

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 13, 1989 at 7:32 P.M.

Present: Lawrence R. Brenton, Mayor
Robert V. Bindert Trustees
Ronald Daniels
Yvonne Kaye
Richard P. Sweeney

Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Treasurer
David Laubisch, Supt. of Public Works

The Clerk read the notice of public hearing on November 13, 1989 at 7:30
P.M. for the purpose of hearing all persons interested in discussing a
proposed local law which would repeal the current Zoning Codes, Sections
70.01 through 70.610 and adopt new Zoning Codes, Sections 70.01 through
70.24.

ON MOTION by Trustee Sweeney, seconded by Trustee Kaye, it was moved to
open the public hearing at 7:32 P.M.

Unanimously carried.

Trustee Sweeney stated he would like to introduce Michael Kibby, the
primary author of most of the code who was a former Trustee and now
Chairman of the Board of Appeals to conduct a discussion of the changes.

Trustee Sweeney also stated as with all hearings held by the Village
Board, the Board does not intend, nor is it it's policy to try to reach a
decision on this subject this evening. The Zoning Code is a substantial
part of the Village local laws. It is approximately a 60 page document
and it sets the tone for development, helping to protect the
environmental quality, preserve commerce and set the general tone for
commerce and residential quality within the Village.

Trustee Sweeney commented this is a substantial document. The Board has
already received some comments that will require further consideration
and modification as part of the hearing tonight. He would expect that
there will be substantial comments requiring some significant changes to
the document as written. If so, the document will be referred back to
the Code Review Committee and/or the Board to clarify some revision. An
additional public hearing on the revised document will then be held.

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 13, 1989 at 7:32 P.M.

Trustee Sweeney also commented that the Public Notice on the proposed Zoning Code was more than customarily provided. In addition to the approximately 6 week notice in the newspaper, copies of the Zoning Code were made available to Planning Board members, members of the Board of Appeals, the Village Prosecutor, the Fire Chief, Fire Inspector, the DPW, the Traffic and Safety Committee and Environmental Committee, as well as having been made available to members of the public who requested a copy from the Village Clerk's office. At this point we have received 2 written comments, one from Mr. Norman Wolf and one from Mrs. Carolyn Schlifke. We have received comments from the Traffic and Safety Committee; comments from Mr. Homer Henry, the Editor of the General Code Publishing Corporation; from the Erie County Division of Planning as well as some comments from members of the Businessman's Professional Association, and individual members of the Planning Board. This has been a substantial effort by a number of individuals. The primary author has continued in the effort to revise, clarify and improve this part of the Village Code. Trustee Sweeney turned the hearing over to Mr. Michael Kibby for further discussion of the proposed code.

Mr. Kibby stated that along with himself, Judy Ames from the Building Department, and Attorney Tom Troy have been working on this document for a number of years. As Trustee Sweeney pointed out, this proposed code has been through almost every committee you can conceive of. It has been to the Board of Appeals and to the Planning Board during other draft stages. It has had a great deal of review. That doesn't mean there aren't a couple of problems in there. From the letters they have received, they have indicated there are a couple of problems and he has no problem with addressing those problems. In the letter from the General Code Publishers, Homer Henry, there were 3-4 pages of commentary. Most of it was wording, just phrasing. He thinks of the 4 pages 3.8 are just wording. The other 2 are just clarification.

One problem that has come up, is that the new Zoning Code requires a 20' clearance between the construction of any accessory building such as a garage or shed and your house. The current code calls for 10'. This was brought to our attention and the 20' recommendation was given to us by the Fire Department. The problem it creates in the Village is that in alot of lots, it is impossible to put up a garage and have a 20' clearance between the house and the garage. What happens is that they routinely come to the Board of Appeals and it creates a real morose.

Some other major changes include the codes dealing with accessory apartments. The Village has a problem with that and it is hoped the change will eliminate the problem.

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 13, 1989 at 7:32 P.M.

Trustee Sweeney stated there are 3 categories of zoning - residential,
commercial and manufacturing. He asked if there were anyone in the
public who would like to address the proposed code in regards to
residential zoning. The code proposed the following 3 categories of
residential zones, R1, R2, R3 as well as R3M.

Mrs. Lerocque, 98 Chalmers Street, questioned if that would have anything
to do with vehicles in driveways?

Trustee Sweeney stated there is a requirement for offstreet parking for
each category of residential zone property parking.

Mrs. Lerocque stated according to the article in the paper, all pickup
trucks with commercial plates have to be enclosed in garages. The Motor
Vehicles Bureau states that they are not allowed regular traffic plates
but must have commercial plates. Will the code include pickups and
commercial vehicles under cover?

Trustee Sweeney stated that the proposed code does say that all
commercial vehicles housed in a residential area have to be in an
enclosure.

Michael Kibby stated that Page 41, Section 71B42 states that other than
for customary delivery of goods and services, the parking or storage of
any commercially licensed vehicle shall be with a wholly enclosed
building.

Mrs. Lerocque questioned whether a change could be made permitting these
vehicles to remain outside and not requiring them to be enclosed.

Trustee Sweeney stated perhaps a larger gross weight load could be set
for the vehicles. Rather than saying all commercially registered
vehicles, the code could set some weight limit for it and require
enclosure only for larger trucks.

Michael Kibby stated it was the intention of the people who wrote this
section, that the people who use trucks as part of their business should
put them in a garage and not leave them out in the street or the
driveway.

Trustee Bindert questioned if Mrs. Lerocque was sure that all pickup
trucks have to have commercial plates? He was under the impression that
they could have either/or and the commercial plates were cheaper.

Mr. Horey, 106 Highland Drive, stated they can be registered either way.

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 13, 1989 at 7:32 P.M.

Mrs. Lerocque stated if it is registered as commercial then it cannot be changed back to passenger plates. She would like the Board to do something to eliminate this problem.

Michael Kibby said they will check into this question. If it turns out that a person can get a non-commercial plate, then the law looks good as it stands. If you can't, then the Board will have to look at some other alternative.

Mr. Horey questioned if he wanted to put a bedroom and a laboratory in the back of his house, can he do it?

Mr. Kibby stated that if Mr. Horey wants to put a bedroom and a laboratory as a separate structure he may do that providing he does not exceed the bulk regulations, and that he doesn't get too close to his neighbors. He could build a garage if he attaches it to his house. It's building a garage that's 9' or 11' from your house that's the problem or anybody else's house.

Mr. Horey asked if Trustee Sweeney had received a letter from the Traffic and Safety Committee on the proposed local law?

Trustee Sweeney said he received a letter from Trustee Bindert, liaison to the Traffic and Safety Committee, indicated that they had some questions and would be following up on those questions in the form of specific requests in the minutes of their meeting to date. He has not received the minutes of the meeting.

Mayor Brenton commented on the pickup trucks which are used more and more by society today for personal convenience. He wondered if a pickup truck that has no identification on it indicating it is a corporate truck could be factored into the code to alleviate the problem.

Mark Guillame, 100 N. Long Street, asked how is the new code different from the old code?

Mr. Kibby stated the philosophy is basically to clean up alot of the language and take out a number of inconsistencies and plug loopholes. One section that was tightened up was the accessory apartment. It has become a fairly common idea in the Village when someone has an elderly parent they bring them home and take care of them. Later they decide to rent the apartment which is not appropriate in certain residential neighborhoods. More restrictions have been placed on home occupations. A great deal of consideration was given to setbacks, bulk regulations and clarifying the wording for these setbacks. Parking has been specified and become more concrete in commercial districts. High rises have been eliminated. 30' is now the highest building that may be constructed.

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 13, 1989 at 7:32 P.M.

Ms. Judy Ames stated frontage was also a problem.

Mr. Kibby stated it's the little things like where is the front of your
street, the front of your house? What is frontage? What happens if you
live on a pie shaped lot?

Trustee Sweeney stated the Building Department did prepare a page and a
half summary sheet of major changes in the Zoning Code and this is
available for review. He stated that the only category that wasn't
covered as yet was the category for industrial or manufacturing. That is
SM1, light manufacturing, the Zoning Code. He questioned the audience if
there were any questions concerning that category.

Mrs Balk, 31 Garden Parkway, stated she doesn't know too much about the
categories. She lives down the street from South Long Street and would
like to know what category that is. There is a terrific amount of
traffic in that area. She has often walked in the street. There are
mostly big trucks out there. Sometimes they are parked on the wrong side
of the street.

Mr. Kibby stated the area is C3. It was originally manufacturing but
about 4 years ago that area was rezoned commercial. However, to rezone
something does not mean that the people there doing business have to move
out or their business has to come to an end. In fact that is not the
case. Furthermore, if they move out and decide to sell their company "x"
to company "y", who is going to do work very similar to "x", they may
continue to do that kind of work. We cannot stop them. The zone is C3
but the companies are not C3. They are still manufacturing in essence
because that's the way they've been for 50 years.

Mrs. Balk stated she thinks something should be done since it's a danger
to walk down that street.

Mayor Brenton stated that next year when the Village is done with that
sidewalk program, there will be continuous sidewalk through to Main
Street.

Mrs. Balk questioned what will be done if the trucks park on the
sidewalk?

Mayor Brenton stated the trucks will not park on the sidewalk or the
drivers will be issued a summons.

Harmon Wipple, 51 Garden Parkway, questioned if this zoning change will
change the zoning boundaries or what the zoning is in specific areas.

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 13, 1989 at 7:32 P.M.

Trustee Sweeney stated there is only one change in zoning and that is the
elimination of a high rise zone. What was under the previous code R4
zone will no longer exist. The map will have to be changed to show
another category. Other than that, no other boundaries are being
changed. The areas that are currently zoned R1, R2, etc, will remain R1,
R2. The standards that have to be met in the existing R1 or the existing
R2 are being redefined or changed in a number of respects.

Frank Mischler, 186 Evans Street, asked about parking or landscaping
between the sidewalk and the street.

Mr. Kibby read page 41, Section 70.21 B4 of the code which states "No
offstreet parking shall be permitted in any front or exterior side yard
or within 5' of any side or rear lot line except in an established
roadway. In no event shall any motor vehicle be parked on the landscaped
portion of a yard." Number 6 states: "No parking shall be permitted in
the public right of way except on the paved portion of a street or
alley." There are also several categories for commercial. One is
parking shall not be permitted within 5' of the right of way unless you
have a retaining rail no higher than 24', no less than 18' high. Then
you may park within 18' of the right of way. There is a third category.
If you've got a continuous wall of unpierced masonry and that wall is
right on the right of way, you may park within 2" or 3" of it depending
on how thick the wall is. That is in a commercial district. Mr. Kibby
stated no offstreet parking shall be permitted in any front or exterior
or side yard or within 5' of any side or rear lot line except in an
established driveway. In no event shall any motor vehicle be parked on
the landscaped portion of the yard.

Frank Mischler stated in some areas like Academy Street, it is solid
pavement from the sidewalk to the street. He is not sure where the right
of way exists and wondered if parking is permitted there.

Mr. Kibby stated no. According to Section #6, "No parking shall be
permitted in the public right of way except on the paved portion of a
street or alley" If there is a sidewalk, then grass, dirt, mud, gravel,
then street, you can park on the street. You are not supposed to park on
grass, dirt, mud or gravel.

Trustee Bindert stated a year ago a law was sponsored eliminating parking
for a business between the sidewalk and curb. Is that law going to be
eliminated?

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 13, 1989 at 7:32 P.M.

Attorney Troy stated that the intention was to prevent parking of motor
vehicles on people's front lawn. His recollection prior to that time
was that there had been an attempt by members of this Board to bring in a
statutory enactment and nothing ever came of it. He does not recall
precisely if it was defeated or it was passed.

Ms. Ames stated the restriction is currently in the Vehicle and Traffic
section. It's not in the Zoning section.

Trustee Sweeney stated we may have a contradiction.

Ms. Ames stated unless there is a curb in the sidewalk, the right of way
is not delineated. It is difficult to tell someone they cannot park in
the right of way when you can't explain to them where the right of way
is.

Attorney Troy stated the right of way is the front lot line of anybody's
property. Anything beyond that is not right of way.

Mr. Horey asked about the people who put blacktop parking spaces on their
front lawn?

Ms. Ames stated that in the code, Page 41, #5, states that: "In no event
shall more than 25% of any front yard area be paved or used for a
driveway or offstreet parking".

Mr. Kibby stated that section states: "A driveway may extend from the
front edge of the property, through the front yard, to the side or rear
yard of a residence. The maximum width of the driveway at the streetline
and within the front yard should be 24' ". That's alot of driveway. In
Mr. Norman Wolf's comments to the Trustees, he indicates he thought that
was far too wide and indicated that the average street width in the
Village other than main thoroughfare was 24'. The code continues: " In
no event shall more than 25% of any front yard area be paved or used for
a driveway or offstreet parking". Someone could have a 12' driveway and
they probably could have a spur, a turn around a parking depth, that was
12' long and they would be within their 24'.

Mr. Kibby stated the Village had no law precluding those pads at an
earlier time and yet we have a complaint from a person who knows this
material pretty well saying that this 24' is much too wide. We weren't
aware of how wide it was and we were simply saying that we would rather
have a big wide driveway going back than we would to have parking slabs
here and there.

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 13, 1989 at 7:32 P.M.

Mr. Hill stated he doesn't see why a parking slab has anything to do with
a driveway. If you put in an 8' or 10' driveway, can you put a spur off
your house?

Ms. Ames states that's right, as long as he doesn't cover more than 25%
of his front yard.

Marsha Chase, 157 Highland Drive, stated that she lives next to a duplex
where for the last 15 years they have been able to park out front for 6
months to a year. She wouldn't want this person, which is the landlord,
to be able to come in with his driveway which is probably no wider than
10' or 12' wide, then put a spur underneath his front window for his
renters to park there. He should have more adequate parking in the rear.

Mayor Brenton questioned why doesn't a driveway fall under our street
code which requires consent of the Village Board?

Attorney Troy stated this is on the private property. Anything inside
the inner line of the sidewalk, generally that's where the point of your
property begins. This is the area where people put parking pads and
aprons because they have 3 or 4 kids and all their cars are parked on the
street. Most of them have 25' frontage and can't handle all the cars.
It's not controlled.

Mr. Hill stated that the Traffic and Safety Board has requested that all
C, R3, R4, M1 site plans submitted come to the Traffic and Safety Board
before permits are approved. Trustee Sweeney stated he would make a note
of that request.

Trustee Bindert stated that putting additional restrictions in certain
areas, although it might be good in some instances, he thinks it has a
tendency to be overrestrictive. He doesn't know if your better with it
or without it. However, he really has to commend Mr. Kibby, Tom Troy and
Judy Ames for the monumental undertaking on their part. He doesn't agree
with all the changes, but thinks many of the changes are good and must
commend them for it.

Trustee Sweeney stated that zoning is a means, not an end in itself. The
Zoning Code itself is only part of what sets the character of the
community. In that regard, we will continue to work on refining,
revising and perfecting the code, as well as appointing people to enforce
the code and members of the Planning and Advisory Committee to help
interpret that code.

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 13, 1989 at 7:32 P.M.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved
to close the hearing at 8:30 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,
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Present: Lawrence R. Brenton, Mayor
Robert V. Bindert Trustees
Ronald Daniels
Yvonne Kaye
Richard Sweeney

Thomas V. Troy, Village Attorney
Theresa L. Cummins, Village Clerk/Treasurer
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 Sweeney, the minutes of
the Regular Meeting of the Board of Trustees held on October 23, 1989
were approved.

Unanimously carried.

ON MOTION by Trustee Sweeney, seconded by Trustee Kaye, it was moved to
open a public hearing being held for the purpose of hearing all persons
interested in discussing a proposed local law which would repeal the
current Zoning Code Sections 70.01 through 70.610 and adopt a new Zoning
Code, Sections 70.01 - 70.24. (The public hearing was closed at 8:31
P.M.)

Unanimously carried.

Mayor Brenton stated he has no report tonight.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, vouchers in the
amount of \$161,530.12 covering 10/23/89 - 11/9/89 were approved:

| | |
|---------------------------------|--------------|
| payroll fund w/e 11/8/89 | \$ 14,477.54 |
| 10/25/89 | 17,320.13 |
| General Fund | 45,494.60 |
| Water Fund | 32,228.36 |
| Sewer Fund | 6,054.15 |
| Glen Park Joint Activities Fund | 922.75 |
| Water Trust Account | -- |
| Capital Fund | 20,522.11 |
| Community Development Fund | 13,906.92 |
| Trust & Agency Fund | 16,653.56 |

Grand Total \$ 161,530.12

Minutes of the Regular Meeting of the Board of Trustees of the Village of
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Williamsville, New York on Monday, November 13, 1989 at 7:30 P.M.

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| Large Vouchers: | J & I Disposal | \$ 11,965.75 |
| | Erie County Water | 29,131.00 |

Unanimously carried.

Mayor Brenton stated his second resolution deals with a Landscape Architect for the south side of Main Street Beautification Project. We do have the \$75,000 for that project. It will probably have to be augmented with other monies in order to accomplish what we did this year on the north side of Main Street. In order to get this program going, we are hiring the Landscape Architect.

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

RESOLVED THAT Roy V. McCreedy, Landscape Architect, is hereby appointed to provide landscape architectural services for the 1990 Beautification and Landscape Development of a portion of Main Street at a fee of 12 percent of the contract cost of the project per his proposal of October 23, 1989.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, the following resolution was hereby 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 \$ 29,419.11 (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 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,

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 13, 1989 at 7:30 P.M.

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

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 \$29,419.11 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.

Trustee Daniels stated he has no report and no resolutions tonight.

Trustee Kaye stated that the Western New York Railroad Society which is renovating the railroad station on South Long have been putting primer on that building and they have now been able to match the original paint in terms of color. Depending on how much good weather we have in the next month, they will continue to prime and paint it until the bad weather sets in. The Railroad Society has also discovered two additional sets of stained glass windows for a total of 32, of which 3/4 of them are intact. They were very pleased to find these additional windows that they did not realize were there.

Trustee Kaye stated the handicapped accessible ramp is being built for the Big Toy at Garrison Park and should be completed within the next week or so.

Trustee Kaye also stated the Village of Williamsville has received the plans from the Town of Amherst for the proposed emergency access from Rinewalt to Centerpointe. Primarily, all the items that the Village requested, the Town has added into the emergency access. The cul-de-sac at the end of Centerpointe would have curbing all the way around it. There will be grass pavers from the curbing to the gate. The width of those will be reduced from 50' to 12' for emergency vehicles. There is still only one question in the details of the gate which will have to be clarified. However, she has had several complaints within the last 2 weeks about traffic using Rinewalt entering and exiting Centerpointe. It has not only been Rinewalt residents but Farber Lane residents as well. She has requested additional barricades from Tom Ketchum of the Town of Amherst.

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 13, 1989 at 7:30 P.M.

ON MOTION by Trustee Kaye, seconded by Trustee Bindert, it was moved for
a suspension of rules for a resolution not on the agenda.

Unanimously carried.

Trustee Kaye stated the resolution is for a change order for the Lehigh
Memory Trail which no money is involved. The contractor has requested
10-14 additional work days extension of the contract time because of the
inclimate weather.

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

RESOLVED that Change Order #3 allowing Great Lakes Construction
Company an extension of 14 additional work days in their contract
time for completion of the landscaping on the Lehigh Memory Trail.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Bindert, it was moved to
return to the regular agenda.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish notice of public
hearing to be held by the Board of Trustees on November 27, 1989
at 7:30 P.M. in the Village Hall, 5565 Main Street,
Williamsville, New York for the purpose of hearing all persons
interested in discussing a proposed local law which would repeal
Chapter 3 - Amusements; Chapter 11 - Peace and Good Order;
Chapter 21 - Peddlers; and adopt a new Chapter 11 (Sections 11.01
to 11.05) entitled Public Order.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of
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ON MOTION by Trustee Sweeney, seconded by Trustee Daniels, the following
resolution was hereby adopted:

RESOLVED THAT the Village Clerk publish notice of public
hearing to be held by the Board of Trustees on November 28, 1989
at 7:35 P.M. in the Village Hall, 5565 Main Street,
Williamsville, New York for the purpose of hearing all persons
interested in discussing a proposed local law which would repeal
Chapter 17 - Refuse; and adopt a new Chapter 17 - Refuse.

Trustee Bindert stated he believes that this public hearing is in
response to a petition put forward by his neighbors on Garden Parkway in
regards to the problem with commercial refuse containers.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish notice of public
hearing to be held by the Board of Trustees on December 11, 1989
at 7:30 P.M. in the Village Hall, 5565 Main Street,
Williamsville, New York for the purpose of hearing all persons
interested in discussing a proposed local law which would repeal
existing Chapter 5 - Dogs; and adopt a new Chapter 5 (Sections
5.00 to 5.06) Animals.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish notice of public
hearing to be held by the Board of Trustees on December 11, 1989
at 7:35 P.M. in the Village Hall, 5565 Main Street,
Williamsville, New York for the purpose of hearing all persons
interested in discussing a proposed local law which would repeal
existing Chapter 59 - Swimming Pools and adopt a new Chapter 59
(Sections 59.001 through 59.07) entitled Swimming Pools and Hot
Tubs.

Unanimously carried.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved
to suspend the rules for a resolution not on the agenda.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of
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Trustee Sweeney stated his additional resolution concerns the problem
that the Village faces at the present time with the resignation of
Richard Delo, as Village Building Inspector. Because of growing concern,
he is proposing an appointment as an interim measure, that is make an
appointment due for a Building Inspector as a part-time and temporary
appointment.

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

RESOLVED THAT Roy V. McCready is hereby appointed interim
Building Inspector, part-time, at a rate of \$22.50 per hour,
effective November 14, 1989.

Unanimously carried.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved
to return to the regular agenda.

Unanimously carried.

Trustee Bindert commended the Youth and Recreation Committee for the
outstanding job they have been doing. It seems like year in and year
out, especially this last year, all of their events have been extremely
well attended. He wants to give them special commendations for the fine
job they did on the Halloween party. Last year they gave out
approximately 250 pumpkins. He estimates a crowd last year at
approximately 500-600 people. This year, from what he understands, the
crowd was even greater. They gave out 400 pumpkins. They had 35 gallons
of cider and it all went. The Youth and Recreation Committee run many
programs. First of all is the Fishing Derby of which the costs are
shared with the town. This is probably the most expensive activity that
they have. They also have about 10 or 12 summer activities. On a weekly
basis something comes up, a sing a long in the park, a bike derby or
whatever. They get involved in the Halloween party; there's a winter
caroling event right around Christmas time; the Winter Fest. The cost of
all these programs for the Village is probably approximately \$3,500.00.
That's fantastic when you stop and think about it.

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 13, 1989 at 7:30 P.M.

Trustee Kaye stated when they get out they move the barricades so that the drivers can get through. She agrees with Mr. Avery. If you make it more of a deterrent, she thinks there will be fewer people who will come through the area. Also, the way it's situated right now on both sides, there is a deep ditch that was dug when the contractors violated the stop-work order by the Town. We requested that stone be put in so that we could have access to the water tower house. As you may be aware, there are deep ditches on each side because they didn't fill it in all the way across where the pavement was. The people try to go around the barricade in the dark and fall in the ditch.

Mr. Avery stated he doesn't know if the Board is aware, but today after they were done, a Village truck does not have access into that pumping station. There's no way you could put a truck in there unless you go across Yvonne Kaye's property?

Mayor Brenton stated Superintendent Laubisch will investigate that tomorrow. If that's the case, then we will contact the contractor to restore that accessibility. He particularly spoke to the Developer's Field Representative. He told him how important that was, that we have 24 hour accessibility to that road so that we be able to service our pumps. In particular should there be a fire, we must be able to access the pumps.

Maryanne Avery, 64 Garrison, asked why there is so much traffic on Main Street of a very heavy nature, such as interstate haulers. She saw one the other day that was hauling automobiles. She wonders how much the Main Street bridge can take. Since it is not really under the jurisdiction of the Village, who she go and complain to about this situation. They are bypassing the thruway and they are coming right through the Village. It's very dangerous.

Mayor Brenton said the bridge can take all the weight it is given. Mayor Brenton stated he hasn't found traffic to be all that bad on Main Street compared to the past. He doesn't know if anybody else really notices. Maybe she is driving certain hours of the day when he isn't.

Trustee Bindert stated that it is true to a certain extent. Traffic will go where traffic is going to go. We did eliminate one of the commercial routes for the truckers on Wehrle Drive.

Mayor Brenton stated he thinks the bulk of traffic of concern to most of the residents on Wehrle Drive is dump trucks that are laden with stone, sand, gravel pods that are coming directly from the Wehrle Drive pits. He doubts that a trucker would really want to drive out Route 5 nor would his owner allow for it.

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

RESOLVED THAT Stephen Charboneau, 252 Highland Drive, is hereby appointed to the Youth Committee until the end of the 1989-1990 official Village year.

Unanimously carried.

Mayor Brenton stated Trustee Bindert has brought to our attention the fact that we do have a very active Youth Board. He thinks if we reflect on where that activity should begin, that would be former Trustee Saia. He was the spearhead in getting the Youth Board started.

Mr. Laubisch stated he would like to remind Village residents that the winter parking ban is in effect. If the vehicle is on the road at night it will be ticketed.

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

Unanimously carried.

Elroy Avery, 75 Rinewalt Street, stated he is at the intersection of Essjay and Rinewalt. With people driving into his yard, turning around and coming through the Essjay situation there, it's becoming a little bit of a hazard situation. He asked the Board if they would give him an extra barricade to put up there and he will make sure it's in place to stop the traffic coming through there. He doesn't want them to get use to it.

Trustee Bindert questioned if that street is designated as a dead end street. Mr. Avery stated yes it is. There is a sign at the foot of the street which is down and we keep putting it back up.

Mayor Brenton questioned Attorney Troy if there would be any problem with installation of barricades at the end of that street on a temporary nature on that course of the street that we presently hold an easement. Attorney Troy stated he would need to check to see if it runs beyond Village limits.

Mr. Avery questioned how do they stop the sightseeing traffic in the meantime? The cars are coming in off of Sheridan, up Essjay, into the escarpment and right through Rinewalt.

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It is very uneconomical to utilize the highway of that nature. He thinks
what we are seeing probably are some shipments designated for some local
delivery or something like that. He doesn't think it is interstate.

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

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved to
adjourn to Executive Session at 9:20 P.M. to consider a personnel
problem.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, it was moved to
return to the regular agenda at 10:30 P.M.

Unanimously carried.

ON MOTION by Trustee Kaye, seconded by Trustee Sweeney, it was moved to
adjourn at 10:32 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer