

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, July 23, 1984 at 7:34 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Richard Gallagher

Michael Kibby

Trustees

V. James Saia

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudreau, Dept. of Public Works

Absent

Lawrence R. Brenton, Trustee

Clerk: PLEASE TAKE NOTICE THAT the Board of Trustees of the Village of Williamsville will hold a public hearing 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 add Section 7.31 (Fire Limits) to the Village of Williamsville Building Code.

**PUBLIC  
HEARING**

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was opened at 7:34 PM.

**FIRE LIMITS**

Unanimously carried.

Mayor Kuzon: Basically our proposal for the Fire Limits local code would read as follows, that any area of the Village designated a commercial district or a light manufacturing district on the zoning map of the Village now in effect, or as said map be hereafter amended, shall be within the fire limits and subject to the standards for the areas within fire limits B as established by the New York State Uniform Fire Prevention and Building Code. A building of which more than one-third of its area is within fire limits shall be deemed to be located within these limits.

Let me then refer to the New York State Fire and Building Code and we said that the Village, those areas in the C or M zones would be in the fire limits B zone. Fire limits B zone in the State Code states that fire limits B comprise the areas containing residential, business and/or commercial occupancies, or in which such uses are developing wherein the fire hazard is marked. It further states that in municipalities which designate fire limits, buildings and accessory structures within such fire limits shall be constructed in conformity with requirements set forth in Section 706.1A applicable to buildings within such fire limits. And then the code gets rather detailed at that point in terms of what the requirements are for building construction within the fire limits. Briefly, the types of issues that it deals with are the combustibility or fire retardance of materials, the separation between buildings,

exterior facings and things along those lines and it's something, as I stated before, that is rather detailed and it's not easy to explain in a public hearing. It is though outlined in the code in a table form and it gives additional references to seek when looking for that information. Fire limits is not something though that was taken rather lightly here in the Village. It was brought up some time ago. A special committee was created to examine the issue. The committee was composed of the Fire Chief, the Fire Inspector, members of our Planning Board, our Board of Appeals, our Traffic and Safety Committee, our Building Inspector and our Village Attorney and myself. We reviewed the issue over the last, I think, at least six months if not more. We looked at it very carefully and very seriously because we feel it's something which is a very serious topic. We reviewed different proposals, considered them, invited officials from other municipalities. We had the Building Inspector from Kenmore and the Assistant Building Commissioner from the Town come to the meetings to explain the impact of these fire limits on their communities. After gathering all this information and going over it we've come up with the proposal which we presented this evening. Simply stated we're going to propose that all the buildings in our commercial or manufacturing zones be considered within the fire limits and they, therefore, would have to comply, when applying for building permits for new construction, with the State Code.

PUBLIC  
HEARING  
(Con't)

Fire  
Limits

At that point I'd open it to public comment, or if any of the Trustees have anything to add and if there's anyone I'd ask that you state your name and address for our record, please. Anyone?

Trustee Saia: Mayor Kuzon, I at one time in the not too distant past I think I was involved in this and you never appointed me to that committee by the way. But I did come to a lot of your meetings. But something was just brought up here the way this is written and, you know, I'd kind of like to give it to the Fire Chief. So I'd like to ask the Fire Chief because I think this is the first time we've seen it written this way, at least I have anyway, if that's the way it's supposed to be, and I would like to ask him that question.

Fire Chief Rick Andrews: I've reviewed this before. Tom sent a memo on it, and I looked it over and this is the first time I've seen the actual final law that will be put into effect, or voted upon. The only question I have are the fire limits B and that's been explained to me by Tom. But I would like to reserve any comment on that until I've had a chance to investigate it a little further. This is not the actual way we agreed on it as a committee. Tom did further research on it. So I'd like to reserve my comments until I have time to sit down. This is a public hearing and

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, July 23, 1984 at 7:34 PM

I'd like to sit down and review those areas of fire limits B and then get back to the Board with my comments.

Mayor Kuzon: Okay. Fine.

Trustee Saia: Thank you.

Mayor Kuzon: One other thing to add to this is that when the committee was considering the issue there was some consideration for allowing variances, in other words for premises or buildings to be removed from the fire limits. It was determined after all our research that we weren't going to propose that. Once a building was in the fire limits it stayed in the fire limits unless there were two changes. One to be a change in the State law, I believe - is that right, Tom? What I'm stating is that for a building to be removed from the fire limits under our code it would require a change in the State law or...

PUBLIC  
HEARING  
(Con't)

Fire  
Limits

Mr. Troy: No. It would require a change in the local law. You'd literally have to say all areas within our zoning map within C or M districts except and then you would carve out a separate piece and this would have to be done - it's almost like spot zoning really. It would have to be done by a public hearing and then followed by a vote of the Board after the public hearing.

Mayor Kuzon: And then the other avenue for appeals is to the regional...

Mr. Troy: That's for a variance. In other words you accept the fact that you are within the fire limits but you have a particular problem, either due to its diversity or some other character or nature of your building. You go to the code, the State code and they have the authority then to grant a variance from the strict interpretation of the law.

Mayor Kuzon: Okay. Fine. Thank you. Yes, Mr. Hill.

Richard Hill, 18 Brookside Drive: There is no exception in there is there?

Mayor Kuzon: No.

Mr. Hill: The only way is to go through the State Regional...

Mayor Kuzon: That's right. As Tom just stated either just changing the local law exempting a particular piece of property or seeking a variance from the State Appeals Board.

Mr. Hill: It's not written in our code?

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, July 23, 1984 at 7:34 PM

Mayor Kuzon: No. Okay. Anyone else? If not...

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was closed at 7:44 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, July 23, 1984 at 7:34 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Richard Gallagher

Michael Kibby Trustees

V. James Saia

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudreau, Dept. of Public Works

Absent

Lawrence R. Brenton, Trustee

Mayor Kuzon called the meeting to order at 7:34 PM.

Mayor Kuzon: Next would be a motion to approve the minutes.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the minutes of the regular meeting held June 25, 1984 were approved.

Trustee Saia: Mayor Kuzon, on your minutes of the last meeting I note they are to be approved as read, but I do have a statement to make on them and I would like to make that sometime during the meeting.

Mayor Kuzon: Okay.

Trustee Saia: I can do that anytime.

Mayor Kuzon: You can do it now.

Trustee Saia: Can I do it during my report?

Mayor Kuzon: All right. Fine.

Trustee Saia: Thank you.

Unanimously carried.

Mayor Kuzon: Next on our agenda this evening is a public hearing regarding a proposed local law which would add Fire Limits to our local code.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved to open the public hearing at 7:34 PM. (The hearing was closed at 7:44 PM.)

Unanimously carried.

Mayor Kuzon: Moving next to my report the first thing I'd like to report is that we have on display over here the plaque which was presented this past week by the Williamsville Old Home Days Committee and the Village of Williamsville Historical Society

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, July 23, 1984 at 7:34 PM

commemorating the anniversary of the 200th birth of the founder of the Village, Jonas Williams. At this time I'd just like to take the opportunity to thank the Gephards who graciously donated the plaque and I think they've done a terrific job. We certainly appreciate it. The plaque was on display in the Village offices last week. We're going to move it over to the Meeting House and put it on display there and hopefully someday it will be on permanent display in the Village offices.

One other thing I'd like to report is that at our last meeting Trustee Gallagher made the suggestion of creating a committee to investigate the amendment to our local law to provide for corner fences and at this point I'd just like to report that I'm in the process of contacting the individuals to be on that committee. Those people would be the attorney, a representative from the Board of Appeals, the Planning Board, Traffic and Safety Committee, the Building Department and also Trustee-liaison to the group, and hopefully by the end of August we'll have everyone contacted and the committee can gather so they can meet this fall.

I have a number of resolutions. The first one is for vouchers which cover the time period from the 26th of June to the 11th of July.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, vouchers in the sum of \$96,176.33 were approved as follows:

Payroll Fund	W/E 6/29/84	\$ 9,300.83
	W/E 7/6/84	<u>6,007.23</u>
Total Payroll Fund		\$15,308.06
General Fund	Abstract #564	61,823.60
Sewer & Water Fund	Abstract #145	4,530.33
Trust & Agency Fund	Abstract #184	5,313.15
Glen Park Jt. Activities	Abstract #84	1,690.41
Federal Revenue Sharing	Abstract #157	5,663.78
Community Development	Abstract #88	<u>1,847.00</u>
Total Vouchers		\$96,176.33

The larger of these vouchers go to M&T Bank which would be bond principal and interest, payment, Amherst Builders, Ed Youngs Towne Hardware, and William Shoemaker, who is not the jockey but the fire truck mechanic.

Unanimously carried.

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, July 23, 1984 at 7:34 PM

The second resolution also is for vouchers. These vouchers cover from the 12th of July to the 23rd of July.

ON MOTION by Mayor Kuzon, seconded by Trustee Saia, vouchers in the sum of \$94,474.25 were approved as follows:

Payroll Fund	W/E 7/13/84	\$ 6,107.05
	W/E 7/20/84	<u>5,977.83</u>
Payroll Fund Total		\$12,084.88
General Fund	Abstract #565	35,027.13
Sewer & Water Fund	Abstract #146	27,867.05
Trust & Agency Fund	Abstract #185	4,372.36
Glen Park Jt. Activities	Abstract #85	75.76
Federal Revenue Sharing	Abstract #158	232.50
SSES C36-1244-01	Abstract #32	181.01
Capital Fund	Abstract #135	<u>14,633.56</u>
Total Vouchers		\$94,474.25

The larger vouchers are to Rapid Disposal, Erie County Water, John Schuler, who is the contractor for the Howard Avenue Water Line, and Niagara Mohawk.

Unanimously carried

My next resolution is motivated by the State Department of Environmental Conservation in regards to amendments to our local law for the sewer code. What the State has told us, has informed us that these amendments are necessary under their review and in fact they are withholding some \$215,000 in reimbursable, already approved reimbursable expense for our sanitary sewer rehab project. They are withholding that contingent upon our success in amending our code to include these provisions and my resolution calls for a public hearing to consider this issue.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on August 27, 1984 at 7:35 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of

**PUBLISH NOTICE  
OF PUBLIC HEARING**

Amend Sewer Code  
Sections  
41.50, 41.60 and  
41.20(F)

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, July 23, 1984 at 7:34 PM

adding Sections 41.50 Toxic Pollutants, Section 41.60 Inconsistent Agreements and Section 41.20(F) Non-governmental Users to the Village of Williamsville Sanitary Sewer Code.

Unanimously carried.

Briefly what that means is that as proposed in the code any nongovernmental user of the Village sewer system would be classified as being commercial or industrial if they discharge more than 25,000 gallons per day of sanitary waste or a volume of process waste. Toxic pollutants says that any user which discharges any toxic pollutants that result in an increase in the cost of managing the effluent or the sludge of the local treatment works, shall be classified also as industrial/commercial and will be required to pay the amount of such increased costs. Inconsistent agreements that would just, it says that the law would not be inconsistent with other agreements or local laws that the Village has.

Unanimously carried.

My next resolutions are offered in the absence of Trustee Brenton, who is on vacation. The first one is to authorize Niagara Mohawk to relocate a handhole. This request is predicated on the fact that in the neighborhood of Monroe and Scott the Village is going to be doing some storm sewer rehabilitation work. This handhole happens to be in the way of the work that we propose to do and has to be moved. Phil, could you briefly explain what a handhole is?

Mr. Boudreau: It's in the pavement radius. It's in the way and it has to be moved out of the way to let the storm water run around the corner in that area. A handhole is an access hole about 18" deep, access to the street light subsurface lines that run the street lights on the street. It's an access like a manhole is to the sewer only it's called a handhole in electrical construction.

Mayor Kuzon: Thanks, Phil.

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

**AUTHORIZATION**

RESOLVED that Niagara Mohawk Power Corp. is hereby authorized to relocate Handhole #3, 12 feet west as indicated in letter and sketch dated June 20, 1984 at a cost of \$871.00.

**Niagara Mohawk to  
move "Handhole"  
at Monroe and Scott**

Unanimously carried.

My last resolution will authorize the Clerk-Treasurer to attend the annual training school which is held at Grossingers. It's sponsored by the Conference of Mayors. This is a budgeted expense and one which Terry comes back with some valuable information. It's in September.

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, July 23, 1984 at 7:34 PM

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

**AUTHORIZATION**

RESOLVED that Theresa L. Cummins, Clerk-Treasurer is hereby authorized to attend the 29th Annual Fall Training School for City and Village Officials at Grossingers, New York from September 11-14, 1984 and the costs not to exceed \$400 to be paid by the Village of Williamsville.

**Clerk-Treasurer to attend Training School at Grossingers**

Unanimously carried.

That concludes my section of the agenda. Next is Trustee Kibby.

Trustee Kibby: I read a lot and probably have worked crossword puzzles more years than I'm going to tell this audience and I've never seen the word handhole before. You learn something new every night.

I have five resolutions tonight. The first one is the appointment of Carolyn Schlifke to the Planning Board.

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

**APPOINTMENT**

RESOLVED that Carolyn Schlifke, 192 Evans Street, is hereby appointed to the Planning Board until the end of the 1986-1987 official Village year.

**Planning Board**

Mayor Kuzon: On the question?

Trustee Saia: On the question, we discussed this in the back room. Carolyn Schlifke is now on the Zoning Board of Appeals and you have not in any way looked for somebody from the community, especially from the political party of this Board, the majority, to ask to be put on this committee.

Trustee Kibby: No I didn't. I don't know what party Mrs. Schlifke is associated with, if any. It was not part of my thinking. I know Mrs. Schlifke. I know she has been an important member of the Traffic and Safety Committee for a number of years. I know we wanted someone on the Planning Board who was also a member of Traffic and Safety. She has served this Village in a number of ways, in a number of capacities over the years and when I spoke with her after discussing this with the Trustees at our last meeting she was quite eager because she felt that she would have more activities in which she could participate and, as I said have more activities in which she could participate on the Planning Board than on the Board of Appeals and she was most willing to make the change.

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, July 23, 1984 at 7:34 PM

Trustee Saia: I agree with you. Carolyn Schlifke is a very valuable member on the Traffic and Safety, where she is right now and she still will remain, and I think she contributes a lot on the zoning but I think my problem is we have a problem here with the master Plan which you submitted to this Village and there were some things in there that, they might have come from the Planning Board, I don't know, that were not consistent with the principles of the party which is the majority of this Board. Now it seems like over the years - I don't have to tell you, we've got more problems with our ordinances now and we're probably going to change some of them, and I think because the party that's in the majority on this Board should have some say so on some of the laws that are passed to the people with the permits, that apply for permits in this Village. Like for instance, high rise, encroachment of business on the residential area. And I honestly think that we should have some strong members of one of the parties on here. That's my opinion. I respect Carolyn Schlifke, I know what she does, she is a wonderful person and I think she's doing a great job on Traffic and Safety, and I think she's doing a great job on the Board of Appeals, which she was just appointed a very short time ago. We're playing her like a yo-yo, taking her from Board to Board. So I think you know what my vote's going to be.

Trustee Kibby: I didn't know she wasn't a member of the Village Party. I thought - I'm just going to let that one go.

Mayor Kuzon: Okay. Anyone have anything else then? I would just add that certainly I subscribe to the principles of the Village Party but I also feel that Carolyn has demonstrated through her years of service to the Village - she has been on a number of committees, Traffic and Safety, the Board of Appeals, and also she's been an active and concerned follower of the Village Board over the years and probably has been in attendance at many meetings - it's unusual that she's not here this evening - in fact she is a supporter of the Village Board, a follower of the Village Board and I think based on my knowledge of her actions on the Village committees and her statements at Village Board meetings I don't have a problem with her position on a number of issues and I think I can support her fully, and I don't think that her positions are in that great a conflict with the principles of the Village Party.

Trustee Saia: I value your opinion on it. I sit here and I also value her opinion on some things, but there are some things that I don't agree with her and I think they're inconsistent with what some people in this Village have wanted for a long time for this Village, sometimes, but the majority of Carolyn's opinions are very well taken as far as I'm concerned.

Mayor Kuzon: Okay. Anyone else?

Trustee Gallagher: Just to make a side comment that Jimmy indicated there are more problems with the ordinances now. In the context of the Village Party for the most part has dominated this Board in

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, July 23, 1984 at 7:34 PM

all the committee appointments for the last 10 years, so if they're the source of the problem I think we should look outside of the Village Party.

Trustee Saia: That's where you're wrong though. The Village Party has appointed anyone to the committees of this Village and I think that's where they made a big mistake.

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

Yes - 3; Noes - 1.

Carried.

Trustee Kibby: My next motion is - I'll read it. It speaks for itself.

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

**VILLAGE CODES**

RESOLVED that Mayor Kuzon is hereby authorized to execute agreement with General Code Publishing Corp. of Rochester, New York for the codification of the Village of Williamsville legislation at a cost of \$8,000.00 as per proposal dated July 3, 1984.

**Contract with General Code Publishing to recodify Village Codes**

Unanimously carried.

The next one is number 3.

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

**AUTHORIZATION**

RESOLVED that Richard Hill, Chairman of the Traffic & Safety Committee is hereby authorized to attend the annual meeting of the New York Association of Traffic & Safety Boards in Lake Luzerne, New York from September 11-13, 1984 and the costs not to exceed \$200 to be paid by the Village of Williamsville.

**R. Hill to attend conference**

Unanimously carried.

And this sounds - I ought to go back and just turn the tape recorder on to do this again, but we've been here before. My next resolution calls for the rescinding, or rejecting all bids for the Meeting House renovations for the Historical Society. The major problem, the problem this time is that due to the Davis-Bacon Law, which

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, July 23, 1984 at 7:34 PM

requires all construction projects funded via federal money to be, that the employees of those construction companies be paid the prevailing daily local wage. The bids we received were non-union wages for most of the jobs. Therefore we cannot accept the bids. We have to reject the bids and start the process again. The interesting part here is that we thought we had done our homework on this. I guess I just dropped the ball. I asked what I thought were the right people and got what I thought were answers to go ahead and do the project at the local wage, or not the prevailing wage. It turns out that we were wrong, or I was wrong. The resolution reads:

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

**BIDS REJECTED**

RESOLVED that all bids received on June 4, 1984 for the renovation of the Village Meeting House including the successful bidder are hereby rejected.

**Village Meeting  
House**

Unanimously carried.

And next, my last resolution asks to authorize the bids again.

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

**RE-ADVERTISE FOR  
BIDS**

RESOLVED that the Village Clerk is hereby authorized to re-advertise for sealed bids for the renovation of the Village Meeting House. Bids to be opened August 17, 1984 at 10:00 a.m. 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.

**Village Meeting  
House**

Trustee Gallagher: I'd like a roll call, please.

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

Yes - 3; Noes - 1.

Carried.

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, July 23, 1984 at 7:34 PM

Trustee Gallagher: I'd just like to explain my vote to the extent I believe that the Historical Society should have a place but I feel though that the expenditure of \$21,000 right now looking at that building inside and outside that we should first employ an architect and go through and get the specs and see what we're looking at as far as expenses. I do not think we should piece-meal it. I know I've voted for this in the past - I think once or twice - and I feel that it should be looked at and that's the reason for my vote.

Trustee Kibby: As we discussed in our work session I will call the architects tomorrow morning and ask them to look at the, that two-thirds of the building to ascertain the problems that may or may not exist and the funds required to repair those problems that do exist and so after the bids are in we'll have a better idea of what this is going to cost, the renovations as planned. We'll also have a professional ball park estimation of what it would cost to make any other renovations or repairs that are necessary. So there is an opportunity if this doesn't look like it should go in light of other potential problems, possible problems in that building in a month or a month and a half when it comes time to authorize the Mayor to sign the contract we can reject the bid at that time. I have nothing else.

Mayor Kuzon: Okay, fine. Next is Trustee Saia.

Trustee Saia: Thank you, Mr. Mayor. First I think you took a lot a thunder out of my report. I was prepared to say something on the fence ordinance but I hope you'll consider that maybe I started this whole deal and put me on the committee. But anyway, I also stated that I will not put in the same ordinance the second time and I'm glad that Dick Gallagher has taken the bull by the horns and I think he agrees with me on an ordinance that I could even get a second to on March 12th. Now I'm glad that's done with the exception of one thing. At the other, June 15th I think it was on a Wednesday night they had a Board of Appeals meeting and they passed a fence, not a fence a wall around the church at Milton and California that I don't even think went before the Planning Board and up till Friday I tried to get why the minutes of the meeting were slanted towards approving that wall and up till Friday they tell me they didn't have them yet. Tom, I...

Mr. Troy: Are you talking to me, Jimmy? Are you asking me for a comment?

Trustee Saia: I was looking for the....

Mr. Troy: Yes, you were looking for the minutes.

Trustee Saia: And every time I called Julie she said that she didn't have them yet.

Mr. Troy: Well I didn't get them until today.

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, July 23, 1984 at 7:34 PM

Trustee Kibby: That meeting was just last Wednesday, a week ago Wednesday, July 15th. And it was very lengthy. There is a long history of this, Jimmy, and I don't mean to be...

Trustee Saia: I'm glad of what's happened. Remember I told you I had a short report so just bear with me. Okay. Now it's ironic though that, you know, I'm glad we have a committee established. But it's ironic that we have a place there to bury some ashes of probably some child that ran out into the street, that you wouldn't allow them to put a fence up so the child could play in at least a decent backyard. Now with that, and I won't say any more about it other than I'm elated that the Mayor has appointed a committee but with that there is a letter that I think the Clerk should read that was addressed to me and which I received today. I think the Clerk should read it now.

The Clerk then read a letter from Michael Borsuck of 165 Eagle Street. A copy of said letter is attached to these minutes.

Trustee Saia: Thank you, Terry. I just got the letter today and I was very surprised I received a letter but I was moved. I also see in the audience here we have another fellow that had a little problem with his back fence and I'm sure that you're glad to hear what was said tonight Mr. Dominiak. I'm sure you're glad to hear what was said tonight. And I think you've waited quite a while for that, haven't you. That's all I have on the fence. Like I said I'm elated that you stole the thunder on my report.

But the other report I have is that I asked at the beginning of the meeting to say something about the minutes of the meeting, the last Board meeting. I didn't catch it. I sit here sometimes reading some notes but when I read it it kind of surprised me although I have discussed this with this Board in the past and in effect it has to do with the purchasing of the courthouse building down the street and I must say this before I say anything else, we need a new fire hall. That's the ideal place for the fire hall at this time. So I'd like to see the fire hall built but I think where I've got a problem is I've got the cost of the fire hall, the estimated cost. Somebody gave me an estimated cost of what we could get for the old fire hall and you know I took all these costs and I could see where the Village residents could live with the difference in the costs. There isn't a bad cost difference because the Town of Amherst picks up about 53% of the cost. But what bothers me is the Village moving over to the courthouse. Now there was a statement made by Trustee Brenton at the last meeting which I did not get he said in effect the Village will move to the courthouse. Now does this mean the Village Board? If it does, I'm not involved in the workings of this moving? Then there's another statement made that says he's going to meet with the architect, Sargent, Webster, Crenshaw & Foley who will be designing the truck bays, and he says that meeting will be between "myself and him in order to be sure that we have our basic thrust in the right

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, July 23, 1984 at 7:34 PM

direction". Now you know, I've got to ask this Board is this Brentonville or Williamsville? Now I've had no input into this at all. I've been asking this Board in the back room, now I'm asking publicly. I would like some input so I can tell my constituents who elected me what they're going to have to pay for a move of the Village offices into a new building. And I think that's enough for that, unless somebody has something to say on it.

The other, for my report, concerns a resolution that I submitted for a mutual aid assistance in relation to snow emergencies. I'm very sorry to say that Dick Dawson of the Buffalo Evening News has some statements in here which were given to him I guess that are not true. So if you did read an article in the Buffalo Evening News all I can say is Dick Dawson should check his information and talk to the other side of the people that he's talking about. At the, when I was denied this resolution this proposal was highly recommended by the Department of Public Works' Phil Boudreau. He gave a copy of this agreement to the Village Board, the Clerk and it was available to the Trustees and the Mayor to see before the meeting and we did have a meeting in the back room before this meeting. The resolution was defeated three to two. Mike Kibby had voted for it, and myself. Now I usually don't like to elaborate on a situation that has been turned down by this Board nor do I wish to bring it up again to have this Board pass it. I'll leave that to somebody else to do. But this article in the News on the 27th of June requires that I make a statement on this. There has been some story telling by fellow Board member Larry Brenton - I'm sorry he's not here tonight but I didn't know this was going to be in the paper and I knew we had a meeting tonight - that the news reporter did not look into the facts before printing this article. The head of the D.P.W. and myself were never contacted. The Village of Williamsville has only two usable snowplows for the Village streets for heavy snow. Now we have six snowplows. One's on a little pick-up truck - you can't use it for the streets. We also have one's that's used on the sidewalks - you can't use that for the streets. We also have a hillift that we just purchased - I think it cost \$70,000 or somewhere in there - we don't use that in the streets. We use it in corners and doing places where the heavy plows can't get at, but that doesn't go up and down the streets and take the snow off the streets. We have two decent, heavy-duty snowplows. Now the article in Mr. Brenton's statement said that we had three. It's not true. Now this pact included a proposed contract and like I said Mr. Brenton did not take into consideration reading it but he quarterbacked in the paper as saying he voted against it because it didn't include a proposed contract and the contract is by the Erie County Superintendents - I'm sorry, it was the Village, it was made out by the Village of Erie County Superintendents. I kind of think that maybe we have a little conflict here, Your Honor, the Mayor. Mayor Kuzon, you gave me the opportunity to try to do something with the snowplowing of this Village. Here was a snow pact that, you know, you had to sign it. It had to be agreeable to you to sign it and it even says on the snow

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, July 23, 1984 at 7:34 PM

pact if you read the last page of if you had any questions about it, if you signed it and had any questions about it. It would have cost the taxpayers not one red cent. The comment was made they wanted to know how much it was going to cost. There's a fire company over there that has, he has access to anyone in the county and possibly the City of Buffalo and anybody in this Town of Amherst by just picking up his radio and calling somebody. There's no waiting, there's no negotiations, there's no waiting for the approval of the governing bodies, reimbursements. It's all down in black and white and that's a mutual aid agreement. You agree; if you're willing to send your equipment, on certain things - insurance and all the rest of that stuff. You don't have to send it. According to the agreement of what I read you don't have to send it and you can ask for help and they don't have to send it to you. But all in all there was no cost to this Village. There's no cost outside of paying the labor and the gas and the oil which they would do for you also. It's a reciprocating agreement! I think it was great. Now we got a problem in this Village, maybe you're not aware of it. In the few short months that I've taken over the Village Department of Public Works as a liaison I have noticed equipment that's, that should be replaced there and I think in one of your letters to, was it Mr. Sheffer, you have asked for some money for antiquated equipment.

Mayor Kuzon: No. The three things I asked for were because we had planned on doing a number of things, just one of which was major D.P.W. equipment.

Trustee Saia: So you do realize we need some up-dating on our equipment. Now in this mutual aid for the snow aid that I had requested I was kind of disappointed that the Village Board did not take the concern of what the Village residents were concerned about during the last snowfall that the snow wasn't done. We had under the tutelage, or under the liaison Mr. Brenton at that time why we had rubber snow blades, the sanding of the streets was dictated as at the corners. I didn't have anything to do about that. I'm trying to leave it to the Department of Public Works so that if our streets aren't plowed he's going to take the full brunt. I'm not. You took it last time and you know what can I tell you, you know what happened. You never voiced your concerns in the back room to us about the pact at that time.

Mayor Kuzon: Yes?

Trustee Gallagher: Can I respond to some of this? Two pieces. One is that I voted against this snow pact for two reasons. One is that I was totally unfamiliar with the pact. There was no agreement attached to the resolution so that I could read the seven page document. In addition to that I didn't see how our equipment could be beneficial to our residents if it was out in Orchard Park, etc. and agreed with Larry. It was presented also that there was no cost to the taxpayers but it reads

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, July 23, 1984 at 7:34 PM

any repairs over \$100 to the equipment shall be negotiated between the respective municipalities. That is a cost to our taxpayers. I recognize the problem that we had with the snow. I think that's one of the reasons why I'm sitting up here. That I have no problem in another month or two of reconsidering this seeing that I did vote in the negative and that can be brought up through parliamentary procedure, but one of the good things that happened as a result of this was the fact that through Terry and an agreement on the rest of the Board is that through a revision in the office procedure the agenda and all the items have to be in to the Clerk's office at Noon Wednesday prior to the Board meeting, which allows us a lot more time for discussion, a lot more time for negotiations, rather than coming in at 6:30 p.m. on the Monday to be presented with something and then to vote no and then to read in the Bee and News, or whatever everything that was written but nothing that I ever read. So for the record I am prepared to have it reconsidered after the next Board meeting in which Larry will be in attendance, of which then we can get an explanation of the agreement and of which as a result of this we might get some bad press but we sure as heck have a better procedure.

Trustee Saia: Dick, I know about your, I got a letter from Mrs. Cummins and she can verify this that I said that whoever wrote this thing is something that this Village has needed for a long time. Now I've sat down 15 minutes before this meeting, or a half hour - the referendum by the way was handed to me 15 minutes or a half hour before this meeting that was on the railroad - so this has been going on ever since I've been on this Board. I guess previous there had been a policy. So believe me I welcome that with open arms. Now you said you didn't get a copy of this but the copy was given, a copy was available for you to read. So, you know, it wasn't attached to your thing, it was kind of lengthy and it had to be copied and it was only given to Terry that day, which is the customary way we did business. So I'm awful glad that you've changed that part of it, and I've complained about that a lot of times of going into a meeting and not knowing what the heck I was voting for because I got 15 minutes to read it and that's probably why I voted no a lot of times on certain things in this Village. That's all I've got to say on that.

Trustee Kibby: Ewald Nyquist gave some very sound advice about the press about ten years ago. Ignore them.

Trustee Saia: Well I did, Mike, thanks to you.

Now, the other thing I have is - anybody else on that? I think I milked that a little. Anybody else? What I've got to say now is about my Youth Board. Everybody knows about my Youth Board by now but I've got two members, three members sitting out there right now. I'd like to thank Rita Andrews for the wonderful job she did again, with Carol Lanphear and some other people. I think you were there, weren't you Loretta? I saw you there. And some other people on the bike rodeo over on the parking lot

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Buidling, Williamsville, New York on Monday, July 23, 1984 at 7:34 PM

for Old Home Days and I had some wonderful comments from Officer Grisanti.. And also the costume show for the youth at the Island Pavilion, the first year they had it and they had a decent turnout and they tell me some of the costumes are out of this world. It's just too bad we didn't take some black and white shots. I don't think we did, did we Chris? Okay. But they were really great costumes and I hope the people save them for some other happenings around the Village because there was a lot of effort put in that and all the kids went home happy on that one.

July 26th at the Meeting House there will be a Pet Show. Will there be a Pet Show? The one thing I didn't do was clear it with this Board earlier but I think it's cleared every place else but we'll talk it over after. But July 26th there will be a Pet Show behind the Meeting House and I'll ask the Department of Public Works if they'll put a rope around that area early in the morning and tell them no parking just for that day.

Mr. Boudreau: Have you got the times?

Trustee Saia: Yes. I'll give you the hours on it. Maybe you won't have to do it - yeah, maybe you better do it in the morning but it's 1:30 p.m. Now I'll go down there the night before and put tags on the windows and tell them they can't park there. And the kids will bring their little pets, boa constrictors, big spiders.

Another thing coming up before the next meeting, August the 4th the youth have requested an outing and in the audience we have Doug Sandburg who is going to take the kids - now these are the teens - to a park and have a one day outing. If anyone would wish to go see Doug Sandburg if you have any children. What's the age?

Douglas Sandburg, 81 Mill Street: Senior High School.

Trustee Saia: Senior High School. Anybody has any kids in here just go up to Doug and get his phone number.

And I had one more thing. I'm supposed to do away with this appointment so at this time I would like to scratch the appointment No. 1. I have nothing else.

Mayor Kuzon: Okay. Next is Trustee Gallagher.

Trustee Gallagher: I just have a brief report. One is that I've received a number of applications for the position of Coordinator of the Senior Citizens Program. We'll be interviewing all the individuals within the next few weeks and hopefully then bring an appointment to the Board at the next Board meeting so that we can then put the 1984-1985 Senior Citizens Program into action.

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, July 23, 1984 at 7:34 PM

The second item is I'd just like to extend my congratulations and appreciation to the work of Jean Gaulin and George Measer in their role as Co-Chairmen of Old Home Days. I know that they along with many other people and organizations and members of this Board, the committees, etc. put an awful lot of time over a four day period and I feel that they should be recognized for that.

I have two resolutions, both of which I guess are in the absence of Larry Brenton. The first is:

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

RESOLVED that the Mayor is authorized to sign Change Order #2 (final) for the Howard Avenue Watermain which closes out the contract and results in a net decrease of \$101.20 from \$52,818.69 to \$52,717.49.

HOWARD AVENUE  
WATERLINE

Change Order #2

Unanimously carried.

The second resolution:

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

RESOLVED that the Mayor is authorized to sign lease agreement with the Hutchinson Hose Co. for Station #2, from June 1, 1984 to May 31, 1985 for \$5,500.00.

HUTCHINSON HOSE  
CO.

Lease adopted for  
Station #2

Unanimously carried.

Mayor Kuzon: This is something that was agreed to at budget time and the Board is aware that there is an increase in this rent and since it was agreed to at budget time I voted for it at this time. It's not a charge I'm particularly happy with.

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

Mayor Kuzon: Thank you. This time there is a report from our Superintendent of Public Works, Mr. Boudreau.

Mr. Boudreau: Under the heading of Traffic Safety - Highway Pavement Marking - These past few weeks Village crews have been busy putting down traffic and pedestrian pavement markings. At each traffic light intersection on Main St. markings are now complete such as turning arrows, lane lines, letters, stop bars and crosswalks.

Under the heading of Sanitary Sewer Rehab - In a few weeks our final contract for sanitary sewer rehab work will commence

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, July 23, 1984 at 7:34 PM

on Village streets. Various streets throughout the Village will experience intermittent disruption from the construction process. M. C. Morgan Company is the sewer contractor. Village crews will also be busy working on this contract throughout the summer and fall. A construction schedule timetable is on file at the D.P.W. office.

Under the heading of Winter Snowplowing and Sanding - A study of the 16 villages of Erie County pertaining to D.P.W. winter snowplowing and sanding, has just been completed. Some of the data obtained was population, number of employees, center line miles of roads plowed, number of heavy plows used and miles each plow must cover on his route. Some of the important points of interest and comparisons with other village D.P.W. departments are contained in the attached table and how our D.P.W. rates in the overall picture as regards plow equipment, employees to man same, center line miles plowed, etc.

Snow-  
plowing  
report by  
Supt. of  
Public  
Works

For the Williamsville D.P.W. the center line miles of roads plowed - 33; the number of heavy plows used - 2; miles each plow must cover - 16.5 miles and this is the highest in the county causing problems in a heavy snow; employees per center line mile - 0.3 and this is the lowest in the county causing problems in a heavy snow.

It is important to note that each one of our plows has to cover a 16.5 mile route each time out. This is the highest in the county. The other villages average 6.36 miles per plow route and obviously can finish a plow route in a much shorter time than our limited staff. This would allow the other departments to double back in a moderate to heavy snow storm and plow their route a second time in a shorter period of time, cutting down the snow build-up on the streets.

It is my recommendation as Superintendent of Public Works that the following additions be made to our snow fighting forces forthwith: Obtain one new dump truck with new plow and wing. Secondly, provide the extra staff to properly man our snow fighting forces. A quick reference to my attached table will show that our D.P.W. is undermanned and underequipped for fighting a moderate to heavy snow storm.

In addition to the 16 villages in Erie County I made a study on the towns and cities of Erie County regarding snowplowing and sanding. In the City of Buffalo the center line miles of streets plowed is 875, the number of pieces of snow fighting equipment are 50, the miles each plow must cover is 17.5. For the Town of Amherst the center line miles of roads plowed is 305, the number of pieces of snow fighting equipment are 43, and the miles each one of their plows must cover is 7.0. By comparison for the Village of Williamsville the center line miles of streets plowed is 33, and again the number of pieces

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, July 23, 1984 at 7:34 PM

of snow fighting equipment - heavy - are 2. Therefore the miles each one of our plows must cover is 16.5. The Village of Williamsville miles per vehicle (16.5) is very close to that of the City of Buffalo miles per vehicle (17.5). That is inordinately high when compared to other villages in Erie County in miles per vehicle (6.36) or the Town of Amherst m.v.p. (7.0). I have compiled a table of data here on the 16 villages and it compares population, number of employees in the D.P.W., village square miles, center line miles of roads plowed, number of heavy snowplows used, miles each plow must cover, and some secondary data such as sanitary system, what have you. What stands out in the table when you look at it is we are very weak, in fact we have the highest miles per plow in the whole county - average 16.5 - and it takes us three to four times longer to finish our plowing than anybody else. At the bottom of the report I note Williamsville has the highest miles per vehicle in the county (16.5), Williamsville has the lowest employees per center line mile in the county (0.3), Williamsville has the third largest road net in the county to plow (33.0 center line miles) for villages.

And my final rating on our snow fighting forces are - the rating of the Village of Williamsville in 16 villages in Erie County - population 6th, center line miles of roads plowed the third highest in the whole county, miles per plow vehicle the highest in the county, D.P.W. employees per center line miles the lowest in the county. And I won't read the last page but I attached a dissertation on the hours that we plow, the number of heavy plows that we have, and my final recommendation down at the bottom is - I recommend that a third heavy snowplow be made available so that our service level can be brought back to that of previous years. And that's the end of my report.

Trustee Gallagher: May I comment?

Trustee Kibby: Sure, go ahead Mr. Gallagher.

Trustee Gallagher: There are two issues. One is that as far as I'm concerned the Superintendent of the Department of Public Works is employed by this Board and reports like this should be reported to the Board prior to it coming out to the public first so that we can address it, ask the appropriate questions and then present something to the community. The second part is that we always want more bodies, more equipment but in the same sense getting calls in the Village and at my home the paving's not being done, the parks aren't being cleaned, Main St.'s not being taken care of. The question that we raise is what is currently being done by the work force, how is it being managed. We have a number of reports since I assumed office in the context of how many more people we need, how much more equipment and all I can say is that as far as I'm concerned Phil Boudreau you're totally out of order in the manner in which you're conducting yourself, that this should have been done in a much better way and to wit I'm not voting for any more bodies and I'm not voting for any

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, July 23, 1984 at 7:34 PM

more equipment until at least I as an individual and taxpayer get a much better understanding as far as what's going on in the current value of people and equipment and that's it.

Trustee Saia: Dick, I think you ran for office and I appreciate the fact that you are concerned about the fiscal responsibility of this Village. But this Village used to run with 15 employees down in that highway department at one time and you're talking about blacktopping on your streets and the parks and Main Street. We used to have 15 employees. You don't have 10 now. Everybody thinks we got 10 employees. You don't have it. Just last week I asked you to okay one part-time help. You turned it down. That's what I'm interested in. How are we going to take care of your parks and your streets and your Main Street areas? How are you going to take care of them on the help that you've got? You going to make them work 16 hour shifts? Then you'll have it done. They're not going to work 16 hours.

Mayor Kuzon: Mike, you have something?

Trustee Kibby: I just think Mr. Gallagher said it very nicely and very eloquently and my particular feeling about sharing with the other people, now I'm going to do the same thing Trustee Gallagher's going to do and that's change my mind. There's an old story that Mark Twain used to tell about a preacher and a man sitting in the parish with his \$20 in the hat and who said after the preacher kept talking on and on and on that if you don't shut up I'm going to take the \$20 back.

Mayor Kuzon: I think what I'm going to do today is let's end the discussion on it now and I think Dick made a very valid point, that this is something that needs to be discussed by the Board.

Trustee Saia: I agree there. I did not know this was going to be brought up and I agree with you there. I think Phil's only been on this what a year and a half with the Village and I don't think he understands this.

Mr. Boudreau: May I point...

Mayor Kuzon: Well let's table the discussion because I'm not sure that further discussion will result in any positive benefits. Let's table discussion on the issue until we have time to talk about it as a group. I think Dick's point is that it's not a matter of withholding information from the public but it's a matter of the Board discussing it first and being aware of the information before it is presented to the public and you know there are other issues which he has raised too but I think on that issue that that's the point that let's make sure we all understand it and have some consensus on the facts and figures before the information is presented and for that reason I think we need to go and talk about it ourselves so we have some understanding of what's taking place.

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, July 23, 1984 at 7:34 PM

Mr. Boudreau: Will I have a chance to respond after the meeting?

Mayor Kuzon: Yes.

Trustee Saia: I think you're perfectly correct but when you get an article in the Buffalo Evening News that makes erroneous statements and you have no chance to answer because the reporter did not approach the people he's talking about, you can't control that.

Mayor Kuzon: That is a problem with the press, not the Board. Most reporters if they find something is in error they'll change it and provide you with an opportunity to respond.

Mr. Boudreau: No one approached me about this. They wrote my name in and quoted me as saying this which is wrong. Somebody else on the Board or in the office gave them that information.

Mayor Kuzon: Okay. Well in that case you should have gone directly to the reporter and spoke with that person.

Trustee Saia: He just went on vacation so there's been a problem.

Mayor Kuzon: Okay.

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

Unanimously carried.

Mayor Kuzon: Before opening to the public I'd just like to make a comment and basically rebut Mr. Borsuck's letter and it's unfortunate that he's not here to continue on with the discussion because I don't think it's exactly fair but I do think that I have to make some remarks. I found the letter to be sensational and emotional but I don't feel that it fully addresses the point or the facts of the issue which we're about to consider. Certainly it points to the effect of the issue but it does nothing to permanently offer change. I think the Board this evening, and on Trustee Gallagher's initiation, has begun to take some affirmative action on this issue. By beginning a committee we're taking a step in my mind in the right direction. I just feel that it needs comprehensive examination. It's not an issue which can be looked at from a one time situation and try to resolve it in that manner. It needs to be looked at from the implications upon the whole Village and needs to be examined and I'm sure the committee will do that. We've done this in the past. Fire Limits is the most recent example. We've referred other issues to a number of committees, or one committee for their consideration and review. We used to have a former attorney who used to say that government works slow but deliberately so and that's because the decisions and the actions that we take affect everyone in

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, July 23, 1984 at 7:34 PM

the community and when we take an action that's positive for one individual and one situation and find out that it's not so positive or beneficial to other neighbors or other residents. So that's why I think we do have to take our time. We have to take a comprehensive look at what we're doing to make sure that it's impact and implications on the community are beneficial for the majority. Also I'd just like to comment that as a parent, I found the tone of the letter offensive. It implies that a parent has no responsibility for the behavior and action of their children while they're in their front yard and I feel as a parent you have the responsibility to instruct your children in the safety around the street. I have two small children at home and we almost certainly do not lock them in the backyard which has a fence. We've informed them of the potential dangers of the street and we supervise their actions when they're near the street and found the tone in that sense offensive. So at this time if anyone has any other comment we ask that you state your name and address. Mr. Hill.

Richard Hill, 18 Brookside Drive: I've got several. First I'd like to ask Mike - is Carolyn still going to be on Traffic and Safety?

Trustee Kibby: Yes, she'll still be on Traffic and Safety.

Mr. Hill: Okay.

Trustee Kibby: She will withdraw from the Board of Appeals.

Mr. Hill: Because I don't want to lose her.

Trustee Kibby: I'm well aware of that, sir.

Mr. Hill: The action on our code pleased me very greatly too because we've been working around with them for as long as I know with the Board and with the Village and I'm glad to see some movement there.

Trustee Kibby: It's still 12 to 15 months to completion.

Mr. Hill: Also on the Department of Public Works. Two of you on the Board have been here several years. We haven't been getting our trees trimmed, the traffic signs are covered up with tree limbs, we've not getting our streets, our potholes fixed or paved. We've got a manpower cut. Now it just seems impossible to me for a long time that you people that sit up on that Board keep cutting the Department of Public Works down and down and you're going to lose the election. I'm glad to hear that our opponent on the Board feels the same way you people do. You don't want to spend any money in the Department of Public Works to bring us back up to where we can live with our streets. You're leaving our streets go to pot, you're leaving our trees go to pot, and you're sitting there and two of you tell me lower taxes, no more money for the Department of Public Works. I don't understand your

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, July 23, 1984 at 7:34 PM

thinking at all. I don't understand the thinking of the Mayor and I'm very critical of this Board for that. I helped put you people on this Board. The last party kept the taxes down but let everything go to pot and now we're trying to repair our sewers and repair the water lines because they didn't do anything. I think it's about time you stopped looking at the Department of Public Works and started bringing back the services. I get complaints from the neighbors on Cadman and Brookside. I've got complaints ever since they put the sewers there. Nothing's done on it. I back Phil: I'm glad he brought it out into the open. In fact I had suggested to the chairman of the Village Party that we have a meeting with the Mayor and talk about these problems. But since it's out in the open, I think he's right and I think you ought to put the blame where it is, right on this Board. This Board controls the money. I'd like to know how much money you proposed this year for repairing our streets. I don't think there's anything being done. I think you ought to get the ball rolling at the Department of Public Works.

Mayor Kuzon: That's exactly right and that's the best statement I've heard and I think that's what the majority of us want to do after the meeting. We have the same questions that you have but I don't think the solution to every problem is pouring more money into it.

Mr. Hill: I don't either, but I think you ought to look at it because you've got one man dictating to the Board what you're going to do.

Mayor Kuzon: No I don't think so. There's five of us here to make the decisions.

Mr. Hill: So don't spend any money. All right. Face it next March.

Trustee Saia: Mr. Hill I, you know I'm coming up with I guess Mr. Kibby for reelection next year, but irregardless I got put into a job down here at the D.P.W. and believe me I'm trying and I'm spending my time trying to find out how the D.P.W. runs but I'm handed a budget that was not of my making. I approved it, I sat here and I approved it, but it was not of my making. Someone else made that budget up. I'm trying now to live with the budget and the fact I keep harping on Phil all the time to let's stay in the budget. Let's stay in the budget. Watch the budget. Let's not go over it. That's what I'm telling him all the time. But I have to live with what was given to me on this budget. But I'll tell you something there's an awful lot you can do with some manual help and I'm talking about with just some people. As Mr. Gallagher says, who's cutting the things on Main Street, and who's doing the potholes, sometimes you can do an awful lot with some good people working and you don't need a hell of a lot of money to go and get material

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, July 23, 1984 at 7:34 PM

things like something material, equipment or something, but you can do it with your labor. Now Phil has done a marvelous job of restoring some of the equipment in the highway department but I'll tell you some of it is being held together with baling wire because that's about the condition of it. It has - we've got a brand new, two brand new trucks down there but some of the equipment is deplorable. But he has put some of it back in shape. It has cost money and I'm sure that this Board knows that last year Phil kind of went over the budget. But I'm trying to hold him to that budget this year and it's tough. And I want to see these people get taken care of, their potholes and everything else, they cut the branches off of Main St. like I had to do and go and take care of a couple of those people because somebody wrote some letters. And I understand it and we're trying to do it but at this point right now, and I can see why Phil brought this up tonight and I agree with Dick again that maybe Phil shouldn't have brought it up at this time but I can see Phil's problem here. There is a big problem and we've got to get it, maybe this will bring it to the forefront. We've got to bring it out and maybe this will bring it to the forefront and I'm glad of that.

Mayor Kuzon: Okay. Mr. Dominiak.

Mr. Edward Dominiak, 59 Arend Avenue: Yes, I like to speak about the fence ordinance. To your response there to Mr. Borsuck's letter I think that Michael Borsuck, in reading the minutes of the last meeting, he suffered through much more than I did and true he did not address the ongoing situation of the whole Village. I did in a letter to my Board of Appeals when I mentioned about a building permit requirement for fences, not only for corner fences, backyard fences for proper construction. In pursuing the first fence I put up I was surprised how many people didn't know how deep to go for the frost line to push up. Therefore, fences are not only constructed to protect children because there are backyards too, but for many reasons. It's hard to instruct a three year old not to go into the street when he sees a playmate on the other side. Also the unfortunate popularity of child kidnapping people on a corner lot with children can suffer. Again there are fences in the Village that fall under the grandfather clause. I live in the Village. I'm going to live in the Village for the next 20 plus years. I'd like to see if there's any way I can get on such a committee even though I'm pro. There are people that have backyard fences that should require a building permit and perhaps have a 10 year follow-up inspection by the Building Inspector to make sure that the frost line hasn't heaved it up and they're not doing anything about it so neighbors don't have to look at such a situation for long. So I'd like to look at other implications throughout the Village so if there's anyway myself or other corner residents so forth who maybe don't have a fence, don't want a fence can get on such a committee I'd appreciate a call.

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, July 23, 1984 at 7:34 PM

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

Mrs. Loretta Babin, 80 Spring St.: I don't know exactly how much footage there is at the train station property, the conrail property, but if there's enough I think our children in the Village and like this gentleman with a new family our population is not growing older, we're getting younger people now and our Village has never had anything for the children where they could swim. The dam was cut out and you cannot swim there. Our Fire Department goes to Glen Park frequently to tow out youngsters who are jumping off of the falls into the creek below because a lot of bottles have been broken in there we have lots of first aid. They have no place to swim. This area also is close to the senior citizens homes and a lot of them swim for exercise today. I would think that we in the Village should supply some place for our children to swim. Out at Clearfield and Klein they have something. Out on Maple they have something. And I'm also speaking for our neighbors in Snyder and Eggertsville, although they might have to pay a little more to come into our swimming pool, I think. I think as long as the baseball diamond and the tennis diamond are there then why not a swimming pool for our children. You have probably discussed this before but I might not have been at the meeting but since there is so much conflict about this property let's give it to our kids. They're our population growth and they're our government of years to come.

Mayor Kuzon: That's a good point and I like the idea of involving Snyder and Eggertsville and maybe we could get the Town involved because one of the town-wide issues over the last number of years has been the lack of recreation facilities in this section of the Town and the point you made, the recreation facilities are in the central or northern portions of the town. And I understand the population of the town is shifting north but there is still a good chunk of the population in Eggertsville, Snyder and Williamsville and if the Village is interested in providing opportunities for its youth and being generous enough to say that we'd be willing to have town people come and swim in our pool I think maybe we should approach the Town and say look we're willing to go in with you and create some type of recreation facility in the Village for village and town residents since obviously town residents will benefit from it.

Mrs. Babin: Well I always had to pay at Clearfield for my son to go there to go ice skating, so if there was a place here it would be a lot closer, and I always had to chauffeur and today we have mommies and daddies who aren't living together and mommy is working all day and taking care of the kids and she can't chauffeur and if the kids can ride their bikes it's better than up Hopkins or down Maple where it's very dangerous for them to ride and you could even walk to a pool in their area I think it would help our whole Village

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, July 23, 1984 at 7:34 PM

population and our brothers next door too. I don't want to exclude anybody.

Trustee Saia: Mayor Kuzon, I'd like to elaborate on that. I think I have brought this up. I think I had mentioned it that the Village youth, the recreation board has ability to raise some funds. They wanted to earmark these funds and that was mentioned. In fact when the railroad property came up that was mentioned. And it was also mentioned that we want something that Village residents can go to and I don't think the Village Board would want to stop the youth from the Village or from the Town, or our senior citizens, but they must pay their way so that it is no burden on the Village taxpayers. I think I brought that up. Maybe I wasn't understood at the time but I have brought this up and that's what they have been talking about, as a matter of fact I think Loretta Babin proposed it on the Youth Board when we decided we had a little money saved up in the Youth Board. Now this money, the planters, for instance, and donations would be earmarked to some project and that was determined, and I said well Loretta it's a good idea but you better wait and see what this Board will do for us because you might find that you won't have any place to put a swimming pool if it was sold.

Mrs. Babin: Mr. Saia, is it true that we have to give back the money that the Jolley Boys give us for our Youth Board at the end of the year what we don't use?

Trustee Saia: I don't think so but you'd have to talk to the Village Clerk. I think you can earmark it for a project, but the attorney and the clerk were working on that not too long ago and they said to wait until the next budget.

Mrs. Babin: If we don't use it we could always keep building it to help towards this swimming pool. I'm not here to ask for a handout. We want to help too.

Mayor Kuzon: Okay. Mr. Hill.

Mr. Hill: I'm glad to hear this proposal made because about 30 years ago I tried to do the same thing and got no place. My kids are grown now and gone so it won't help them but we've got a lot of young kids here and a swimming pool is badly needed here and I think you ought to push it with the Town. It's a good place over there for one. We've got the railroad property, let's use it.

Mayor Kuzon: Along those lines, when I originally wrote the letter to Assemblyman Sheffer requesting that three projects be included in the state, or excuse me that three projects be requested to be included in the State supplemental budget - what I'm about to say it wasn't intended to go to the paper, it was just a copy to the editor for his information since he

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, July 23, 1984 at 7:34 PM

was involved in some discussions- but what I'm getting at is that of the three community projects I asked Assemblyman Sheffer and Senator Floss to see if they could get into the State supplemental budget were some monies - I think it was some \$70,000-\$80,000 - for renovation and restoration of the existing pools. Now that figure is not based on any estimate given to me by a pool consultant or authority. It's a ball park figure. Again this is not a definite thing. It's something that Assemblyman Sheffer and Senator Floss would have to be very adept in getting. I would certainly be very surprised and happy to see if they could do it.

Trustee Saia: I saw that letter and you're getting something confused. We've got wading pools. We don't have swimming pools. I mean, you know, you can't take a teenager and say go swimming in the wading pool. Those are wading pools.

Mayor Kuzon: Right.

Trustee Saia: They're not swimming pools. It was amazing how you got \$150,000, or trying to get \$150,000 out of a pork barrel loan, or whatever, gift to put in a bridge that we only use four days a year and then have \$70,000 to put into wading pools. It's not swimming pools. And I saw that letter and I'm going to discuss it with you. I'm glad you brought it up Mayor.

Mayor Kuzon: Certainly those are wading pools. What I'm driving at is maybe perhaps in Island Park if we're successful in getting the money maybe one of those pools could be altered and it could be made into a regular swimming pool, as long as we're presenting ideas. Mr. Sandburg.

Douglas Sandburg, 81 Mill Street: Number one I hope the Board as they deliberate and talk about what they're planning on doing with the railroad property that they will take into consideration this idea, because I know it has been stated by some members that they don't want to see a citizens' committee formed, or if there is one formed it wouldn't be until the time they decided to sell some of it or not. I think if they take into consideration something such as a swimming pool, if you sold off the wide end there wouldn't be room enough in some of the other property which is narrower.

I also have another question of the Board and it has to do with moving, the suggested move to the courthouse, the present courthouse, and my question is does the Village Board plan to hold a referendum with regards to the bonds to buy the courthouse and the perpetual improvements needed in it for Village use?

Mayor Kuzon: Well, by law our bonds are subject to permissive referendum which is based on residents petitioning for such a referendum. If you're asking is the Board itself going to make the motion to hold a referendum, that hasn't been discussed at this point.

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, July 23, 1984 at 7:34 PM

Mr. Sandburg: The reason I ask is that when you're thinking about \$80,000 with regard to the property, meaning the railroad property, you decided at that time to put it up for referendum. Therefore, I would request, to ask you to deliberate that this seems to be a much more major move and one that could have much greater consequences on the Village budget than a small piece of property, and therefore, I ask that you take it into consideration.

My other question of you is what is the projected operating budget on a yearly basis for taking over this building and what will be the financial effects on the Village?

Mayor Kuzon: Well, we have the basis of the operating budget for the police and court building so we can use that as a basis for our future budget projections. However, there is an unknown factor when you add on the truck bays and the work bays that the Fire Department will utilize. You know, that's a new, new facility. We can't really project. We're expecting our architect to give us some ball park figures but at this point we really can't project an accurate figure of what that cost will be. If you're asking me to project dollars and cents this evening I don't have that in front of me and I hesitate to quote ball park figures so I would be happy to show them to you at some other time.

Mr. Sandburg: Is this something that you plan to make known before a decision is made on purchasing or not purchasing that building?

Mayor Kuzon: I'm sure we will because the Board has had some informal discussion whether collectively or individually about some of the expenses that are going to be involved in the Village having its own building. It's an expense that we've shared or not even had to deal with while we've shared occupancy in this building.

Mr. Sandburg: Am I correct in saying that today it's somewhere between \$17,000 and \$18,000 a year for the Village presently.

Mayor Kuzon: For this building? We budget more than that.

Mr. Sandburg: In what area?

Mayor Kuzon: I think it's in the neighborhood of \$20,000 - \$21,000. Right Terry?

Mr. Sandburg: All right. So in round figures \$20,000. And so that in running an entire building it's going to cost greater than that. I do sympathize with your comment with regards to saying that the truck bays going on the fire house that might make a difference but there you have to take into consideration the Fire Department. And what I'm asking is not what it's going

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, July 23, 1984 at 7:34 PM

to cost the Fire Department but rather for the Village to operate their portion of the building. That's something that is studied. I'd ask one of the Trustees, I believe Trustee Brenton is the individual negotiating this for the input. I don't know, is there another committee; or not?

Mayor Kuzon: Not at present.

Mr. Sandburg: I had asked about that and was told it was impossible to get those figures and I don't see that that's the case. How do you project the budget for the entire Village? And, therefore, that those kind of figures be given to the public.

Trustee Saia: I am sitting here, you know, and I'm not confused, I'm sitting here because I respect the move for the Fire Department and I think there's nothing I would do to stop the move of the Fire Department. But for some reason I think I'm being held up personally from the information that I have at this time, that I'm being held off personally that hey the Fire Company moves you've got to take the Village with you. But I don't have any cost to the Village and like I said at the last meeting, was said by whoever's doing the negotiating is in effect that the Village is going to move to the fire house. Well, you know, I don't make a statement like that unless I knew what it was costing me and I know there's two guys right here, and I'm sure Dick Gallagher, I don't think he knows any more than I do, maybe he does. Have you taken a study on this, Dick? Do you know more about it, or do you have any information on it? So in effect somebody makes a statement like that to me and they're meeting with the architect in order to, the basic thrust in the right direction. But what is the right direction? Is it going to cost us \$10.00/\$1,000 on our tax base? Is it going to cost us \$2.00, or \$1.00? You know, what's it going to cost? I have no idea. So when somebody makes a statement to the effect that the Village will move to the courthouse I kind of get kind of worried because I think I was elected to look after some of the affairs of the Village and I know nothing about this.

Trustee Gallagher: Jimmy, as we spoke late last week, there is a lot of work to be done on that and that is one of the reasons why it's on the agenda at the work session and is so noted on there for tonight and to include the steno and what timeframe should he or she come on and I also think that the appropriate person to be discussing this with is Larry Brenton and that when he gets back we get together and lay it out point by point. His concerns are no different than ours. We have to know what we're buying into.

Mayor Kuzon: Terry does have all the correspondence and documents that have transpired between the Village and the Town and, you know, if you need to look at them just see

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, July 23, 1984 at 7:34 PM

Terry. She has the folder.

Trustee Saia: I've got as far as the money to appropriate this building I think I've got that down pat but I've think I've got - let's go back again and say I want that Fire Department in there but I don't want to be held up to move the Fire Department in there. I think they need a new place, that's my opinion. I think the Fire Department at all costs should move out of where the heck they are now and go into a place that they could operate professionally out of, but you know we're building now, we're building this Village department back up. We used to have our own Village Hall at one time. We got in with the town to save costs. And so here we are. This is what we ended up with. Now it seems like we're going away again. We know we got to hire more people. We know we've got to increase the court deal. But nobody knows, you know we know it's going to be \$30,000, we're going to pay \$30,000 or more a year, but no one's really coming out and saying how much is this thing going to cost. Let's take a ball park figure. Does this mean we're going to have to go into hock for \$1 Million? Does it mean we're going to have to tax the taxpayers \$10.00/\$1,000 and increase their taxes? Now nobody's answered that and I've asked these questions and I'm asking them in public this time and I hope they're recorded.

Mayor Kuzon: Anyone else?

Mrs. Babin: Mr. Boudreau, I have had people coming into the Williamsville Water Mills asking me where our sewage is draining. It seems like at Rock and Spring St., the gray building that's next door to us has a pump station?

Trustee Saia: Yes. It's on the corner, down at the bottom of the Glen.

Mrs. Babin: Well everybody that comes in always thinks that we own the whole bottom of the hill. I guess there must be sewage over-draining down there and running into the pond that's down there. Now do we have to call the Board of Health?

Trustee Saia: I'm glad you brought it up because I really personally have been trying to keep an eye on that because I heard that it did overflow before but we never could prove it. But, Phil...

Mr. Boudreau: Yes?

Trustee Saia: Could you get your men to go down and take a look at that pumping station at the Glen Park escarpment? Will you take a look at that and report back to this Board?

Mr. Boudreau: We already have.

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, July 23, 1984 at 7:34 PM

Trustee Saia: Is it leaking?

Mr. Boudreau: Certainly it is.

Trustee Saia: Well what action have you taken?

Mr. Boudreau: Well I submitted it to the Building Department, the Plumbing Inspector's Department. It is overflowing.

Trustee Saia: Okay. Will somebody check - who's in charge of that?

Trustee Kibby: That's mine. I'll check it out.

Trustee Kibby: Will you check that, Mike, and do whatever you have to do either to get it corrected...

Mrs. Babin: The reason I say this is because we've been taken to court once before for something that we weren't doing and it was thrown out, but I don't want somebody now submitting us with another court thing and thinking that it's our sewage because our pump station is right in front of the Mill and it goes under the ground and it goes up to Rock St. and it's pumped in. But they think it's ours and they have come in and said why are you letting sewage go into the ponds down there with the ducks and children and everything else down there. That's why I'm bringing it up.

Trustee Saia: I'm glad you brought that up, Loretta. And just keep me informed whenever you get any rumors like that and I'll look into it immediately.

Mrs. Babin: Thank you.

Mayor Kuzon: Thank you. If there's no one else...

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

Unanimously carried.

Mayor Kuzon: And if there is no further business...

ON MOTION by Mayor Kuzon, seconded by Trustee Saia, the meeting was adjourned at 9:04 PM.

Unanimously carried.

Theresa L. Cummins,  
Village Clerk-Treasurer