

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 28, 1987 at 7:30 P.M.

Roll Call

Present

Lawrence R. Brenton, Mayor

Robert V. Bindert

Michael W. Kibby Trustees

Carolyn M. Schlifke

Richard P. Sweeney

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

David Laubisch, Supt. of Public Works

Mayor Brenton opened the meeting with the pledge of allegiance at 7:30 P.M.

Mayor Brenton read a Proclamation for the Polish American Heritage Month Committee. He stated that this is a committee of very honorable people that represent the Polish American Community within the Buffalo area and of course includes all of Western New York. In effect what they are doing is kicking off a month of honoring Polish Americans within this general area and in particular the contributions of the Polish American peoples to bettering our general area as we know it today and as it has been bettered in the past and I would also like to add as I am sure it will be bettered by their efforts in the future. Generally we don't do too much in the way of proclamations. We never had a request for a proclamation designating Irish American Heritage month, German American Heritage month or anything similar to that. However I do feel in particular this recognition of the Polish American community and I am sure that the Village Clerk will pay particular attention to my comments regarding this subject because they mean a great deal to me. I do believe that the Polish American ethnic group comprising people of a very hard working nature. Not that other ethnic groups such as my own background which consists of some Irish, English and German, all three which are hard working, but I do find that the Polish American seem to have given more with less of a complaint or with less of a feeling of what is in it for me. They just seem to be hard working industrious people and that's not to detract from anyone else of an ethnic background. This is the way I feel and I'm allowed to express my feelings and I'm also allowed to read this Proclamation which I'm sure some members of this Board would prefer that I submit as printed.

Mayor Brenton read the proclamation, as copy of which is attached.

Trustee Schlifke then presented the Roneker Plaque to a representative of the Roneker family. She stated that on behalf of the Village of Williamsville and Williamsville Historical Preservation Commission it gives me great pleasure to present

# Village of Williamsville

5565 Main Street  
Williamsville, New York 14221

## Proclamation

On behalf of the Village of Williamsville, it gives me great pleasure to join with elected officials throughout the United States of America to proclaim October National Polish American Heritage Month. I am especially pleased to recognize the Polish American Community of Western New York, past and present, for the hard work and dedication of its people on behalf of our Village.

Polish Americans have contributed mightily to the well-being of our Village, our State and our Country. For over two hundred years, Polish Americans have shared with us their customs, culture, and their strong devotion to American Democracy.

From the time of the Jamestown settlement when Polish glassblowers and craftsmen were called to save the colony, from Revolutionary War heroes such as Kosciuszko and Pulaski to international men of good will, such as His Highness, Pope John Paul II, we have come to know and respect the culture, customs and spirit of the Polish American people.

Let the Polish American Community know that the Village of Williamsville, New York extends every best wish to them during National Polish American Heritage Month and that they enjoy the respect and appreciation of all Americans during their month of recognition and honor.

September 28, 1987

VILLAGE OF WILLIAMSVILLE



*Lawrence R. Brenton*

Lawrence R. Brenton  
Mayor

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this plaque to the Roneker family designating the Hopkins Block Roneker Building as a historical site in the Village of Williamsville.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the minutes of the regular meeting held September 14, 1987 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the minutes of the public hearing held on September 14, 1987, concerning a proposed local law which would amend Section 50.11(E) of the Village Code regarding construction of roadways upon obtaining a building permit were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved to open the public hearing at 7:40 P.M. regarding a proposed rezoning of parcels on Garden Parkway from C-2 to R-3. (The public hearing was closed at 7:55 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved to open the public hearing at 7:56 P.M. regarding a proposed local law which would amend Section 60.30 of the Traffic Code which would provide for no parking on that part of the public right of way between the curb line and the outer edge of the public sidewalk, in those areas where there is no parking on the street. (The public hearing was closed at 8:10 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, vouchers in the amount of \$77,303.91 covering September 15, 1987 thru September 28, 1987 were approved.

payroll fund w/e 9/16/87 \$17,147.41

\* subtotal \*

General Fund	#640	41,452.79
Sewer & Water Fund	#220	1,193.26
Trust & Agency Fund	#257	5,530.95
Glen Park Jt. Activities	#157	242.97
Capital Fund	#185	11,521.63
Community Development	#112	214.90

\* Grand Total \* \$77,303.91

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Large vouchers were for DiPizio Construction, Lancaster Stone and Ferraina Construction.

Unanimously carried

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

RESOLVED that the Village Clerk is hereby authorized to advertise for sealed bids for one (1) 1500 GPM Triple Combination Class A Custom Pumping Engine Complete with seven man enclosed cab for the Williamsville Fire Department. Bids to be opened on October 21, 1987 at 4:00 P.M. in the Village Clerk's office, 5565 Main Street, Williamsville, New York under the terms of the standard bidding resolution.

Unanimously carried.

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

RESOLVED that George Saliby is hereby appointed Water Meter Reader/P.T. effective September 28, 1987 at the rate of \$5.00 per hour.

Unanimously carried.

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

RESOLVED that Superintendent of Public Works David Laubisch is hereby authorized to attend the annual Public Works Training School in Niagara Falls, New York, from October 26-29, 1987 and the cost, not to exceed \$500.00 to be paid by the Village of Williamsville.

Unanimously carried.

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

RESOLVED that all funds remaining in the Revenue Sharing Account are hereby appropriated to the Capital Reserve - Fire Truck.

Unanimously carried.

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

RESOLVED that Local Law #5-1987, which adds Section 50.11(E)(2) to the Village Code regarding construction of streets and driveways, which was the subject of a public hearing on September 14, 1987, is hereby adopted.

Unanimously carried.

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

RESOLVED that the Mayor is hereby authorized to sign Street Lighting Agreement with Niagara Mohawk for Bobbie Lane for energy, based on total wattage and other charges as set forth in Schedule "W" dated September 9, 1987.

Unanimously carried.

Trustee Schlifke and Trustee Sweeney had no report and no resolutions this evening.

Trustee Bindert is a follow up to prior discussion regarding the elimination of the Williamsville Toll Barrier.

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

WHEREAS, the serious threat to the quality of life in certain residential areas of the Towns of Amherst and Cheektowaga and in the Village of Williamsville resulting from intolerable noise levels, air pollution and traffic congestion, appears to be directly related to the placement of two existing toll barriers on the New York State Thruway between exit 49 and exit 50, and

WHEREAS, there exist insufficient toll booths at the so-called Williamsville toll barrier to accommodate the heavy vehicle traffic presently using the Thruway, and there appears to be no practical way to erect additional toll booths at that point, and

WHEREAS, the resulting traffic delays encountered at the Williamsville toll barrier are creating unacceptable air pollution and noise levels in the heavily residential areas surrounding said toll barrier, and are, further, forcing motor vehicle traffic to detour off the Thruway through the main streets of

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the Village of Williamsville and of nearby areas of the Towns of Amherst and Cheektowaga, burdening those streets with motor vehicle traffic beyond their capacity, and

WHEREAS, the traffic, noise level and air pollution problems might be entirely eliminated or, at least, reduced to tolerable levels by the elimination of both the Williamsville and Depew toll barriers or their removal to a point or points east of Transit Road, and

WHEREAS, such elimination or relocation will also have the effect of reducing the manpower required to maintain the existing two toll barriers, resulting in reduced operating expenses to the Thruway Authority, and

WHEREAS, the Williamsville Village Board of Trustees is of the opinion that the existing problem is of such magnitude as to require immediate relief and cannot await the projected elimination of all tolls on the Thruway ten years hence.

NOW, THEREFORE, it is RESOLVED, that the Village of Williamsville Board of Trustees supports the proposal for immediate elimination or the relocation of both the Williamsville and Depew toll barriers to a point east of Transit Road.

Unanimously carried.

Superintendent of Public Works Laubisch announced we are now on once a week garbage pickup as of this Monday. Leaf pickup will probably be started the second or third week of October depending on when we get our first heavy frost. Leaves are to be piled between the sidewalk and curblin - not in the street.

Mayor Brenton announced that Williamsville again won the AAA pedestrian safety award for last year and we will be awarded a plaque on October 2nd at the Buffalo Club.

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

Unanimously carried.

Frank Saviola, 8 Brookside Drive, questioned when the residents of Wehrle Drive and the surrounding area can expect some action on the reduction of truck traffic in the area? Trustee Bindert stated that it will be discussed later tonight when we will be

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making some preliminary plans. It had been referred to and discussed by the Traffic and Safety Committee for their recommendations. They are in favor of the Village Board taking some initial steps to remove the truck traffic from Wehrle. Since there are three municipalities involved it is a complex matter.

Richard Hill, Chairman of the Traffic and Safety Committee, stated the Committee made a resolution and went on record asking for the removal of truck traffic from Wehrle Drive. Trustee Schlifke questioned whether the Committee had sent their written recommendation on this matter to the Board. This has been the procedure in the past and the Committee should make sure the Secretary forwards each resolution as a separate recommendation to the Village Board. Mr. Saviola questioned whether that meant that nothing would be done at this meeting. Mayor Brenton stated this action would require a change in a local law which would require a public hearing with no final action until probably the first meeting in December. Douglas Sandburg asked if the Board could call for a public hearing in the post Board meeting. He was informed by the Board that no official action can be taken at the post Board meeting.

Harmon Whipple, 51 Garden Parkway, asked what has been done on the Conrail property. Mayor Brenton stated we have a proposal from URS Company for the development of the property which requires a little clarification and it is anticipated that a resolution will be presented at the next meeting to develop a portion of that property as a bike/exercise path. Mr. Whipple asked if the area could be blocked off in any way as it is a regular race track. Mayor Brenton stated this is difficult matter with the bikes and suggested that the Amherst Police Department be notified when this occurs because they would be violating the V & T laws.

Al Mallon, 5754 Main Street, appeared before the Board regarding rezoning his property so it could be used as a retail store. The ladies who want to rent his property want to open a fur salon. Trustee Kibby stated the property is presently zoned C-1, which is for professional offices. The steps for rezoning would be to call for a public hearing on the 29th of October, the public hearing would be held on November 23rd and a vote taken on the 14th of December. If there is not sufficient parking to run a business under today's requirements, the next step would be to apply for a building permit which would be denied for lack of parking. It would then have to go to the Board of Appeals, which would entail a publication period, etc. Trustee Schlifke also pointed out that in a Commerical district, it is illegal to back out into the street and therefore all cars would have to be turned around.

Bill Baker and Holly Irish from the Little White House stated

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they have contracted to take out the additional ten feet of blacktop they had put in. He asked for additional clarification regarding the landscaping plan. Mayor Brenton cautioned Mr. Baker that October 1st is the deadline for removing the blacktop. Mayor Brenton suggested that Mr. Sweeney or someone from the Environmental Committee help Mr. Baker and his associate with their landscaping plan.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Schilfke, the meeting was adjourned at 9:11 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk-Treasurer

Minutes of the Public Hearing 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 28, 1987 at 7:40 P.M.

Roll Call

Present

Lawrence R. Brenton, Mayor

Robert V. Bindert

Michael W. Kibby Trustees

Carolyn M. Schlifke

Richard P. Sweeney

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

David Laubisch, Supt. of Public Works

The Clerk read the notice of public hearing being held to hear all persons interested in discussing a proposed rezoning of the parcels of property on Garden Parkway from C-2 to R-3.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the public hearing was opened at 7:40 P.M.

Trustee Kibby presented a drawing indicating the South Long Street and Garden Parkway intersection highlighting those properties that would be rezoned C-2 to R-3. This included all the property on Garden Parkway itself with the exception on the corner lot sometimes referred to as the triangular piece where Garden Parkway comes into South Long. That will remain C-2 as well as the small piece of property at the rear of the next property. There is some discussion among the Trustees that a single piece of property on the curve of the north side of Garden Parkway should possibly remain commercial or C-2 as it is now.

Mary Lindow, 22 Garden Parkway, questioned why that one piece of property would remain commercial when the owner signed the rezoning petition. The petition was presented to every owner of property who lives on Garden Parkway and they all signed it. Why, then, is the one piece to remain commercial? Trustee Kibby stated that the one piece remaining commercial is only under consideration.

Harmon Whipple, 51 Garden Parkway, stated he thinks the residential property in the area should all be R-3. He is not interested in any commercial business next to him.

Trustee Bindert stated he signed the petition because he lives on that street. He has been concerned about encroachment for a number of years. He is in complete favor of the rezoning.

Trustee Schlifke stated she feels the residents have a right to approach the Board regarding the rezoning. The street is a nice residential area even if they are unfortunate enough to have to go down South Long Street to get to Garden Parkway. Some of the problems the Board has is there are only 4 residents in the audience while the petition has more names on it. The Board wants to make sure the one individual whose property is

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in question fully understands what will happen with the rezoning. Other than that there is no problem with the Board having the zoning changed.

Mayor Brenton stated that Trustee Kibby will contact the owner of the property before the next Board meeting regarding the rezoning and Trustee Kibby will report back to the Board.

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, the meeting was closed at 7:55 P.M.

Unanimously carried.

Theresa L. Cummins  
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The Clerk read the notice of public hearing being held to discuss a proposed local law which would amend Section 60.30 of the Traffic Code which would provide for no parking on that part of the right of way between the curb line and the outer edge of the public sidewalk, in those areas where there is no parking on the street.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the public hearing was opened at 7:56 P.M.

Unanimously carried.

Trustee Bindert stated this proposed change in the code was brought about partly as a result of his receiving a summons for illegal parking next to the donut shop at the corner of Main and Cayuga. He later noticed that cars were parking in other right of way areas where there was no parking and seeing the Amherst police were dutifully ticketing the cars, he wanted our Traffic Enforcement Officer to also enforce the code. Apparently, however, the Village does not have a code which allows this to be done, so this hearing is a means for putting this code on the books. Trustee Bindert read a letter from the Williamsville North Citizens Association requesting the Village Board to consider the pedestrian when discussing this proposed code.

Cliff Horey, 106 Highland Drive, requested the clerk to read the proposed local law again. He stated that the way it is proposed, if there is no parking on one side of the street, you can't park in the right of way, but if there is parking on the other side of the street, then parking in the right of way is okay. He considers this discrimination. He thinks there should be no parking anywhere between the sidewalk and the curblin.

Mary Lindow, 22 Garden Parkway, questioned whether since they have sidewalks on their side of the street, they will not be allowed to park their cars between the sidewalk and the street but on the other side where there are no sidewalks they will be allowed to park? This doesn't seem fair to her.

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Harmon Whipple, 51 Garden Parkway, questioned the application where there is no curb and no sidewalk.

Douglas Sandburg, 81 Mill Street, stated he is in favor of this proposed law. As a resident of Mill Street he often sees the cars parked at Sorrentino's between the sidewalk and the street. There were 2 cars parked there Saturday night. When they are ticketed, they go to court and judge cannot fine them because we have no law. It is difficult to push a child in a stroller in this area as well as making it difficult for cars pulling out into Mill Street to see around these cars.

Richard Hill, 18 Brookside Drive, should state there should be no parking at anytime anywhere between the sidewalk and the street.

Harmon Whipple, 51 Garden Parkway, stated he has a large drive and a large family. Often his driveway is full to the street. Does this law mean he would have to keep cars off that area between what would be his sidewalk and street. Trustee Bindert said it would.

Mary Lindow stated in many areas this would be very difficult since many people do not have any other place to park.

Cliff Horey asked if there was a section of the Zoning Code which prohibited blacktopping your front lawn. Trustee Bindert stated there was not. He also stated that regarding Mr. Horey's question at a recent Traffic and Safety meeting regarding ticketing a car whose right side was more than 12 inches from the curb, Attorney Troy had informed the Board this did not apply. Attorney Troy stated the V & T Law applied to obstruction of vehicular traffic. This is not the case with cars parked on the right of ways. The V & T law does not apply in this case.

Mary Lindow stated that if you pass this law you will have to pass another law to prohibit people from paving a second driveway on their property because that is what people will do to obtain additional parking spaces on their property.

Harmon Whipple, 51 Garden Parkway, stated it is difficult getting out of driveways when people park their cars on the streets.

ON MOTION by Trustee Bindert, seconded by Trustee Kibby, the public hearing was closed at 8:10 P.M.

Unanimously carried.

Theresa L. Cummings  
Village Clerk-Treasurer