

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, April 9, 1984 at 7:33 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton  
Richard Gallagher Trustees  
Michael Kibby  
V. James Sala

Theresa L. Cummins, Village Clerk  
Thomas V. Troy, Village Attorney  
Phil Boudreau, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT the Board of Trustees of the Village of Williamsville will hold a public hearing on Monday, April 9, 1984 at 7:35 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in a discussion of the 1984-1985 General Fund, Water Fund, Sewer Fund and Glen Park Joint Activities Fund Annual Budgets for the Village of Williamsville.

PUBLIC HEARING

1984-85

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the hearing was opened at 7:33 PM.

General,  
Water,

Sewer,  
and Glen Park  
Budgets

Unanimously carried.

Mayor Kuzon: Those of you that follow Village government know by now that New York State Law requires that the Village Trustees annually prepare and present to the public before it is adopted a tentative budget covering the coming fiscal year and over the last several years as Mayor I have attempted to provide a detailed and concise report of the budget on behalf of the Trustees. In my opinion, Village government provides a unique opportunity for this situation. It provides that officials and the public can closely scrutinize and clearly understand how every tax dollar is spent and to the public I believe the budget and tax rate should be of critical importance and it's because of this importance and the tax rate's impact on the community that I'll continue this evening to provide the community with a concise report on the Village Board's budget. However, rather than go through the budget page-by-page as I have in previous years, this year to be more efficient and expeditious I'd like to first of all focus on two aspects. First of all some basic budget assumptions that the Board dealt with in compiling this year's budget and second of all, some major financial items that have been included.

First though I'd like to give you a general overview of the General Fund budget. Appropriations this year will total \$1,109,694. Appropriations will be up some \$67,000 from fiscal year '83-'84. Our revenues will total \$692,850. They also will be up over fiscal year '83-'84, by the amount of some \$38,000. The amount to be raised by taxes is \$416,844. Once again, this is up over last year in the neighborhood of \$30,000.

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Our assessed valuation has decreased from last year. It's down \$151,000 more or less and our assessed value for this coming year is \$21,332,836. The net effect of this is that we will have a tax rate of \$19.54/\$1,000. That's an increase of about \$1.50 over last year.

PUBLIC HEARING  
(Con't)

Looking first to some of the basic assumptions that we dealt with, in compiling the budget we divided it into three general areas - personnel, equipment and contractual expense. Looking first to personnel, and in particular employee salaries, the budget provides a 6% increase for contractual, non-contractual and appointed employees. There is no increase for elected officials. In terms of new positions, the budget includes a new position of a Clerk-Typist in the Village Justice. The second area that needs to be addressed is that of equipment. In the Department of Public Works the budget includes such things as a down-payment for a hi-lift, payment for a 4-wheel drive pick-up truck and one additional plow wing for the snow plows. Additional equipment will also be needed now for the Village Justice and that is budgeted for. This equipment includes necessary office and court supplies. In the Fire Department we see a continuation of our commitment to their capital fund for major equipment purchases.

1984-85  
General,  
Water,  
Sewer,  
and  
Glen  
Park  
Budgets

And next I'd like to look at the contractual expenses which we dealt with. In the Justice such things as - contractual expenses included the phones, office supplies and postage. In the garage we have some necessary supplies that have to be purchased. Street maintenance includes street paving. Refuse collection is our garbage contract and planning we have some plans regarding code codification.

What I'd like to do now is analyze a little bit more in detail and perhaps more closely the appropriations that I've just made reference to. In particular, I'd like to start with the Village Justice. As most of you now know, the Town Court will be moving out of the Village of Williamsville within the year, and perhaps a little longer and that move will necessitate that the Village pick up costs that it now shares with the Town Court. We are anticipating our Village Justice budget to be in the neighborhood of \$30,000 and to give you an idea of where this compares to last year, in '83-'84 the Village Justice budget was in the neighborhood of \$11,000. As I made reference to previously, these costs are related to new personnel and new equipment and additional contractual expenses which we've not had in this area.

Looking next to the Fire Department, I'd just like to point out that their budget has not gone up substantially, but the reason I'd like to discuss their budget is that I think they have some major and important items that should be shared with the community. First of all, the Village has increased its commitment to the Fire Department's capital fund. Annually in the past we've contributed in the neighborhood of \$10,000 for capital fund purchases. This year it will be in the neighborhood of \$15,000. The Fire Department is also proposing \$1,000 for a smoke detector program. The details as of yet are being worked out in the Fire Department but it promises to be a beneficial program for our community.

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In the area of street maintenance, I did refer to the fact that we're going to be buying a new 4-wheel drive pick-up. We have budgeted \$9,600 for this pick-up. It replaces a 1976 vehicle which we have been informed is barely functioning. Also in street maintenance we've budgeted \$35,000 for street paving and this is \$5,000 more than last year. I've also made reference to snow removal that we're going to be buying a new plow wing in the amount of \$2,200. And in the area of planning we've budgeted \$6,000 for code codification. What that basically means is we're looking at editing and improving and modernizing, as well as I'd say packaging our Village code. This \$6,000 will be combined with about \$3,000 from last year's budget to accomplish this task.

PUBLIC  
HEARING  
(Con't)

In refuse collection, our garbage contract for this year will be \$110,000. That's an \$8,000 increase over last year. And in the area of interfund transfers we are continuing our \$10,000 transfer to the Water Fund. This is a commitment the Board has made in the past and there also will be a transfer to the Capital Fund of some \$37,000 which will represent down-payments on various projects including the hi-lift for the Department of Public Works and the Fire Department truck bays. On March 20th the voters approved the purchase of the abandoned Conrail property and that down-payment appears in our budget this year. It's in the amount of \$2,400. That's actually the first payment. One-half of it is this year and one-half will be made next year. As I said, I've tried to expeditiously and effectively report on the budget and allowed more time this year for public comment. That concludes my summation of the budget and I would just state that the budget represents the reasonable statement of the Village Board and the priorities for this coming year and we actively solicit your comments this evening. We will first discuss the general fund budget and after that we'll get into the water and sewer funds. Is there anyone who has comments on the General Fund?

1984-85  
General,  
Water,  
Sewer,  
and  
Glen Park  
Budgets

If not, then I'll begin with a brief discussion of the Water Fund. Our Water Fund budget this year will total \$455,964. It is a balancing budget by accounting practices. Our largest expenditure obviously would be our contractual expense for the purchase of water to the Erie County Water Authority. We are anticipating spending \$305,000. That is only an increase though of \$10,000 over '83-'84 for the purchase of water. In terms of contractual expenses we're anticipating \$25,285 to be spent for those items. That includes repairs to the pump house, repairs to valves and other expenses which are related. I would ask if there's any comment on that, now would be the time to make it.

If not, I would move into the Sewer Fund. The total appropriations in the Sewer Fund for this coming year will total \$443,502. Once again, the largest of these appropriations will be for contractual expenses. This time our share of the Town treatment costs will amount to \$376,807, although I can report a decrease from last year. Last year our contractual costs to the Town for treatment amounted

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to \$379,073 and I think there are many reasons why the cost has decreased and one of them, I hope, is the fact that we have a sanitary sewer rehabilitation program in effect in the Village and that by reducing our inflow and infiltration we are, therefore, reducing our sewage treatment costs to the Town plant. That is the largest expense that we have within the sewer area. Our sanitary sewer program, I would like to mention though, is bonded and does not appear as part of this budget, although the Debt Service probably does. And if there's any comments now is the time to discuss the Sewer Fund.

PUBLIC  
HEARING  
(Con't)

If not, and if the Board has no comment, a motion would be in order to close the hearings on the General Fund, the Water Fund and Sewer Fund budgets - But I just noticed before I do I should hold a brief discussion of the Glen Park Joint Activities Fund. The Glen Park budget represents the Village's contribution of \$10,950 shared with the Town's equal contribution of \$10,950. As you know, Glen Park is jointly owned by the Village and the Town and governed by a Joint Glen Park Committee. Let me briefly say we have salaries for two seasonal workers budgeted for \$5,400 and their benefits. We have security for the park at \$5,500 and there are other additional items - weed spraying, fertilization, etc. which total, including security, \$9,300. We have some replacement of waste container tops, some minor equipment, repair to lighting fixtures, all totaling \$1,800 and there's \$480 for portajohns at \$40 a month for 12 months. The total amount of the Glen Park Joint Activities Budget is \$21,901. Any comments on this budget? Question?

1984-85  
General,  
Water,  
Sewer,  
and

Glen  
Park  
Budgets

Trustee Brenton: Yes. The payroll area of the budget indicates 35% benefits and the only activity that I see here is on the part of two seasonal workers and they're paid at \$3.50 an hour which would appear to preclude payment of any type of benefit other than perhaps whatever we have to pay for Workmen's Compensation insurance. So I'm wondering how this 35% which totals \$5,640, a not insignificant amount, how that was arrived at. I wonder if anyone could give me an explanation.

Trustee Saia: Terry, do you know what that is for?

Clerk: No. I wasn't there when they prepared the budget. I think what they did was figure that the normal employee benefits are 35% but it only applies to our full time people and not to part-time people that they have there. So that part of the budget might be overstated.

Trustee Saia: It probably was. So that 35% amounted to \$1,911. I know there are some benefits but where they got the 35% I don't know.

Trustee Brenton: Well 35% is normally what municipalities, governments, incur in the line of fringe benefits and so that it's quite obvious

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to me that this was arrived at through assessing these fringe benefits on to what were perceived to be full time people but there's no full time people that work there.

Trustee Saia: Do you know what the benefits are, Terry, on part-time?

Clerk: Workmen's Compensation and Disability.

Trustee Saia: Perhaps that should be 3.5%.

Clerk: No. I think when we originally did the budget several years ago we weren't working with part-time people. We had full time people down there and we did figure 35% in. But now that they're working with part-time people that should probably be reduced. So we'll have to talk to the Joint Board before we approve the budget.

Trustee Brenton: That's all I have.

Mayor Kuzon: If there's no comment on any of the budgets...

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was closed at 7:47 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, April 9, 1984 at 7:48 PM

Roll Call Present Gordon J. Kuzon, Mayor  
Lawrence R. Brenton  
Richard Gallagher Trustees  
Michael Kibby  
V. James Saia  
Theresa L. Cummins, Village Clerk  
Thomas V. Troy, Village Attorney  
Phil Boudreau, 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 in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:40 PM on April 9, 1984 for the purpose of hearing all persons interested in discussing the 1984-1985 Federal Revenue Sharing Budget for the Village of Williamsville.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, it was moved to open the public hearing at 7:48 PM.

PUBLIC HEARING  
1984-85  
Federal Revenue

Unanimously carried.

Mayor Kuzon: We have \$32,000 in Federal Revenue Sharing Funds which are allocated to the Village. We propose to appropriate these funds to two areas. First the Fire Department and second of all to the Clerk-Treasurer. In the area of the Fire Department we're talking about \$10,000 of our \$32,000 would be appropriated towards capital equipment and \$18,150 would be major equipment and expendable equipment. So the total appropriation of Federal Revenue Sharing dollars for the fire company would be \$28,150. To the Clerk-Treasurer we have \$100.00 allocated for the office supplies, which are publications, \$3,750.00 for equipment, in particular a word processor. So the total expenditures then for the Clerk would be \$3,850 and those two total up to \$32,000. Any questions on our proposals for Federal Revenue Sharing? If not...

Sharing  
Budget

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was closed at 7:49 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, April 9, 1984 at 7:50 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence Brenton  
Richard Gallagher Trustees  
Michael Kibby  
V. James Saia

Theresa L. Cummins, Village Clerk  
Thomas V. Troy, Village Attorney  
Phil Boudreau, Dept. of Public Works

Clerk: PLEASE TAKE NOTICE THAT the Board of Trustees of the Village of Williamsville will hold a public hearing on Monday, April 9, 1984 at 7:45 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in expressing an opinion on the proposed sewer rent rates for the 1984-1985 fiscal year per Section 51.20(D) of the Sewer Rent Code.

PUBLIC HEARING

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, it was moved to open the public hearing at 7:50 PM.

Unanimously carried.

1984-85 Sewer  
Rent Rates

Mayor Kuzon: The purpose of this public hearing is to discuss the sewer charges which will be assessed to users this coming year. Over the last, I believe it's six years, the sewer charges have been based on a percentage of operation and maintenance costs and capital costs and basically operation and maintenance costs are based on water consumption and capital costs are based on assessed valuation. The amount that will be assessed to the homeowners this year is the same as it has been for the last three years. There is no increase in this assessment this year and it will be \$.74/1,000 gallons of water and \$5.21/\$1,000 of assessed value.

Six years ago the Village Board dealt with this issue of how to equitably assess sewer costs. After careful consideration and lengthy research we determined that the most equitable way to assess these increasing charges to the Village at that time was to break it up and divide it out that what you used would be your share or contribution towards operation and maintenance, and what your assessed value was would be the basis for capital charges. Now once again the charges are the same as they have been over the last three years. It's not necessary to increase them at this time and as I said, it will be based on \$.74/1,000 gallons of water and \$5.21/\$1,000 of assessed value. Any comment on our proposal for sewer charges?  
Mr. Schueckler.

Mr. Donald Schueckler, 124 S. Union Rd.: How did you arrive at this with Erie County Technical going to pull out?

Mayor Kuzon: Erie County Tech appears in our sewer fund as a contract for outside users and we have a separate contract with them for sewage treatment, or the transmission and distribution. In fact, they're out this year.

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Mr. Schueckler: You dropped them this year?

PUBLIC HEARING  
(Con't)

Mayor Kuzon: Right. Okay. Anyone else? Yes.

1984-85 Sewer

Trustee Saia: Mayor Kuzon, I'd like - every year I have to bring this up because we just haven't said anything about it and that's the siphon down on Mill Street. To just kind of shed a little bit of light on it for people that don't know what I'm talking about it's that as our sewage goes over Mill Street to get into the Town there's what we call a siphon down there and just recently I got the shock of my life to find out that we are disposing of some of our affluent into Ellicott Creek in extreme cases when there's a high water level. Now what I'd like to stress is that we're all paying \$.74/1,000 gallons to Rates treat our affluent and I think that's the purpose of this operation and maintenance budget and the cost that we give to the Town of Amherst. But we're in effect throwing some of this into Ellicott Creek and I wish we could do something about it. I know we are trying to work on it but I wish we could do something about it. It's been going on for quite a long time.

Trustee Brenton: Well to begin with, of course, Trustee Saia's concerns are well taken and of a very serious nature. However, those concerns are not only applicable to the Village of Williamsville. They also apply to the Town of Amherst who pollutes on a much, much larger scale and grander scale with mechanical devices to do so. Now what we do is where we have overflow valve in our inverted siphon, which Trustee Saia referred to, and under times of extreme precipitation when there's heavy rains, or snow melt, etc. there is some by-passing of a mixture of sanitary sewage and, quite frankly and very honestly, a great deal of storm water and this is, at these particular times, the same time that the Town experiences this difficulty, and I think Trustee Saia is aware of that. It seems to me he had some photographs of the Town pumping the sewage from the sanitary to the storm. But at any rate, I don't know if he did ~~not~~ not, but I remember seeing pictures of that a few years ago. However, we are working on the siphon. I have discussed this very problem. We had originally intended, perhaps I think a prior administration - not of anyone who sits on this Board with the exception perhaps of Mayor Kuzon when he was a Trustee - had considered the aspect of evaluating and perhaps building a new siphon and the cost of that is terrific, it's horrendous, and possibly would not be fundable and in fact, would really create an undue hardship upon Village residents. So that we've been - the DEC has agreed with this very viewpoint and with the concept that there is no need for a new siphon, and in the latter regard investigation has revealed that two of our barrels - those are the pipes that are comprising the siphon - there are three pipes and so they're normally called barrels - so two of these, at any rate, are plugged up and we have had a meeting with the Town of Amherst and they have, in order to help us with this situation, are going to assist us in cleaning the siphon barrels that are plugged and in the not very distant future, I might add. So that actually this

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should be taken care of and as a result of several meetings that I have had with the Town representatives, the DEC people and, to alleviate this problem. So we're working on it.

Mayor Kuzon: Okay. Thank you. If there's no additional comment...

ON MOTION by Trustee Kibby, seconded by Trustee Gallagher, the hearing was closed at 7:55 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, April 9, 1984 at 7:29 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher Trustees

Michael Kibby

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 7:29 PM.

Mayor Kuzon: The first item on our agenda is the swearing in of our newly elected Trustee, Dick Gallagher, by our Village Justice Ed Rath.

Mr. Gallagher was then sworn in.

Mayor Kuzon: The next thing to do is approve the minutes.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the minutes of the regular meeting held March 26, 1984 were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the minutes of the public hearing held March 26, 1984 regarding 1984-1985 Community Development Funds were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the minutes of the Reorganizational Meeting held April 2, 1984 were approved.

Unanimously carried.

Mayor Kuzon: Next on our agenda this evening is a series of public hearings regarding a number of budgets that the Village will be adopting in the next month.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, it was moved at 7:33 PM to open the public hearing regarding the 1984-1985 General Fund, Water Fund, Sewer Fund and Glen Park Joint Activities Fund Budgets. (The hearing was closed at 7:47 PM.)

Unanimously carried.

Mayor Kuzon: We will be adopting these budgets at the end of the month, which is also required by New York State Village Law. If

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anyone has comments that come up between now and then certainly you can address them to the Village Board either at our next meeting or in between time by getting in touch with anyone of us. As I said, these are tentative budgets. Tentative means that they can be changed when there's substantial reason to change them and as I said, many of you may go home this evening and over the next couple of days or weeks find that there are items which you are interested in or have comments about and certainly we are interested in hearing those comments.

Our next public hearing this evening on budgets is the Federal Revenue Sharing Budget.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, it was moved at 7:48 PM to open the public hearing regarding the Federal Revenue Sharing Budget. (The hearing was closed at 7:49 PM.)

Unanimously carried.

Mayor Kuzon: Our next and last public hearing regards our Sewer Rate for the coming year.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, it was moved at 7:50 PM to open the public hearing regarding the Sewer Rate for the coming year. (The hearing was closed at 7:55 PM.)

Unanimously carried.

Mayor Kuzon: That concludes our public hearings for this evening. Next is my report and resolutions. Just one item to report. Our Fire Limits Committee will be meeting the 18th of April. At this time we will be considering a draft of a local law which the attorney presented to us at our last meeting. At that meeting we made comments and suggestions as to how it might be revised to fit our Village. The Attorney has taken those comments under advisement and is anticipating incorporating them into a new draft and we will be discussing them at our meeting on the 18th.

I have one resolution and that's for vouchers in the amount of \$65,853.66. These vouchers cover the period from March 27th to today, April 9th.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the sum of \$65,853.66 were approved as follows:

Payroll Fund	W/E 3/30/84	\$ 8,240.49
	W/E 4/6/84	<u>4,915.32</u>
Total Payroll Fund		\$13,155.81

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Total Payroll Fund (from preceding page)		\$13,155.81
General Fund	Abstract #558	20,425.11
Sewer & Water Fund	Abstract #139	25,539.56
Trust & Agency Fund	Abstract #178	6,583.34
Glen Park Jt. Activities	Abstract #78	40.00
Federal Revenue Sharing	Abstract #153	72.00
Community Development	Abstract #83	5.60
Capital Fund	Abstract #131	<u>32.24</u>
Total Vouchers		\$65,853.66

Unanimously carried.

That concludes my portion of the agenda. Next is Trustee Brenton.

Trustee Brenton: No report per se tonight. What I do have to report will be included in some of my resolutions I believe so I'll move directly to my resolutions.

Resolution No. 1 does deal with the on-going project of the Reist, Spring and Grove St. water mains. However, there is a need to increase this original bid amount by \$569.24. That's the result of the contractor intercepting a storm drain that was buried and doing damage which is not in effect his fault. It's an extra, a very minor extra for repair of that storm drain and also this resolution pertains to an extension of the completion of that project to April 27th. This extension is also sanctioned by the engineering firm of Tallamy, VanKuren, Gertis & Associates as a result of the very, very severe weather that we had in March where there was no possibility to dig this waterline. And I'd also like to say that I've been on the site several times during construction of the water main and this firm is doing a very neat and thorough job I believe. Of course, it's being inspected by a representative of Tallamy, VanKuren on a daily, minute basis, but they are doing a very nice job and I'm very happy with them, which - I should not say this - is different than with some of the firms we've had here before. The resolution reads as follows:

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

RESOLVED that the Mayor is hereby authorized to sign Change Order #2 for the Reist, Spring and Grove Street Water mains which would increase the total cost by \$569.24 to \$48,731.24 and extend the completion date to April 27, 1984.

WATERMANS

Change Order #2  
for Reist, Spring  
and Grove St.  
Watermains

Unanimously carried.

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Resolution No. 2 deals with advertisement for bids for our sanitary sewer rehab. program and this is the final stage of it, in this resolution referred to as Phase II, which really was consolidated into, and in a further resolution referred to as Phase II and Phase III. Phase II remains a consolidated version. This is the end of a long on-going program of rehabbing our sanitary sewers, the advertisement of bids for completion of this work, and the resolution reads:

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for Phase II of the Sanitary Sewer Rehabilitation Program - Project No. C-36-1244-01. Bids to be opened on May 14, 1984 at 10:00 AM in the Village Clerk's Office, 5583 Main Street, Williamsville, New York. The Clerk shall advertise for the bids in the official Village newspaper at least five days before the date on which the bids are to be opened and upon opening of the bids shall make a record by listing the name and address of each bidder, the amount of his bid, the nature and amount of security furnished, and all alternate bids and trade in allowance, if any, and present such records to the Board of Trustees at the first regular or special meeting of the Board following the opening of the bids.

ADVERTISE FOR BIDS

Phase II of Sanitary Sewer Rehab Program

Unanimously carried.

Resolution No. 3 deals with a method of paying the engineering firm that has the responsibility for that sanitary sewer rehab. work. They have been with us for several years. They developed the original sanitary sewer evaluation survey and this is URS, Inc. There is no method right now, i.e., a line item, a specific line item to pay these people and what we'll be doing here is reallocating the grant money to pay whatever their engineering fees are and through the creation of a new line item for this. The resolution reads:

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

RESOLVED that the Mayor is hereby authorized to sign EPA Form 5700-32 for reallocation of line items to fund Phase II and III engineering costs for the Sanitary Sewer Rehabilitation Program - Project No. C-36-1244-01.

AUTHORIZATION

Mayor to sign EPA Form for Sewer Rehab Program

Unanimously carried.

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Resolution No. 4 deals with Community Development Funds which is the result of a previous Board determination and this is the manner in which we will be allocating these C.D. Funds as they're known, and it's quite obvious as to what we're going to do here. I would mention that there is \$30,000 allocated for infrastructure in the target area. That's the term that the Board has, I think, agreed on. By that I mean the term infrastructure. The Board is in agreement that we don't like this term but there's no better term for it, but essentially it means in our minds waterlines and perhaps whatever might be auxiliary to them. The resolution reads as follows:

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

RESOLVED that the 1984-1985 Community Development Funds are hereby allocated in the following manner:

1984 - 85  
Community Development  
funds allocated

\$ 6,760.00	for Neighborhood Facilities
10,000.00	for Housing Rehabilitation
<u>30,000.00</u>	for Infrastructure in the target area
\$46,760.00	Total Allocation

Neighborhood Facilities means the Meeting House. The Housing Rehabilitation money will be going to citizens of low to moderate income who qualify for housing rehabilitation.

Unanimously carried.

Resolution No. 5 deals with the recent passage of the proposition at the recent election pertaining to the abandoned Lehigh Valley Railroad property and this was passed obviously by the electorate and now we are proceeding to purchase the property. I will say we have discussed this and intend to have a survey done on the property just to assure, not so much ourselves, but any Board perhaps long distant in the future of the general area involved. We know it. It's described. We will be having a survey at any rate. The resolution really doesn't deal with that. It deals with the Mayor signing and executing an agreement and also the total amount of \$83,000, and I'll read the resolution.

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

RESOLVED that the Mayor is hereby authorized to execute on behalf of the Village of Williamsville agreement with Consolidated Rail Corporation for the purchase of 9.48 acres of property, situated in the Village of Williamsville and Town of Amherst, Erie County, State of New York for \$83,000. Said parcel being a portion of the Grantor's former Williamsville branch and located westerly of

AUTHORIZATION  
Mayor to sign  
Conrail agreement  
for purchase  
of property

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Cayuga Road and easterly of Union Road. Line  
Code 0615, Mileposts 441.93 to 442.59,  
Conveyance Document No. LV-CRC-RP10.

Unanimously carried.

And I could add that the mileposts, as a railroad man I will tell you, indicate that 441.93 is 441.93 miles from Jersey City.

Resolution No. 6 also authorizes the Mayor to do something only in this case for himself, and to the benefit of the community because he will be attending a municipal officials' workshop in Henrietta, New York and these are very valuable workshops, or meetings, etc. that our Fire Department, some of our elected officials and others on our committees go to and they are certainly worthwhile endeavors. It reads as follows:

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

RESOLVED that Mayor Kuzon is authorized to attend the 16th Annual Municipal Officials Workshop in Henrietta, New York from April 26-28, 1984 and the costs to be paid by the Village of Williamsville.

AUTHORIZATION

Mayor to attend workshop in Rochester

Unanimously carried.

Mayor Kuzon: Thank you. Next is Trustee Gallagher.

Trustee Gallagher: I have no report that's going to require any action on the part of the Board, or resolutions. I would like to compliment and thank the Village employees, my fellow Trustees and Mayor Kuzon for the courtesy that has been expended and extended in respect to providing briefings and bringing me up-to-date on issues that I was not familiar with, particularly the budget process. I hope that tonight will be the only one of the sessions of the Board that I will be in attendance over the next three years that I will have no report to give. So that I hope that this is the one and only time I have to say no report. Again, I thank my colleagues and I look forward to working with Village residents in maintaining the unique characteristics of the Village.

Mayor Kuzon: Thank you. Next is Trustee Kibby.

Trustee Kibby: Thank you, Mr. Mayor. The advertisement for bids for the Meeting House has been published in the Bee and we've already had firms coming in to pick up the plans and specifications. The bids should be opened on the 23rd. I have four items on the agenda tonight, three which have been printed and one which I've added. The first one deals with Jenny's Ice Cream down on Spring St. This was brought to us just before our last meeting and was tabled. We have a new motion with us tonight and I'll just read the motion because I think it's self-explanatory.

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

BUILDING DEPT.

WHEREAS Mrs. Debbie Hanny, d/b/a Jenny's Ice Cream tenant at premises 78 Spring Street, has petitioned for an exemption from the requirement of Section 40.40(2) of the Village Code which requires a separate and independent building sewer be provided for every building, and has requested approval of a proposal to allow the sewer on the premises at 78 Spring Street to connect into the existing building sewer at 5590-5592 Main Street, and

Grant exemption from Section 40.40(2) of code re: Sanitary Sewer Connections to Jenny's Ice Cream

WHEREAS a report of Design Systems Collaborative, A. Bissell-Leslie P.C., Williamsville, New York under date of March 26, 1984 has urged the granting of said exemption because of the excessive cost of connecting the Spring Street premises to the existing sanitary sewer, the disruption which the installation work would cause to the activities of other businesses located in the area, and because in the professional opinion of said engineers the existing 6" building sewer at 5590-5592 Main Street has the capacity to handle the minimal additional load that will be produced by Jenny's Ice Cream, and

WHEREAS the Superintendent of Public Works has approved the granting of an exception in the form of a special permission under Section 40.40(2) of the Village Code and the owner of the premises upon which the Spring Street structure and the structure at 5590-5592 Main Street are both located has consented to the proposal,

NOW, BE IT RESOLVED that a special permission is granted to connect the proposed building sewer at 78 Spring Street to the existing cellar sanitary lateral in the structure at 5590-5592 Main Street upon the following conditions and restrictions:

1. No cooking, preparation of servicing of foodstuffs shall be allowed on the Spring Street premises other than the manufacture and retail sale of ice cream concoctions.

2. The Village shall be held harmless by owner and tenant from any liability for damages resulting from any malfunction of the proposed system or from damage or harm to area properties traceable to a defect or over-load in the proposed system.

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3. If at any time hereafter a business activity which engages in any on-premises preparation or cooking of foodstuffs other than the permitted manufacture and retail sale of ice cream products shall occupy premises, the special permission hereby granted shall be deemed revoked.

Mayor Kuzon: Discussion on the question? Yes.

Trustee Saia: I think we should have a discussion. All I've got to say is that I've seen these resolutions come and go. I have had a couple myself. I don't know if anybody looks at them a couple of years down the line. Now that place had a cobbler shop in it and people tell me they violated every sanitary rule that's in the sanitary rule book but I think I've got to look back to Traffic & Safety and some other people that have made, our Fire Chief and others have made some statements and the people who live in the area. I don't see how we can allow the sewage to get into a pipe like that because there's another store in that pipe in front. There's a couple of apartments up there - I think three if I'm not mistaken - and now we're going to pump commercial sewage into a, what probably was in the old days just a plain old sanitary sewer for a house which has now got two businesses in it. So I feel kind of bad about what has happened to get it this far. Now it's getting thrown on this Board, even documented that we approved tapping another business place into a sanitary sewer that I'm sure was never a business sewer to begin with. That's all I have to say.

Trustee Kibby: Well my only response to that is it's not being dumped on the Board. The code calls for it, that decisions such as this be made by the Board. Certainly I don't know of anyone on the Board who feels they are able to go out and look at a sewer and decide whether or not to approve it, but certainly the Superintendent of Public Works and the private engineering firm are supposed to be able to make these decisions and both of these people, or this person and this firm have made recommendations to us that said sewage will not create a problem. Furthermore, I think this resolution here certainly says that if a problem results - and I don't think there will be one - it will be the Ice Cream Shop's problem to take care of it. The resolution says: "the Village shall be held harmless by the owner and tenant from any liability for damages".

Trustee Saia: Is this going on the deed, Tom?

Mr. Troy: There isn't any deed involved.

Trustee Kibby: The total situation will be in our minutes.

Mayor Kuzon: Any additional comment? Anybody want a roll call?

Trustee Saia: Yes.

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Vote on Roll Call: Trustee Brenton - aye  
Trustee Saia - no  
Trustee Kibby - aye  
Trustee Gallagher - aye  
Mayor Kuzon - aye

Ayes - 4; Noes - 1

Carried.

Trustee Kibby: The next thing I have, I have two resolutions that call for similar things. Ed Youngs Hardware at 5641 Main St. and American Telephone & Telegraph Information Services at 105 S. Long St. have both sought permission to erect at Ed Youngs and relocate at ATTIS galvanized chain link fences. Both these resolutions have been to the Planning Board where they have been discussed with the Superintendent of Public Works and the Planning Board at their April 2nd meeting recommended we approve placement of these fences. My second resolution reads:

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

RESOLVED that Ed Young's Towne Hardware, 5641 Main Street be granted permission to erect a 6 foot high chain link fence on their property on the east side of their building as recommended by the Planning Board at their meeting of April 2, 1984.

FENCE APPROVED

Ed Young's Towne  
Hardware

5641 Main St.

Just for information's sake, essentially that fence is going to be in about the same locale as the Goodwill box. It's going to come out about 8' or 12'. It's not going to block that whole driveway to the back. It's just coming out from the east side of the building 8', 10', 12' and go back along the side of the building.

Unanimously carried.

Trustee Kibby: Resolution No. 3 reads:

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

RESOLVED that ATTIS, 105 S. Dong Street be granted permission to relocate a galvanized wire chain link fence as approved by the Planning Board at their meeting of April 2, 1984.

FENCE APPROVED

ATTIS  
105 S. Long St.

Unanimously carried.

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I have one more that I asked to be inserted and this is for the reappointment of three members to the Planning & Architectural Review Board. The resolution reads:

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

RESOLVED that the following appointments are made to the Planning/Architectural Review Board until the end of the 1986 - 1987 official Village year:

APPOINTMENTS

Planning Board

Patrick J. Finn	26 Pfohl Place
Norman Wolf	324 N. Ellicott
Richard Delo	55 Monroe

Unanimously carried.

Thank you, Mr. Mayor, that's all.

Mayor Kuzon: Thank you. Next is Trustee Saia.

Trustee Saia: For my report I'd like to say that my assignments have been changed and I am now liaison to the Department of Public Works and I'm looking forward to working with Phil. And is there anybody in the audience from Lake Ledge? We will get at the letters that we received in the last few days concerning the paving on Lake Ledge Drive and I just took office, I just took this liaison April 2nd so I haven't had time to digest any of it. I'll get in touch with each one of you that sent me a letter. The other report I have is that we've got I think three "Welcome to the Village of Williamsville" signs that I noticed down at the Village Department of Public Works and I'm going to work pretty fast to get them put up, even if I have to dig the holes myself as I did for the Glen Park signs. But this has been going on for 2½ years or so and I think they should be up. We've got one up and it looks good, coming into the Village from Union and Main.

I also, I see some of my Youth Board is here. I've also been re-appointed to the Youth Board and I'm sorry I didn't appoint the Youth Board but I will at the next meeting because I wasn't too sure. So we are back in business and tomorrow night we'll discuss the Youth Board.

I have some resolutions. Number 1:

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

RESOLVED that Ikey Renn, 287 Mill Street is hereby appointed a seasonal laborer in Glen Park from April 16, 1984 until October 1, 1984 at the rate of

APPOINTMENT -  
Seasonal Laborer  
in Glen Park

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\$3.50 per hour and his salary to be paid from the Town of Amherst/Village of Williamsville Glen Park Joint Activities Fund.

Unanimously carried.

Resolution Number 2:

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

RESOLVED that the Mayor is authorized to sign an agreement with Frontier Special Services, Inc. for security police for Glen Park.

PARKS - Security police appointed for Glen Park

Trustee Saia: And I want to say this here. Everybody thinks we've got full time security down at Glen Park or at Garrison and Island Parks, but we don't. We only have them weekends during the month of May and then they start in going to weekends, and this is from 9:00 PM to 2:00 AM, or 8:00 PM to 1:00 AM. They change their hours a little bit, and then each evening after June 1st, each evening they're there and they're there for only five hours an evening, usually at the latter part of the evening. So if anyone thinks we have full time guards there, we don't. The police do patrol the parks in the interim. That's Number 2.

Unanimously carried.

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

RESOLVED that the Mayor is authorized to sign an agreement with Frontier Special Services, Inc. for security police for Island and Garrison Parks.

PARKS Security police appointed for Island and Garrison Parks

Unanimously carried.

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

RESOLVED that Marie Wendling, 87 Garrison Rd. is hereby appointed to the Glen Park Joint Board until the end of the 1986-1987 official year.

APPOINTMENT Glen Park Joint Board

Unanimously carried.

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

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RESOLVED that the following appointments are hereby made to the Environmental Advisory Council until the end of the 1984-1985 official year:

APPOINTMENTS

Environmental Advisory Council

	<u>Name</u>	<u>Address</u>
1.	Gladys Weller	129 Mill Street
2.	Daniel Meyers	186 Mill Street
3.	Phillip Eyre	67 Oakgrove Drive
4.	Robert A. Krieter	62 Eagle Street
5.	Richard Sweeney	325 Mill Street
6.	Beth Lucia	59 Pfohl Place
7.	Eugene Covelli	89 Arend Avenue
8.	David Kowalczyk	143 Highland Drive

Unanimously carried.

Trustee Sala: That's the end of my report.

Mayor Kuzon: Thank you. Next is our report from our Superintendent of Public Works, Mr. Boudreau.

Mr. Boudreau: For my report, under the heading of Tree Maintenance: This spring's stump grinding program has been underway for the past two weeks. Tree stumps are now being taken out on both private property and public right-of-way. Any resident wishing to have a tree stump removed on their property can contact the Village Clerk's Office and execute a property owner's release and consent form. A Village crew will then remove said stump, providing access to site is available for our equipment. The stump grinding program will continue for two more weeks to April 20th and will cease at that time.

A number of dead trees are scheduled to be removed from Village streets this year. Logs for firewood from these trees will be available to any resident at time of removal free of charge. Wood must be picked up at site at time of removal.

Under the heading of Trash Pick-Up: The Main Street trash cans will shortly be installed on sidewalks at curbside. With the onset of spring weather, we shall be getting out in the backyard and cleaning up the winter's litter and debris. Our refuse ordinance calls for all trash put out at curbside for pick-up to be containerized - that is in cans, boxes, bags, etc. - weight not to exceed 75 lbs. Bundles of brush, not to exceed 4 feet in length, that our man can pick up without falling apart, will also be picked up. Larger limbs and heavy brush will be picked up by a D.P.W. Crew. That's the end of my report.

Mayor Kuzon: Thank you.

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

Unanimously carried.

Mayor Kuzon: At this time the agenda is reserved for public comment on any issue you might have on your mind. We ask that you state your name and address for our minutes. Anyone? Mrs. Andrews.

Mrs. Rita Andrews, 128 S. Union Rd.: I would publicly like to thank the Mayor for myself and the principal of St. Peter & Paul's for writing a letter to International Cable. We are now hooked up and he wanted to express his thanks.

Mayor Kuzon: Okay. You're welcome. Anyone else? Mr. Hill.

Mr. Richard Hill, 18 Brookside Drive: Is there a schedule of street resurfacing drawn up yet? Do you know what streets you're going to work on?

Mr. Boudreau: Well I have a proposed schedule. It's being considered by the Board now.

Mr. Hill: Is Brookside Drive on it?

Mr. Boudreau: Yes, it is.

Mayor Kuzon: Mr. Schueckler.

Mr. Donald Schueckler, 124 S. Union Rd.: On behalf of the Glen Park Committee the 35% most of that was put in for full time employees of the Town and Village employees that work down at Glen. There's a lot of work done at the Glen by full time employees. Some of that money in the budget is for part-time. So we put it in there, some of it, I wouldn't say the whole \$1,900 was for that, but a lot of it was for full time employees. And Terry if you remember we put that in some time ago.

How about in purchasing the railroad asking Mr. Lohr to pick up that mess. He could move the trucks, he could move the scrap, iron, he could move all that stuff around the building. I don't think Conrail's going to tear the station down.

Mayor Kuzon: Well he owns the station.

Mr. Schueckler: Well I understand but he said he put all that junk around it to protect it so they couldn't come in and tear it down. Remember that?

Mayor Kuzon: Yes. Okay. I do remember that. One of the things we plan on talking about later this evening, we talked about it briefly before our meeting, but it needs further discussion by the Board, is the issue of the Conrail property and it is on our work session agenda

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for after tonight's meeting and certainly we can add that to part of our discussion.

Mr. Schueckler: Another thing, I heard someone say something about we need a survey and I thought, didn't we say here before, the Board proposed before the election, Jimmy Saia opposed remember, they said something about we don't own the property why would we advance that money. Do you remember? I don't. Before we bought the property there was a thing on the Board, you people approved some money to be spent for something.

Trustee Kibby: Well several, some time ago, we expended - I don't know how much money - for somebody to come in and give us a rough idea of how much it would cost. An appraiser. But that was...

Mr. Schueckler: Was that just for appraisal?

Trustee Kibby: That was a long time ago.

Mr. Schueckler: This was just before, when we had the resolution and...

Trustee Saia: I think you're talking about the fire hall. They spent \$2,000 to do some work on the fire hall.

Mr. Schueckler: I thought it was on the Conrail property. They wanted to get a survey or something. I may be wrong.

Trustee Brenton: It might surround the question at the time a controversial issue as to whether or not we were going to have a survey and I think the position of the Board was why have a survey if in fact we're not going to purchase it and there still is some feeling of why have a survey but as I pointed out, we feel in the interests of the people that follow us here in the future that they might want it and so we're going to explore it. We have arrived at some initial costs and we're going to explore it further and so, therefore, I'm almost certain that we're going to have a survey. I think that's what the Board wants at this time. It does not appear to be a very expensive proposition.

If your response to the Glen Park budget is correct then I think you should rework your figures here because I won't be able to accept them the way they are. I don't know what the problem is. I'm wondering about you're indicating \$5,460 here that is attributable to part-time workers and the Village Clerk has indicated 35% of that so that's the way it appears to me here in black and white and I just wouldn't be able to approve that. So that's the purpose of the public hearing. You've got to express it a little different than what appears here before me because that does not jibe. You're telling me part-time people and benefits, the money that you're expending for part-time people.

Trustee Saia: It will be taken care of.

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Mr. Schueckler: Talking about the railroad now, don't you think it's proper to get a survey to see what we're buying? Some of the people are still against getting the survey. Normally when you sell a place - I'm not sure how it goes - don't one of the two parties have to get a survey to make the transaction? You don't just say well that's mine and this over here, over here.

Mayor Kuzon: That's correct. In most residential transactions a survey is required, but I've been informed that in larger transactions of this kind surveys are not necessarily included as part of the deal. They are part of the negotiations and I think as I heard the Board earlier in our work session, we do intend to get a survey. So we will be, you know, pursuing the survey within the near future. In fact, as I understood it, Trustee Brenton does have an informal quote from one of the firms but is interested in securing additional quotes before making a recommendation as to what firm to employ.

Mr. Schueckler: I think it would be - the people of the Village wanted to buy the railroad property. I don't think there's any doubt in anyone's mind because it was put to a referendum and it was passed and I think it should be done right. I say get a survey and find out what we own and what we don't own. Years ago they just ran something and said it's 10' this way and that way.

Mayor Kuzon: Right and the Board agrees with you. Anyone else? If not...

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 Brenton, seconded by Mr. Gallagher, the meeting was adjourned at 8:29 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer