

A regular Town Board Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York on the 11th day of January 2010.

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
Kevin S. Smardz	Councilman
Joseph A. Collins	Councilman
Jonathan G. Gorman	Councilman
Amy J. Ziegler	Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Gerard Kapsiak, Town Engineer; Robert Hutchison, Town Assessor; Christopher Hull, Director of Community Development; Carmen Kesner, Police Chief; Kenneth Farrell, Town Attorney; Brian Doyle, Deputy Town Attorney; Marty Denecke, Director of Recreation; Kurt Allen, Supervising Code Enforcement Officer; Drew Reilly , Planning Consultant; Tom Taylor, Sr. Public Safety Dispatcher; Rick Krautsack, Deputy Highway Superintendent; Jerry Giglio, Traffic Safety Consultant

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

1.

On a motion of Councilman Gorman, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

RESOLVED, that the Town Board approve the minutes of the following meetings:

12/14/2009	Town Board Meeting
12/30/2009	Year-End Meeting
01/04/2010	Organizational Meeting

2.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, the property located at 81 Maple Avenue was left in an abandoned state.

WHEREAS, as the result of neglect due to the abandonment, the property has become an attractive nuisance to the contiguous neighborhood and the general public.

WHEREAS, due to the property being left in an unsafe manner, the Town Code Enforcement Officer contracted services to secure the property and make it safe. This action was executed in accordance with Local Law No. 5-1972, Sections 80-5 and 80-6 of the Town of Hamburg.

NOW, THEREFORE BE IT RESOLVED, that the Town Board approve the payment of \$150. (One Hundred and fifty dollars) to Dan Cappola, General Construction, to provide the necessary enclosures in order to secure the building

BE IT FURTHER RESOLVED, the payment of such services, that the Town Board increase appropriations to Account A3620.469 ,(Clean-up of Properties) through Account A1990.419

BE IT FURTHER RESOLVED, the Town Board authorize the Town Attorney to institute the appropriate actions against the owners of the aforementioned properties for recovery of costs incurred by the Town in connection with these proceedings as provided by Local Law #5-1972 Section 80-7.

3.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board approve the additional appointment to the SENIOR CITIZENS ADVISORY BOARD for a one (1) year term commencing January 1, 2010 and ending December 31, 2010:

Bryan Wittmeyer

4.

On a motion of Councilman Gorman, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the additional appointment to the Hamburg Seaway Trail Visitor’s Center Advisory Board for a one (1) year term commencing January 1, 2010 and ending December 31, 2010:

Elizabeth Reszka

5.

On a motion of Supervisor Walters, seconded by Councilman Gorman, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, the Town Board approve the recommendation of the Chief of Police in hiring **JONATHAN WRIGHT** and **DANIEL CRONMILLER** to the vacant positions of **POLICE OFFICER**, effective January 17, 2010. Mr. Wright and Mr. Cronmiller are currently on the Civil Service List for Police Officer, established April 11, 2008, exam #063533.

Salary is \$23.02 per hour, funds available in account B3120.100

6.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, the Town Board approve the recommendation of the Chief of Police in hiring, **KYLE BRODNICKI** to the vacant position of **PUBLIC SAFETY DISPATCHER**, effective January 17, 2010. Mr. Brodnicki is currently on the Civil Service List for Public Safety Dispatcher, established July 3, 2008, exam #065671.

Salary is \$21.88 per hour, funds available in account A3020.100.

7.

On a motion of Supervisor Walters, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, the Town Board authorize Daniel Gallardo, a student from Hilbert College, to do Internship in the Police Department at no cost to the Town.

8.

Withdrawn by Councilman Gorman

9.

On a motion of Councilman Gorman, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Board approve the travel request of Bob Hutchison, Town Assessor, to be an instructor at the 2010 Cases Studies Seminar, sponsored by the Western New York/Ontario International Chapter of the Appraisal Institute on January 21st 2010 in Ellicottville, New York. There is no cost to the Town and re-certification credits for appraisal purposes will be obtained.

10.

On a motion of Councilman Smardz, seconded by Councilman Gorman, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Engineer’s report on the completion and acceptance of the DEER SPRINGS SUBDIVISION PART 4 PHASE 2 work performed under Public Improvement Permit Nos. 950, 951, 952, and 953 be received and accepted, and that the Supervisor is authorized to sign the report, and

BE IT FURTHER RESOLVED, that the Town of Hamburg agrees to pay the Erie County Water Authority the annual hydrant fees for the maintenance of one (1) new hydrant installed as part of the subdivision work, and

BE IT FURTHER RESOLVED, that this action does not relieve the developer of the responsibility for completing the required street lighting installations under Public Improvement Permit No. 954.

11.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following January/February 2010 Taylor Road rentals:

01/22/10 01/23/10 01/24/10
02/06/10 02/08/10 02/12/10
02/13/10

12.

On a motion of Councilwoman Ziegler, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Senior Services Department as follows:

1. Jerome, Donna	P/T Nutrition Asst. (A6772.100)	01/12/2010	\$7.50
2. Lake, Karen M.	P/T Nutrition Site Mgr. (A6772.100)	01/12/2010	\$9.00
3. Harms, Frances	Terminate	01/11/2010	
4. Harms, Frances	P/T Seasonal Clerk Typist (A6772.100)	01/12/2010	\$9.95
5. Notto, Diane	P/T Recreation Attendant	01/12/2010	\$9.00
6. Hristovski, Lori	P/T Program Assistant	01/12/2010	\$8.00

Steve Strnad questions if the above hiring is for new positions.

Supervisor Walters responds that they are filling vacant positions, not creating new positions.

Councilman Collins requests that resolution 13 & 14 be withdrawn because, as liaison, he has not had a chance to discuss them with Superintendent Best.

Ken Farrell, Town Attorney, responds that any Councilmember can make a motion at almost any point in time and then the Board could hear it. If they choose to do so someone else could make a motion to table it but that would have to pass by majority.

13.

On a motion of Councilwoman Ziegler, seconded by Supervisor Walters, the following resolution was

ADOPTED	Ayes	3	Walters, Smardz, Ziegler
	Noes	2	Collins, Gorman

BE IT RESOLVED that the Town Board approve the hiring/termination of the following in the Buildings and Grounds Department:

Koenig, Gerard	Laborer, Part-time		Terminated 01/05/10
Macturk, Pamela	Laborer, Part-time		Terminated 01/18/10
Macturk, Pamela	Laborer, Seasonal	\$9.92	Start 01/19/10
Conlon, James	Laborer, Part-time	\$9.92	Start 01/19/10
Rogers, Linda	Clerk, Part-time	\$15.92	Start 01/19/10
Deinzer, Deborah	Laborer, Seasonal		Terminated 11/29/09
Deinzer, Deborah	Laborer, Part-time	\$9.92	Start 11/30/09

14.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	3	Walters, Smardz, Ziegler
	Noes	2	Collins, Gorman

RESOLVED, that the Town Board authorize the Supervisor to sign Section 6 of the PO-17 form requesting Erie County Personnel to complete Section 7 for the classification of a full time Cleaner for Buildings and Grounds. Also to approve the Supervisor to sign Section 8 of the PO-17 form to complete the creation of this position.

Ferd Garciaquestions if this is a new position.

Supervisor Walters responds that this is a new position. Superintendent Best requested that the Town Board create a cleaning crew responsible for cleaning all Town Buildings; this position would oversee this crew. There will be an overall savings to the Town by moving from the current system to this new system.

15.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the hiring of personnel for the Recreation Department as follows:

- | | | | |
|---------------------|-------------------------------|------------|---------|
| 1. Brysinski, Linda | P/T Rec. Attendant A7180(215) | 01/12/2010 | \$8.25 |
| 2. Roward, Patrick | P/T Rec. Attendant A7180(215) | 01/12/2010 | \$10.25 |

16.

On a motion of Councilman Gorman, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the hiring of personnel for the Town Clerk's Office as follows:

- | | | | |
|------------------------|---------------------------|------------|-----------|
| 1. Wachowiak, Kathleen | Tax Clerk P/T Seasonal | 01/19/2010 | \$9.59 |
| 2. Catanzaro, Beverly | Tax Clerk P/T Seasonal | 01/19/2010 | \$9.59 |
| 3. Allen, Jacqueline | P/T Clerk Typist | 01/18/2010 | Terminate |
| 4. Allen, Jacqueline | P/T Seasonal Clerk Typist | 01/19/2010 | \$9.59 |

17.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

WHEREAS, the Code Enforcement Department has verified that Hannah Demolition, Inc. has fulfilled all the necessary work as required by the Town to complete the razing of a residential structure located at 6354 Southwestern Boulevard.

THEREFORE BE IT RESOLVED, the Town Board approve the transfer of \$8,000.00 from account A1990.419 (Contingency) to account A 3620.469 (Clean-up of Properties) in order to appropriate the necessary funding for this completed work.

18.

On a motion of Councilman Gorman, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Board appoint Jeffrey Neureuter to the Board of Assessment Review with a term ending September 30, 2010.

19.

On a motion of Supervisor Walters, with a unanimous second, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0



20.

On a motion of Supervisor Walters, seconded by Councilman Smardz, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

TOWN BOARD
 JANUARY 11, 2010
 AUDIT OF CASH DISBURSEMENTS

VOUCHER #'S

OPERATING FUND:

BATCH #	1	\$95,816.13	UNPROCESSED
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TOTAL OPERATING FUND DISBURSEMENTS:	\$95,816.13
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TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS:	\$0.00
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CAPITAL FUND DISBURSEMENTS:

TOTAL CAPITAL FUND DISBURSEMENTS:	\$0.00
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PAYROLL:

PR #	P/R 1	\$663,624.99
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TOTAL PAYROLL DISBURSEMENTS:	\$663,624.99
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PETTY CASH

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$759,441.12
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REPORTS FROM TOWN BOARD MEMBERS AND DEPARTMENT HEADS:

Supervisor Walters reports that the Town has been working with Erie County and the Frontier School District to host a swine flu clinic. This will be held on Saturday January 16th at the Frontier High School from 11:00 am to 5:00 pm.

Catherine Rybczynski, Town Clerk, reports that the tax bills are in and will be in the mail this week.

Christopher Hull, Director of Community Development, reports that the Draft Consolidate Plan 2010 – 2014 from the Erie County Department of Environment and Planning is on file in the Town Clerk's Office for public review.

Supervisor Walters comments that the Town recently received its report on the audit from HUD and on some of our programs we passed with flying colors thanks to Mr. Hull and his department.

Chief Kesner announces his retirement and thanks the Police Department and everyone he has worked with over his 34 years with the Town.

Supervisor Walters thanks Chief Kesner for the work and dedication he has given to the Town of Hamburg. His expectations have been exceeded by the work he has done.

BUSINESS FROM THE FLOOR

Steve Strnad comments that on behalf of the Hamburg Taxpayers Associations he wants to welcome the new Board Members. He asks the Board members to work together; they were elected by the Hamburg Taxpayers to represent the Town; at times there will be differences of opinion, which can be a good thing, but working together is the most important thing to remember. He then questions why they withdrew resolution #8.

Councilman Gorman responds that in an effort to save the Town some money, they want to limit the number of people going to the Association of Towns. They want to discuss that before they move forward with the resolution.

Steve comments that he doesn't believe the taxpayer should pay for their education, if there is something to learn about Town business however that would be okay.

Councilman Collins comments that he told people he would be the voice of the Board and tonight he did not want to create a job without talking to the Supervisor of that Department.

Ken Farrell, Town Attorney, addresses resolution #8 stating that his request was that any attorney who attended the Association of Towns would not be reimbursed for any continuing legal education credits. All the attorneys have paid for that on their own.

George Lee, President - Blasdell Taxpayers Association, welcomes the new members of the Town Board. He was proud to hear that when they put up the new windmills in Woodlawn the Town of Hamburg and Frontier Central School will be getting money.

21.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board move into Executive Session with Planning and Building Inspection to discuss certain properties in the Town of Hamburg as well as some personnel issues.

22.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board adjourn Executive Session at 9:45 p.m.

Catherine A. Rybczynski, Town Clerk