

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, November 9, 1987 at 7:34 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 for the purpose of amending Section 60.80 of the Traffic Code which would remove Wehrle Drive as a truck route.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the public hearing was opened at 7:34 P.M.

Unanimously carried.

Trustee Bindert read a letter from Paul and Patricia Armitage, 253 Hirschfield Drive, in favor of removing the truck traffic from Wehrle Drive. (A copy of the letter is attached.)

Frank Saviola, 8 Brookside Drive, stated he and his neighbors are here this evening to request the Village Board to pass a resolution to bring about restriction of truck traffic on Wehrle Drive in the Village of Williamsville. All of the people who live on Wehrle Drive and the streets that feed into it strongly voice their objection to the continued use of this road by heavy truck traffic. Many of the people are here tonight. Some appeared before the Traffic & Safety Committee. You have their unanimous recommendation which was favorable. We also appeared before the Town Traffic & Safety Board. They are recommending to the Town Board restrictions of 5 tons which is the limit on Garrison Road. He asked all the people who were here on the issue to stand. (Almost the whole audience stood up.)

Ivy Gackowska, 274 Hirschfield Drive, read a statement in favor of removing the truck traffic. (A copy of it is attached.)

Dick Hill, 18 Brookside Drive, stated recently as he has been raking leaves, there has been a smell of diesel fuel. He lives two doors from Wehrle Drive. He had built a patio on the back of his house several years ago but you can't entertain friends there because of the noise from the trucks.

Christine Cloyd, 278 Highland Drive, at Wehrle and Highland stated this summer was wonderful. She enjoyed it. Previously she could not hear her TV if the windows were open. She is in favor of removing the truck traffic.

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Michael Mesler, 94 Cadman, states he supports the resolution. However he drives a tractor trailer and foresees a problem coming. If you put large trucks and added traffic onto Aero Drive, having them turn on to Wehrle, where they come together at the west end, you create a traffic hazard right there. It takes longer to pull a tractor trailer or dump truck into traffic than a car. He believes a signal should be included in the plan or a major traffic hazard will be created.

Elmer Denzel, 1731 Wehrle Drive, disagrees with the prior gentleman. The trucks have been using that route all summer. He asked the Board to support the residents in this matter.

Ron Daniels, 117 Cadman Drive, stated that the original proposal was to incorporate signals into the plan. The proposal has been trimmed down to just removing the truck traffic from Wehrle Drive and also a weight limit. A signal is needed at that location. He supports the concept.

Tim Garrison, 1482 Wehrle Drive, stated he was at the meeting with the Town Traffic & Safety Board last Wednesday night and this was brought formally to their attention. Councilman Barton, at the last minute, wanted to add to their resolution that a full traffic light be installed at the corner of Aero and Wehrle. The Traffic & Safety Board felt they should go one step at a time in their recommendation and held off on this recommendation.

Dick Hill, 18 Brookside, stated he also was at that meeting and the reason they didn't go any further is that more of a study has to be made before they go any further. The study was started a year ago but the bridge was then closed and the study was stopped. It will now be completed and a recommendation will be made.

Gail Scanio, 1520 Wehrle, stated that the noise from the trucks make it impossible to open windows during the summer. It was a pleasure this summer.

Sally Fedell, 260 Garrison Road, at the intersection of Garrison and Wehrle, stated there are many children who ride their bikes in the area. It is very difficult for her to pull out of her driveway.

Nancy Cunningham, 297 Lehn Springs, stated she agrees with what everyone has said. She also said the trucks are not safety conscious and the safety factor is one of the most important considerations in this discussion.

Eleanor Choops, 1598 Wehrle, stated she has lived on a bend in Wehrle for twenty years. During this time the truck traffic has increased dramatically.

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Margaret Johnson, 1531 Wehrle Drive, stated that on Sunday mornings the street is used as a training course for new drivers. Many of the trucks have a sign that says "New Driver".

Jean De Laney on Columbia stated that there are no sidewalks on Wehrle Drive and no one slows down on Wehrle until they come to the light at Garrison Road. It is a hazard to cross the street.

Lawrence Darrow on Hirschfield Drive invited the Board to visit with him for one hour in any day. You can't hear yourself talk with the noise from the trucks.

A lady from 1420 Wehrle Drive stated that nobody driving down Wehrle abides by the 35 miles per hour traffic limit. The speed is excessive.

Charlie Donner, 195 Monroe, stated this area we are talking about tonight is a residential area. The area we are talking about diverting the trucks to is an industrial or commercial area. It makes sense that truck traffic would be kept in a commercial area and residential traffic would be kept in a residential area.

Jim Matte, 43 Brookside, and Gail O'Ship, 180 Evans Street, both stated they agree with the residents in all they have said tonight.

Bob Schuller, 3 Brookside Drive, stated we are talking about the truck route tonight and installing a light at Aero and Wehrle, but we should still be talking about reducing the speed limit from 35 to 30. Since the bridge has opened the cars are going over 50 miles per hour. The police should set up radar there because something has to be done.

Gary Szymczak, 1430 Wehrle Drive, stated there is no regard for a speed limit in that area.

Trustee Bindert said the police should be contacted by the resident regarding anyone going over the 35 mile per hour speed limit. The Amherst Police must enforce the laws. If they get calls from 50 residents this should have some effect upon them.

Frank Saviola, 8 Brookside Drive, stated changing this law won't cost the Village anything. A favorable vote will not incur any expense to the Village.

Richard Metz, former Mayor, discussed the problems of stopping a heavily loaded truck and the economics of sending the trucks over the Aero route.

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Trustee Carolyn Schlifke stated she and the other members of the Board are aware of the whole situation on Wehrle Drive including the speed of the traffic and the signal. All of this is being studied by the various committees and she is sure action will be taken one way or another in the future. Today's public hearing only addresses elimination of Wehrle Drive as a truck route. She commended the people of the area for coming out to show they really care what is happening in their neighborhood. She also suggested fighting for enforcement of the speed limit by the Amherst Police.

Trustee Sweeney suggested that with the elimination of Wehrle Drive as a truck route, we should add those portions of Aero Drive located in the Village as a designated truck route to give the truck traffic an alternative.

Someone in the audience asked when Wehrle Drive had been designated as a truck route. Trustee Schlifke stated it had been proposed by a former Village official about 10 years ago to keep truck traffic off some of the smaller residential streets.

Isabelle Bodnar, 180 Columbia Drive, stated the local law in question was adopted April 14, 1976.

ON MOTION by Trustee Bindert, seconded by Trustee Kibby, the public hearing was closed at 8:15 P.M.

Theresa L. Cummins
Village Clerk-Treasurer

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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, November 9, 1987 at 8:16 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 for the purpose of hearing all persons interested in discussing a proposed local law which would add Section 24.03 to the Landscape Code.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the public hearing was opened at 8:16 P.M.

Unanimously carried.

Trustee Kibby read the proposed section 24.03. (Copy attached.) He stated that our landscape law which has been in effect for several years requires in applications for building permits of \$50,000 or more a requirement is they comply with the landscape law. In some instances, however, several permits were issued; one for \$30,000, one for \$20,000, one for \$40,000, all under the \$50,000 limit, but totaling during a short time to over the \$50,000 limit so the Village wants to make sure the Landscape Law is enforced. What we are changing is that as many permits as you apply for in a particular year will be totaled up to determine the total cost for landscape purposes.

Frank Mischler, 96 Evans Street, stated as a member of the Environmental Advisory Committee, he is in favor of this addition to the Code, because it does close a loophole in the law.

Doug Sandburg, 81 Mill Street, thinks it is an excellent idea. A number of commercial properties have been renovated in the last year, in stages, in excess of \$50,000 and no money put into landscaping. He wondered if a 24 month period had been considered since it was indicated some of the construction took place over a 14-18 month period, longer than the 12 months suggested.

Trustee Sweeney commented as the liaison to the Environmental Council and a member of the Committee when the code was adopted. There were a number of features set at that time rather arbitrarily and this is one attempt to close a loophole which does exist. The Environmental Council, as well as the Building

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Department, is very much in favor of this legislation.

ON MOTION by Trustee Kibby, seconded by Trustee Sweeney, the public hearing was closed at 8:20 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer

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 November 9, 1987 at 7:32 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 called the meeting to order with the Pledge of Allegiance at 7:32 P.M.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the minutes of the regular meeting held October 26, 1987 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved at 7:34 P.M. to open a public hearing being held for the purpose of amending Section 60.80 of the Traffic Code which would remove Wehrle Drive as a truck route. (The public hearing was closed at 8:15 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved at 8:16 P.M. to open a public hearing being held for the purpose of adding Section 24.03(A)(2) to Landscape Law. (The public hearing was closed at 8:20 P.M.)

Unanimously carried.

Mayor Brenton reported that the Village will be changing some of our street lights to high pressure sodium. The streets involved will be Farber Lane, Lake Ledge and Ledgeview and they will correspond with Bobbie Lane, which is a new street in the area. The high pressure sodium will be tested on these three streets and if there are no complaints, we will gradually convert our entire system to the high pressure sodium lights. Mayor Brenton stated that the lighting district has been installed on Bobbie Lane. It consists of four lights which the Village owns, just as we own the lighting district on Brookside. It is more cost effective to own your own system rather than Niagara Mohawk owning it. We have to do the repairs when they are necessary but their cost is much less than having Niagara Mohawk own it.

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BE IT FURTHER RESOLVED that a certificate executed by each member of the Village Board be attached to the account of unpaid taxes stating a total of unpaid taxes in the amount of \$9,685.85 and reciting that the account has been compared and found to be correct; and that the Clerk transmit said account and certificate to the appropriate officer of the County of Erie within 15 days to enforce collection pursuant to Section 1442 of the Real Property Tax Law.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved to suspend rules to introduce a resolution which was not on the agenda.

Unanimously carried.

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

WHEREAS, New York State D.O.T. has established advance left turn green arrows on the Main Street signal at Cayuga Road which have greatly improved the flow of traffic on Main Street both east and west of the Village of Williamsville; and

WHEREAS, it is reported that D.O.T. may discontinue these advance left turn green arrows now that the Wehrle Drive bridge over Ellicott Creek has reopened; and

WHEREAS, D.O.T. has posted signs on Cayuga Road prohibiting right turns onto Main Street on red signals which prohibition has adversely affected the flow of traffic on South Cayuga Road south of Main Street,

RESOLVED THAT, the Village Board urges that the D.O.T. continue existing advance left turn arrows at the intersection of Main Street and Cayuga Road and reauthorize legal right turns on red from Cayuga Road onto Main Street, and further,

RESOLVED THAT copies of this resolution be delivered to the State D.O.T. and the Town of Amherst.

Unanimously carried.

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ON MOTION by Mayor Brenton, seconded by Trustee Bindert, vouchers in the amount of \$66,571.35 covering October 27, 1987 thru November 9, 1987 were approved:

Payroll fund w/e 11/13/87		\$16,928.64
	* subtotal *	16,928.64
General Fund	# 643	37,444.86
Sewer & Water Fund	# 223	862.32
Trust & Agency Fund	# 260	5,533.47
Glen Park Jt. Activities	# 160	4,261.26
Capital Fund	# 188	1,540.80
	* Grand Total *	<u>\$66,571.35</u>

Large vouchers were for J & I Disposal, Niagara Mohawk and Pitt Auto Electric Co.

Unanimously carried.

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

WHEREAS the Village Clerk has returned her warrant and tax roll and has delivered to the Board of Trustees an account of taxes remaining due, amount to \$9,685.85 (see attached listing) containing description of the land upon which taxes are unpaid as the same were placed upon the tax roll, together with the amount of the tax so assessed and interest thereon, and

WHEREAS the said Village Clerk under oath has sworn that the taxes mentioned in such account remain unpaid, and that after diligent efforts she has been unable to collect same, and

WHEREAS upon receiving such account from the Village Clerk, the Board of Trustees compared the same with the original tax roll of the Village, and

WHEREAS said Board of Trustees find such account to be true transcript and has certified to the effect that they have compared it with the original tax roll and find it to be correct,

NOW, THEREFORE, BE IT RESOLVED that the Clerk of the Village of Williamsville is hereby credited by this Board of Trustees with amount of said account in said return, and

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

Unanimously carried.

Trustee Sweeney stated the Senior Citizen and Environmental Committees are changing their meeting dates this month and next because of the upcoming holidays.

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

RESOLVED that Marie Fortuna, 52 Sunbury Court, is hereby appointed to the Senior Citizens Committee until the end of the 1987-1988 official Village year.

Unanimously carried.

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

RESOLVED that the Village Clerk publish notice of public hearing to be held November 23, 1987 at 7:30 P.M. for the purpose of hearing all persons interested in discussing a proposed local law which would increase the income range for Senior Citizens and still grant them a tax exemption.

Unanimously carried.

Trustee Bindert reported that the Glen Park Committee is going to be restoring the main pond in Glen Park. There has been a problem with erosion of this pond for the last several years. They have tried a number of different solutions including putting in gravel and clay and also sod on the banks. None have been satisfactory. They will now be putting in a GEO-WEB which opens up like a hairnet. It is several inches deep. It is imbedded into the ground and then they pour fill into it and then finish it off with rocks or grass. They will be doing about 1500 square feet of the pond at a cost of \$6,890.00.

Trustee Kibby had no report and no resolutions.

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

RESOLVED that Santo Leonardis, 205 Garrison Road, is hereby appointed to the Parks Committee until the end of the 1987-1988 official Village year.

Unanimously carried.

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Superintendent of Public Works Laubisch had no report this evening.

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

Unanimously carried.

Dick Hill, 18 Brookside, questioned when the lighting on Brookside is going to be repaired. Mayor Brenton stated they are in the process of being repaired now.

Doug Sandburg, 81 Mill Street, stated he thinks the resolution adopted tonight regarding the turn arrows from Main Street onto South Cayuga is a good one; however, he does not agree with the section regarding reinstating the "right on red" turn. He feels pedestrians have a difficult time crossing Main Street and the right on red turn aggravates the situation. Regarding the Amherst Police enforcing the traffic laws within the Village, perhaps a letter from the Village Board asking for more police protection might help the situation.

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 Sweeney, the meeting was adjourned at 8:45 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer