

Minutes of the Regular Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, March 12, 1979 at 7:35 PM

Roll Call

Present

Warren D. Miller, Acting Mayor

Gordon J. Kuzon

Rosemarie Sugg Trustees

Neil M. Frank

Theresa L. Cummins, Village Clerk

Thomas V. Troy, Village Attorney

Edward Way, Dept. of Public Works

Acting Mayor Miller called the meeting to order at 7:35 PM.

ON MOTION by Acting Mayor Miller, seconded by Trustee Kuzon, the minutes of the regular meeting held February 26, 1979 were approved.

Unanimously carried.

ON MOTION by Acting Mayor Miller, seconded by Trustee Frank, the minutes of the public hearing held February 26, 1979 regarding cross connection control were approved.

Unanimously carried.

ON MOTION by Acting Mayor Miller, seconded by Trustee Frank, the minutes of the special meeting held February 28, 1979 were approved.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Acting Mayor Miller, the rules were suspended at 7:37 PM in order to hold a public hearing regarding a local law to amend Section 60.30(7) of the Traffic Code which would prevent the parking of commercially registered motor vehicles on Village streets between the hours of 1:00 a.m. and 7:00 a.m. throughout the year. (The hearing was closed at 7:43 PM.)

Unanimously carried.

ON MOTION by Acting Mayor Miller, seconded by Trustee Kuzon, the rules were suspended at 7:43 PM in order to hold a public hearing regarding a local law which would amend the Sanitary Code by providing that PVC pipe may be used for underground sanitary sewers. (The hearing was closed at 7:52 PM.)

Unanimously carried.

Acting Mayor Miller stated the crews are out patching the pot-holes whenever the weather permits. Some of the paving projects completed this year were on S. Ellicott, Oakgrove, Hirschfield, Garden Parkway, Pfohl Place, Milton, and Eagle Streets. Because of the new paving machine we have been able to do more paving than in past years.

Minutes of the Regular-Meeting of the Board of Trustees of the Village of Williamsville held in the Municipal Building, Williamsville, New York on Monday, March 12, 1979 at 7:35 PM

Acting Mayor Miller stated with respect to Trustee Kuzon's second resolution to amend the zoning map, that it is being taken off the agenda because we are in receipt of a letter from the petitioner, John Berryman. The letter requests that the rezoning be withdrawn. He asked the Clerk to enter it into the minutes. He stated we also have a letter from Attorney John P. Lane which speaks to an opinion regarding the Maryvale Landscape Service Corp. rezoning. He asked that it be put into the minutes.

ON MOTION by Acting Mayor Miller, seconded by Trustee Kuzon, vouchers in the sum of \$46,032.49 were approved as follows:

Payroll Fund	W/E 3/2/79	\$ 4,126.56
	W/E 3/9/79	<u>3,266.27</u>
Total Payroll		\$ 7,392.83
General Fund	Abstract #436	23,271.71
Sewer & Water Fund	Abstract #17	685.94
Community Development	Abstract #26	35.00
EDA Glen Park	Abstract #30	14,270.71
Federal Revenue Sharing	Abstract #67	<u>376.30</u>
Total Vouchers		\$46,032.49

The large vouchers were: M & T Bank - \$8,414.19; Amherst Disposal - \$7,028.57; Niagara Mohawk Power - \$3,031.70; Four Winds Nursery - \$14,270.71.

Unanimously carried.

Trustee Kuzon advised that the Planning Board met on March 5th to consider several items. A sign permit for Coulter & Young at 5725 Main Street was approved. On the agenda was a revision of the Townsend Square site plan. It was presented by Architect Mussachio based on office and retail space and including a restaurant. The Planning Board referred this to the Building Inspector for his review and compliance with Village ordinances. It will be placed on a future agenda for the Planning Board's review. The Board also approved a sign permit for the Red Door Ski Shop which is moving from Los Robles to Garrison Square. George Wiltse, District Director for Mobil Oil was present at the meeting to discuss a variation in their sign permit at Garrison and Main. As you know, this gas station will soon be turned into a 7-11 store and there is a question of whether two signs are permitted. He will return about this.

Trustee Kuzon stated the Traffic and Safety Committee met on February 22nd. One of the things discussed was the parking of commercially registered vehicles on Village streets. Also discussed was the traffic situation on the Village Alley and it was recommended that

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a stop sign be posted at the intersection of Long and the Alley. He stated he was calling for a public hearing regarding this. He then read the recommendation by the Traffic and Safety Committee.

ON MOTION by Trustee Kuzon, seconded by Trustee Sugg, the following resolution was adopted:

RESOLVED that the Village Clerk publish a notice of public hearing to be held in the Municipal Building, 5583 Main Street, Williamsville, New York at 7:35 p.m. on March 26, 1979 for the purpose of hearing all persons interested in a local law which would amend the Traffic Code by providing for erection of a stop sign at the corner of the Village Alley and S. Long Street.

CALL FOR PUBLIC HEARING

Local Law to amend Traffic Code

Stop sign at Village Alley & South Long Street

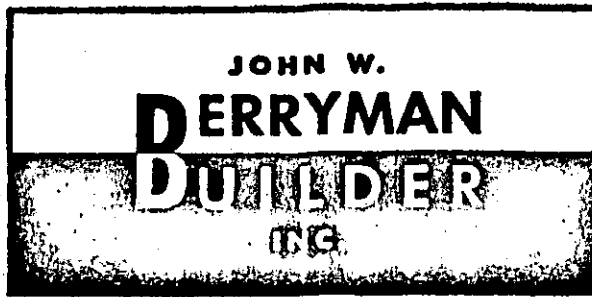
Trustee Kuzon advised it is felt this is necessitated by the recent act of this Board making the Alley one-way. Apparently, many of the new motorists are not making a complete stop and with the safety of residents involved we feel this should be done.

Unanimously carried.

Trustee Kuzon stated that as Acting Mayor Miller has already informed you the resolution regarding the rezoning is moot as a result of the letter received today from Mr. Berryman that the petition be withdrawn. The Board has received the opinion of the State Comptroller regarding our voting procedure on this matter and it is his opinion that 75% of the total Board would have to vote in favor of the rezoning, or a unanimous vote of the present Board of 4 members.

Trustee Sugg stated she had a letter from Postmaster William Miller of Buffalo. We have received telephone calls for the past few weeks regarding the pick-up box being taken away from Main and California. This is because of the contract station located in the drug store near there. Postmaster Miller stated it was because of the proximity of the contract station to there that it was removed. He stated, however, that carriers are required to accept prepaid mail from anyone who cannot get to a box to mail it, for example the handicapped or senior citizens.

Trustee Sugg stated the Youth Committee met again last week. They are planning programs to raise money for the center. There will be an April Fools raffle and some other things coming up. There will be an eight week spring program including exercise classes, photography classes and a St. Patrick's Day party for the St. Francis Home. There has been comment among the youths that people do not think of them as helping, just getting into trouble. We have a responsibility to change that point of view.



173 Cadman Drive                      Williamsville, N. Y. 14221  
Phone: 632-7317

March 12, 1979

Village of Williamsville  
Main Street  
Williamsville, New York 14221

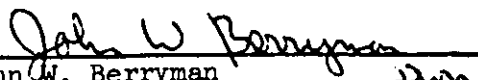
To the Mayor and Village Board

Dear Sirs:

We request that the rezoning change from R2 to R3-M for the parcel of land consisting of approximately three acres being on the west side of South Cayuga Road and on the north side of Wellington Court be withdrawn.

Yours truly,

MARYVALE LAWNSCAPE SERVICE CORP.

  
\_\_\_\_\_  
John W. Berryman                      JWB  
President

JWB/gk

JOHN P. LANE.

ATTORNEY AT LAW

SUITE 202  
5820 MAIN STREET  
WILLIAMSVILLE, N. Y. 14221  
(716) 633-2780

March 11, 1979.

Williamsville Village Board  
Municipal Building  
Williamsville, N. Y.

Re: Maryvale Landscape Service Corp.  
rezoning

Dear Board Members:

I am writing to you as a resident of South Cayuga Road. While I signed the petition against the proposed rezoning and attended the public hearing, I did not speak on the question. Therefore, I am taking this means to express my opinion.

The parcel being considered and the apartment area across the road were annexed into the Village as a single property. The reason given was to permit development using village sewer and water lines. The then Village Board was not willing to rent facilities if the property remained in the Town outside the Village. Following annexation, the Village Board held two public hearings on zoning for the newly added area.

Village Law §7-704 requires that all zoning be pursuant to a comprehensive plan. The purpose is to assure that village property is developed for the benefit of the entire community. Zoning for the benefit of individual parcels, and their owners, is spot zoning, the antithesis of comprehensive planning.

At the time of the annexation, the Village had a zoning ordinance and use map, in law, constituting its comprehensive plan. Thus, to extend this plan to the new area, an amendment to the zoning (use) map was required.

The first hearing on an amendment was the result of the owner's request that all the land be zoned R-3M to allow an apartment development. This proposal was opposed by owners of neighboring properties on California Drive and South Cayuga Road and village residents generally. The owner (Maryvale Landscape Service Corp., then and now) withdrew its application with the approval of the Village Board on March 14, 1972. At the same meeting, the Board scheduled a further public hearing on a proposal to zone the new area R-3M between the railroad right of way and the center line of Park Court, now Wellington Court, and R-2 north of that line.

I was not a resident of South Cayuga then nor was I a party to the conversations which took place seven years ago. However, it seems that all parties then agreed on the revised plan. The consensus is documented in an Amherst Bee article of March 15, 1972. At the second hearing, on April 11, 1972, the Village Planning Board reported in favor of the revised plan. Residents of South Cayuga Road also spoke in favor of it. No one spoke in opposition. The Board adopted the zoning as proposed thereby enlarging the comprehensive plan to cover the annexed area.

The plan thus adopted was, and is, logical. The land abutting the railroad tracks was classified for multiple residence development. The area contiguous to existing one and two family homes was zoned for further single family use. The limitations imposed by the right of way and the existing character of the neighborhood were recognized. Thus, the owner was given an opportunity to put all of his land to reasonable use without disturbing the overall character of the Village and the particular neighborhood.

Having developed the south portion of the property, the owner now seeks to extend the multiple residence classification into the area designated R-2. At the hearing held on January 22, 1979, the owner offered no claim of change in circumstances. No legal basis for the proposed down zoning was mentioned. That he was told in 1972 by a then trustee he could petition to rezone again in six months, or twelve or eighteen months for that matter, has nothing to do with proper land use and is irrelevant. Any property owner is at liberty to seek zoning changes as often as local procedure will permit. However, a village board can grant zoning amendments only when they are consistent with the comprehensive plan.

The assertion that apartment development on the north parcel will produce more tax revenues than single family dwellings, while attractive, is also irrelevant. (Commercial and industrial development would produce even more tax dollars. So, why not zone this last major vacant parcel for those uses?) The New York Court of Appeals ruled in 1951 that an increase in tax revenues is not enough to justify a zoning change. That is still the law.

We are left with the last argument advanced by the owner, the claim that he cannot market single family homes across the street from the apartments he built and owns. This contention defies logic. Were it otherwise, once an apartment project is erected anywhere, no further single family development would occur in the area. In any event, if there is any hardship in the present arrangement, it is self-created. Furthermore, the argument contradicts established fact.

March 11, 1979

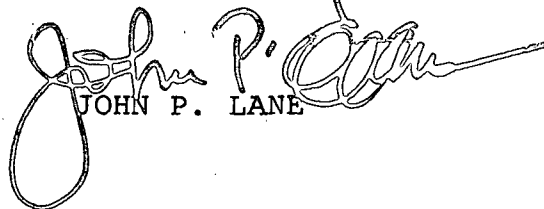
In many areas throughout Western New York, the dividing line between single family development and apartment complexes is no more substantial than the center line of a street. In currently developing planned communities (Ransom Oaks and Audubon in Amherst, Reston and Columbia elsewhere), the development mixture the owner protests for his property produces well balanced neighborhoods at a profit.

There is, therefore, no reason to approve this rezoning other than to make development easier and more profitable for the owner than what is possible under the present regulations. Put another way, the request seeks the highest and least restrictive use of the property at the expense of the neighborhood and the community generally. This is spot zoning contradictory to the concept of comprehensive planning.

This zoning application is really a question of density, R-2 vs. R-3M. The owner wants a density of about twenty units to the acre, four times that in the neighborhood. Nevertheless, the owner, or someone else, can easily and profitably develop this land within the existing zoning classification. While the irregular shape of the parcel will present some problems, use of the cluster zoning techniques permitted by Village Law §7-738 will permit maximum use of the parcel at a density consistent with the neighborhood. If appropriate and properly designed, attached units for sale could be allowed. In this way, common and open areas could be emphasized, particularly where the parcel abutts existing development.

In summary, neither the character of the neighborhood nor that of the Village has changed since 1972. That being the case and there being no other valid basis for the change sought, it should be denied.

Very truly yours,

  
JOHN P. LANE

JL:cj

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Trustee Sugg stated the Youth Committee has also been instrumental in initiating a gym program at Academy School on Thursday evenings in the spring. This is one shortcoming of the Cayuga Road center.

Trustee Sugg reported that due to a cooperative effort between the Youth Board and Glen Park Committee, with involvement of many people from the Town and Village, we will be having a summer work project which has been approved by the New York State Division for Youth. Our original project was having a youth conservation corp to work in the park and take care of a large share of the maintenance. After making application and having several meetings we found that this would be too expensive as we do not have that much money available. This will be a one shot deal this year. The youths employed will be economically disadvantaged youth. There will be three staff people involved and two group leaders. Ten youths will work in Glen Park and 10 in the wildlife sanctuary. There is a great deal of work for them to do. This is an eight week program. The Youth Board will handle all the jobs and everyone will go through them.

Trustee Sugg stated her resolution involved the appointment of replacement election inspectors. The reason is that some of the inspectors previously named cannot perform their duties due to illness or new jobs.

ON MOTION by Trustee Sugg, seconded by Trustee Frank, the following resolution was adopted:

RESOLVED that Sue LaVere and Henry Moore are hereby named as election inspectors and Rita Breen, an alternate election inspector for the March 20th Village Election. (These are replacements for previously named inspectors who cannot work election day.)

ELECTION  
RESOLUTION

Replacement inspectors  
and alternates  
appointed

Unanimously carried.

Trustee Frank reported that the Environmental Commission is sponsoring a poster contest. They are looking for the submissions to be given to them by May 5th. In the near future there will be more publicity on this. The winner will be named at the May 14th meeting of the Board. They will be displayed in shops on Main Street.

Trustee Frank stated the Environmental Commission is putting together a landscape ordinance. Anyone wishing to have any input into this should contact Dr. Charles Akers, who is Chairman of the Commission.

Trustee Frank advised that the Parks and Recreation Committee would like anyone wishing to use the baseball diamonds this summer to submit their requests as soon as they can. It is on a first come first serve basis.

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Trustee Frank stated the Senior Citizens Committee is an active group and again encouraged anyone interested in their programs to participate.

Mr. Way had no report from the Department of Public Works.

ON MOTION by Trustee Kuzon, seconded by Trustee Sugg, it was moved to suspend the rules for public participation.

Unanimously carried.

Mrs. Carolyn Schlifke, 192 Evans Street, spoke regarding the 200 foot parcel of land the Village has on Evans Street, which has been proposed for a connecting road to Sheridan Drive and to service the development by Jacobs-Farber. She stated it is her understanding that the developer has contacted the County in regard to a curb cut and she asked the Board just what has progressed as far as the developer contacting the Village regarding rezoning of that lot. Acting Mayor Miller stated that some time ago the Board had a meeting with a representative of the developer, who just indicated their desire that consideration be given to an exit route through that parcel south of the Drexel Hill Apartments and north of the Blocher Home on Evans Street. No agreement has been reached. He did mention they had been in touch with the County and we are waiting for more information.

Discussion  
re: Jacobs-Farber  
property on  
Evans St.

Mrs. Schlifke stated the original parcel has been enlarged and asked if the Village Attorney had looked into the history of that property. The Jacobs property and Farber property have been joined together. You now have double the size of the original parcel which was connected to Evans Street. Acting Mayor Miller stated the original plans have been modified and any connection between the upper and lower properties has been eliminated.

Mrs. Schlifke stated the property now encompasses the land along Sheridan Drive and up to Youngs Road except those lots facing Youngs. Mrs. Schlifke stated this 200 foot parcel was originally at the top of the hill opposite Belmont. When the Blocher Home was built a 200 foot easement was given for access to the Chalmers factory so they could get back there. When the Home needed the 200 foot parcel for their parking lot the easement was changed to the end of the property. There used to be a driveway there to service the old factory which put about 20 to 30 cars out onto Evans at 8:00 and 4:00 each day. Now, they want this to be a road to connect Evans and Sheridan, cutting off the corner of Evans and Sheridan further down, and to service a Wegman's, senior citizens apartment building, offices, approximately 400 apartments and maybe 100 townhouses. This is certainly a different use of the property. She wondered if there was any way to stop this type of development. If they had an easement back to one piece of property and then add more acreage does it change the use of that property.

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Attorney Troy stated Evans is a County highway. Control of the curb cuts lies with them. Whether they would grant such a cut over our objections is not the answer to it. We are aware of the problems. We did have one meeting several months ago and nothing has developed since that time.

Mrs. Schlifke stated then we have to wait for the developer to submit for rezoning. Acting Mayor Miller stated this was not necessarily so. We are willing to speak to the developer at any time. A petition for rezoning is not necessarily required. He stated he believed it was zoned residential.

Richard Hill, 18 Brookside, asked if the county can order a curb cut into a county road without the Village having anything to say about it. Acting Mayor Miller stated we do not have a clear decision on that. Mr. Hill stated they have rights for a private drive but that doesn't mean opening it to a road. Attorney Troy stated that in residential districts a private road could be put in and then later dedicated as long as it meets requirements. Mr. Hill asked if that meant that legally we could not stop them. Attorney Troy said we did not mean that.

Mr. Hill stated that if the road were put halfway between the Blocher Home and Chalmers it would present a hazardous situation in wintertime. Before any action is taken this should be looked into. Mr. Hill stated they could come out across from Chalmers if they wanted to. Acting Mayor Miller advised that to do this they would have to go through another person's property.

Trustee Kuzon stated that the Town Planning Department studied this intersection idea and found the road would not come out directly across from Chalmers but in close proximity to it. This would not be a direct cross type of intersection and the Town finds that in that type of situation you have 24 conflict points and that is more hazardous than a T intersection which the developer and the Town Planning Department prefer if a street is to be cut through.

James Saia, 20 Belmont, stated that about three months ago the paper had a picture of a map giving everyone the impression that Belmont and Chalmers go across Evans and nothing was ever done to correct this.

Mr. Saia stated that with respect to the paving program in the Village he has not seen the streets in such deplorable condition as they are now since 1952. We spent money on a paver last year and the new streets are already deteriorating. He stated he does not believe the paving is being done correctly. He stated he was getting signatures from 31 people regarding the bad condition of the streets.

Regarding cross connection control, Mr. Saia stated he had talked with Erie County Water Authority and they say it is not being implemented in the Town except for new construction. They are not telling established businesses to put it in.

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Mr. Saia stated we are applying for federal funding for an item that he thinks is against his constitutional rights. With respect to the Christian Church on Main Street we obtained that with the understanding that services could be held there. Now we are using federal funds to restore the church. Now there are Sunday services being held there. There is supposed to be separation of church and state. Has this been looked into. Attorney Troy stated that with respect to separation of church and state the government may not favor any religious group but neither may they persecute any group. Just because it is a religious group doesn't mean it can be excluded. If public facilities are available and a particular religious group wants to pay rental they can use it as well as any other group, as long as they agree to the standards set up by the Village. They are simply people leasing the facility for a certain period of time.

Lawrence Brenton, 31 Monroe, asked if we have the appropriate insurance on the building. Acting Mayor Miller states it meets minimum requirements for the use it is being put to now.

David Laubish, 263 California, asked what the procedure will be if Mr. Berryman decides to reapply for rezoning. Acting Mayor Miller stated they have to notify the Village Clerk and another public hearing would be held. Having the application withdrawn finishes our response to the application as we have nothing to act on. Trustee Kuzon stated that if we had acted on this petition and it had been defeated they would have had to wait a year before they could have applied again. By withdrawing the petition before the vote there is no time limit on reapplying.

Mr. Hill asked if they would have to come back again if they want to build single family houses there. Acting Mayor Miller stated they would just need a building permit.

Mr. Saia stated he had asked if the percentage of water loss for the year couldn't be made public at least once a year. Acting Mayor Miller stated he could go over the figures with Mr. Saia following the meeting if he wished. Mr. Saia stated we should know the loss for one year so we have a basis for the following year and don't let it get out of hand. Acting Mayor Miller stated this is being monitored daily. He stated the frost this year went down far and some mains have fractured. All known leaks have been fixed. The water loss has gone up because of this. We had people with lines freezing this year when they did not freeze during the blizzard.

Mr. Hill asked if the program for finding leaks has been completed yet. Acting Mayor Miller stated all known leaks have been repaired. The isolation study had to be stopped for awhile when we found the valve defects on Main Street. Following repair of these valves the study was resumed. We are about 1/3 done. This program has always been in force.

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Mr. Brenton stated we pay for the water loss in the Village as well as the water loss in the Town. The Town residents don't pay anything for our water loss. In Williamsville if we have a loss we pay for it individually and if Erie County Water Authority has a big loss we pay for that too due to the fact that we are paying rates charged by the Authority which takes into account all of the facets of their operation. This means higher costs to the Village.

With respect to the street paying, Mr. Brenton asked if the Board was satisfied with the way it was being done. Acting Mayor Miller stated he was satisfied that the Department of Public Works had done a good job. The weather this year had been particularly hard on the streets. Mr. Brenton stated that perhaps it would be better to have outside people who know how to pave to do the job. Acting Mayor Miller stated the employees do a good job. It would cost too much to have this done by outsiders.

Mr. Brenton stated he feels we use the paving machine too much and should utilize other methods to repair the streets. He asked if the Village has heard anything about the patching material they use in Toronto. Mr. Way stated he had not heard about it.

Mr. Hill stated he had heard of a new pavement which is supposed to be better than asphalt. Mr. Way stated Lancaster and Buffalo Crushed Stone do not think this is up to par yet and will let him know when it is.

ON MOTION by Trustee Sugg, seconded by Trustee Frank, it was moved to return to the regular agenda.

Unanimously carried.

ON MOTION by Trustee Kuzon, seconded by Trustee Frank, the meeting was adjourned at 9:00 PM.

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 Municipal Building, Williamsville, New York on Monday, March 12, 1979 at 7:43 PM

Roll Call

Present

Warren D. Miller, Acting Mayor

Gordon J. Kuzon  
Rosemarie Sugg Trustees  
Neil M. Frank

Theresa L. Cummins, Village Clerk  
Thomas V. Troy, Village Attorney  
Edward Way, Dept. of Public Works

Acting Mayor Miller called the public hearing to order at 7:43 PM.

The Clerk read the notice of hearing regarding a local law which would amend the Sanitary Code by providing that PVC pipe may be used for underground sanitary sewers.

Richard Hill, 18 Brookside, asked if any consideration was given to using this for water pipes in the house. Acting Mayor Miller stated it is just for sewers at present.

James Saia, 20 Belmont, stated that the new sewer that was put in on Mill Street used this PVC pipe but we didn't have this ordinance. Also been used on other streets. He asked if this was why the Mill Street sewer is not approved yet. He also asked that the proposed ordinance be read.

Acting Mayor Miller stated use of PVC pipe in the right-of-way is approved. This proposal speaks to its use within the private sector. He said the Mill Street sewer is not finally accepted because it is not completed yet.

Mr. Saia stated that in 1976 he was informed he had to tap into a sewer which did not yet exist within 30 days. Now he has been informed he must tap into the Mill Street sewer within 30 days and it has not yet been approved. Acting Mayor Miller advised that the Village has not yet directed the residents to tap into the sewer as it is not completed or accepted yet.

Acting Mayor Miller stated the wording of the proposed amendment to the ordinance is not written yet. The purpose of not having it written is so we can consider it and get input on the proposal. To give an idea of the scope and wording, Acting Mayor Miller read from the minutes of the Town Plumbing and Drainage Board meeting minutes regarding PVC pipe: "Use of ASTM 30-34 (PVC or better) is approved for underground sewer installation as per manufacturer's specifications for laying of pipe with a crushed stone bedding." He stated PVC pipe is presently used above ground. It is approved for this use by the New York State Building Construction Code regarding plumbing. Under the code there is a list of types of material for use underground and it states that the governing authority, which is the Village, has authority. This is a technical type of thing that refers to different standards and procedures.

PUBLIC HEARING

LOCAL LAW TO AMEND SANITARY CODE

PVC Pipe

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Acting Mayor Miller stated that by considering the local law we will be consistent with the Town which has adopted the material. This will allow people in the Village to have a PVC sewer put in from the house to the sewer at considerably less cost than cast iron and other materials under the State Code. If this is passed it will cost less to have the sewer put in.

Lawrence Brenton, 31 Monroe, asked what special part would be needed if someone uses this type of pipe and taps into cast iron. Acting Mayor Miller stated this is normally done with a saddle tap with conversion tap. It has been tested. Would need adaptor on existing building plumbing also.

ON MOTION by Acting Mayor Miller, seconded by Trustee Frank, the hearing was closed at 7:52 PM.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer

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Theresa L. Cummins, Village Clerk  
Thomas V. Troy, Village Attorney  
Edward Way, Dept. of Public Works

Acting Mayor Miller called the hearing to order at 7:37 PM.

The Clerk read the notice of hearing regarding a local law which would amend Section 60.30(7) of the Traffic Code of the Village of Williamsville which would prevent the parking of commercially registered motor vehicles on Village Streets between the hours of 1:00 a.m. and 7:00 a.m. throughout the year.

Acting Mayor Miller then turned the hearing over to Trustee Kuzon who stated that presently there is a parking ban for all vehicles between the hours of 1:00 a.m. and 7:00 a.m. during the months from November to April. This would prohibit commercially registered vehicles from parking on village streets throughout the year during the hours mentioned. A public hearing was previously held on December 26, 1978 regarding this. Before making a decision, the Board felt this should be referred to the Traffic and Safety Committee for their opinion. The report of the Traffic and Safety Committee states: "This Committee recommends the adoption of a No Parking Ordinance for Commercial Vehicles on Village Streets from 1-7 a.m. all year around." Trustee Kuzon advised that the Town already has a similiar ordinance.

PUBLIC HEARING

AMEND Traffic Code

No parking of Commercial Vehicles on Village Street between 1:00 A.M. and 7:00 A.M.

Robert Krieter, 62 Eagle Street, stated he was in support of this ordinance. He feels this would help to stop the encroachment of commercial interests into the residential areas.

Richard Naylor, 204 S. Cayuga, stated he supported this ordinance.

James Saia, 20 Belmont, stated he was in favor of this. This has been a recurring problem for 10 years.

Trustee Kuzon said that one of the difficulties seen back in December was that many families have vehicles which are registered commercially such as vans, recreational vehicles and four-wheel drive vehicles. The Board felt this ordinance might create a hardship on those individuals. This was discussed at the Traffic and Safety meeting and one of the items mentioned was that these vehicles have to park off the street during the winter months presently and if they can be parked off the street then they could be parked off the streets the rest of the year also. Another item mentioned

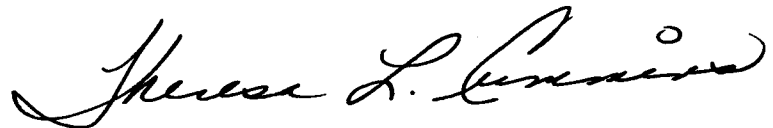
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was that with the Town having such an ordinance in force now might not those living in the Town park their vehicles on Village streets.

Mrs. Carolyn Schlifke of the Traffic and Safety Committee stated the main thing is that if these people can find places to park these vehicles in winter they can find places to park them in the other months of the year.

ON MOTION by Trustee Kuzon, seconded by Trustee Sugg, the hearing was closed at 7:43 PM.

Unanimously carried.



Theresa L. Cummins,  
Village Clerk-Treasurer