

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Williamsville Village Hall, 5565 Main Street, Williamsville, New York on Monday, January 8, 1990 at 7:35 P.M.

PRESENT: Lawrence R. Brenton, Mayor

Robert Bindert
Ronald Daniels
Yvonne Kaye
Richard Sweeney

Trustees

Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Treasurer
David Laubisch, Supt. of Public Works

Mayor Brenton called the meeting to order at 7:35 P.M. with the Pledge of Allegiance.

ON MOTION By Mayor Brenton, seconded by Trustee Daniels, the minutes of the regular meeting of December 11, 1989 were approved.

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee, the minutes of Public Hearing held for the purpose of repealing the existing Section 5 - Dogs, and adopting a new Chapter 5 - Animals, held December 11, 1989 were approved.

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee Bindert, the minutes of the Public Hearing held for the purpose of repealing the existing Section 59 - Swimming Pools, and adopting a new Chapter 59 - Swimming Pools and Hot Tubs, held December 11, 1989 were approved.

Unanimously carried.

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Mayor Brenton reported on the following items:

- 1) The City Mission in Buffalo provides aid to the elderly, youth disadvantaged throughout the community. He was provided a tour through this facility this year. He encouraged all persons in the audience to find out more about this facility and to support their worthwhile endeavors.
- 2) The Village of Williamsville has now come under the new requirements of the State of New York regarding smoking requirements. There will now be "NO SMOKING" in the public areas of the Village Hall except the rear entranceway (exclusive of the lift area) which will be posted as a "SMOKING PERMITTED" area. At a later date there will be area in this building as well as the Fire Department area and Department of Public Works which may be designated as a smoking areas for the employees. Further, the Meeting House and the Gazebo in Glen Park are designated as "NON-SMOKING" buildings.
- 3) The Village is in receipt of a memo from Western New York Reach regarding the Pfohl Brothers dumpster. There will be an informational meeting on Saturday, January 27th from 1:00 P.M. to 4:00 P.M. at Erie Community College North pertaining to this dumpsite.

ON MOTION By Mayor Brenton, seconded by Trustee Sweeney, Vouchers in the amount of \$110,461.61 covering the period 12/9/89 - 12/22/89 were approved:

Payroll Fund W/E 12/16/89	\$ 28,550.82
General Fund	58,788.42
Water Fund	3,198.67
Sewer Fund	9,559.82
Trust & Agency Fund	3,742.30
Glen Park Joint Activities Fund	205.19
Capital Fund	6,417.19
Community Development Fund	---
* Grand Total *	\$ 110,461.61

Unanimously carried.

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ON MOTION By Mayor Brenton, seconded by Trustee Bindert, Vouchers in the amount of \$83,484.32 covering the period 12/23/89 - 1/4/90 were approved:

Payroll Fund W/E 1/3/90	\$ 14,867.18
General Fund	47,121.15
Water Fund	8,823.28
Sewer Fund	---
Trust & Agency Fund	9,562.65
Glen Park Joint Activities Fund	71.10
Capital Fund	1,337.14
Community Development Fund	1,701.82
* Grand Total *	\$ 83,484.32

Unanimously carried.

ON MOTION By Mayor Brenton, seconded by Trustee Kaye, the following resolution was hereby adopted:

RESOLVED, that the Town Clerk of the Town of Amherst is hereby authorized to issue licenses for Games of Chance within the Village of Williamsville in conformity with Article 9-A of the General Municipal Law, as amended by the Laws of 1988, Chapter 46, and the Laws of 1989, Chapter 684, and also in conformity with Local Law No. 6 - 1989 heretofore adopted by the Town of Amherst. This Resolution shall be effective thirty (30) days from date hereof and is subject to a permissive referendum.

Unanimously carried.

Mayor Brenton stated his next resolution deals with the appointment of Nussbaumer and Clarke, Inc. on another step to facilitate the eventual takeover of the Village water system by Erie County Water Authority. At present the Village purchases water from the Water Authority and resells it to the Village residents, who pay considerably more per 1,000 gallons of water consumed than do Erie County Water Authority consumes. The Water Authority has outlined a number of steps the Village must complete in order to be taken over by the Authority and this feasibility study is one of the steps to be done.

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ON MOTION By Mayor Brenton, seconded by Trustee Bindert, the following resolution was hereby adopted:

RESOLVED THAT Nussbaumer & Clarke, Inc., Consulting Engineers, are hereby appointed to perform a feasibility study of the Williamsville Water Distribution System at a fee not to exceed \$9,995.00 per their proposal of January 4, 1990.

Trustee Sweeney stated that although the Mayor stated in his introduction that this is a step in the takeover of the water system, it is his opinion that at this time it is not a foregone conclusion that the Village is going ahead with the takeover. He feels there are real and material benefits in having the water study performed on the Village water system regardless of who controls the system.

Trustee Daniels commented that looking at the requirements the Erie County Water Authority is requiring the Village to make in the line of upgrading and remediation, he feels they would want the Village system to be a profit making operation upon takeover. He questioned why the Village had not upgraded the system over the past years to make it profitable. Also once it is made profitable for takeover, why would the Village give it up?

Mayor Brenton stated the water system has been upgraded during the past decade - probably one line each year. Prior to takeover by the Authority, the Village will upgrade any lines as required by Erie County Water Authority. The rate per thousand gallons consumption will be cheaper for the consumer which is why it should be turned over to the Water Authority.

Vote on Roll Call:

Trustee Kaye - aye
Trustee Bindert - aye
Trustee Daniels - aye

Trustee Sweeney - aye
Mayor Brenton - aye

Unanimously carried.

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Trustee Bindert reported that shortly before New Years, vandals set fire to the portable sanitary facilities in Glen Park reducing them to a small pile of plastic. The building in the Park was damaged as a result of this vandalism. The Village was fortunate that the fire company was called in time so that more damage was not done to this building.

ON MOTION By Trustee Daniels, seconded by Trustee Bindert, the following resolution was hereby adopted:

RESOLVED THAT Kevin Cronin, 393 Cadman Drive, is hereby appointed to the Environmental Commission until the end of the 1989-1990 official Village year.

Unanimously carried.

Trustee Kaye reported that the handicapped ramp for the Big Toy in Garrison Park has been completed.

ON MOTION By Trustee Kaye, seconded by Trustee Bindert, the following resolution was hereby adopted:

WHEREAS the Village of Williamsville has advertised for sealed bids for the sale of surplus Department of Public Works, and,

WHEREAS the bids were opened on January 3, 1990, and

NOW, THEREFORE, BE IT RESOLVED, that the 1983 Chevrolet 3/4 Ton Pickup Truck is hereby sold "as is" to Thomas Kiser for his bid of \$2,050.00.

Unanimously carried.

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ON MOTION By Trustee Sweeney, seconded by Trustee Daniels, the following resolution was hereby adopted:

RESOLVED THAT Judith Ames, Village Building and Zoning Clerk, is hereby authorized to attend the Niagara Frontier Building Official Conference on February 5 - 7, 1990, and the cost, not to exceed \$130.00, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Sweeney reported that the next two resolutions are adoption of two Local Laws which had been discussed at a prior Board meeting. Several changes which clarify wording have been made as a result of the hearing. One change more clearly defines a kennel. Another change removed rabbits from the list of prohibited caged animals.

ON MOTION By Trustee Sweeney, seconded by Trustee Bindert, the following resolution was hereby adopted:

RESOLVED THAT existing part of the Village Code entitled Section 5.00 - Animals, covering sections 5.10 through 5.20 is hereby repealed, and

FURTHER, RESOLVED THAT Local Law #1-1990, Chapter 5.00, Sections 5.00 to 5.06, "Animals," which was the subject of a public hearing on December 11, 1989, is hereby adopted as amended.

Trustee Kaye as asked clarification regarding bunnies. It is her understanding from the work session that three bunnies are now allowed as long as they are caged.

Trustee Sweeney stated it has not been determined if bunnies are domestic animals but if they are domestic animals, than no more than three would be allowed.

Unanimously carried.

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ON MOTION By Trustee Sweeney, seconded by Trustee Kaye, the following resolution was hereby adopted:

RESOLVED THAT existing part of the Village Code entitled Section 59.00 Swimming Pools covering Sections 59.10 through 59.80 is hereby repealed, and

FURTHER, RESOLVED THAT Local Law #2-1990, Chapter 59.00, Sections 59.01 to 59.07, "Swimming Pools and Hot Tubs," which was the subject of a public hearing on December 11, 1989, is hereby adopted as amended.

Unanimously carried.

ON MOTION By Trustee Sweeney, seconded by Trustee Bindert, 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 January 22, 1990, at 7:35 P.M. in the Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing the proposed repeal of existing Local Law Sections 3.200 (1) through 3.200 (9) entitled Coin Operated Amusement Devices.

Unanimously carried.

Trustee Sweeney reported there is a problem with the Village sign code, especially with sections dealing with enforcement provisions, sections that deal with the collection of fees, requirements regarding window signs and neon window signs and illustrations.

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ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, the following resolution was adopted:

RESOLVED THAT the Village Clerk publish notice of public hearing to be held by the Board of Trustees on January 22, 1990, at 7:40 P.M. in the Village Hall, 5565 Main Street, Williamsville, New York, for the purpose of hearing all persons interested in discussing proposed revisions to Chapter 1.00, the Village Sign Code.

Unanimously carried.

Superintendent of Public Works Laubisch reported the following:

- 1) Attendance at the Northeast Solid Waste Board meeting last Thursday night. The items discussed involved possible selection of a site for accepting recycled goods in Depew, and specifications for obtaining markets for the recycled goods.
- 2) The DPW is in the process of chipping christmas trees. These chips are available to residents, free of charge.
- 3) All snowplow operators are prohibited from plowing snow from private driveways into the streets. He requested that residents also not snowblow their driveways into the streets as this creates a hazardous condition.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, it was moved to suspend rules for public participation:

Harmon Whipple, 51 Garden Parkway, questioned the difference between the Erie County Water Authority rates and the Village water rates and whether if Erie County took over the Village system would our rates go down to Water Authority rates or remain higher?

Mayor Brenton stated the Village rates currently are \$2.16 per 1,000 gallons of water consumed while Erie County Water rates are \$1.50 per M. Village rates would decrease to the lower amount with takeover by Erie County Water Authority.

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Arnold Jerome, 153 Arend Avenue, complained about sidewalks which are not cleared. He itemized a number of locations where the sidewalks are hazardous. Most locations were within the Town of Amherst and he was, therefore, referred to the Town.

Mary Ann Avery, 64 Garrison Road, questioned dioxin migrating off the Pfohl dumpsite. Trustee Daniels stated that there will be a great deal of testing done in the area of the dump which has been dormant for many years. A major step forward is getting money from the super fund for this site. The great push right now is for fencing around the area.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, the meeting was adjourned at 8:35 P.M.

Theresa L. Cummins
Clerk-Treasurer