect that there's going to be a little kid running around so stop and look. For some reason I went to the window. Then I went to the side porch and watched him. He went and stopped at the curb and looked both ways and I was proud of him. And it just so happened that one of the church people was leaving at that time and they pulled into the driveway across the street from us. He put the car in reverse and the little white lights go on. Well, my little four year old doesn't know the meaning of white lights on the back of the car and that car started coming back and he started running across and I yelled and nothing happened on this occasion. That particular situation, that particular location is very, very nerve wracking for those of us who live on the street and we think it would be acceptable and constitutional. Certainly not a hardship to anyone from the church or anywhere else. We're talking about a very small part of the land and it certainly would help us a lot.

Mayor Kuzon: Any Board member have anything?

Trustee Brenton: Yes. I would like to comment on the proposal - no so much the proposal but what was indicated here that - as the liaison to the Traffic and Safety Committee it was indicated

PUBLIC
HEARING
(Con't)

No
parking on
west side
of
Pasadena
300 ft.
south of
Milton

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, August 10, 1981 at 7:36 PM

that the Traffic and Safety Committee had recommended a stupid - and I use that as a quote - alternative to this problem here. I have to say that I have been liaison to this committee for several years and I would say the members were indicated correctly by Mrs. Schlifke. However, we have a Village Traffic and Safety Coordinator that is a member of this committee. We have a Lieutenant of the Amherst Police Department of many years standing a member of this committee. Mrs. Andrews, Mrs. Schlifke. Mr. Taylor from the Department of Transportation of the State of New York. We have many extremely capable people on this committee and I, quite frankly, resent the allegation that this is a stupid solution to this problem. Mrs. Schlifke does need to be corrected in the fact that it is accepted traffic and safety procedures to have stop signs at T-intersections so the notice for public hearing for the stop sign at Pasadena and Milton which will follow shortly is appropriate and will be followed through on a gradual basis throughout this entire community. Now, I think that both of you gentlemen have moved here from someplace that might have different conditions. I don't know and frankly, I don't care. I do have a seven year old child. I have raised two children in this community and I grew up in this community and I know many families that have had seven or eight children right in the neighborhood where you live and quite frankly, when my child was four years old he was not allowed to cross by himself. He was not allowed to cross the street by himself. He was taken across the street by either myself, or one of our older children, or my wife. So, quite frankly I don't agree with the philosophy of letting a four year old cross the street. Of course, this is an individual situation. If you feel this is what a child can do I'll certainly bow to your concern for your child, feeling this is a safe procedure. But quite frankly, I don't agree with that. Now as to the fact there is a church nearby, this community is surrounded by churches. There used to a church at Los Robles and Milton that quite a few people attended. So that you have churches on Ellicott Street and Eagle that has great attendance and we have the Methodist Church on Oakgrove and Park Drive that is used continuously by groups. Alcoholics Anonymous and many other social groups other than purely the religious factions and quite frankly, this community - I feel, and it's really not appropriate to discuss this but - since I know the many hours and deep concern that the Traffic and Safety Committee puts into all their situations, I feel that what we have here is an inability to accomodate the many factions of life that we have here in this community. We have this problem on Main Street where there is not adequate parking. This is the way it is. This is the way it was, and I'm sorry, this is the way it will continue to be. So, therefore, I think residents that do enter into this area should really take their child and educate them to the best of their ability that they will be educated when entering school, whether public or private, as to the correct procedure for crossing. And I do feel in this instance, just about any instance in any community, it is a requirement of the

PUBLIC
HEARING
(Con't)

No
parking
on west
side of
Pasadena

300 ft.
south
of Milton

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, August 10, 1981 at 7:36 PM

parents and I have to say that this is the way that I was brought up in this community and the way my children have been brought up. I have one seven years old. Maybe I'm wrong. I don't know. I certainly don't want anything we discussed in our work session tonight to happen. I hope nothing happens to my seven year old and I certainly hope nothing happens to your children. This would be my approach to this suggestion. That's all.

PUBLIC
HEARING
(Con't)

Mayor Kuzon: Thank you. Any other Board member? Anyone else from the audience? Okay. I would sum it up by stating that this proposal was an honest attempt to try to rectify the situation and make an effort to provide safety for the children in the corner houses on Pasadena and Milton. There are many different ideas and factors that enter into this, whether personal philosophy on child rearing or the traffic and safety expertise or whatever it may be. But just to sum it up, this was an attempt in talking with Mr. Hayes, to solve the problem as he saw it. That is the purpose of the public hearing, to bring out comment from all sides and find out where we stand on this issue and if there are any other ways to deal with it.

No
parking on
west side
of
Pasadena

300 ft.
south of
Milton

Mr. Lombardo: I'd just like to say something. This solution to this problem turns out to be a general solution to a specific problem and that's exactly what's been done here. The powers to be have decided to generalize things to solve the specific problem, getting everyone all upset with a couple of signs that would cost the Village an amount of money. I think the philosophy of child rearing is not the point. We're all treating our children the same. This is an isolated incident. Nobody's kid goes running across the street. I apologize for offending somebody when I said that stop sign was dumb. I don't apologize for my feelings that it's dumb. I apologize for offending anyone. Anyone who spent that much time looking at a corner, probably 60 seconds. I apologize, but you can't solve every public problem by generalizing things.

Trustee Kibby: I spoke to that in our work session which is open to the public at all times. I don't believe that we have to follow general policy all the time in specific situations but when you do have one man's thing - when you do vary from general policy there ought to be good reason. I think there isn't in this case as I can see it at this particular moment. I think that in the situation described to me I think the obvious solution was the same solution that occurred to me and the difference was I live on Garrison Road. I was not as fortunate as Mr. Brenton, who lives if I'm not mistaken, on Monroe where his kids could very easily cross the street with no problem. The difference between your situation and my situation is that I can't tell my four year old that she is allowed to cross Garrison Road because I know that is just plain foolhardy. I have to take her to the corner. I have to get up out of my easy chair, and I watch a football game or basketball game, or read the newspaper and get up and take her to cross the street. I think that's what's going to have to happen here. You're going to have to cross them at the corner. What I am trying to say to you is

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, August 10, 1981 at 7:36 PM

that I as one Board member did not look at this as a general policy. I looked at the facts from your point of view. As a matter of fact I expressed anger to certain other Board members that this was being looked at by some people as a general policy. I'm very concerned about the fact that the church doesn't have sufficient parking and I'm looking at this further, but the idea that a four year old should be - we should change the parking in this neighborhood so that a four year old can cross the street illegally in the middle of the block is not to me acceptable. The child should go to the corner, be crossed or the parent should cross a four year old child or get him. So your concept of the general principle doesn't hold. At least not with this particular Board member.

PUBLIC HEARING (Con't)

No parking on west side of Pasadena

Mr. Hayes: I don't think that it's against the law to cross the street in the middle of the street, first of all. Okay. Secondly, one of the reasons that we chose Pasadena, that we chose to move on that street was because the traffic patterns were very minimal. It's a double-T-ed street. The only traffic on that street is the residents with the exception of the church traffic. With the exception of the times the church people are coming in and around there's almost no traffic on that street. You can see very far in both directions. None of the children are allowed to get near Milton Street. That's a through street. There's a lot of activity there. None of them get near it. But among and between these particular houses we have permitted this policy and it's worked out pretty well so far. We've let the children cross the street and so on but there are occasions, occasions brought about by the church parking that we feel creates a particularly serious hazard and that can be alleviated - eliminated by a very, very simple resolution. As a matter of fact, it wasn't even my suggestion that parking be eliminated. That was a solution that came through a discussion. I thought perhaps children at play signs, but I think now that keeping the sight lines free would be a better idea. I really do. You all use your own discretion and judgement and we'll try to live with it and we do thank you for your consideration and time.

300 ft. south of Milton

Mayor Kuzon: Thank you. Mrs. Schlifke.

Mrs. Schlifke: I have one question of this gentleman here. How long is it you have lived on that street?

Mr. Hayes: Two years now and Mr. Lombardo for four.

Mrs. Schlifke: All right. This may sound a little facetious but you say you chose the street because it was a quiet residential area. That church, to my knowledge, has been there for 30 years so you were aware the church was there.

Mr. Hayes: Oh, yes. We were aware of the church being there and we did not - we had very rigid rules when we started this child rearing - never let our child cross the street without an adult.

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, August 10, 1981 at 7:36 PM

But as it has evolved and we cope with the situation presented it has been acceptable to permit the children to cross in certain situations, but they are not as finely tuned as we are as to what situation is acceptable and what is not. I don't know what the church hours are. Sometimes I'll be in, perhaps watching a football game or whatever and my child will be playing and everything will be fine and the next minute I know you got cars up and down the street and he still crosses the street and maybe I'm a poor parent because I don't perceive when the situation changes but it is very fluid.

PUBLIC
HEARING
(Concluded)

Mayor Kuzon: Thank you.

Trustee Brenton: I'd just like to say one other thing. It's quite simply that I definitely, and I'm sure this Board and audience agrees, that there is a problem with young children running out between cars. This particular Board does not in any way belittle that problem, and we certainly will weigh that, but this will be discussed at our next official meeting.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was closed at 8:07 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, August 10, 1981 at 8:11 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton
Michael Kibby Trustees
Connie C. Murray

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Edward Way, Dept. of Public Works

Absent

William Bancroft, Trustee

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on August 10, 1981 at 7:45 PM in the Municipal Building, 5583 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed local law which would add Section 3.200, entitled Coin-Operated Amusement Devices, to the Code of the Village of Williamsville.

PUBLIC HEARING

Local Law

Mayor Kuzon: Thank you, and this public hearing I would turn over to Trustee Kibby.

Add Section 3.200

Trustee Kibby: Thank you, Mr. Mayor. I think there are a couple of things to be made clear before we start. The purpose of the law that we have before us now, that you have in your agenda, is to regulate the number of machines in the community, establishments within the community and also place a limit on the number of those machines before an establishment becomes a game room or, what we call here, an amusement center. Secondly, it is not our purpose at this particular time, although we are certainly open to listening to your views on this, to regulate who may use these machines in terms of what age - child or adult, what hours they may use these machines, etc. like this. The law is simply to regulate the number and collect some revenue from the use of these machines. Basically there are a couple of parts. One is to limit the machines you can have and that you will be paying a licensing fee for each machine. Secondly, the number you are limited to is open at this moment and the Trustees are still discussing that. It will be somewhere between two and four and at the moment with the public. That's the purpose of the public hearing. Once you have an establishment with more than four machines you can become an amusement center - what in my day would have been called a game room, and different procedures take effect then. Okay, let's open it up and anyone who would like to speak to this or against it please use the microphone. As you know, the meeting is being recorded. Mr. Avery. Welcome.

Coin-Operated Amusement Devices

Fred Avery, 65 Garrison Road: Thank you. I am retired. I'm out in front all the time. I'm down at the corner. At 7-11 I'm observing these kids. Now I can give you my observations.

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, August 10, 1981 at 8:11 PM

We'll say nine o'clock in the morning, ten to eleven - these are the hours 7-11 that you'll find the kids six years old, seven years old, 8 years old and 9 years old. Starting in the afternoon it's been my observation over the last three to four months, the age seems to go up to about 11 years old and it holds there until about dinnertime, and at dinnertime and at night you'll find 10, 11 and 12 years old. Some of these kids are awfully nice and call me by name. Some are very arrogant. The arrogance is arisen out of the fact that they use so many bicycles on Garrison Road. It isn't safe for me to stand out there and water the lawn any more. I don't object so much to the bicycles, but I have it on record with the Town of Amherst police and I'm objecting to the number of motorcycles unlicensed. They're going up and down, chiefly on the eastern side. These are unlicensed. They are hill climbing machines. These are kids 17 and 18 years old. You will find them around 7-11 at 12:00 at night. I don't know what goes on at 7-11 at 11 or 12:00 at night. Probably Mr. Kibby can tell you. You have a jam up of young people with automobiles. I have run in there a couple of times to get gas and could not get into the gas station. The girls seem to get in there first and get the gasoline and pull to the side and the guys get in front of them and pretty soon you've got a hot situation. I go back and listen to my scanner to see what's going on and sure enough the manager has asked for a policeman at 7-11. Well, the kids see the police car and they all scamper or he invites them to leave and many times he doesn't get out of his car and this is something else I object to in the Village, and I know that others - I could mention names - call the police lately and they do not get out of their cars. Now these younger kids, those say 11 years old, late at night at 10:00, 11:00 or 12:00. Now, I've been in the neighborhood so long they know my name. You're picking up the most number of beer bottles in my backyard. Our lots are 400 feet deep, through to Pfohl Place. We go out there in the morning and pick up as many as half a bushel. I'm sorry to inject this into this. They're kids thrown out of the park...

PUBLIC
HEARING
(Con't)

Add
Section
3.200

Coin
Operated
Amusement
Devices

Trustee Kibby: Mr. Avery, that's a problem for a different day. Now, you know how I feel about this so you know I'm not against you there, but let's stick to the game law.

Mr. Avery: I was very prejudiced to the gasoline station, this 7-11. I am a civil engineer - a graduate civil engineer and I still say they have no right to a double 18 foot driveway on Garrison and likewise on Main Street. It gives them 30 feet of right-of-way walking on one street and 30 feet on the other. I'm concerned with the safety of the kids. I'm concerned with the safety of the older people. What has happened now - let's stick to the subject of - let's get back to electronic machines. We did not have the traffic. Some of these kids - I get this from my next door kids and newspaper boy - they make frequent trips - about five trips a day down to 7-11. They aren't going just for the pop. They're going to play the machine. So when I see

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, August 10, 1981 at 8:11 PM

a group of five or six I follow along to see what their ages are, to see if they're really playing the machines, or get in my car, park it, look in and make a note on it. Well they do gang up, about six. I've never seen 12. I've been to the owners to see if they could hold it down to about four kids but she hasn't complied. I don't know if it was the owner I talked to. The reason being when they come out from playing the machines is when the damage occurs on Garrison Road. If they don't step on Mr. Kibby's flowers, they will come in front of my yard and kick the "H" out of both fences that I have to keep the dogs off or to keep people from ripping up my lawn with motorcycles. They love my soft ground. This is what happens. Four to six of them come back on the street. These are not all boys. When I came down here tonight, I went in there to get gasoline and five girls followed me into 7-11. Girls were playing the machines. It's calm until later at night when they come back up. If there's a fence or rock in my driveway that's in the way, it's going to get kicked out of the way. Believe me. You should see the place every morning. I'm against the machines absolutely. It's the increased traffic. It's increased danger for the kids. It's the increased malicious mischief. It's the broken bottles on the street. The, oh, pop bottles. I won't say the beer bottles. But I would like to see no machines in there at all in our residential area. I would like to go on the record to no machines. I wouldn't even agree to two machines. Thank you.

PUBLIC
HEARING
(Concluded)

Coin-
Operated
Amusement
Devices

Trustee Kibby: Anyone else like to speak? Seeing none -

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the hearing was closed at 8:17 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, August 10, 1981 at 8:08 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Michael Kibby Trustees

Connie C. Murray

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Edward Way, Dept. of Public Works

Absent

William Bancroft, Trustee

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on August 10, 1981 at 7:40 PM in the Municipal Building, 5583 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing a proposed abandonment of a portion of Oakgrove Drive.

PUBLIC HEARING

Mayor Kuzon: At this point I would turn it over to Trustee Brenton.

Trustee Brenton: Thank you. For background on this situation, quite simply this particular area that is being considered to be abandoned is a portion of Oakgrove Drive which was formerly called Miller Street, and the intent for abandonment is to sell this property to Mr. Tuyn so that he will take possession of it. He has previously, through his family, been allowed to use the property by this and prior Village Boards for the last 20 to 21 years on a lease basis and it has been deemed appropriate to allow Mr. Tuyn to purchase this property and so that we are confronted with the need to abandon officially under New York State law this portion as it did appear in our original surveys and maps as a portion of the street. And we are thus required to abandon this officially and so we are calling the public hearing for this and essentially that is it.

ABandon portion of Oakgrove Drive

Mayor Kuzon: Is there anyone in the audience wishing to comment on this? Any Board member? Seeing none -

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was closed at 8:10 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, August 10, 1981 at 7:35 PM

Roll Call	Present	Gordon J. Kuzon, Mayor
		Lawrence R. Brenton
		Michael Kibby Trustees
		Connie C. Murray
		Theresa L. Cummins, Village Clerk
		Thomas V. Troy, Village Attorney
		Edward Way, Dept. of Public Works
	Absent	William Bancroft, Trustee

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 July 13, 1981 were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the minutes of the special meeting held July 21, 1981 were approved.

Unanimously carried.

Mayor Kuzon: Next on the agenda this evening are three scheduled public hearings. The first public hearing is regarding a proposal that would amend the traffic code section and would prohibit parking on the west side of Pasadena Street approximately 300 feet south of Milton Street. The Clerk read the notice of public hearing.

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, it was moved at 7:36 PM to open the public hearing. (The hearing was closed at 8:07 PM.)

Unanimously carried.

Mayor Kuzon: Our next scheduled public hearing this evening is the proposal to abandon a portion of Oakgrove Drive.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, it was moved at 8:08 PM to open the public hearing. (The hearing was closed at 8:10 PM.)

Unanimously carried.

Mayor Kuzon: Our third and final public hearing tonight is a proposal regarding a local law to add a new section to the Village code regarding coin operated amusement devices.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved at 8:11 PM to open the public hearing. (The hearing was closed at 8:17 PM.)

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 10, 1981 at 7:35 PM

Mayor Kuzon: For my portion of the agenda, I have two resolutions. The first one is for vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$285,990.36 were approved as follows:

Payroll Fund	W/E 7/22/81	\$ 5,360.08
	W/E 7/29/81	8,042.18
	W/E 8/5/81	5,384.54
General Fund	Abstract #494	39,775.20
Sewer & Water Fund	Abstract #75	202,096.30
Trustee & Agency Fund	Abstract #114	8,053.46
Glen Park Jt/Activities Fund	Abstract #14	462.55
Federal Revenue Sharing Fund	Abstract #114	1,118.39
Community Development Fund	Abstract #61	10,940.00
Capital Fund	Abstract #120	<u>4,757.66</u>
Total Vouchers		\$285,990.36

The larger of these vouchers are to the Town of Amherst, Bissell Merrill for some work on a storm sewer, URS who worked on our siphon analysis, and to Cataract Disposal for our garbage collection.

Unanimously carried.

The second resolution terminates the services of the Planning Group, who was engaged almost two years ago for a planning study - master plan up-date for the Village of Williamsville using community development funds. Over that period of time we have received, or have not received various amounts of work and at this point we feel the association with the Planning Group is not benefiting the Village or the Planning Group and is in the best interests for both of us to end it and seek others to finish the planning study. This resolution is official notification and directs the Clerk to notify Mr. Templin of this action. It reads:

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

RESOLVED that the services of the Planning Group, Jamestown, New York, are hereby terminated immediately and that the Village Clerk is further hereby directed to notify Mr. Gary Templin of said termination.

TERMINATION OF SERVICES

Planning Group
(Gary Templin)

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 10, 1981 at 7:35 PM

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

Trustee Brenton: Thank you, Mr. Mayor. For my report tonight I would like to say that N. Ellicott Street, as far as major repaving, has been completed. We have the final block that most likely will be repaved this summer season if we get to it. At this stage of the game I don't know if we will because we are falling behind for a multitude of reasons, one of these being the weather, and the other perhaps we'll talk about later on. But at any rate, N. Ellicott has been repaved and I took the occasion of the heavy rain to go down and drive slowly down N. Ellicott and I do have to say that the DI's that have been cleaned or rebuilt were serving their purpose very well. And I must compliment Mr. Way and his forces for a job which I feel was well done. I would say that there is no exception to the way that the DI's on N. Ellicott handled the water, which was extremely heavy. Towards the westerly portion of Belmont Street I think that we might have need of a little direction with relation to that DI but at a later date. We have now begun the paving of Mill Street with the binder course and hopefully this will be done with the final course within one week from now. Two weeks from now it should be done. Today we had - I had a meeting with the New York State Department of Transportation officials and formally awarded us the federal highway pavement marking program whereby Mill Street, and Reist Street, and Cayuga Street, and that portion of Glen Avenue from Mill Street to N. Cayuga Street will be marked with thermoplastic pavement marking material and the cost to be reimbursed by the federal government. I've had many meetings with them of this nature whereby we have been successful in obtaining federal funds and I mentioned to them that I didn't feel I will be seeing them. Most likely I won't because the availability of federal money is fast coming to an end and I doubt we will have many more projects - if any projects in this community - that will be borne by the federal or state funds.

In that regard I have also received communication from Assemblyman Sheffer and Senator Floss from the State of New York and been advised of their willingness to assist the Village in our ongoing controversy with the State Department of Transportation whereby we feel the sanitary sewer manholes as left after last year's Main Street preservation project are too low, as does our engineering firm of URS. So the intent will be for a meeting to be set up, apparently with the New York State Department of Transportation personnel, and Assemblyman Sheffer and Senator Floss, and myself, and of course, any of the public or the Board of Trustees that want to attend to try to rectify this particular situation which involves what we feel to be an excessive amount of storm water inflow into our sanitary sewers. That concludes my report and I'll move to my resolutions of which I have quite a few.

Resolution No. 1 deals with the purchase by the Fire Department, with Fire Department funds, not funds that are provided by the

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 10, 1981 at 7:35 PM

Town of Amherst or the Village of Williamsville, but funds that have been simply raised by the firemen themselves. They have seen fit to buy their chief a new four-wheel drive vehicle and they are paying for it and in doing so, are following past practice of turning this vehicle over to the Village so that it goes on our insurance policy. In order to do this, there is a necessary transaction of one dollar, which I don't think takes place, but I might be wrong. It is indicated the Village purchases the vehicle for a dollar for insurance purposes. I'll read the resolution.

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

AUTHORIZATION

RESOLVED that Mayor Kuzon is authorized to sign agreement with Hutchinson Hose Company, Inc. for the purchase of a GMC "Jimmy" Fire Chief's car from the Hutchinson Hose Company for the sum of \$1.00.

Mayor to sign agreement with Hutchinson Hose for purchase of Fire Chief's car.

Unanimously carried.

Resolution No. 2 deals with the bond resolution for the drainage of the Cadman-Brookside area on which we have discussed many times and have had brought to our attention by residents in that area. As you know, we have accepted a low bidder for this project and it appears our total cost will be in the neighborhood of \$110,000 and therefore, we are getting a resolution here to go out and advertise for that money. Resolution No. 2 reads as follows:

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

BOND RESOLUTION

RESOLVED that Bond Resolution in the amount of \$110,000 for Brookside/Cadman Storm Drainage Improvements is hereby adopted. (Copy attached)

Brookside/Cadman Storm project

Unanimously carried.

Resolution No. 3 also pertains to Cadman-Brookside in the same regard, and it simply spells out the requirements of going to the bond markets for these monies and is pedicated by law to be included in this type of situation. I'll read it - although I would rather not.

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

Re: Bond Resolution of \$110,000 for Brookside/Cadman

AUTHORIZE CLERK TO PUBLISH ABOVE BOND RESOLUTION

RESOLVED by the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, as follows:

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the Village of
Williamsville, in the County of Erie, New York.

August 10, 1981

* * *

A regular meeting of the Board of Trustees of the Village
of Williamsville, in the County of Erie, New York, was held
at the Village Hall, 5583 Main Street, Williamsville, New York
on August 10, 1981 at 7:30 o'clock p. M. (D.S.T.).

There were present: Honorable Gordon J, Kuzon,
Mayor, and

Trustees: Lawrence R. Brenton
Michael Kibby
Connie C. Murray

There were absent: William Bancroft, Trustee

Also present: Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney

* * *

Trustee Brenton offered the following resolution
and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE,
NEW YORK, ADOPTED AUGUST 10, 1981 AUTHORIZING
THE CONSTRUCTION OF STORM DRAINAGE IMPROVEMENTS TO
THE BROOKSIDE AND CADMAN DRIVE AREA, IN SAID VILLAGE,
STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$ 110,000,
APPROPRIATING SAID AMOUNT THEREFOR, INCLUDING \$5,500
CURRENT FUNDS TO PROVIDE THE ISSUANCE OF \$104,500
SERIAL BONDS OF SAID VILLAGE TO FINANCE THE BALANCE OF
SAID APPROPRIATION.

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK (by the
favorable vote of not less than two-thirds of all the
members of said Board) AS FOLLOWS:

Section 1. The Village of Williamsville (herein called
"Village"), in the County of Erie, New York, is hereby
authorized to install 950 feet of 12 inch, 15 inch, 18
inch and 24 inch drainage pipe to the Brookside and Cadman
Drive Area, in the Village, to include back fill, Manholes,
Catch basins and all necessary appurtenances thereto, and
also including original equipment and apparatus in connection
therewith, as an addition to the storm drainage sewer system
of the Village. The estimated maximum cost of said specific
object or purpose, including preliminary costs and costs
incidental thereto and the financing thereof, is \$110,000,
and the said amount is hereby appropriated therefor, including
the appropriation of \$5,500 current funds to provide the
required down payment. The plan of financing includes the
use of said current funds, the issuance of \$104,500 serial
bonds to finance the balance of the appropriation and the

levy of a tax upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon.

Section 2. Pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), serial bonds in the principal amount of \$104,500 of the Village are hereby authorized to be issued to finance that portion of said specific object or purpose not provided by said current funds.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds pursuant to Section 107.00 of the Law and such current funds in the amount of \$5,500 are available therefor in the current budget of the Village under the heading "Downpayment on Storm Drainage Improvements". The Village Treasurer is hereby authorized and directed to set aside said current funds and to apply the same solely to the said specific object or purpose.

(c) The proposed maturity of the bonds authorized pursuant to this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond, anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by §52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Village payable as to both principal and interest by a general tax upon all the taxable real property within the Village without limitation as to rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution is subject to a permissive referendum.

*

*

*

The adoption of the foregoing resolution was seconded by

Trustee Kibby and duly put to a vote on roll call,

which resulted as follows:-

AYES: Trustee Brenton,
Trustee Kibby
Trustee Murray
Mayor Kuzon

NOES: ---

The resolution was declared adopted.

Trustee Brenton offered the following resolution and moved its adoption:-

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE
OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, AS
FOLLOWS:

Section 1. The Village Clerk of said Village of Williamsville,
shall within ten (10) days after the adoption of this resolution cause
to be published at least once in the "AMHERST BEE,"
a newspaper published in Williamsville, New York, having a general
circulation therein, and hereby designated the official newspaper of the
Village, and to be posted in at least six (6) places in the Village, a
Notice in substantially the following form:

VILLAGE OF WILLIAMSVILLE, NEW YORK

PLEASE TAKE NOTICE that on August 10, 1981, the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, adopted the resolution entitled:

"Bond Resolution of the Village of Williamsville, New York, adopted August 10, 1981, authorizing the construction of storm drainage improvements to the Brookside and Cadman Drive Area, in said Village, stating the estimated maximum cost thereof, is \$110,000, appropriating said amount therefor, including \$5,500 current funds to provide the required down payment, and authorizing the issuance of \$104,500 serial bonds of said Village to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Williamsville ("Village"), New York, to install 950 feet of drainage pipe to the Brookside and Cadman Drive Area in the Village, to include back fill, Manholes, Catch basins, and also, including original equipment and apparatus in connection therewith, as an addition to the storm drainage sewer system of the Village; STATING the estimated maximum cost thereof, is \$110,000, and APPROPRIATING the said amount therefor, including the appropriation of \$5,500 current funds to provide the required down payment; STATING the plan of financing includes the use of said current funds, the issuance of \$104,500 serial bonds to finance the balance of the appropriation and the levy of a tax upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING \$104,500 serial bonds of the Village to be issued pursuant to the provisions of the Local Finance Law ("Law") to be issued to finance that portion of said specific object or purpose not provided by said current funds;

THIRD: DETERMINING AND STATING that the period of probable usefulness of the specific object or purpose, is forty (40) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds pursuant to Section 107.00 of the Law and such current funds in the amount of \$5,500 are available therefor in the current budget of the Village under the heading "Downpayment on Storm Drainage Improvements" AUTHORIZING AND DIRECTING the Village Treasurer to set aside said current funds and to apply the same solely to the said specific object or purpose; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds, shall be general obligations of the Village and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof; and

SIXTH: PROVIDING that this resolution is subject to permissive referendum.

DATED: AUGUST 10, 1981.

THERESA L. CUMMINS,

Village Treasurer

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1. hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

*

*

*

The adoption of the foregoing resolution was seconded by

Trustee Kibby

and duly put to a vote on roll call,

which resulted as follows:

AYES: Trustee Brenton
Trustee Kibby
Trustee Murray
Mayor Kuzon

NOES: None

The resolution was declared adopted.

_____ offered the following resolution and moved its adoption.

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, August 10, 1981 at 7:35 PM

Section 1. The Village Clerk of said Village of Williamsville, shall, within ten (10) days after the adoption of this resolution cause to be published at least once in the "Amherst Bee", a newspaper published in Amherst, New York, and having a general circulation therein, and hereby designated the official newspaper of the Village, and to be posted in at least six (6) places in the Village.

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

Unanimously carried.

Resolution No. 4 deals with the replacement of our emergency truck No. 5, or Hutchinson Hose Company's emergency truck No. 5, and the necessary monies to pay for that. And, of course, as you know, we have accepted the bids for the body and the chassis of that vehicle and that vehicle is presently in construction, the chassis already having been taken delivery on and this deals, as my resolutions number 2 and 3 - this resolution deals with the fiscal nature of the situation. I will read resolution No. 4.

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

RESOLVED that Bond Resolution in the amount of \$100,000 for Fire Apparatus is hereby adopted. (Copy attached)

BOND RESOLUTION

Fire Apparatus

Unanimously carried.

Resolution No. 5 pertains to number 4 and deals with the previously mentioned legal requirements for this fiscal matter and I'll read it.

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

EXTRACT OF MINUTES

Meeting of the Board of Trustees of the Village of
Williamsville, in the County of Erie, New York.

August 10, 1981

* * *

A regular meeting of the Board of Trustees of the Village
of Williamsville, in the County of Erie, New York, was held
at the Village Hall, 5583 Main Street, Williamsville, New York
on August 10, 1981 at 7:30 o'clock p. M. (D.S.T.).

There were present: Honorable Gordon J, Kuzon,
Mayor, and

Trustees: Lawrence R. Brenton
Michael Kibby
Connie C. Murray

There were absent: William Bancroft Trustee

Also present: Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney

* * *

Trustee Brenton offered the following resolution
and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE,
NEW YORK, ADOPTED AUGUST 10, 1981, AUTHORIZING
THE PURCHASE OF A CUSTOM-MADE FIRE FIGHTING
APPARATUS FOR USE BY THE VILLAGE AT THE ESTI-
MATED MAXIMUM COST OF \$100,000, APPROPRIATING
SAID AMOUNT THEREOF, INCLUDING \$5,000 CURRENT
FUNDS TO PROVIDE THE REQUIRED DOWN PAYMENT,
AND AUTHORIZING THE ISSUANCE OF \$95,000 SERIAL
BONDS OF SAID VILLAGE TO FINANCE THE BALANCE
OF SAID APPROPRIATION.

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF
WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK (by the favorable
vote of not less than two-thirds of all the members of said Board),
AS FOLLOWS:

Section 1. The Village of Williamsville (herein called
"Village"), in the County of Erie, New York, is hereby authorized
to purchase a custom-made fire fighting apparatus for use by the
Village, and to purchase original machinery, equipment and
apparatus for said apparatus. The estimated maximum cost of
said specific object or purpose, including preliminary costs
and costs incidental thereto and the financing thereof, is
\$100,000 and the said amount is hereby appropriated therefor,
including the appropriation of \$5,000 current funds to provide
the required down payment. The plan of financing includes the
appropriation of said current funds, the issuance of \$95,000
serial bonds of the Village to finance the balance of said
appropriation and the levy and collection of taxes on all the
~~taxable real property in the Village to pay the principal of~~
said bonds and the interest thereon as the same shall become
due and payable.

Section 2. Serial bonds of the Village in the principal amount of \$95,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance the balance of said appropriation not provided by said current funds.

Section 3. The following additional matters are hereby determined and stated:

(a) The period of probable usefulness of the specific object or purpose for which the bonds authorized by this resolution are to be issued within the limitations of §11.00 a. 27 of the Law, as amended by Chapter 16 of the Laws of 1981, is twenty (20) years.

(b) Current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds pursuant to Section 107.00 of the Law and such current funds in the amount of \$5,000 are available therefor in the current budget of the Village under the heading "Downpayment on Fire Apparatus." The Village Treasurer is hereby authorized and directed to set aside said current funds and to apply the same solely to the said specific object or purpose.

(c) The proposed maturity of the bonds authorized pursuant to this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of the Law and shall be general obligations of the Village, payable as to both principal and interest by a general tax upon all the taxable real property within the Village

without limitation of rate or amount. The faith and credit of the Village are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any bond anticipation notes issued in anticipation of the sale thereof and provision shall be made annually in the budget of the Village by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of §30.00 relative to the authorization of the issuance of bond anticipation notes, or, the renewals of said Notes and of §50.00 and §§56.00 to 60.00 of the Law, the powers and duties of the Board of Trustees relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of such publication of such resolution, are not substantially complied with,

~~and an action, suit or proceeding contesting such validity is~~

commenced within twenty days after the date of such publication,
or

(c) such obligations are authorized in violation
of the provisions of the constitution.

Section 7. This resolution is subject to permissive
referendum.

The adoption of the foregoing resolution was seconded
by Trustee Kibby and duly put to a vote on
roll call, which resulted as follows:

AYES:	Trustee Brenton
	Trustee Kibby
	Trustee Murray
	Mayor Kuzon
NOES:	None

The resolution was declared adopted.

*

*

*

Trustee Brenton offered the following resolution and
moved its adoption:

RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE
OF WILLIAMSVILLE, IN THE COUNTY OF ERIE, NEW YORK, AS
FOLLOWS:

Section 1. The Village Clerk of said Village of Williamsville, shall within ten (10) days after the adoption of this resolution cause to be published at least once in the "AMHERST BEE," a newspaper published in Williamsville, New York, having a general circulation therein, and hereby designated the official newspaper of the Village, and to be posted in at least six (6) places in the Village, a Notice in substantially the following form:

VILLAGE OF WILLIAMSVILLE, NEW YORK

PLEASE TAKE NOTICE that on August 10, 1981, the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, adopted the resolution entitled:

"Bond Resolution of the Village of Williamsville, New York adopted August 10, 1981, authorizing the purchase of a custom-made fire fighting apparatus for use by the Village, at the estimated maximum cost of \$100,000, appropriating said amount therefor, including \$5,000 current funds to provide the required down payment, and authorizing the issuance of \$95,000 serial bonds of said Village to finance the balance of said appropriation,"

an abstract of such resolution, concisely stating the purpose and effect thereof, being as follows:

FIRST: AUTHORIZING the Village of Williamsville, in the County of Erie, New York (the "Village"), to purchase a custom-made fire fighting apparatus for use by the Village; STATING the estimated maximum cost thereof is \$100,000 and APPROPRIATING the said amount therefor, including the appropriation of \$5,000 current funds to provide the required down payment; STATING the plan of financing includes the use of said current funds, the issuance of \$95,000 serial bonds to finance the balance of said appropriation and the levy of a tax upon all the taxable real property in the Village to pay the principal of said bonds and the interest thereon;

SECOND: AUTHORIZING \$95,000 serial bonds of the Village to be issued pursuant to the provisions of the Local Finance Law ("Law") to be issued to finance that portion of said specific object or purpose not provided by said current funds;

THIRD: DETERMINING AND STATING that the period of probable usefulness of the specific object or purpose, is forty (40) years; that current funds are required by the Law to be provided as a down payment prior to the issuance of the bonds herein authorized or of any notes in anticipation of the sale of such bonds pursuant to Section 107.00 of the Law and such current funds in the amount of \$5,000 are available therefor in the current budget of the Village under the heading "Downpayment on Fire Apparatus";" AUTHORIZING AND DIRECTING the Village Treasurer to set aside said current funds and to apply the same solely to the said specific object or purpose; STATING that the proposed maturity of the bonds will exceed five (5) years;

FOURTH: DETERMINING that said bonds and any bond anticipation notes issued in anticipation of said bonds, shall be general obligations of the Village and PLEDGING to their payment the faith and credit of the Village;

FIFTH: DELEGATING to the Village Treasurer the powers and duties as to issuance of said bonds and any bond anticipation notes issued in anticipation of said bonds, and the renewals thereof; and

SIXTH: PROVIDING that this resolution is subject to permissive referendum.

DATED: August 10, 1981

THERESA L. CUMMINS,

Village Treasurer

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1. hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

*

*

*

The adoption of the foregoing resolution was seconded by Trustee Murray and duly put to a vote on roll call, which resulted as follows:

AYES: Trustee Brenton
Trustee Kibby
Trustee Murray
Mayor Kuzon

NOES: None

The resolution was declared adopted.

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, August 10, 1981 at 7:35 PM

Re: \$100,000 Bond Resolution for Fire Apparatus

AUTHORIZE CLERK
TO PUBLISH
ABOVE
BOND
RESOLUTION

RESOLVED by the Board of Trustees of the Village of Williamsville, in the County of Erie, New York, as follows:

Section 1. The Village Clerk of said Village of Williamsville, shall, within ten (10) days after the adoption of this resolution cause to be published at least once in the "Amherst Bee", a newspaper published in Amherst, New York and having a general circulation therein, and hereby designated the official newspaper of the Village, and to be posted in at least six (6) places in the Village.

Section 2. After said bond resolution shall take effect, the Village Clerk is hereby directed to cause said bond resolution to be published, in full, in the newspaper hereinabove referred to in Section 1 hereof, and hereby designated the official newspaper for said publication, together with a Notice in substantially the form as provided by Section 81.00 of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York.

Section 3. This resolution shall take effect immediately.

Unanimously carried.

Resolution No. 6 deals with the situation of our Assistant Fire Chief, Mr. Tony Schueckler, who has moved only a few doors south on Union Road. However, in doing so he moves out of the Village and it does not create a problem because many of our firemen do and are allowed to live outside the Village because of the fact that our fire department represents - protects the Village in the form of a district and certain portions of the Town of Amherst in the form of a fire protection district, and living in this protection district certainly allows Mr. Schueckler to be a member, and be an active executive member of the hierarchy in the form of Assistant Chief. This is simply felt necessary - this resolution to go on record that we are aware of the fact that Mr. Schueckler has moved, that we condone his continuation as Assistant Chief of the Fire Department, and we set forth this in the record. Resolution No. 6 reads as follows:

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

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, August 10, 1981 at 7:35 PM

RESOLVED that Assistant Fire Chief Donald Anthony Schueckler, Jr. be allowed to continue as Assistant Chief now that he has moved outside the fire district per Section 10-1012 of the Village Law.

FIRE DEPARTMENT

Schueckler remain as assistant chief

Unanimously carried.

Resolution No. 7 deals with the aforementioned stop sign at Pasadena and Milton Street and as I said, it will be the intent gradually, because there is a considerable expense in the traffic and safety signing devices. I might mention that there is expense in putting them up. There is expense in purchasing material and there is expense in replacing them due to vandalism. Part of our traffic and safety program is that signs have been marked throughout the Village to indicate that there is a fine and possible imprisonment for vandalizing these traffic devices in the form of stop signs, one-way signs, etc. and it certainly would be nice - I don't know the philosophy of life but I know mine differs from other people and I feel children should be brought up from the age of four not to cross streets and not to vandalize stop signs. I think you have to start someplace. As Mr. Way will verify, we do have a continuing problem simply replacing stop signs. This is the red sign saying stop and it's too bad and the vandalism that Mr. Avery alludes to I know exists and I just think that parental responsibility is somehow at fault here that you do have these conditions. Resolution No. 7 reads as follows:

ON MOTION by Trustee Brenton, seconded by Trustee Murray, 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 September 14, 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 proposed local law which would amend Section 60.40 of the Traffic Code by providing a stop sign at the intersection of Milton and Pasadena Streets.

PUBLISH NOTICE OF PUBLIC HEARING

Stop sign at corner of Milton and Pasadena

Unanimously carried.

Resolution No. 8 deals with the request by the administration of the St. Francis Home which as you know, is a home for the elderly on Reist Street and the administration has found that this exit from their driveway is inherently unsafe due to the fact that to the north of the driveway there is a dip in the road and also to the north of the driveway on the east side of the street there is presently parking allowed, thus preventing proper vision by motorists exiting the driveway from the St. Francis Home. And this has been substantiated and borne out by our Traffic and

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 10, 1981 at 7:35 PM

Safety Committee and the Board here, and their recommendation is to remove parking as per the request of the St. Francis Home and this is the intent of the call for the public hearing. I'll read the resolution.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, 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 September 14, 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 proposed local law which would amend Section 60.32(29) of the Traffic Code which would eliminate parking on the east side of Reist Street from the driveway of the St. Francis Home for a distance of 200 feet north of the driveway.

PUBLISH NOTICE OF
PUBLIC HEARING

No parking on
Reist Street near
St. Francis Home

Unanimously carried.

That's all I have, Mr. Mayor. Thank you.

Mayor Kuzon: Thank you. Trustee Kibby.

Trustee Kibby: I have nothing to report other than what's involved in the resolution I'm presenting tonight. As everyone knows, the community development block grant that was applied for along with the Town of Amherst was granted and the community of Williamsville has received its money. As part of this block grant we are going to conduct a survey of up to 350 households that are in the target area in order to determine the condition of the housing in these low and moderate income areas in order to determine if they are eligible - these particular homes are eligible for rehabilitation assistance. This particular survey will be done by Roy Gerard, an economic consultant. They have done an earlier one and will do this one in a more rigorous manner. Let me read the resolution.

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

AUTHORIZATION

RESOLVED that the Mayor is authorized to sign agreement with Economic Consultants Organization Inc. to conduct a survey of up to 350 households in the Village target area for the purpose of determining the condition of housing for low and moderate income households eligible for rehabilitation assistance at a cost not to exceed \$3,500.00.

Mayor to sign
agreement with
Economic
Consultants

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 10, 1981 at 7:35 PM

I have nothing further, Mr. Mayor.

Mayor Kuzon: Thank you. Trustee Murray.

Trustee Murray: I have no report this evening.

Mayor Kuzon: Thank you. Mr. Way of the Department of Public Works.

Mr. Way: Thank you, Mr. Mayor. I know Trustee Brenton said that we have done Ellicott Street but we do have a lot of work to do yet. We have all our approaches that have to be done. We do have some blacktop to put around some of the manholes. We do have a few DI's to put in. We will be down on N. Ellicott Street next week doing all our approaches and we hope to get the manholes done before then, but all our approaches will be done next week. Thank you.

Mayor Kuzon: Thank you.

ON MOTION by Trustee Kibby, 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 may address the Board. We ask that you use the microphone and state your name and address. Anyone? Yes, Sir.

James Saia, 20 Belmont Street: A few months ago I asked a question of the leasing of the Eagle House parking lot. I'm sure you people have talked about it and I'd like to know have you come to any decision on that leasing.

Mayor Kuzon: The decision is that we will continue the lease with the Eagle House and Mr. Gelia.

Mr. Saia: Can you tell me the reason for it - for continuing it - I mean the leasing and maintaining of the parking lot.

Mayor Kuzon: It serves a need for municipal parking off Main Street.

Mr. Saia: Then at this time I would like to say I would like the same privilege on my parking lot. Not only do I have a smaller parking lot, not only does the public use it, but I've got more parking spaces than the Eagle House has. So now I'm asking for the same privilege. I would like to have the snow plowed. I'd like it lit and I would also like it maintained.

Mayor Kuzon: You can just put your request in writing and I'm sure we will give it our consideration.

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, August 10, 1981 at 7:35 PM

Mr. Saia: I saw the front of this Eagle House. It's - I can't understand it, why the overhang was allowed to be put on in the front of the Eagle House. Now, this Board, the Planning Board and the Zoning Board in the past have fined people for hanging signs over the sidewalk. I'm sure this could have gone to the State for the same permission. The State makes a recommendation or an endorsement of something provided the community okays it. So you don't have to okay something that some guy comes up and says it was all right for me to put something over the sidewalk now. You don't have to okay it just because the state says okay. Not only the overhanging on the front of the Eagle House somebody has put up there, which I honestly think looks bad in our Village.

Discussion
re:

Eagle
House
addition

Now the sidewalk has a convex effect to it. It might look nice in California. It's got a nice bump there but we spent all that money to have the street corners tapered off so the senior citizens could walk off the curb. Now you add something like that which is a hazard. We're not like in California. It snows and we have sleet and we have ice on the sidewalk and someone's going to fall on the darn thing and get hurt. I can't understand how this could be allowed in this Village especially after all the years we fought to try to keep this mishmash off of the sidewalk on Main Street.

Trustee Kibby: I'll answer that. You have two points. One is about the sidewalk and the second one is about the overhang - the columns. The columns are actually required. The Planning Committee looked at this quite closely and discussed the columns at some length. The columns are necessary because the door opens out because it's a public restaurant. The door opens out onto the state right-of-way. Therefore, something has to be put around the door so that people couldn't be walking right along the building and have the door open right smash into their face. What was there before - I don't know if you remember or not, but there were two big flower pots or trees, actually they were small fir or evergreen trees in pots and those have been replaced by the columns. Now the Planning Committee looked at that for some time - found no real problem with it. It did acknowledge that permission for this - permission to do this must come from the state because that is a state right-of-way. It is not a Village right-of-way which I'm sure you're very familiar with, but found nothing wrong with that. They went along with that quite nicely. But also told the owners that they would have to get permission to do that from the state. So as far as that's concerned, you may not like it but that indeed was the thinking of the Planning Board.

Mr. Saia: I don't like it. I think we fought pretty hard...

Trustee Kibby: It is not a sign.

Mr. Saia: I think you've been misinformed here. When - the Eagle House not too long ago had a door that went inside that was five or six feet from the edge of the building. Now that building was enclosed with another door that opened outside.

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, August 10, 1981 at 7:35 PM

Originally it didn't. The Eagle House, before Mr. Hanny took it over, that door wasn't where it is. So the permission was given while he has been there for the other door on the outside which opens out and why the permission was given to get a door there that opens out is beyond me. Anyway, as you know, it must open outward. The other door opened in - sorry about that but when they gave the permission for this door to open out they could have used the inside door. Because he had another store there. It was a radio shop on the side and you walked in a little vestibule before you got to the inside door. Okay, So, that's out as far as these posts coming down into the sidewalk and as far as the sidewalk being built in a convex manner, I just don't see any reasoning in that. You're asking for trouble.

Trustee Kibby: There's even a bigger problem there and I almost hesitate to say it but it's something that's going to have to come out and that is that the sidewalk is also made of block and of block meaning brick which is not within the Village code. So we're going to have to look at that and that is not what was on the plans.

Mr. Saia: I think it looks nice, but I don't buy the convex thing.

Trustee Kibby: See, we have to do what the codes say not what we think looks nice. I happen to think the columns look nice and they are within the code so we can argue all we want about that but they are within the code.

Mr. Saia: This building is on the state property. All the buildings on Main Street, and I'm sure that one is too because just about all of them on Main Street that are set up on the sidewalk they range two to three feet on the state right-of-way. They're on the state right-of-way right now.

Trustee Kibby: I will look into that I'll assure you.

Mr. Saia: How you give somebody a permit with an overhang coming off the top of the building onto Main Street when we've had all this trouble with signs - unless you've changed your policy with the signs now.

Trustee Kibby: This is not a sign.

Mr. Saia: It's a balcony. But it does hang over. I'm sure he's not going to have a gutter on it. You're going to have ice conditions on the bottom of it and somebody's going to walk by and get hurt. When you and I go into a gin mill and we start drinking a little bit and come out of there, you are going downhill when you step off that stool.

Trustee Kibby: You are going downhill when you get in.

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, August 10, 1981 at 7:35 PM

Mr. Saia: Let's see - what else. I've got to go back to Island Park. I'd like to know - I've asked this question of a few people in the Clerk's Office, and asked some of the assistant clerks and some of the Trustees. What is the weight limit of the bridge going over into Island Park?

Mr. Way: 20 ton.

Mr. Saia: Well they had 67 ton going over it during the Old Home Days. Are you aware of that. In fact, you had more than 20 tons when you pulled the sand over there.

OLD HOME
DAY
DISCUSSION

Mr. Way: No.

Mr. Saia: Yes, sir.

Mr. Way: No.

Mr. Saia: You had over 10 tons of sand on it.

Mr. Way: No. I can show you the lading bill.

Mr. Saia: Well then I'm sorry. But there was over 47 tons over that bridge when they took one of the ferris wheels. I asked the driver. The other thing is I'm happy I sent a letter to the Village Board and other people in the Town and I'm very happy to say that some of the stuff was taken care of like the fire extinguishers, checking on the Island the people with propane tanks. But I saw an awful lot of things. We're going to get into trouble. We had an awful crowd there. The thing is so successful that it should not be there any more. Now somebody's ignoring this thing and I'm going to keep harping on it. But I think it's got to the point now - the saturation point for now even the residents are starting to feel offended. I even noticed some people called the police for cars parked on their street and you know they are parking all over. Some of these people have no respect for other people's property and they will park any place.

The other thing I'd like to say is - I'd like to know what happened - I've heard the scuttlebutt all the way around but I'd like to know what happened. Did George Washington chop down the maple tree and why was it chopped down and on what authority was it chopped down? On whose authority? As a taxpayer and as a person that enjoys that park and knows where that tree was, I'd like to know why it was chopped down.

Mayor Kuzon: I don't think anybody else is going to answer this so it is my responsibility to. I hope you all enjoy my attempt at answering it. It was cut down to accomodate the function on the island...

Mr. Saia: It was cut down for a beer tent.

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, August 10, 1981 at 7:35 PM

Mayor Kuzon: Let me finish. Specifically for the beer tent and the authority came from this Board.

Mr. Saia: You mean this Board authorized the cutting down of that tree?

Mayor Kuzon: Not unanimously - no.

Mr. Saia: Can I ask who the Board was for cutting down the tree? I'm only saying this because we've got trees planted on Main Street. Some of us are taking care of the trees. Mr. Ryan and I spent our whole Sunday watering trees on Main Street that they could nurture and grow or they would have been lost. Now, I'd like to know the guys that said go ahead, chop it down.

Mayor Kuzon: It will be replaced.

Mr. Saia: Can I have the names of the people?

Mayor Kuzon: I was one who favored removing the tree if it would be replaced.

Mr. Saia: Well, could each of the rest of the Board members answer?

Trustee Kibby: My answer is I don't remember. I really don't remember.

Trustee Murray: You know my answer was no.

Trustee Brenton: I was in the Adirondack Mountains looking at many trees.

Mr. Saia: Then Mr. Bancroft must have voted with you.

Mayor Kuzon: I think Bill was in favor.

Trustee Kibby: Then if that's the case, I must have been in favor because it takes three people to do that though I can't recall the vote.

Mr. Saia: So the next question I'd like to ask - upon whose authority? Just the Village Board can authorize a chopping down of a tree in one of our parks? Or is the Recreation Committee or the Parks Committee the person to recommend the cutting down or whatever you have to do to take it down - the condemning of the tree. That was a beautiful tree. That tree to be replaced from what I've found out, was around \$900 to replace that tree that size and then it might not survive, but that tree was well established.

Mayor Kuzon: That was the understanding prior to removal of the tree - that it would be replaced in kind by the committee that requested its removal.

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, August 10, 1981 at 7:35 PM

Mr. Saia: Was that the Old Home Day Committee?

Mayor Kuzon: No.

Mr. Saia: There's a lot of screwy things around here. I'll tell you right now I would never have ordered that tree chopped down. I don't care where they had to put the beer tent. They could have moved the tent. There's only a wooden pole in the middle. Here you've got a beautiful tree. It was one of the most beautiful trees on the Island and you take an axe to it like George Washington did and you're not the President and you're not going to be the President.

Okay. Let's see what else I have here. Can I ask how much you got for that lot at the end of Oakgrove. It wasn't mentioned. How much money was involved?

Trustee Brenton: I was just calling for a public hearing and the intent is to charge Mr. Tyne - if I'm not mistaken - \$3,100 for that plus the cost of the survey work - about another...

Mr. Saia: Is this \$3,100 in standing with the real estate in the area?

Trustee Brenton: Well, to answer that question, quite frankly I insisted upon having a professional appraiser rather than our own Village Assessor or rather than any realtor. We had the services of Jack Kreitner who is a professional appraiser and he found the value of the lot to be \$1,700, at which point I myself indicated that the value of the lot was \$3,100...

Mr. Saia: Good for you.

Trustee Brenton: because \$1,700 was not enough. I had some opposition to that by the Village Board.

Mr. Saia: The point is it wasn't turned over for a buck like our fire truck.

Trustee Brenton: It hasn't been turned over yet either. It might not be turned over.

Mr. Saia: The only other thing I got to say - I'm very unhappy. I'm unhappy about the Eagle House. I'm unhappy it happened. I'm unhappy that you still have a lease that the citizens of this community are paying for not having parking spaces. The parking spaces are well taken care of by the business there but there isn't any for anybody else. Like I said, I have more on my own parking lot than the man has across the street.

Trustee Kibby: But I don't park in your parking lot because you've got a sign that says no parking. I have parked in the Eagle House parking lot when I've gone to the Mill, etc.

Mr. Saia: The Eagle House did have a no parking sign up there

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, August 10, 1981 at 7:35 PM

until the Village picked up the tab.

Trustee Kibby: That's right because there was no parking for anyone except the Eagle House and that is his property. What the Village gained was access to the parking there. That is his property. There is no doubt about it. It is that man's property. We are now, meaning people in the Village, are able to use that to park in for which we plow the lot. If you want your's make an application so that means when I go to Sorrentino's for pizza I can park in your lot. But I don't park there right now because of the fact that you have a sign.

Mr. Saia: I'd give you a ticket. That's right. Now there again comes the question. I have more parking spaces for the business I have now in my parking lot than the Eagle House has in his parking lot with the business he's got and the parking spaces required for his business and that's what I can't understand. You give him the benefit of lighting, the plowing, the maintenance. I can't understand it. Thank you.

Mayor Kuzon: Thank you. Yes, sir. You had your hand up earlier.

Richard Scherer, 229 N. Ellicott Street: I'd just like to address the Traffic and Safety Board member and anybody that's willing to listen on what the Traffic and Safety Committee has said about consistency through the Village. Here I found tonight, and I had to laugh at it, that you're asking for a no parking sign on Reist Street for the elderly people driving their cars but you won't give - you can't condone a parking sign for these people on N. Ellicott (sic). I don't understand the reasoning why. My personal feeling as a Village resident is that if we could put up a 1,000 signs to save one life it's worth it. If each individual case calls for saving one life it's worth it. Put up three signs. Spend \$100. Charge me \$10 more on my taxes each year if it saves one life it's worth it. This is what the Village Board has to take into consideration and the Traffic and Safety Committee. That's what it's all about. If they're not interested in saving lives or if they're only interested in saving lives in one case and not another abolish the Traffic and Safety Committee and do what you will. But that's the primary purpose of the Traffic and Safety Committee to save lives, save people, etc. Thank you.

Discussion
re:
Pasadena
and
Milton
Traffic
problems

Mayor Kuzon: Thank you. I'd like to piggyback on your comment to say that I noted the similarity in the call for that public hearing on Reist Street myself and was going to save my comments for the public hearing and I think I still will. Your point is well taken. Is there anyone else in the audience? Any Board member have any additional comment?

Trustee Brenton: Let me say I'm probably remiss in not explaining why each sentence you hear is not given an exclamation point or a

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, August 10, 1981 at 7:35 PM

period and why the T's are crossed, but I do think that I pointed out the expertise of the Traffic and Safety Committee and the fact that they have background in traffic and safety. Now, sir, I don't know the background you have in traffic and safety and if it's extensive or large, and I appreciate your suggestions, but if it's something you are saying purely from the heart then you speak from the heart. I feel that the Traffic and Safety Committee - and I did not point out that it is not for old people. It is elderly housing that we have here. In fact, the Traffic and Safety Committee explored this extensively and it found that the help was parking in this particular area and the fact is that people cannot see. They cannot see. They pull out blind. We are talking about two different situations. We're talking about the ability to see a vehicle coming at you and in another instance we're talking about a four year old child or of a similar age where, as I believe there is a certain amount of hazard with a four year old crossing the street but it is not possible to just simply preclude parking all over the community for four year old children. I also didn't mention the fact earlier that I have within the immediate proximity of my house 1, 2, 3,4,5,6, 7,8 - 8 children of that general age level in my immediate proximity. I mean within two houses in either direction including across the street so that here we are - Should I request no parking? Should the whole community? In most areas the terrain is level. Granted there are parked cars and granted a child can run out from between parked cars, but in this particular area on Reist Street we have a dip in the road. We have a geographic hazard built in with parking. We have a total inability to see oncoming vehicles and anyone - I don't care if it's elderly or who. In fact, you'll find most of the elderly don't drive. They will be the younger parents - or younger children rather of the parents who might live in this particular home. It's not that we are favoring the elderly. We - I believe the Traffic and Safety Committee - I'm only the liaison and I'm attempting to interpret their thoughts here. The Traffic and Safety Committee explores these situations with what I feel is a great deal of expertise and also a great concern and dedication and they come up with a suggestion for the Village Board and as Mayor Kuzon pointed out, we will have an opportunity to discuss these issues since we are calling for a public hearing to discuss this. However, I did want to clarify the issue.

Discussion
re:
Milton
and

Pasadena
traffic
problems

Mr. Scherer: Let me just say this. My traffic and safety background is minimal. My common sense tells me that if you have a four year old or anyone walking between parked cars they can't see. The basic point is that if you had a church next to your house - you're in the middle of the block, fine there's no parked cars around or at least not car, after car, after car and in each individual circumstance you have to take and weigh the evidence. Now good sense would tell anyone, whether they have any traffic and safety background or not - common sense will tell you if you're standing there and you can't see in either direction you should have no parking signs. Now the Board has - We do have

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, August 10, 1981 at 7:35 PM

no parking signs throughout the Village on Main Street. The Board can put them up any place. Whether it be a geographical dip or car, after car, after car parking.

Trustee Kibby: May I ask you a question?

Mr. Scherer: Yes.

Trustee Kibby: I'm not approaching this from the same place certain other people are. Doesn't your common sense tell you that if you've got a three year old or a four year old that wants to cross the street you get out there and...

Mr. Scherer: Oh, I couldn't agree with you more. If that was my child, four years old, he wouldn't be crossing the street but that's not why I'm standing here. The reason I'm standing here - they don't do that. That four year old child is going to cross the street. My objective is just to save a life whether it be the parents are there or not. I'd like to see the lives saved.

Discussion
re:
Milton
and
Pasadena
traffic
problems

Trustee Kibby: But does not a legislative body have to sometimes presume that its citizens will perform certain obligations.

Mr. Scherer: At some times yes.

Mayor Kuzon: Thank you. Anyone else? Mrs. Schlifke.

Mrs. Schlifke: I'd just like to say a few more things seeing as we seem to be attacked at all sides here. Certainly the Traffic and Safety Committee, of all the people in the Village, are concerned with the safety of people. Otherwise we would not be spending our time for which we receive no reimbursement. We put a lot of time in just to make the Village a safer place. The gentleman seems to be of the opinion that if we don't take those cars off of the street for 300 feet from the corner of Pasadena and Milton some child is going to be killed. He is sure of that. He is talking about a life being lost. What guarantee can he give us that if we recommend to take that parking off for 300 feet that some child is not going to come out of his driveway on a bicycle and drive into the street with no cars in that area, right in front of a car before that car can slam on the brakes. There are no guarantees. It is not black. It is not white. You can't say the cars are going to cause the accident. You can't say removing the cars is going to give you a 100% guarantee that there will not be an accident. So we have to handle it the best way we feel for the whole Village and that is the fact that we cannot set the precedent and do this in this one area. Otherwise, we will receive calls from all over to do this. How do you say no to the next person. It has to be up to the parents to control their children no matter how they do it. I raised three boys on Evans Street. My boys weren't allowed out in front of the house until they were five years old and had to go to school

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, August 10, 1981 at 7:35 PM

and then I walked them up to Academy and taught them how to cross streets. This has to be the responsibility of the parents. I mean you just cannot place all the responsibility for the safety and the lives on the Traffic and Safety Committee. You cannot blame us if something happens. You cannot give us credit if nothing happens. We have to look at it and give what we feel is the best solution for the whole Village.

And I saw the smiles on the face of the Mayor and Trustee Kibby when the public hearing was called for on Reist Street. This is an entirely different situation. There are no houses on that side of Reist Street. It is strictly a case of exiting traffic from a driveway not having the proper clear sight distance and that is why we have recommended the removal of that parking so when the cars exit they will be able to see because of the lay of the land. We cannot change the lay of the land of that street, and those people that are parking there are employees. They have a parking lot. They can use the parking lot. It is not going to affect anyone else. It's two entirely different situations.

Trustee Kibby: Yes, because of that though your first premise you give for - one of the premises you give for not changing the situation on whatever street it is - over there - Pasadena - fails and that is the premise that I'm particularly concerned about. The fact that everyone in the Village will be asking for it. Fine. Everyone in the Village should ask for it if indeed it is an unsafe situation. You have an unsafe situation which you are handling in a spot situation up here on Reist Street.

Mrs. Schlifke: Not necessarily. There is parking on one side of Reist Street. On one side of Pasadena.

Trustee Kibby: Your committee and the Village Trustees look foolish when they say, now wait a minute, we can't do that because the next thing you know over here by the Methodist Church they're going to ask for it and next thing they will ask for the it at the Lutheran Church. Where there are unsafe situations it should be corrected. What you have to do, and what has been done, is look at the situation in toto and see - I see the solution in this problem in the fact that parents shouldn't be letting 2, 3, and 4 year olds cross the street. That's not a very easy thing to say to a parent who is sitting in front of you. I don't think the solution is to say we can't do it because that violates our general principles. I don't buy that. I buy the argument that there should be no parking on that particular corner because the parents should take their kids to the corner, or if parents want to cross them in the middle of the street fine, but parents should be shuttling them across the street - not letting a 3 or 4 year old cross the street alone.

I agree with your second premise. There comes a point where every legislative body - where every citizen of the community

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, August 10, 1981 at 7:35 PM

has to assume that the parents of the community are going to take some sort of responsibility. That the 3, 4 or 5 year old child will be crossed when they cross the street is a reasonable assumption on my part and I think it is unreasonable for someone to ask me to change parking on their street so that a three year old can cross the street by himself. You can take all the cars off the street and that three year old is not competent to cross the street by himself.

Mrs. Schlifke: The point that I'm trying to make is they are two different circumstances. The parking on Reist Street is a safety factor for cars. There is no safety factor for flow of traffic on Pasadena. The reason for the parking restrictions supposedly on Pasadena is for the convenience of three houses who want to allow their children to cross the street. It's an entirely different thing.

Trustee Kibby: And that's the reason it's not going to be granted.

Mrs. Schlifke: We're not suggesting this restriction - we have restricted parking in many areas of the Village. We took parking off one side of N. Ellicott. We took parking off one side of N. Ellicott. This was all due to the fact that traffic could not flow properly and this is one of our main concerns.

Trustee Kibby: But, Mrs. Schlifke, you're making it sound - and I know you don't mean it, but you're making it sound as though you don't really care about that 300 foot section. That's not true. You do.

Mrs. Schlifke: I don't know who thinks I don't care. I have not spent five years on the Traffic and Safety Committee and put in all the hours I have not to care.

Trustee Kibby: I know that but when we hide around this argument that we can't do this because the next community, or area might ask for it - that's a bogeyman I don't want to play with.

Mrs. Schlifke: If another area came along - if the people on Reist Street said take that parking off because we want our kids to be able to run across the street then we would say no but because it obstructs the view of exiting cars at St. Francis Home we say yes. It's an entirely different thing.

Mayor Kuzon: Mr. Scherer.

Mr. Scherer: I'd just like to make a comment that the Traffic and Safety Board should look into other matters besides the flow of traffic. Thank you.

Trustee Brenton: That is why the two situations were brought up - because of the Traffic and Safety Board being particularly

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, August 10, 1981 at 7:35 PM

interested in the flow of traffic and the situation was brought to their attention and they do spend considerable time as to parking restrictions on any street. They are involved in many situations. Even involving Glen Park where they have gone to examine the safety characteristics of the park. The thing is that I think some members of this Board and of this audience feels that traffic and safety doesn't have the ability to function in a professional way and I resent that. And I resent that because they look at all situations throughout the community. I know. I've sat there and I invite you on the third Thursday of the month, excluding this coming month..

Mrs. Schlifke: We've changed that Larry. We're not having a social gathering. We're having a meeting in the conference room.

Trustee Brenton: I regret to inform you that the Fire Department invited me to a social gathering so I won't be there. That was the purpose of my exception this coming month. Normally I'm with the Traffic and Safety Committee and I also suggest you look at your agenda and there are many other committees that you can avail yourself of to see how these committees operate and function and the amount of time involved on the part of the Trustees who get paid for their time, and on the part of the committees who don't get paid. It's really large and I do feel that all committees are hardworking bodies that display a great deal of concern and professionalism for being comprised in an amateur way. In other words, they represent all aspects of the community.

Mayor Kuzon: Anyone else?

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

Unanimously carried.

Mayor Kuzon: If no one else has anything else I would make a motion to adjourn.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved to adjourn the meeting.

Trustee Brenton: I would like to say one more thing. Mr. Saia did mention Old Home Days. I'm sorry it's not going to go away. I have to say this and I'm going to say it for the public record as I said it concerning the walkway over the dam that the public should realize that the walkway over the dam at that time - I said that the walkway was an accident waiting to happen. I could say now that Old Home Days, in its present constitution given the ability to exit from Island Park, is a disaster waiting to happen. This is my feeling and I also feel that, as I mentioned

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, August 10, 1981 at 7:35 PM

earlier, that there was another reason why our paving program was behind. Our Department of Public Works lost four excellent weather days for paving purposes as a result of spending a considerable amount of time - all of our time - cleaning up from Old Home Day. We are reimbursed 50-50 for this by the Town of Amherst. That was upgraded from the previous low. But we only have 6,000 people and the Town has 106,000 people and I would suggest that if Old Home Days is to continue, and if this Board doesn't want to put it away for another year and forget about it, that it should continue perhaps someplace else in some other location with perhaps two days for Old Home Days in this community - one of which could be a parade and one could be a raft race and perhaps a beer tent on Island Park and I certainly would think that the number of people back on Island Park - we should have a tent which is fire retardant as are most of your major high rise hotels fire retardant. I'm sure you all understand the point to be made here. If that tent back on Island Park ever started on fire - and I have seen awnings go up, they don't take long - you will have a disaster. You could also have a disaster for other purposes. We've gotten way, way out of proportion inviting Western New York to our community to participate in our Old Home Days.

Mayor Kuzon: Thank you. We do have a motion to adjourn and seconded. On the question?

Unanimously carried.

The meeting was adjourned at 9:13 PM.

Theresa L. Cummins,
Village Clerk-Treasurer