

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 11, 1984 at 7:34 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher

Trustees

Michael Kibby

V. James Saia

Theresa L. Cummins, Village Clerk

Phil Boudreau, Dept. of Public Works

Absent

Thomas V. Troy, Village Attorney

Clerk: PLEASE TAKE NOTICE THAT the Board of Trustees of the Village of Williamsville will hold a public hearing on Monday, June 11, 1984 at 7:35 PM in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing designating the Williamsville Water Mills as a local landmark per the Village Historical Preservation Code.

PUBLIC HEARING

Designate Williamsville

Water Mills

as

local

historic

landmark

ON MOTION by Mayor Kuzon, seconded by Trustee Saia, it was moved to open the public hearing at 7:34 PM.

Unanimously carried.

Mayor Kuzon: Just to provide the audience with a little background on what the topic of our hearing is, back in May, 1983 the Village Board adopted a local law which created a Historic Preservation Code. The primary purpose of this law was to protect and preserve the sites, structures and places which are significant to the Village history and also to preserve landmarks of historic, cultural, social and architectural significance. There were a number of other purposes stated within the law but those are the two primary ones for us this evening. The law provides that there is a Historic Preservation Committee made up of seven individuals, five of whom must be Village residents and provides that the Committee may on its own initiative, or upon the request of a group of individuals, or an association designate sites, structures or places as local landmarks. However, it does not specify the standards by which these landmarks should be considered and for your information this evening I'd just like to briefly list the standards which are included in our local law. Those standards include first of all those structures or sites which were associated with the lives of individuals significant in our history; structures or sites associated with events which were significant in our history; structures that embody the distinctive characteristics of a type, a period or a method of construction; structures that represent the work of a master architect; and (5) significant historical or cultural sites where buildings or structures no longer exist. An example of that would be a cemetery.

The law further provides that once the Committee has initiated its designation of a local landmark that it conduct a survey to document the history and the significance of the site or structure and that the property owner should be notified in writing of such proposal and that a public hearing be held.

**PUBLIC
HEARING (Con't)**

Also I'd like to bring to your attention the impact of such a suggestion basically, and what it means if a site is designated or a structure is designated a local landmark. First of all, the law provides that no exterior alteration of any designated structure shall be undertaken without the issuance of a Certificate of Approval from the Commission and secondly of importance, that demolition of a landmark would be prohibited unless after a hearing the Commission finds that the prohibition prevents the owner from earning a reasonable return on his property. However, in such a case the Commission may deny permission to demolish for no more than one year and during that time the Commission and the property owner would work out an agreement or an arrangement where the owners could find an economically feasible plan for the preservation of their property. Tonight we are considering the Williamsville Water Mills and I'd also like to say that it has previously been designated as a landmark by the State and Federal governments and our proposal this evening is somewhat consistent then with these other levels of government. For those of you who do not know particularly the history of the Mills I'd like to read to you briefly some of the significant facts which have been related about the Mills. These facts are from the survey which was done by the State and Federal Register and which our Committee is using for this evening. The Williamsville Water Mills has architectural, industrial, cultural and environmental significance. Standing on the premier millsite in Erie County, it maintains a sense-of-place for Williamsville constituting a focus both for the historic place and the natural landscape. The structure is architecturally significant for its remarkably intact hewn timber frame mill construction of the Federal era. The mill has national importance as one of the earliest commercial manufacturers of "natural cement" in the United States. It is the best representative and the sole survivor of a once extensive early American industrial district at Williamsville. The mill has been in continuous water-powered operation since its inception, and is now the only operating water-powered grist mill in the county. The mill complex has been associated with prominent figures of local history including Jonas Williams from whom Williamsville takes its name.

**Designate
Water Mills
as local
historic
landmark**

Through its appropriate present commercial usage and its accessibility to the public the Williamsville Water Mills has become a focus of local history. It is a recognized landmark maintaining a sense-of-place for Williamsville. It is also a focus for the natural landscape. The prominent location of the picturesque mill overlooking the rugged beauty of the

waterfall site adds to the significance of the nature preserve, as that park reciprocally compliments the mill. The mill interprets the site because it bears an essential relationship to: the creek, the escarpment, the waterfall, the stone arched bridge, and the operational dam on the south side of Main Street. The water rights of the mill extend to the dam and the historic millrace which runs underground beneath property on both sides of Main Street.

**PUBLIC
HEARING
(Con't)**

The mill, as we have mentioned, has been associated with figures who are prominent in our local history. Just to mention a few:

Jonas Williams, the founder of Williamsville and in 1812 he had a grist mill and a tannery on the east side of Ellicott Creek.

**Designate
Water Mill as
local
historic
landmark**

Oziel Smith, who was an important figure in the early history of Buffalo as well as Williamsville.

Timothy A. Hopkins who owned the water-lime works and the Eagle House from 1844 - 1866 and he was also the Mayor of the Village from 1852 - 1855.

Benjamin Miller who purchased the water-lime works and sawmill from Hopkins, and also

Daniel B. and Grace Miller Niederlander who acquired the Water Mills in 1947 and restored it to its present state.

That basically sums up our background and information on the Water Mills. At this time I'd like to open the public hearing for public comment and ask if there's anyone in the audience who'd like to speak regarding this proposal that they please state their name and address for our minutes. Mrs. Sugg.

Mrs. Rosemary Sugg, 91 Highland: As a member of the Historic Preservation Commission I would like to second your suggestion that this Williamsville Water Mills be the first designated under the preservation law. The Board accepted this code in May, 1983. I thought you might like to know a little about the process the Commission went through in order to suggest the mill as the first designation. First of all, each of us prepared a list of possible designations. It would be interesting for you to know that we unanimously agreed that the mill was number one on our list. We then devised a nomination form for an inventory which the Mayor alluded to and we completed this form very simply because as the Mayor mentioned this mill has already been approved and designated by the National Register. Then we asked the Mayor, or recommended holding a public hearing. The mill is an outstanding model, I think we're very safe to say, for future designations and I was just reading through some information today about it and a lead article in the News a few weeks ago started by saying there is no more familiar historical spot in Amherst than the mill. I think you also ought to know that a great deal of

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energy was expended by people who really don't get recognition publicly. In all of the preliminary discovery about the mill the Babins were extremely instrumental in that they laid the ground-work for all of this in getting this idea of getting the mill listed. The only other thing you might like to know about this is the committee is very interested in not keeping this a secret not only to you in that if you approve the mill and say it's the first designation under the code that it be so designated by the public and we'll see that an appropriate plaque is placed as decided on by the Commission. So I would like to say please say yes to this very good idea and I think it's very appropriate for a first step to preserve what's left of our Village. Thank you.

PUBLIC
HEARING
(Concluded)

Designate
Water Mill as
local historic
landmark

Mayor Kuzon: Thank you. Anyone else? Mrs. Troy.

Mrs. Joyce Troy, 71 Mill Street: I've been asked to say a word or two on behalf of the Williamsville Historical Society, and as Rosemary Sugg has already said I'd like to commend the Board for its foresight in adopting the Historic Preservation Law. It seems entirely fitting that the first designation under the Historic Preservation Law should be the Williamsville Water Mills. The mill, as you know, was established in the 1800's by Jonas Williams, father of the Village, and has become a symbol almost of Williamsville, of our Village, and I think it's especially appropriate at this particular time to designate the mill as a historic landmark since this is the bicentennial year of the birth of Jonas Williams. I think I can't add anything more than what the Mayor and Rosemary have already said.

Mayor Kuzon: Thank you. Anyone else? If not, do the Board members have any comments?

Trustee Saia: I have. I notice Mrs. Shrauger sitting there and she was instrumental in writing this preservation code, and I'd also like to introduce Mrs. Loretta Babin who is sitting next to Rosemary, who's the caretaker of the mill now. I think the people in the audience should know who they are and thank them.

Mayor Kuzon: Okay. If there's no further comment on the hearing I'd just like to mention that it would be my intention to offer a resolution at our next meeting on June 25th to designate the Water Mills as a local landmark in accordance with our Historic Preservation Code. And if there's no further comment...

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the public hearing was closed at 7:46 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher Trustees

Michael Kibby

V. James Saia

Theresa L. Cummins, Village Clerk

Phil Boudreau, Dept. of Public Works

Absent

Thomas V. Troy, Village Attorney

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

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

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the minutes of the regular meeting held May 29, 1984 were approved.

Unanimously carried.

Mayor Kuzon: Our next item of business on the agenda is a public hearing regarding the designation of the Williamsville Water Mills as a local historical landmark.

ON MOTION by Mayor Kuzon, seconded by Trustee Saia, the public hearing was opened at 7:34 PM. (The public hearing was closed at 7:46 PM.)

Unanimously carried.

Mayor Kuzon: Moving to my portion of the agenda this evening two things, actually three things to report. If you look at the schedule of meetings at the bottom of your first page of the agenda, there are two meetings - the Beautification Committee, which is on June 13th, and the Meeting House Committee - that meeting will be taking place at the Meeting House and not the Village offices. Also I'd like to say that the meeting of the Fire Limits Committee on the 27th is cancelled. Their work has been completed. One of my resolutions this evening is calling for a local law, or for a public hearing to adopt a local law which would establish Fire Limits in the Village. The committee has been meeting over the last six, seven months or so considering the topic and they have made a recommendation to the Village Board and we will be holding a public hearing on it at our next meeting.

I have two resolutions. The first one is for vouchers in the amount of \$153,516.10. These vouchers cover the period from May 30th through today, June 11th.

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ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the amount of \$153,503.34 were approved as follows:

Payroll Fund	W/E 5/31/84	\$ 5,016.59
	W/E 6/8/84	<u>5,527.39</u>
Total Payroll Fund		\$ 10,543.98
General Fund	Abstract #562	36,097.78
Sewer & Water Fund	Abstract #1431	58,032.51
Trust & Agency Fund	Abstract #182	5,805.33
Glen Park Jt. Activities	Abstract #82	3,209.48
Capital Fund	Abstract #133	<u>39,814.26</u>
Total Vouchers		\$153,503.34

The larger of these vouchers are to Maier Schule for a pick-up truck, Rapid Disposal our garbage collector, John Schuler who is the contractor on the Howard Avenue water line, Erie County Water Authority for the purchase of water, and M&T Bank which would be the principal and interest on indebtedness.

Unanimously carried.

My second resolution, as I've already stated, calls for a public hearing - not at our next meeting but at our meeting of July 23rd. This public hearing will be for the purpose of considering the adoption of Fire Limits within the Village. Fire Limits are rather a complex and involved topic and I think rather than get into it this evening I'll save the explanation for the night of the public hearing. This resolution simply calls for a public hearing and it reads:

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on July 23, 1984 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 proposed local law which would amend the Village of Williamsville Building Code by adding Section 7.31 entitled "Fire Limits".

**PUBLISH NOTICE
OF PUBLIC
HEARING**

**Establish "Fire
Limits"**

Unanimously carried.

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

Trustee Brenton: Thank you. For my report I would simply state that the aforementioned John R. Schuler has basically completed his work on the Howard Avenue water line with some difficulty encountered today in that there was a little more involvement to the Glen Avenue portion of that water line and the work that had to be done on it, so that some of our customers were shut down for an excessive amount of time, I'm sure in their eyes, but nonetheless progress does have to go forth and we do encounter problems and certainly apologize for any delays anyone experienced as a result of that.

That I believe would be the end of my report and I'll move directly to my resolutions, which I have one of tonight, and it authorizes the payment to the Grove-Reist Street watermain contractor who was Samcost Construction for continuation of that project from Grove St. where it meets Glen over to the other side of the street, the north side of the street on Glen, due to the fact the maps indicated that it was a 4" water line there, rather a 6" water line there in existence. When we initiated this project and when we came to that point in the construction, we found that there was only a 4". Thus it does not effectively complete what we intended to do and through the construction of this 6" crossover we will now have a loop and from the physical appearance of the hydrant at Grove and W. Spring why it appears that this has accomplished our goals, we've got more water there now. So that the resolution reads as follows, with an explanation for the "X" after "existing X over". That terminology means crossover. The resolution reads as follows:

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

RESOLVED that the Mayor is hereby authorized to sign Change Order #5 for the Grove-Reist Street watermain at a cost not to exceed \$3,411.00. The purpose of this Change Order is to create a "loop" in the Grove line, as a result from finding the existing X over on Glen from South side to North, was only 4" when it had been indicated on the map to be 6".

AUTHORIZATION

Mayor to sign
Change Order #5,

Grove-Reist-Spring
St. Watermain

Unanimously carried.

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

Mayor Kuzon: Thank you. Next is Trustee Gallagher.

Trustee Gallagher: I have no report tonight, one resolution, that being:

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

RESOLVED that Anne Hartinger, 90 N. Cayuga Road be appointed to the Senior Citizens Committee until the end of the 1984-1985 official Village year.

APPOINTMENT

**Senior Citizen
Committee**

Unanimously carried.

Mayor Kuzon: Thank you. Next is Trustee Kibby.

Trustee Kibby: Thank you. I have two resolutions tonight, Mr. Mayor. The first one has to do with the appointment of a new Building Inspector. The resolution reads:

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

RESOLVED that Richard Delo, 55 Monroe Drive, is hereby appointed Part-Time Building Inspector at a rate of \$20.00 per hour, effective June 12, 1984, inasmuch as Philip J. Boudreau has resigned as part-time Building Inspector effective June 11, 1984.

APPOINTMENT

**Richard Delo as
Part-time Building
Inspector**

Mayor Kuzon: On the question?

Trustee Brenton: On the question, Mr. Mayor. As was discussed in our work session it is intended that Mr. Delo will be able to effectively perform the duties of Building Inspector in the neighborhood of eight hours per week. In other words, he will consume approximately eight hours per week of his time in this activity and it is intended that the salary rate of \$20.00 per hour will remain through the current Village fiscal year and be, in other words, until next June 1st, and it is intended for it to follow through for the following fiscal year as per our discussions in the conference room prior to the official meeting.

Trustee Kibby: That's correct. Furthermore, his ability to carry out this job at eight hours a week is dependent also on the increased responsibilities and increased amount of time to be put in by our present Building Department Administrator. So there will be an increase of approximately five hours per week on the part of the Building Department Administrator.

Unanimously carried.

Trustee Kibby: Thank you. Number 2 has to deal with the bids for renovation of the Village Meeting House. For those who may be interested that were here once before - I see some familiar faces - about eight weeks ago, or ten weeks ago we accepted bids for the renovation of the Meeting House. The low bidder was granted

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the bid and a couple of days after that he wrote to us indicating that he'd made an error in his calculations by about \$4,500.00, \$4,700.00, and he asked to be relieved from the bid. We went to the second low bidder who was only a few hundred dollars higher than the lowest bidder. He also indicated that he had made an error in his calculations and also asked to be relieved of his bid. We rebid the project instead of going to the third bidder. This particular bid comes in within a couple of percentage points, within about \$700, or \$800, or \$900 of what would have been the third lowest bidder in our last go-round. This particular set of bids was accompanied by a bid bond and I think we're all set here. And it reads:

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

WHEREAS the Village of Williamsville has advertised for sealed bids for the Renovation of the Village Meeting House, and

CONTRACT AWARDED

Renovation of Meeting House

WHEREAS Niagara Construction Co., Inc. submitted their low bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that Niagara Construction Co., Inc. be awarded the contract for the renovation of the Village Meeting House for their low bid of \$18,521.00.

Mayor Kuzon: On the question?

Trustee Saia: On the question, I do want to see the Village Meeting House be renovated for the purpose of storing some of our antiquities upstairs, but I do have a problem with an agreement that was made by this Board and the people that are having this renovated, or requested this to be renovated. That is the Historical Society, Mike?

Trustee Kibby: Yes, the Williamsville Historical Society.

Trustee Saia: And I've got to say I have some reservations. I am going to vote for it but I'm going to question the people on an agreement that was made two or three years ago where I think they should be paying part of this cost.

Mayor Kuzon: Okay. Anyone else?

Unanimously carried.

Trustee Kibby: Thank you, Mr. Mayor.

Mayor Kuzon: Thank you. Next is Trustee Saia.

Trustee Saia: I've got a couple of resolutions here. I'll read them off. I think this resolution number 3 should belong to Trustee Brenton so I'll let him read it after I get done with

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the first two. The first resolution:

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

RESOLVED that the Mayor is hereby authorized to sign amended agreement with the Balance of Erie County Private Industry Council, doing business as the Erie County Partnership, for the purpose of providing economically disadvantaged youth with summer employment under the Job Training Partnership Act of 1982.

AUTHORIZATION

Mayor to sign agreement for CETA workers for summer of 1984

Unanimously carried.

Number 2:

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

RESOLVED that Kent C. Swarts, 130 Cadman Drive, is hereby appointed Seasonal Laborer in the Department of Public Works, effective June 12, 1984 at the rate of \$3.45 per hour.

APPOINTMENT

Kent C. Swarts
Seasonal laborer
in DPW

Unanimously carried.

Now the third resolution will be read by Trustee Brenton. This is for a water line that was installed at the Highway Department - I'm sorry a sewer line that was installed at the Highway Department that continues on to S. Long and goes over to Main St.

Trustee Brenton: Just as a matter of clarity this will allow for the construction of a storm sewer from Village Square Lane to, down S. Long St. to Main St. The area from the Department of Public Works through to S. Long St. has already been completed by in-house, D.P.W. forces and this will complete that storm sewer which is identified as Phase I and this firm has agreed to do this work for the Village at this price. The resolution reads as follows:

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

RESOLVED that the Mayor is authorized to sign acceptance of proposal from Samcost Construction Ltd., West Seneca, New York for the installation of a storm sewer on S. Long Street from Main Street to Village Square Lane only, at a cost not to exceed \$2,770.46.

AUTHORIZATION

Mayor to sign acceptance

Sewer work on S. Long St.

Unanimously carried.

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Trustee Saia: For my report tonight I'd like to report, and to ask the Amherst Bee to publish a criteria I'd say of the Amherst Youth Board's activities that will be conducted between the Nature Building at Glen Park and the pavilion at Island Park. Now it's going to start July 23rd. It will start about 1:00 PM in the afternoon to 4:00 PM. These are for the youth from the ages of 6 to 12 and it's something that my Youth Board's been striving for to get the Town of Amherst Youth Board to come into the Village to have some programs for our children. I think they've got a good program here. It looks good, thanks to Mark Johnston, who's the Director of this program, and they're offering quite a few programs, or possible programs such as bike safety, drama, movies, educational games, story telling, discussion groups, nature prints, ecology, recreational activities, leather craft, arts and crafts, and so forth. Now I'm working with my Williamsville Youth Board. I think they're going to have a nice program down there, so spread the word and if you have any youngsters 6 to 12 I'm sure they'll have a great time down there and we've got the people to take care of them down there.

Also, if you've walked down Main St. in the last few days thanks to Doug Sandburg from the Youth Department and other people in the Youth Board we now have all the planters in place, which is about 40. There isn't going to be any more boxes made this year. The Youth Board might elect to build more next year, but this year it's going to remain at 40. There's an awful lot of boxes to take care of for two little girls that will start Wednesday going up and down the street with a little flower wagon watering flowers. There are a few more to go up but we're at the final stage and I'm glad to see that's over with.

I, this evening a resolution was passed and the Mayor was authorized to sign the summer youth agreement and under that summer youth agreement we've asked for two youths to assist in helping the Village take the grass, weeds and keep them down between the sidewalk and the street. Every year I just go down the street and people just don't take care of this area. Some do, some businessmen do a nice job, but some just don't care and it just looks like heck and we just happen to have some beautiful planters out there and they look nice and they're really making the Village look nice so I hope this works. They don't start until around July 4th.

Mayor Kuzon: That's right, after the fourth of July.

Trustee Saia: The fourth of July or thereafter and I hope we can get those weeds cut down and the trees trimmed on the bottom so it looks pretty nice for the businessmen, for the residents walking down the street.

The other thing I have is that Eagle credits will be earned shortly by Eagle Scouts headed by Pete DeWind. This was initiated by an article in the Bee and my Williamsville Youth Board on bluebird

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nesting. Now somebody read the article in the Amherst Bee whose name is Ernie Lederhouse of 19 Belmont - he's my across the street neighbor, built approximately 30 to 50 birdhouses. They're specially constructed. They have to be a certain size with a drain hole and so forth and he has donated these. The Eagle Scouts are going to put them surrounding Glen Park - not on the Glen Park property but the area, probably St. Mary's and maybe some of the people that live on Mill Street and so forth. They have to be spaced a certain way. They're going to handle it. Also, they're going to put some at the small park we have next to the Conrail property on Garden Parkway and they'll keep an eye on them and see if they have any results and we've got some literature from the Audubon Society and they are using that and I hope this project will be fruitful for the Eagles and for all the other birds.

Glen Park is coming along nicely. I know the Mayor has given a permit to a young man to sell food at this park. I hope the Mayor can rescind the permit without discouraging this enterprising young man in his business activity. The Glen Park Joint Board is very unhappy with the action because we try to keep food and stuff like that away. I realize that it was not done intentionally and I'm sure something will be done about it.

Also, Welcome to Williamsville signs have been placed on Wehrle and Aero Drive. We've got two more signs to go. They will be placed as soon as we find a location, which we're working on. That's the end of my report, Mr. Mayor.

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

Mr. Boudreau: For my report, under Storm Sewers - During the past two weeks a number of storm drainage replacement receivers were completed. A number of deteriorating or collapsed DI's are still to be replaced.

Under the heading of Parks - During the past 10 days the D.P.W. has been conditioning both Garrison and Island Parks for the summer season. The recent extended wet, cold weather has impeded the clean-up of our parks but now progress is being made in the parks. All park furniture is now out and in place.

Under the heading of the Flood Channel - The Ellicott Creek water course flowing through the Village is in fact the outfall or drainage channel for a large upland watershed south of the Village. The watershed feeding this creek extends southeasterly into the area of Darien Center. This spring has been an extended wet season with many rainy days. The flood channel and dam were designed and constructed originally to control flood surges coming down the creek through the Village. The dam gates must be opened and closed to control the creek hydraulics. Therefore, the dam gates must be opened periodically and left open until the flood crest passes through. Some surges are extended, meaning two to four days in some cases with the dam gates being left open. The gates cannot be reinstalled until the water level returns to normal in the creek. That's the end of my report.

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Mayor Kuzon: Thank you.

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

Unanimously carried.

Mayor Kuzon: We ask that you state your name and address for our minutes please. Anyone? Yes, ma'am.

Mrs. Sardina, 188 Hirschfield: At your last meeting you stated that my bill, my meter was running at 102%. Well if you look at my water bills for seven years I've lived in Williamsville and had a pool about two, three years ago, I never had a water bill that even came close to \$200 on a three-month water bill. You state you made an adjustment of \$12.00 and I should pay \$479 for a three-month water bill? I don't think that's fair and if you would check my records you'll see that my water bills never came over \$55.00.

Mayor Kuzon: Which we did. We did check our records and we, like you, we can't explain this.

Mrs. Sardina: We also had a new meter in and our following water bill came to \$50 some odd dollars. And it just seems ironic that the period of August to December, which was only two people living in the house at that time, was more than we could consume in three to four years and I feel that I should have this appealed and I would like you to reconsider this. I am a widow and I carry the responsibility. I cannot afford \$500 for water I did not use and there's no leak because I had that checked which the meter that was put in after I had this problem showed that no way could I have used \$500 in water in three months.

Mayor Kuzon: We are at a loss too to explain that type of consumption based on your previous record. One thing we did do we had the meter tested, as you know, but we also, we were not satisfied with the one test we asked our mechanic to test it twice and in fact it came back with the same result that it was running fast, but at whatever it was 101%, 102% at which point the adjustment was based on the...

Mrs. Sardina: But don't forget that meter was moved which may have - it's mechanical, it may have jarred something which made it work at 102%. I don't know. I'm not mechanically inclined and it's just common sense. Also I think it's possible if you would look at the readings I had I figured out that if you move one decimal point, okay, my consumption would have been for that month \$49.22, not \$492.34, and that's my finding. I'd, like I say I'm not mechanically inclined. I did ponder this and wondered what I was going to do and I know I don't think I should pay \$500 for two people in a household where there's no leak. And I went up and down my street and talked to various neighbors. Some people only

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had \$20.00 water bills and they had three, four, five people in the house, and I have to pay \$500. I don't think it's fair, I really don't and I really feel that this should be appealed and maybe you should look at it again.

Mayor Kuzon: I'm sure the Board wouldn't have a problem with looking at it once again and that point you made about the decimal point maybe we can have our Clerk examine the billing procedure whether there was anything there or not. There wasn't?

WATER
PROBLEM

Clerk: No, because the machine spits it out automatically. It takes down the reading and she took the reading right from the book. So, no.

DISCUSSION
188 Hirschfield

Mayor Kuzon: Okay.

Clerk: At that point it's all mechanical on the machine.

Mayor Kuzon: I don't know about the rest of the Board but I'd be willing to consider it again. Maybe we can talk about it in our work session after.

Trustee Kibby: How do you know there wasn't a leak?

Mrs. Sardina: Because my brother went downstairs and we did check it out. We have a new meter now. My following bill was \$50.00 with the new meter, okay? So if there was a leak it certainly would have shown up in the following quarter which I have paid and if you tell me nothing was wrong with the meter it only runs at 102%, I really feel that the findings are wrong or that when you moved the meter maybe something may have jarred the mechanism whereas it worked at 102%. I don't want to fall back. I know I owe for the quarter. I want to pay my bills like everybody else. But I don't think I should pay \$500 for a quarter of a year and I really don't think it's fair.

Trustee Gallagher: I'd support reconsideration.

Mayor Kuzon: All right.

Trustee Brenton: We certainly would reconsider it. There's no question of that. However, this is not a unique experience to the Water Department and many times what takes place is that the people are confronted with a very large bill and perhaps prior to that bill they realize that there was a failure within their own system and they had the failure repaired, and of course then their next reading is back to normal then. And so then I would ask you for the record that when your brother or your brother-in-law I believe...

Mrs. Sardina: It was my brother.

Trustee Brenton:...you mentioned, did he do any repairs when he was down there?

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Mrs. Sardina: No, because I was with him. I went under the crawl space myself. All he did was check to see if there was any leakage going out, coming to the meter. I was down there with him and there was none.

Trustee Brenton: And you had no plumber?

Mrs. Sardina: And I have had no plumber. The only time I had a plumber was when I had a problem with a drain and that was about two years ago. I have had no plumbing done other than that.

Trustee Brenton: I'm glad that we have established that for the record. But it's very difficult for us as a Village Board only unless there are proven circumstances that indicate that we are...

Mrs. Sardina: I can bring you my checkbook. I have not paid a plumber. I can bring you all my records.

Trustee Brenton: Well I definitely would take your word for it. Your presence here alone indicates that you are very concerned about this and certainly that alone indicates to me that there is no question of doubt on your part. However, I think we would be precluded, and we have the absence of the attorney here tonight so that we cannot get assistance there, but generally it is difficult for us to, I believe, waive our accepted tariffs and responsibilities related to them but I'm sure that we'll pursue this further as a Village Board and I can't guarantee the result.

Mrs. Sardina: I know you can't guarantee it but I really think it's not fair if I'm going to pay for consumption of water which I did not use and you sitting up there can tell me that you can consume, two people, \$500 worth of water in one quarter without a pool, then I would say well if they can do it maybe something happened along the line that I can do it. But you have two grown-ups that are working, not in the house all day. I work. I never get home until evening. I'm tired. I go to bed or I go out and visit neighbors for awhile, go home, go to bed, get up and go to work. The extent of my use of the water is for laundry, dishwasher. Very rarely did we water the lawn because I'm not home to water the lawn. So that was my, this is my biggest fight in the fact that two people in a house, working during the course of a day, can consume that much water. It's impossible. I am just saying would you please look at it again and if you want to investigate and come look at the house I'll make arrangements to take time off from work to be there.

Trustee Kibby: Well I think we'll look at it again but it isn't a matter of whether you took enough showers or did enough dishwashing to use up \$500. We're all aware that you could shower all day long and you're not going to use up \$500 in water. It's probably that kind of problem that almost always, I would say probably invariably, comes from a leak somewhere for that kind of loss and in the past when we've been confronted with those

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situations. On the one hand, we've got to adhere to the policies and codes not only of the Village but of the State and say the bill has to be paid because the water was consumed. On the other hand, there's compassion, but compassion doesn't help anybody.

Mrs. Sardina: I'm not looking for compassion.

Trustee Kibby: No, you're looking for a solution and I...

Mrs. Sardina: I am looking for the right solution. I was down there with my brother. There was no leakage. The ground was dry underneath my house.

Mayor Kuzon: Mrs. Sardina, where is your meter located? Is it in the crawl space?

Mrs. Sardina: It's down in the crawl space.

Mayor Kuzon: Do you have any type of remote meter? In other words, something that someone could read on the side of your house?

Mrs. Sardina: There is the outside meter which was used prior to them putting in the meter downstairs. They put in a new meter - when I first came here they were reading the meter on the outside.

Mayor Kuzon: Okay. But since...

Mrs. Sardina: Since they put the meter in they've been reading it from the inside.

Mayor Kuzon: How long would you say that's been?

Mrs. Sardina: It has to be less than five years.

Mayor Kuzon: Okay. So the meter's been in the crawl space for about five years, or less?

Mrs. Sardina: Yes.

Mayor Kuzon: Okay.

Mrs. Sardina: And we did have a pool. The pool was torn down I would say May two years ago prior to my daughter's getting married because the wind blew it down. But up until then there was a pool. I don't deny that. I just would like you to check into it because like I say if you expect \$500 from me all at one time forget it. I can't afford it.

Mayor Kuzon: Okay. Well I'm sure we'll do that afterwards this evening, discuss it once again and see what we come up with.

Trustee Saia: Mayor Kuzon, I've got a couple of more items I didn't think should come up under regular procedure. Awhile back I had stated to this Board, and I also sent letters to the

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two parties in the Village concerning N.F.T.A and their fuel farm adjacent to Ellicott Creek. Well I sent a letter, I think it was in November or thereabouts. We're finally getting a meeting with Mr. Franco thanks to Mr. Ed Brand from the Williamsville Southeast Amherst Association and Bill Elliott from the Williamsville North Citizens Association, and the six people that have been picked have all been notified. We have to meet at the airport. It's been cancellation of meeting, after meeting, after meeting, but we do have the questions - they're holding us to ten questions - and when I get there I'm liable to get awful mad and come back and ask the Amherst Bee to help us out, but right now we've got to hear what they have to say on the ten questions that concern everybody in this Village.

Another thing that concerns everybody in this Village I'm sure is the railroad property. In the last couple of weeks - I've got to tell you what's happening that you don't get caught unaware - I'm anxiously waiting for the survey so that a tour can be conducted for the citizens, whoever wants to make it, on the railroad property. I personally am not going to conduct the tour but I'm sure going to be there and I know a lot of people are anxious to go and take a walk when they find out where the delineated property line is.

The other thing is that it's come up that there's a possibility because of interested people on this piece of property that this Board really was concerned of a matter of our discussions in the back room of a matter of about \$30,000. I think the concern has been about \$30,000 which is you want to sell off a \$40,000 piece of property - you know, we're just talking - you want to sell off a \$40,000 piece of property but we got \$10,000 worth of leases coming in just for the person that wants to buy it. So if you take the \$10,000 from the \$40,000 you're really only going to come out with \$30,000. So there's a person in the audience I'm going to call on and I think he's got something to say to the Board and the people that are sitting here in regards to some funds and it's not the last person and I think at the next meeting there might just so happen to be somebody else. So with that I'd like to call on Rich Sweeney and I think Rich has got something to say to the Village. Rich.

Richard Sweeney, 325 Mill Street: Thank you. I hope I'm not out of order or out of context here. I'm a member of the Village Environmental Council and I was authorized at our last meeting - which just occurred last Wednesday the 6th and because of that short period of time I wasn't able to have this prepared in advance and submit copies - but our Council does want to go ahead with what we feel is a program which would help to obtain some money for studying environmental enhancement and possible development alternatives for the Conrail property and possibly other areas in the Village. Rather than - this is, as resolutions go, a particularly long-winded dissertation, but if you'll allow me -

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"Resolution of the Williamsville
Environmental Advisory Council

ENVIRONMENTAL
ADVISORY COUNCIL

WHEREAS the New York State Department of Environmental Conservation provides partial reimbursement (30% - 50%) to participating environmental advisory councils for eligible local environmental planning and advisory projects, and

Re; Conrail
Property and
Spring Street

WHEREAS the draft master plan for the Village of Williamsville only suggests possibilities for environmental enhancement of the Conrail property recently acquired or the Spring St. public parking area, both of which need further development for implementation by the Village, and

WHEREAS the Village of Williamsville Environmental Advisory Council believes that professional planning services directed towards sound environmental alternatives for these areas would constitute eligible advisory projects for reimbursement through the State, and

WHEREAS the application deadline for the fiscal year beginning April 1, 1985 is July 31, 1984, and

WHEREAS neither the submission of an application by the Village Council, nor the acceptance of said application by the State would be a binding commitment on the Village to expend such funds,

THEREFORE, IT IS RESOLVED BY THE WILLIAMSVILLE ENVIRONMENTAL ADVISORY COUNCIL that we seek authorization to apply for professional planning services through the State's reimbursement program to prepare alternatives for the abovementioned areas."

Again I - for all that verbage I'm not sure that it's very clear but I'd be happy to meet with you or answer questions now.

Mayor Kuzon: Would the Board like to invite Rich to come to our work session afterwards?

Trustee Brenton: Why can't we have it now for the public's benefit.

Mayor Kuzon: Okay. My question is what does all that mean? Are we going to ask the State to reimburse us for planning activities?

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Mr. Sweeney: It simply means that the State runs numerous programs. A small and relatively unknown program provides reimbursement to Environmental Advisory Councils for planning and advisory activities. Such advisory activities would include development of master planning elements, or professional landscaping services, landscape planning for areas such as the Conrail property, or the Spring St. property. We believe that we can submit the application and get approval. It means if we spend \$1,000 we would be reimbursed at a maximum of \$500. It's not an outright grant and it's not such a large percentage that you would do it simply for the sake of getting the State's money, but it is a program that reduces the cost of local government and provides an incentive for sound environmental planning.

Trustee Gallagher: Where does the money go? To salaries or to consultants?

Mr. Sweeney: It depends on how you apply for it. It's basically a reimbursement program. Okay. So if we ask to be reimbursed for professional services that's where the money would go, for the professional services, so the Village Environmental Council would have to negotiate a contract for some professional to perform services with a set dollar amount in that contract and then we would submit that contract to the State once the work had been started and would receive reimbursement.

Trustee Gallagher: Then the Village Environmental Council would be submitting this as an entity, and receiving the money as an entity?

Mr. Sweeney: Yes.

Trustee Gallagher: And absorbing 50% of what's not reimbursed, or the Village would be putting in 50%?

Mr. Sweeney: Well since the Village Environmental Council right now has a total budget in the neighborhood of \$50, we wouldn't bother if that's the total allocation or commitment of the Village Board. However, if we were given a budget of several thousand dollars I think it would be worthwhile to do it.

Trustee Gallagher: Given what's in the budget for current fiscal year, which I guess is \$50, if we hypothetically, or the Environmental Council hypothetically requested \$5,000 from the State to pursue this and they were able to get 50% reimbursement that would mean that the Environmental Council and its members would absorb the other 50%?

Mr. Sweeney: One of the sections that I read in here is that the deadline is this summer for next year, which means you have until April 1st to consider what the Village Board would like to spend on these activities, allocate that amount of money in a budget to the Environmental Council, and you can attach whatever conditions

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you know, on the expense of that money that you would want. The problem is that yes the Environmental Council is the one who would be reimbursed and, therefore, be, you know, the chief negotiator with whatever professional consultant is going to be obtained.

Trustee Gallagher: And legally the Environmental Council can actually apply...

Mr. Sweeney: Own property, acquire property, expend money. There are lots of things we've never attempted to do. Yes.

Mayor Kuzon: The reimbursement can be, you said, applied toward planning. Can it be applied toward construction and materials?

Mr. Sweeney: There are certain limits and largely it's an eligible project. If you're at all familiar with what has been happening in the Town and the Great Behrens Swamp preservation program the funding is primarily for planning rather than construction. There are some rather definite restrictions or prohibitions on using the money for construction.

Mayor Kuzon: Okay. When you say it's a reimbursement program does that mean the Village has to spend the money first?

Mr. Sweeney: Yes.

Mayor Kuzon: And then it's reimbursed. It's not up front.

Mr. Sweeney: Exactly. It's also, if we receive approval and we submit the application and the Village finds out next year they don't want to spend the money you're out an hour of secretary's time in processing the paperwork. But we need to act within a month and a half.

Mayor Kuzon: It's hard to project what's in the State budget for this program next year. But what's in the State budget currently for this type of program this year?

Mr. Sweeney: Again, I'm in a position to know a little bit more about it than is really relevant. Typically it runs a Half Million Dollars statewide. Within the past five years the reimbursement rate has been between 35% and 49. something per cent for the past three years. So I would think realistically we're talking about 40% reimbursement if things continue as they have for the past several years.

Mayor Kuzon: What's the competition for this type of funding? Is this a program that is widely known throughout the State? Or is it...

Mr. Sweeney: No, it's not widely known. Again, I think this year there are within this end of the State five councils who have, who are participating in the program. I think the largest expenditure

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locally, the Town of Amherst was authorized to use up to \$52,000 with reimbursement. Niagara County was authorized something in the neighborhood of \$35,000. Erie County was authorized something in the neighborhood of \$15,000 and several towns in smaller amounts. Again it's typically a program that those ambitious communities put in a request for a lot of money and if they only use 10% of what they've requested it's covered. You can't go back and ask for more once the application has been approved. You can always decide it doesn't meet your other priorities if you don't spend the money after you've gotten approval to do so.

Mayor Kuzon: What's the name of this program or funding so I...

Mr. Sweeney: It's like all State programs. It's the Local Environmental Advisory Assistance Program, which is not an official title. It's pursuant to State Regulation Part something or other. I can give you all those particulars if you want and again I need, or the Council would need endorsement of the draft application by the Mayor before it could be submitted.

Mayor Kuzon: Basically a resolution by the Board.

Mr. Sweeney: Yes.

Trustee Kibby: But only the Council can submit it?

Mr. Sweeney: Yes. Again it's reimbursement to the Council.

Trustee Saia: What's the difference, Mayor, you know.

Mayor Kuzon: Basically the group, the committee would be acting on behalf of the Village. The money would be in the Village budget. It would be the Environmental Council submitting an application on behalf of the Village.

Trustee Saia: If we can get the money what's the difference. If we can get the help what's the difference, if it's Beautification or Environmental, or whoever. The idea is here's a plan and there are funds available and I hope to bring up to the Board in the next few meetings other possibilities for funds. But I've got to say this. You haven't appointed a committee yet. I don't know what we're waiting for. You don't have a committee to sell it. You don't have a committee to investigate the possibilities of funding. You don't have a committee to do anything on it and I've got to say we either get a committee otherwise this gentleman here is just beating his head up against a brick wall. We're all looking for different funding for projects yet we don't have any direction of where to go and I know the Board is split up on what we want to do on it. But we've got to have some kind of direction and I think the Board should discuss what direction we're going to take and what we're going to do with it. There are a lot of possibilities on this piece of property. Now if you noticed either - yesterday's paper I think it was - the piece that Warren Miller owns there's quite a

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Mayor Kuzon: Okay. I think Mike and I and the rest of the Board would be interested in learning more about this.

Trustee Kibby: Yeah. I'm particularly interested in regards to Spring St. having been down there a couple of times. The cost of surveyors is steep.

Mayor Kuzon: Okay. Anyone else? Mrs. Babin.

Mrs. Loretta Babin, 80 Spring St.: I don't know if I should talk to Trustee Saia or Mr. Boudreau. We talked about Glen Park and the hot dog stand. I was coming down Rock Street and as you get to the bottom of the Glen there right across the street in that parking lot somebody had a big bonfire there cooking out. Are they allowed to cook in Glen Park?

Trustee Saia: Definitely not.

Mrs. Babin: Okay. I also noticed that the sign didn't say that.

Trustee Saia: What?

Mrs. Babin: That there's no cooking in Glen Park. It says no bike riding and a few other things but it does not say anything about no bonfire. Right now we're okay because nothing is dried out.

Trustee Saia: I've got to tell you this. There isn't a bonfire allowed in the Town of Amherst, or in fact in Erie County.

Mrs. Babin: Aren't you allowed to cook in Island Park?

Trustee Saia: No bonfires. There isn't any allowed anywhere.

Mrs. Babin: Well they had it on the ground so that's why I called it a bonfire. I did see a cooker. It was laying on the ground in the grass. What I'm afraid of is that somebody having a cookout and if it is in a cooker okay. But there's no water there to put that fire back out, and...

Trustee Saia: I agree, and usually with something like that somebody reports it and we send the Fire Company out to put the fire out, believe it or not. On bonfires, the fire company goes and puts the fire out. If it's in a contained area like a grill we don't bother, although people have complained about huge fires in outdoor barbecue pits and the fire company's gone there and told them to tone it down.

Mrs. Babin: Well even if it's in a container if they don't have water available to them like at a pump or anything - which they don't have down there - I don't know where they're going to put the coals out except leave them there in the wide open.

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lot of discussion on that. I've noticed that Mr. Barton said we had enough parks around here and he quoted Island, Garrison - he quoted our parks, you know, that we've got that belong to the Village. I've got a funny feeling that the Town is looking into that piece of property somehow and it is a beautiful piece of property that Warren Miller owns, and the one we have, the piece of property with the railroad it's got to be just like a marriage. I mean the two go together and I think we ought to look into it.

Mayor Kuzon: Rich, I'd be interested in learning more about this thing between now and our next meeting, actions, you know, needed if this Board would like to do that. So if you could get me the additional information between now and then.

Mr. Sweeney: Again, I started with an apology that I came to you unprepared with something that is, that does have some questionable aspects about it. So I'd be happy to meet with you or simply provide some additional information, but again the point I've tried to make and my reason for jumping in unprepared or not completely prepared at this point is that we are coming up to an application deadline very shortly and the Environmental Council has only one regular meeting before we would need to submit the application. Again, the application would be something endorsed by the Mayor so it's something that you would obviously have a chance to go over, the exact wording submitted on the application.

Mayor Kuzon: Is it a detailed application like many applications for grants or reimbursement, or is it something that...

Mr. Sweeney: It's generally in terms of the amount of money we're requesting. If we want \$5,000 five sentences generally outlining what we want to do is sufficient. If we want \$50,000 ten pages may not be sufficient.

Mayor Kuzon: And does the planning service have to be professional? In other words, can there be reimbursement for in kind types of planning which might be done by the Environmental Council, or the Village Board, or anyone else?

Mr. Sweeney: Again, that gets more confusing and I can only quote you the example of the Town and the Great Baehre Swamp which is kind of the point, or the example that recently drove home the possibility to me of this funding source. The Town does have a rather substantial planning department which has put in substantial manhours on this Great Baehre Swamp and to date they haven't submitted any request. So it's a case that it would not have to be an outside professional consultant, but it would have to be something the Village would not ordinarily have done for free. That is the Council can't spend a lot of hours and submit a bill and wind up getting paid for it.

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Trustee Saia: That's why we don't have any tables, benches, picnic grills. We don't have them.

Mrs. Babin: Well can you put a sign up?

Trustee Saia: Well I'll bring that up with the Glen Park Joint Board.

Mrs. Babin: It could really go on the same sign that's up there now. But it should be there that there's no fires in Glen Park.

Trustee Saia: I hadn't heard that and I'm usually the guy that hears about it first.

Mrs. Babin: Well this is the second one I've seen. Now the first one was right behind the mill and of course, the people had access to the creek bed there but where they were over there in the parking lot there wasn't any water there. They would have had to go quite some distance.

Trustee Saia: Do me a favor. Anytime you see that again just call the police or fire department. Any bonfire like that.

Mrs. Babin: Okay.

Mayor Kuzon: Okay. Anyone else? If not maybe before closing I'd make reference to Trustee Saia mentioned the hot dog cart in the park. He has politely asked that that gentleman be restricted and it will be taken care of tomorrow.

Trustee Saia: The guy's enterprising.

Mayor Kuzon: Yes, and he is a Village resident too, but honoring your request is no problem. If there's no further business...

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

Unanimously carried.

Mayor Kuzon: And if there's no further business...

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the meeting was adjourned at 8:40 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer