

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, July 28, 1997 at 7:35 P.M.

Present: Joseph Frese - Trustees
Richard Langenfeld
Barbara Schofield
William A. Wutz

Patrick Kelly, Attorney
Theresa L. Cummins, Admin./Clerk-Treas.
Sally A. Kuzon, Deputy Clerk-Treasurer
John Anstett - Working Crew Chief-D.P.W.

Absent: Basil J. Piazza, Mayor

The Village Administrator read the Notice of Public Hearing being held for the purpose of hearing all persons interested in discussing a proposed moratorium on demolition and new construction in non-residentially zoned areas.

ON MOTION by Deputy Mayor Langenfeld, seconded by Trustee Frese, the public hearing was opened at 7:35 P.M.

Unanimously carried.

Trustee Frese explained the purpose of the public hearing. He stated that a Master Plan had been drawn up in 1982 but never was adopted. He also cited the Communication Tower Law and the Historic Significance of the Village, and stated that without a Master Plan, there is no way we can maintain the integrity of the Village. He feels the moratorium will give us enough time to get the input of merchants, residents, developers and people outside the Village to help us determine what direction we want to go to until the year 2015.

A gentleman from Cayuga Road questioned whether the Master Plan would deal with all properties in the Village and if the moratorium affected residentially or commercially zoned areas. Trustee Frese stated the Master Plan would deal with all properties while the moratorium deals with non-residentially zoned properties.

Mary Lowther, 120 N. Ellicott Street asked if the Village is going to use the 1982 Master Plan, which was developed but never adopted, as the basis for the one that is going to be developed.

Bill Regan, Attorney for Benchmark, stated that Benchmark has an option to purchase the Williamsville Inn and three houses in an area adjacent to the Inn. Their intent is to redevelop the site, possibly as a Walgreens, but there are other possibilities. Benchmark is not happy with the proposed moratorium. They are proposing two buildings on the property, one of which will exceed

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10,000 sq. feet. Therefore, the Board will have control over the development through Exceptional Development. Benchmark feels this will be a good and positive development. They ask that the concept of the moratorium be put on hold for some period of time and they commit to the Board that once they know the uses of the buildings they will submit the information to the Board so public hearings can be held before anything is done.

Paul Krieter, 29 S. Ellicott, asked whether anything was being done to save the ice house which has significant value to the Village. Bill Regan said if it could be saved, it probably would be saved.

Mark Sonnelitter, 204 Mill Street, spoke in favor of the moratorium and said he can't see why anyone would oppose it especially since we have no Master Plan.

Linda Rizzone, 136 Los Robles, read a letter from her husband in favor of the moratorium.

Chuck Rizzone, 136 Los Robles, spoke in favor of the moratorium and against any large development at the corner of Los Robles which would demolish residential homes.

Tim Finney, recently moved to 37 Los Robles, which is one of the commercially zoned houses. He is in favor of the moratorium.

Michael Laurie, owner of Laurie Jewelers, stated he is for the moratorium but he feels we should use this time well. We should restore buildings and build buildings like they did at the turn of the century, something with attractive architecture. We should build something Village residents will be proud of.

Michelle Alexander, 45 Los Robles, is for the moratorium. It will give us a chance to stand back and look to see what we want.

Charles Ciota, 5411 Main Street, owner of the Village Barbershop has been part of the Village for 45 years. He knows how the Village has changed during this time. He recently invested \$20,000.00 to renovate his business. He concurs with Mr. Laurie. He feels we should not turn businesses away but they must fit the character of the Village. There should be a healthy balance between building ordinances in order to keep the character of the business. He would like to be a part of any business owners who are asked to come up with a plan along with the Village officials.

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John Cansdale, 50 Los Robles, is in favor of the moratorium. He wondered if Benchmark will be willing to work with the neighbors.

Bill Regan stated that if the moratorium is put on hold and if there are the public hearings, they will be willing to work with everyone.

Mary Ann Avery, 64 Garrison Road, President of the Southeast Homeowners Association spoke in favor of the moratorium. She is concerned about the property on Main Street, including Main & Hirschfield and Main & Garrison as well as Main & Los Robles. She discussed the need for Architectural Review and asked if the Village's code is enforceable.

Harv Murello, 123 N. Ellicott stated he has lived in the Village for 20 years. He moved here because of the quaint, older buildings. They are now talking about a banking building. What happens when banks merge? Will they vacate the 100 year old building they now occupy? Then these buildings will be vacant, knocked down and replaced by modern buildings.

Joan Seamans, 5750 Main Street, a homeowner and member of the Williamsville Business & Professional Association. As a homeowner, she loves the Village as it is but as a business person she wants to see more businesses here. We need more people shopping in the Village and need to keep our businesses here. She thinks the \$30,000.00 figure in the moratorium is low. She thinks a \$50,000.00 figure is more realistic.

Vicki Lattin, 64 S. Cayuga Road, spoke in favor of a Walgreens. She thinks it would benefit Senior Citizens if it is kept to a reasonable size.

Mary Carr, 100 Orchard Place, has lived in the Village for many years, spoke about how the Village has changed and about the traffic. She is in favor of the moratorium.

Richard Sweeney, 325 Mill Street, spoke in favor of the moratorium and the comprehensive Master Plan. He cautioned the Board not to underestimate the task they are undertaking. Although 180 days seems like a long time to a developer, in terms of a committee member or a Board member, it is not long for shaping the direction the Village will be taking in the future. He would like to see both evening and daytime meetings so that all facets of the Village can participate in formulating this plan.

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Coral Snodgrass, 30 Oakgrove Drive, is a Planning Professional who spoke in favor of the moratorium. She stated the Village will need at least 180 days for the moratorium. Also that the agenda should belong to the Village and not the developer.

Ann Brown, 81 Milton Street, agreed with the prior speakers. She would like to see a beautiful Inn on that corner.

Charles Rizzone, 136 Los Robles, stated we have enough drug stores in the area. Perhaps accommodations could be made by the current drug store for the seniors. He doesn't think we need another pharmacy in the Village.

Bill Regan stated that although for a bureaucrat, 180 days is not very long, it is indeed long for someone who wants to develop the property. He again asked that the Board hold off on the moratorium because all the concerns of the Board and the residents can be dealt with under Exceptional Development.

Mary Lowther, 120 N. Ellicott, asked if there was any mechanism to allow the moratorium to go over 180 days? Pat Kelly stated we would have to pass another local law.

Paul Krieter, 29 S. Ellicott, stated he is in favor of the moratorium and master plan. He is surprised it was not passed before.

Pat Kelly stated that the Village has many of the laws already in place in the Village Code. The moratorium will give us time to review them and make changes if necessary.

ON MOTION By Trustee Frese, seconded by Trustee Wutz, the public hearing was closed at 8:30 P.M.

Unanimously carried.

Theresa L. Cummins
Administrator/Clerk-Treasurer

Minutes of the Regular Board Meeting of the Village of
Williamsville held in the Williamsville Village Hall, 5565 Main
Street, Williamsville, New York on July 28, 1997 at 7:30 P.M.

Present: Joseph Frese - Trustees
Richard Langenfeld
Barbara Schofield
William Wutz - Trustee

Theresa L. Cummins-Admin./Vllg. Clerk-Treas.
Patrick Kelly, Village Attorney
Sally A. Kuzon, Deputy Clerk-Treasurer
John Anstett - Crew Chief - D.P.W.

Absent: Basil Piazza, Mayor

In the absence of Mayor Piazza, Deputy Mayor Langenfeld opened the meeting at 7:30 P.M. with the Pledge of Allegiance.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Schofield, the minutes of the regular meeting held on July 14, 1997 were approved.

Unanimously carried.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Frese, it was moved at 7:35 P.M. to open a public hearing which is being held for the purpose of discussing a proposed moratorium on demolition and new construction in non-residentially zoned areas. (The public hearing was closed at 8:30 P.M.).

Unanimously carried.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Frese, it was moved to suspend rules for public participation.

Unanimously carried.

Vicki Lattin, 64 S. Cayuga Road spoke about harassment by a Town official.

Charles Ciota, Village Barbershop offered his small wish list for the Main Street area including additional parking, using the ball diamond for parking during the day, diagonal parking and a Village trolley car.

Carolyn Schlifke, 192 Evans Street, asked about removal of the tree from the Triangle on Evans Street. She also congratulated the Board for the work that was put into the lavatories in the park.

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Mary Lowther, 120 N. Ellicott, asked about the drainage project on Belmont and discussed the speeding on N. Ellicott Street.

Paul Krieter, 29 S. Ellicott St., asked if we could erect signs or barricades which allowed residential traffic only on our Village streets.

Marlene Rogers, 39 Chalmers Street, complained about the traffic using the side streets and the fact there are no 30 mile per hour signs on the streets.

Ann Brown, 81 Milton Street, stated she is against parking on the Long Street Playground.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Frese, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Wutz, the following resolution was adopted:

Vouchers in the amount of \$91,053.90 covering the period from July 11, 1997 to July 24, 1997 were approved as follows:

Payroll fund w/e 7/19/97	\$ 29,006.25
General Fund	39,458.48
Water Fund	612.91
Sewer Fund	1,817.11
Glen Park	2,251.82
Trust & Agency Fund	12,698.83
Community Development	-0-
Capital	5,208.50
Grand Total	\$ 91,053.90
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Large Vouchers:

American Ref-Fuel of Niagara	\$10,821.78
BFI	9,073.95

Unanimously carried.

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ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Wutz, the following resolution was adopted:

RESOLVED that the salary of Cheri Carver, Records Management Clerk, P.T., is hereby increased to \$11.00 per hour, effective immediately.

Unanimously carried.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Frese it was moved to suspend rules to consider a resolution which was not on the agenda.

Unanimously carried.

RESOLVED that the following firefighters are hereby authorized to attend the N.E. Regional Extrication Competition and Learning Symposium in Winsorlocks, Connecticut, from August 1st-5th and the cost, not to exceed \$500.00 to be paid by the Village of Williamsville:

Chris Petrie, Mike Meldrum, David Kubiak, Mike Measer,
Peter Strobel, Tony Schueckler, Al Weisser, Thomas Petrie

Unanimously carried.

Trustee Wutz reported that this last week Kathy Howe from Bero Association presented her findings on the historical buildings in the Village. She listed 83 buildings in 4 separate zones which can have some significance. The Historic Preservation Committee will have a great deal of work to do in the future on this project.

ON MOTION By Trustee Wutz, seconded by Trustee Frese, the following resolution was adopted:

WHEREAS the Village has advertised for sealed bids for one (1) new 1998 Single Axle Diesel Plow Truck, and

WHEREAS Hanson International submitted its bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for one (1) new 1998 Single Axle Diesel Plow Truck is hereby awarded to Hanson International for their bid price of \$49,493.00.

Unanimously carried.

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ON MOTION By Trustee Wutz, seconded by Trustee Frese, the following resolution was adopted:

WHEREAS the Village has advertised for sealed bids for plow equipment and a dump body, and

WHEREAS Cyncon Equipment, Inc. submitted its bid meeting specifications,

NOW, THEREFORE, BE IT RESOLVED that the contract for the dump body and plow equipment is hereby awarded to Cyncon Equipment Inc. for their bid of \$28,979.00.

Unanimously carried.

ON MOTION By Trustee Wutz, seconded by Trustee Schofield, the following resolution was adopted:

RESOLVED that John Anstett, Working Crew Chief, be given a salary adjustment of \$1611.72 for the months of June & July for assuming extra responsibilities in the Department of Public Works.

Unanimously carried.

ON MOTION By Trustee Wutz, seconded by Trustee Schofield, the following resolution was adopted:

RESOLVED that all bids for the Collection of Garbage & Refuse, which were opened on May 22, 1997, are hereby rejected.

Unanimously carried.

ON MOTION By Trustee Wutz, seconded by Trustee Frese, the following resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized to advertise for sealed bids for the Collection of Garbage, Refuse and Recycling material to be opened in the Administrator's office on August 14, 1997 at 2:00 P.M. under the terms of the Standard bidding resolution.

Unanimously carried.

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ON MOTION By Trustee Wutz, seconded by Trustee Schofield, the
following resolution was adopted:

RESOLVED that the Village Administrator is hereby authorized
to advertise for sealed bids for Street Reconstruction,
Sanitary Sewer, Storm Sewer and Water Line Improvements, to be
opened in the Administrator's office on September 17, 1997 at
2:00 P.M. under the terms of the standard bidding resolution.

Unanimously carried.

ON MOTION By Trustee Wutz, seconded by Trustee Frese, the following
resolution was adopted:

RESOLVED that Bond Resolution in the amount of \$80,000.00 is
hereby adopted to cover the purchase of the 1998 Plow Truck
with Dump Body and Plow Equipment.

Unanimously carried.

ON MOTION By Trustee Wutz, seconded by Trustee Frese, the following
resolution was adopted:

THE BOARD OF TRUSTEES OF THE VILLAGE OF WILLIAMSVILLE, IN THE
COUNTY OF ERIE, NEW YORK, HEREBY RESOLVED AS FOLLOWS:

Section 1. The Village Clerk of said Village of Williamsville
shall publish the foregoing bond resolution, in full, in the
"AMHERST BEE", a newspaper published in Buffalo, New York,
having a general circulation within said Village and hereby
designated the official newspaper of the Village for such
publication and posted in at least six (6) public places in
the Village and in each Village polling place, a Notice
containing the bond resolution.

Section 2. After said bond resolution shall take effect, the
Village Clerk is hereby directed to cause said bond resolution
to be published, in full, in the newspaper referred to in
Section 1 hereof, and hereby designated the official newspaper
for said publication, together with a Notice in substantially
the form as provided by Section 81.00 of the Local Finance
Law, constituting Chapter 33-a of the Consolidated Laws of the
State of New York.

Section 3. This resolution shall take effect immediately.

Unanimously carried.

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Trustee Frese welcomed all the residents to the meeting. He announced that there will be no Board meeting on August 11th. The next meeting will be held on August 18th.

ON MOTION By Trustee Frese, seconded by Trustee Schofield it was moved to suspend rules to consider a resolution which was not on the agenda.

Unanimously carried.

RESOLVED that proposed Local Law #4, Moratorium on Demolition and New Construction in non-residentially zoned areas is hereby approved.

Roll Call:

Trustee Schofield - Yes
Trustee Frese - Yes
Trustee Wutz - Yes
Trustee Langenfeld- Yes

Unanimously carried.

ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Frese, it was moved to return to the regular agenda.

Unanimously carried.

Trustee Schofield reported that the Battle of the Bands will be held in Island Park. There was a Youth Area at the Old Home Days. The 9th Annual Savor the Flavor will be held on August 19th from 11:00 A.M. to 9:00 P.M. The Williamsville Business Association will be providing a 40' X 80' tent and there will be live entertainment in the evening. The Annual Craft Fair will also be held in August.

Administrator Cummins had no report.

John Anstett, Department of Public Works, stated they are continuing their patching of streets.

Attorney Kelly congratulated the Board for passing the moratorium. He suggested the Board appoint a committee at the next meeting and asked permission to contact the Law School to see if they have anyone who can help with this project.

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ON MOTION By Deputy Mayor Langenfeld, seconded by Trustee Frese, it
was moved at 9:07 P.M. to adjourn the meeting.

Unanimously carried.

Theresa L. Cummins
Administrator/Clerk-Treasurer