

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in Amherst Town Hall, 5583 Main Street, Williamsville, New York on Monday, August 25, 1986 at 7:36 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Richard Baer

Lawrence Brenton Trustees

Michael Kibby

Carolyn Schlifke

Mary E. Harrigan, Deputy Clerk

Thomas V. Troy, Village Attorney

David Laubisch, Dept. of Public Works

Absent

Theresa L. Cummins, Village Clerk

Mayor Kuzon called the meeting to order at 7:36 PM.

Mayor Kuzon opened the meeting with a moment of silence in honor of Ruth Fuchs who had been killed in a car accident this past week. Ruth had been a valued employee of the Village for eleven years, first as a legal stenographer at our Board meetings and most recently as Building Department Administrator.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, the minutes of the Regular Meeting held July 28, 1986 were approved.

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, the minutes of the Public Hearing regarding the request for an Exceptional Development Permit by the Little White House held July 28, 1986 were approved.

Unanimously carried.

A representative of United Way, a Mr. Paul Barzek, presented a plaque in appreciation from the United Way of Buffalo and Erie County to the citizens and employees of the Village of Williamsville for pledges of the last year.

Mayor Kuzon said the next item of business was a public hearing.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, it was moved at 7:43 PM to open the public hearing regarding a proposed amendment to Section 14.04(a)(2) of the Fence Code. (The hearing was closed at 7:50 PM.)

ON MOTION by Mayor Kuzon, seconded by Trustee Brenton, vouchers in the amount of \$89,342.15 were approved for the period covering July 28, 1986 thru August 11, 1986, as follows:

Payroll Fund	W/E 8/1/86	\$ 7,453.48
	W/E 8/8/86	<u>7,598.96</u>
Total Payroll Fund		\$ 15,052.44

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Payroll Fund (From preceding page)	\$ 15,052.44
General Fund	15,267.14
Sewer & Water Fund	35,879.96
Glen Park Jt. Activities	2,306.60
Trust & Agency Fund	1,382.11
Capital Fund	<u>19,453.90</u>
Total Vouchers	\$ 89,342.15

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Baer, vouchers in the amount of \$74,590.98 were approved for the period covering August 12, 1986 thru August 24, 1986 as follows:

Payroll Fund	W/E 8/15/86	\$ 7,292.01
	W/E 8/22/86	<u>7,531.79</u>
Total Payroll Fund		\$ 14,823.80
General Fund		42,154.83
Sewer & Water Fund		1,364.54
Glen Park Jt. Activities		734.13
Trust & Agency Fund		28.00
Capital Fund		<u>15,485.68</u>
Total Vouchers		\$ 74,590.98

Unanimously carried.

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

RESOLVED that Village Clerk Theresa L. Cummins is hereby authorized to attend New York Conference of Mayors training school at Stevensville, New York, from September 30-October 3, 1986 and the expenses, not to exceed \$500.00, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Brenton reported on the progress of the construction of Village offices and fire hall. The Board met earlier today with the architects and engineers to clarify our position regarding one of the contractors who is somewhat deficient in performance and hope that situation will be resolved and the offices will have heat before it is too late in the season.

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Trustee Brenton reported that in reviewing last meeting's minutes, which took place while he was on vacation, he noted the concern of a resident regarding International Chimney's utilization of property owned by the Village of Williamsville. Subsequently, he contacted Mr. Lohr from International Chimney and discussed the lack of upkeep on the property, the 2½ years remaining on the lease and seeing if they would "clean up their act". To that end, they have acted responsibly and have cleaned it up, and land looks better than anytime since they started using property. Although they are still using some parts of non-leased property, they are acting in a responsible nature.

Trustee Brenton reported that regarding the residents concern about paving policy, in particular Monroe Drive as opposed to Columbia Drive between Wehrle and Brookside, streets are evaluated not on indentations, but based on need as to which ones might disintegrate to the point we might not be able to save them thru remedial repavement. He would suggest to anyone with a concern about one street as opposed to another, to walk these streets and they will see the difference.

Trustee Brenton reported the sidewalk program is continuing with approximately \$45,000.00 worth of work completed out of the bid of \$86,000.00. The project is being monitored daily by himself and a sidewalk inspector prior to pouring concrete and when it is being poured. The south side will be completed first and then the project will move to the north side of Main Street. Eventually the entire Village will be identified to have sidewalks reconstructed with the Village paying 50%. If a taxpayer replaces his sidewalk in advance of Village work, he will have to bear 100% of the cost.

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

RESOLVED that Gordon J. Kuzon, Mayor, is hereby authorized to attend the New York Conference of Mayors Executive Committee Meeting in New York City from September 25-27, 1986 and the expenses, not to exceed \$450.00, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Kibby expressed his own personal grief on loss of Ruth Fuchs, who was a wife, a mother of two and a dedicated employee of the Village, and who we will miss, not just because of her reliability, competence and dedicated professionalism, but more than that because she was a friend. On behalf of himself and Planning and Architectural Review Board and the Board of Appeals with whom she had worked for eleven years, he would like to extend to Mrs. Fuchs' family, our sincere regrets on the loss of an efficient public servant and friend.

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

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RESOLVED that the Board of Trustees of the Village of Williamsville, Erie County, New York, approves a Cooperative Agreement with the Town of Amherst under which the Town, as a Metropolitan City, will apply for and utilize a maximum share of any funds available to the Town and Village under the Housing and Community Development Act fo 1974 as amended by the Housing and Community Development Act of 1981 and authorizes the Mayor to execute the necessary agreement and any other instruments required in connection therewith, in a form approved by the Village Attorney.

Unanimously carried.

Trustee Kibby states that his next resolution deals with the granting of an easement to an owner of property at 20 Swan Place for the installation of storm and sanitary sewer facilities which will be in the Village right-of-way. It is understood that the easement will contain the following items:

- (1) Plans for the lines will be as set forth by URS and approved by the Building Inspector.
- (2) During construction, the Building Inspector will be notified, so he can observe construction.
- (3) Lines, themselves, will remain the property of and the responsibility of the owner.
- (4) The owner must request regular road cut permission from the Village, during construction and anytime in the future when the lines are to be repaired.
- (5) The manhole casting must be placed at the cleanout.

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

RESOLVED that the Mayor is hereby authorized to execute, on behalf of the Village, an easement in favor of the owner of the premises at 20 Swan Place, in the public right of way, sufficient to permit construction of water lines and sanitary sewer facilities benefitting said premises, only.

Vote on Roll Call: Trustee Baer - Yes
Trustee Kibby - Yes
Trustee Brenton - Yes
Trustee Schlifke - Yes
Mayor Kuzon - No

Yes - 3; Noes - 1.

Carried.

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

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WHEREAS, the Board of Trustees has determined that certain lands within the Village shown as a public thoroughfare on subdivision maps filed in the Erie County Clerk's Office under Map Covers numbered 1337 and 1350, more fully described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Amherst, County of Erie and State of New York, being part of Lot No. 21, Township 11, Range 7 of the Holland Land Company's Survey and according to Maps filed in Erie County Clerk's Office under Covers Nos. 1337 and 1350, described as follows:

COMMENCING at a point, which is the southeast corner of Sublot No. 15, Block "M" and which point is the point of intersection of the westerly line of Cayuga Street with the northerly line of Park Court; thence westerly, one hundred fifty (150) feet along the southerly line of Sublot No. 15 to the southwest corner thereof; thence northwesterly, one hundred ninety-one (191) feet along the southwesterly lot lines of Sublots Nos. 13 and 14 to the southwesterly corner of Sublot No. 13, which point is the point or place of beginning; thence northeasterly, fifty (50) feet along the northwesterly lot line of Sublot No. 13; thence northerly, eighty-seven (87) feet along the westerly lot lines of Sublots Nos. 11 and 12; thence northwesterly, fifty (50) feet along the southerly lot line of Sublot No. 10; thence westerly, eighty-seven (87) feet along the southerly lot line of Sublots Nos. 8 and 9; thence southwesterly, fifty (50) feet along the southeasterly lot line of Sublot No. 7 to the southerly point of said Sublot No. 7, said point being on the northeasterly line of Park Court; thence southeasterly, one hundred seventy-six (176) feet to the point of beginning.

are no longer needed for public purposes, therefore it is

RESOLVED, pursuant to Section 6-612 of the New York State Village Law that the dedication of such land for public use be, and hereby is, revoked and terminated, and said lands shall no longer be deemed a public street in the Village of Williamsville.

Unanimously carried.

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

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in Amherst Town Hall, 5583 Main Street, Williamsville, New York, on Monday, August 25, 1986 at 7:36 PM

RESOLVED that the Board of Trustees of the Village of Williamsville. Erie County, New York, approves a Cooperative Agreement with the Town of Cheektowaga under which the Town, as a Metropolitan City, will apply for and utilize a maximum share of any funds available to the Town and Village under the Housing and Community Development Act of 1974 as amended by the Housing and Community Development Act of 1981 and authorizes the Mayor to execute the necessary agreement and any other instruments required in connection therewith, in a form approved by the Village Attorney.

Unanimously carried.

Trustee Schlifke reported that our Parking Enforcement Officer has resigned. This person had patrolled the business areas and issued tickets to those cars parked longer than the designated time. The position will be continued and Trustee Schlifke will be interviewing persons for this job during the next few weeks.

Trustee Schlifke reported that also, earlier this year, the Mayor established a "Parking Study Task Force". The first meeting was held Monday, August 18th. The members consist of the Mayor, Trustee Schlifke, a representative of the Business Association, a representative of Traffic and Safety and an at large member. Shortage of parking and illegal parking has been a problem in the Village for years. It is hoped this group will come up with some solutions to help, not only the business community, but people coming into the Village to find adequate parking.

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

RESOLVED that Richard Hill, Chairman of Traffic and Safety Committee is hereby authorized to attend the New York State Association of Traffic and Safety Boards in Ellenville, New York September 24-26, 1986 and the expenses, not to exceed \$200.00, to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held on September 22, 1986 at 7:35 PM for the purpose of hearing all persons on a proposed local law which would amend Section 60.20 (1) of the Village Traffic Code regarding maximum speed limit on Wehrle Drive.

Unanimously carried.

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Trustee Baer reported that new playground equipment has been erected in Island Park thanks to the Department of Public Works. He gave a special note of thanks to Superintendent Laubisch and the Department of Public Works for the excellent maintenance of the Village Parks. This summer, as in past years, the Village again participated in a Summer Youth Employment Program whereby fifteen (15) or sixteen (16) youths worked in Glen Park under the direction of Jim Bailey. Due to their hard work, as well as Village Department of Public Works and Town Highway, Glen Park also has been in good shape this summer.

Trustee Baer reported that in addition, due to increased enforcement, our security problems have been reduced in our parks.

Superintendent of Public Works David Laubisch reported on two items:

- (1) When Village residents hire private contractors to perform work such as siding, roofing, etc., the contractor is responsible for removing the debris created during performance of their work.
- (2) Starting September 3rd, we will be paving Cadman Drive.

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

Unanimously carried.

No one appeared to address the Board.

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

Unanimously carried.

ON MOTION by Mayor Kuzon, seconded by Trustee Schlifke, it was moved to adjourn the meeting at 8:22 PM.

Unanimously carried.

Mary E. Harrigan
Deputy Village Clerk

Minutes of the Public Hearing of the Board of Trustees of the Village of
Williamsville held in Amherst Town Hall, 5583 Main Street, Williamsville,
New York on Monday, August 25, 1986 at 7:43 PM

Roll Call

Present

Gordon J. Kuzon, Mayor

Lawrence R. Brenton

Richard C. Baer Trustees

Michael W. Kibby

Carolyn M. Schlifke

Mary E. Harrigan, Deputy Village Clerk

Thomas V. Troy, Village Attorney

David Laubisch, Dept. of Public Works

The Deputy Clerk read the notice of public hearing regarding a proposed local law to amend Section 14.04(a)(2) of the Village Fence Code with regards to fences in exterior side yards.

ON MOTION by Mayor Kuzon, seconded by Trustee Kibby, the hearing was opened at 7:43 PM.

Unanimously carried.

Mayor Kuzon stated Trustee Kibby will conduct this hearing.

Trustee Kibby said that unless there is someone here who knows what all this is about and wishes to speak to it, he will adjourn hearing until the next meeting. The Code was rewritten for this some time ago, but due to the death of our Building Administrator he was unable to find how it was changed. He asked if there was anyone who came to the meeting because of the Fence Code, and said in all fairness he should let them speak. The thrust of the change is that when the Fence Code was changed he made an amendment which caused a loophole. As it reads now a fence may be constructed in any exterior side yard provided the fence does not exceed 6 feet in height and is set on a line parallel with the sides or front of the house. That was his mistake and this whole process is to correct that. The exterior side yard fence was also not supposed to extend beyond the side of the house. Trustee Kibby drew a sketch on the blackboard to illustrate that the fence had to stay in the back yard as the old Code had included all along.

Dorothy Ketzal of South Ellicott Street asked about fences around swimming pools. Trustee Kibby stated they are required, and she asked how high. He said he thinks it is 6 feet. Richard Delo, Village Building Inspector, said they must be 4 feet in height.

Thelma Halligan of 487 Sweet Home Road asked if hedges are considered fences; for instance, her neighbor has an 8 foot hedge that runs beyond the sidewalk. Trustee Kibby said that Sweet Home Road is not in the Village.

June Clark also of South Ellicott Street wanted to know about legality of placing a fence on the line between 2 lots. She always understood fences were normally placed 6 inches or more inside your line. Trustee Kibby said the farthest side of the fence may be right on the line, may not extend over the line, on a rear lot line and on an interior side lot line.

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Williamsville held in Amherst Town Hall, 5583 Main Street, Williamsville,
New York on Monday, August 25, 1986 at 7:43 P.M.

ON MOTION by Trustee Kibby, seconded by Trustee Baer, the hearing was
adjourned at 7:51 P.M.

Unanimously carried.

Mayor Kuzon stated that the hearing is adjourned with continuation to be at
a future meeting.

Mary E. Harrigan
Deputy Village Clerk