

Minutes of the Joint Public Hearing of the Board of Trustees of the Village of Williamsville with the Town of Amherst held in Amherst Town Hall, 5583 Main Street, Williamsville, New York on Monday, February 22, 1988 at 7:35 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 jointly with the Town of Amherst for the purpose of hearing all persons interested in discussing the proposed annexation of property adjacent to the Village Glen and Tennis Center, briefly described as 69.13 Block 3 Lot 24 of the Town of Amherst.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, it was moved to open the public hearing at 7:35 P.M.

Unanimously carried.

Trustee Kibby stated the purpose of this hearing as stated regards the annexation of a narrow strip of property on the immediate north boundary of the Village Tennis and Fitness Center or the Village Glen. The largest part of the property is in the Village of Williamsville and there is a small strip of the property at the north end that is in the Town of Amherst and they wish to annex it to the Village.

Mr. Haney, one of the petitioners, stated they have been pretty much under the jurisdiction of the Village since the onset of their business. They have functioned in that capacity. This particular piece of land is about 50 feet in width and 390 feet in length which has not been used and they would like to make use of it now. This is probably between 5% to 8% of all the property they own. All the facilities including parking are presently all in the Village.

No one else from the audience spoke on the proposed annexation.

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, the public hearing was closed at 7:40 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk-Treasurer

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Town Supervisor John R. Sharpe opened the joint Town/Village meeting. The Town then recessed their meeting so the Village Board could conduct their meeting as well as the public hearing on the proposed annexation of property adjacent to the Village Glen and Tennis Center.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, it was moved to open the public hearing on the proposed annexation at 7:35 P.M. (The public hearing was closed at 7:40 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the minutes of the regular meeting held February 8, 1988 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the minutes of the public hearing on the proposed use of 1988-89 Community Development Funds, held on February 8, 1988 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, the minutes of the public hearing on a proposed local law to amend Section 25.00 of the Parks and Public Areas Code, held February 8, 1988 were approved.

Unanimously carried.

Mayor Brenton stated it was a pleasure to sit at a joint meeting with the Town of Amherst and hoped we could continue this practice in the future.

Mayor Brenton reported he has sent a letter to County Executive Gorski regarding the proposed curb cut from the Centerpointe development onto Evans Street. The Mayor indicated to County Executive Gorski that he was addressing an opinion of County Attorney NeMoyer to Councilman Ward regarding questions which

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had been posed about this proposed road cut. It is the opinion of the Village Board that regards Mr. NeMoyer's opinion there is new evidence pertaining to the proposed curb cut and it is the position that this proposed curb cut which is totally within the confines of the Village of Williamsville should not be allowed. The new evidence is that traffic flows at the peak hours were not considered in the previous studies and also that the Village has on its books Local Law #5 which requires that any driveway or street of any nature constructed in the Village system must have the approval of the Board of Trustees. It is the feeling of the Village Board that the County government should take this into consideration. He has also notified the developer that this Local Law #5 is in our code and he must comply with that local law prior to any construction of a street.

Mayor Brenton reported the Village received correspondence from Mrs. Wall, Senior Town Planner, regarding property at 1687 Wehrle Drive in which the petitioner wants to rezone property from R-3 to N-B (neighborhood business). This property is totally outside the boundaries of the Village of Williamsville. However, it does abut the properties in the Village of Williamsville. The Village Board has not had opportunity to discuss this situation. Mayor Brenton did write to the Town of Amherst, in the absence of meeting with the Village Board, his opinion that he, as the Mayor, did have concern over this building and the fact it did abut a neighborhood "R" area in the Village of Williamsville. By converting this from R-3 to NB, it could lead to a domino theory because there is a paper street there. The Village Board did discuss this in our work session with the petitioners and the Board will make a decision and will advise the petitioners and the Town of Amherst pertaining to our feeling on this matter.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, vouchers in the amount of \$65,098.60 covering the period from February 9, 1988 to February 21, 1988 were approved:

payroll fund	w/e 2/16/88	\$ 18,922.66
General fund	#650	12,383.28
Water & Sewer fund	#230	27,756.51
Glen Park fund	#167	118.20
Trust and Agency fund	#267	<u>5,917.95</u>
Total		<u>\$ 65,098.60</u>

Large voucher was for Erie County Water Authority.

Unanimously carried.

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

RESOLVED that members of the Williamsville Fire Department are hereby authorized to attend the following training schools:

Albert Weisser and David Laubisch to attend the Fire Investigation Photography School at the New York State Fire Academy in Montour Falls, New York from March 14-16, 1988 and the cost, not to exceed \$175.00 per person, to be paid by the Village of Williamsville.

John Doerfler and Michael Tabone to attend the Scott Breathing Apparatus Maintenance School in Montour Falls, New York on March 12 and 13, 1988 and the cost, not to exceed \$125.00 per person, 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 Village Clerk Theresa L. Cummins is hereby authorized to attend the Ninth Annual Conference of the New York State Government Finance Officers Association in Albany, New York from March 23-25, 1988 and the cost, not to exceed \$300.00, to be paid by the Village of Williamsville.

Unanimously carried.

Trustee Kibby stated that neither the Village Board nor the Town Board will be voting on the annexation this evening but it will be on the agenda of the Village Board at their next meeting. He also reported that at the March 14th meeting there will be a continuation of the public hearing for the revamping of the Village sign code. There will also be a vote on the sign code proposed but this will probably be tabled until another meeting.

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

RESOLVED that Article 25.00 of the Village Code, containing 25.10 - 25.70, regarding Parks and Public Areas, adopted June 23, 1986, is hereby repealed.

Unanimously carried.

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

RESOLVED that Local Law #5-1988 be a new article 25.00 of the Village Code, Parks and Public Areas, which was the subject of a public hearing on February 8, 1988 is hereby adopted.

Unanimously carried.

Trustee Kibby thanked Trustee Schlifke and the Parks Committee for the work they put in while developing this code.

Trustee Sweeney had no report and no resolutions.

Trustee Bindert reported on the annual Winterfest outing of a week ago. The weather was ideal. The turnout was very large, probably between 300-400 children and adults. There was ice sculpture, sledding, hay rides and hot chocolate and donuts were served. It was a well-attended event.

Superintendent of Public Works Laubisch had no report.

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

Unanimously carried.

A gentleman who does not live in the Village questioned where the new laws are published. How does someone find out about them. Mayor Brenton stated when a public hearing is to be held, it is published in the Amherst Bee. Trustee Kibby stated that each municipality has Building Laws, Site Plan Laws, Zoning Laws and Sign Laws. Each municipality has a Building Department who, if you call them, will explain their codes and send you copies of the law. When a change is to be made, the people within a certain area are notified. Also a person can always call the Town or Village Clerk for information.

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 Schlifke, the meeting was adjourned at 7:55 P.M.

Unanimously carried.

Theresa L. Cummins  
Village Clerk-Treasurer