

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, September 10, 1984 at 7:31 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher Trustees

Michael Kibby

V. James Saia

Mary Harrigan, Deputy Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudreau, Dept. of Public Works

Absent

Theresa L. Cummins, Village Clerk

Mayor Kuzon called the meeting to order at 7:31 PM.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the minutes of the regular meeting held August 27, 1984 were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the minutes of the public hearing held August 27, 1984 regarding a local law to add Sections 41.20(F), 41.50 and 41.60 to the Sanitary Code were approved.

Unanimously carried.

Mayor Kuzon advised that he had recently received information from the New York State Department of Transportation that a public hearing will be held on Thursday, October 11th at 7:30 PM in the Council Chambers to discuss the proposed project for Union Road at its intersection with Main Street and the removal of the railroad viaduct, and the straightening of the slight bulge on Union Road. He advised that he had informed the Trustees in their work session that he had been in touch with our Assemblymen and asked that the Village and the Village Board be provided with information prior to the hearing so that we can prepare our comments and questions in advance and get a better response to our concerns.

Mayor Kuzon also advised that we have now received the final survey of the Conrail property and it is in the Village Clerk's Office. At the last meeting the Board authorized a committee to investigate and advise on the Conrail property. He asked anyone who was interested in serving on the committee contact him and he will make arrangements in establishing the committee. He is not recommending a committee this evening because he'd like to allow time for interested residents to contact him. Many already have. There have been about six so far who are interested in serving and if there are others they also may contact him and he hopes to get the committee established by the next meeting, or at least by no later than the end of October.

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, September 10, 1984 at 7:31 PM

Mayor Kuzon said he had shared with the Trustees and others in the back room that in yesterday's business section of the Buffalo Evening News they took a look at suburban business districts and a look at Williamsville and they did a nice job in reporting what is happening in the Village. They did not talk to the Board, but to the Main Street businessmen. He said he had the article with him and anyone who did not see it could come up and look at it after the meeting.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, vouchers in the sum of \$46,286.04 were approved as follows:

Payroll Fund	W/E 8/31/84	\$ 9,468.06
	W/E 9/10/84	<u>6,008.19</u>
Total Payroll Fund		\$15,476.25
General Fund	Abstract #568	23,861.62
Sewer & Water Fund	Abstract #149	80.00
Trust & Agency Fund	Abstract #188	6,236.16
Glen Park Jt. Activities	Abstract #88	80.00
Federal Revenue Sharing	Abstract #161	<u>381.01</u>
Total Vouchers		\$46,115.04

The larger vouchers were sent to Rapid Disposal; Britting Gelia, our insurance agent; and Marine Midland.

Unanimously carried.

Mayor Kuzon said his next resolution was an appointment to the Historical Preservation Committee. The local law establishing the committee provided for professional membership, professional representation on the committee. The individual that we're recommending be appointed tonight is an architect with a background in historic preservation. He does not live in the Village but this is permitted under the rules of the local law. Even though he is not a resident, he does have a business in the Village and works out of Design Systems. The position is vacant because the former member who was active in the Historical Society as well as on this committee left to go to college and is not able to participate this fall.

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

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, September 10, 1984 at 7:31 PM

RESOLVED that Kenneth A. Moser, 11 Fairbanks Avenue, Kenmore, New York is hereby appointed to the Historical Preservation Committee until the end of the 1985-1986 official Village year.

APPOINTMENT
Historical
Preservation
Committee

Unanimously carried.

Trustee Kibby advised he had no report this evening but did have a resolution calling for a public hearing to amend Section 60.32(20) of the Village Code which reads as follows: A. Remains the same. Present B and C are eliminated and replaced by new B) East side between Main Street and a point 115 feet south of Main Street. Trustee Kibby advised that what we are asking for is to move the no parking zone which is now 75' on the east side of Los Robles, 75' back from Main Street, back to 115' feet from Main Street so that the signal trip on Los Robles will be able to operate. At present cars park underneath it and cars cannot trip the signal. We are asking that there be unrestricted parking on Los Robles from Milton until 115' south of Main Street on the east side. As it stands now there is supposed to be half hour parking except for a stretch in front of what used to be the Post Office where there was no parking. That is not enforced at all and this will be in keeping with the way it is actually used and we think it is a better use.

ON MOTION by Trustee Kibby, seconded by Trustee Gallagher, 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 September 24, 1984 at 7:35 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a local law which would amend Section 60.32(20) of the Village Code regarding parking on the East side of Los Robles.

PUBLISH NOTICE
OF PUBLIC
HEARING

Amend Traffic
Code
60.32(20)

Unanimously carried.

Trustee Saia said he did not notice in the agenda that there would be a meeting of the Meeting House Committee and asked why not. Mayor Kuzon advised that the committee had taken the summer off and a meeting would be scheduled shortly as soon as a convenient time could be arranged. Their last meeting was in the spring when they surveyed the building.

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

PERSONNEL

RESOLVED that the appointment of Michael Moritz, 42 West Spring Street, as Seasonal Laborer in the Department of Public Works is hereby extended 30 days, from September 15 - October 14, 1984.

Seasonal laborer
extended
M. Moritz

Trustee Saia advised that Mr. Moritz has been under our employ as a part-time summer employee. He comes highly recommended by the employees in the department and the Department of Public Works Superintendent and Trustee Saia is going to ask the Board to put him on as a full time employee at an up-coming meeting. The gentleman has very good recommendations from everyone concerned. He would replace a person who has retired and there is money budgeted for this. We are not adding a new employee.

Unanimously carried.

Trustee Saia said he had a report tonight. He stated he is a member of the Fire Department and he wants it on the record that he'd like to clear up a couple of things. First, he stated he is for the new fire hall. He has always strongly backed our volunteer firemen. He has proved it by being a volunteer fireman himself, which he doesn't believe any of the other Board members have done. He would appreciate not hearing insinuations from anyone that he is not totally behind this building. What he is against is the way the Board has gone about getting this fire hall. Thousands of dollars have been spent on it before any agreement has been signed with the Town. This is not good business practice even if we are reasonably sure of the outcome. He said he was taught not to appear overly eager to purchase a certain piece of property, when you give the impression you want something no matter what, you seldom get the best deal. No one should proceed without accurate cost figures, including yearly upkeep. He does not question the need to purchase the fire hall, he does question the need to purchase new Village offices. We could easily get in over our heads here. It might be better to continue to rent. If we could get a really good deal on that building he guesses he'd like to buy it, but so far he has seen no cost figures. It seems strange to him that while we seem overly concerned about the cost of a Conrail park we do not worry about a purchase vastly more expensive than the park. Maintenance figures have been given, a ballpark figure of several thousand dollars a year to maintain that building. What will owning this fancy building do to our tax rate. He would like a financial impact statement. He thinks we should have one. Villagers should have a say in anything of this magnitude. He said this should put to rest some of the remarks and insinuations that have been made.

Trustee Saia said that at the last meeting, and maybe Larry will report on this also, but he wants to make a statement too, but at the last meeting there was kind of a concern about

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, September 10, 1984 at 7:31 PM

the employees that we have in the Village. He had the Clerk, he guesses both of them had the Clerk look into the employees from the years '74 to '84. He was amazed at the figures he got. We now have 11 employees in the Highway Department. Actually there are only 10, but if Mr. Moritz is appointed we will have 11. In 1974 we had 14 full time employees, but we also had at the end of '74 hired CETA employees. Everybody knows who CETA employees are. They're hired full time and perform on a full time basis for the Village. We had a total of 7 hired during that period. In 1975 we had five on the payroll plus 13 full time employees. Five CETA. In 1976 we had 13 full time employees plus 3 CETA. In 1977 we had 2 and in 1978 we had two. We had 11 full time employees in 1977 and 12 full time employees in 1978 plus two CETA employees full time each year. In 1979 we had 12 employees, in 1980 we had 11, in 1981 we had 11 and in 1982 we had 11 and so forth until the present time, which we will have 11 if Mr. Moritz is appointed. A statement was made at the last meeting about the employment being identical to the last 10 years in the D.P.W. and he stated he just showed where it is not and these figures are from the Clerk and they are not the same. He stated he has personally contacted some of these CETA employees and that's where he got some of this information, as well as from some other places. People that left the department left because of retirements, sickness and other reasons. In 1977 two men were laid off and one was rehired the following year, he believes. In the period from about '75 to approximately '79 the Village received CETA employees which do not show on the Village payrolls. This means that we did not pay them, CETA paid them. His records show that we had considerably more employees in the '74-'80 period than at the present time. CETA employees were used by many municipalities and when the program expired many municipalities kept some of these people on their work forces, he happens to know a few that work for the Town. The employees in the Department of Public Works were as high as, he has 16 but has discovered 18 in the last ten years, including the CETA employees. At present there are 10, and that should be 11 because one person retired and he thinks they're going to replace him. He stated he had contacted some of those people and verified that they worked full time, as CETA employees.

Trustee Saia stated it has been suggested that the Department of Public Works performs less jobs now because of procedures developed by a so-called cost effective procedure that supposedly saved work for the department and has in reality made money for the garbage collector. The residents were supposed to bundle this trash and this brush and even bag the leaves so that these garbage men would only pick up a certain size bag and a certain length branch but it didn't work out. And it has been proven that it hasn't worked out, and it hasn't worked out because even though the personnel of the Highway Department was left down because of this increase in the trash pick-up, in effect people complain because their trash was not being

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, September 10, 1984 at 7:31 PM

picked up, they weren't cutting the branches in four foot pieces. The D.P.W. now is the fall guy and the personnel is being made to perform a duty for personnel that was cut. It is his opinion that residents will pay a little extra to get the services that they so rightly deserve.

As for the D.P.W. not paving the streets, Trustee Saia stated that was not true. Our work force has performed approximately 70% of the paving procedures on the three streets that we did this year and if they had the proper equipment they would probably do all the streets. The Town is good enough to come in and put the top layer on for us with their equipment - they do have the proper equipment. The D.P.W. has done some DI's, which are manholes on the drains, and drainage work and some of the design work that is done by them today was given out to contractors in the past. The designs and plans are now done by the D.P.W. Superintendent, who is very well qualified, and this has been a considerable financial savings to the Village residents. The figures given to you at a past Board meeting pertaining to a 363% increase in the budget for paving is unfounded and totally incorrect. He is sure that Phil Boudreau can give the correct figures if contacted. The workings of the D.P.W., the problems, the needs, the residents' complaints, and costs can be obtained by a simple visit by any Trustee, by the Mayor to the office of the Superintendent. The department can give them accurate figures and an explanation of some of the rhetoric that goes on in public. Cosmetically cheap quick jobs done by the D.P.W. by a past whoever will no longer be tolerated. There will be no cheap, quick patch-up jobs on Village equipment or property as has sometimes been the procedure in the past. When the same street has to be resurfaced after a couple of years, when a patch job on the D.P.W. leaks and has to be repatched again after a couple of years, when a piece of highway equipment does not get the proper service, and so on, and so on, then the taxpayer ends up paying for it, the extra cost later on. What you pays for is what you gets. What this Board appropriates on the yearly budget is what the D.P.W. will work with, but the funds will not be stretched to cover a multitude of sins. We will stress that safety and quality of product will be foremost in the minds of the persons doing the job. Thank you, Mr. Mayor.

Trustee Gallagher stated he had no resolutions tonight and no formal report other than that he has a number of suggested recommendations that he will be presenting to the Board in the next couple of days for their consideration, deliberation and hopefully action in certain areas of the Village regarding Village management such as D.P.W., fiscal, citizen participation, etc. and he thinks that is the proper procedure, to go through the Board and then subsequently bring it to the public after appropriate deliberation by the Board.

Trustee Brenton stated for his report tonight he would report on our Sanitary Sewer Rehabilitation process, which is being contractually done at this time and the D.P.W. is working on

this also. The Sanitary Sewer Rehabilitation Program is approximately 75% complete. He would note that in the process of doing some of these individual situations he has talked to some of the people and they have indicated that they have had continuous problems over the years with sewer blockage within their own sanitary laterals and had to call the plumber and he believes the problems were associated with the "Y" connection which goes into the trunk sewer itself and he believes this is going to alleviate a great deal of problems for some of the people.

Trustee Brenton asked if the Trustees had received a report from the Clerk pertaining to what he had requested at our last meeting regarding the number of personnel in the department and they said they had. He just doesn't know if he can agree with Trustee Saia's appraisal of the number of people that worked here because he doesn't see that many people here. Of course, we're alluding to part-time and CETA help. What he's seeing right here is about 10 full time people, or perhaps 11 depending. There were some years, for instance the year of 1980-1981 when Mr. Laubisch was not in any way associated with the D.P.W. for about a year and three-quarters because at that particular time he was involved in the New York State grant for our traffic and safety situation, so he wasn't associated with it. He thinks he would prefer to have the Village Clerk here to quantify exactly what she has put here because again it appears to him the public has been led to believe that at one time we had 15 full time people here and he does not see 15 full time people on this sheet. So that he would wait for the Clerk to be here so that we could further address this, because he has counted these people and he just can't see any more than perhaps 11 in a given year that he sees on the sheet. Of course, the Village Clerk is away at a conference for the next couple of days and she will be back for the next meeting.

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

RESOLVED that Eugene L. Covelli, 89 Arend Avenue, is appointed Water Meter Reader at the rate of \$3.25 per hour, effective August 31, 1984.

APPOINTMENT

Meter Reader
Eugene Covelli

Unanimously carried.

Trustee Brenton stated his second resolution authorizes a public hearing to change certain segments of our Water Code which deal with opening streets when someone has a broken water line. A few years back we changed the codes as far as fees were concerned and in that process increased most of the situations where permits were required, the cost of obtaining the permits. The street cut was adjusted accordingly

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, September 10, 1984 at 7:31 PM

due to the inflationary impact of the many years it had been left in its present state and inadvertently this was not picked up in the language of the code so all we're going to do is change the language of Section 65.40(G) of the Water Code to indicate what our actual fee structure is going to be.

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

RESOLVED that the Village Clerk is authorized to publish notice of public hearing to be held by the Board of Trustees of the Village of Williamsville on September 24, 1984 at 7:40 p.m. in the Municipal Building, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a local law which would amend Section 65.40(G) of the Water Code - Street Opening Permit Fees.

**PUBLISH NOTICE
OF PUBLIC
HEARING**

**Amend Section
65.40(G) of
Water Code**

Unanimously carried.

Trustee Brenton stated his next resolution was procedural in nature in that we need to assure the United States Government that we will live up to all the provisions of their law pertaining to our receiving Federal Revenue Sharing Funds and we have to do this to assure the government in the form of a written assurance in the form that they have sent to us.

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

RESOLVED that the Mayor is hereby authorized to sign Federal Revenue Sharing Statement of Assurances Certification Form EPL6 covering the period October 1, 1984 to September 30, 1985.

AUTHORIZATION

**Mayor to
sign FRS
Statement of
Assurances**

Unanimously carried.

Mr. Boudreau, the Superintendent of Public Works reported under the heading of Paving that this past week S. Cayuga Road (Main to Milton) was prepared for repaving and an intermediate asphalt concrete lift was installed by the D.P.W. A number of large pavement utility cuts were cut out and repaired. In the next few weeks the installation of the final wearing surface will take place on the three streets scheduled for repaving.

Under the heading of the Department of Public Works Garage, Mr. Boudreau stated the D.P.W. garage roof is in need of a reroofing job. During the past few years, we have patched and repatched an old, worn out roof system. Each year a D.P.W. crew must spend three or four days making spot repairs of leak

areas. In a few weeks we will again be up patching the roof. The past week two professional roofing contractors have inspected the roof and have made the following recommendations: (a) The existing garage roof design is a good one and is a standard design used on many commercial buildings in the Buffalo area. (b) After a 48-hour rain, no water is ponding. The roof is dry. This indicates good drainage and there is no sag in the joist system. (c) Recent repairs are cosmetic and will only continue to leak. Some repairs have actually contributed to the leaking. (d) Their recommendations are for bays 1 - 5 in 1984 to remove ballast - make repairs where required. Install a 3/4" vapor barrier board, mechanically attached. Install hot, 4-ply fiberglass roof. In 1985 for bays 6 - 9 same procedure. As Superintendent of Public Works and having years of experience in the design, construction and inspection of commercial class roofs, the following are Mr. Boudreau's recommendations - (a) The roof system design is a good one with standard roof drainage to an open gutter. No standing water observed on the roof after 48 hours. (b) In 1984 - bays 1 through 5 - new roof installed as recommended previously in this report. (c) In 1985 - bays 6 through 9 - new roof installed as recommended previously in this report.

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

Unanimously carried.

Richard Hill, 18 Brookside Drive, stated the area of Brookside Drive from the corner of his lot to Wehrle is so rough that the cars are going over into the left-hand lane to avoid it and he would appreciate it if something could be done so the cars stay on the right-hand side of the road in that area. Mr. Boudreau stated he knows the area and they can come up and patch it.

Donald Schueckler, 124 S. Union Road, stated he was here regarding the State hearing on October 11th. He said he had contacted the State of New York and he has been in front of us numerous times about the safety of the sidewalks. He contacted the State and they're willing to go along with them if we will. He talked to Larry, who is the sidewalk man, and he agreed and the reason he's here tonight is to find out if we're going to help him. It seems the State will go along with it. The paths are there. They will build a sidewalk with their \$550,000 program but the residents must have the Board's help. It seems the Board has to get together and say that you will accept the sidewalk the way he understands it. He asked if anybody had any objections if the State puts it in to accepting it. He knows it would then go over to the property owner. He asked if the Board would give them a hand on this. Mayor Kuzon said he had no problem with it. Trustee Saia said if it's legal he has no problem with it. Mayor Kuzon stated it was first he had heard of it. He clarified that what Mr. Schueckler was saying was that the

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, September 10, 1984 at 7:31 PM

State would pay to install the sidewalk where there presently aren't any. Mr. Schueckler stated he did not want to keep running with this ball and then find out it ends down here at the Village. He has had numerous conferences with the State and they're in the preliminary stages and they came out and looked. He said that Traffic and Safety said they never got a report about Union Road. They say they were contacted once by the residents of the Town but they never got anything from the Village. He said he was here tonight that if the Board doesn't think they can accept the sidewalk for some reason then he's not going to follow through with this and keep pushing his head against the wall. But it seems the way they talked to him, and maybe Mr. Brenton can shed a lot of light on it because he did talk to them, if you people will accept the sidewalk, you people have to make a resolution and accept it, then it reverts back to the property owner and we have to maintain it. But if they're going to spend that much money for 300' more from the curve up he thinks they should put sidewalks in on both sides and he hopes the Board agrees with him and help him through with this.

Trustee Brenton said that he and Mr. Schueckler had talked about this and then he had called up and talked to Bill Christian and the only thing is that he has to say that the State did not say they were going to put it in. He said that he would like you as an individual to address the issue, and it would be a good idea if his neighbors did also, in the form of a letter to D. H. Ketchum, Regional Director and then it will filter down to the appropriate parties and Mr. Christian also suggested that it would be a good idea if the Village sent a letter also supporting construction of a sidewalk which Mr. Brenton has no qualms about. If we do have a sidewalk installed there then the Village immediately passes the responsibility for the sidewalk, through our existing ordinances, to the property owner. So the sidewalk is placed there and it's immediately the property owner's responsibility. There are many area on Main Street where the DOT replaced sidewalks during the preservation project which Trustee Brenton took exception to and even had Mr. Ketchum out here personally and he made them replace them. The simple fact was that he could sit here and say that sidewalk looks nice now this year but next year it's going to pit and crumble, etc. because of the quality of the construction. He watched them pour it. And he knows that the property owner is going to have to pick up the tab for replacement due to the knowledge of our ordinances. As soon as we accept the sidewalk we turn the responsibility of it over to the property owner and we want to be assured they get a good sidewalk. Trustee Brenton said he has no problem with this and is sure the rest of the Board has no problem supporting installation of sidewalks. He did act on Mr. Schueckler's request and reported on it at the last meeting to have sidewalks installed outside the Village limits up on Union further towards the nursing home and that letter that he received from the DOT indicated that they could not go that far within this particular project and they suggested Trustee Brenton refer that to the Town of Amherst and that has been referred to the Town and to Councilman Barton

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, September 10, 1984 at 7:31 PM

who has referred it to the Town of Amherst Traffic & Safety Board. As far as the Village is concerned he's sure the Board agrees that we'll have no problem with sending a letter to the State requesting sidewalks in this area and then he would say, in particular that this is what Mr. Christian said today that it would be helpful if Mr. Schueckler would send a letter as an individual, and Trustee Brenton added that Mr. Schueckler and any of his neighbors would send a letter and say that there is a definite, dire need for sidewalks and he thinks, then, that we can get more leverage than just Mr. Schueckler, individually, or the Village, individually, going about this.

Mr. Schueckler said he talked to them about 3:30 PM today when they inspected it and they know they have to write letters but they did say if you people don't accept it for some reason then they can't put it in. If the Village says we don't want it there, there's nothing we can do.. He understands that he has to get people to write letters and they'll do it. He felt he had to get them out and show them on account of the safety aspect. They know the Town part is out. 300' is in the Village and they saw the paths. They said with a project of that nature and the safety of the road that they would consider it, putting in the sidewalks if we really wanted them. Mr. Schueckler told them we do want them. They may not be able to put them on the other side of the street because there's a couple of telegraph poles there. Tonight Mr. Schueckler is trying to get the full Board's support on recommending sidewalks within the Village and then once we get them we'll maintain them ourselves. He'll be glad to do it.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the meeting was adjourned at 8:07 PM.

Unanimously carried.

Mary Harrigan,
Deputy Village Clerk