

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 September 24, 1990 at 7:40 P.M.

Present: Lawrence R. Brenton, Mayor  
Ronald Daniels Trustees  
Yvonne Kaye  
Richard Sweeney  
Mary Harrigan Deputy Clerk  
Thomas Troy, Village Attorney

Absent: Robert V. Bindert, Trustee  
Theresa L. Cummins, Village Clerk/Treasurer  
David Laubisch, Supt. of Public Works

Mayor Brenton called the meeting to order with the Pledge of Allegiance at 7:40 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the minutes of the regular meeting of the Board of Trustees held September 10, 1990 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Daniels, the minutes of the public hearing - request for exceptional development permit -26 West Spring on September 10, 1990 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, the minutes of the public hearing - amend Section 65.40 (A) (1) of the Water Code- September 10, 1990 were approved.

Unanimously carried.

Mayor Brenton reported that Adelphia Cable System has advised the Board that effective November 1, 1990 the rates for subscribers within the Village of Williamsville will increase \$2.00 a month to \$18.95 a month for standard service. The Village has no control over increases of this nature. Adelphia Cable will be passing that through. Probably most people in the community have been notified of that by now. They have indicated to us that fact.

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Mayor Brenton also reported the Village has received correspondence from Mr. Gary Brownell, who is co-director of the event that was to take place within the Village, known as the 1990 Octoberfest. It has been decided by the group that they will not have the Octoberfest this year because they will not have enough time to provide the necessary facilities and amusements for that endeavor. They look forward to the Village's continuing interest in this community event in 1991 at which time they intend to hold this Octoberfest. Mayor Brenton will respond to them and make them aware to the fact that the Village Board may change as of the forthcoming elections in March of next year, so that their request is not necessarily granted and will have to be treated by the elected Board of 1991.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, vouchers in the amount of \$114,832.70 covering 9/8/90 - 9/20/90 were approved.

payroll fund w/e 9/8/90	\$	18,137.97
General fund		58,696.35
Water fund		31,034.27
Sewer fund		267.15
Trust & Agency fund		5,036.99
Glen Park Joint Activities fund		1,659.97
Capital fund		-0-
Community Development fund		-0-
Grand Total	\$	<u>114,832.70</u>

Large Vouchers:

Erie County Water Authority	\$	30,165.42
Occidental Chemical Corp	\$	10,497.73
	\$	

Unanimously carried.

Mayor Brenton stated his second resolution deals with the public hearing held September 10th pertaining to increasing the water rates within the Village of Williamsville by amending our Village Water Code. The rate increase is necessitated by the fact that Erie County Water Authority has informed the Village that our rates are being increased and in fact have been increased. We are passing through this increase to our consumers since we purchase water from the Erie County Water Authority. The rate increase of Erie County Water Authority is 4.8%. We also are increasing our water rates 4.8% and that will amount to 10 cents per thousand gallons of consumption to consumers within our system. The increase for a family that uses a normal average of 30,000 gallons a month, should total approximately \$9.00 per year.

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That includes the total pass-thru of 4.8% which does yield the Village some small additional revenue over and above the Erie County Water Authority charges. These additional revenues, we feel, will be used to keep our system in a balanced budget form and also pay for other areas within our water system that have not been addressed for several years.

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

RESOLVED THAT Local Law #13 - 1990, amending Section 65.40 (A) (1) of the Village Water Code, which was the subject of a public hearing on September 10, 1990, is hereby adopted. This would result in an increase of 10 cents per one thousand gallons of consumption to the consumer.

Trustee Daniels stated he would rather see a simple pass-thru of 6 3/4 or 7 cents per thousand at this point since we're improving the system at this time. Our water losses have been going down making the system more efficient to the point of not losing money. Trustee Daniels would rather wait on a further increase until some sort of track record has developed on our new improved system. This is not completely done yet. We'll have the improvements continuing into the future. He would prefer to see an additional increase passed on, if needed, at that time. At this time he would rather have a simple penny amount, not a percentage passed through to the consumers.

Mayor Brenton stated Trustee Daniels' concerns are duly noted.

Trustee Sweeney stated in learning of the operation of the water department, he's surprised at what little excess the department has at this time. I think that creating a bigger reserve, than now exists, probably should be a priority. This increase does not go far enough in providing a long term reserve that the department will probably need. His own calculation is that this is slightly above the simple pass-thru of the Erie County rate increase. It's such a small margin of excess, he feels it's thoroughly justified.

Trustee Kaye stated she too would support the resolution as it reads. Particularly based on the fact that the recommendation of our Village Treasurer is to have this additional amount through the percentage pass-thru to compensate for the past 6 or 7 years that the Village has not had an increase in the Village's water rates to cover the Villages's additional increasing amount in administrative cost. This will help to offset the fact that the Village has not increased it's water rates but the expenses of administrative costs have increased. Trustee Kaye, too, supports the resolution as it reads.

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Roll Call: Trustee Kaye       yes  
          Trustee Sweeney    yes  
          Trustee Daniels   no  
          Mayor Brenton      yes

Motion carried.

Mayor Brenton stated his third resolution deals with a subject that has been addressed by the Town of Amherst. In particular, it pertains to the increased congestion east of Williamsville primarily to the roads that are under the control of the state of New York and the County of Erie that do need improvement. The Town of Amherst has passed a similar resolution pertaining to this subject.

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

WHEREAS, the Village of Williamsville is located in the southeast part of the Town of Amherst, and

WHEREAS, that part of State Route 5, known as Main Street, running from the Village to State Route 78, known as Transit Road, and that part of Youngs Road running from Aero Drive to Main Street as a County road, and from Main Street to Sheridan Drive as a Town road, are in need of improvements to meet existing and projected volumes of traffic and to provide adequate safety for all users, and

WHEREAS the intersections of Youngs Road with Sheridan Drive, Main Street and Wehrle are likewise in need of improvements to meet existing traffic volumes, and

WHEREAS, Main Street and Youngs Road are both eligible for Federal funding for such improvements through existing Federal Highway Improvements Program, and

WHEREAS, "the Niagara Frontier Transportation Committee and it's existing 5 year Transportation Program" has failed to include the above described highways as recommended projects,

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NOW, THEREFORE, BE IT RESOLVED, the Village of Williamsville Board of Trustees does hereby urge the Niagara Frontier Transportation Committee to review and revise said Improvement program so as to include those parts of Main Street and Youngs Road above described as part of it's Five Year Transportation Improvement Program.

Unanimously carried.

Mayor Brenton stated that resolution will be forwarded to the Niagara Frontier Transportation Committee.

Trustee Daniels stated the Village finally has the street tree program organized into a form where residents can select trees from this volume and others by cross referencing information and species for the particular site they're interested in. Now is the the time of the year to plant. We have selected trees that tend to do the best in terms of situations. If Mr. Avery will pick out his tree after the meeting, Trustee Daniels can give the book to Ken Schmeider for his Wellington development. He's going to select some trees as well.

Mayor Brenton stated that Trustee Daniels has put a great deal of effort into beautification, not only as far as trees are concerned but also as far as the general community. The front of this building and various sections of parks which have flowers are included. He's done a commendable job. He shows a great deal of interest in what he is doing just by what he has presented this evening in the form of a book pertaining to trees giving tree availability and other information the book contains.

Trustee Kaye reported, on behalf of the DPW, the street paving has been completed for this year. Driveway approaches still remain to be completed and they will be working on those for the next week or so.

Trustee Kaye stated the Village will be looking for additional pool attendants for Island and Garrison Park. As you may be aware, this year we had quite a bit of turnover. If those present happen to know anyone in the community who does have an interest in being a pool attendant, whether they're a student, or a mom or dad home that might like to make some additional money and have flexible hours or a senior who would like to have some additional money as well, please have them contact us here at Village Hall. We'll be able to work around their schedules and give them fluctuating schedules so we can make sure that the pools will remain open as much as possible.

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Trustee Kaye also reported the Parks Committee is presently reviewing and will be advising the Board on some suggested revisions for issuing permits for the pavilions and the gazebos in the parks for next season. We now have experienced our first full year of permitting and usage of the new pavilion in Island Park. There have been some questions and concerns raised about the permitting process itself, the pavilion and some of the amenities that we do or do not have there. The Parks Committee will be submitting their report to the Board for review.

Trustee Kaye reported that the program for memory tree plantings at the Lehigh Memory Trail will be announced at the next meeting. We're a little bit behind schedule but the Parks Committee is working on it. We should have all the details out by our next Board meeting.

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

RESOLVED THAT the Village Board of Trustees, acting as the Fire Commissioners for the Williamsville Fire Department, hereby reinstates William G. Fidgeon, Jr., 284 Huxley Drive, as a fireman in the Williamsville Fire Department.

Unanimously carried.

Trustee Kaye stated her second resolution authorizes the Mayor to sign a contract for heating and air conditioning for the Village Hall. This is a combination of maintenance and also addressing a problem within the system that we've had. We have received 2 proposals for it.

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

RESOLVED THAT Mayor Lawrence R. Brenton is hereby authorized to sign a service agreement with Landis & Gyr Power, Inc., for heating and air conditioning at 5565 Main Street, effective September 1990 at a yearly charge of \$2,895,00, per their proposal of August 20, 1990., and

FURTHER RESOLVED that Landis & Gyr Power, Inc., are hereby authorized to install a new compressor, line dryer, with high and low pressure safeties, at a cost of \$1,900 per their proposal of 8/2/90.

Unanimously carried.

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Trustee Kaye stated her third resolution deals with appointing a temporary Laborer to the DPW. We do have someone that is out on disability and we are just replacing that individual with a temporary worker while our permanent employee is out on disability.

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

RESOLVED THAT Raymond Schwartz is hereby appointed Temporary Laborer in the Department of Public Works, at the rate of \$8.12 per hour, from September 24, 1990 until the permanent employee returns from compensation leave.

Unanimously carried.

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

RESOLVED THAT David Laubisch, Superintendent of Public Works, and John Anstett, Working Crew Chief, are hereby authorized to attend the Public Works School in Lake Placid, New York, from October 15 - 18, 1990, and the cost, not to exceed \$450 each, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Sweeney stated as part of the Village Code Review Committee, the Committee has begun it's review of the Village section of code dealing with our water system. One of the proposed changes of the text of the Village Water Code is to make the property owner responsible for the water bill, rather than a tenant. This would be a change that would make the operation of the water billing a simpler procedure and give the Village a property owner to go back to for collection of the delinquent bills. Trustee Sweeney thinks it has some very definite benefits that are apparent. But he thinks anyone that is an absentee landowner or has tenants would much prefer to see the Village undertake the billing directly of tenants so it may become controversial.

Trustee Sweeney stated his resolution concerns the designation of one more historic landmark within the Village.

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

RESOLVED THAT the Hopkins Schoolhouse, located at 72 S. Cayuga Rd., which was the subject of a public hearing in accordance with Article 6, (Historic Preservation) of the Village Code on June 25, 1990, is hereby designated a historical structure in the Village of Williamsville.

Unanimously carried.

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

Unanimously carried.

Carolyn Schlifke, 192 Evans Street, stated that inasmuch as the street paving program was completed, she is concerned that the final top coat was not included on the rear parking lot. The Meeting Houses Committee had put it in the budget but she doesn't know just whether or not it was approved by the Board. At the time that that back lot was part of the New York state grant, we originally had put in a larger amount to cover not only the binder and the grading, but the top coat. Then along came the problem of needing a smoke alarm system in the building before it could be used. It was necessary to finish the lot with only a binder, hoping that in a future Village budget, the top coat would be included in the street paving program. The money that was saved was used for the smoke alarm system. It's been 3 years and she's still waiting for the top coat. The installer of the binder told her that a binder would last **about 5 years**. She notices that some of the stronger weeds are coming through the binder and she is concerned about the deterioration.

Trustee Kaye thanked Ms. Schlifke for bringing that to her attention because she thinks the Board did approve that money in this past year's budget. Trustee Kaye stated she will check with Superintendent Laubisch to find out what transpired.

Ms. Schlifke stated she had noticed that when trash pickup started in the spring, on the second and fourth Tuesdays of the month, people were putting out several types of trash on Tuesday. This included wood, metal, rocks, bricks, or whatever they happened to have. On Tuesday a certain portion would disappear and Wednesday another portion was gone and the final would be picked up on Thursday. She wonders why we need this laying there for 3 days before it is completed, when we have garbage day and then in 2 weeks time we start all over with trash again.

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Trustee Kaye stated her understanding is that the Village has separate trucks for each function. There is a chipper that goes along and chips all the branches. It depends on how heavy that is, it depends on how much heavy metal trash there is because that's a separate truck that is sent out. Her understanding is how much is actually out there determines how long it takes the Village to pick it up and as well as if we have any unforeseen emergency such as a sewer break that might stand in the way of having the trash pickup happen, where we might have those people pulled away and sent somewhere else to work. However she will bring it to David Laubisch's attention and they will discuss it.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, it was moved to close the meeting at 8:09 P.M.

Unanimously carried.

Mary E. Harrigan  
Deputy Clerk