

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, June 13, 1983 at 7:37 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

Phil Boudeau, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on June 13, 1983 at (7:35) PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a local law which would amend Section 50.00 of the Village Code relating to Sidewalks and Streets.

PUBLIC

Mayor Kuzon: This public hearing will be conducted by Trustee Brenton. HEARING

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved to open the public hearing at 7:37 PM.

Sidewalk  
Code

Unanimously carried.

Mayor Kuzon: I will now turn this hearing over to Trustee Brenton.

Trustee Brenton: Well as you all know, we have been going on with our sidewalk code. It started from scratch, i.e., our old code, and we have amplified each working session and in between on the proposed new code to the extent we've had input from the various committees and we've accommodated I think most of their wishes concerning this, viewed some situations in a different light, and we have in most instances, revised either our wording or our intended wording and at the present stage I've got to say that we have not finalized the code. However, I think we're pretty close to finalization. We have finalized the specs that will be adopted by the Board I presume when and if this legislation is adopted, and I think that everyone's in agreement on them. They cover just about every conceivable aspect of sidewalk construction and they do allow for areas of brick and detail the method of installation where and if brick should be used. Other than that, the codes don't, as I said before, remain practically the same with the exception of some of the wording that even some members of the press have brought to our attention and where it has been unclear or ambiguous that wording has been changed and as I think we will probably review this again in our work session after this meeting, there might be a couple of more changes at that time. We did spend a considerable amount of time prior to the official meeting tonight discussing the sidewalk code. So essentially, that is all I have to report on the progress of this legislation. If we do have it ironed out by the next Village Board meeting it

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would be adopted at that time. With that I would call for any comments from the public. Seeing none, any comment - Carolyn? Mrs. Schlifke.

PUBLIC  
HEARING  
(Con't)

Mrs. Carolyn Schlifke, 192 Evans Street: I have a copy of the sidewalk code revised 5/31/83. Now I don't know if you have made additional changes to it or not, but I did take this home and read it. I have a couple of questions about a couple of things, one of them being on page 3, item G, under 50.10 General Regulations about the Vending Stands. Now I know that it says goods, wares or merchandise being placed upon the sidewalks or streets of the Village for exhibition or sale without prior approval of the Mayor. Are you taking any consideration of people who place things on their lawns or on the area between the sidewalk and the street. That is, cars with for sale signs in them, motorcycles, bicycles, various items, or they not be covered unless they were on the sidewalk or the street.

Trustee Brenton: Well as far as I would be concerned, the only intent here would be to protect the public passage on the streets or sidewalks. What would take place on the lawn would almost be a private matter as, even though it might be the area between the sidewalk and the street, thus be on what could be construed as the Village right-of-way, but it's not always so depending on how the street laid out. So to answer your question, I think it would only pertain to the actual streets and sidewalks, obstructing them without a permit is the big thing. Sidewalk Code

Mrs. Schlifke: All right. So you're saying obstructing it, because in here it states you just cannot place it there.

Trustee Brenton: I think they both mean the same thing. In other words, we don't...

Mrs. Schlifke: Well if you had a car parked on the street that had a for sale sign in the window you are placing it on the street and it's for sale.

Trustee Brenton: Well a car is allowed to be placed on the street so that there is no problem there and just because some individual is trying to sell a car himself and he leaves it out there either for the purpose of trying to sell it or, as it happens at my house, because there are three cars and only a one car garage and it's just logistically impossible to be jockeying these cars around. So be it, but I don't think that's a good enough example to cause me concern.

Mrs. Schlifke: Well I question the wording where it says that it may not be placed upon the sidewalks or streets of the Village for exhibition or sale.

Trustee Brenton: Well in other words, you're not thrilled with the idea of a car being...

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Mrs. Schlifke: I'm not objecting to the fact that somebody puts a for sale sign in their car window and places it on the street. That doesn't bother me at all. I am objecting to wording I don't feel is clear and I feel this is the purpose of rewriting this because so many of our ordinances are not clear.

PUBLIC HEARING (Con't)

Trustee Brenton: I agree with you pertaining to the ordinances.

Mr. Troy: Carolyn, there are other sections - this section of the code, as Larry said, has pointed out, while I don't believe it's a new section it's a slightly modified earlier section - is aimed primarily at, as he has suggested, keeping free the passage on the public streets and avoiding obstruction of this provided passage which people have. There are other sections in the code which relate to conducting businesses or activities on private property, mainly in the zoning code which would properly address itself to the concerns that you have. But this is precisely concerned about sidewalks and streets and protecting the passage along those sidewalks and streets and eliminating obstructions of any kind.

Sidewalk Code

Mrs. Schlifke: All right. I just had questions on it because I feel it's unclear and if it was from a former ordinance then I don't feel you have clarified it in what you have written. Some of the other questions I have - in numerous places - I won't mention them all - I see the wording walks reconstructed or repaired wholly at the expense of the Village, or partly at the expense of the Village and partly at the expense of the owner of the adjoining land, and as I said there are two or three such items in the ordinance and I do object to the wording that the Village may take into consideration bearing any of the cost for either sidewalk repair or sidewalk installation.

Trustee Brenton: Unless, if you're going to change your subject, would you just elaborate on your feelings there. I'm not sure...

Mrs. Schlifke: Yes, I will. I've lived in this Village for 30 years. We bought our house on Evans Street. When we moved in there were no sidewalks. There were sidewalks up near the Main Street area but none down on our end of the street. There were very few houses and as the houses began to be built the Village Board at that time - and I couldn't tell you who it was, I have tried to research it and I went back to about 27 years ago - my husband and myself and about six of our neighbors received notice from the Village of Williamsville that we were to install sidewalks along the front of our property and I believe we were given - I can't remember the exact length of time - but at least two weeks - I don't know, it could have been 30 days - that the Superintendent of Public Works would come down, would stake the front of our property. We could either have the sidewalk installed at our own cost or if we did not comply within a certain length of time the Village would come along and put the sidewalk in and we would be assessed on our tax bill. Well now we had lived in our house for three years. We had one paycheck, two small children and so our neighbors were in the same financial situations that we were in, but because

PUBLIC  
HEARING  
(Con't)

we got this notice we decided we had to comply. So we all got together and decided we would do this on our own because we could save some money. In those days it was very important to save money. So we, everybody helped dig. We ordered one big concrete mixer full of concrete and the men all went out - we had one man who was more or less versed in concrete work so in one evening all these sidewalks were put in. There were I think, seven of them, and we shared the cost. Now you come along - now I realize that you are not making definite resolutions to bear any of the cost for any construction work or repair work on the sidewalks but you come along and you want to use tax dollars to help people repair their sidewalk or install new sidewalks. Now nobody helped me 27 years ago and it was just as much of a financial burden on me at that time as it will be on anyone today. I don't feel that the Village should spend tax dollars for something like that. Last year I tried to get this Board to look into community development funds for sidewalk repair. I don't believe it could be done, or there was some small work done that was funded. That's fine. If you can get some kind of funds to do it with. But I don't believe that the Village should become involved in repairing people's sidewalks. When you buy a piece of property, you buy a cracked driveway, you buy the tree on the front lawn which maybe needs removing, and you buy the sidewalk no matter what condition it's in. If the Village ordinance says you must keep your sidewalk in good repair then I feel as a homeowner that is your responsibility and I definitely do not want any of my tax dollars to go to repair somebody else's sidewalk and those are my feelings on this.

Sidewalk  
Code

Trustee Brenton: Okay, and I must say that I share you feelings and as has been the stumbling block among the Board at this particular time because originally it was set up to assist people due to the fact that there is a large segment of our community that are in the low to moderate income or senior citizen groupings, whatever, but at least we know they could, you know, have fiscal problems. However, there was a controversy amongst the members of the Board and - as to whether or not funds should go to pay for brand new sidewalks where there are none. So when that came to be I felt if that is it and there are no funds other than perhaps some assistance in our - you know, if we could use our own people to tear out an old sidewalk, or even have someone come in and tear out an old sidewalk where sidewalk repairs are necessary. In that as far as I'm concerned there will be no funds going into construction or reconstruction of sidewalks.

Mrs. Schlifke: Well then why do you feel it necessary to write this into this ordinance? I think it opens a door and I think it's something that the Board should not become involved in. There are certain cases in these ordinances that I personally would have no objections to if the Village chose to repair a heaved sidewalk where a tree has caused this problem.

Trustee Brenton: That has recently been added.

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Mrs. Schlifke: That I personally would have no objection. I personally would have no objection to the Village assisting anyone on a corner lot that is faced with the prospect of two sidewalks. But if there's a sidewalk in disrepair and it's deemed an unsafe condition by the Board I feel that a notice should be sent to the people and it is their responsibility to have their sidewalk repaired, just as if there was any unsafe circumstance on their property and they are the owners of property and I feel they are responsible for it.

PUBLIC  
HEARING  
(Con't)

Trustee Brenton: I totally agree with you.

Mrs. Schlifke: But in your ordinance I don't think you are giving enough time.

Sidewalk Code

Trustee Brenton: The time factor...

Mrs. Schlifke: 24 hours for a repair and two weeks for a new construction. I mean it will take you that long to find a concrete man.

Trustee Brenton: That's purely an effort to protect the Village and some of the Board of Trustees have questioned that. I explained it to them and the attorney assures us that this is proper. In the event that we order someone to repair their sidewalk immediately, that it's hazardous and needs repair, you have 24 hours to do it, in the event that someone happens to fall on the sidewalk in the ensuing 24 hours the Village is protected. And so it's unfortunate, but as I personally have learned these laws pertaining to governments are different than what you normally run into. So we feel -- we have to protect ourselves by going that route.

Mrs. Schlifke: Well I really wish you would consider removing that wording from these numerous sections where it states that the Village would become involved in any way in picking up any of the costs for the sidewalks.

Trustee Brenton: That is what took up a great deal of our time this evening. Those general thoughts right there and we're in a quandary right now as to whether or not we do want to assist. As I said, you know it is my position that we shouldn't assist at all. I would also like to say since you mentioned what you and your neighbors did regarding Evans Street, 30 years ago next year I removed a big portion of my father's sidewalk on Highland Drive and replaced that by myself without anyone telling me it was unsafe or anything else and I did it myself and...

Mrs. Schlifke: Not everyone is equipped. We were much younger. I don't know whether any of us in that particular section of Evans Street would be out there digging up the front lawn to put in a sidewalk today. But the thing is, if you are a homeowner you have to expect some expense for various repairs and the decision whether you want to request all residents to install sidewalks is the Board's decision. I am not even going to get into that. You're the people that have to be responsible for that, but where there are

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existing sidewalks, they have been established, they are there, I think to have them in the condition they're in is very unsafe.

Trustee Brenton: I agree and that's why we're at this stage of the game and trying to evolve (a) an ordinance and then go pursue it. The way other communities do, I might add. We have been remiss on that point. Attorney Troy.

Mr. Troy: I would just like to ask Mrs. Schlifke how has this do-it-yourself sidewalk job stood the test of time?

Mrs. Schlifke: They're the best in the Village. I don't have a single crack. It's as level as the day it was put in. There is no - what do you call it? - spaulding where the top layer crumples off. It's an excellent sidewalk.

PUBLIC  
HEARING

Trustee Brenton: I think spaulding is part of the New York State requirements because it seems that anytime New York State has a sidewalk put in it spaulds.

(Con't)  
Sidewalk Code

Mrs. Schlifke: And you may come down and inspect it.

Trustee Brenton: Community development funds. We did look into that. We could use community development funds for sidewalk rehabilitation but then we would be inputting our funds directly into areas only within our target group and we don't feel that that's appropriate. In other words, we would be paying for someone's sidewalk with our community development funds and we feel we should be consistent whatever we're going to do regarding paying for sidewalks. It should apply equally to all the community rather than as community development funds would put it in the target area and maybe fifty feet away tell some individual that well you have to pay for it, however, the guy fifty feet from you gets community development funds to pay for it. So I think we've determined that that wouldn't be a proper way to utilize community development money.

Trustee Kibby: We've also discussed it with the Town. The Town Planning department looked into other government agencies or federal funding and at this time there is nothing.

Mrs. Schlifke: It is a considerable amount of money to put sidewalks in this Village.

Trustee Kibby: As long as we have you on the spot and you are giving your opinion, let me ask you another of your opinions. How do you feel about requiring people to put in sidewalks, not necessarily on streets that are totally un-sidewalked - I think that's the proper verb - but on a block that maybe 85%, 90% of the block is already, already has sidewalks and there are two or three homes that have no sidewalks. How do you feel about those people without sidewalks being required to put in sidewalks?

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Mrs. Schlifke: Well as I said, I think it's a decision the Board has to make because you're the people that are going to have to answer to the residents of the Village. My own personal opinion is you've either got to go all the way or no way at all.

PUBLIC  
HEARING  
(Con't)

Trustee Brenton: Thank you. I share those beliefs also. We are on common ground. Mr. Hill.

Richard Hill, 18 Brookside Drive: One thing I question. There is one area there where you're talking about lugs and spikes on wheels that damage the road and the way it sounds to me that's going to rule out any snow tires with spikes.

Sidewalk  
Code

Trustee Brenton: No, it doesn't. We discussed that, that question arose in our work session a couple of weeks ago and we don't have any problem with it. That's not our intent and it would be, you know, I don't think we could do it because the New York State Law would allow this and of course Canadian provincial law that disallows it and I think that for a municipality to try in effect to circumvent or strangle the law it would be illegal. That is not our intention.

Mr. Hill: I don't think it's your intent but the way that reads that's what it says.

Trustee Brenton: I really - we don't feel that it does. We've discussed that and we don't have any problem with that.

Mr. Hill: Thank you.

Trustee Brenton: Is there anyone else? Don.

Donald Schueckler, 124 S. Union: I just want you to know I didn't hear all that Carolyn said but I'm against the ordinance for sidewalks, us putting our funds into it. I think that the people can fix their sidewalks. I don't know what Carolyn said but I'm definitely against it. Thank you.

Trustee Brenton: Thank you. She said that she herself when after they, her and her husband, moved in and some other residents on Evans Street also at that particular time they moved in they were confronted with the order from the Village of Williamsville either install a sidewalk themselves or have them installed to that effect and so they went ahead and did it themselves and they did a very good job and she told me she disagreed therefore, with any concept of Village funds going in toward sidewalk rehabilitation and this has been one of my positions right along irregardless of whether it's someone in Carolyn's case or the case I mentioned about my father's house or someone that maybe bought a house 80 years ago and the sidewalk was in place at that time. Well, fine, the value of that house has reflected that sidewalk and I have to say that, therefore, that the purchaser of the house has paid for the sidewalk and been taxed on it because the value of the sidewalk also

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helps to determine the assessed valuation of it. So that now it would be my feeling that there should be no village input, fiscal input into construction of new sidewalks.

Trustee Saia: I'd like to say a few words here. Every statement that's been made, you have Larry says what he says, then Carolyn Schlifke got up and said what she said - but I think in the last couple of meetings that went on behind closed doors and that one Board meeting we've been arguing about paying for repairing sidewalks but withholding the funds for replacing sidewalks. I think I was already prepared tonight to kind of enforce my thinking on either treating people equally or don't give them anything at all, and Carolyn said it eloquently. She says we should enforce this law. We have not enforced it. We've been remiss for 27 years. We made her put in her sidewalk and threatened her and I think since that time we just haven't done anything. In fact, we have just given somebody a permit to put a new house on without sidewalk. So politically I think it's suicide to go ahead with what Carolyn said but I - we've got to have a little gumption and we've got to do it. There are old people in our community. It just doesn't make sense to walk down a sidewalk that's deteriorated. It doesn't make sense to walk down a sidewalk that has deteriorated and then have it terminate so that you're walking on a lawn. It doesn't make any sense to pay taxes for shoveling your sidewalk. It's one of the nicest things about living in the Village because we plow the sidewalk. We're having this sidewalk plow go up the street, turn down a driveway into the street and then pass one or two or three houses and go back up on the sidewalk to plow sidewalks. It just doesn't make any sense and I think this Board should leave the politics alone and make it safer for the residents to walk the streets and let's repair the sidewalks, and Carolyn's right. We can't afford it. I think we've got \$8,000 now for sidewalks. I think at about \$3.00 a foot for sidewalk that \$8,000 is going no where. If we're going to start doing this, it's going to take us 20 years to replace the sidewalks in this Village and repair, so I think Carolyn - I've got to agree with Carolyn that we've just got to take the bull by the horns and do what's right for our constituents and for the Village so we don't have to walk in the streets and that's about it.

PUBLIC  
HEARING  
(Con't)  
Sidewalk  
Code

Mr. Schueckler: Jim, I have a question here. Did this Village ever make a survey of how many sidewalks are missing and how many are bad and how many are good. I mean the water meter man he walks up and down these streets supposedly. He should know every inch of them.

Trustee Brenton: We had a survey of the Main Street sidewalks done.

Mr. Schueckler: No, I'm talking about the whole Village. Not Main Street.

Trustee Brenton: Well by our Building Inspector and he's got a fairly good idea about the kind of money that we're talking about. I frankly think that within five years we can wrap the thing up. It matters not. We could wrap it up in one year. We just go out and tell everyone that has an unsafe sidewalk repair it. We don't need new legislation to do it.

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Mr. Schueckler: Let me put this to you, Larry. The Town of Tonawanda, Amherst doesn't do it, the Town of Tonawanda takes a section, a small section and they go in and they say you've got to have your sidewalk fixed in 1984. Okay. If you don't have it fixed according to our specifications and contractors we will come in and fix it. The people have been warned one year. You put the sidewalk in and they take small sections, which I think they should do in the Village if you don't think it's going to be a big burden on the taxpayers. PUBLIC

Trustee Brenton: Well that is exactly our intent. The Superintendent of Public Works has got the Village broken down into quadrants and we have discussed this in our work session and that's exactly what we intend to do. We're going to take one quadrant, go through it, notify the people and go ahead and rehab sidewalks and this has been explained I think publicly. We would intend to do Main Street and also there's some areas in particularly the Academy School and there might be around St. Peter & Paul that will be priority as far as we're concerned and we would do those first. Then we would go into our quadrants and we depart to our quadrants. Frankly I don't think it's going to take as long as Trustee Saia indicates. I think it will be up to the Board to determine what pace they want to set. We could do a quadrant a year. We could do... HEARING (Con't)

Mr. Schueckler: If you do a quadrant a year that's four years. For people to know about it that's '84 to '88 and if they were notified say for that now that the Village is starting a sidewalk program and explain what's going to happen and go in and serve them a year ahead of time I don't see any problem. Some will have to pay \$300, \$400 I grant you. Some will pay \$50 per square block. A lot of sidewalks are only like that and you go in and the next blocks are good.

Trustee Brenton: There's many of them that - you know, I have looked and I can't see where there's really a tremendous financial burden at any particular location that I know of. I - But as I look up at Pfohl Place and at some of the older areas I can't see anyone that's really going to be hard hit and again the intent here was not, you know, was not to place new sidewalks. The original intent was to make existing sidewalks safer. Then at the end of that I thought the Board had discussed this and it has been brought out here, if this Board as presently constituted or some Board in the future want to go and say to force someone to install a sidewalk where there is really no safety requirement for it, and take the political flack that might be resultant from that, well that's up to a future Board. But at this present time, and I thought we had a consensus of opinion on this amongst the Board of Trustees, but our thrust was just to go out and repair the sidewalks, which are a disgrace and not, at least as far as I'm concerned, not repair them with input from the Village of Williamsville. We will not pay it. We've got the Superintendent of Public Works, who can establish grade and things like that. Well we'll go after it. Maybe we would throw some removal in it, the blocks, the broken blocks we'd remove them, get them out of there or something like that to get it a little cheaper. We've got the men. We've got the equipment to do it. As you all Sidewalk Code

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know, we can do it cheaper. A municipality can do it cheaper than having a contractor. Some things like that, even to the extent that maybe we could get a cement mixer on our payroll. I would have no problem with that and a couple of men to work with him. Maybe some would frown at that, but that was a thought that I've thrown up in the air and I think it's a good thought because then we would help the people a little, but not fiscally.

PUBLIC  
HEARING  
(Con't)

Mr. Schueckler: You take, Larry, you take the problem with hiring a man and a cement finisher and that you gotta pay fringe benefits plus maintenance and that's expensive. You go out and get a contractor to come in for so much a foot. If the gentlemen, say somebody up there had to put a new sidewalk in, it'll run him \$400. I see no way. They all do it. Why don't they put it on their taxes so much for three years. They can do it that way. That's how Tonawanda does it. You don't pay it in a year they warn you in a year. If you don't pay in a year then they put it on your taxes. It's on your tax bill for three, four years, whatever the proposed bond is. Now if you put it on a person's taxes and say they haven't got \$400, they can't pay it and you have put it on their taxes, I can't see nothing wrong with that. You run a bond three years so it costs the taxpayer an extra \$100 a year and maybe he can afford that. But I mean there are all different ways. I can't see putting our money and our manpower in it when we've got - now if you go out and you run a highway department survey, you've got a man, you've got to walk every house in the Village four times a year to read water meters, right? Now there's nothing stopping him from taking a piece of paper and saying in front of 29 there's a block shot. I mean I think the man could do it very nicely and so it won't cost us any money to do that and then go and break it up into whatever quads you want it and then if the man jumps high when he gets a \$500 bill say okay sir we'll put it on your tax for three years, or four years, whatever they can float. I don't know what you float a bond on. I mean it's just food for thought.

Trustee Brenton: Right. We had intended to give the people 30 days to pay. If they don't pay by the end of the year then we put it on their taxes, but that's only for one year following, but in effect...

Sidewalk  
Code

Mr. Schueckler: No, you can spread it.

Trustee Brenton: They get a year following. The Clerk tells us that would be a logistical nightmare with the type of staff that we have. You know, we're not in the Town. We're not computerized and everything. However, that's food for thought. Thank you. Is there anyone else from the public? Or from the Board? Seeing no other further comment...

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ON MOTION by Trustee Brenton, seconded by Trustee Murray, the public hearing was closed at 8:14 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Michael Kibby

Connie C. Murray

V. James Saia

Trustees

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudeau, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT a public hearing will be held by the Board of Trustees of the Village of Williamsville on June 13, 1983 at 7:40 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing proposed uses for the additional Community Development Block Grant funds to be received by the Village of Williamsville amounting to \$11,060.00.

PUBLIC  
HEARING

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, the hearing was opened at 8:15 PM.

Additional  
C.D. Funds

Unanimously carried.

Mayor Kuzon: This public hearing will be conducted by Trustee Kibby.

Trustee Kibby: As the notice indicates, the Community Development funds were upped by \$11,060, basically because of the jobs bills program money that was in there. We have at least three places that we would consider spending this money. One would be for additional water lines in the Village. Secondly, would be - although there's some discussion about using the money here but it is something that we have talked about - it would be for sidewalks in the target area, sidewalk repairs in the target area, and in the third place the money could very well be used at this time would be in putting further funds into housing repairs. We have been expending a fair amount of money in housing repairs and we'd like to see that happen... If there is anyone who would like to comment, question or provide suggestions about the use of these C.D. funds would they say so. Dick.

Richard Hill, 18 Brookside Drive: Can any of those funds be used to update and do a little repairing to fix up the restrooms on the Island.

Trustee Saia: Dick, we just went through them. We've got new sinks and paper holders and soap dispensers. We just went through them. Are you talking about the johns, the johns themselves?

Mr. Hill: Yeah.

Trustee Saia: I don't know if it could be used for a sewer or anything like that because we are on a septic tank. But as far as the insides

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of the johns I - take a look at them if you haven't been in there lately. They have been brought up to date.

PUBLIC  
HEARING  
(Con't)

Trustee Kibby: That area's in the target area but Trustee Murray, Mrs. Cummins and I did talk with HUD about a year ago, a year and a half ago and money spent in that area definitely was not - how do I say this tactfully - not one of their high priorities. Okay, expending it in the park area. It doesn't rule it out, okay, and I appreciate the suggestion, but I'm awful afraid we've run into if not a stone wall, a very thick fence. I'm talking about spending money in that park.

Additional  
C.D. Funds

Trustee Saia: Mike, do we have some of the criteria for these funds. I mean what...

Trustee Kibby: Yeah, we do, but I don't have them here.

Trustee Saia: Well maybe you can give us some kind of idea.

Trustee Kibby: They have to be used in the target area. They have to be for the benefit of the people in the target area, and that was one of the problems that was brought up to us about repairing the pavilion was the fact that that was used by so many different people, not just the people in the target area. Yes it is in the target area, but the pavilion is not there for the people in the target area only. So basically that's it.

Trustee Saia: The Town of Amherst Fire Inspector has made a suggestion of using some of that money for fire detectors on certain homes. Is that allowable?

Trustee Kibby: I believe that is, yes.

Trustee Saia: Well then I'd like to consider that.

Trustee Kibby: I believe that...

Trustee Brenton: Wouldn't those homes have to be in the target area?

Trustee Kibby: They'd have to be in the target area.

Trustee Brenton: I think when you have input I like to see it benefit everyone. When you go on an individual basis then it does become a problem.

Trustee Kibby: Well there's a problem there because we've also, you know, we've provided funds in the last two or three years to individuals, loans to individuals to make repairs to their homes, but that's what the monies were intended for. That's why they were originally intended for.

Trustee Saia: Again, Mike, I was just under the - in fact, I've got some information there are some people who are not connected to the sewer system and I'm pretty sure they're probably in this area that you're talking about. Could some of those monies be used to connect these people in the sewer system? People who have the sewer in front of their houses, and legally they should be tapped into it. But I'm under the - this is what I'm informed that some of these sewers are coming up. In fact, I talked to a man not too long ago about a septic tank and it's along Main Street, an old house next to Purvis & Brown I believe. They tell me there's a septic system. Now these get tucked away. Some of these old people they don't know if they got one, a sewer or a septic tank, but can't some of that money be used.

PUBLIC  
HEARING  
(Con't)

Trustee Kibby: It's not the old people who don't know if they're sewer or septic. It's the young people who probably don't know if they're sewer or septic. Can the money be used for that? I do not know. I'd have to check. Carolyn.

Additional  
C.D.  
Funds

Mrs. Carolyn Schlifke, 192 Evans Street: It was my understanding - I work in a real estate office and that in the Village of Williamsville when a property is sold, if it's on a septic system and there's a sewer available the new owners must connect to the sewer.

Trustee Brenton: The answer to that question and to answer Trustee Saia's allegations that it's illegal to be on a septic system when there's a sewer there, there is no requirement. If the septic system functions after a test by the Erie County Department of Health the property owner is allowed to keep the septic system. There is no requirement if the septic system is functioning properly to tap into a sewer when the house needs to be sold.

Mrs. Schlifke: Well that's a requirement by the bank for the issuance of a mortgage because we had property for sale on Pasadena and when the property was sold it had to be connected into the sewer and I know this for a fact. Now who stipulated it I don't know.

Trustee Brenton: Probably the bank. But there is no governmental requirement. I'm totally familiar with it.

Trustee Kibby: Mr. Hill.

Mr. Hill: Yeah, I want to ask Larry something. Do you mean to say that there's no law in the Village that...

Trustee Kibby: I can't hear you, I'm sorry.

Mr. Hill: Are you telling me that the Village has no law saying that on a home or business tapped into a sewer - into a septic tank on a sewer line they don't have to hook into the sewer? Is that right? Is that what you said, Larry?

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Trustee Brenton: There is no law that requires a property owner to tap into a sewer if his septic system is functioning properly. The test for determining whether the septic system functions is given by the Erie County Health department when the property changes hands.

Mr. Hill: You should look into that and do something.

PUBLIC  
HEARING  
(Con't)

Trustee Brenton: I already looked into it.

Mr. Hill: Wait a minute. The Board could pass an ordinance to order that. You don't have to wait for the County.

Additional  
C.D.

Trustee Brenton: Well I'm against it but I frankly don't have a problem with a properly functioning septic system. You take in the area adjacent to you, Lehn Springs area... Funds

Mr. Hill: I know it.

Trustee Brenton: which is all septic system and they must pass a test when those houses are sold and the county's very strict.

Mr. Hill: They've got sewer line over there. It's not in the Village but you're telling us there's people on Main Street -- that's been sewerd for years .....  
I think it's a travesty.

Trustee Saia: I think you're right, Dick. I agree with you 100% and that's why I'm asking if some of these funds can be used for people in the target area that possibly could not afford to tap into the sewer that's presently in front of their property and that's the question I'm asking and I'm going to find out about that law you said and I'll let you know tomorrow.

Mr. Hill: Well I...

Trustee Saia: It might be a law if like Larry says he doesn't think your septic tank is in operating condition. You know what we pay in sewer maintenance and operations in this Village. What you and I have to pay. Some people even though they have a sewer in front of their place are obligated to pay that same fee even though they're not tapped in if the sewer is in front of their property.

Mayor Kuzon: There is in our sewer rent code a stipulation that if somebody is within 150' of the sewer that they do pay operation and maintenance and capital costs even though they're not connected.

Mr. Hill: I'm not talking about that. I fully believe they should.

Mayor Kuzon: These people are paying even though they're not connected.

Mr. Hill: That has nothing to do with it. I'm saying it's something that they should be forced to hook into because a septic system that's working today could not be working tomorrow.

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Mayor Kuzon: Most people would think that if you're paying for a service and you're not getting any benefit from it that you would in turn connect to it. So that was part of the motivation for charging people.

PUBLIC  
HEARING

Mr. Hill: And I think this Board should take under consideration to pass that ordinance. (Concluded)

Mayor Kuzon: Is there any other comment on the use of community development funds?

Additional  
C.D. Funds

Trustee Kibby: Seeing none, I'll move...

Mayor Kuzon: I do have a comment. I would just make a suggestion that a portion or perhaps all of it that it be used for capital purposes within the Fire department. I know we had discussed this previously at our budget meeting and there was a reduction in our contribution to the Capital Fund and if the Board would consider it maybe this is some area where we can find some money to add to that fund. That's all I would have.

Trustee Kibby: Thank you, Mr. Mayor.

Trustee Brenton: I would also like to comment. You had mentioned the fact, Trustee Kibby, that some of these funds had been intended, or earmarked - intended I think would be the term - for increased water line replacement and I would hope that perhaps we could add a little bit more money bearing in mind that you already have money earmarked for the Grove Street area and if we could have a little more we could run that right up to Main Street. So if that would be possible that would make the Fire department equally happy, I'm sure.

Trustee Kibby: What you meant is that with the original community development funds there are monies earmarked for water lines. Not this \$11,060. There's nothing earmarked as of this moment.

Trustee Brenton: That's correct but I did change that when I said earmarked. I corrected that to intended.

Trustee Kibby: Seeing no further discussion...

ON MOTION by Trustee Kibby, seconded by Trustee Murray, the hearing was closed at 8:25 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer

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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  
Phil Boudreau, Dept. of Public Works

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

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

ON MOTION by Trustee Kibby, seconded by Trustee Brenton, the minutes of the regular meeting held May 23, 1983 were approved.

Unanimously carried.

Mayor Kuzon: Next on our agenda this evening are two public hearings. The first one is a local law which amends our sidewalk code.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved at 7:37 PM to open the public hearing regarding amending the sidewalk code. (The hearing was closed at 8:14 PM.)

Unanimously carried.

Mayor Kuzon: Our next public hearing this evening is regarding additional '83-'84 Community development funds.

ON MOTION by Mayor Kuzon, seconded by Trustee Murray, it was moved at 8:15 PM to open the public hearing regarding '83-'84 Community development funds. (The hearing was closed at 8:25 PM.)

Unanimously carried.

Mayor Kuzon: That concludes our public hearings this evening. For my report and resolutions two items that I would like to report. First of all, over the last I believe it's a year or so, our County Legislator Mary Lou Rath and State Assemblyman John Sheffer were successful in fighting a battle to get cluster funding for the Towns of Amherst, Clarence and Newstead and the project that developed from those funds has identified services for senior citizens and I would like to report that we have the product of that effort in our Village Office. It's a booklet called Cluster Services for Senior Citizens and within it it has the activities for seniors, employment and housing, finances, food and a number of other services as well as phone numbers not only for the senior centers but for emergency purposes. I would encourage any of you if you know senior citizens to drop in our office and pick up a copy and deliver it to the senior citizens. I'm sure they'll find it a handy reference.

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The other item that I'd like to report perhaps you read about it in the paper, the Village has received it's report from the State Auditor for an audit which covered the period from June 1, 1979 to May 31, 1982 and I would just paraphrase what the newspaper said that we received almost a perfect, or a near perfect audit report from the State Comptroller. I know that it is available in the Clerk's Office for your review.

I have three resolutions which appear on the agenda and a fourth which I'm going to suspend the rules for. My first resolution is for vouchers.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$121,661.40 were approved as follows:

Payroll Fund	W/E 5/27/83	\$ 8,100.03
	W/E 6/3/83	4,947.90
	W/E 6/10/83	<u>5,099.12</u>
Total Payroll Fund		\$ 18,147.05
General Fund	Abstract #538	26,537.69
Sewer & Water Fund	Abstract #119	62,700.21
Trust & Agency Fund	Abstract #158	5,619.52
Glen Park Jt Activities Fund	Abstract #58	560.00
Federal Revenue Sharing Fund	Abstract #141	2,727.10
SSES Rehab. Fund	Abstract #23	<u>5,369.83</u>
Total Vouchers		\$121,661.40

The larger of these vouchers were to Erie County Water Authority for \$20,000, Niagara Mohawk \$5,000 and to Rapid Disposal for approximately \$9,000 for garbage collection.

Unanimously carried.

My second resolution this evening calls for a public hearing to consider a proposed local law which would add a new section to the Village Code regarding abandoned vehicles. I'm sure all the Trustees individually at one time or another have been approached by residents regarding abandoned vehicles in our residential districts and I know that Mr. Schueckler has brought to our attention an abandoned vehicle in a manufacturing zone and in my opinion to date there is nothing in the code that effectively deals with this nuisance and this problem and this proposal would give the Village something similar to a local law in the Town that helps them deal with moving these

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vehicles from property and getting them out of our residential neighborhoods or manufacturing zones. This resolution simply calls for a hearing for our next meeting, excuse me that's the 25th of July not for our next meeting, but for our meeting in July and it reads:

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

RESOLVED that the Village Clerk publish notice of public hearing to be held on July 25, 1983 at 7:35 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in a proposed local law which would add a new section to the Village Code - Abandoned Vehicles.

PUBLISH NOTICE  
OF PUBLIC  
HEARING

Abandoned  
Vehicle Code

Mayor Kuzon: The reason we're not having it at our next meeting is that I will refer this I think it's to the Traffic and Safety and Planning Board for their input and also it gives the Village Board additional time to consider it.

Unanimously carried.

My third resolution this evening is publishing a notice of a public hearing regarding an exceptional development permit. We have recently received a request from Mr. O'Dwyer, the owner of the Drexel Hill Apartments to - his request is to build a building on the property at 205 Evans Street, in that neighborhood known as Drexel Hill Apartments. The reason it becomes exceptional development is that it originally was proposed for 12 units, although at the Planning Board Mr. O'Dwyer indicated that it might be something less than 12, but our exceptional development code states that one of the things an exceptional development permit is required for is an apartment unit of five or more and this meets that criteria. This proposal in line with the exceptional development code will be referred to committees - Traffic and Safety, Planning Board, Environmental, Parks and Recreation, and all of them. This will also be held on July 25th. That will give sufficient time for our committees to review it and I would request this evening that our committees report back in writing to the Village Board by July 18th, that would be a week before the public hearing, and at that time the Village Board will have time to review those recommendations and take them into consideration for the public hearing. My resolution reads:

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

RESOLVED that the Village Clerk publish notice of public hearing to be held on July 25, 1983 at 7:40 p.m. in the Municipal Building, 5583 Main

PUBLISH NOTICE  
OF PUBLIC  
HEARING -

Exceptional  
Development Permit

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Street, Williamsville, New York for the purpose of hearing all persons interested in an Exceptional Development Permit for Drexel Hill apartments on Evans Street.

Drexel Hill  
Apartments

Unanimously carried.

Mayor Kuzon: I have one additional resolution that's not on the agenda and I would make a motion to suspend the rules at this time to consider it.

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

Unanimously carried.

Mayor Kuzon: This resolution would grant a six-month leave of absence without salary to the department of Public Works' Micheal Olszanski and the resolution reads:

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

RESOLVED that the Board of Trustees grant a six-month leave of absence without salary to Michael Olszanski from the department of Public Works and that this six-month leave will be effective July 1, 1983.

PERSONNEL  
Leave of Absence  
Granted -  
M. Olszanski

Unanimously carried.

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

Unanimously carried.

Mayor Kuzon: That concludes my portion of the agenda. Next is Trustee Kibby.

Trustee Kibby: I shouldn't have let you return. I have no report tonight but I do have a resolution which I need to ask for suspension of rules.

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

Unanimously carried.

Trustee Kibby: Thank you. My resolution is for an appointment to the Planning/Architectural Review Board to fill the remainder of the term of Sid Shrauger and the resolution reads as follows:

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

RESOLVED that Richard Sweeney is hereby appointed to the Planning/Architectural Review Board to fill the remainder of the term of Sid Shrauger.

APPOINTMENT

Planning Board  
Richard Sweeney

Trustee Saia: On the question, Mike, I happen to know Rich Sweeney personally. In fact he's a member of my Environmental Board and I hope I don't lose him on my Environmental Board and I know the feeling of this Board is that one person can't serve on two Boards, but I know Rich Sweeney and I think he's going to be a big asset to that Board.

Trustee Kibby: Thank you.

Unanimously carried.

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

Unanimously carried.

Trustee Kibby: Thank you, Mr. Mayor.

Mayor Kuzon: Thank you. Now is Trustee Murray.

Trustee Murray: I'd like to remind everyone that our Senior Citizens Recreation Program winds up their year next Tuesday at a noon luncheon run by Bells at Williamsville Methodist Church and tickets for the luncheon are \$2.25 and if you have the time, please come and join us.

I have appointments to the Beautification Committee this evening. We're trying to beef up the committee because we've had several resignations so if you know anyone who's interested in digging and planting like the rest of us do then if you will recommend that person to me because we sure need the help.

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

RESOLVED that the following persons are hereby appointed to the Beautification Committee until the end of the 1983-1984 official Village year.

Appointments

Beautification  
Committee

Pat Lerner, 195 N. Long Street  
Dolores McKeever, 54 Milton Street

Unanimously carried.

And my last resolution I would also need to suspend the rules for.

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I've been speaking with the Williamsville Southeast Amherst Homeowners Association over the last few weeks and they have been concerned about a request for a rezoning in the Town of Amherst which would be adjacent to the Village of Williamsville near Cadman Drive, south of Wilson Road and east of Youngs Road. The request has been to change the zoning from R-3 to R-D. If you would remember back that would be something similar to what was commonly known as the Massaro rezoning. Unfortunately we received notice from the Town very late and I don't think the entire Board is completely familiar with this rezoning request. We have received a card from the Town notifying us that we're within 500 feet of the property owned. Sorry we've had such short notice but I would like to go on record opposing the rezoning by the Town. Therefore, I would like to move for suspension of the rules to sponsor such a resolution.

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

Unanimously carried.

Please bear with me because I'm making up the resolution as I go along.

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

RESOLVED that the Village Board of Trustees of the Village of Williamsville is hereby opposed to the rezoning of the property at 30 Wilson Road from R-3 to R-D in the Town of Amherst.

TOWN OF AMHERST  
REZONING

30 Wilson Road

Opposition to --

Mayor Kuzon: Would anyone like a roll call?

Trustee Brenton: We probably should have a roll call. I would just like to comment. Did you in your description, Trustee Murray, indicate that this property was east of Youngs Road?

Trustee Murray: Yes. I meant west. I'm sorry. You're right. Thank you for correcting me.

Trustee Brenton: It would also appear then - okay, you did mean west.

Trustee Murray: Yes.

Trustee Kibby: How big a piece of property is it?

Trustee Murray: It doesn't say in the notice. We have two members of the Southeast Homeowners Association...

Donald Schueckler, 124 S. Union: That's the Diocese of Buffalo piece. How many acres, I don't know off hand.

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Trustee Murray: Does it go to the Thruway?

Mr. Schueckler: Yes, from 33 Wilson Road, back of Cadman to the Thruway.

Trustee Kibby: How far does it come to Youngs? Does it go all the way to Youngs?

TOWN OF  
AMHERST  
Rezoning  
Discussion

Trustee Murray: No.

Mr. Schueckler: There's a house at the corner of Wilson and Youngs Road - there are two houses right on the corner and then it's back in there.

Trustee Kibby: That's where all the kids park?

Mr. Schueckler: Yes.

Trustee Brenton: But actually it would come out to Cadman, would it not, because that's a residential area, if you want to call it that, of Wilson in that westerly end of Wilson, that in effect goes back up to Cadman. So I mean it's very important here because all of a sudden we're requested to pass judgement on something that I frankly don't know anything about and I feel very, very weak in saying yes or no to something we're not even getting the proper geographical description of and I just don't - you know, I'm very uncomfortable. So you say that it does actually butt up to Cadman, or...

Mr. Schueckler: Yes. In fact, the piece of property on Cadman goes like this. It butts right to this. You're talking about - there's a public hearing or something on it. You're talking about 150 feet, or 125 feet all the way around to stay away from the borders.

Trustee Kibby: So it must be, if 30 is somewhere between those houses that Larry's talking about, and Youngs but that the property in question comes behind the houses on Wilson, as well as the houses on Cadman. Okay. Like a square with some way out onto Youngs.

Mr. Richard Hill, 18 Brookside Drive: No. 33 Wilson goes in and then there's a big square back there.

Mrs. Carolyn Schlifke, 192 Evans Street: What is allowed under R-D?

Mayor Kuzon: R-D is research and development.

Mr. Hill: You read the book what's allowed in R-D and it allows everything but a steel mill...

Mayor Kuzon: It was the same zoning that was also requested for Massaro.

Trustee Murray: It's very broad.

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Mr. Hill: The thing is that you have to sign for it. These people asking for the rezoning moved the rezoning back, I think just enough to take the people of Cadman away from being able to be notified. TOWN OF AMHERST REZONING

Mayor Kuzon: Well I don't know if that's right, pick. Because if the Village was notified and then also the people on Cadman...

Mr. Hill: The Village is 500 feet. The homeowners are 100 feet.

Discussion

Mayor Kuzon: Oh, is that right?

Mr. Hill: But they moved it back same as Massaro did. He pulled it back just far enough so the homeowners couldn't act on it, but the Board had to be notified.

Trustee Brenton: Well I would note that this notice of rezoning was received by the Village, it was dated June 7th and received by the Village June 8th and that certainly would be insufficient time for a person to make a determination as to what was going to happen back there. There has been no provision or effort on the part of the Town or the developer to inform this Board as to how this will impact our constituents or property owners so that I would have to view it in that light and in particular the date of the card itself and the date it was received by the office would be very significant to me.

Mayor Kuzon: Anything else on the question? If there is nothing more on the question then I would request the Clerk to call the roll please.

Voter on Roll Call: Trustee Brenton: Based on the fact that I have insufficient information to base a proper determination regarding this proposed redevelopment within the Town of Amherst but could very seriously impact the residents of the Village of Williamsville I will vote to support the resolution as it is proposed. I will vote yes to oppose it.

Trustee Kibby: Having the same lack of information and having established before a preset philosophy that when I don't know what to do I'll vote no but a no here means a no to no change and I'll vote no as long as there's no change and I don't want any change and in this case a yes means no change so I'll vote yes to the resolution.

Trustee Saia: Yes

Trustee Murray: Yes

Mayor Kuzon: I think I share the sentiments of the rest of the Board in that I would approach any rezoning of the land adjacent to the Village residential neighborhoods with extreme caution and reservation and in this instance extreme caution because we really don't know enough about this proposal and you say we received the card on the 8th of June. Our meeting is tonight and the Town's proposed hearing on this is next Monday so that if this Board desires to make an official statement we have to do it this evening and I personally was out of town when the card came in. I

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didn't return 'til Friday evening so the first I knew of it was today. So for that reason I'm cautious, because I don't know anything about that proposal other than what it says in the four or five sentences on the index card. Also, I have reservations about this proposal, or as I said any proposal that's going to affect land adjacent to our community. First of all, we've said this before and I'll say it again, that we'd like to see a concept plan for all that land adjacent to our residential Village neighborhoods, especially that area around Youngs, Wehrle and Wilson. Certainly we expect vacant land to be developed, but we also expect it to be developed in a way that will not detract or diminish the character and value of our residential neighborhoods. To me and I think the rest of this Board, a concept plan would inform the Village, our residents and the Board of the proposed full development and land use and we can then better make a more informed and rational decision and as I said, this has previously been requested. Also, I have a number of questions regarding this proposal based on the limited information that I have. One is regarding the water. I understand it is well water in the Wilson Road area and I'm wondering where the water service will come from for this development. Also the sewer, the sanitary sewer and the drainage. Most importantly the sanitary sewer. Trustee Brenton and myself met recently with the Deputy Town Engineer and he presented to us a proposal that would connect the Wilson Road sewer to the Cadman Drive sewer, a residential area, and I think for that reason that the Village has a very specific interest in this proposal and if it's not going to be connected to the Cadman Drive sewer then there's another proposal to connect that area to the Village sewer on Wehrle Drive. So for this reason alone, if none of the other reasons are substantial enough in the eyes of the Town Board, but for this reason alone I think we have to know more about this proposal. Also I question the use. It says it's going to be a one-story office building but they're requesting a R-D zoning which in my limited information allows for other variety of usage and I would ask why not a more restrictive C or commercial zoning. And finally, I approach it with caution and reservations and I think I agree with Mike that in this instance a conservative vote is probably the best way to go and we're not faced with a maybe or a contingent vote. So we're faced with yes we support the opposition to rezoning or no we do not support the opposition and I think we are all reasonable people and we all expect vacant land to be developed for the property in it, but we also have a commitment and responsibility to our own community and Village and I think for that reason I would be in opposition to the rezoning and I would vote yes for the resolution and as Mike said past experience has proven that a conservative approach is logical and reasonable way to go when there is not substantial information to take a position on it. So I vote yes, in favor of opposition.

Vote on Roll Call: Ayes - 5; Noes - 0.

Unanimously carried.

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Trustee Murray: I have one last thing. If you remember at the - oh, excuse me...

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

Unanimously carried.

Trustee Murray: Now at the last meeting, I believe it was the last one, we passed a resolution to dip into surplus to erect signs, overhead signs at Main and Garrison. Since that time the Superintendent of Public Works has investigated the method that he had planned on using for erecting those signs and found that his previously studied method will not work and that we need additional funds to erect the signs at that place. We're still working on it and there's not been any decision made. I'm hoping I can get the Board of Trustees to discuss it again after our Board meeting tonight. I just want the public to be notified that the signs will not be going up immediately at Main and Garrison and the Board is still studying the subject. And that concludes my report.

Mayor Kuzon: Thank you. Next is Trustee Saia.

Trustee Saia: I'll do my resolutions first, Mayor.

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

RESOLVED that Gregg Prieto, 14 Rosemont, Eggertsville, New York be hired as a Seasonal laborer in Glen Park from June 14, 1983 until October 1, 1983 at the rate of \$3.45 per hour and his salary to be paid from the Town of Amherst/Village of Williamsville Glen Park Joint Activities Fund.

APPOINTMENT  
Seasonal  
Laborer for  
Glen Park

Unanimously carried.

Now for my report tonight we have in progress right now the planters on Main Street by the Williamsville Youth and Recreation Board and we've gotten tremendous, we've gotten a lot of comments on those boxes. The people like them. In a few short days you're going to be seeing a little wagon going around to take care of these boxes. You won't see this wagon around too often, mainly because the Mayor's going to give us some help and take this wagon around after July 1st. Some of the people have agreed to check around once in a while so July 1st or so we have some help from CETA. We're ready with - the boxes are being made in my garage and we have some of the people on the Board and some of the children - not the children - some of the kids that are working on them. The other thing is the pavilion is being enclosed by our highway department thanks to Phil Boudeau and I kind of kept a close eye on it and

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they're doing a tremendous job. In the process of enclosing this the word got out to the youngsters and at one of our outings in the park somebody pointed the culprit Jim Sala that was responsible, or supposedly responsible in enclosing this pavilion. I was approached by about four, five youngsters - four of them living in the Village - and I have invited them to our Youth Board meeting tomorrow night. They do have some legitimate gripes and we're going to talk to them and I'm kind of glad they came out the way they did and we can sit down and talk about the enclosing of this pavilion. In talking to Phil, and I know because when I took this job over it was my biggest concern was vandalism and believe me we have vandalism. But in about two more weeks we have a full time guard that comes in and starts in the evening different hours and he kind of dampens the vandalism for a few months. But the vandalism is an on-going thing. It's a - we had it all during the winter and the spring and it seems when we have nice days in the spring the kids go on a rampage. They really do a lot of destruction in our Village. Just to give you a for instance, someone went along Main Street Saturday night and if you looked at the Eagle House which looked beautiful, they pulled out five geraniums out of his boxes, went down the street and pulled about five out of our boxes and ripped them up and twisted them and threw them on the ground and nobody saw them and it happened between 10:00 PM and 12:00 AM and nobody saw them. If I had to make an appeal to people it's that if you see something like that you know call the police and we could make an example out of whoever is doing this. If it's kids or grownups or whatever, we can kind of make an example.

My other report I have tonight is that it's come to my attention and to Phil Boureau, our Highway Superintendent, that we have trucks that pull up to our section of the dam that's between Ed Youngs and the creek and load up with water. Now these people are spraying germicides, pesticides, whatever else it is. Evidentially, some of them are not doing what they're supposed to do and maybe some of them aren't even licensed to do this act and I had one person complain to me that one of them was flushing their tank out. I don't know who it was. This is all people telling me after our investigation but Phil did see some - this person that was flushing his tank out and when they flushed their tank out the stuff went on the ground. They could smell it in their place of business, the odor from this pesticide or whatever it is and our Superintendent did catch somebody back there drawing from the creek. He has a letter out to the pesticide control and I have it to the EPA. In the meantime, while we're waiting for some response to this - this is Village property by the way that they're encroaching on - I think we can stop them. I'd like - I'm going to ask the Board tonight to make it public that we'd like these people to refrain from going in there without permission from the Village Board until we've resolved with the proper authorities what our responsibilities are to our constituents in the Village and to the creek life and our environment. Thank you.

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Mayor Kuzon: Thank you. Next is Trustee Brenton.

Trustee Brenton: Thank you. For my report, Superintendent Boureau and I have reviewed our intended efforts regarding paving this year and the bulk of them will center on Farber Lane and some of the areas up in there, Lake Ledge. We'll also do - this is going to come as a surprise - the block of Monroe drive between Oakgrove and Wehrle, which was recently rehabed as far as the sanitary sewer is concerned. The reason that we are going to do that at this time is that due to it's extreme unevenness where the sanitary sewer work was done -- in other areas there were longitudinal lines that in effect went in the direction, motion of the pavement and they were not nearly as closely spaced as what we have on the block of Columbia between Oakgrove and Wehrle. So that will be the major area of paving that we will do this year. We will be utilizing Town forces for that, and our other small areas that are affected of School and the block of Columbia between Oakgrove and Wehrle and Farber Lane with some outer work in the Lake Ledge and circle down in that area, and in around Academy Street at Eagle and on School Street after the sidewalks have been replaced there because we have to have a sidewalk down there in order to make the pavement even with the sidewalk so hopefully that sidewalk is deteriorated and the individual himself is going to replace it anyway in order to do it. The smaller areas will be done with Village forces and Columbia and Farber would be done with the utilization of the Town of Amherst and that should just about eat up our \$30,000 budget for asphalt. That concludes my report and I'll move directly to my resolutions.

Resolution No. 1 deals with calling for a public hearing pertaining to a local law, the sidewalk local law, and repeal of Sections 50.10 through 50.50. That's our old ordinance. We have to repeal it in order to adopt a new one and hopefully we will adopt it. It reads as follows:

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

RESOLVED that the Village Clerk publish notice of public hearing to be held on June 27, 1983 at 7:40 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a proposed local law which will repeal sections 50.10 - 50.50 of the Village Code.

PUBLISH NOTICE  
OF PUBLIC HEARING

Repeal present  
Sidewalk  
Code

Unanimously carried.

Resolution No. 2 deals with training of our volunteer firemen and I'm going to read something, or not read but I'm going to vocalize on that so that it is established for the Fire Department because unfortunately we knew that two of these people were going to go and then it was suggested via a phone call from Chief Andrews, who cannot be here, to

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Clerk Cummins that they wanted to do something larger, i.e., they needed more money or something to that effect. However, as I pointed out in the past, we do need information on the money that we're spending. So what we'd like to do here is go with what we originally intended to do, send two people down to Montour Falls, New York. In the event that the Fire Department has to, feels that they should send other people then I'm afraid they'll have to take that out of their own funds. The resolution reads as follows:

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

RESOLVED that James Zymanek and Ed Senecal are hereby authorized to attend the Fire Training Officers Workshop #2 in Montour Falls, New York on June 18 and 19, 1983 and the expenses not to exceed \$125.00 each be paid by the Village of Williamsville.

AUTHORIZATION  
Fire Officers  
Training  
Workshop

Unanimously carried.

The next resolution deals with the Fire Department and also is self-explanatory and sends Chief Andrews and his Assistant Chief, Tony Schueckler, to a State Chiefs Convention at Monticello, New York. It reads as follows:

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

RESOLVED that Richard Andrews, Chief and Tony Schueckler, Assistant Chief, are authorized to attend the New York State Chiefs Convention at the Concord Hotel in Monticello, New York on June 19 - 22, 1983 and the expenses, not to exceed \$275.00 each, be paid by the Village of Williamsville.

AUTHORIZATION  
Chief's  
Convention

Unanimously carried.

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

Mayor Kuzon: Thank you. Next is Superintendent Bougreau of our department of Public Works.

Mr. Bougreau: Under parks - Island Park Pavilion Building - The rehabilitation and remodeling project currently underway is progressing on schedule. All new doors, panels and walls have been completely prefabricated in the D.P.W. garage and are now complete and ready for installation in the building. Upon delivery of mounting hardware all pre-fab sections will be transported to Island Park and the building will then be closed and secured. Garrison Park - Renovation and repair

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of the concrete wading pool was completed this past week. Leaking joints were routed and caulked. That's the end of my report.

Mayor Kuzon: Thank you. Next we will have a motion to suspend the rules.

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 anything before the Board. Mr. Hill.

Mr. Hill: I got two or three things. One of the things is on this sewer cut in on Cadman. I've heard different things about it. One is the Village turned the Town down completely on doing it. Secondly I've heard that they allowed the Town to go in there and inspect the sewer for some reason. I wonder just where that sewer cut stands on Cadman.

Trustee Brenton: Well what you heard - at least I assume you heard it from me is what I told you the other day, we did at a meeting tell the Town they could not enter the sewer. The Town wanted to know why and we based our decision on input from the Superintendent of Public Works which indicated that we were still experiencing an area that they would have to go through and that area having a problem. That area also was not done in the rehabilitation process. So that it still is the same as it has been for the last few years and so the Assistant Town Engineer, Mr. Ketchum, asked whether he could go in with the TV cameras and just view the situation and see what the problem was and we found no problem - I don't like to use that word so many times - but we found no trouble with that and so that they did go in and TV that area which does then help us identify exactly where our areas of broken or perhaps cracked tile are affected. So there's nothing to be lost from that and in the event that the Town could conclusively prove to us that they could utilize that section of sanitary sewer without any problem occurring to our residents in that area why then I'm sure that we would go ahead and allow them to use it. However, I have to feel that this would be very difficult for them to conclusively prove, at least to me, that they could use it without someday, sometime causing a problem for us.

Mr. Hill: I'm on that sewer system, line, and they told me Cadman feeds into and I know that my sewer line on Brookside is not large enough to handle our needs alone and they're planning to cut in on that. They've already told this one fellow that they'll cut into Cadman or Wehrle.

Trustee Brenton: Well they can tell him whatever they want to tell him. Everyone has the right of free speech but they're not going to do it. If it's going to exacerbate or cause a problem for our people. It's simple as that.

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Mr. Hill: Well, okay. All I want to know is can the - what made me wonder is they are looking at it and they aren't taking your word for it. Are they going to try to force the issue?

Trustee Brenton: They were allowed to go in there and the day that they went in there frankly, I had to call the Town Engineer because they did not inform our Superintendent of Public Works that they were going to be in there and I took exception to that and asked them that hereafter you know, we'd appreciate knowing exactly when that given day they were going to be working in our system, because we do not allow anyone to work in our system without our awareness. However, I have no problem whatsoever with them assisting us in anyway possible. We're cooperative governments and quite frankly, the Town has been very helpful to us in many, many ways. Our paving program is one of them and in many areas regarding our sanitary sewer system.

Mr. Hill: Let me ask you something. What's the size of our sewer line on Brookside.

Trustee Brenton: You sewer line on Brookside is probably 8".

Mr. Hill: 8" and they put a lining in there. That will cut the flow down.

Trustee Brenton: No, that doesn't necessarily prove true because with a lining in it the flow has less resistance so that actually it might increase in your capacity. You can't just look at it from...

Mr. Hill: But it has a capacity of 7". If you put a regular sewer line in down there and the R and D development the Town is putting in I'm going to be in trouble.

Trustee Brenton: Well you're not - it's not constricted to 7" (a), and as I pointed out even if it was constricted to 7" with less friction it could hold more. At just about no time is that sanitary line fully charged. In other words, full of water of any type and so that just because it is made smaller it can actually handle more due to the lesser degree of friction.

Mr. Hill: I agree with you on that but there is a limitation and it won't handle the R-D development of that size over there.

Trustee Brenton: I'm not even sure that that project is to be included in this sanitary sewer but I'm not going to be even concerned about it until I see exactly what they propose and if they want to tap in everything over there. Certainly they're not going to be allowed to do that. I mean...

Mr. Hill: They told at least two houses they're going to hook into them.

Trustee Brenton: No, no, because I even pointed out to our sanitary sewer consultant who is an engineer who told me that well there

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shouldn't be a great deal of problem because there is such light density of population back there and he projected the year 2,000 population density in that area. I can't agree with you. I said I agree with you 100% that there will be continued light density population. However, there might be a significant amount of other development back there and therefore, I respectfully disagree with your theory and he is an engineer and I'm not and after he thought it over awhile he said I guess you're right. So I mean usually I try to consider all aspects.

Mr. Hill: My next question pertains to Main and Garrison overhead signs. You know that you can use CHIPS money to put those signs up and you told me personally that you were going to get those arrows put down permanently. Is that right? Is that going to be done this summer? MAIN/  
GARRISON  
Overhead  
Sign

Trustee Brenton: Well the only other thing we're going to add there as far as the department of Public Works is concerned is - the arrows are down. Apparently some of the material has come off, but we can paint those and we are intending to paint over them and I have monitored the situation more than one time by observing it from the parking lot of 7-11 and frankly, I think it works very well and...

Mr. Hill: It's going to help in the summertime, but if you intend to paint temporary arrows that are out there now and they're falling off, they're coming off in a short while, they've only been on there what, less than a month and half of its gone already. You try to paint over them...

Trustee Brenton: Well I think I talked to Phil about it and I think we can handle it. At least we've got the pattern down now and maybe if we put the...

Mr. Hill: You haven't told me yet the time element on it. Is it going to be done this year? This summer?

Trustee Brenton: The painting of Only on it?

Mr. Hill: The painting of the arrows, replacement of the arrows and the Only on there.

Trustee Brenton: Mr. Bougreau has already had a stencil made up for the word Only and that'll be done as soon as he has the manpower and time to do it. You have to ask him what his schedule is.

Mr. Hill: I'll ask him. We've got the stencil made up and in the shop. Now is it going to be done this year, or is it going to be a couple of years like it was the last time?

Mr. Bougreau: This year.

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Mr. Hill: This year, and that's a guarantee? It's going to be done this year?

MAIN/GARRISON

Mr. Boudeau: It'll be done this summer.

Overhead

Sign

Mr. Hill: Thank you.

Discussion

(Con't)

Trustee Saia: I'm kind of confused here, Mayor. Didn't we agree with the vote at the last meeting that this overhead sign would go up? I mean are we now proceeding...

Trustee Kibby: What we agreed to, Mr. Saia, was to transfer funds from one account to that account. We have not yet agreed to spend that money. We agreed to transfer that money.

Mayor Kuzon: We did agree to transfer, I think it was \$2,100 but the point is that the money is not expended because we found out it's going to cost \$4,800.

Trustee Saia: Well now Phil has put some time in it and so have I. I've been down there with a fellow from the electric company. It seems to me that somehow this deal is getting into a political deal now and I'm saying right now that Larry's got \$1,500 that he had left over from some striping job. It's probably the striping we should have done on Garrison Road last year and I'm saying we take that \$1,500 and the \$2,100 which makes \$3,600 and if we need \$4,800 to put up this sign by God we've got enough people that have expressed their anxiety and their displeasure out of the traffic situation there. Now we haven't done anything and we keep hearing these people come up to this Board and they're saying about this particular sign. I say we should put this sign up and I think we ought to take a stand on it and maybe we should take a vote on it as long as Mrs. Murray had brought it up earlier that we should take a vote on it and find out right away if we're going to get these people the safety of their children crossing that street or if we're going to dilly dally like we've done in the last few years that we're supposed to have an arrow in there the last couple of years and the sign was supposed to have been changed and the day that we took the vote on that was the day that we had the arrows put down on the street. Now we've got to make some kind of determination. Let's stop pussyfooting around and let's determine if we're going to get it or we're not. If we're going to give these people the overhead signs or we're going to pussyfoot striping the street and when wintertime comes you can go up there and brush the street away and so everyone can see the arrows going right or left.

Trustee Brenton: You indicated that you were there with the power company?

Trustee Saia: I have been there with some other people also.

Trustee Brenton: Well I just asked a question.

Trustee Saia: Yes.

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Trustee Brenton: And didn't the power company tell you that you couldn't interfere with their...

MAIN/GARRISON

Trustee Saia: Why should I tell you what the power company said. You never asked me about the power company.

Overhead  
Sign  
Discussion  
(Con't)

Trustee Brenton: I'm asking you now.

Trustee Saia: Well I'll tell you later.

Trustee Brenton: Oh, you will?

Trustee Saia: Yes.

Trustee Brenton: Well then you seem to be pussyfooting around.

Trustee Saia: You seem to know what's good for that corner.

Trustee Brenton: I'm asking you a question, that's all.

Mayor Kuzon: On the question of the corner, we have put up additional signs to indicate that the left lane is for left turn only. There was an indication that we would restripe the intersection and we have, we haven't come to a roadblock, but we've come to an obstacle in the fact that signs are costing more than what we originally thought they were going to cost and more money than we have in that line account for that portion of the budget. So that's an item or an issue that will have to be resolved. At the time we transferred the funds the majority of the Board felt that it was a good idea and voted to support it. Dick, you had something else?

Mr. Hill: Yeah. You can take CHIPS money.

Trustee Murray: It's my intention after the Board meeting to ask the Board of Trustees to use a portion of their CHIPS money to erect that sign and it is also my intention to sponsor a resolution to that effect at the next Board meeting. If Mr. Bougreau states that he feels the \$4,800 is not enough then we probably would need money to hire an engineer. That's the problem with the electric company.

Trustee Brenton: That's why I brought it up.

Trustee Murray: I'm waiting for a final decision from Mr. Bougreau as to the final cost of putting a sign up there before I sponsor a resolution.

Mr. Hill: We have a left turn lane that if you go straight ahead you're forcing the right-hand lane car, into, off the road because the road bends that way. So that is one thing that makes that corner bad. Coming up from Evans Street from Sheridan it's not too bad, but if you've got a guy in the left hand turn lane that doesn't make a left hand turn the guy in the right hand lane is up in the house's front yard.

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Trustee Kibby: Let's put up a no left turn sign there.

MAIN/GARRISON  
Overhead Sign  
Discussion

Trustee Brenton: That's a good idea.

Trustee Saia: Connie Murray got an \$8,000 grant for striping.  
Am I correct?

(Con't)

Mayor Kuzon: I don't know. Did you, Connie?

Trustee Saia: \$8,000 to be used as highway striping or something like that.

Trustee Brenton: I did. It appears you've been looking out the window again because I've told you many times that I got that grant.

Trustee Saia: Then why in the hell didn't you stripe Garrison Road? Why do you have to come up here and brag that you saved \$1,500 on it and you never used it on Garrison Road.

Trustee Brenton: You're running off at the mouth again.

Trustee Saia: I'm glad you said it.

Mayor Kuzon: Excuse me. Carolyn.

Mrs. Carolyn Schlifke, 192 Evans Street: Well I've been sitting here for two years listening to this thing on Main and Garrison and I think it's definitely turning into a political football. The people on the Board are taking out their dislikes of other members and are, the people of the Village of Williamsville are the ones that are going to suffer. I would ask that the Board try to be realistic and look at it from a safety standpoint and not just if one person wants it the other person doesn't. I mean it's so obvious. It may not be obvious to you people sitting up there. I sit here every other Monday and it's becoming very, very obvious to me and I think it's really disgusting to see people who cannot look beyond their own personal feelings about other people and look to the real issue and that is the safety of the people. Now you cannot tell me that that intersection is so unique as to power lines and everything else that it is so different from every other intersection in this whole area where you see overhead signs. So we're throwing every obstacle that we can find in the way of doing what we should be doing. I mean you're taking - to me it's obvious you're taking your bitterness against other members of the Board out on this issue. An issue of this size should never take two years for five people to decide on what should be done.

Trustee Saia: Carolyn, I've got to say I haven't been here two years. The issue only came up to me not too long ago when Mr. Brand got up here and we discussed it and before that it was unknown to me that this street should have been striped a year ago. I had no

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idea of that. When I discovered Mr. Brand's request for that overhead sign I wanted overhead signs for the safety part of it.

Mrs. Schlifke: There's more excuses at our Traffic and Safety meetings as to why this is not done than I have ever heard on any issue in this Village and I have been on that Board for almost eight years.

Trustee Saia: Can I ask you...

MAIN/GARRISON  
Overhead Sign

Mrs. Schlifke: Either you make a decision and say no sign, not that every week the cost goes up by double. Either say no sign and let the chips fall where they may. What happens on that corner, fine. Our committee has done what we were assigned to do. We have recommended something. You people have decided it shouldn't be done and let it drop. We are not going to put it on our agenda any longer unless you people make a decision and a final decision and not keep changing it every other week.

Discussion  
(Con't)

Trustee Kibby: It was found appropriate, Mrs. Schlifke, by a vote of three to two. You were here.

Mrs. Schlifke: Yes, I was. Well when the money appropriation was made, Mr. Kibby, I was...

Trustee Kibby: It was not sufficient.

Mrs. Schlifke: Fine, would you let me finish. I was speaking first. When the money appropriation was made why wasn't it researched fully enough so that it was sufficient. If the cost was exorbitant the Board should have said no immediately. No. You said yes and now you're doubling the cost and say no.

Trustee Kibby: Because the fee that was told to me was \$2,100, or \$2,800 - I don't know. That's what it would cost to do that.

Mrs. Schlifke: Fine.

Trustee Kibby: I voted against it the first time and for it the second time. Okay. Now I don't know where to come up with the other \$2,700 at this moment. That's all, plain and simple.

Mrs. Schlifke: Well that's true. But if you can come up with - somebody came up with this figure, either Mr. Brenton or Mr. Bougreau.

Trustee Brenton: It was not me. It was Mr. Bougreau and I had no input into it at all and the meeting that Trustee Saia and Mr. Bougreau had with the representative of the power company I had nothing to do with and I think there's an implication here that I am the responsible person for not having this intersection done. That is not true. It's been one year as far as I personally am concerned. Last year Mr. Schueckler told me he would get to it if he could do it and he didn't have time to do it. It was not allowable for the federal grant so that precluded that. So that...

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Mrs. Schlifke: In 70° weather we were told that the weather would not permit striping.

Trustee Brenton: No. You were told that Mr. Schueckler could not stripe when it was cold. It's noted in your minutes that the weather had been 70° for the past two or three days. Do I remember correctly? And I asked Mr. Schueckler if he could not get to it. Now Mr. Schueckler is in the audience. I think he will verify this that his position was he can't do it when it's cold and when the weather was proper he could not spare his men to do it last fall. Last year I functioned as a Trustee and as Superintendent of Public Works. I will admit that in some areas I might have been better off to have gone out and hired a contractor to do something. However, working on the railroad 50 hours per week also took a little bit of my time and I might have made a mistake or two. I apologize to you for that. But I'm sorry, I tried to do what I could to do. I'm thankful Mr. Schueckler was here. My memory is clear because I was quoted in your minutes of your last year's Traffic and Safety meeting, so my memory does serve me properly yet and I've done what I can do there, but I do think that your allegation that the cost escalates, etc is - Superintendent Boulevard can explain that. This is a very major situation that you have there. I knew that from the beginning. That's why I quite frankly, was willing to rely on Mr. Taylor's advice, who is a member of your Traffic and Safety Committee and is employed by the New York State Department of Transportation as a design engineer and is a professional engineer and has a great deal of experience in highway safety and who recommended no, no signs. The representative from Erie County Highway Department who is also equally credited and credible regarding highway safety recommended no. Mr. Schueckler himself has stated at this public meeting that this is overkill or something similar to that effect to put the sign up. However, I do give respect to your committee as I did serve as liaison to it for the last three years and I think I worked quite hard there and tried to promote traffic safety in this community but I have to say that there were three experts here saying no and I knew we're getting into a heck of a lot of money. Frankly, I have never been one for throwing money at problems to make them go away and I wish this thing would go away in itself. However, I do wish that the Traffic and Safety Committee might make another survey of that intersection as I have and with the new no left turn sign which is far in advance of the previous one which was suggested and the arrows which I believe state, they are there, they are visible, and I think that you'll find that it is working quite well now and nothing is ever going to work perfectly. But when you're done you might throw \$6,000 or \$7,000 into the situation and you still might have people violating the no left turn. Either that or I would suggest that pick have the Amherst Police monitor the situation as I've suggested before and let them issue summonses and then we'll see how quickly people learn that you don't go through on a left turn lane.

MAIN/  
GARRISON  
Overhead  
Sign  
Discussion  
(Con't)

Mrs. Schlifke: You so eloquently presented your case and yet you were not able to convince three members of your own Board that those signs shouldn't go up. Sometimes we have to accept defeat graciously.

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Trustee Brenton: I am in no way the obstacle to this being done. As I pointed out to you I had nothing to do with the electrical company. I did not talk to those people and I have nothing to do with the engineering costs or anything else. I don't know why you indicated - I'm sitting here. If they want to put their sign up they go ahead and put their sign up. That's exactly what they voted.

Mrs. Schlifke: You're putting an awful lot of obstacles...

Trustee Saia: Carolyn, just so you don't point your finger at me about the safety and that's what I'm primarily interested in.

MAIN/GARRISON

Mrs. Schlifke: I'm not pointing my finger at anyone.

Overhead Sign

Discussion

(Con't)

Trustee Saia: I don't care if it costs \$10,000 to put the sign up. We threw away more money on studies to pay for that sign and we should have a sign on it and I just want to go on record. Now I don't care what the rest of the Board goes to be honest with you, and I'm sick and tired of trying this thing all the time and I've told you before it's like talking to a brick wall. Well I'm not going to talk any more. I want the sign and I'm voting that way for it. I do not care what it costs to put up. Now we've heard from our constituents, and the people that live in the area. We've heard from them. We should have that sign up and I think they want it.

Mrs. Schlifke: Sometimes the experts (are not right).

Trustee Saia: I really don't want to spend any more on it publicly.

Mayor Kuzon: Dick.

Mr. Hill: Yeah, I go along with Carolyn. I guess a few weeks ago it jumped from the \$2100 given to us before to \$4200. Now it looks like maybe \$4,200 and could be raised and all of sudden it's going up again. I don't know how much it's going up. In two weeks time is that going to go up? In four weeks time? In eight weeks time? All summer long? If you'd done something last year, or a year ago to put the sign up there, but on the day the vote was going to come up the cold around 40° all of a sudden late in the afternoon the other sign was in. No wonder we question what's going on.

Trustee Brenton: Mr. Schueckler again is in the audience. He did it when he could do it.

Mr. Schueckler: I've got to get into this thing a little bit. Number 1 the Town did it as a favor to the Village. There was no billing, no money. Those damn things cost \$50 a piece. Now you're bitching about the paint. Well I'll tell you the pavement was too damn cold. All right now number 1 is that. Number 2 you didn't pay for it so I should think you'd be glad. Number 3 isn't this damn thing - let's

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get it out on the floor. What did the Traffic and Safety Committee really recommend. I was told two poles and a cable with some signs hanging on it. All of a sudden now we're down to a pole with an arm on it. Now, seriously, that's all you hear one way or the other. The Town did what we could. Last winter when we got called in November we couldn't do it. We got so much work to do and we can do so much. But eventually Traffic and Safety's informed that we just go like that for the Village. We can't. We're too damn number 1 and number 2 is Larry did call me. We had the paint thing back on the road. It was about 60°, 70° and Larry and I sat up there and I said tomorrow morning we'll be there Larry and I got everything loaded up to paint it and everything, and it rained like hell and it was down to 40°. Now we could have put them on and you would have come up here and criticized the Town for putting on something that washed off. MAIN/GARRISON

Mr. Hill: You just gave me something that I didn't know before. <sup>Overhead</sup>  
You got a request in November to put the signs up and they stayed <sup>Sign</sup>  
there all summer.

Discussion  
(Con't)

Mr. Schueckler: It was November wasn't it Larry?

Trustee Brenton: No. As I remember your minutes from your Traffic and Safety meeting because they're available and they'll substantiate that I think it was probably around October.

Mr. Schueckler: It could be. It was cold.

Trustee Brenton: It was around 70° and the comment was made that...

Mr. Hill: What happened to June, July and August?

Trustee Brenton: I've explained to you I think quite clearly that I was acting as Superintendent of Public Works from May through December of that year and I also have a full time occupation. I did the best I could. I am constantly under criticism for the for the things that some people in the audience and public and on this Board feel that I should have done this, I should have done that. Well it's a wonder that I didn't have a heart attack and I'm saying that very seriously. I did the best I could. I told you previously this evening that there were no doubt mistakes that I made and I'm sorry. I apologize for them and I said one of the mistakes I made was I should have gone right out and hired a firm to paint the arrows. Okay. But I didn't do it and I was too busy doing the things I had to learn like book work and everything else. You don't realize because - I would just like you to go down and follow the Superintendent of Public Works around some day.

Mr. Hill: On the other hand you told us it couldn't be done when it was 70°, right?

Trustee Brenton: No, I did not. The temperature has to be under federal specs 49° and rising. I have never said that it couldn't be done under 70°. I think you're confused with Mrs. Murray's statement that it was 70°.

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Mr. Hill: Okay.

Trustee Brenton: Mrs. Murray's statement that it was 70°...

Mr. Hill: At 40° what about in the spring?

Mayor Kuzon: I think at this time we're creating an awful lot of heat but shedding minimal light on the subject. I'd like to change the subject and is there anybody else in the audience with another topic besides that? Donny.

Mr. Schueckler: Yeah. I've just got one quick question. When were you and Phil notified by the Town about the sewer going into the Village from Wilson Road?

Mayor Kuzon: I have to say we received a letter, it must have been back in April.

Mr. Schueckler: That was the first time?

Trustee Murray: Don, I've known about it for a long time.

Mr. Schueckler: Yeah, I did too and I was wondering why you people weren't consulted from the Town when the first major plan came out and it showed it going to the Village and I mean I was wondering and to go further I wanted to inform you that the water line is under your Town community development funds, that's money, they would like to use their community development money, to put a water line in from Youngs Road to the end of Wilson for those people if they can use their Community Development funds.

Mayor Kuzon: At the same meeting with the Town Engineer it was also mentioned about the water lines but I guess I don't know that much about it but it was explained to me they'd like to tie water lines I guess at both ends. In other words they don't like to run a water line and stop. They wanted what's called a "U". They want to connect it from Wilson or excuse me from Youngs Road and down Wilson into the Caqman water line.

Mr. Schueckler: Right.

Trustee Brenton: It was pointed out that they couldn't do it. There would be no way to meter it and it would intermingle the Erie County water in with our water.

Mr. Schueckler: Well it would be a deadend line, and you get less pressure. With the development - research and development, you don't know what will be back there - with the rezoning...

Mayor Kuzon: Okay. Is there anyone else? Any Board member have any additional comment? If not...

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

Unanimously carried.

Mayor Kuzon: If there's no further business...

ON MOTION by Trustee Murray, seconded by Trustee Saia, the meeting was adjourned at 9:40 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer