

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, February 26, 1990 at 7:35 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 February 26, 1990 at 7:35 P.M. for the purpose of hearing all persons interested in discussing a proposed revision to the Village zoning code - Chapter 70.

ON MOTION by Trustee Sweeney, seconded by Trustee Kaye, it was moved to open a public hearing at 7:45 P.M.

Unanimously carried.

Trustee Sweeney stated that he wanted to point out that this is a second public hearing on the proposed revised zoning code. The first public hearing was held November 13, 1989. If anyone is interested, the Village Clerk has a copy of the public hearing record.

Trustee Sweeney also stated that the public hearing tonight is basically to provide the public an opportunity to ask questions, make statements regarding the proposed local law. It is not the Board's intent to reach a decision and vote on the zoning code as proposed this evening. That will be postponed indefinitely at this point.

Trustee Sweeney stated that with this being the second public hearing, he foresees a third public hearing on the zoning code, simply from the perspective that the Board has been dealing with a code that is being streamlined, standards are being adjusted, and the text is being modified to provide consistency, uniformity and streamlining. Up to this point we have not addressed the possibility of rezoning given areas of lands in the Village. That is the reason he sees as the need for a public hearing.

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Bob Kreiter questioned why no parameters had been set and what about a dumptruck or a tractor with a backhoe in it? Can they park that right in front of his house?

Trustee Sweeney stated no. We are talking about a standard for offstreet parking in a residential district. The proposal is specifically that a single commercially registered vehicle could be parked on the outside of a building within the property. The previous code prohibited that without setting a specific weight limit.

Bob Kreiter stated he would like to see it get changed.

Trustee Daniels questioned Mr. Kreiter if he had any recommendation for a weight limit?

Mr. Kreiter said he doesn't think there should be any commercial vehicles in a residential area. That's why he lives in Williamsville. He doesn't want to look at any trucks.

He stated if the truck was parked under cover, he would have no objection. He doesn't want to look at any trucks.

Trustee Sweeney related some of the concerns that went into the development in this particular section. Based in this last public hearing, there was much opposition to a strict banning of commercial vehicle parking in a residential district. The revised code does not include a weight limit because that was felt to be a difficult enforcement issue. However, this issue will be re-examined again.

Carolyn Schlifke, 192 Evans Street, stated she would like to get into 70.10, classification of annexed territory. She believes the way the code used to read is if a piece of property is to be annexed into the Village, it came in with no classification. It was then up to the Village Board to put a classification on it. In the copy that she has now, it states that if a piece of property is classified residential and the Village annexes it in, it stays residential unless the Board votes differently on it. It then becomes a rezoning rather than zoning.

Trustee Sweeney stated he has difficulty in responding to the question in that the text is different in the code before him. That is one of the issues that he did say was a rather significant change, that there was previously in the old code. In the code as proposed in the November hearing, there was a multiple step process. The present text has been simplified to read: "Classification of Annexed Territory - The zoning classification of any area herein after annexed shall be established by the Board of Trustees at the time of annexation". It doesn't deal with the mechanics, it simply specifies that the procedure will be that the Board will identify the zoning class at the time the property is annexed.

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Trustee Sweeney commented that the code before us tonight is a substantial document. It is primarily the work of the Code Review Committee including former Trustee Michael Kibby, Judith Ames, the Village Building and Zoning Clerk, Attorney Thomas Troy and himself. Because the changes are numerous, Trustee Sweeney stated he would not go through each change that has been made but he would point out 3 or 4 major areas that were a topic of frequent public comment at the last public meeting.

The first is that the proposed code before us this evening continues the proposal to eliminate R-4 or high rise zoning class. This would follow from the basic philosophical approach to restrict and prevent future high rise developments within the Village without enacting any statute that would make it impossible for the existing high rise developments that we have to continue. We're not going to make anything come down. The second area that was an item of frequent participant comment was a proposal to increase the separation distance in residential zoning classes - separation distance between a principal building and any accessory structure. The previous text proposed increasing the separation distance from 10' to 20'. Based on the results and comments at our previous public hearing, the Code Review Committee has revised the wording so that the separation distance returns to 10'. Any location of 2 buildings closer than 10' would require a fire rating for the accessory building. In no case would the accessory building be located closer than 8' to the principal structure. A third item that was a subject of inquiry at the last public hearing dealt with commercial vehicle parking in residential districts. The proposal at the last public hearing was to prohibit commercial vehicle parking in residential districts. The revised text that we have before us this evening would enable one commercially registered vehicle to be parked in or at a residence on the outside. The fourth major change in the procedure concerning annexation of property into the Village, an infrequent occurrence, but one that has been and would continue to be subject to close public scrutiny. Therefore, the code now would provide that the zoning class of the area will be established by the Board of Trustees at the time of annexation. It would be a process of the public being informed of the proposed class for the property as it is annexed. It would not be a 2 or multiple step process of annexing and then establishing a zoning class. Trustee Sweeney stated he has a full text of the zoning code, a full text of the prior hearing as well as a number of notes concerning specific sections that were changed and/or any comments that were made in writing to the Village Board concerning the zoning code. If anyone has questions relating back to those documents, they should feel free to ask them.

Bob Kreiter, 62 Eagle Street, questioned the parameters for parking commercial vehicles in a residential area and what is the weight limit?

Trustee Sweeney stated there are no parameters and there is no weight limit.

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Carolyn Schlifke questioned if that gave the Board the option of changing that zone? Are you going to be just making a statement or are you going to hold a public hearing?

Trustee Sweeney stated that regardless of what the property was previously zoned or the zoning class at the time of annexation, the Board would still have the authority at almost any time to open up the possibility to hold a rezoning hearing and change the zoning.

Carolyn Schlifke said she thought it was New York State Village law, not Village of Williamsville law, that when a piece of property was annexed into another municipality, it did not carry with it the classification that it had. The municipality doing the annexation was therefore, given the option to classify this a commercial, residential or whatever. What your doing now by bringing it into the Village of Williamsville with the existing proposal, you are not going to.

Trustee Sweeney stated that the text and the intent is that the Board of Trustees will announce the zoning for the area being incorporated into the Village limits.

Carolyn Schlifke questioned if the Board is just going to make a public announcement that they want to annex this piece of property from the Town of Amherst or Cheektowaga and that say this is now a commercial piece. Are you going to be obligated to hold a public hearing and change that to whatever the person is going to have that piece of property wants it to be?

Attorney Troy stated that any time a new piece of property is brought into the Village, the Board is going to consider the appropriateness of the existing zoning category. There will be public hearings. The Board will go through a routine just as you know we should and just as this Board intends to.

Carolyn Schlifke stated she is bothered that the Village writes an ordinance that is contrary to the State of New York Village law.

Mayor Brenton stated what Mrs. Schlifke is suggesting is that portion of the proposed code be stricken because it is redundant since we do have procedures and New York State law which governs Villages throughout the State of New York. He thinks her question is then do we really need that language?

Carolyn Schlifke stated yes, more or less. We are governed by Village law which should take precedence and our own Village ordinances should work in conjunction with that Village law. She also stated she did not see any mention of TV dishes, especially in residential areas. She wondered whether this might be a good time to put something in, even if the law changes. It could be changed in the future, but atleast to have some basis for these particular items in residential areas.

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Trustee Sweeney stated the point he wants to make is though, there is no
provision in our zoning code as it stands to regulate the installation of
TV dishes. You are suggesting we add some provisions.

Mayor Brenton stated he provided information to Mrs. Ames several years ago
regarding TV dishes with input from people that use short wave radio for
the purpose of transmission throughout the world. To prevent those would
be a question of legal dimensions since these people use transmission and
receiving short wave radio communications and are protected under federal
laws, the Federal Communications Commission laws. He thinks the feeling to
enact a law which prohibits dishes could border on being illegal. In any
event, it had been considered, and the feeling that he got was it would be
very difficult to enact that legislation.

Carolyn Schlifke stated her suggestion was not prohibit the dishes but to
give guidelines as to where they could be installed so as to protect the
residential nature of the neighborhood.

Trustee Sweeney stated that the Board will consider that suggestion.

Harmon Wipple, 51 Garden Parkway, questioned if there were any changes in
the Zoning of any of the property in the Village? He has heard some talk
of an M-3 zone.

Trustee Sweeney stated no. This is a point he made that he foresees in the
future hearing to deal with some changes that have been suggested. Trustee
Sweeney stated our existing code simply provides an M1 light manufacturing
district.

Trustee Kaye stated she would like to comment on 70.20 light manufacturing
district. She would like to see junkyards eliminated from that district.
Looking at the level of residential community that we have in the areas of
light manufacturing, and that we do have the districts continuing to be
upgraded and cleaned up, she doesn't see where we would want to put a
junkyard within our Village.

Attorney Troy stated we can't exclude a legal activity. We can license and
regulate it carefully, but we may not prohibit it altogether. It is a
legal activity.

Trustee Kaye stated she would then like to see some regulations and
stipulations on junkyards in the Village. She also commented on commercial
vehicles. It was her understanding that one of the things the Board was
trying to do was to help those residents of our Village who own a small
pickup truck or van as their primary vehicle to be able to allow them to
park that in their own driveway. That is what we are looking for, to
possibly find a way to restrict or control other kinds of commercial
vehicles that are larger and obtrusive in nature.

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Trustee Sweeney stated that suggestion has been made this evening. That's
the opinion the Board will take back to the Code Committee and see if there
is a practical way of resolving that issue. Basically we've changed from
prohibiting all commercially registered vehicles from parking outside in a
residentially zoned district to allowing one commercially registered
vehicle to park in a residential district. He thinks in a large part this
reflects the popularity of vans, pickup trucks, Broncos, etc. that are
frequently registered commercially.

Mayor Brenton stated that the intent of the Board when we discussed this
was that those in our community who utilize vans and small pickup trucks
for the primary sources of transportation will continue to use them. Many
of those vehicles who do have commercial plates designate them as
commercial. However, the Village definitely has to have some preclusion
against vehicles of a large size with commercial advertising, etc. He
thinks that the Board, in particular Trustee Sweeney, will address the
issue and more than likely come back with some change in that section of
the law.

Trustee Sweeney stated it is not the intent of the Board to finalize it's
decision on the proposed code this evening. If in fact there were
significant revisions to the text of the zoning code presented and
available, there will be a further public hearing before those specific
changes are enacted.

ON MOTION by Trustee Sweeney, seconded by Trustee Bindert, it was moved to
close the hearing at 8:15 P.M.

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 Williamsville Village Hall, 5565 Main Street,
Williamsville, New York on Monday, February 26, 1990 at 8:16 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 to be held on February 26, 1990 at 7:40 P.M. for the purpose of hearing all persons interested in discussing that the Village of Williamsville expects to receive approximately \$36,000 of community development block grant funds from the U.S. Dept. of Housing and Urban Development for the 1990-1991 program year. Special emphasis will be placed on projects which benefit moderate and low income residents.

ON MOTION by Trustee Bindert, seconded by Trustee Sweeney, it was moved to open the public hearing at 8:16 P.M.

Unanimously carried.

Trustee Bindert described the community development block grant area as the area directly behind the Long Street athletic field going out on the other side of Main Street and going along Glen Park down along Mill Street to approximately Chalmers and going up along S. Ellicott Street and encompassing this entire area here where we are seated. This area is a community block grant development area. The Village of Williamsville received \$39,000 last year and this year we should receive \$36,000. Of that amount approximately \$8,000 is used for housing rehabilitation which is available to residents of limited means to rehabilitate their primary houses. This would leave approximately \$28,000 for other projects. There is already a commitment for some work for water lines on Gordon Street from last year. That leaves a balance of about \$21,770 to be appropriated for in the 1990 budget. Trustee Bindert then gave some examples of what this money can be used for. It can be used by the grantee or other public or private non-profit entity for the acquisition, construction, reconstruction, rehabilitation, or installation of public improvements or facilities provided such improvements or facilities meet a national objective of this program.

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Such examples are: public facilities and improvements include but are not
limited to shelters for the homeless, water and sewer facilities, flood and
drainage improvements, fire protection facilities, equipment, community
senior and health centers, parking, streets, curbs, gutters, sidewalks,
parks and playgrounds.

Carolyn Schlifke, 192 Evans Street, stated that last year the Board changed
the parking on Park Drive at Garrison Park from the North to the South
side. At that particular meeting, there was considerable concern by
members of the Park's committee and other people as to what happens when
people park where there is no curb. They think it would infringe on grass
areas causing problems and rutting out sides of the roadway. Then you have
mudholes when it rains. She heard Trustee Bindert mention that an
acceptable use for these funds is for Parks, sidewalks and street areas.
She would like to suggest to the Board that they consider placing a
sidewalk on the north end of Garrison Park with a gravel shoulder. It is
illegal to park on the sidewalk. This would automatically keep cars on the
shoulder and off of the sidewalk. It also would provide a safe means for
people exiting their cars instead of having to walk in the roadway. It
would allow the children who are not allowed to run their bicycles through
Garrison Park to circumvent the park by staying on a sidewalk around the
park, rather than now with cars parked on that side of the street, having
to go almost in the middle of the street or ride through the park. She
feels there is a safety factor there. It would allow people with handicaps
to use a paved area to get into the park rather than having to walk either
on the gravel or on the side of the road or in the middle of the street.
If the monies could be available for something like this, she thinks it
would help solve the problem that the Village is looking at with moving
that parking to that side of the street.

Trustee Bindert stated that according to the map, the Garrison Park area is
not in the targeted C.D. area.

Trustee Kaye stated the Park's Committee has been addressing that
particular problem and looking at requesting some budget money this year to
correct that particular situation.

Carolyn Schlifke stated she did mention it to Trustee Kaye personally last
year after the parking was moved and felt it was something that could be
brought up at this time.

Harmon Wipple, 51 Garden Parkway, stated that South Long is in the targeted
area. Right along the ballfield, the sidewalk from being driven over and
parked on at every ball game, is so sunken, it is actually covered with
dirt. There is no sidewalk. That sidewalk should be raised to where
people can walk on it instead of in the road and then a fence erected so
that people cannot park on the ball diamond area. As long as they can
drive over there, they push that sidewalk right down. The mud washes into
it and it can't be used.

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Mayor Brenton stated that sidewalk was rehabilitated last year. We did
Long Street but stopped at the park because we didn't know what we were
going to do there.

Matt Bierl, 146 Los Robles, questioned if the target area includes the area
of Island Park. He is concerned with the erosion problem on the Island.

Trustee Bindert stated that is a good suggestion, however the majority of
the Island is really not incorporated into the targeted area. However Glen
Park is in the target area.

Mayor Brenton stated as we have done in the past with community development
funds, a certain amount is allocated for low and moderate income housing
improvements. He thinks that is the criteria that we should continue to
follow. He also thinks it would be advisable for the Village to continue
to use the funds for the replacement of water lines where those water lines
are found within the targeted area. He would suggest use of those funds
for the purpose of replacing the Swan Street water line which has had 4
breaks within the last 5 years. These breaks are of course very expensive.

He thinks that we should use some of these funds this year for Swan Street.

Additionally funds received in a future year for completion of Swan Street
waterline would be a wise expenditure.

Trustee Kaye stated it is her understanding actually that the portion right
in front of Lehigh Memory Park would be within the target area. So there
might be a possibility to expedite a portion, if so desired, of those funds
to put a sidewalk where one does not exist in that area.

Mayor Brenton stated the sidewalk was purposely left out from that area
because of the construction that was occurring. He suggested that those
funds come from general fund monies and if necessary, from the sidewalk
rehabilitation program.

ON MOTION by Trustee Bindert, seconded by Trustee Daniels, 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,
Williamsville, New York on Monday, February 26, 1990 at 7:44 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

Mayor Brenton called the meeting to order with the Pledge of Allegiance at
7:44 P.M.

Mayor Brenton stated a special meeting was held in honor of Lt. Joe Adamy,
who passed away in the line of service. He asked that everyone bow their
heads in a moment of silence in respect for Lt. Joe Adamy.)

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the minutes of the
regular meeting of the Board of Trustees held on January 22, 1990, were
approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Daniels, the minutes of the
public hearing - the proposed local law to repeal Section 3.200 - Coin
Operated Amusement Devices - of the Board of Trustees held on January 22,
1990 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the minutes of the
public hearing - Proposed local - Amend Chapter 1.00 - Village Sign Code -
of the Board of Trustees held on January 22, 1990 were approved.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, the minutes of the
special meeting of the Board of Trustees held on January 30, 1990 were
approved.

Unanimously carried.

Minutes of the Regular Meeting of the Board of Trustees of the Village of
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Williamsville, New York on Monday, February 26, 1990 at 7:44 P.M.

ON MOTION by Trustee Sweeney, seconded by Trustee Kaye, it was moved at
7:45 P.M. to open a public hearing being held for the purpose of hearing
all persons interested in discussing proposed revisions to the Village
Zoning Code - Chapter 70.00. (The public hearing was closed at 8:15 P.M.)

Unanimously carried.

ON MOTION by Trustee Bindert, seconded by Trustee Sweeney, it was moved at
8:16 P.M. to open a public hearing being held for the purpose of hearing
all persons interested in discussing the 1990-1991 Community Block Grant
Program. (The public hearing was closed at 8:30 P.M.)

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Sweeney, vouchers in the
amount of \$69,330.32 covering 1/20/90-2/5/90 were approved:

payroll fund w/e 1/28/90	\$	18,358.38
General Fund		30,404.25
Water Fund		3,730.27
Trust & Agency Fund		6,358.23
Glen Park Joint Activities Fund		10,479.19
Capital Fund		
Community Development Fund		

Grand Total	\$	69,330.32

Large Vouchers:

J & I Disposal	\$	11,965.75
Town of Amherst Highway	\$	9,365.09
Occidental Chemical Corp.	\$	4,072.01

Unanimously carried.

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ON MOTION by Mayor Brenton, seconded by Trustee Daniels, vouchers in the
amount of \$92,606.33 covering 2/5/90 - 2/23/90 were approved:

payroll fund w/e 2/10/90	\$ 16,541.63
General Fund	38,268.63
Water Fund	29,285.40
Sewer Fund	271.31
Trust & Agency Fund	4,544.22
Glen Park Joint Activities Fund	330.24
Capital Fund	3,364.90
Community Development Fund	—
Grand Total	92,606.33

Large Vouchers:

Erie County Water Authority	\$ 25,443.85
Niagara Mohawk Power	6,957.66

Unanimously carried.

Mayor Brenton stated that the Village has asked the attorneys who represent
us regarding the Centerpointe Development to meet with the Board. In order
to discuss that situation under the laws governing the operations of the
Villages of New York, we are permitted to go into Executive Session because
there are some very sensitive questions regarding the Village's future
pursuit of that endeavor.

ON MOTION by Mayor Brenton, seconded by Trustee Bindert, it was moved at
8:30 P.M. to go into Executive Session for the purpose of discussing the
Centerpointe situation with attorneys from Magavern's and Magavern, who are
Mr. James Magavern and Mr. Milton Kaplan.

Unanimously carried.

ON MOTION by Mayor Brenton, seconded by Trustee Kaye, it was moved to
return to the regular session at 9:55 P.M.

Unanimously carried.

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

RESOLVED THAT Judith Ames, Village Building and Zoning Clerk, is
hereby authorized to attend the Fifteenth Annual Building
Officials Educational Conference in Rochester, New York, from
April 2 - 4, 1990, and the cost, not to exceed \$350, to be paid
by the Village of Williamsville.

Unanimously carried.

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

RESOLVED THAT Local Law #5-1990, which repeals Village Code
Sections 3.200 (1) through 3.200 (9) entitled "Coin Operated
Amusement Devices" and which was the subject of a public hearing
on January 22, 1990, is hereby adopted.

Unanimously carried.

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

RESOLVED THAT existing part of the Village Code entitled Chapter
#1.00, "Sign Code" is hereby repealed, and

FURTHER RESOLVED THAT Local Law #6-1990, Chapter 1.00, Sections
1.01 through 1.12, entitled "Sign Code", which was the subject of
a public hearing on January 22, 1990, is hereby adopted, as
amended.

Unanimously carried.

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

RESOLVED THAT the Village Clerk publish notice of a public
hearing to be held by the Board of Trustees of the Village of
Williamsville on March 12, 1990, at 7:35 P.M. for the purpose of
hearing all persons interested in discussing a proposed local law
which would repeal the existing Section 24.00 of the Village Code
entitled "Landscape Law," and would adopt a new Chapter 24.00,
Sections 24.01 through 24.05, entitled "Landscaping."

Unanimously carried.

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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 of the Village of
Williamsville on March 12, 1990, at 7:40 P.M., for the purpose of
hearing all persons interested in discussing a proposed local law
which would repeal the existing Section 60.00 (Sections 60.10
through 60.99) of the Village Code entitled "Traffic Ordinances,"
and adopt a new Chapter 60.00 (Sections 60.01 through 60.20)
entitled "Vehicles and Traffic".

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 of the Village of
Williamsville on March 26, 1990, at 7:35 P.M., for the purpose of
hearing all persons interested in expressing an opinion on a
proposed rezoning of existing residentially developed lots
located on the east side of Reist Street between Glen Avenue and
West Spring Street, from C-2 to R-3.

Unanimously carried.

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

RESOLVED THAT Michael E. Way, 5415 Main Street, is hereby
appointed Laborer, P/T. in the Glen Park, effective February 7,
1990, at a rate of \$4.50 per hour. Compensation to be paid from
the Glen Park Joint Activities Fund Budget.

Unanimously carried.

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

RESOLVED THAT the following budget transfer is hereby made in the
General Fund:

	From		To
01-8500-8510-2000	\$1,300.00	01-8500-8510-4450	\$1,300.00

Unanimously carried.

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

RESOLVED THAT Mayor Lawrence R. Brenton is hereby authorized to
execute, on behalf of the Village of Williamsville, Option
Agreement between the Village and the Village of Albion for the
sale of a 75 foot telescopic aerial platform fire apparatus
presently owned by the Village of Williamsville, together with
equipment as outlined in Schedule "A" attached to the Option
Agreement.

Unanimously carried.

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

WHEREAS, the Northeast Communities Solid Waste Management Board,
the Northwest Communities Solid Waste Management Board, and the
Southtowns Solid Waste Management Board have been established
with the assistance of Erie County under Section 5G of Municipal
Law to cooperatively address their solid waste management
responsibilities; and,

WHEREAS, the three Boards are coordinating their efforts among
themselves and with the Cities of Buffalo and Lackawanna; and,

WHEREAS, the solid waste options under consideration will comply
with the hierarchy in the State Solid Waste Management Act of
1988, for recycling, reuse and disposal; and,

WHEREAS, the State Solid Waste Management Act of 1988, also
established a deadline for the passage of mandatory municipal
source separation ordinances by September 1, 1992; and,

WHEREAS, the municipalities, through cooperative structures are
committed to implementing recycling as environmentally
beneficial; and,

WHEREAS, the \$7 million allocation to Erie County from the 1972
Environmental Quality Bond Act will be used for reimbursing 50%
of the capital cost for both low technology and high technology
recycling and composting systems, would encourage implementation
in an economic environment where recycling is, at best, marginal.

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, February 26, 1990 at 7:44 P.M.

NOW, THEREFORE, BE IT RESOLVED, that the Village of
Williamsville, as a member of the Northeast Communities Solid
Waste Management Board, requests that the Governor, by amendment,
reappropriate the \$7 million to Erie County for both low and high
technology recycling and composting systems, including as
eligible costs, the purchase of collection equipment, sites,
existing structures, modification of existing structures,
construction of new structures, processing equipment, hauling
equipment and association engineering, environmental, financial
and legal services; and be it further,

RESOLVED, that Erie County be authorized to contract for the pass
through of these EQBA funds with municipalities, districts,
authorities, and/or agencies for the benefit of recycling and
composting systems.

Unanimously carried.

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

Unanimously carried.

Trustee Daniels stated this is a resolution of the Northeast Communities
Solid Waste Management Board showing support for further activities and
planning. So far they are acquiring a recycling facility for that use.

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

RESOLUTION TO SUPPORT THE FURTHER DEVELOPMENT OF THE
PROPOSED NORTHEAST BOARD RECYCLING FACILITY.

WHEREAS, the Northeast Communities Solid Waste Management
Board has been pursuing the development of a recycling
facility, which if implemented would be of benefit to the
residents of the Village of Williamsville; and

WHEREAS, the proposed recycling facility project is
undergoing a coordinated review in accordance with the
procedures of the State Environmental Quality Review Act
("SEQRA"); and

WHEREAS, the Northeast Board and the Erie County
Industrial Development Agency need to know which
municipalities support the further development of the proposed
Northeast Board recycling facility, including completing the
SEQRA review process, to determine whether or not on-going
project planning activities should be continued or halted.

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NOW, THEREFORE, BE IT

RESOLVED, that the (Village of Williamsville) supports
the further development of the proposed Northeast Board
recycling facility, which includes completing the SEQRA review
process and undertaking project planning activities that are
of a non-binding nature; and BE IT FURTHER

RESOLVED, that certified copies of this resolution be
sent to the Erie County Industrial Development Agency, the
Chairman of the Northeast Communities Solid Waste Management
Board, and the Mayor of the Village of Depew.

Trustee Sweeney stated he would like to comment that he has no objection to
the proposed resolution but does want to express his personal concern with
the proposed procedure outlined by the Northeast Communities Solid Waste
Management Board for the Erie County Industrial Development Agency to be
the eventual owner of the recycling facility and leasing it to the
municipalities. He does have a philosophical objection to the Industrial
Development Agency inserting itself into this situation of competition with
industry aiding municipalities that could probably float bonds at only
slightly higher interest rate. He would like to see the Board pursue the
option of direct ownership of the facility.

Trustee Daniels stated the reason was a tax consideration. It was felt if
it were part of the Erie County tax structure, that it would be totally
removed from the budgets of each individual community. What it does is
provide exactly the same cost for every resident. Every taxpayer would be
paying the same amount. It's a uniform tax as opposed to something that
may or may not apply to every taxpayer depending on the implementation.

Trustee Sweeney stated in part he is objecting to acting on what is
strictly summary information on financing that he is sure Trustee Daniels
and David Laubisch attending the Northeast Solid Waste Board's meetings
gave gotten alot more of the detail.

Unanimously carried.

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

Unanimously carried.

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ON MOTION by Trustee Kaye, seconded by Trustee Daniels, the following
resolution was hereby adopted;

RESOLVED THAT Wesley Stone is hereby appointed to the Historic
Preservation Commission, as a representative from the Planning
Board, until the end of the end of the 1989-90 official Village
year.

Unanimously carried.

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

RESOLVED THAT David Laubisch and one other Village official is
hereby authorized to attend the First Annual Recycling Conference
to be held on March 22 and 23, 1990, in Liverpool, New York, and
the cost, not to exceed \$200. each to be paid by the Village of
Williamsville.

Trustee Daniels stated he would like to abstain because he is not exactly
sure what's included in the conference. There are alot of conferences in
this area sponsored by every national organization. He's not sure that
same knowledge couldn't be obtained without the time and effort of the
Village employees going out of town.

Roll Call:	Trustee Bindert	yes
	Trustee Daniels	no
	Trustee Kaye	yes
	Trustee Sweeney	yes
	Mayor Brenton	yes

Motion carried.

ON MOTION by Trustee Kaye, seconded by Trustee Bindert, it was moved to
suspend the rules for an additional item not on the agenda.

Unanimously carried.

Trustee Kaye stated this item would be calling for bid specifications for
refuse and material collection and have the bids opened prior to adopting
any budget so that we have exact figures to work for on budget
appropriation this year. The bid specifications are basically the same as
last year in terms of when would we pick up and what we would be picking
up. Two primary issues of difference would be: The first one is that we
have a clause whereby Village could continue this contract for 2 additional
years if we choose rather than having to bid it out annually if that is in
our best interest to do that.

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The second difference in this contract would be the possibility beginning
a recycling program on September 1, 1990. The Village would change the
structure of the pick up days to 4 days a week rather than present day so
that the Village would be split into 4 difference pickup areas rather than
just solely having a Monday collection. Trustee Kaye said she will be
putting together a letter describing and outlining an entire program.
Superintendent David Laubisch and Clerk Theresa Cummins have been working
on recycling for the past 2 years and have done a tremendous amount of
research in looking at other municipalities, how they have operated, what
works and what doesn't work. They physically visited other municipalities
to look at their programs and have done a tremendous amount of research.
Trustee Kaye thanked David Laubisch and Theresa Cummins for working so
diligently on the program and for putting together the specs we have today.

In addition she thanked 2 public works employees, Paul and Bob, who were
working in completing this information and for their input. She will be
giving each Board member a memo outlining what we see happening, the
reasons for it an where we will be going from here. What we are looking
for now is simply to call for bids for garbage collection so we can have it
open on March 15th prior to budget.

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

RESOLVED THAT the Village Clerk is hereby authorized to advertise
for sealed bids for recreational use and waste material collection
in the Village of Williamsville. Bids to be opened on March 15,
1990 at 2:00 P.M. in the Village Clerk's office under the terms of
the standard bidding resolution.

Trustee Daniels stated if you backtrack recycling as of September 1st with
a 4 day a week pick-up schedule are you actually starting recycling June
1st.

Trustee Kaye stated the garbage contract would go into effect the new year
which would be June 1st. June 1st to September 1st would remains basically
the same as it has been in the past. To the resident putting out their
trash or garbage they see no change in that mode of operation. As of
September 1st there would be only one change that would occur. Part of
that process is looking at the nature of the beast in terms of educating
the public as to what the changes are and why they are and how we need to
help them comply with the changes. We looked at the problem and it made
the most sense to have the residents change only once, rather than have
them change June 1st and September 1st. We were concerned about
communication and that there may be some confusion in the community about
what to do when.

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Trustee Daniels asked if the bid package contained the option for allowing companies to bid on recycling as of September 1st as well. First we may not be ready financially to purchase some of the equipment or to implement the program as of September 1st. Also it would give us a comparative figure by which to decide which system may be the most cost effective for the residents of the Village. Trustee Daniels also suggested that the recycling procedure in other places is not always taking place entirely or completely in one change. In fact the Village of Hamburg who has had a very efficient program has just started doing plastics this year. It might be a nice option to offer one item to be recycled at no additional cost in the Village, such as paper recycling to get people within the Village used to that procedure as of June 1st. The amount of education for recycling papers is minimal and there is very little separating that they have to do.

Generally old newspapers stay in one spot of the house and they can go out at the curb on an every other week schedule. We can immediately start saving half of our tipping fee by separating the newspapers. It may save up to \$400.00 every other week in tipping fees. This is something that can be simply without any expenditure appropriateness.

Trustee Kaye questioned in terms of paper recycling, how does Trustee Daniels see the mechanics of that happening?

Trustee Daniels stated the idea is very simple. The Village simply announces through a little door hanger or in the press that newspapers are to be withheld from the regular garbage, bundled into 30 lbs. or less, tied with string or packed into Bell's bags or supermarket bags and placed at the curb on an every other week basis in the Village. The truck will pick it up and will immediately take it to be recycled.

Trustee Kaye questioned what truck would that be?

Trustee Daniels stated probably the same truck that is used to pick up the scrap metal. It would be an experimental procedure because we are not sure of the value of the money we would save since we do not know the number of households that would comply with this. We can start with every week or every other week depending on what we see is going to be the volume. He does know the difference is typically \$20. a ton.

Trustee Kaye stated what she hears then is that Trustee Daniels would foresee the DPW forces making a possible weekly trip through the Village.

Trustee Daniels stated that Trustee Kaye has to discuss it with Superintendent Laubisch. It seems to Trustee Daniels that one truck with two employees for one day would probably be a washout expense wise. You would save \$400.00 but probably the payroll expenses would negate any profit, but you are getting people involved with recycling. Also your starting an experiment with what works and what doesn't and what type of volume you can expect.

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Trustee Kaye stated one of the things she will be outlining in a memo to the Board is the fact we are submitting a grant to obtain half of the cost of the recycling program. It has been brought to our attention that there is a possibility that we could jeopardize that funding if we do a program piece meal. Also there is a possibility that the state may not fund an in-place program. If we implement it prior to putting the whole program into implementation, we may jeopardize that funding. That is something that needs to be further addressed.

Trustee Kaye questioned Superintendent Laubisch if there was anything he would like to add since he has been working on it so diligently.

Superintendent Laubisch stated that the garbage specifications were developed with the best interest of all the residents. Based on 2 years of information and the most current information available, that would be the most economic and effective way to implement a recycling program.

Trustee Bindert stated he would like to agree with Trustee Daniels assessment and would like to see some alternates on the bid for the possibility of the contractor bidding on the recycling. He feels his comments were well taken.

Unanimously carried.

Superintendent Laubisch stated that regarding the subject of recycling we have prepared the grant application for the State of New York. At the Village's current rate we produced approximately 3360 tons of garbage a year. Since we have not operated entirely for one year taking our trash to the Occidental Waste and Energy facility, we do have a 6 month sampling of the amount of tonnage we produce. If we double that it will come very close to 3360 tons of garbage a year that we are presently taking to Occidental. With the best information that is available to us right now we can expect to remove about 25% of that or 840 tons of recycled material. Basing that on our current rate of \$42.62 a ton that we are charged for the disposal of garbage, that would amount to a \$35,800 a year savings. In the grant we outline how we would hope to implement the recycling program within our Village. It also outlines the equipment that would be involved with implementing a recycling program within our Village. This culminates 2 years of work and research on this subject. Earlier information was forwarded to Erie County concerning this particular subject and grant. For various reasons that application was not filed. At that particular time, he and Theresa Cummins attended a meeting at the Town of Amherst Hall and were informed by a state agency that that would be the best avenue of approach to any funding and that did not transpire. So we went out on our own and prepared a grant. Superintendent Laubisch thanked the men of the Highway Department for assisting in this venture. We will have this package forwarded to the state for our program.

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

Unanimously carried.

Elroy Avery, 75 Rinewalt Street, said he hoped the Board has had the opportunity to see the letter that he passed out at their work session and wondered if there was any information that could be shared?

Mayor Brenton stated essentially there are no questions that cannot be answered. The situation still lies in the hands of Justice Doyle to the degree that we await his decision. However the Town Attorney has gone on record, has indicated to the judge that a motion to dismiss may not be pursued by the Town. It's a question of whether or not the attorneys for the developer will want to pursue it. There is nothing new that has developed aside from our discussions with the attorneys tonight and those are of course of a confidential nature.

Mary Anne Avery, 64 Garrison Road, is concerned regarding the traffic and safety of the EssJay cut. This involves everyone in the Village. The traffic will not get any better and it will be dangerous.

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 Sweeney, it was moved to close the regular meeting at 10:30 P.M.

Unanimously carried.

Theresa L. Cummins
Village Clerk/Treasurer