

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, September 14, 1981 at 7:36 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

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

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

Absent

Edward Way, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on September 14, 1981 at 7:35 PM 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.

PUBLIC
HEARING

Stop sign

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, the hearing was opened at 7:36 PM.

at
Milton &
Pasadena
Street

Unanimously carried.

Mayor Kuzon: I would now turn the hearing over to Trustee Brenton.

Trustee Brenton: This suggested proposed local law comes about as a result of the Traffic and Safety Committee looking at this particular situation which was at the request of one of the residents in the area of Pasadena and Milton and their recommendation is to install a stop sign at the corner of Pasadena to allow for better movement of pedestrians at that particular intersection and also to make for a safer situation regarding this T-type intersection. I am informed by David Laubisch, our Traffic and Safety Coordinator for the Village, that it will be the intent of the Village, and is the intent in the traffic and safety area today to signal with a stop sign T-intersections. So that is the background on this particular legislation.

Mayor Kuzon: Does anyone in the audience have any comment on this particular proposal? Any Board member have any comment?

Trustee Bancroft: I was not present for the public hearing previously which also addressed the situation in the area of Pasadena and Milton. I did have occasion to be in the area last Wednesday night when the church had an activity going on and the entire area was - the entire south side of Milton and west side of Pasadena had cars parked there irrespective of any signs up for parking or no parking which were not being honored. Parking was almost

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totally to the corner of Milton and to the corner of Pasadena and Milton. I think the recommendation for the stop sign is a good one but don't think it is the only means we have and we should call it to the attention of the church, to the police and to the users and members to try to be more stringent on those two streets and I would suggest that if it didn't show some improvement in the near future we should notify the Amherst Police to ticket some cars to remind them of the reasons for no parking in that area. That is my only comment.

Trustee Kibby: I did receive a letter from the Pastor who said he would make a pastoral statement from the pulpit that people ought not park there or park somewhere else. He made this 2½ or 3 Sundays ago so I would have to agree with Mr. Bancroft that there is much parking there and the Amherst Police should be notified and they should be ticketed.

Trustee Brenton: I would suggest that it is not the responsibility of the Village Board, or any member of the Board, to notify the police because, in effect, it makes us part of selective enforcement and if the residents of that particular area have a problem they should pick up the phone and request assistance from the Amherst Police. They should help themselves before they come to us and any type of enforcement by the police department is not up to us.

Mayor Kuzon: If there is no further comment. . .

ON MOTION by Trustee Kibby, seconded by Trustee Bancroft, the hearing was closed at 7:41 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, September 14, 1981 at 7:42 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft

Lawrence R. Brenton

Trustees

Michael Kibby

Connie C. Murray

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on September 14, 1981 at 7:40 PM 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(20) 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.

PUBLIC HEARING

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the hearing was opened at 7:42 PM.

Unanimously carried.

AMEND TRAFFIC CODE

Mayor Kuzon: I would also turn this public hearing over to Trustee Brenton.

Trustee Brenton: Again this is a similar situation with a request in this instance from the manager, or whatever his position is, at the St. Francis Home at that location to have traffic and safety assess their particular problem which is a dip in the road to the north of the driveway exiting onto Reist Street. This dip in the road prevents proper vision in exiting in that you can't see the traffic coming in a southerly direction on Reist Street and there were instances, or at least one instance, of a car pulling out cautiously but still being hit by a vehicle. So the thought is to remove this section of parking to give cars vision in exiting in a northerly direction and this appears to be good legislation regarding this specific individual situation that is located at this specific point in our community and so that I think again this is good legislation. That's all.

No parking on east side of Reist St.

Mayor Kuzon: Does anyone in the audience wish to comment? Any Board member?

Trustee Bancroft: I would like to ask Mrs. Schlifke - in discussing this proposal were any of the people parking in the area employees of the nursing home?

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Mrs. Carolyn Schlifke, 192 Evans Street, a member of the Traffic and Safety Committee: Quite a few of them were. There is a parking lot back behind the building. A lot of them come to work late and work the late shift and drive cars, and they don't want to have to walk around to the front of the building to go in because it is dark. We felt it was up to the home to provide proper and safe access to the building or light the parking. It is employees not just visitors parking there. I came by many times when there were empty spaces in the lot and cars were parked on the street.

PUBLIC
HEARING

AMEND
TRAFFIC
CODE

Trustee Bancroft: This proposal then acknowledges that some of the parking we see is partially created by the people of the home itself. It may serve us well to send a letter down to them to get that parking on their own lot.

No
parking
on east
side of
Reist
Street

Mrs. Schlifke: Perhaps there is a rear door there somewhere. Perhaps it is kept locked. I'm sure that if the parking were removed from the area and the employees were asked or told to park in their lot in the rear, then it's up to the management and employees to come to some understanding regarding the safety in that lot and getting into the building somewhere.

Trustee Bancroft: I have one other question. Have you, as a committee, received any input from the residents on Reist Street? Is there any hardship here?

Mrs. Schlifke: No. There is parking on both sides in that area and the side we would be removing parking from has no homes. It is the stretch of open fields of the home and the people on the other side have the parking in front of their own homes. Many streets in the Village do have parking only on one side however.

Mayor Kuzon: Any other Board members wish to comment? I have one comment. This proposal seems very similar to what we had a public hearing on on August 10th but this proposal would seem to have a more favorable result and I am just - I fail to make the distinction of why it's okay to have parking prohibited on Reist Street for cars exiting a driveway and not okay to prohibit parking for 300 feet on Pasadena Street to watch children cross the street.

Trustee Brenton: Well this situation was addressed by the Traffic and Safety Committee and I think coincidentally both situations were brought up on the same meeting night so it could be a parallel of some kind that both situations are similar but as brought out at the public hearing pertaining to removing parking from Pasadena for 300 feet we determined that in that particular instance it will be four year old children who are going to be allowed to wander across the street alone and not taken by adults. We are not going to remove parking for this purpose. I think it was the consensus of the Board that it was really not a worthwhile method of protecting these pedestrians and so we have addressed that situation whereby the children on Pasadena Street if they want to play at a neighbors they can go to the intersection with

the stop sign and by law a pedestrian has the right-of-way. We have to assume that motorists will stop and yield to the children and if all things go as they should it is most important that the parents take the children to the intersection and teach them how to cross that particular intersection rather than allowing them to break the law by crossing in the middle of the street. So to try to compare it with the particular situation on Reist Street where drivers have a vision problem to the north due to the dip in the road it is not the same thing. This driver cannot see a vehicle that is coming up Reist toward Main Street so that the driver thinks he is safe in going out and, in fact, he isn't because he can't see with the parked vehicles that obstruct his vision. The two situations do appear to be parallel but there is no comparison. We have a topographical dip in this situation that prevents a motorist exiting the St. Francis Home from seeing people approaching him at 30 MPH and some people do exceed the speed limit at times. We think this is a reasonable solution.

PUBLIC HEARING (Con't)

Amend Traffic Code

No parking on east side of Reist St.

Mayor Kuzon: It would seem that it is recommended to eliminate parking so that motorists have clear vision exiting a driveway but not so they have clear vision of children crossing the street. It would seem a solution is available short of eliminating the parking by having people use the underutilized parking lot at the rear of the home.

Trustee Brenton: We can't make them use the parking lot, which is underutilized, unless we restrict parking.

Mayor Kuzon: There are no parking restrictions on the other side of the street. There is nothing to prevent them from moving from the east to the west side of the street, but then your vision wouldn't be impaired.

Trustee Brenton: I think in this situation we have been given the opinion of the experts that we have. We do have experts on the committee and as I related previously, they are very qualified people earning their living in traffic and safety professions including the Amherst Police Force and the Department of Transportation as a design engineer. We have a very competent committee and they address the issues individually as they see them and on a professional level and I can't see any parallel on the situation between these two matters.

Mayor Kuzon: I am aware of the competence of the committee but to a lay person this may cause resentment and it may not be that clearcut to them when you make it okay to park in one instance and not in the other instance. As we discussed at our last meeting on Pasadena, the findings have to be looked at individually and closely before a decision is made. I don't know what my vote will be on this but if anyone asks me any questions regarding this I'll be better able to answer them.

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Mrs. Schlifke: Mr. Bancroft mentioned the fact that when he was there something was going on at the church the other night and cars were parked illegally. Well the problem is the cars parked there because of the church function and if they are already parking where they are not supposed to be would more signs keep them out of the area. If the old signs in the area can't control the people the police should be notified and every single time they should be ticketed.

PUBLIC
HEARING
(Con't)

Mayor Kuzon: It is the same for a stop sign. I always ask that same question.

No parking
on east
side of
Resit St.

Mrs. Schlifke: I was not personally in favor of putting a stop sign at a T-intersection. Cars are supposed to come to a complete stop before entering a street. It is recommended by Mr. Laubisch who is doing our signing and cataloging that as areas come up we should put stop signs at T-intersections and that was why we made this recommendation. This was not really our solution in the area. The solution is to have better control of the children.

Trustee Bancroft: Did you discuss if there were any better ways of identifying the no parking areas? The no parking signs are often up in the trees. Perhaps a striping on the pavement to indicate the zone where no cars could park.

Mrs. Schlifke: Many areas paint the curbing red. I have seen this done. But this is if you have curbing which we don't. Striping in the street is no good at all in winter when it is covered with snow. Probably the best solution is signs and at best they are not the greatest solution to the problem but for now it is all we can do. As far as them being up in the trees, the Department of Public Works is supposed to go around every fall and trim the trees where there are traffic control devices.

Trustee Bancroft: I believe it is done in the spring.

Mrs. Schlifke: In the spring then. This is as much control as we have over the devices.

Trustee Brenton: If there is a problem of people parking you educate them with a ticket. If they can't see the sign they will find it. Also you could say a four year old would stay out until six at night and you could say no parking in that 300 foot area until after six at night and then allow parking the rest of the night. It is my feeling that the people there don't like the fact that people attending the church park in front of their houses. This is a supposition on my part. I feel that to prolong the discussion tonight would be unproductive.

Trustee Kibby: I agreed with Trustee Brenton until his last two points. I don't agree that you're going to change from wandering across the street to being taken by the parents. Secondly, my vote on this has nothing to do with whether I like

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or don't like the church because I think it's an entirely different situation. Kids cross the street at the parents direction illegally. Parents say go out and play with the neighbor kids. It doesn't make any sense. I don't see any sense in removing parking for that reason. On Reist Street it is a marginal question. I don't know if I agree but will probably vote for it. It is a marginal question whether when coming out of the driveway you may have some difficulty seeing up over the ridge and may have parked cars interfering with your vision. I think it is a marginal question. You are asking for a change in the law because of a topographical dip. It cannot be changed unless you mow down the hill.

Mayor Kuzon: Does anyone else have any comment?

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the hearing was closed at 8:00 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

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William Bancroft

Lawrence R. Brenton Trustees

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Connie C. Murray

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

John Anstett, Dept. of Public Works

Absent

Edward Way, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:33 PM.

Mayor Kuzon: At this point in our agenda we have approval of the minutes. We had a number of public hearings, a special meeting and the regular meeting minutes to be approved.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the minutes of the regular meeting held August 10, 1981 were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the public hearing held August 10, 1981 regarding a proposed law to amend Section 60.32(22)B of the Traffic Code for eliminating parking on the west side of Pasadena Street 300 feet south of Milton Street were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the public hearing held August 10, 1981 regarding proposed abandonment of a portion of Oakgrove Drive were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the minutes of the public hearing held August 10, 1981 regarding a proposed local law to add Section 3.200 - Coin Operated Amusement Devices were approved.

Unanimously carried.

ON MOTION by Trustee Bancroft, seconded by Trustee Murray, the minutes of the special meeting held August 24, 1981 regarding approval of vouchers were approved.

Unanimously carried.

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Mayor Kuzon: Next on our agenda this evening are two public hearings.

ON MOTION by Mayor Kuzon, seconded by Trustee Bancroft, it was moved at 7:36 PM to open the public hearing regarding a stop sign at the intersection of Milton and Pasadena Streets. (The hearing was closed at 7:41 PM.)

Unanimously carried.

Mayor Kuzon: The next item of business is a public hearing regarding a proposed local law to amend the traffic code by prohibiting parking on the east side of Reist Street.

ON MOTION by Trustee Brenton, seconded by Trustee Murray, the public hearing was opened at 7:42 PM. (The hearing was closed at 8:00 PM.)

Unanimously carried.

Mayor Kuzon: For my portion of the agenda - This past weekend, acting as the Board of Fire Commissioners, we inspected the Hutchinson Hose Company, our Williamsville Fire Company and the Board will agree with me that we were impressed with the turnout of men on Friday evening and we were impressed with the condition of the equipment. On Saturday night we were impressed with the hospitality and the dinner and, as I said that night, we would like to extend our congratulations to the company on its successful inspection and on its 125th anniversary. We are immensely proud of our fire company and the men who are willing to take the time to serve as volunteers to serve their community.

I have one resolution for vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$162,353.59 were approved as follows:

Payroll Fund	W/E 8/26/81	\$ 7,843.81
	W/E 9/2/81	4,966.81
	W/E 9/9/81	4,812.63
General Fund	Abstract #496	58,906.73
Sewer & Water Fund	Abstract #77	33,199.57
Trust & Agency Fund	Abstract #116	13,935.16
Glen Park Jt/Activities Fund	Abstract #16	989.44
Federal Revenue Sharing Fund	Abstract #116	1,115.39
Community Development Fund	Abstract #63	4,046.79
Capital Fund	Abstract #121	<u>32,537.26</u>
Total Vouchers		\$162,353.59

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The larger of the vouchers were to Erie County Water Authority, URS Company, which is our sewer rehabilitation engineering company, and to Lancaster Stone.

Unanimously carried.

That's all I have. Trustee Kibby.

Trustee Kibby: Thank you, Mr. Mayor. I have one resolution to authorize the Mayor to sign an agreement with Economic Consultants Organization, Inc. to complete the Master Plan. This is a study undertaken five years ago with Community Development money and will provide us with information on parking in the business and commercial district and lay down some guidelines for the Planning Board. It is necessary to complete this Master Plan for continued eligibility for Community Development funds. The resolution reads:

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

RESOLVED that the Mayor is authorized to sign agreement with Economic Consultants Organization, Inc. to complete the Master Plan for the Village of Williamsville. Funds to be provided by Community Development Fund at a cost not to exceed \$7,000.00.

AUTHORIZATION

Mayor to sign agreement with Economic Cons. to finish Master Plan

Unanimously carried.

Thank you, Mr. Mayor.

Mayor Kuzon: Thank you. Trustee Murray.

Trustee Murray: Thank you. I'd like to report that tomorrow the Village Clerk and I leave for Rochester. We are going to the Clerks and Municipal Officers Training School and we hope to learn something new to benefit the Village.

I have one resolution to continue a seasonal laborer in Glen Park to help with the mowing there.

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

RESOLVED that Ronald Farrar be employed as a seasonal laborer in Glen Park from September 9, 1981 until September 30, 1981 at the rate of \$3.35 per hour and that his salary be paid from the Town of Amherst/Village of Williamsville Glen Park Joint Activities Fund.

APPOINTMENT

Glen Park seasonal laborer

Unanimously carried.

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That concludes my report.

Mayor Kuzon: Thank you. Trustee Bancroft.

Trustee Bancroft: I am pleased to announce this evening that the New York State Office for the Aging has approved our State Aid for our recreation for the elderly program again for the 1981-1982 year. This aid goes towards the Village Evergreen Recreation Program for Seniors. It is a program completely independent of the Town's program and we are very proud of the program we have in the Village. It is an active and enthusiastic program and the State Aid goes a long way to support the program. Thank you.

Mayor Kuzon: Thank you. Trustee Brenton.

Trustee Brenton: For a report tonight, many of you have no doubt seen a lot of activity down in the neighborhood of the barbershop and the Catholic Church on Main Street and over the past five months - four at any rate - and what we're doing there is looking for a water leak. We knew there was a leak there but lacked the ability to pinpoint it although we knew it was in this general area so that we have excavated three or four times. We have drilled holes into the pavement in order to listen and test for the leak. I questioned the Erie County Water Authority and the City of Buffalo Water Authority and the experts of the Pitometer Corporation and it was thought there was a 100,000 gallon per day water loss. After several dry digs were made the decision was that we should not continue with this effort until we had a more positive location and in order to do that we had the Pitometer representative come down from Toronto. We had them previously do a survey on one-half of our water system in this area of Main Street also and where the original Pitometer man had indicated it was not the place. The second man came down after I sent a letter to Pitometer advising them that we were displeased and felt that the leak was in this general area. The leak was found last Friday when we hit water for a change instead of a dry drill and it was repaired. We expended approximately \$15,000 of Water Fund money. There is no other way you could go about it except spending this money. It will save the Village approximately \$12,000 a year, maybe a little bit less, but we should pick up a little bit of fire flow in that area and I know the Fire Department was concerned about that. There has been a lot of effort expended and a long drawn out procedure and in fact, I would like to report that it should result in 10% of our unaccounted for water loss. Prior to the leak we had 38% unaccounted for through the past quarters and with the leak being repaired and without any further leaks we should be down to 28% unaccounted for in our water loss. This represents possibly the lowest level we have obtained in the last several years. I think back 6, 7, 8 years ago, maybe even longer, we have not been at 28%. We are continuing to study the system two nights a week and will try to develop other areas of water loss. We

Report
on repair
of leak
on Main
Street

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have been told that the optimum unaccounted for water is 20% so we don't have that much farther to go. I would inform you that when the winter weather comes the unaccounted for loss always goes up. That concludes my report on water.

The Brookside storm system project being shared between the residents who gave us easements to execute a storm line from Brookside through to Ellicott Creek is going along very nicely at this time and it looks like we should be clear of the two residences in 14 days working time barring unforeseen problems or weather. As you know, the Hartman's and Young's gave us easements going through their property. People have called me and not most, but some say the Village is taking care of the Hartman's and Young's. While it may appear that the Village is taking care of them we are not really taking care of them alone. In this area when it rains heavily you have a lake in the street and the storm drain should alleviate this. The people on Cadman who have sewage in their basements should be helped too. So this project is going nicely.

The Department of Public Works is working on the fiscal aspects of the leaf baler that has been budgeted for and hopefully it will be on the streets in time to aid in the leaf pickup this year. We will be purchasing this from the Harvey Pfennig Corp. and will be a used one and we will modify it with our personnel and this is where we are at the present time.

I had a meeting today with representatives of the Department of Transportation and Assemblyman Sheffer and Senator Floss' representative, John Celeste and this meeting pertained to inflow or infiltration into our sanitary sewer system resultant from the Main Street preservation project. We have talked about this before and the Department of Transportation will meet with our sewer consulting firm's engineer and try to develop some type of compromise to alleviate this situation and they do not admit total responsibility for this. This is being pursued. The thought is to prevent additional infiltration into our sanitary sewer system so we don't have to pay the Town, as we will have to in 10 years, for every gallon of flow in the sanitary sewer that goes into the sewage plant. We are doing this now to save us some money in the future.

I would also say that in the Cadman and Brookside area - or the Brookside area, the residents there requested street lights several years ago - three years ago. I'd like to tell these people that after a lack of activity on the part of Niagara Mohawk we determined to table that request and hold it in abeyance and we issued a letter to Niagara Mohawk telling them to in effect hold the Board resolution to install street lights in abeyance until such time as they heard from the Village. Since that time we have developed a private lighting system of our own which I believe will be installed on Brookside at a considerable

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cost savings to the Village residents. The lights will cost about \$8,000 whereas Niagara Mohawk would want in the neighborhood of \$2,200 to provide service and that is every year, plus any rate increases that they get. This would appear to be a more productive way to do this. That concludes my report and I will move to my resolutions.

Resolution No. 1 calls for bids for our sanitary sewer rehabilitation program and this is Phase I of the Program. As you are all familiar with, we have received the funds for this program, and as with the Main Street sanitary system, the work to be done here is to attend to the leaks in our sanitary sewer system so there is no inflow/infiltration into it. We will be calling for bids and the bids will allow for excavation and repair of the sanitary sewer, or an alternative which will be slip lining the sewer which is plastic lining inserted in the sewer pipe making it impenetrable to infiltration. Slip lining will be at a higher cost so the Board will be carefully evaluating the bids relating to the sanitary sewer rehabilitation program. If asked, I would have to guesstimate the cost at about \$300,000. If it is less we'll be very happy. I would also like to say that 25% will be the Village's responsibility and the other 75% will be borne by the federal and state governments. I will read resolution No. 1.

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for the Sanitary Sewer Rehabilitation Program - Phase I Project No. C-36,1244-01 - Contract B. Bids to be opened at 10:00 a.m. on October 19, 1981 in the Village Clerk's Office, 5583 Main Street, Williamsville, New York. The Clerk shall advertise for the bids in the official Village newspaper at least five days before the date on which the bids are to be opened and upon opening of the bids shall make a record by listing the name and address of each bidder, the amount of his bid, the nature and amount of security furnished, and all alternate bids and trade-in allowance, if any, and present such records to the Board of Trustees at the first regular or special meeting of the Board following the opening of the bids.

ADVERTISE FOR
BIDS

Sanitary Sewer
Rehabilitation
Program
Phase I

Unanimously carried.

Resolution No. 2 deals with the assessment of sanitary sewer installation costs where we have constructed a new sanitary sewer. Now in the last four or five years the Village has constructed

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two sanitary sewers, the first on Mill Street and the second on Union Road - a short section of Union Road. It was put in on Union Road at the request of the residents in this particular area. I believe the project cost about \$14,000 and we're going to call for a public hearing to determine the method of assessing the cost of that particular sanitary sewer to the residents. I will assume that the same method can work for assessing the cost on Mill Street and their share of the cost for that particular system, which was also funded with federal and state funds. But the method developed should follow through. Now we'll start the ball rolling on how to address the Union Road situation.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held on September 28, 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 discussing the apportionment of sanitary sewer assessments on S. Union Road.

PUBLISH NOTICE OF
PUBLIC HEARING

Special Assessment
of Union Road
Sewer

Unanimously carried.

Resolution No. 3 deals with the abandonment of the property on Oakgrove Drive adjacent to the Tuyn property. This property has been leased by the Tuyn family - Peter Tuyn and previously his father who held it before him. It was leased from the Village and it was brought to my attention when the guide rail was constructed on that property. This was discussed by the Board and found to be in the best interests of the Village to arrive at a price for the property and sell it to Mr. Tuyn who has a garage on that property. We didn't really want to get involved in another 20 year lease. There is an addition to the resolution on the agenda. The original price was \$3,100 but it was agreed by Mr. Tuyn that he would pay the legal fees (for which the Village Attorney is not charging) and the necessary fees for the legal description and survey. Bissell Merrill's fee for their survey and engineering work was \$227 so that the total sum will read \$3,100 plus \$227.

Mr. Troy: He agreed to pay for only professional engineering costs and not for any legal services, which we did waive.

Trustee Brenton: Perhaps I have that wrong but I felt he should pay for the legal fees. He will pay for the survey and legal description. The resolution reads:

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

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AUTHORIZATION FOR
MAYOR TO EXECUTE
DEED FOR SALE
OF ABANDONED
LAND ON
OAKGROVE DR.

RESOLVED that the Mayor execute deed on behalf of the Village of Williamsville which will convey that portion of Oakgrove Drive which was abandoned to Peter Tuyn for the sum of \$3,100.00 plus \$227.00 for the survey and legal description.

Unanimously carried.

That's all I have.

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

Mr. Anstett: Thank you. I have no report this evening.

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

Unanimously carried.

Mayor Kuzon: At this time anyone in the audience wishing to address the Board may do so. Please state your name and address and use the microphone as we do record our meetings.

Donald Weimer, 65 Mill Street: I would like to have some adjustment on my water bill. I'd like to explain why. I received a bill for \$185 and I think it is not an accurate water bill. It is based on my inside meter. Nine years ago I had a meter installed on the outside and no one really looked at the inside one and it was not calibrated or anything over the past nine years and all readings were on the new outside meter. Last time he read the inside meter and the inside reading was higher and he assumed it was the correct reading. He thought probably something was wrong with the outside meter. The outside meter was replaced. He adjusted both meters together and a few days later I found the inside meter reading higher than the outside meter. The man came out and took apart the old meter and adjusted it and now they are both reading the same. So I think probably the outside meter was okay and the inside was the wrong reading. He took the reading off the inside meter.

Trustee Bancroft: How long have you had the meters?

Mr. Weimer: I think the outside meter was correct and the inside wrong. It had not been calibrated and was more likely at fault. This is now adjusted. I have my water bills for the last number of years and they fall into a pattern. The water department feels I was using an excessive amount of water over the years and not billed for it and . . .

Mayor Kuzon: What is the position of the water department on something like this.

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Trustee Brenton: I was not provided any background on this situation until today. Maybe Jim Saia, or Norm Wolf, or Joe Kuzon, or one of you knows how long ago the meters were put in. I think it was only about nine years.

Mr. Anstett: I think the interior meter will be less than seven years old.

Mayor Kuzon: The records of the Village Clerk show a new one in 1972.

Mr. Saia, 20 Belmont: It was in 1972-1973. But everyone got new meters.

Trustee Brenton: The exterior meter was in 1972 so they are approximately the same age. The remote meter is for the convenience of the customer and he pays for the installation of it. The meter is read on the exterior of the house without having to enter the house. The only problem is we have had a great deal of problems with the remote meters and they tend to show a greater degree of inaccuracy than meters inside the houses. The information provided to me was that the remote had been unsatisfactory and was subsequently replaced and now what you're saying, Don, is that then our man came out and came inside and found something wrong with the interior meter.

Mr. Weimer: Initially he assumed that the outside meter was wrong and it was replaced and the two adjusted to read the same. But again the inside meter started reading higher. He came out and made some adjustment on the inside one and they are now synchronized and I think the inside one was wrong in the first place and the outside was the correct one.

Trustee Brenton: There has been a period of nine years and your present bill is \$185. How much have your bills been running?

Mr. Weimer: \$25 to \$30 per quarter.

Trustee Brenton: And here you have another period of time. That is not much of a discrepancy. It's normally \$25 and a portion is for sewer and would be higher than \$25 wouldn't it.

Mr. Weimer: The last bill I paid in June, 1981 was \$22.14.

Trustee Brenton: How many are in your family?

Mr. Weimer: There are only two of us now. Back in 1973 I had almost the same consumption and now there are only two of us. The meter readings over the years have been constant. They took the inside reading without really knowing which meter was wrong.

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Trustee Kibby: Is the water department aware of the new outside meter and the adjustment of the inside meter?

Mr. Weimer: I would hope they would be.

Trustee Brenton: They make the charges. My question would be is it standard procedure to go in and have an old interior meter, or any other that was suspect - for us to make an adjustment to the meter without bench testing it?

Mr. Anstett: Normally, we take the outside meters as being accurate and the inside meter reading should be taken once a year.

Mr. Weimer: This was not done.

Trustee Brenton: We are instituting this now. We should go inside and see. What my point is, we have a discrepancy and an acknowledged problem here. Would Don Dehn have made any repairs to the interior meter, knowing there was some discrepancy, or should he have taken the interior meter to be bench tested.

Mr. Anstett: I'm not aware of what actually took place. Mary might know. A high reading is sent to Don to check out and he makes a report back to her.

Mr. Weimer: I don't know what he did to the meter but he did take it apart. Before he never touched the old meter. He took the outside off and put a new one on. They were synchronized and still were wrong and he took it apart last week and now both readings are the same. My conclusion is the old meter was the one at fault.

Mayor Kuzon: It seems some discrepancies exist and that maybe you and Larry and Don Dehn and Mary can sit down within this week and straighten this out. I don't think the Board can come to a conclusion at this time without further explanation of what happened and an appointment should be made between yourself, and Mary Harrigan of our water department.

Mr. Weimer: It seems to me that there should have been checks in those nine years of the inside meter.

Trustee Brenton: If I had opportunity to pass judgement as to whether to install remote meters, I wouldn't. They are a convenience to the property owner and too unreliable. We don't have that many outside meters. If the remote was wrong and the interior one correct then you actually have been using our money all these years.

Mr. Weimer: That is what the water department is telling me.

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Trustee Bancroft: In listening to all this, it would seem some action was taken by Mr. Dehn with respect to the meters and I think it requires some explanation. I think we should follow-up on the Mayor's suggestion for a meeting to determine what was done and what the actual findings of the meters involved were. I think it should be clear to you that it is our position that the inside meter is the determining meter where there are both inside and outside meters and if that is not clear it should be made clear.

Mr. Weimer: By the same token, why did it take nine years to find this out?

Trustee Bancroft: I don't disagree with that.

Mr. Weimer: Why should I pay the penalty on that.

Trustee Bancroft: I don't think the charge itself is the hardship. No penalty as such.

Trustee Brenton: I did not talk to Mr. Dehn about all this and don't have all the information in front of me, but Miss Harrigan of our water department. . .

Mr. Weimer: Did he make a report today?

Trustee Brenton: No. Not that I know of.

Mr. Weimer: To the best of my ability, those are the events as they occurred.

Trustee Brenton: I wasn't advised that the interior meter had been adjusted or worked on and if that would be the case then I would think, without making a commitment, that the Village has a problem and if it did not bench test the meter and did work on it and take it apart and it would seem to place some responsibility on the Village.

Mr. Weimer: All of it.

Trustee Brenton: I can't say that until we develop all the facts.

Mr. Weimer: In the meantime they won't shut my water off?

Trustee Brenton: No and I think that while we are holding this particular bill in abeyance we can waive the late charge - isn't that right? Mrs. Cummins assures me that is so. So don't worry about it. I will get a hold of you and arrange for a meeting this week.

Mr. Weimer: You will contact me?

Trustee Brenton: Yes.

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Mr. Weimer: My telephone number during the day is 692-2100, Ext. 7096.

Mayor Kuzon: Does anyone else have anything? Any Board member have any comment? Seeing none. . .

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

Unanimously carried.

Mayor Kuzon: Before adjourning, I have one additional item to report. The Evans Street traffic island has a new flag pole donated by the Lions Club and it is a nice addition to the Village.

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

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer