

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, March 11, 1985 at 7:38 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

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, it was moved to open the informational hearing at 7:38 PM.

Unanimously carried.

There is a proposal for a subdivision off of Ledge Lane with a new street called Bobbie Lane.

Informational
Hearing

Trustee Kibby said the plan is to come off Ledge Lane and subdivide the property into six lots. One lot already has a house on it. The plans have been to the Fire Chief who made recommendations regarding future linkage of the water lines. It has been to the Traffic and Safety Committee who have asked that the planned 24' wide road be increased to 28', that a fire hydrant be moved, and that sufficient lighting be provided for the new street and at the T-intersection at Ledge Lane and Bobbie Lane. The Planning/Architectural Review Board has reviewed these plans and have no particular problem with it and they recommended it to the Board of Trustees.

Bobbie
Lane

Trustee Kibby then opened the hearing to the public for comment. A man said he lived near there and hadn't had a chance to see the plans. Trustee Kibby put the plans on display and people from the audience came up to see them. No one from the public commented.

Trustee Brenton said with respect to the street lights that whether there are one or three it would be his position, and he believes the Board's position, that the developer would be the one to bear the cost for constructing the lights and then the Village will pick up the cost of lighting thereafter. The construction of the lighting can be expensive and he believes the developer will have to bear the cost.

ON MOTION by Trustee Kibby, seconded by Trustee Gallagher, the hearing was closed at 7:45 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, March 11, 1985 at 7:37 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 7:37 PM.

ON MOTION by Mayor Kuzon, seconded by Trustee Saia, the minutes of the regular meeting held February 25, 1985 were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Gallagher, it was moved to open the informational hearing regarding a proposed subdivision off Lake Ledge Drive on Bobbie Lane at 7:38 PM. (The hearing was closed at 7:45 PM.) Unanimously carried.

Mayor Kuzon welcomed former Trustee Connie Murray who was in the audience.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the amount of \$137,095.68 were approved as follows for the period February 26, 1985 thru March 11, 1985:

Payroll Fund	W/E 3/1/85	\$ 6,985.63
	W/E 3/8/85	<u>5,642.26</u>
Total Payroll Fund		\$ 12,627.89
General Fund	Abstract #580	84,441.80
Sewer & Water Fund	Abstract #161	26,587.31
Trust & Agency Fund	Abstract #200	957.11
Glen Park Jt. Activities	Abstract #100	40.00
Federal Revenue Sharing	Abstract #168	3,049.00
Community Development	Abstract #92	7.30
SSSES C-36-1244-01	Abstract #38	<u>9,385.27</u>
Total Vouchers		\$137,095.68

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Mayor Kuzon said the larger vouchers were to Erie County Water Authority, our water supplier; Rapid Disposal, our garbage collector; M. C. Morgan, a sewer contractor; and McNulty Business Machines, for office equipment.

Unanimously carried.

Mayor Kuzon said his next resolution is required by the New York State Village Law, that after the Village election a special meeting is required to accept the election results.

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

RESOLVED that a special Board Meeting be held March 19, 1985 at 9:15 p.m. for the purpose of accepting the Village Election results.

SPECIAL BOARD
MEETING

Accept Election
Results

Unanimously carried.

Mayor Kuzon gave some background information relative to his third resolution. On March 4th he was invited to attend a meeting held by a number of residents concerned with sewer problems on Los Robles. They are concerned with sanitary sewer and storm sewer drainage problems which were exacerbated by the recent flooding and they are also concerned with the impact of the proposed rezoning, which will be the subject of a public hearing on March 25th. That property to be rezoned is south of Los Robles. Their problems are not limited to extreme weather conditions. It is there on other occasions. They expressed concern regarding the proposed rezoning and the impact of the additional effluent on their already troubled systems. There are basically two issues to be considered. There is the condition that exists and will continue to exist regardless of the rezoning proposal. And there is the impact of the rezoning on the existing conditions.

Mayor Kuzon said he has suggested to the Board a proposal for investigating the current situation and the possible impact of the rezoning on the systems. He suggested that our sewer consultant, URS Company, study this. Their investigation would include the performance of the local sanitary and storm sewers on Los Robles, California and Milton. There would be an evaluation of the reasons for the existing problems in the sanitary and storm sewers and an evaluation of the impact of further development. They will address any possible actions to be taken to alleviate the situation. In talking further to some of the neighbors, there were a couple of more ideas presented to go into the process. When our engineer begins his investigation he would meet with the residents and discuss their problems and the residents could go around with the engineer and show him the specific problems. When the report of the engineer is

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complete the residents can sit down with the engineer and the Village Board and discuss the findings and possible remedies. URS has worked with the Village on our Sanitary Sewer Rehabilitation Program since the late 70's and has some information on the present system.

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

RESOLVED that URS Company, Inc. is hereby appointed to investigate the performance of the Sewer System in the Los Robles/California/Milton Street area, per their proposal of March 6, 1985, at a fee not to exceed \$3,500.00.

APPOINT ENGINEER
LOS ROBLES SEWER
STUDY

Trustee Saia said he thinks the investigation is a good idea. He also met with the Los Robles residents. URS has been doing the sewer work for the Village for a good many years and he thought that perhaps it might be a good idea to have a different engineering firm come in and do the study. Studies have been done before and the people are still having problems. URS is very reputable and do a good job but he thinks perhaps it might be wise to have a different firm take a look at this.

Mayor Kuzon said that might be true but if we did that we would have to delay the investigation until we could research other firms and receive proposals from them. URS is a good firm and have done a good job in the past.

Trustee Saia said he doesn't want to hold this up but he thinks we should think about getting other people in to look at our problems. Perhaps they would take another approach. We are spending a lot of money and there is no doubt they are helping but everytime we have water problems we hear from the same people.

Trustee Brenton said he was sorry he couldn't attend the meeting with the Los Robles residents. No one informed him of the meeting and he was home and could have attended. He certainly would have liked to have been there, especially since sanitary and storm sewers are his area of responsibility on the Board. URS has been with us since the original 1977 sanitary sewer survey. As a result many areas of the community that had problems were studied, and some perhaps overstudied, and a program was developed. The north block of Los Robles had to have extensive repairs, and the south block needed heavy cleaning, and periodic cleaning. He knows that the D.P.W. has done heavy cleaning in that area and that is mentioned in the letter to Mr. Hamilton. So that basically, the Village has done what it could do. The next step is

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exactly what the Mayor is proposing, to find our problems and address the remedies. We paid a total of \$750,000 for the work on the sanitary sewer program. They were with us from day one to the conclusion. He has confidence in their ability. He thinks hiring them is a good idea.

Unanimously carried.

Trustee Saia said it is time to put the garbage contract out for bids, which will be opened April 1st. We are asking them to quote us two prices this year. One would be for picking up just about everything that did not exceed 75 pounds and the other would be for just what they are picking up right now. The only other change in the contract would be that the garbage contractor could only dispose of the garbage at a site or sites that have approval of all the necessary governmental agencies. The summer pick-up will be twice a week, from May to September.

ADVERTISE
FOR BIDS

GARBAGE AND
TRASH CONTRACT

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for "Garbage and Trash Pickup within the Village of Williamsville". Bids to be opened April 1, 1985 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.

Unanimously carried.

Trustee Kibby said he had no resolutions but did have one thing to report. After many years of discussion and a year or so of planning he advised that there will be a meeting on Friday morning between the attorneys, the Chairman of the Planning Board, the Village Clerk, himself and a couple of other people with the people from General Code Revision to review a first draft of a revision of our municipal code. He has not seen the draft as yet but it will be here on Friday. At the Board's next meeting he will give his first impression of what is proposed.

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Trustee Brenton said when he was home he saw a presentation on the Today show by a firm in New Hampshire which was concerned with testing municipal water. Our water is tested and is in complete compliance with the New York State Pure Waters Act standards in its quality. However, this presentation indicated that there were certain chemicals and hazardous substances found in many municipal water systems. He and some others who had seen the show thought that perhaps our water could have some of these substances and we had one of our resident's water tested. He is happy to report that the tests were negative and our water is almost purer than pure. We come through with a high rating. He mentioned this because people are becoming more concerned over their water and what might be in it. We get our water from Erie County Water Authority.

Trustee Brenton said his first resolution deals with the Village Clerk attending the Annual Conference of New York State Government Finance Officers Association in Albany and the cost will be borne by the Village. These are the types of meetings and seminars that we send our department heads and Trustees to on occasion and we feel they help us to better serve the people of the Village.

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

RESOLVED that the Village Clerk, Theresa L. Cummins, is hereby authorized to attend the Annual Conference of the New York State Government Finance Officers Association, Inc. in Albany, New York, from March 20 - 22, 1985 and the costs, not to exceed \$250.00, to be paid by the Village of Williamsville.

AUTHORIZATION

Village Clerk to attend NYS Govt Finance Officers Conference

Unanimously carried.

Trustee Brenton said his next resolution deals with hiring a water meter reader. We hired one two weeks ago and he has quit already. At the last meeting he told the Board that in the future we should perhaps hire an older person who would like this type of job for needed extra income. Since we need a person right now to take this job we will have to go with a youngster again, but he will endeavor to follow through on hiring an older person when the job opens up again.

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

RESOLVED that Glenn J. Orgek, 60 South Harvest, is hereby appointed Meter Reader, part-time in the Water Department effective March 4, 1985 at a rate of \$3.35 per hour.

APPOINTMENT

Meter reader- p/t

Trustee Saia said that he feels the same as he did at the last meeting when we hired another youngster who lived outside the Village. He knows we're up against it and feels that maybe Trustee Brenton has the right idea about hiring someone older. He feels though that this should be given to a youth who lives in the Village. He found the past two youths who were hired as meter readers and they lived in the Village.

Vote on Roll Call: Trustee Gallagher - Yes
Trustee Kibby - Yes, because he knows that the Village Clerk and the Clerk in the Water Department and himself have all tried to find a young person from the Village. He is sure there are some out there but they haven't been able to find them and we need someone now.
Trustee Brenton - Yes. We need this person now and he is in fact working already.
Trustee Saia - No
Mayor Kuzon - Yes

Yes - 4; Noes - 1.

Carried.

Trustee Brenton said resolution three deals with the conclusion of our Sanitary Sewer Rehabilitation Program and basically we are accepting the work that was done by the contractor throughout the program and outlined in there at Trustee Brenton's request is the necessary remedial work that has to be done now that spring is coming. It couldn't be done during the winter months. The contractor has a performance bond but Trustee Brenton is confident that the contractor would do the work anyway. There is disturbed grass and pavement area to be restored and one concrete driveway apron to be replaced. The contractor is aware of all this and now that the weather is better he will be addressing these situations.

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

RESOLVED that the Village of Williamsville hereby accepts the work performed by M. C. Morgan Contractors, Inc. on Phase II of the Sewer Rehabilitation Program as complete under the conditions agreed to by M. C. Morgan Contractors.

SSES PROGRAM
Accept Phase II
work performed by
M.C. Morgan Co.

Conditions as follows: That after a final inspection, M. C. Morgan Contractors agrees to (1) Properly repair all disturbed pavement and grass areas which may not have been adequately restored (due to such items as settlement, pavement cracks, bare spots in grass, etc.)

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(2) Replace the concrete driveway apron at #52 Hillside, which was damaged as the result of construction work.

Unanimously carried.

Trustee Gallagher said he had no resolutions but reported on the Academy Street School. At the last Village Board meeting he reported that he had attended the School Board meeting and a meeting of concerned citizens regarding what was happening to the school. There were a number of questions, suggestions and recommendations put together and they corresponded with the School Board. At their meeting on March 5th the School Board was asked to address the questions before making any decision and at that meeting the Board requested additional clarification of what was required by the State in respect to meeting the Uniform Fire Prevention and Building Code. He will hopefully have more information to present at our next Board meeting. He wanted to publicly state that this Board will carefully monitor all negotiations and actions in the context of what will be done with Academy. It is in the hands of the School Board. He will be attending their next meeting on March 26th and anyone in the audience who is interested may attend that meeting.

Superintendent of Public Works Boudreau had no report tonight.

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

Unanimously carried.

Mayor Kuzon said he had been requested by two residents to reserve a portion of this portion of the agenda for them. They are Charles Rizzone and Dwight Hamilton.

Charles Rizzone, 136 Los Robles, made a presentation and then presented copies of it to the Board. A copy is attached hereto. The presentation put forth who they were, why they were here and what they want. On behalf of the residents of the south block of Los Robles he spoke regarding their sanitary and storm sewer problems and their request that the Village undertake a study of their problems and what steps can be taken to correct them. They feel action is needed now.

Los Robles
Sewer
Problem
Discussed

Dwight Hamilton, 166 Los Robles, also made a presentation, a copy of which is attached hereto. He spoke with respect to their sewer problems and the need for them to be resolved.

John Tamaro, 125 Los Robles, said he has lived here approximately 25 years. He wanted to support the statements

TO: Board of Trustees
FROM: Charles Rizzone
REASON: Los Robles sewer situation

Gentlemen, my name is Charles Rizzone. My neighbors are gathered here tonight with me to ask and answer three questions. Who are we? Why are we here? and most important, What do we want?

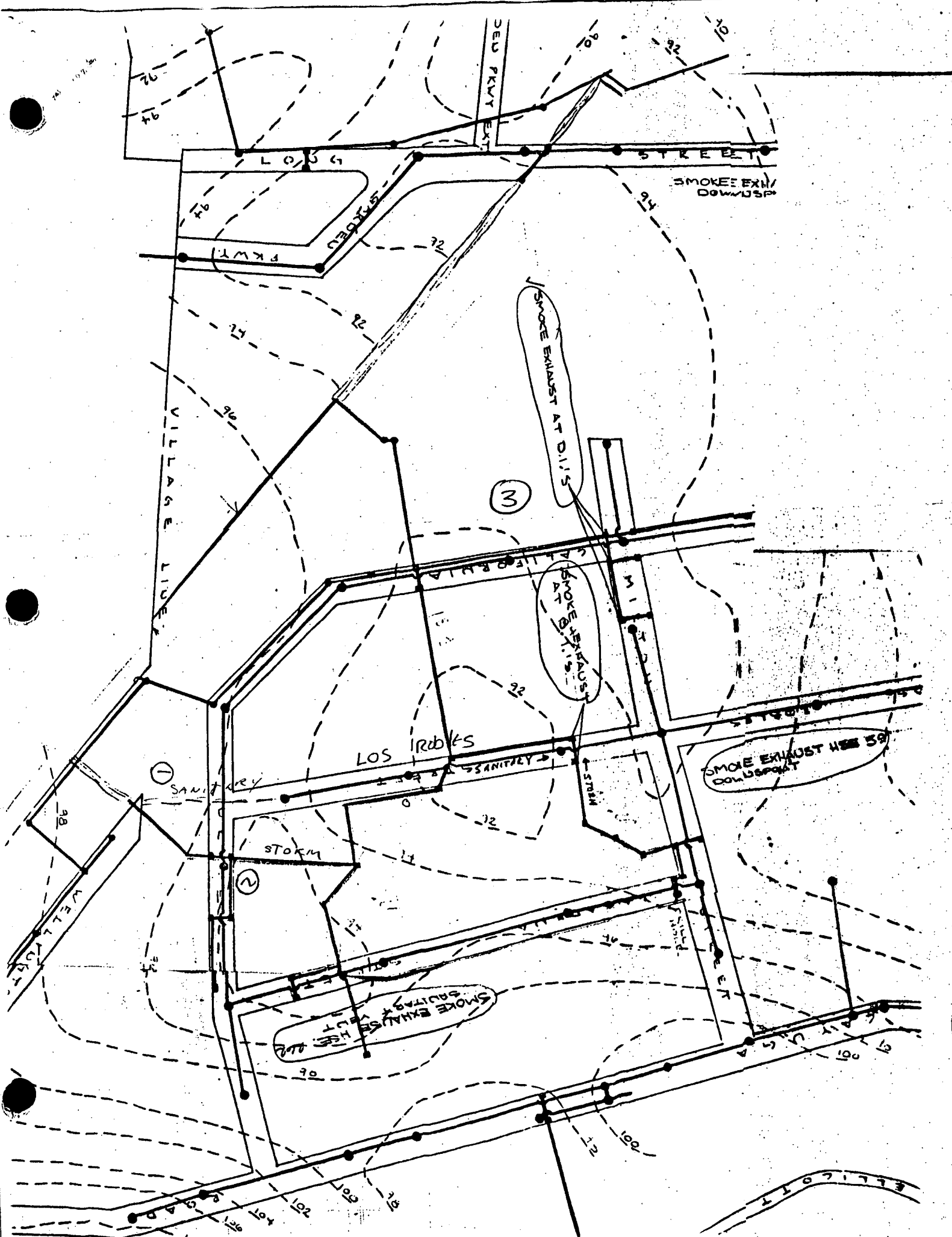
We are residents of the south block of Los Robles Street. Some of us are long term residents, others are recent arrivals. We are presently or formerly: policemen, scientists, teachers, ministers, nuns, engineers, industrial workers, husbands, wives, fathers and mothers. We came to this area I believe, to work hard, pay our taxes, and enjoy the unique richness of a "village" life. We live in an older and established neighborhood. Our houses do not have a mass produced look. They are unique which I believe enhances the village as a whole. Who are we then? We are your neighbors. As our village neighbors you know that it was the abundant and awesome power of water that gave birth to this village. As village neighbors we want you to know about another aspect of water; that which has the power to disrupt and destroy the village.

Why are we here? In the past the majority of us have stood back and watched an incredible series of events unfold that led us to the meeting tonight. We stood by and watched as nearby property belonging to the Town of Amherst was annexed to the Village. We stood by and watched as something called Town Houses were erected on this spot. We stood by and watched the installation of ^{we believe,} an 8 inch sanitary sewer (see map: #1) in a driveway at the end of our block. A sanitary sewer which was then hooked up to ours. An 8 inch sanitary sewer in a driveway we asked? How can it affect us? Well, gentlemen as incredible as it may seem and contrary to the experts we have had and continue to have serious sanitary sewer problems which we believe can be traced to an overloaded sanitary sewer condition. What do I mean

by "problems"? I am talking about raw untreated sewage. As recently as Sunday, February 24, 1985, according to a Mr. Laubish who I called and who inspected our sanitary sewers we were in a "supercharged" condition. Simply said our sanitary sewer was overloaded. This is not new to us. It is an continuing problem.

In addition to our sanitary sewer problems, we are also faced with our storm sewers overloading and backing up into our basements. We have what I call a "mystery" storm sewer that shows up on the map which no one seems to know how it got there or what if anything it does. (see map: #2) A storm sewer I might add, that is buried in our backyards, crosses over front yards and geysers water from the ground. We believe our storm sewer problem is compounded by a general overloaded storm sewer system in our entire area. All the water from Pasadena, California, Milton and Los Robles Streets converges in a single spot (see map: #3) and drains towards the Bell's supermarket. The only problem we believe^{is} that the system simply can't handle the amount of water it is asked to handle. Gentlemen, what I am talking about are a series of events over the years that have altered our neighborhood, damaged our property and most importantly affected our personal lives. Well, we are no longer going to stand by and watch anymore.

What we want is basic. We want our sanitary and storm sewer problems recognized and rectified. We want the Village Board to investigate our "mystery" storm sewer buried in our backyards. We want a thorough up to date study of the entire sewer system in our area to determine where the problems are and what steps can be taken to correct them. We know what we want. We want to put an end to raw sewage, to put an end to storm sewer backups, to put an end to development without proper safeguards. Simply said, we want reasonable and responsible action. We hope you want this too. Thank you.



of Mr. Hamilton and Mr. Rizzone. This land has come up for rezoning and development before and he thinks the same problems exist now that existed then. In 1962 they had problems with storm and sanitary sewer backups and flooded backyards and other drainage problems. They expressed their concerns back then and want to do so again. Many engineering reports are presented out of theoretical textbooks and conditions and under ideal conditions. Ideal conditions don't exist in everyday life. You now are having another study but he hopes that this time the engineers will look at the actual conditions. They want the Board's concern for their problems. They would like a chance to offer their opinions and suggestions. There have been too many stopgap, quick fix-ups. They care about their neighbors and is sure the Board does too. He asked the Board not to turn a deaf ear. He will be back in two weeks for the public hearing on the rezoning and express his opinion on adding more water from Wellington Court to an already overloaded system.

Los Robles
Sewer
Problems

(Con't)

Mayor Kuzon said as part of the upcoming study there will be more involvement of the neighbors. The engineers will walk through the neighborhood with the residents and sit down with them so they understand what the problems are and hopefully we can come up with something that will resolve the problems. This is the direction that we are headed in.

Mrs. Helen Konowalski, 38 Garden Parkway, said she is again having trouble with kids crossing her property to get to the woods. The fence is not helping. She is afraid to speak to them as they might cause her trouble. Mayor Kuzon said maybe the fence could be extended. Mrs. Konowalski said it was all right for awhile but now that the weather is better they have started cutting through her property again. Mayor Kuzon asked Superintendent Boudreau to stop down there and see if we need to extend the fence or maybe he can suggest something else that we might do.

Mrs. Konowalski said the area back there is a mess. She and another lady pick up some of the area but the Village should do something to clean it up. Mrs. Konowalski said maybe a sign saying private property would help and Mayor Kuzon said the Village's experience with signs is that they are vandalized as soon as they are put up.

Trustee Brenton said it has previously been suggested that this could be the right time to sell that lot. It would seem to be a good idea to have a house there rather than this continuing problem. The residents seem to be in agreement with this idea. He suggested that the Board discuss it tonight in their work session after this meeting and see if we can get a consensus of opinion. It is not related to the Conrail property. The people have suffered enough and perhaps we should put it on the market and let a home be built there. He thinks it would add to the neighborhood.

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John Zeder, 28 Garden Parkway, said when the Conrail property was first discussed they were told that as soon as the Village owned it it would be rezoned to get away from manufacturing, which is what it is zoned now. He understands now that there has been no rezoning. With respect to fencing the park area he doesn't think that would work because the kids just go right through it. He saw a kid on a dirt bike do just that the other day. The kids have been cutting through there for years. They even go right down the driveway. Mayor Kuzon said Mr. Boudreau will stop there and see what can be done. With respect to the rezoning Mayor Kuzon said the Board has not discussed it recently because it has been in the hands of the Conrail committee. Mr. Zeder said he voted to buy the property because he believed the S. Long Street mess would be cleaned up. Mayor Kuzon said the Board has not changed its opinion regarding the rezoning issue. The Conrail committee has addressed the rezoning and their report is in the hands of the Board.

Richard Hill, 18 Brookside Drive, asked exactly what the dates were for the twice a week pickup of garbage. Trustee Saia said it would be May 1st to September 30th.

Mr. Hill also asked why the rezoning on the Conrail property had not been changed. Mayor Kuzon said the property will be rezoned. Concerned citizens wanted a committee formed to study the use of the property and the committee has been doing that and studying the rezoning options. The committee report has now been presented to the Board and we will be discussing it. Trustee Brenton said a committee was formed at the request of residents of the community. He thinks Mr. Hill was one of the ones that requested it. We could not enter into any rezoning until we had their report. There is no way that that property is not going to be rezoned. It will no longer continue in manufacturing. It will be rezoned. It is not good government to form a committee and then not pay any attention to its findings. Mr. Hill asked what they would do if the committee report said it should not be rezoned. Trustee Brenton said he does not believe the committee will say that. If they did the Board would still act on rezoning the manufacturing area.

Robert Bindert, 39 Garden Parkway, said at the last meeting of the Board two weeks ago the committee was supposed to issue their report the next day and it was. Meanwhile the property is not being cleaned up. Nothing is being done. He would like to see some action on this. This area needs to be cleaned up.

Nancy Julian, 26 Wellington Court, said part of the property that is owned by the Village is in the Town and in order for it to be rezoned it would have to be annexed. Since it has not been annexed it cannot be rezoned. Mayor Kuzon said

Los Robles
Sewer
Problems

(Con't)

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that portion of the property in the Town would be under Town zoning and under their laws. Trustee Brenton said that to clarify it further we are not too concerned about that area in the Town. They are concerned about cleaning out the area by S. Long Street where it has been an absolute mess. It has been somewhat cleaned up now and will be further cleaned up. That portion is zoned manufacturing. The area up by Wellington Court is zoned residential and we are not really too concerned with that. Mrs. Julian said some of them are. Trustee Brenton said the area by International Chimney is one of the main reasons we wanted to buy the property, to clean it up. Now that we have the committee's report we will be discussing the rezoning.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the meeting was adjourned at 8:37 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer