

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, December 28, 1981 at 7:35 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

William Bancroft

Lawrence R. Brenton Trustees

Michael Kibby

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Edward Way, Dept. of Public Works

Absent

Connie C. Murray, Trustee

Mayor Kuzon called the meeting to order at 7:35 PM.

Mayor Kuzon: Next on our agenda is approval of the minutes.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the regular meeting held December 14, 1981 were approved.

Unanimously carried.

ON MOTION by Trustee Brenton, seconded by Trustee Kibby, the minutes of the public hearing held December 14, 1981 regarding a proposed local law to amend Section 70.124 of the Zoning Code were approved.

Unanimously carried.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the public hearing held December 14, 1981 regarding a proposed local law to amend Section 65.40(a) of the Water Code were approved.

Unanimously carried.

Mayor Kuzon: For my portion of the agenda, I'd just briefly like to report that last Monday night the Town of Amherst held a public hearing on a truck ordinance on their section of Cayuga Road and it was unanimously passed and their signs have been posted. I've also noticed the signs have been posted at Main and Cayuga limiting the truck weight to 5 tons. I'd like to thank Trustee Brenton who followed through on this issue for the Village and Councilman Barton of the Town who carried the ball in the Town.

I have three resolutions. The first one is for vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$82,789.00 were approved as follows:

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Payroll Fund	W/E 12/18/81	\$ 4,903.41
	W/E 12/24/81	8,145.49
General Fund	Abstract #503	28,849.78
Sewer & Water Fund	Abstract #84	13,656.40
Trust & Agency Fund	Abstract #123	4,320.72
Glen Park Joint Activities	Abstract #23	218.70
Federal Revenue Sharing Fund	Abstract #121	<u>22,694.50</u>
Total Vouchers		\$82,789.00

Unanimously carried.

My second resolution is basically a statement in opposition to the revised, or new proposal by the New York Telephone Company regarding their billing plan. The resolution is self-explanatory and I'll read it to you.

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

WHEREAS the telephone provides an important and necessary method of communication to local residents, and

NEW YORK
TELEPHONE
COMPANY

WHEREAS the current New York Telephone local calling area for the Village of Williamsville residents includes all of Erie County, and

WHEREAS the New York Telephone Company has proposed rate changes which would reduce local calling areas within Erie County to smaller areas with approximate radii of eight miles, and

Opposition
to change
in calling
areas

WHEREAS such proposed change would result in calls from the Williamsville restricted local calling areas to stations outside that area becoming toll calls, and

WHEREAS such proposed change would impair the communication of local residents, including senior citizens and the invalid who depend a great deal on the telephone as a prime means of communication, and

WHEREAS such change could result in all calls to the City of Buffalo governmental and business offices being unjustifiably charged toll call rates, and

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WHEREAS such changes would result in the fracture of the integrated social, business and political Erie County area, of which the Village of Williamsville is a part,

NOW, THEREFORE, BE IT RESOLVED that the Village of Williamsville by its Village Board of Trustees, go on record in strong opposition to the newest New York Telephone Company rate change which would change the local calling area, and

BE IT FURTHER RESOLVED that the Board of Trustees urges the Public Service Commission to reject the latest New York Telephone Company rate change because of its impact on local residents and local governments, and

BE IT FURTHER RESOLVED that the substance of this resolution be forwarded to the New York Telephone Company, the Public Service Commission and the Erie County Legislature.

Unanimously carried.

My third resolution calls for a public hearing regarding a local law which would establish a flood damage protection zone in the Village, and it reads:

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

RESOLVED that the Village Clerk publish notice of Public Hearing to be held by the Board of Trustees of the Village of Williamsville on January 24, 1982 at 7:35 p.m. in the Municipal Building, for the purpose of hearing all persons interested in discussing a proposed Local Law in Flood Damage Protection.

PUBLISH NOTICE OF
PUBLIC HEARING

Proposed Local
Law

Flood Damage
Protection

Unanimously carried.

That's all I have. Trustee Kibby.

Trustee Kibby: Thank you, Mr. Mayor. I have no report this evening and I have one resolution, a resolution to change the Zoning Code to be in conformance with the State Zoning Code regulations which simply changes the number of days that notice has to be published before the hearing. The resolution reads:

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

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RESOLVED that Local Law #10 - 1981 - Amend Section 70.124 of the Zoning Code, which was the subject of a public hearing on December 14, 1981, is hereby adopted.

LOCAL LAW
#10-1981
Adopted

Amend 70.124 of
Zoning Code

(Copy of Local Law Attached.)

Unanimously carried.

Thank you, Mr. Mayor.

Mayor Kuzon: Thank you. Trustee Bancroft.

Trustee Bancroft: Thank you, Mr. Mayor. I have no report this evening and one resolution. The resolution pertains to the renewal of a lease agreement with the Queen's Players Theatre for use of the Meeting House for a one year period beginning December, 1981 through November, 1982 and the terms and conditions of the lease agreement are essentially those that were used over the past year with the exception of the use period and corresponding rate charge to the Queen's Players to reflect a fewer number of days per production. The resolution reads:

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

RESOLVED that the Mayor is authorized to sign a lease agreement with the Queen's Players Theatre, Inc. as per the schedule of terms and conditions attached to the lease.

AUTHORIZATION

Mayor to sign
lease with
Queens Players

Unanimously carried.

Thank you.

Mayor Kuzon: Thank you. Trustee Brenton.

Trustee Brenton: Thank you, Mr. Mayor. I have no report tonight and I'll move to my resolutions.

Resolution No. 1 involves the bookkeeping - housekeeping type situation in the Department of Public Works whereby we have over-budgeted in one area and underbudgeted in another so that to prevent coming out at the end of the fiscal year with a red line we are transferring funds here from Parts to Miscellaneous Equipment in the amount of \$1,000. The resolution reads as follows:

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

RESOLVED that the following budget transfer be made in the General Fund - Garage Account.

BUDGET
TRANSFER

Garage acct.

<u>From</u>		<u>To</u>	
1.1640.444	\$1,000.00	1.1640.445	\$1,000.00

Unanimously carried.

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

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

~~County~~

City of Williamsville.....

~~Town~~

Village

Local Law No. 10 of the year 19 81.....

A local law Amend Section 70.124 of Zoning Code
(Insert title)

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

~~County~~

City of Williamsville as follows:

~~Town~~

Village

§ 70.124 Public Hearing

The Board of Appeals shall fix a reasonable time on an appeal, applications for special permits or modifications of regulations, or other matters referred to it, and shall give public notice thereof by publication in the official paper at least ten days prior to the date of such hearing and shall at least ten days before such hearing, mail notices thereof to the parties thereto.

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

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Resolution No. 2 deals with the Chairman of our Traffic and Safety Committee and authorization for him to attend the annual Traffic Safety Board Association meeting in Albany. This is Mr. Hill, who had intended to attend an earlier meeting in Syracuse. He was ill at that particular time and did not attend and now he will be going to this meeting with some representatives of the Town of Amherst and Mr. Hill is very, very frugal and we're limiting him to \$100 and he usually doesn't go anywhere near that. The resolution reads:

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

RESOLVED that Richard Hill, Chairman of the Traffic and Safety Committee, be authorized to attend the New York State Traffic Board Association in Albany, New York on January 5 & 6, 1982 and the cost not to exceed \$100.00 to be paid by the Village of Williamsville.

AUTHORIZATION
Attend NYS Traffic
Assoc. Meeting
in Albany

Unanimously carried.

Resolution No. 3 deals with the public hearing that we had regarding the use of PVC pipe in the sanitary laterals and actually the bedding of the PVC pipe within those sanitary laterals, the lateral being that section of line from the building to the sewer main out in the street, be it private or public building. At any rate we found a need in that we had allowed the use of PVC pipe in this type of situation - we found a need to also have this bedding requirement established for the PVC, or plastic polyvinyl pipe so that when that pipe is utilized it will be bedded properly, because if it is not bedded properly there would be failures in the future, so that we are attending to that now with this resolution. The resolution reads:

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

RESOLVED that Local Law #9 - 1981, Amend Section 40.50(6) of the Village Code Re: Schedule D3034 PVC pipe, which was the subject of a public hearing on November 23, 1981, is hereby adopted.

LOCAL LAW #9-
1981 Adopted
Schedule
D3034 PVC
Pipe

(Copy attached.)

Unanimously carried.

Resolution No. 4 deals with the increase in our water rates which was also the subject of a public hearing and which we feel needs no further elaboration, except that the increase, we feel, will not bear too heavy on the consumer, but will aid us in attempting a start in eliminating approximately \$160,000 of accumulated deficit. The resolution reads:

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

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~~XXXXXX~~
County

~~City~~

~~Town~~

Village

of Williamsville

Local Law No. 9 of the year 19 81

A local law Amend Section 40.50(6) of the Sewer Code
(Insert title)

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

~~County~~

~~City~~

~~Town~~

Village

of Williamsville as follows:

§ 40.50 (6) Schedule 40 and/or Schedule D3034 Polyvinyl chloride (P.V.C.) piping shall be considered as acceptable for underground Sanitary Sewer Installation in the Village of Williamsville, with prior approval of the plumbing inspector, provided that before any trench is closed the piping shall be stonebedded the entire length of the line.

The bedding to be used for polyvinyl chloride (P.V.C.) gravity sewer pipe meeting the requirements of ASTM D3034, SDR35, will be as follows:

- (a) Purpose of Bedding: The bedding shall provide a firm, stable, and uniform support which will prevent the pipe from settling and losing grade.
- (b) Type of Bedding: Class I or II (ASTM Bedding Classification) type embedment materials, angular, 1/4" to 1" sieve size graded stone, slag, cinders, NYSDOT designation No. 1 crushed stone, or coarse sands.
- (c) Depth of Bedding: A compacted depth of a minimum of 4 inches is generally acceptable.
- (d) Placement of Bedding: In placing bedding, all voids under and around the lower half of the pipe are to be eliminated. Bedding material shall be worked in by hand until the trench bottom uniformly supports and positions the pipe at final grade. It shall be thoroughly compacted (minimum 85% Proctor density) and placed in 6" layers, continued to provide a cover of 12" above the top of the pipe. Each layer shall be placed, then carefully and uniformly tamped in such a manner that lateral displacement will not occur.

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

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

RESOLVED that Local Law #11 - 1981, Amend Section 65.40(a) of the Water Code, which was the subject of a public hearing on December 14, 1981 is hereby adopted.

LOCAL LAW #11-1981
Adopted

Increase Water
Rates

(Copy attached.)

Vote on Roll Call: Trustee Bancroft - aye.
Trustee Kibby - aye.
Trustee Brenton - aye.

Mayor Kuzon - Before voting, I'd just like to express a few thoughts. The first one is that no politician likes to support tax increase or an increase in any other municipal rate structure. However, there comes a time when responsible politicians must reject actions that are simply politically expedient and consciously select decisions which are fiscally responsible and economically reasonable. Our continuing Water Department dilemma presents exactly this type of decision for us. The Village Board can select the politically popular and relatively easy decision not to increase water rates. However, in my mind this is a non-decision. It does absolutely nothing. To be sure it does not increase the cost to the water customers but at the same time it does nothing for the current water department crisis. It becomes clear then, after considering the facts of the water department situation, that there is one responsible and reasonable decision to be made. Careful examination of the Village water rates over the last six years indicates an increase from \$1.60 in 1976 to \$1.83 in 1981 and now the proposed \$1.95 in 1982. This is a \$.35, or 21% increase over the six years, or an approximate \$.06 per 1,000 gallons, or 3% per year increase over the last six year period. However, on the flip side of the coin the Village water costs from the Erie County Water Authority during this six years have increased in the neighborhood of 86% or 5.14% per year. In addition, the papers recently reported the current Erie County Water Authority budget includes a rate increase for 1982 and it is anticipated that this increase will be 5%. However, it would be inaccurate to place full responsibility for the Village water department's financial situation solely on the Erie County Water Authority rate increases to Williamsville. The current fiscal situation is the sum of a number of independent factors. Erie County Water Authority rate increases are simply one factor. But combined with the unaccounted for water, or lost water by the Village, the two factors become substantially the reasons for the current water department deficit. Therefore, to help reduce Erie County Water Authority cost to the Village, the Village water department has instituted a continuing water loss detection program and as a direct result of this aggressive effort, the water loss in one year has been reduced 24%. In the

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County
City of WILLIAMSVILLE
Town
Village

Local Law No. 11 of the year 19 81

A local law Amend Section 65.40 (A) Water Charges
(Insert title)

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

County
City of WILLIAMSVILLE as follows:
Town
Village

- (A) Water Consumption
1. \$ 1.95 per 1,000 gallons: minimum 5,000 gallons (\$9.75) per quarter
 2. Temporary water supply for one or two family homes \$10.00 per month and all others - meter loan and deposit of \$25.00 plus \$1.95 per 1,000 gallons consumed.
 3. All consumers outside the incorporated limits of the Village shall be charged one and one - half of the above rates.

This local law will take effect January 1, 1982.

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beginning of 1981, the loss was in the neighborhood of 58%. Additionally, in the last year major leaks have been identified and repaired resulting in a water saving of 440,000 gallons per day, or in terms of money, \$440 per day. Further, this Board has made the commitment that the water department will receive the necessary constant attention that's required to stabilize the physical and financial situation. However, this past activity and continued vigilance costs money and is another factor in the deficit of the water department. But the Village Board has found it more cost effective and responsible to monitor the system daily than to pay for unaccounted for water so it should be perfectly clear that there is a single fiscally responsible and economically reasonable decision and that is the one that Trustee Brenton has proposed in his resolution, that water rates should be increased \$.12 per 1,000 gallons effective January 1, 1982.

I would add that I support this decision and summarize my reasons: No. 1, that Erie County Water Authority costs to Williamsville have approximately doubled in the last six years while our Village water rates have increased by one-fifth. Secondly, that it is more cost effective to constantly monitor the water system than to pay for unaccounted for water. Third, Erie County Water Authority will increase their rates in 1982 to Williamsville. Fourth, there are only five, so bear with me - The proposed rate increase is economically reasonable. It represents an approximate \$10.00 increase annually to the average Village consumer who consumes 20,000 gallons per quarter. And finally, the financial and fiscal situation of the water department can no longer be ignored as in the past simply because it's politically expedient to do so. The realities of the situation must be understood and a positive plan formed to correct the situation. I'm confident that the action that this Board has taken over the last couple of months will achieve this criteria and I would vote yes on the increase.

Unanimously carried.

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

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

Mr. Way: Thank you, Mr. Mayor. I'd just like to say that as of January 4th we will have our stumping machine out. Anybody that would like to have stumps taken out of their backyard please come to the Village Hall and sign a release so that I can receive it at the D.P.W. and we will be more than glad, provided that there's room for our machine to get in there and take out the stump, we will take it out. Thank you, Mr. Mayor.

Mayor Kuzon: Thank you.

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

Unanimously carried.

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Mayor Kuzon: At this time, anyone in the audience having any issue to bring to the Village Board may do so. We simply ask that you state your name and address for the record. Anyone? Any Board member have any additional comment? If not...

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

Unanimously carried.

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

ON MOTION by Trustee Brenton, seconded by Trustee Bancroft, the meeting was adjourned at 7:52 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer