

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, October 25, 1982 at 7:40 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton
Michael Kibby Trustees
Connie C. Murray
V. James Saia

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney
Dave Laubisch, Dept. of Public Works

Mayor Kuzon: I'll turn the public hearing over to Trustee Kibby.

Trustee Kibby: The purpose of this public hearing is to hear public comment about the proposed resolution that would mandate a 10' buffer zone between commercial property, a parking lot on commercial property and any abutting residential property. The Code, 70.404(D), reads as follows:

PUBLIC
HEARING

AMEND
ZONING
CODE

"Parking shall not be allowed within 10 feet of a lot in any "R" District; except when such parking is accessory to residential use, it shall be governed by the regulations pertaining to parking in "R" Districts."

10'
buffer
zone

If there is anyone who would like to make public comment would you please use the microphone as we are tape recording this meeting.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the hearing was opened at 7:40 PM.

Unanimously carried.

Trustee Kibby: Any Board member have any comment on this buffer zone? Seeing none...

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the hearing was closed at 7:41 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

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Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Dave Laubisch, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:37 PM.

Mayor Kuzon: At this time a motion would be in order for approval of our minutes.

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the regular meeting held September 27, 1982 were approved.

Unanimously carried.

ON MOTION by Trustee Murray, seconded by Trustee Brenton, the minutes of the public hearing held September 27, 1982 regarding a proposed local law to amend Section 60.40(31) of the Traffic Code were approved.

Unanimously carried.

Mayor Kuzon: Next on our agenda this evening is a public hearing and I'll turn the public hearing over to Trustee Kibby.

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the public hearing regarding amending section 70.404 in relation to providing for a 10 foot buffer zone was opened at 7:40 PM. (The hearing was closed at 7:41 PM.)

Unanimously carried.

Mayor Kuzon: For my section of the agenda this evening, I have a few items to report. The first would be at our last meeting a month ago I indicated that I would be writing a letter to the Commissioner of the State Parks and Recreation indicating our support for having the Water Mill placed on the Historic Register and I'd like to share that with you. (Mayor Kuzon read the letter and a copy of it is attached to these minutes.) This letter was sent to the Commissioner of State Parks and Recreation and also was accompanied by a Proclamation which was issued on October 18th. It was my understanding that the Mill would be considered on the 28th, which is Wednesday, by the State Historical Advisory Board and soon after that we would receive notice of the acceptance or denial.

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One other item to report is that on October 19th the Local Government Committee met once again to study the question of Old Home Days. At that meeting the Chairmen of the event, George Measer and Jean Gaulin, were there as well as representatives from the Jolly Boys. It was a long meeting, one in which many questions were raised and answered, and as a result of that meeting the Committee determined that it would survey the vendors, or the concession stands that are on the Island. A draft letter has been prepared and a draft survey has been prepared. Currently, the Local Government Committee is reviewing it. It will be then returned to me and it will be mailed out to the concession stands. To the best of my recollection there were - we have a list of 30 concession stands on the Island. The best I could determine was that 18 of them were community service organizations, non-profit organizations, six were local individuals from Western New York, and six appeared to be professional concessionaires or amusement rides. As the surveys are returned the Committee plans on meeting on November 9th and November 16th and compare results and put together a report to present to this Board. That concludes my report.

I have two resolutions for vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$83,647.71 were approved as follows:

Payroll Fund	W/E 9/29/82	\$ 4,526.75
	W/E 10/6/82	4,543.32
General Fund	Abstract #522	49,855.37
Sewer & Water Fund	Abstract #103	23,491.88
Trust & Agency Fund	Abstract #142	730.39
Glen Pk Jt Activities Fund	Abstract #42	<u>500.00</u>
Total Vouchers		\$83,647.71

The larger of these vouchers are to Erie County Water Authority, which is the provider of our water, and also to Rapid Disposal, which is our garbage collector.

Unanimously carried.

Those vouchers, by the way, represent business conducted by the Village for the first two weeks of the month and the next set of vouchers represents vouchers of the Village to the 20th, October 20th, and the second resolution reads:

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$35,883.22 were approved as follows:

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Payroll Fund	W/E 10/13/82	\$ 4,387.30
	W/E 10/20/82	4,658.08
General Fund	Abstract #523	9,851.88
Sewer & Water Fund	Abstract #104	2,243.53
Trust & Agency Fund	Abstract #143	1,472.07
Gl Pk Jt Activities Fund	Abstract #43	257.41
SSES Fund	Abstract #18	<u>12,575.15</u>
Total Vouchers		\$35,445.42

The larger of these vouchers is to URS Company for \$10,000. URS Company is the engineer for our sewer rehabilitation program.

Unanimously carried.

That's all I have. Trustee Saia.

Trustee Saia: For a report, Mr. Mayor, Your Honor, you just did a report on the Local Government Committee. The thing I'm concerned about that study I've got to say it and we have discussed it, but we have on that Committee a Town of Clarence resident. Now I've got a lot of respect for the gentleman. I know him. We were brother firemen. But he moved out of the Village and I honestly can't see what this person is doing on a governmental study that's going to affect 6,000 people in the Village of Williamsville. Granted he has a business in the Village of Williamsville and he's been in business a long time, but he elected to move out of the Village and I live in the Village and there's 6,000 people out there that live in the Village and I think one of those people should have been picked instead of that person and I honestly think you should make a change there. That's my opinion.

Mayor Kuzon: Well, first of all, to explain. The original resolution calling for a committee to study Old Home Days indicated five members on the committee. If we went by that criteria it is a fact that there are seven members and only one of them presently doesn't live in the Village. But as you did indicate he does have a business here and was a longtime resident here. It is your concern, your criticism is a valid one as a Trustee in the Village but I guess the background here is that when the Local Government Committee was created and it's membership was specifically designed to include two members from each Village political party, from the Village Party and from the Civic Pride Party. The individual that you're talking about happens to be one of the representatives from the Civic Pride Party. The other committee members are then drawn from the community at large.

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Trustee Saia: Then there are two from the Civic Pride Party?

Mayor Kuzon: Yes and two from the Village Party. There are seven members on the committee, two from each party and then three other people who are just from the community.

Trustee Saia: I think in this Village you could call on - there's got to be somebody you could call on to serve the interests of the Village residents. The man does not live in this village. He elected to move out.

The other thing in my report is that at the last Board meeting you reported that the Village had received a letter from an anonymous village resident regarding the increase in senior citizen income allowing for a tax reduction. From some \$9,200 to \$10,000. I'd like to know how come the village now decides to act on an anonymous letter that could very well have been written from a Town of Amherst, a Clarence, or some other resident that doesn't live in the Village. Williamsville 14221 covers about 40 times the size of the Village - of this village. To a person who lives on Brompton Road, they live on Main and Harris Hill Road, they live on Niagara Falls Blvd. In the past as we all know, some people have written expressing their opinions or their views or complaints to the Village when in actuality they weren't residents. Their addresses were Brompton Road or some street. We got a lot of those letters and we have to notify them that they do not live in the Village although they think they do because they live in Williamsville, 14221. Although I do sympathize with the people who do have trouble paying their taxes, I think this method of payment is not in the best interests of the Village taxpayers. Now, number 1, someone must pay the cost of hiring these people to pay off their taxes. Now I think you said there was no cost to the Village residents but I just can't see it if you're taking off the taxes, if you take your taxes off your taxes there's got to be, the money has to come from someplace. The second thing that you said was that Kenmore is having their delinquent taxes paid off in this particular method. Now the Kenmore tax base is \$88.00 per \$1,000. Williamsville's is approximately \$17.00 per \$1,000. If you live in Kenmore and you had to pay your taxes off on a \$7,000 assessed building you're talking say \$600 and some dollars to pay off. Now at \$3.52 an hour it means you're going to be working around 4½ weeks. But now if you live in Williamsville and you're going to pay off on a \$7,000 assessed home with a tax base of \$17.00 you're only talking about maybe four days work. Now you know, I got a couple of friends of mine that turned over their houses to their wives. Their wives don't work. So realistically, the wife can come in here and say I own that house but I didn't work last year so I would like a job for four days and pay my taxes. Another thing is you could put one of these people on the job. They get hurt and then maybe compensation will be paid the rest of his life for just four days.

WORK FOR
TAXES
PROGRAM
DISCUSSED

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I don't know what you'd give them to do but you don't train them. Now we also got to give \$25 to give them a physical in order to come to work on top of that. They have to take a physical and it costs us \$25. I'd like to know what we're going to get back for our money after we hire these people. Now, who's going to be responsible to check their income. You know our taxes are due in June and if a person doesn't pay their tax we could have them working here let's say in May because they come up and say gee I didn't pay my taxes last June so okay he could pay it in May and go right back to work and maybe make over his \$10,000 in that year and then how do we get that money back. What do we do to check them. There are a lot of problems. Now there are further reasons why I'm against this form of tax payment. I would like to say that some more thought has to be given to this proposal by the Mayor and the Village Trustees, who were not allowed to have any input up until this time.

Mayor Kuzon: You're having your input right now.

Trustee Saia: Thank you. And I think we should have some input into this so that what we do will benefit the taxpayers in the Village and if there's anything we can do for these people that you're talking about, and I understand your concern for them, but it's my concern too and that's about all I want to say on that one.

The other thing I'd like to say is I don't know who's gone down and seen the bubble but I've talked - we've gone through this I guess a good many times and my previous concerns about this bubble kind of got shattered when I went by there and saw it lit up. I thought it was Halloween. And I just can't see that thing in our community especially in my neighborhood, especially, and maybe that's what I'm complaining about that it is in my neighborhood and I wish something could have been done about it. I'm just kind of disappointed to be on this Board and have that thing put in there. I know somebody's going to talk about it ten years from now and if they look on here they'll see my name on this Board and I don't like it.

I have a resolution for tonight on the Trick-or-Treat.

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

RESOLVED that Sunday, October 31st, is designated "Trick-Or-Treat" night in the Village of Williamsville.

HALLOWEEN

"Trick or Treat Night" designated

With this I'd like to stress that the youngsters, because of this Tylenol deal and Lord knows what else will come up, that the youngsters go only to their own neighborhood people, people they know in the neighborhood, number one, and number two that the kids take all their little goodies before they gobble them up to

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take them home and have the mother and father, or the big brother or sister set them on the table and take a good look at them before they give them to the kids and make sure that the package hasn't been opened and I don't know what else you look for, but be awful careful. Thank you.

Unanimously carried.

Mayor Kuzon: Thank you. Before going to Trustee Brenton I'm just going to take a quick minute to respond to some of Jim's questions or criticisms on the Work For Taxes Program. First of all, Jim stated that it's the reaction to an anonymous letter, which in fact it is not. It is a reaction to a concern, a position which I consider to be valid. The community was doing something to help senior citizens who were making less than \$10,500 but was not doing anything for people who are under 65 and in a similar financial situation. It's my feeling that they need more than our sympathy, that they actually need a way to help them pay their taxes and that's what this program is. It's a simple effort, a straightforward effort to allow people in our Village, our neighbors in fact, people that live next door to us, and if we don't think they're unemployed or people making less than \$10,000 living next door to us then I think we're fooling ourselves. It's an honest attempt to help our neighbors then pay their taxes by working for the Village of Williamsville. This is not meant to help people pay delinquent tax bills. It's meant to pay the upcoming tax bill for our coming year. Under that situation then the amount is irrelevant to my mind whether you live in Kenmore or Williamsville, if you don't have the money to pay them. So this as I said is an effort and as Jimmy said there are some questions that he has and some of them are valid and some of them aren't but the ones that are valid we'll honestly try to answer. The other ones we will treat accordingly. I guess the one thing that we should be aware of is that since the program was announced two individuals have come forward and indicated that they are interested and we have told them that some of the Board members have questions that need to be answered before the program can be implemented and they are willing to wait under those circumstances as it was explained to them. However, I guess for all our information, the total financial impact of hiring these two individuals upon the Village of Williamsville would be \$400 and if the Village of Williamsville can't afford \$400 to help two people who are presently unemployed meet their financial obligation I think the Village of Williamsville should reevaluate, or reassess their position. Trustee Brenton.

WORK FOR
TAXES
PROGRAM
Discussed

Trustee Brenton: Thank you. Since we are in the, apparently we have deviated from the agenda here, I'll continue with that particular train of thought regarding this Work For Taxes, which I'm not taking the position one way or another, but I do feel that in that it is obviously causing some controversy on the Board that we owe it to our constituents and the taxpayers

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in particular, to have greater input into this particular method of paying taxes and I would, therefore, think it would be appropriate that we have at least a public hearing and if we do not have a public hearing I would certainly be very uncomfortable if we didn't have a legal interpretation which I have mentioned previously, as to whether or not we need a Board resolution to implement this type of payment of taxes or not so that I would hope it would be accomplished, one of the two, prior to the inception of this program. Or a resolve of my concern regarding this because we haven't discussed it in private at all so that I'm bringing this up now because I'm quite sure after tonight's official Board session and our work session knowing the agenda for that we just, we're not going to have enough time to discuss this between now and midnight.

Mayor Kuzon: But it was on the list to discuss so that we are aware that we need to discuss some of the problems.

Trustee Brenton: Okay. With that I'll move to my report. This last Saturday I spent a very interesting day and must say forgo UB's Homecoming Day, forwent would be the term, in retrieving the time capsule from the Main Street bridge with the assistance of Trustee Saia and certainly Mr. Weller and the volunteers that happened to appear. It was an unscheduled event that we had been putting off due to a conflict in schedule so that there was no official capacity to it. Quite frankly, I don't really know how I got there Saturday as it was because I worked all night Friday night, but at any rate, we did it, we got it out and Mr. Gartley Weller's in the audience tonight and I guess he's going to talk about it later on and he will, - I certainly hope appraise the people of what was in that box that was put in that stone, cornerstone 100 years ago on November 22, 1882.

TIME
CAPSULE
DISCUSSED

The bus shelters on Main Street. We, the Village has poured concrete for the construction of the bus shelters and now it appears that there is somewhat of a problem pertaining to the bus shelter at Union Road and Main Street, which is the one I believe is really needed. The problem being that after having the Department of Transportation personnel out, in compliance with the permit procedure that was granted to the Niagara Frontier Transportation Authority I saw fit to have the Department of Transportation view the site and they took exception to the location of the shelter to the degree that they will only allow us to intrude into the existing sidewalk by 3". Now the Niagara Frontier Transportation Authority informs me that they don't normally follow this route and certainly makes me question the nature of the operation of one governmental body contrasting to another and in fact trying to circumvent the intent of another. At any rate, the Village of Williamsville did the right thing and we got involved so now we're going to have to either have some type of concession on the size of the bus shelter or perhaps the Village might if we're not granted that concession by the Niagara Frontier Transportation

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Authority the Village will have to maybe fund that particular location itself which I would definitely approve and suggest to the Board of Trustees. However, we will be discussing that at a later date.

Phase I of our Sanitary Sewer Rehabilitation Program has been completed. We are awaiting final approval, acceptance of the results of that testing of that Phase I, which dealt with our major rehab of our sanitary sewer and I expect that within the next two weeks. That concludes my report and I have several resolutions tonight.

Resolution No. 1 deals with the surplus equipment that we advertized, we found to be no longer necessary at our Department of Public Works and before entering into that and other resolutions that deal with those surplus pieces of equipment I think that I should point out maybe as a public statement that the Village has been involved in litigation. We have been informed of a notice of suit, I guess you would call it, at any rate regarding a piece of equipment that we had previously sold, or rather the fire department had sold and being that the fire department is an official body of the Village, the Village has been attached so to speak regarding that suit. So that I have really not thought about that until I sat up here just now and I think that it would be appropriate for me to mention that the Village of Williamsville will accept the bids for the pieces of equipment that we are letting here tonight on solely an "as is" basis and by that I mean that the buyer beware, I think would be the terminology. If someone thinks he can fix up an old car and then at a later date finds out that there's something the matter with that car that was unknown to us and unknown to them when they purchased it and therefore, they're injured as a result of the mechanical malfunction, that we are selling this equipment "as is". We don't know what the condition is. We are letting the people have it for the bid prices indicated and we assume it to be junk as far as we're concerned. That's what "as is" means to my mind at any rate. So that statement which I'm sure the Board of Trustees supports and if I hear no objection I'll assume that they support it. I will move to resolution No. 1.

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

BIDS AWARDED
Sale of Various
Surplus DPW
Equipment

WHEREAS the Village of Williamsville has advertised for sealed bids for the sale of surplus village equipment, and

WHEREAS the bids were opened on October 5, 1982,

NOW, THEREFORE, BE IT RESOLVED that the following surplus equipment be sold to

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the highest bids as follows:

<u>Equipment</u>	<u>Bidder</u>	<u>Amount</u>
Flat Bed Truck Body	Robert F. Buyers, Inc.	\$30.00
1952 Ford Model 8N Farm Tractor	Frank Pawlak	\$1,325.00
1974 Chevrolet Belair Station-wagon	Dennis C. Martin	\$78.51

Unanimously carried.

Resolution No. 2 deals with two pieces of equipment that we feel we should get more money for and we are taking, are going to have second bids on this equipment so that we will reject the original bids on this equipment by the action of Resolution No. 2.

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

WHEREAS the Village of Williamsville advertised for sealed bids for the sale of a 1974 Step Van and a 1966 Snowline Tractor with V-Plow, and

BIDS REJECTED
Step Van and
Sidewalk
Plow

WHEREAS the Village reserved the right to reject any or all bids, and

WHEREAS the bids were opened on October 5, 1982,

NOW, THEREFORE, BE IT RESOLVED that all bids on the 1974 Step Van and the 1966 Snowline Tractor with V-Plow are hereby rejected.

Unanimously carried.

I might add that the 1966 Snowline Tractor with V-Plow has not been used for five years and the bid for that was \$801.99 and it probably has in the nature of 35 HP with hydraulically operated blade and a snow blower that a person might want to buy, purchase for themselves is certainly a great deal smaller piece of equipment and it usually runs around \$600 for the 6 HP level I guess and that's one reason why we're rejecting it. I don't know if we'll get any more money but it does appear that the snowplow equipment this thing has should go for more than \$801.

Mayor Kuzon: That's the old sidewalk plow, right?

Trustee Brenton: Right. Resolution No. 3, therefore, readvertises these two pieces of equipment that we just rejected the bids on and it reads as follows:

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

RESOLVED that the Village Clerk is hereby authorized to readvertise for sealed bids for the sale of a 1966 Snowline Tractor with V-Plow and one 1974 Chevrolet P20 Step Van, as is. Bids to be opened at the Village Clerk's Office on November 17, 1982 at 10:00 a.m.

READVERTISE FOR BIDS

Tractor and StepVan

Unanimously carried.

I would add to that that it has been brought out that the advertising cost in the Buffalo Evening News for advertising of bids are significant and the Village Clerk is going to just advertise in our local papers, the Amherst Bee and the Pennysaver. So that we won't be going to the larger circulation papers. Maybe it would be a good idea to advertise in the Swap Sheet too. They just charge you if you sell it.

Resolution No. 5 deals with the purchase of our new dump truck which certainly has been discussed and approved by the Board over the past several months. Oh, did I skip resolution No. 4? Resolution No. 4 also deals with the bond resolution for the dump truck and plow and it's simply a procedural resolution allowing the Clerk to do this, and it reads as follows:

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

RESOLVED that Bond Resolution in the amount of \$65,000 for Dump Truck with Plow is hereby adopted. (Copy of Bond Resolution is attached.)

BOND RESOLUTION

Dump Truck

Unanimously carried.

And another procedural mechanism necessary is Resolution No. 5 dealing with the dump truck that was just mentioned here and that situation. It reads as follows:

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

Re: \$65,000 Dump Truck Bond Resolution

PUBLISH FOREGOING 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

EXTRACT OF MINUTES

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

October 25, 1982

* * *

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 October 25, 1982 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
V. James Saia

There were absent:

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

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Trustee Brenton offered the following
resolution and moved its adoption:

BOND RESOLUTION OF THE VILLAGE OF WILLIAMSVILLE,
NEW YORK, ADOPTED OCTOBER 25, 1982, AUTHORIZING
THE PURCHASE OF A HEAVY DUTY SINGLE AXLE DUMP TRUCK
WITH PLOW ATTACHMENT FOR USE BY THE VILLAGE AT THE
ESTIMATED MAXIMUM COST OF \$65,000, APPROPRIATING
SAID AMOUNT THEREOF, INCLUDING \$4,000 CURRENT FUNDS
TO PROVIDE THE REQUIRED DOWN PAYMENT, AND AUTHORIZING
THE ISSUANCE OF \$61,000 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 heavy duty single axle dump truck with plow attachment
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 \$65,000 and
the said amount is hereby appropriated therefor, including the
appropriation of \$4,000 current funds to provide the required down
payment. The plan of financing includes the appropriation of said
current funds, the issuance of \$61,000 serial bonds of the Village
to finance the balance of said appropriation and the levy and co-
llection 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 \$61,000 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. 28 of the Law, as amended by Chapter 16 of the Laws of 1981, is fifteen (15) 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 \$4,000 are available therefor in the current budget of the Village under the heading " Transfer to Capital Fund --
Downpayment on DPW Truck ." 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 Saia and duly put to a vote on
roll call, which resulted as follows:

AYES: Trustee Kibby
Trustee Brenton
Trustee Murray
Trustee Saia
Mayor Kuzon

NOES: None

The resolution was declared adopted.

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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 October 25, 1982, 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 October 25, 1982, authorizing the purchase of a heavy duty single axle dump truck with plow attachment for use by the Village, at the estimated maximum cost of \$65,000 appropriating said amount therefor, including \$4,000 current funds to provide the required down payment, and authorizing the issuance of \$61,000 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 heavy duty single axle dump truck with plow attachment for use by the Village; STATING the estimated maximum cost thereof is \$65,000 and APPROPRIATING the said amount therefor, including the appropriation of \$4,000 current funds to provide the required down payment; STATING the plan of financing includes the use said current funds, the issuance of \$61,000 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 \$61,000 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 fifteen (15) 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 \$4,000 are available therefor in current budget of the Village under the heading "Transfer to Capital fund-- Downpayment on DPW Truck;" 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: October 25, 1982

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.

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

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

The resolution was declared adopted.

CERTIFICATE

I, THERESA L. CUMMINS, Village Clerk of the Village
of Williamsville, in the County of Erie,

State of New York, HEREBY CERTIFY that the foregoing
annexed extract from the minutes of a meeting of the Board of Trustees
of said Village,
duly called and held on October 25, 1982, has been
compared by me with the original minutes as officially recorded in my
office in the Minute Book of said Board of Trustees
and is a true, complete and correct copy thereof and of the whole of said
original minutes so far as the same relate to the subject matters referred
to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the
corporate seal of said Village
this 25th day of October, 1982



Theresa L. Cummins
Village Clerk

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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.

I would add that that vehicle will be in our hands within we hope by the end of the week but certainly by the snowplowing season and so that after trading in our older vehicle we will be in good position to handle the needs of the community throughout the upcoming winter.

Resolution No. 6 deals with the resignation of Ed Way, our former general foreman, and that was as you know several months ago and since that time we have functioned with Mr. Laubisch and Mr. Anstett as the working foremen but with a greater degree of responsibility in that capacity at the Department of Public Works and I have also been involved in the administrative end of the Department of Public Works rather than my previous association as liaison. So that when Mr. Way submitted his resignation it was my suggestion quite frankly to allow these two men to have an increase in salary due to the significant amount of book work that does occur in that office. Most of the vouchers, etc. that are generated either come from the fire department or the Department of Public Works regarding purchases of other than water from the Erie County Water Authority, so that there is a great deal of responsibility pertaining to the preparation of vouchers and designating them into their allocated line items and doing it properly and it's a headache. It's not a pleasant task. I have to review it myself prior to every Board meeting, the actions of the Department of Public Works regarding those vouchers, and it was the feeling of this Board to increase the salary on a temporary basis for these two men. At this time, the Board finds no further need for Mr. Anstett

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to continue in that capacity so we are rescinding the action of July 26, 1982 regarding Mr. Anstett and as a result we have to rescind the action also pertaining to Mr. Laubisch. Mr. Laubisch will be dealt with in Resolution No. 7, but at any rate here the intent is to rescind the action of July 26th as it pertains to Mr. Anstett. It reads as follows:

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

RESOLVED that resolution adopted on July 26, 1982 granting salary increases to John Anstett and David Laubisch is hereby rescinded effective immediately.

SALARY
INCREASES
Rescinded

Unanimously carried.

Resolution No. 7 deals with Mr. Laubisch as I just said, and this will in effect return him to exactly where he was resultant from our July 26, 1982 resolution and if I haven't confused you now I probably won't confuse you as I'm almost done. Essentially what has taken place is we are just continuing Mr. Laubisch at \$200 a month additional salary until such time as we make a decision as to our new Superintendent of Public Works so that this resolution No. 7 allows Mr. Laubisch to continue receiving this additional \$200 per month.

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

RESOLVED that David Laubisch, working foreman, be granted an increase in his salary of \$200.00 a month, effective immediately. This increase to continue in effect until the conclusion of the first week of work by the new Superintendent of Public Works, or at the pleasure of the Village Board.

SALARY INCREASE
D. Laubisch

Unanimously carried.

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

Mayor Kuzon: Before going to Trustee Kibby, I'd just like to take the opportunity to thank Trustee Brenton for his work on the bus shelters. What first appeared to be a rather simple task of installing the concrete and erecting the bus shelters has been going on for a number of months now with negotiations with the N.F.T.A. and then with certain property owners and other details that had to be worked out and I think that I'd like you to know, Larry, that I appreciate everything you have done behind the scenes and in making sure everything was in order.

Trustee Brenton: Thank you.

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Mayor Kuzon: Trustee Kibby.

Trustee Kibby: Thank you, Mr. Mayor. For my report this evening I'd like to report the Planning Board agenda for November 1, 1982 at 7:30 PM. There are three sign permits on the agenda. One for Neiman's Golf Shop; one for Warren-Hoffman, a free-standing sign; and one for the Village Square Apartments. This particular one for the Village Square Apartments had been approved in July but there is a time allowed by the codes for erecting the sign and it had not been erected and I guess they are going to erect it and need again to have this approved. There is also for discussion on December 6th - that's not for the next meeting, but for December 6th - Louis Jaus has submitted plans for an office building at 14 N. Cayuga for the lower part of a garage. Chris Mothershed will also be at the meeting November 1st to discuss the conceptual development plan for the Village, sometimes inaccurately called the Master Plan.

I have one resolution tonight.

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

RESOLVED that the Mayor is authorized to sign lease agreement with Queen's Players' Theatre, Inc. for a period of one year from September 1, 1982 to August 31, 1983 as per terms and conditions set out in such "Schedule of Terms and Conditions."

AUTHORIZATION

Mayor to sign contract with Queens Players

ON MOTION by Trustee Kibby, seconded by Trustee Murray, it was moved to table the preceding resolution until our next meeting.

Unanimously carried.

Thank you, Mr. Mayor, I have nothing else.

Mayor Kuzon: Thank you. Trustee Murray.

Trustee Murray: Thank you. September 27th through October 1st the Village Clerk and I attended the Municipal Officers Training School. This is the second time I've been to this school and from others I've been to this was the most informative. I appreciate the opportunity to go there and I'm grateful to the people of Williamsville for helping me to do my job better.

I have only one resolution this evening. It pertains to a public hearing that we had to install a stop sign at Scott and Pfohl and it reads:

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

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RESOLVED that Local Law #8 - 1982 - Amend Traffic Code, Section 60.40(31), which was the subject of a public hearing on September 27, 1982 is hereby adopted.

AMEND TRAFFIC
CODE

Local Law #8

(Copy of local law attached.)

Unanimously carried.

That concludes my report.

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

Mr. Laubisch: Just a couple of items. I'd like to thank the Village Trustees and the Village residents for the opportunity to attend the Annual Public Works School October 15th to 18th in Rochester, New York. There was a general exchange of information and I'm sure it will be beneficial to Village residents.

We are in the process of our annual leaf pickup in the Village of Williamsville and I would request that the Village residents when they put their leaves out to the curb to be picked up to make the leaf piles exactly that, leaf piles, not to include any other debris in the pile. It makes it very difficult to pick up and if there's any other material in the piles, concrete, bricks, or rocks, it can cause damage to machinery. And also along the same line, to pile your leaves as close as you can to the street without actually putting them in the street. During periods of heavy rains it causes the leaves to wash down the street and clog storm receivers and cause flooding and it also, when leaves are in the street and we get rain it makes the street very slippery and could cause an accident which no one wants. That's all, Mr. Mayor.

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 bring any concern before the Board. We ask that you state your name and address. Mr. Young.

Mr. Walter Young, 75 Brookside Drive: Our problem, of course, is with the sewer that was built through our property last year. We understand that the part that goes back to the creek is a bad leaker. We just understand this. However, our sight tells us that the flap valve that leads into the creek is no good. It doesn't close. Our concern obviously, is that when January comes or when Spring comes the creek water is going to back up, it's going to leak with force behind it and throughout our property and

(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. 8 of the year 19 82.

A local law Amending Section 60.40 (31)
(Insert title)

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

~~County~~
~~City~~ of Williamsville as follows:
~~Town~~
Village

§ 60.40 (31) Scott Drive - Stop signs on A) Highland Drive from the north and south; B) Hirschfield Drive from the north and south; C) Monroe Drive from the south; D) Columbia Drive from the south; E) Pfohl Place from the north.

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

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obviously maybe we're not going to be flooded away but it's not going to be good for us and something obviously has to be done. And I know this is something that has been discussed for a long time but nothing has happened and here it is November practically and this almost has to be done right away and when it is done, I have - I don't know what the plans are, I know there is some litigation going on with the contractor but I think that meanwhile while these things are being done, these things are going on, we're sort of under the gun and we're suffering and nothing is being done and we think this intermural kind of argument should take place if you will, but I think that the work should be done. I know that there's money been held up that he hasn't been paid. I know there are performance bonds and I think that we really should get this cleaned up while the weather is still, will allow it. And I would like to make one other point very briefly. When we signed the easement last year to go through, I know that we were not the first choice but other people wouldn't sign it, but we did as a matter of, a gesture of goodwill to the Village to let you go through our property. What it meant was, we were promised it was going to be done in the spring. Two or three years ago I retired, one of the reasons being so I could do some traveling. It wasn't done in spring. We didn't even have a chance to go away anywhere all summer because every week they were going to start it. They didn't start until the day after Labor Day. So we lost a season on it. We, of course, lost a seven foot mature hedge. I'm now looking at a little two foot one and I will for a few years. Some shrubbery was never replaced. In other words, we came out on the wrong end of the deal all the way. So I guess what I'm simply saying is because of that I think the Village does owe us. I don't know what you would call it but it does owe us something in the sense that I don't want to see us dug up again. I know there are ways to fix this without digging up, whether it's a liner or sending somebody through to fix it. But in any case, we don't want to be dug up again, all over again, to go through that again, but we think something should be done and done while it can still be done. So I guess that's what I'm asking tonight. What's going to happen?

Brookside
Sewer
Discussion

Mayor Kuzon: I guess the best person to answer you would be Larry because he's worked so closely on the project and would have the best knowledge.

Trustee Brenton: Well first I'd like to say that I certainly agree with what Mr. Young says regarding the willingness of the Youngs and the Hartmans to allow the Village to have an easement through their property in order to construct this storm sewer. They were the second choice and were willing to help themselves as well as other residents in their particular area and I certainly played a large part in those negotiations and I assured the Youngs that during the process of negotiations that we would make them whole or better than whole and I think that physically we have made them better than whole. It's granted that we cannot - we could not obtain a hedge that had to be the size of the original hedge but I think in another year or two this hedge is going to be better looking. I think you'll agree with me, Walter, on that.

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As far as the treatment of your property we have done everything in our power and even more than was in the original contract specifications to make your property as returnable to its original state as was possible. Now when we get into the aspect of repair to the storm line as it is presently constructed we, as you know and as you have mentioned I guess you know, we are involved currently in litigation with the firm of Cimato Brothers Contractors due to exceptions that we have taken as to the construction procedures on that particular project. Attorney Troy and I have discussed this situation. We have been served with a lawsuit pertaining to this situation by Cimato Brothers so it might be inappropriate for me to discuss it any further and I would have to ask the attorney whether I...

Mr. Troy: Your judgement is correct. I think we understand I think and I think that's what Mr. Brenton has expressed the position we're in and at the same time any public statement on his part would probably be inappropriate at this time.

Mr. Young: But understanding it isn't going to help if our house washes away and also we don't want to be ripped up again as I said. We just want some kind of understanding that the Village is going to fix this in time before the creek comes up and without ripping us all up again, with an interliner or something and also fix the flap valve.

Trustee Brenton: I definitely assure you that the flap valve will be repaired. It will also be necessary to repair the outfall at the headwall in that particular location, that that has proceeded to disintegrate and they will be repaired. As to the time frame when they will be repaired, I'm just questioning right now in my own mind whether we cannot indeed invoke the performance bond regarding the flap valve. It's not functioning and I don't think that that would jeopardize our position here.

Mr. Troy: I think the safest thing you can say at this point is that we are concerned and we are attempting to bring the thing to the most rapid resolution possible at this time. That we're hopeful.

Mr. Young: Well that's really not very good. We went into this with goodwill and now we are saying, it's a brush off.

Mr. Troy: No, sir, it isn't meant to be that at all.

Mr. Young: To me, if you were sitting in my chair, you would feel it was. We have a situation that could be harmful to our property.

Trustee Brenton: Let me interrupt you, I'm sorry, but as far as backflow from the creek we are certain that will not in any way affect your property. We have engineering advice that indicates that it won't. So that in effect, the flap valve will

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be repaired but if it's not it shouldn't affect you. It shouldn't be any greater than the storm line itself being fully charged resultant from the flap valve not being allowed to open due to the increased height of the creek. Either way you're going to have a water pressure within the pipe and it's the advice of engineers that this will not affect you. Granted it deviates from the contract specs in that the pipe was not supposed to leak, but we have the opinion of engineering firms that says that if in fact the pipe does leak it will not affect the property owner on either side of the line. So that I feel comfortable and am telling you that you don't have to fear damage to your property resultant from the line.

Mr. Young: Okay. But it will be fixed someday. Will we be dug up?

Trustee Brenton: I, quite frankly, don't think that I would allow them to dig it up. I think I would rather see it left the way it is if I had assurances that it wouldn't affect you rather than affect you by having it dug up. As you know, I spent a lot of time with both you and Mrs. Young and the Hartmans to assure you and I've been there. I am not there now because we are in litigation and there's nothing more I can do by visiting the job site. It will definitely be taken care of and the only problem with discussing it now is that we've been presented with a lawsuit and it's not a brush off believe me.

Mr. Young: I understand. Well I just wanted to come away from this meeting with a feeling that - with assurance that we were not going to be dug up all over again and go through the whole thing again.

Trustee Brenton: There has been some other alternative to excavation. Unless there was some radical deviation and at some particular location that would, of course, require spot excavation in order to repair that injury to the pipe or poor construction to secure whatever hypothetically it might be. Then perhaps we might have to excavate, but to excavate the entire line absolutely not.

Mr. Young: Okay. Is that the kind of assurance you wanted to hear, Rita?

Mrs. Young: I don't see why they can't use a liner.

Trustee Brenton: Liners generally aren't used in corrugated pipe and I would say that it certainly could be a thought but I don't think that...

Mrs. Young: It does work, I'm assured.

Trustee Brenton: Oh, liners will definitely work. There's no question of it.

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Mrs. Young: I know it's expensive.

Trustee Brenton: It's very expensive. 24" of liner for that would be more money than we've held back. We have to get into the bonding agent of the firm assuming that we were on proper ground and I certainly feel that we are and pursue it from there. But it will be taken care of.

Mrs. Young: Okay.

Mr. Young: Do we have two assurances then? Number one that we're not going to have a problem from the water leaking and Number two that when it does get taken care of we're not going to get ripped up again.

Trustee Brenton: We have - the Village Board has been provided with a study indicating that you, or the Hartmans should not be injured resultant from any water seepage from the line.

Mr. Young: And when it is fixed we won't be dug up?

Trustee Brenton: And when it's repaired I can't see that. I just can't envision having to dig the whole thing up. Frankly, I would have to say publicly that it would almost be over my dead body that we have to dig it up.

Mr. Young: We just wanted that kind of assurance because we've been concerned about this. Thank you.

Trustee Brenton: Thank you.

Mayor Kuzon: Yes, sir?

Dr. Carl N. Schueler: I'm the owner of the house and property at 33 Mill Street in the Village and I've come before you to ask for action of withdrawal of my property from consideration for a new fire hall. The consideration I learned of only by these surprising articles that appeared in the newspapers. The basis of my request is multifold. I have only a few that I would list now, which is the obvious antiquity of an original Williamsville home, its historic importance to the area, it being the home of one of the organizers of the Village, the fact that rezoning probably would be necessary since the property is in a residential area, the disruption of lives and possibly property values of surrounding homeowners in this residential area. There are more reasons to mention but you know my feelings from my letters. If you need further proof of how shamefully destructive this proposed demolition would be I'm willing to take you through this exceptional home. That's the reason I bought this beautiful home in the first place and I've spent nearly \$5,000 this year alone on continued preservation of the home. We are amazed and saddened

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that in all the Village you would consider private property off the main thoroughfare. Your prompt action is requested for the withdrawal and this withdrawal would be most appreciated.

Mayor Kuzon: Thank you. For your information we're going to have a meeting this evening, after our Board meeting and after meeting with the men from Rotary, with our fire department to further discuss the relocation of our fire hall. And there are some gentlemen from the Hutchinson Hose Building Committee here this evening and they've heard your request. We'll certainly consider it further but it is unfortunate that it has been a fact that your house has been publicly speculated as a site for the new fire hall. As I expressed to you in the letter that I wrote the Village Board is aware of both the historic significance and the residential character of your neighborhood and I think we are, again as I said in the letter, astute enough to realize the serious implications of the suggestion of such a site for the fire hall. At this time I cannot honor or deny your request. It will certainly be taken to the fire company where we will consider future plans for the site relocation. Amongst those plans this evening we're going to be meeting with a professional planning consultant who's going to be giving us some professional advice as to relocation of the fire hall and perhaps you know, you and I can talk further after the meeting.

Dr. Schueler: I would appreciate that.

Trustee Kibby: That choice of site will be with the Board of Trustees. So we will take input from the firemen's planning board but the actual choice rests with the Board.

Dr. Schueler: I understood that from the letter.

Mayor Kuzon: Thank you. Anyone else?

Trustee Brenton: I would also add that I have never favored your house as a site for the fire department and I think you can go home assured about this.

Mayor Kuzon: Is there anyone else? Mr. Weller.

Gartley Weller, 129 Mill Street: As Mr. Brenton said previously Saturday was really a momentous and historic day in the history of the Village and that was recovering the capsule from the bridge. It involved a lot of muscle which Mr. Saia and Mr. Brenton can attest to but really it was all worth it. Once the box, or the capsule was discovered after we thought we blew it, we'll never find it, it isn't where it was supposed to be, there were more oohs and aahs and more people gathering and as the box was opened the oohs and aahs from the kids of all ages were just most gratifying and satisfying. It was really a momentous occasion. On behalf of the Historical Society I want to thank the Board and Mr. Saia and Mr. Brenton especially for their work. There was five hours of hard work

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down there. I've never seen such hard concrete and I don't think they have either. It required a jack hammer to break it. If we could build curbs today with material such as that we'd be in pretty good shape. It's too bad we don't have their formula.

Mr. Young: What bridge was that?

Mr. Weller: I'm speaking of the bridge over Ellicott Creek on Main Street. For you people who may not be familiar this bridge was built in 1882 and at the time a time capsule was embedded in the bridge and they asked that a hundred years later it be opened. Next month, November, would be 100 years so we wanted to do this before the weather turned bad. And this past Saturday it was done and the box was opened.

Trustee Kibby: What did you find in the box?

Mr. Weller: Well we found exactly in the box what the article in the 1882 Bee said would be in the box. Now what we thought would happen would be we would find this box and we'd lift the box out and I had made arrangements with Marine Trust Company to keep the box in safe keeping and on November 30th of this year we would open the box. Well nothing seems to work like we envision it. What happened was the box was really a liner that was hewed out of the stone, of lead, a liner of lead so the box could not actually be lifted out. But they were able to take the lid off, the cover off. Once the cover was off we had to find out what was in the box and very, very carefully each item was taken out. Incidentally, the box is about 8" square. Each item was taken out and we have approximately 43 different articles that were in this little, tiny box. It's kind of like a Contradina Tomato can, I guess. It was really jammed in there. But very interesting articles. To our amazement many of the paper articles in there were damp and wet which seems almost impossible because this box was thoroughly sealed. Nevertheless there was damage. So this afternoon we had three experts from the Buffalo and Erie County Historical Society come out and advise us as to how we should handle them, these pieces of material that were in the box, and this afternoon we were able to open most of the things, the newspapers, envelopes, whatever was in the box and we have them now stored in the vault for safe keeping. The next question is how do we preserve these things. What the Historical Society would like is to do it properly. These things should be preserved by all means. These are real historic items from the Village. This is something we are looking into. November 30th we hope to have what we would consider to be a grand opening of the box at the Meeting House. At that time we'd like to have the Village Board and the past Mayors, and the people of the community come and celebrate let's say the 100th birthday of the bridge, for now we'll call it a birthday. Anyway, we want to thank the Board and Mr. Saia and Mr. Brenton for their efforts in this project. I think that's about all I'll say for now in that regard.

TIME
CAPSULE

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Trustee Saia: Thank you, Mr. Weller. We enjoyed doing it. I had a lot of fun, but I missed dinner. But aren't you going to tell us what was in the box, a couple of hints?

Mr. Weller: Well there were six newspapers for instance, four in English and two in German. There were various coins. There was a letter to the future Mayor. There was a letter to the Commissioner of Public Works. There were photographs. There were tintypes.

Trustee Kibby: In an 8"X8" box?

Mr. Weller: It was really jammed in there.

Trustee Saia: Was that a poster of the future Governor, Grover Cleveland?

Mr. Weller: Yes. I don't want to tell everything or the 30th won't be nearly as exciting. But anyway, we hope to make this a real community affair on the 30th of November.

While I'm up here I would like to refer to one other thing. I think it was a previous Board, we had talked about various items in the Meeting House which the Historical Society suggested we have a tag sale. In the basement there's a room or two just filled with chairs and things which we feel are no longer usable. We would like to suggest that if we have a tag sale for the community the proceeds be used for the restoration of the Meeting House. We would like you to consider this.

Mayor Kuzon: Sure.

Trustee Kibby: Speaking towards that Mr. Weller, we - I have talked with the Clerk about the plans that have been drawn for the upstairs of the Meeting House. We are in the process now of finding a contractor. With the amount of money needed to take care of that we don't need to go to bid.

Mr. Weller: That was my next question.

Trustee Kibby: Sorry, I didn't mean to steal your thunder.

Mr. Weller: As a result of the things that we have found in the capsule, and the various artifacts that we have accumulated for the Village, we feel the time has come when we must have someplace to store these items, someplace to do some work, something that belongs to the Historical Society. We feel we have put a good deal of money into the Meeting House and our society is growing. We have very interested people in it and we were just wondering when is the work going to begin on the restoration of the Meeting House?

Trustee Kibby: It's a matter of finding a contractor.

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Mr. Weller: And this is in the works now?

Trustee Kibby: Yes. We're looking. If you have any suggestions...

Mr. Weller: I think I'll leave that up to you. Also on behalf of the Historical Society and hundreds of people in the Village I would like to support Dr. Schueler in his feeling toward his property. Main and Eagle Street, or rather Mill and Eagle. With all due respect to the fire company, we feel we have one of the finest fire companies of any Village, there's absolutely no doubt about it, but we do feel that this is indeed an inappropriate place for a fire house and we are just unalterably opposed to it and we would also like you to consider this. Thank you.

Mayor Kuzon: Thank you. Anyone else in the audience? Mrs. Schlifke.

Carolyn Schlifke, 192 Evans Street: I'd like to go into a little more detail about the member of the Governmental Study Committee who is no longer a Village resident. I don't know if you can answer this question for me or not, but it's stated he still operates a business in the Village. Is he the owner of the property? Does he pay Village taxes?

Mayor Kuzon: Off hand I couldn't answer that. I'd have to check the property tax roll.

Mrs. Schlifke: Well I do feel that it's very important with this governmental study committee that is more or less studying items that have an impact on the Village, the government of the Village and functions that are occurring in the Village. I think it certainly is important that Village residents are sitting on this committee because even though you are trying to be objective on committees such as this until it hits you in the pocketbook it's a little difficult sometimes to be as objective as you would like to be and I have to agree with Mr. Saia that there certainly are enough Village residents that I'm sure would be willing to sit on a committee like this that your committee can be comprised of Village residents.

Mayor Kuzon: Right. And as I stated earlier six of the members are Village residents. It happens that this individual meets one of the criteria of the membership in its original formation in that he is a representative of the Civic Pride Party.

Mrs. Schlifke: In other words, you have no criteria on that committee that they be Village residents, only that they be...

Mayor Kuzon: At the time he was appointed he was a Village resident.

Mrs. Schlifke: That's right. But you did not stipulate, it is not your criteria for that committee that they meet...

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Mayor Kuzon: I guess it goes without saying they would all be Village residents. In the interim he has moved from the Village.

Mrs. Schlifke: Well we are a small municipality and the things that they are studying affect us the people of this Village and I think that the people of the Village are the ones that should be deciding.

Mayor Kuzon: You have a legitimate concern and your's is well stated. The only fact on the other side would be that the original resolution called for five Village residents and for that resolution we do meet the original criteria. We have six in fact. It happens that one of the seven is not.

Mrs. Schlifke: That's right. But if there is a vote on something the seventh could be the deciding one to break a three-three tie.

Mayor Kuzon: I don't think there will be a vote. They're just compiling a report.

Mrs. Schlifke: I'd rather see you go back to five.

Mayor Kuzon: Thank you. Anyone else? Any Board member have any additional comment?

Trustee Brenton: Yes. One more comment on the bridge. Lately it has become very politically popular I guess you'd say to deviate from the promise to instill law and order on our land and I just have to think back on the bridge itself and the work that went in Saturday and deviation from the law and order. Now it centers on infrastructure. You've heard a lot about that lately and it comes from some very sincere and well meaning people in the political arena. However, I think when you look at that concrete, that is infrastructure. That concrete was done right. It was inspected right. It had the correct ingredients and it deviates from the concrete that was poured I think a year and a half ago at Main and Union which is now disintegrating and it deviates perhaps from the storm line that was installed by the Village of Williamsville on Brookside. So that the problem with infrastructure and promises to make it better is that it's just done and then forgotten about and quite frankly, not done properly and I think in those days people had a great deal more sincerity in the efforts that they put out for a given amount of money. They did their jobs and they did it right and today that's not occurring and you've got people like the Youngs up here and in all sincerity it's been my promise and my position as a member of this Board of Trustees to assure that our infrastructure is being constructed the way it should be and as long as I'm on this Board it will continue to be done correctly.

Mayor Kuzon: At this time it would be our normal procedure to

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adjourn but we are going to make a motion to recess to executive session this evening. The purpose of that would be to discuss a personnel matter which developed at our 6:30 PM meeting and didn't allow us enough time to thoroughly discuss it so rather than treat that in an unfair fashion we're going to recess to executive session to discuss that matter and we will at probably some later time this evening adjourn.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved at 8:45 PM to recess to executive session.

Unanimously carried.

The Board reconvened after recess at 11:45 PM.

ON MOTION by Trustee Saia, seconded by Trustee Kibby, the meeting was adjourned at 11:50 PM there being no further business to conduct.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer