

Minutes of the Informational Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, December 10, 1984 at 7:33 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher Trustees

Michael Kibby

V. James Saia

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudreau, Dept. of Public Works

The Clerk read the notice of hearing relating to an informational hearing to be held to discuss the possible revision of the current corner fence code of the Village.

Trustee Gallagher: I'd like to read a statement prior to beginning the hearing. This is an informational hearing concerning existing fence ordinances which prohibit exterior fences on corner lots in the Village. This hearing is unique inasmuch as we are not proposing any specific change to the ordinance at this time. The purpose of this hearing is to listen to your opinions on the existing fence ordinance, as well as any suggestions you might have concerning a possible revision to the code. The sections of the code that pertain to the erection of exterior fences on corner lots are Sections 70.330(G), 70.13 and 60.70. Section 70.330(G) sets the limitation on the location of accessory structures such as fences. It provides that in any residential district fences under 6' may be located in any rear or interior side yard, but not in the front or exterior side yard. The other two sections concern visibility at intersections and tend to promote the safe movement of vehicles and pedestrians. To those residents who might not have had the opportunity to review fence codes from other districts, we have copies of codes available from eight districts. Julie Kresse from the Building Department was good enough to obtain these. They are from municipalities such as Orchard Park, Kenmore, Grand Island, I think one from Jersey and one from Monroe County, and they are located right there on the top of the railing. For those in attendance that might want to review them after tonight's meeting please do so and if you have any comments or suggestions to put them in writing and address them to me between now and January 7th. The process being followed to review the current code is (1) the hearing tonight, (2) any comments to me submitted in writing between now and January 7th. From them I will take and summarize what has transpired and from contacting people within the Building Department, committees within the Village, people who testify, Board members, then draft a possible revision to the code which will then be presented to the Planning committee and then subsequently to the Board. I think that's a fair and democratic process. It allows for sufficient input and I'm not saying the end result will be a revised code but at least the process will allow the people to be heard and we will take it this far. For tonight I would appreciate anyone wishing to

Informational
Hearing

Corner
fences

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testify please identify themselves by name and by address. After the people in the audience have had their input Board members will be afforded the opportunity of commenting if they so desire.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved to open the informational hearing at 7:33 PM.

Unanimously carried.

INFORMATIONAL
HEARING
(Con't)

Richard Hill, 18 Brookside Drive: If I understand you right before you write this ordinance or after you write it, you're going to present it to different committees for their approval.

Corner
fences

Trustee Gallagher: Yes, there will be a number of committees.

Douglas Sandburg, 81 Mill Street: Trustee Gallagher, may I ask - and I haven't had time to read through the information that you put forward, which I think is excellent - may I ask though, how is our code different today from the Town of Amherst. My understanding is that ours and the Town of Amherst's at one time were the same. The Town of Amherst presently has changed theirs and I believe they changed theirs because they were forced by the court. Is that true or not?

Trustee Gallagher: That I do not know, if they were forced by the court. I don't know that. Does anyone? Jimmy, do you know that?

Trustee Saia: Well I was told, yeah, I think that they had a court case and it evolved into them changing their code. I think it was in '77 or '78.

Trustee Gallagher: That's a part of the learning process for this, that I don't know, we'll find that out.

Mr. Sandburg: That was my understanding. My comment was going to be that if that was the case - that's the reason I asked the question - if that would be the case I think it would be wise for our Village to look into why they changed theirs, if they so did, and if they were forced to do it, and I think we'd want to look into it for purposes that I should hope we would not want to end up in court or something that we were actually, you know, segregating against, or discriminating against I should say, those that own corner lots today. I don't live on a corner lot, but if I did live on a corner lot I'd think twice about the law as it presently is saying to me that I was unable to use my side yard just like anyone else was. Therefore, I'm hoping you're looking into the law, that you'll take into consideration those people and hopefully they'll be changes so they can fully use their corner lots.

Mr. Hill: I was just going to speak on this one thing here. I don't know about '77, but about a year ago somehow or another the Town code was changed - nobody knew how - and at the request of Traffic and Safety the code was put back in on account of

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sight distance and so on and so forth. That code has been put back in within the last six months.

Trustee Gallagher: We'll check into that. Yes, ma'am.

Mrs. George Reister, 72 N. Long: I was to the Board of Appeals about getting a fence and they told me it was illegal. Now I have two fences upon my property which are stone. One is on the east side and it's about 5' tall, and one is on the north side. Now I want a fence to keep people from crossing my property and I've been told I can't do it. There is nothing in the law that says you can't have it if it's not on a corner. Everything's corner, corner, corner. I am not on a corner and I would like to put a fence up to keep people from trespassing through my property and avoid being belligerent when they come through, and I ask them not to do it. I have a right to enjoy my property in peace and quiet and not have to worry about getting smashed in the face by some boy. And I ask again can I get it. What I want. I would like a fence put up there. I know my neighbor doesn't want it and there is a lawyer in his house which is too bad because he is afraid that I would spoil his view. Well I didn't buy that property to give him a view to begin with. He is only there a couple of years. I'm there 25 years and I've been in the Village for 30 and my husband's been here all his life and I would like to put a fence up. I would like to put mine up legally. Thank you.

Informational
Hearing
(Con't)

Trustee Gallagher: Any other comments?

Michael Borsuck, 165 Eagle Street: Unfortunately, or I should say fortunately for me, as of next meeting here I will be a resident of another state. I think it's horrible that what someone has to do to get a fence around here, especially people on a corner lot. I've been fighting this for 18 months now and it's just now starting to come to a head and as it comes I'll be moving, by the next meeting I'll be out. I think the Board should seriously take a look at the law. The law is very, very unfair to people on corner lots. Unfortunately I didn't have the time because I've been traveling back and forth to my new location, to organize such a thing which I think everyone I've talked to is very supportive of. If there's no one else that evidently this is important to them, I, of course, cannot carry it on because I will not be here. I want to thank the two members of the Board that were instrumental in helping me in at least getting this to a public hearing. I am just sorry that I let them down after all this work because I could not carry my end of the ball. It was beyond my circumstances. I think the Board should seriously look at this because it's going to come up again and it's damned unfair to people who live on corner lots.

Corner
fences

Trustee Gallagher: I do not think that we need 400 people to come to a meeting to look at an issue and that even though a minority might be questioning it, it's something that the Board

can look at and it's also that, yes, Jimmy and I have, you know, brought this forward, but it also takes more than two people to get the votes to bring it here so that other people on the Board...

Mr. Borsuck: Excuse me, sir. I've been fighting them now for a year and a half...

Informational
Hearing
(Con't)

Trustee Gallagher: I recognize that. Are there any other comments? Any other people from the Board?

Corner
fences

Trustee Saia: Dick, I'd like to say something on this. I've taken, well I walk around and drive around this Village a lot, like a lot of you people do. I think there's a little problem here. I think we shouldn't talk about clear vision on corner lots. We want to keep - that's a safety problem. If you drive down the street and if you look across that little corner of somebody's front yard you want that nice and clear. That's a safety problem. I don't think that the problem is the corner itself, say the 30' or 35' at the corner which our ordinance I think says 30' clear vision. You want the pedestrians and motorists to know what's coming around the corner. I think the problem here, and we've got to face it, is that we're getting a lot of youngsters coming into our community. I mean these families that are coming in now and buying homes are 1, 2 and 3 child families. Now, if you're unfortunate to purchase a corner lot that is not now fenced in - and by the way there are at least 55% to 60% of the corner lots who are in violation. Now they are in violation because the grandfather clause precluding our ordinance said at that time they didn't care if there was a fence back there and so these people had these fences. Now, for instance, I live on the corner of Arend and Belmont. I think you know where that is. That happens to have two corners. it has Mill and Belmont, and Arend and Belmont. Now - I'm sorry, that's three corners. Now the two people on Belmont and Mill Street are both in violation. I have the other corner. I don't think I'm in violation. But that's what's prevalent in this whole Village. Now someone buys a piece of property with some children and they cannot get the use of their backyard. We have heard their arguments, much of this Board, and all we tell them is you're against the ordinance and you cannot do it. And then I think it's time we did something with the ordinance, because I personally don't feel that we have a safety problem here.

Trustee Gallagher: Excuse me, Jimmy, speak to the issue. Do you have a recommendation or a suggestion in respect to a possible change in the code?

Trustee Saia: Yes. I'm getting to that. You don't mind if I get a couple of more minutes. You didn't time me. You should have said I'd only have five minutes. You asked me if I had something to say and I do.

Trustee Gallagher: The issue is...

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Trustee Saia: The issue is the fence code. Now I think that this fence code has much to be desired. I think that we should look at this fence code, the Traffic & Safety, the Planning, Environmental, to take a look at that fence code. You gave us a good start right here because if you look at these you'll find that everyone of these communities had made provisions for people to use their rear yard. I think that's the issue on this fence code, not the clear vision on the corner of which we are in gross violation in this Village. That's all I have to say.

Trustee Gallagher: Any other comments?

Mrs. Loretta Babin, 80 Spring St.: What's the difference between a fence and a hedge of bushes? We can go on our corners on some of our streets and find bushes along the corner but no fence. Is there a ruling on that? There is a ruling on that? You can have a bush fence, or no?

Trustee Kibby: Yes, you can.

Mrs. Babin: Only so high. Thank you.

ON MOTION by Trustee Gallagher, seconded by Trustee Brenton, it was moved to close the informational hearing at 7:44 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

Minutes of the Public Hearing of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, December 10, 1984 at 7:44 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher Trustees

Michael Kibby

V. James Saia

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudreau, Dept. of Public Works

The Clerk read the notice of public hearing regarding a proposed local law which would amend Section 70.250(B) of the Zoning Code to read as follows: "Any retail business or service, to include barber shops and beauty parlors, conducted within a completely enclosed building, provided, however, that any specific use first listed as a principal permitted use in the C-3 or M-1 district is prohibited in the C-2 district."

**PUBLIC
HEARING**

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, the hearing was opened at 7:44 PM.

**Proposed
Local Law
to amend**

Unanimously carried.

**Section
70.250(B)
of
Zoning
Code**

Trustee Kibby said the only change in this particular code is the insertion of the words "to include barber shops and beauty parlors" so it would read "Any retail business or service, to include barber shops and beauty parlors, conducted within...". The reason for this is in C-1 districts the terminology is used "certain professional offices" and the question was whether or not barber shops and beauty parlors are professional offices. All this is saying is they may be but if they are they're going to have to be placed in C-2 districts and not in C-1 districts. We've had a tradition in the Village of restricting barber shops and beauty parlors to C-2 districts. This is simply clarifying it and making it much more overt of where barber shops and beauty parlors belong. Anyone want to comment?

**re:
Barber
Shops
&
Beauty
Parlors**

Trustee Saia asked if all the committees have been aware of this and have they made any comments on it. Trustee Kibby said it will probably go to them. The Enforcement Board has looked at this and he can't remember if he brought it up to the Planning Board or not. If he hasn't he will. He's pretty sure he mentioned it at their last meeting and he'll check his notes to be sure.

ON MOTION by Trustee Kibby, seconded by Trustee Gallagher, the hearing was closed at 7:46 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, December 10, 1984 at 7:29 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard Gallagher Trustees

Michael Kibby

V. James Saia

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Phil Boudreau, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:29 PM.

Mayor Kuzon said a proclamation is listed on this evening's agenda but this proclamation was presented this past week. It was concerning the Youth Board's Christmas caroling and bonfire which they have scheduled for December 20th at 7:00 PM at Island Park. In absence of the proclamation, since it's already been presented, he called attention to the fact that this is the first time that this has been done in the Village. He encouraged all residents who are interested to join with our Youth Board on Island Park on December 20th for what's planned to be some good old fashioned Christmas caroling with a bonfire and some refreshments afterwards.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, it was moved at 7:33 PM to open the informational hearing regarding possible revision of the current corner fence code of the Village. (The hearing was closed at 7:44 PM.)

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, it was moved at 7:44 PM to open the public hearing regarding amending Section 70.250(B) of the Zoning Code relative to barber shops and beauty shops being located in a C-2 District. (The hearing was closed at 7:46 PM.)

Unanimously carried.

Mayor Kuzon called attention to the fact that this is our last meeting of 1984. Our next meeting will be January 14th. He wished everyone a Merry Christmas and a Happy New Year. He also noted that a number of other Village committees are taking December off and holding their next meetings in January.

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ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, vouchers in the sum of \$308,864.33 were approved as follows:

Payroll Fund	W/E 11/30/84	\$ 8,845.60
	W/E 12/7/84	<u>8,421.32</u>
Total Payroll Fund		\$ 17,266.92
General Fund	Abstract #574	125,008.04
Sewer & Water Fund	Abstract #155	29,750.10
Trust & Agency Fund	Abstract #194	6,597.05
Glen Park Jt. Activities	Abstract #94	93.27
Capital Fund	Abstract #139	124,894.62
Federal Revenue Sharing	Abstract #165	<u>5,254.33</u>
Total Vouchers		\$308,864.33

Some of the larger vouchers were to American LaFrance for \$130,487.00, the manufacturer of our new fire truck; payment of the Conrail property for \$74,079.19; to William Shoemaker for \$4,149.25; Erie County Water Authority for \$21,559.85; and to Amherst Highway Department for \$3,544.03.

Unanimously carried.

Trustee Kibby reported with respect to the Conrail Property Committee that they had asked him to inquire of our attorney a number of questions about leases, buildings and properties on the Conrail property and a number of other questions, but particularly the leases. He has that information back now and he will send it out to the committee along with a report from URS on proposed recreational uses. He has been in contact about three to four times in the last two weeks with both the real estate person who is making some professional recommendations to the committee and the landscape architect who is also making some professional recommendations to the committee.

Trustee Gallagher reported that the agenda for the Evergreen Program for December is available at the front of the room.

Trustee Gallagher also reported that the Parks Committee has met and made some recommendations relative to the gazebo which will be presented to the Board of Trustees, as well as other recommendations related to cutting down the vandalism in both Island and Garrison Parks.

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

RESOLVED that Cheryl Mordaunt, 129 Hirschfield Drive is hereby appointed to the Parks Committee until the end of the 1984-85 official Village year.

APPOINTMENT
Parks
Committee

Unanimously carried.

Trustee Saia reported that as Mayor Kuzon already mentioned there will be a sing-along at 7:00 PM December 20th at Island Park. There's all kinds of parking back here and if it snows they'll make sure that some areas are plowed out.

Trustee Saia also reported that the Williamsville Youth and Recreation Board is sponsoring the SABAH organization and have been meeting at the Glen Park Nature Building in conjunction with many people in this county, Western New York and with the Senior Citizens in the Village. They are preparing for a big show down at Memorial Auditorium for handicapped children.

Trustee Saia reported that we had a dedication of the Nature Building at Glen Park on Saturday. Herky Moses, who is the Town liaison to the Glen Park Joint Board, and himself and the Glen Park Joint Board dedicated this structure to Eric Noll and his mother Alvina, who did a lot of preliminary work for Glen Park. It went over very well. We appreciate it and enjoyed talking to people and discussing the problems we had before we got the park.

Trustee Saia also wished a Merry Christmas and a Happy New Year to all his friends and constituents in the Village.

Trustee Brenton reported that the contract has been received from the Town Attorney's office regarding acquisition of the courthouse building and the adjacent property to it by the Village and this contract will be placed on our agenda on the January 14th meeting. In other words, the Village Board of Trustees will vote to accept or reject that contract. He requested that any people in the community and any Board members having any questions regarding that contract hand these questions into the Village Clerk's Office by the 31st of December at the latest in writing at which time the Clerk will attempt to find an answer for any concerns that might be displayed through that process and we will hopefully have the answer on January 14th.

Trustee Brenton also reported that he wants it in the record that we have experienced a couple of water breaks in our

water system and this is a problem that appears to be on-going. The Erie County Water Authority has been questioned as to the possibility of their pressures being regulated in such a manner that it would cause increased pressure in our lines thus causing these breaks and they are to provide us with an answer. He has questioned Mr. Wandyez of the Authority approximately a month or two ago and he assured him that he would have Mr. Bronkie look into it and Mr. Boudreau has written to Mr. Bronkie requesting information regarding this subject and we are awaiting now an answer pertaining to this, because within the last week we have experienced two more water line breaks and that is way out of average for this time of the year. We had to repair these breaks and bear the expense of repairing them. If the authority is in any way responsible he intends to have that identified.

Trustee Brenton said his resolution tonight has been changed slightly from the way it appears on the agenda. This resolution appoints Hansen Appraisal Service to appraise the Williamsville Fire Department Station No. 1, which is across the street. The purpose of this appraisal is that should the acquisition of the courthouse take place and the construction of new fire hall truck bays take place with it, we will of course be selling Station No. 1 once this construction work is completed. We have established that the Town of Amherst does have some small equity in Station No. 1 and it is also part of their request to enter into the agreement with the Town regarding these facilities that we identify their actual percentage interest in Station No. 1 so we will be having that station appraised through this resolution.

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

APPOINTMENT

RESOLVED that Hansen Appraisal Service Inc. is hereby appointed to appraise the Williamsville Fire Hall Station No. 1 building at 5570 Main Street for a fee of \$750.00 as per their proposal of December 5, 1984.

**Hansen Appraisal
to appraise
Station #1**

Unanimously carried.

Superintendent of Public Works, Boudreau reported that vandalism and theft pertaining to traffic control signs has shown a sharp increase over the past four weeks. Street signs, stop signs and parking signs are being pulled down, damaged or stolen on a regular basis. The repair and replacement of road signs is, indeed, a time consuming and expensive process. Village residents are asked to report to the D.P.W. any suspicious persons trying to vandalize our signs. As previously announced the gazebo at Garrison Park was torched by vandals with extensive damage to the building center pier structure. It will be a

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costly repair to restore the structure. Residents adjoining our parks are asked to call the Amherst Police when observing suspicious persons loitering in or around park buildings.

Mr. Boudreau reported that this past week the D.P.W. completed the installation of light pole decorations on the north and south sides of Main Street through the business district. A total of 18 lighted wreaths and garlands were wired into the poles.

Mr. Boudreau said that leaf pile pick up by D.P.W. crews continue on Village streets and progress is excellent with each operational district being swept clean at least once per week throughout the fall months. The quantity of leaves collected to November 30th is 2,968 cubic yards. The leaf pick up program will end on December 14, 1984. After this date residents must containerize all leaves for pick up by a packer run.

Mr. Boudreau reported that this past week the dam gates were removed from all five bays, thus evacuating the flood channel. Some gates will be stored as is and some gates will be repaired.

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

Unanimously carried.

Mr. Richard Hill, 18 Brookside Drive, asked Trustee Brenton regarding his report that at the next Board meeting the Board will be voting on whether or not to buy the courthouse building. He asked if the people want to say anything about it they have to put it in writing and mail it to the Village Hall. Trustee Brenton said they can bring it in. This way we can have an accurate idea of what you want rather than trying to answer telephone calls. Mr. Hill asked how we are going to make this known to the people in the Village because up to now all negotiations on the courthouse have been kept behind secret doors and there's been no information. He asked about it last week and was told he wasn't going to get any until the thing was done. Now you want the people in the Village to give you input in about two weeks time. Trustee Brenton said the reason for the request for concerns is that the Village Clerk will immediately be able to answer the concerns regarding some fiscal information. Mr. Hill asked how the people are going to know they're supposed to do that. Trustee Brenton said if people come to the meetings they know about it. Also, the news media will pick up on this as they always have done. This certainly isn't a new issue. It's been in the papers for about three years now and finally we've come to fruition regarding these negotiations. He asked if Mr. Hill would suggest anything. He asked Mr. Hill if he would prefer we let it go for a few more months and give the people two months to respond.

DISCUSSION

RE: PURCHASE
OF TOWN
COURTHOUSE
BUILDING

Mr. Hill asked if it was right that they were asking him to agree to either buy it or not buy it. Trustee Brenton said his statement was that this particular situation is going to be placed on the agenda for the January 14th meeting. The Board of Trustees is going to make a decision as to what they're going to do. We would like to know if there are any concerns on the part of the public. In other words somebody might say look I don't really know. I know you've been talking about this for 3 or 4 years now, but how much is this going to cost me. Well he thinks the Village Clerk will have that information almost immediately available. Now there might be some type of a hypothetical question that he frankly can't conceive of right now that someone might come in and say, you know, this hypothetical question. Well then the Clerk might have to research it in order to develop the answer to that question. But at any rate, we will he thinks be prepared to make our decision and he can't in any way believe that there's a time lack here as to the nature of what we're doing. Trustee Brenton said Mr. Hill mentioned two weeks but really between now and the 31st is longer than that and then there's another two weeks until the 14th of January. So you're talking about 5 weeks. Trustee Brenton said he would be very honest that he really does believe that in his own particular capacity that his mind is made up. He knows what they're going to do. He is comfortable with the agreement. He hasn't spent countless, countless hours on this over the years without knowing where he stands. But if someone from the public really has a problem then we certainly want to hear that problem.

DISCUSSION
(Con't)

Purchase of
Town
Courthouse
Building

Mr. Hill said that in other words it's going to be settled at the next meeting of this Board one way or the other for "X" number of dollars and no one is supposed to know what the dollars are. Trustee Brenton said that Mr. Hill has sat at our work sessions and he doesn't know if the dollars were discussed. Mr. Hill said that four or five months ago he heard \$40,000 mentioned and the next thing he read in the newspaper was \$140,000. Trustee Brenton said he never mentioned \$40,000 other than the amount of the input that the Town has in Station No. 1 is about \$40,000. He knows he didn't mention \$40,000 because he's been aware of these figures for a couple of years now basically. Mr. Hill said then it's \$140,000. Trustee Brenton advised that it will be Two Hundred and some Thousand Dollars when you consider the total package but reduced by the equities we have here and other considerations. You don't like it but he thinks the Fire Department does and he is going with the Fire Department. He thinks we're doing the right thing for the community. He thinks the community needs what we're doing here. He thinks that we're going to have a building that's going to have space for Youth, we're going to have space for Senior Citizens, the Fire Department is going to have adequate facilities to work out of. He thinks we're doing the right thing.

Mr. Hill said he's been for the Fire Hall and thinks we need it. All he would like to know is where the money is coming from and how much he's got to pay. The Village is spending his money and then he's told it's none of his business. Trustee Brenton said he did not say that. He thinks Mr. Hill perhaps misconstrued some of the statements that were made. Mr. Hill said when he asked that question Trustee Brenton said that it wouldn't come out in the open until everything was all set. Now you say he won't know until at the next meeting. Trustee Brenton said he doesn't know if he even said that but it is a far cry from Mr. Hill's statement that he was told it was none of his business.

DISCUSSION
(Con't)

Trustee Kibby said he doesn't like to see two people he likes going at it tooth and nail over nit-pick. The point is that he thinks the Board of Trustees tried to be as open as they could knowing full well that any discussion of the purchase of property can be done in executive session with no questions whatsoever. This could have been done and you could have come in January 14th with the public never having had any knowledge at all that this was going on and just done it. It would have been perfectly legal, technically legal and morally legal and knowing that we're doing the right thing. Now he thinks there's been as much openness as there can be about this without disrupting the negotiations and it's only been recently, within the last ten days that these negotiations between the Town and the Village have more or less reached the end. It's taken a long time but no one really wants to discombobulate that process by having lots of things in the press or on the radio when things are still in a state of flux. He thinks sometimes they have been a little more open about this than they should have been and there are other times that maybe we could have been open on a couple of other things. But by and large he thinks overall we've been reasonably open on this. More so than we had to be. That's for sure.

Purchase of
Town
Court-
house
Building

Mr. Hill said maybe he's a little touchy on this. When he asked Trustee Brenton a question because he gave the information but he feels the same way about everyone up there. Four members of the Board he helped to put up there and everyone said they were for an open platform, open information and go to the public to get their feedback. All of sudden this has turned around and you say we're not going to tell you anything we don't have to tell you. An example is the time you tried to sneak through the resolution to sell a share of the Conrail property. You got caught on that because it leaked out and people came down. You still put it through and this is after the Mayor promised him when they talked about the bond issue that he would appoint a committee before any decision was made and then they turned around and made a decision he voted for after telling him he wouldn't without a committee being formed.

Mayor Kuzon said everyone could say something on the Board but he's not sure if they did say anything that it is going to do any good and solve any major problems. He thinks that generally we all agree that we have problems on certain parts of different issues and we could sit here all night and go back and forth on what was said and what we remember and what's best but he doesn't think it would come to any dramatic conclusion so he would like to suggest we let it ride and if there's anybody else in the audience we'll give them an opportunity to speak.

**DISCUSSION
(Con't)**

Mr. Douglas Sandburg, 81 Mill Street, spoke to Trustee Brenton and said that being that you have come to a conclusion that we should buy that property he would assume at this time that you ought to be able to give us a total cost for the acquisition of the property, a total cost for the erection of the bays and also a total cost for the renovation of the building, and also a projected cost for the future of what it's going to cost to operate this building. The reason he says that is that obviously all these have a direct bearing on the tax rate of the people in the Village. He's not saying he's for or against the project. He thinks if he were to make an intelligent decision he would at least want to know what the cost was going to be so that in turn the people of the Village might know what their tax rate might be in the future.

**Purchase of
Town
Court
Building**

Mayor Kuzon said the point that Mr. Sandburg made will be presented by the Village Board in advance of the public hearing and he thinks that the Board's plan, that we have some research left to do, some figures yet to be presented to us by the engineer, - at our last meeting we only authorized the architect to begin considering renovations so that is one figure we do not have in our hand yet - the other figures we have in hand, some we have yet to compile in terms of the impact on the tax rate. Our clerk will be doing that and we will be presenting that prior to the public hearing and it is his intention to do that through a press release so that the public will come to the hearing with that information and we plan on doing a comprehensive presentation at the time of the resolution so that those figures will be available.

Mr. Sandburg asked if the Mayor is indicating that at the January 14th meeting there is going to be a public hearing and it will not be on the agenda to vote on. Mayor Kuzon said it will not be a public hearing. There will be a resolution to vote on it. If he mentioned a public hearing he misspoke and it was a mistake on his part. There will be a resolution.

Mr. Sandburg said in other words someone made a decision that you don't know what the costs will be but you're going to vote for it. Trustee Brenton said he can certainly give him a relatively ballpark idea. He thinks the total package,

is the building is going to cost us around \$100,000 to \$120,000. That's going to take away the equities that have been developed, we have in this building here. So that here we have established \$120,000. That gives us acquisition of the lot next to the courthouse also. Then we're looking at probably a total expenditure of \$700,000 for renovation purposes and truck bay construction. 53% of that - and that's not a concrete figure - as is presently structured will be borne by the Town of Amherst. The Village of Williamsville will collect the money and charge it off at the beginning of the Town's fiscal year which starts January 1st contrary to our mid-year fiscal year start-up. The Town will pay approximately 53% of the costs of the maintenance of the Fire Department's quarters, construction costs, etc. and of course the Village is going to have to bear the expenditure or cost of the rest of that. As far as a person to maintain the building that hasn't been fully developed yet. He thinks if we had to go all the way and have a person actually employed there for the purpose of maintaining it he thinks we would be looking at \$15,000 a year. He thinks we can talk in terms of probably between - and he neglected to mention the cost of renovation of the first floor for Village offices. We don't even have a figure on that but as you're aware it's been progressed to the point where we instructed the engineer to come up with some figures. But he doesn't look at that as being a terrifically expensive proposition. So the thing is that it is in effect remunerated by the Town of Amherst through the Fire Protection Districts that our company protects, paying for 53% of the construction costs of the truck bays and the renovation of the basement for Fire Department purposes and certainly for the utilities that that building will consume in the future and the maintenance costs inherent to that building. He thinks you're probably looking at an expenditure of somewhere around \$900,000, broken up by those factors he just mentioned.

DISCUSSION
(Con't)

Purchase of
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Mr. Sandburg asked if the upkeep figure was mentioned and Trustee Brenton said he mentioned that if we did require a person it would probably be about \$15,000. He's not sure we'll have to employ a person.

Mr. Sandburg asked as far as operational costs are concerned if we have a dollar figure. Trustee Brenton said it would be \$15,000 if we had maintenance personnel and probably utility wise another \$4,000 - \$5,000, somewhere around there. It would probably be comparable to what we're paying in this building right here. In other words we wouldn't pay these monies here we'd pay them over there. We're paying about \$23,000 a year for maintenance of this building. So that would in effect be a wash.

Mr. Sandburg said what he is hearing is that at this point no figures really have been worked out. Trustee Brenton said he doesn't think they can be worked out. There are some figures that just absolutely can't be worked out. The large figures can be and in fact basically have been. They're there.

There's no question of it. But there are intrinsics, i.e., the question of the maintenance of the building, etc. If we have to hire a person, a part-time person, what have you.

Mr. Sandburg asked when we plan on doing that. Prior to the resolution or after it. Trustee Brenton said he thinks it would be after. He's comfortable that we can afford it. He thinks the community really needs it and can afford it. He's behind the program and been behind the program since day one and he thinks the community can afford it and desires it. He has been in the community all his life. The Fire Department is in a building that is very old and inadequate for their needs. We've developed programs here, prior administrations actually. He thinks a good deal of the credit goes to former Mayor Sheffer's administration regarding committees. Now that we have committees we have no place to put them. He thinks we can afford the other areas in the buildings, the courthouse, for utilization by the Youth and Senior Citizens and things of that nature. He thinks this is a totally worthwhile and well thought out package. He thinks we're going in the right direction. He personally has no problem with it. He probably shouldn't be making this statement in advance but this is his feeling.

DISCUSSION
(Con't)

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Mr. Sandburg said he thinks it's a shame that when we go into a project as major as this in our Village that we aren't able to put together the figures that give the constituents the feeling of what they're really getting into. He knows that in corporations when they acquire a building the corporation takes and puts new equipment in, they're going to redo a plant, they put the figures together totally as far as what the capital project is going to be and in addition what the operating costs are going to be. As he listens this evening he's not getting that feeling at all. It seems like a bit of a hodgepodge, the figures, that it might be this, it might be that. He hopes before we vote on it that we would be able to put together a package that gives -- he's not saying to the cent -- but he would think within the thousands of dollars so that you know actually what you've really got.

Trustee Brenton said to remember one thing. It would appear that most of the questions are directed to him but this is a Board situation. There are five people on the Board and he thinks that any statement made, even though it appears to be directed to him, is directed to the entire Board. He's sure that the Board in all their wisdom will consider these issues that you have raised and make the appropriate decision that their conscience dictates.

Trustee Saia said we have all heard Trustee Brenton's recitation of what this fire hall and Village hall is. That's his own opinion. He doesn't know if it's the rest of the Board's. He said it is not his opinion. He has mentioned some facts and

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if you picked up your paper what you saw in the paper is basically the information that he has received. He has gone through it and has made some comments to the attorney and the attorney has acted on some of them and he's sure they're are going to be a lot more. He has heard prices of what it's going to cost to upkeep but he doesn't know who could tell you. There's no way any one can tell you except for the present day, right now. He heard the price of \$700,000 for the fire hall. He thinks that price was a short time ago. He thinks things change. It will probably be more than what Trustee Brenton said. But that's his opinion. All in all when January 14th comes around and the decision is made he thinks the people should demand what this is going to cost. We should have that cost for you at that time. He would like to know what it is going to cost before he votes. He's not going to sign a blank check. That's his opinion.

Mrs. Loretta Babin, 80 Spring Street, asked when you say the media, that you're going to give it to the newspapers, what papers are you talking about. Who's here tonight? Is it just the "Amherst Bee". She thinks if you're going to just put it in the "Bee" not everyone in the Village takes the "Bee". She thinks if you're going to put it in the paper so the most people can see it it should go in the "Buffalo News". She thinks that's where it should be and then maybe we might get some feedback from the people. Even the "Pennysaver" helps us out a lot. She doesn't see Village information a lot of times in the "News" but this should be put in there.

Mayor Kuzon said the intention would be to distribute it as widely as possible - to the "News", the "Bee", and the "Pennysaver".

Mr. Hill asked the Mayor about fiscal impact statements. A while back it was said you wanted fiscal impact statements on any project. Is one going to be required at the next meeting for this projected move, financial information including upkeep for each member of the Board to study before they come in. Mayor Kuzon said that is the intention, to have as much information as we can get together. Mr. Hill said if you're going to vote on it you have to have it for the next meeting. Mayor Kuzon agreed with that. Mr. Hill said it should be there for each member of the Board. Mayor Kuzon said that is his intention.

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

Unanimously carried.

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ON MOTION by Trustee Gallagher, seconded by Trustee Kibby, the meeting was adjourned at 8:22 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer