

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, August 22, 1988 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

The Clerk read the notice of public hearing being held for the purpose of hearing all persons discuss a proposed local law which would amend Section 70.10A of the Zoning Code regarding temporary structures.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, the public hearing was opened at 7:32 P.M.

Trustee Kibby stated all we are doing by amending this section is removing wording that limits the size of construction signs during the construction process. The new sign code contains a code that limits the size of signs which is different from this one. Since we do not need it in two places, we are eliminating it from this section of the code.

No one spoke in favor of or against this revision to the code.

ON MOTION by Trustee Kibby, seconded by Trustee Schlifke, the public hearing was closed at 7:34 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer

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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 local law which would add Section 60.40(3)(b) to the Traffic Code and provide for a stop sign on Arend and Belmont.

Trustee Bindert stated that this intersection is a "T" intersection. The Village is in the process of reviewing all "T" intersections, holding public hearings for each one and placing stop signs at these intersections.

No one from the audience spoke for or against this proposed change to the code.

ON MOTION by Trustee Bindert, seconded by Trustee Schlifke, it was moved at 7:37 P.M. to close the public hearing.

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, August 22, 1988 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 at 7:30 P.M. with the Pledge of Allegiance.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the minutes of the regular meeting held July 25, 1988 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the minutes of the public hearing on the proposed local law to amend various sections of the Village Code, held July 25, 1988 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, it was moved at 7:32 P.M. to hold a public hearing for the purpose of amending Section 70.10A of the Zoning Code. (The public hearing was closed at 7:34 P.M.)

Unanimously carried

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved at 7:35 P.M. to hold a public hearing for the purpose of amending Section 60.40 of the Traffic Code regarding a stop sign at Arend and Belmont. (The public hearing was closed at 7:37 P.M.)

Unanimously carried.

Mayor Brenton reported that as reported in the Amherst Bee, the Village has transferred some extra funds from our insurance account to Sidewalks so we are replacing additional sidewalks. Weather permitting the work should be completed by the end of September.

ON MOTION by Mayor Brenton, seconded by Trustee Kibby, vouchers in the amount of \$386,040.85 covering July 25, 1988 through August 7, 1988 were approved as follows:

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payroll fund w/e 8/3/88		\$ 18,586.26
General Fund	#661	54,718.20
Sewer & Water Fund	#241	302,206.01
Trust & Agency Fund	#278	4,259.13
Glen Park Jt. Activities Fund	#178	3,733.37
Capital Fund	#199	2,537.88
* Grand Total *		\$386,040.85

Large vouchers were for ABP Concrete Construction, J & I Disposal and Niagara Mohawk.

Unanimously carried

ON MOTION by Mayor Brenton, seconded by Trustee Schlifke, vouchers in the amount of \$92,488.60 covering August 8, 1988 through August 21, 1988 were approved as follows:

payroll fund w/e 8/17/88		\$21,243.18
General Fund	#662	30,213.30
Sewer & Water Fund	#242	31,813.25
Trust & Agency Fund	#279	5,767.30
Glen Park Jt. Activities Fund	#179	1,134.40
Capital Fund	#200	2,317.17
* Grand Total *		\$92,488.60

Large vouchers were for Erie County Water, ABP Concrete Construction and Pittsford Fire Equipment.

Unanimously carried.

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

RESOLVED THAT Theresa Cummins, Village Clerk, is hereby authorized to attend the 1988 Fall Training School for City and Village Officials in Kiamesha Lake, New York, from September 27-September 30, 1988, 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 Bindert, the following resolution was adopted:

RESOLVED THAT the 1988-1989 tax bill for property at 81 N. Cayuga, SBL # 68.20-3-36 be adjusted from \$498.75 to \$434.14 due to an error by the Assessing

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Office in listing the assessment at \$89,200 rather than \$75,000.

Unanimously carried.

Trustee Schlifke stated the Village has received no word on the Meeting House sign which was stolen three to four weeks ago. We offered a reward but have received no input from the public. We will be in contact with our insurance carrier but with our deductible are unsure if we will receive anything back on it. We have also this past weekend lost a sign from the Garrison Park Pool. That sign was certainly not as expensive a sign as the one from the Meeting House. Trustee Schlifke also stated that work will be starting again on the Meeting House a week from now. We have received partial payment on our grant and the work will begin on the hardwood floors. We are hoping to finish the building with the grant money so it will be available for groups to hold meetings.

Trustee Schlifke reported that at the last meeting she stated that seven members of the Williamsville Fire Department were attending the Fifth Annual Automobile Extrication Competition. The team won third place. This was a national competition. We are proud that they placed third and were able to bring back some equipment which was part of their prize which they will be able to use in the future when they have to perform these duties.

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

RESOLVED THAT the Village Clerk advertise for sealed bids for the Construction of a new Pavilion in Island Park in the Village of Williamsville. Bids to be opened on September 9, 1988 at 2:00 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 Trustee Schlifke, seconded by Trustee Bindert, the following resolution was adopted:

RESOLVED THAT Joseph Frese and Ken Swarts, firemen in the Williamsville Fire Department, are hereby authorized to attend the Niagara Mohawk School in Oswego, New York, from August 19-August 21, 1988, and the cost, not to exceed \$200 each to be paid by the Village of Williamsville.

Unanimously carried.

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Trustee Sweeney stated he appreciated the comments he received at the last meeting regarding Old Home Days. We have noticed a greater degree of grass was killed this year due to the wet weather which will need reseeding so we will head into next year with no damage to the park.

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

RESOLVED THAT Mayor Brenton is hereby authorized to sign Waiver of State Aid Eligibility for Youth Services in the amount of \$2,902.00.

Unanimously carried.

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

RESOLVED THAT Mayor Brenton is hereby authorized to sign agreement with the Town of Amherst for the operation of the Amherst Youth Program in the amount of \$6,804.00 for the period January 1, 1989 to December 31, 1989.

Unanimously carried.

Trustee Kibby had no report and no resolutions.

Superintendent of Public Works Laubisch reported that milling operations have been completed and that paving would begin on Wednesday, weather permitting.

Mayor Brenton reported that the Village will be hosting the Labor Day Parade being held on September 5th sponsored by the AFL/CIO and United Way.

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

Unanimously carried.

Peggy Santillo, 37 Rinewalt Street, stated they have concerns regarding the August 19th article about the Planning Board's recent decision to accept the Final Impact Statement. The group's concerns have been voiced to the Trustees individually about the plan to use Rinewalt, Academy and Evans Street as access points into the proposed Centerpointe Development. The group is especially outraged that the information in a June 18th letter sent to the Village about a year ago when the Planning Board approved the preliminary sketch plan for the project stated that the approval of the Village Board and the resolution of any issues in the Board's letter of June 1987 was necessary. The fact that the Planning Board went ahead

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and approved the Final Impact Statement without coming to the Village Board first to discuss the issue of access outrages the Homeowners Group. They hope the Village Board will call a Special Meeting to resolve, as quickly as possible, whether or not their streets can be barricaded and what the Village Board can do immediately to respond to the GEIS. The developer is going for a September site plan approval. They feel a very strong pro-active, offensive reaction is needed from the Village Board at this time. They are looking to the Village Board to do something very strongly, whether it is to get additional legal advice or to do whatever has to be done quickly within the next ten days to send a message that they may not destroy a neighborhood in the Village of Williamsville so that one developer can make a lot of money. They cannot ignore what the community has gone thru the proper channels expressing for fifteen months. The Homeowners Group has received a copy of the Final Impact Statement. It is only thirty pages long and very easy reading. None of the issues that have been brought up over the past fifteen months have been addressed properly. It basically steamrolls thru the entire traffic issue. It downplays it and says there will not be a traffic problem. They feel outraged that all their work and expressions of concern have been ignored.

Mayor Brenton stated the Board is not prepared to comment on the report today because we have not received it officially; however, he spoke to Charles Brown of the Town Planning Department today and it is expected the Village will be receiving their official copy tomorrow. He assured the residents that the Board is committed to maintaining the residential character of their neighborhood and the only way the Board feels they can retain that character is to prevent this development.

Mary Lowther, 122 Chalmers Street at the corner of Evans, stated she would like to reinforce what Peggy has said tonight and let the Board know what all the residents present feel about this issue. The fact that the Town of Amherst is willing to take on the Village of Williamsville on this issue is indicative of how they feel about our tiny one square mile Village. The people here tonight are here because they care about the Village and they hope the Village Board will continue in their support for them and realize how important it is at this time.

Jim Saia stated that the Williamsville North Citizens Association support the efforts of the Centerpointe project. They will stand behind those people all the way. They feel pretty much the same way — that big business is encroaching on the residential area. He is glad the Board members support this organization and they should be commended for it. However he was concerned about the Board's action regarding the Tennis Center. He stated the Board neglected one of the important

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things at the Tennis Center and that was the Form ZR-11 from the County. The County had not been notified and the form was not completed. Article 12B of the Environmental Law states this ZR-11 or ZR-1 form should be filled out and it wasn't. He feels if the County Planning Board has a negative opinion then we will have to go back to that 3/4 vote.

Trustee Kibby commented that Mr. Saia stated at the start of his comments that he was in favor of the Centerpointe project. Mr. Saia corrected his statement and stated he is in favor of the residents fighting the Centerpointe project.

Yvonne Kaye, 72 Rinewalt Street, submitted a copy of the Final Draft Generic Impact Statement to the Board and also a letter submitted to Howard English regarding their trip to Albany to meet with Deputy Commissioner Stokes of Historic Preservation which was very positive. The South Meadow they have been talking about preserving on the Onondoga Escarpment is still eligible for the National Register of Historic Places. There is still a tremendous amount of value in that land as a passive natural preserve and archeological park. Their real concern is that the Town Planning Department did not follow their own recommendations in dealing with another municipality and she is concerned that if the Village Board doesn't take some pro-active action that bulldozers will drive down their street on September 16th. The Village Board should take aggressive action and let the Town Planning Board know what will happen. She hopes the Village Board will have a Special Session and consider hiring some specialized legal counsel because it is a complex legal matter to use our streets which includes Evans Street. We know it will be harder to stop and barricade once they have started using them. She requested strong action on the part of the Village to say you are not going to bulldoze thru us in the Village. We need to be taken seriously.

Sarah Mischler, 186 Evans Street, was very upset when she read about the Town Planning Board's decision recommending that Essjay be extended to Evans Street to alleviate congestion north of it. She wondered about the people who live south of Essjay or almost across the street from it. They will not be able to get out of their driveways even if a traffic signal is erected at the expense of the developer. She would appreciate any help the Village Board can give on this matter.

Charlotte Jurek, 81 Evans Street, agrees with the rest of the ladies who have spoken tonight. We are Village people. It seems the Town has not done the right thing. The residents have taken a whole year and done everything legally. At one meeting the residents were told that it ~~only~~ takes them twenty-nine seconds maximum to get out of their driveways. She has been timing her exits since that time and perhaps twenty-nine seconds may be the minimum during a busy morning. The residents are opposed to any of this as they have said for over a year.

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Charles Kyle, 24 Academy Street, asked whether the connection to Rinewalt and Academy can be put through without the approval of the Village Board? Who has the final say so? Mayor Brenton stated his personal feeling is that the Village would have the final say so. Whether it would hold up legally is being researched by the attorney. We feel we should have control and are prepared to go to the wall on that issue. We have the right and several legal opinions pertaining to that right to blockade Academy Street and Rinewalt Street and if we have to block them in some manner we are prepared to do that. If the occasion arose out of that we would be prepared to go through with the litigation right down to the end.

Nancy Cunningham, 297 Lehn Springs, stated that although Lehn Springs is not in the Village, she feels very close to the Village. The residents of Lehn Springs are very concerned with traffic. In an effort to curb traffic on Wehrle Drive, they have also run into a brick wall so she can appreciate the feelings of the Homeowners Coalition for Preservation but she thinks it goes beyond just the entrance to Rinewalt and Academy and into the heart of what she considers the "jewel" of the Town of Amherst — the Village of Williamsville. It is a scenic area. The forces of the Town of Amherst have literally destroyed anything scenic up north in Amherst. We have a great picturesque area in the Village of Williamsville and it should be preserved. In allowing the developers to come thru and connect their roads into the Village is only the start of a systematic dissection of the Village.

Betty Sheedy, 109 North Ellicott Street, agrees with what has been said and sincerely hopes the Board will help the residents. The Town and Ciminelli are squeezing the life out of the Village. She has lived in the Village for thirty-four years and it is a fright what they are doing to us. A person now takes their lives in their hands to go visit on Evans Street and park on the one side and go across the street. It is almost impossible.

Dan Ward, Amherst Councilman, 159 Hendricks Blvd., stated that everything that had been said is his position. Many of the residents who have spoken are Village residents but are also constituents of the Town and all seven members of the Town Board. He asked the Village Board to do whatever they can do to save what is left of the neighborhood that would be destroyed if this development goes thru. As a lawyer he suspects this will end up in a court of law and he thinks strong action along that line may be the only thing that will bring a resolution to that problem.

Ron Daniels, 117 Cadman Drive, referred to an article in the Amherst Bee which stated - Town of Amherst has used up its industrially zoned land. This was an interview with Jack Sharpe, who was apologizing, and said he would use every effort in his

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power to create more industrially zoned land. It appears he wants to create more revenues somehow. The ramifications are too endless to decide but when you see articles like that it brings fear to one's heart. He doesn't know what a small Village can do against someone as big as Ciminelli, but he is hopeful we can do something.

Jay Woepper, 320 Mill Street, stated on June 8, 1988 between 7:30 and 9:30 at Mill and Chalmers Street a gentleman was taking a survey of cars. At 8:30 he already had ten sheets, thirty-seven per sheet and had trouble keeping up with all the traffic. The gentleman was amazed with the amount of traffic in the area. Mr. Woepper wonders what will happen when Essjay is connected to Evans. All that traffic will be using Chalmers and all the other Village streets. It is very difficult now to use Evans and Mill Streets. He urged the Village Board to stay with the problem.

John Roetzer, 43 Rinewalt, reminded everyone that when Centerpointe is finished there will be 2,700 more people in the area funneling into the Village, which has a population of 6,000 people. That is about one half of our population shoved down our throats. This is a desperate situation. Some of these people have been working around the clock for a year and one-half on this problem.

Edward Hart, 165 Eagle Street, stated one issue not addressed tonight is the congestion that exists when the Academy School is in operation and the buses are loading and unloading in that area. With the new building at the Caldwell property and the Academy School, the prospect of adding more traffic to that area is out of the question. It will be horrendous.

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, it was moved to close the meeting at 8:20 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk-Treasurer