

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, May 12, 1986 at 7:31 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton
Richard Baer Trustees
Michael Kibby

Theresa L. Cummins, Village Clerk
Thomas V. Troy, Village Attorney

Absent

Carolyn Schlifke, Trustee
David Laubisch, Dept. of Public Works

The Clerk read the notice of public hearing regarding a proposed local law which would add a section to our Sanitary Code.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, the hearing was opened at 7:31 PM.

PUBLIC HEARING

Unanimously carried.

Proposed
Local
Law

Trustee Brenton said basically the reason for the proposed local law is a mandate by the Department of Environmental Conservation to us. They have reviewed our sanitary code and find it negligent in not providing areas for the monitoring of any possible discharge of industrial wastes into our sanitary sewer system. We don't frankly feel that could possibly occur with the nature of the industry in our area, however they do feel we have to have this in our code. If this is adopted it will allow for premises to be entered and equipment necessary to monitor the industrial flow to be set up and penalties for violation of this law will be included. The end result would be to prevent industrial waste discharges into our sanitary sewer system. Trustee Brenton then opened the hearing for public comment and comment by the Trustees.

Sanitary
Sewer
Code

No one appeared to speak.

ON MOTION by Trustee Brenton, seconded by Trustee Baer, the hearing was closed at 7:33 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer

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Roll Call

Present

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Trustees

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Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Absent

Carolyn Schlifke, Trustee

David Laubisch, Dept. of Public Works

Mayor Kuzon called the meeting to order at 7:30 PM.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, it was moved to approve the minutes of the regular meeting held April 28, 1986.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, it was moved at 7:31 p.m. to open the public hearing regarding a proposed local law to amend our Sanitary Sewer Code. (The hearing was closed at 7:33 PM.)

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the amount of \$449,925.37 were approved as follows:

Payroll Fund	W/E 5/2/86	\$ 5,492.03
	W/E 5/10/86	<u>5,397.81</u>
	Total Payroll Fund	\$ 10,889.84
General Fund	Abstract #607	59,440.62
Sewer & Water Fund	Abstract #188	276,200.87
Trust & Agency Fund	Abstract #225	288.21
Glen Park Jt. Activities	Abstract #127	3.89
Federal Revenue Sharing	Abstract #184	1,771.69
Captial Fund	Abstract #155	<u>97,757.51</u>
	Total Vouchers	\$449,925.37

Mayor Kuzon said there are several large items in the vouchers. We have our sewage treatment bill to the Town of Amherst which

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is in the neighborhood of \$250,000. We have a payment to Louis Migliore, the contractor on the renovation of the courthouse which is about \$56,000. There is also a payment to Milherst Construction for the Los Robles-Cadman Drive storm sewer work for \$10,000. Also there is a payment to Erie County Water Authority for \$28,000 and to Niagara Sanitation for garbage collection for \$9,000.

Unanimously carried.

Mayor Kuzon said this is our last official meeting during this fiscal year for the Village. The fiscal year ends on May 31st. He said he has a number of budget transfers which are made at this time of the year. The first transfers would be in the General Fund. These amounts come from accounts that were not totally expended and are applied to accounts which are over-expended.

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

RESOLVED that the following budget transfers are hereby made in the General Fund:

BUDGET TRANSFER

<u>From</u>		<u>To</u>		General Fund
1.1620.423	\$ 9,000.00	1.1110.401	\$ 130.00	
1.1640.2	2,000.00	1.1110.406	115.00	
1.1640.444	3,000.00	1.1110.419	415.00	
1.1990.4	25,000.00	1.1210.404	35.00	
1.1991.4	2,400.00	1.1410.2	25.00	
1.1420.410	1,000.00	1.1410.404	420.00	
1.1410.401	1,000.00	1.1410.411	135.00	
1.3410.450	1,600.00	1.1410.412	2,625.00	
1.3410.1	1,300.00	1.1410.448	35.00	
1.5010.1	4,000.00	1.1640.4261	705.00	
1.5110.4161	6,500.00	1.1640.445	360.00	
1.5110.425	3,500.00	1.1640.1	8,165.00	
1.5110.426	2,000.00	1.1920.4	1,115.00	
1.5182.411	9,000.00	1.3310.1	2,150.00	
1.7140.4164	1,000.00	1.3410.412	3,955.00	
1.7140.1	6,500.00	1.3620.401	210.00	
1.8140.416	8,000.00	1.3620.404	175.00	
1.8160.416	3,300.00	1.5010.401	35.00	
1.8160.411	4,000.00	1.5110.2	2,365.00	
1.8160.1	5,000.00	1.5110.418	1,115.00	
1.8560.2	1,700.00	1.5110.4271	77,978.00	
1.8560.416	4,500.00	1.5110.4272	1,020.00	
1.8560.1	7,000.00	1.5110.1	8,025.00	
1.9071.8	5,000.00	1.5142.4161	805.00	
1.9730.7	6,300.00	1.5142.445	105.00	

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(Continued from preceding page)

<u>From</u>		<u>To</u>	
1.3410.444	\$ 2,700.00	1.5142.1	\$ 4,895.00
1.3410.422	5,000.00	1.7140.4111	4,200.00
1.1355.1	553.00	1.7140.4163	2,255.00
	<u>\$131,853.00</u>	1.7140.436	170.00
		1.7140.449	25.00
		1.7510.452	610.00
		1.7550.440	890.00
		1.7550.441	160.00
		1.7550.1	775.00
		1.77630445	1,050.00
		1.8010403	210.00
		1.8140.445	105.00
		1.8140.1	2,665.00
		1.8170.416	615.00
		1.8745.1	920.00
		1.9040.8	90.00
			<u>\$131,853.00</u>

Unanimously carried.

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

RESOLVED that the following budget transfers are hereby made in the Water Fund:

<u>From</u>		<u>To</u>		
				BUDGET TRANSFERS
6.1990.4	<u>\$1,680.00</u>	6.8340.403	\$ 20.00	Water Fund
		6.8340.426	5.00	
		6.8340.416	1,495.00	
		6.9040.8	160.00	
			<u>\$1,680.00</u>	

Unanimously carried.

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

RESOLVED that the following budget transfers are hereby made in the Sewer Fund:

<u>From</u>		<u>To</u>		
				BUDGET TRANSFERS
7.8130.422	<u>\$56,260.00</u>	7.8120.412	\$ 1,770.00	Sewer Fund
		7.8120.4161	53,850.00	
		7.9060.8	640.00	
			<u>\$56,260.00</u>	

Unanimously carried.

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

RESOLVED that the following budget transfers are hereby made in the Glen Park Fund:

		<u>From</u>			<u>To</u>	BUDGET TRANSFERS
						Glen Park Fund
9.7141.4104	\$	650.00	9.7141.4105	\$	25.00	
9.7141.4163		300.00	9.7141.4161		20.00	
9.7141.4352		55.00	9.7141.4351		60.00	
		<u>\$1,005.00</u>	9.7141.445		900.00	
					<u>\$1,005.00</u>	

Unanimously carried.

Mayor Kuzon said there may be additional transfers which need to be made in the next week or so until the end of the fiscal year and the next resolution authorizes the Clerk to make these transfers.

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

RESOLVED that the Village Clerk is hereby authorized to make any additional transfers at year end after all accounts payable, encumbrances and adjustments have been placed upon the books.

AUTHORIZATION

Clerk to make additional year end transfers

Unanimously carried.

Mayor Kuzon made the next resolution for Trustee Schlifke in her absence. This relates to a traffic and safety matter and deals with clarification and cleaning up of the language of the traffic code dealing with parking on Main St. It calls for a public hearing.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held by the Board of Trustees on June 9, 1986 at 7:35 p.m. in Town Hall, 5583 Main Street, Williamsville, New York for the purpose of hearing all persons interested in discussing a proposed local law which would amend Section 60.32(21) of the Traffic Code (clarifying Main Street parking).

NOTICE OF PUBLIC HEARING

Amend Traffic Code re: Main Street parking

Unanimously carried.

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Mayor Kuzon said his next resolution increases the 1985-1986 General Fund Budget in the amount of \$60,572.00. This is necessitated by the fact that last year after our budget was prepared the cost of our insurance increased. The counter side of that is we had some unanticipated revenue in the form of sales tax distribution and State Aid and also appropriating \$20,000 in CHIPS funds at this time which was not appropriated in last year's budget.

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

RESOLVED that the 1985-1986 General Fund Budget be increased as follows:

Appropriations	1.1910.4	\$48,980.00
	1.5110.4271	<u>11,592.00</u>
		<u>\$60,572.00</u>
Revenues	1.1120.0	\$25,000.00
	1.3001.0	15,000.00
	1.3504.0	<u>20,572.00</u>
		<u>\$60,572.00</u>

GENERAL FUND

Increase 1985-86
Budget

Unanimously carried.

Trustee Brenton said the contractor has been working on the Cadman Dr. and California-Pasadena area storm sewer work and is now finishing up and the project should be completed shortly and permanent paving put in place. This should take care of the flooding problem in that area.

Trustee Brenton said his first resolution deals with a dump truck for the D.P.W. This has been provided for in the upcoming fiscal budget. We are only going to get the chassis in that we have a body that we intend to install on the chassis once it arrives.

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for a single axle diesel truck chassis and cab only for the Department of Public Works. Bids to be opened June 3, 1986 at 2:00 p.m. in the Village Clerk's Office, 5565 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

ADVERTISE FOR
SEALED BIDS FOR

SINGLE AXLE
DIESEL TRUCK

(Chassis and Cab
Only)

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shall make a records 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 tradein 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 Brenton said his second resolution he feels is of great significance because it sets a policy for the Village regarding our decrepit sidewalks and certainly anyone walking on our sidewalks knows we have problems in that area. Other communities have addressed their sidewalk problems and we think it is about time we did ours. We will be calling for bids for sidewalk reconstruction throughout the Village. We will do a certain section of the Village during this construction season and it is the intention of Board to continue with this program until all the sidewalks not in compliance with the code are replaced. He thinks it is appropriate to announce now that through this program the Village will be providing partial funding to the affected property owners. We should mention this now so that there is no question as to what is going on here. It has been determined by the Board that we will spend 50% of the money necessary to replace the sidewalks. This takes precedence over our ordinance and that section dealing with corner lots. We will simply spend 50% on all the areas that need to be done. Many of the sidewalks have been identified by our Superintendent of Public Works. Those that have been identified are presently marked with an "X" or a white and blue spot and other areas will be identified as the season progresses. The monies that we will be using are a result of Assemblyman Sheffer's efforts on the Village's behalf and it represents New York State monies that have been granted to us through the request that Mayor Kuzon made to our Assemblyman for special projects. These monies once expended may not be replenished in future years and he thinks it should be noted again that the Village Board has a dedicated feeling that this community will have its entire sidewalk system replaced so that if necessary in future years the money may have to come from the General Fund in order to pay our committed 50% because that will remain constant. Also through the competitive bid process will be providing the homeowner with the lowest possible price. So the homeowner in effect has a double advantage in this situation through the funding of 50% of the work by the Village.

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

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RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for Reconstruction of Various Village Sidewalks. Bids to be opened June 3, 1986 at 2:30 p.m. in the Village Clerk's Office, 5565 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 tradein 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.

ADVERTISE FOR
SEALED BIDS FOR
RECONSTRUCTION
OF VARIOUS
VILLAGE
SIDEWALKS

Unanimously carried.

Trustee Brenton said his next resolution deals with the hiring of a part-time seasonal laborer. We have budgeted for four laborers this season. This is the first.

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

RESOLVED that Michael Gallagher is hereby appointed Seasonal Laborer in the Department of Public Works, effective May 12, 1986 at a rate of \$3.50 per hour.

APPOINTMENT
SEASONAL LABORER
DPW

Unanimously carried.

Trustee Brenton said his fourth resolution, which does not appear on the agenda, deals with the training of our firemen and it allows for three of them to go to Montour Falls for that training. The Fire Chief was not informed that these men had been accepted until the last minute and, therefore, the resolution does not appear on the agenda.

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

RESOLVED that Evor Williams, Herb Stoeckl and Joseph Greer are hereby authorized to attend the Fire Prevention Training School in Montour Falls, New York from May 31 to June 2, 1986 and the cost of \$125.00 per person to be paid by the Village of Williamsville.

AUTHORIZATION
Firemen to
attend Fire Prevention
Training School

Unanimously carried.

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Trustee Kibby advised he does not yet have the tentative agenda for the Planning Board's next meeting yet. The Trustees will not be meeting again this month. There are two Board of Appeals hearings scheduled for this month on May 28th. They will be held here in Town Hall. One will be for a variance on a building permit for an addition at 27 Franklin Street and another is for permission to retain a garage apartment on the premises at 79 N. Ellicott St.

Trustee Kibby said his first resolution deals with a cul-de-sac width on Bobbie Lane.

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

RESOLVED that the turning circle at the proposed cul-de-sac at the north end of Bobbie Lane is established at 21 feet. This change has been recommended by both the Traffic and Safety Committee and the Planning Board.

**BOBBIE LANE
CONSTRUCTION**

**Turning Circle
established**

Trustee Kibby said this particular request from the developers first was approved with a width of 28' for the street and turning radius. The developer came back a short time ago and requested the change to 21' at the cul-de-sac. This Board sent the request back to Traffic & Safety and to the Planning Board and both recommended approval. There is a letter in the file from the Fire Chief indicating they would have no problem with this change and the Superintendent of Public Works indicates it would not present a handicap to any D.P.W. functions on the street. Trustee Kibby requested a roll call vote.

Vote on Roll Call: Trustee Baer - Yes
Trustee Brenton - Said it should be noted that the developer has probably come up with plans which will be true asset to the community and he thinks Mr. Farber should be lauded for his efforts in the regard. Yes.

Trustee Kibby - Said he has a lot of trouble with this. The School District has had a great deal of difficulty with cul-de-sacs in the last couple of years and have requested the Town Planning Board not to approve any street less than 28' wide. The problem here is that this cul-de-sac is only 360' to 361' long which any normal parent would expect their kids to walk down to catch the school bus but he is aware that there are a lot of parents out there who aren't too normal and expect the bus to pick the kids up at the front of their house. He recognizes the contributions of Mr. Farber over the years to the Village but he thinks that nowhere in the Village or Town should the streets be less than 28' wide. No.

Mayor Kuzon - Yes.

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Yes - 3; Noes - 1.

Carried.

Trustee Kibby said his next resolution calls for a public hearing.

ON MOTION by Trustee Kibby, seconded by Trustee Baer, 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 June 9, 1986 at 7:40 p.m. in Town Hall, 5583 Main Street, Williamsville, New York for the purpose of discussing a request for an Exceptional Development Permit for development of an office building at Main and Union.

PUBLISH NOTICE OF PUBLIC HEARING

Request for Exceptional Dev. at Main and Union

Trustee Kibby said the request is from Arthur Gellman, Chairman of Benchmark Financial Group. It is the intention of this group to convert the Bells building into a medical facility. This is a big project and looks very nice. These plans will go to Traffic & Safety on May 15th, Environmental on May 22nd and Planning Board on June 2nd. The public hearing will be before this Board on June 9th.

Unanimously carried.

Trustee Baer reported that the reconstruction of the Island Park Bridge over to Island Park started today. The bridge and, therefore, the park, will be closed until Friday, June 13th. We can start using the park the following weekend. The reconstructed bridge will allow pedestrian and vehicular traffic and the surface will be wider. This is another project we are accomplishing with State funds which we received thanks to Assemblyman Sheffer.

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

RESOLVED that George Saliby be appointed Seasonal Laborer in the Glen Park effective May 22, 1986 at a rate of \$3.75 per hour. Funding to be provided by the Glen Park Joint Activity Fund.

APPOINTMENT

Seasonal Laborer in Glen Park

Unanimously carried.

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

Unanimously carried.

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Richard Hill, 18 Brookside Drive, asked about the moving date to the new Village Offices. Mayor Kuzon said at the construction meeting this morning a few concerns were raised and we tentatively moved our date back to May 29th from May 23rd. It will still be the end of May.

George Wilcox, 104 Lafayette Blvd., said he had submitted a plan for sewer and water at 20 Swan Alley and wanted to know what was being done about them. Mayor Kuzon said it was on our working agenda for our work session after tonight's meeting and that Mr. Wilcox was welcome to come and discuss it with them.

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

Unanimously carried.

Mayor Kuzon said that due to the Memorial Day Holiday the next Board of Trustees meeting would not be until June 9th.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, the meeting was adjourned at 7:55 PM.

Unanimously carried.

Theresa L. Cummins,
Village Clerk-Treasurer