

Meeting No. 2
January 13, 1997
Hamburg Town Board Meeting
S-6100 South Park Avenue
Hamburg, N.Y. 14075

Supervisor Hoak calls the meeting to order at 7:00 p.m.

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Thomas Quatroche, Jr.	Councilman
	Kathleen C. Hochul	Councilwoman

Also Present:	George Danyluk	Town Clerk
	Richard Boehm	Deputy Town Attorney
	Gerard Kapsiak	Town Engineer
	Drew Reilly	Planning Consultant
	Kurt Allen	Supervising Building Inspector
	Robert Hutchinson	Town Assessor
	James Connolly	Highway Superintendent
	Martin Denecke	Ass't. Director of Recreation
	Thomas Best	Police Captain
	Timothy Ellis	Traffic Safety Coordinator

The Pledge of Allegiance was recited.

Information on Fire Exits was given.

I.

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

December 9, 1996	Town Board Meeting
December 16, 1996	Work Session
December 30, 1996	Year End Meeting
January 6, 1997	Reorganization Meeting

Moved: Cavalcoli

Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

II.

RESOLVED, that the Town Board approve the membership for the following into the Lake Shore Volunteer Fire Company, Inc.:

Duane Rybarczyk
5309 Rogers Rd.
Hamburg, N.Y. 14075

Chad Witkowski
2642 Hawthorne Ave.
Hamburg, N.Y. 14075

Moved: Hochul

Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

III.

BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids on "One (1) New and Unused 1997 Ford Crown Victoria" for the Police Department.

The bids are scheduled to be opened on January 21, 1997 at 2:00 p.m. local time.

Moved: Hochul

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

IV.

WHEREAS, as the result of strong winds and high water levels in Lake Erie which occurred on October 30, 1996, a significant amount of stone fill material was displaced along the outer edges of the Town Park Jetty, creating voids between the jetty surface and the armor rock perimeter stone; and

WHEREAS, the Town Engineer has met with Nussbaumer & Clarke Engineers and Union Concrete & Construction Corp. To evaluate the storm damage and determine appropriate methods of repair for such,

THEREFORE BE IT RESOLVED, that Union Concrete & Construction Corp. Be retained by the Town of Hamburg to undertake necessary repairs to the jetty, in accordance with their January 8, 1997, proposal in this regard, at a cost not to exceed \$2,500.00. Funds for these repairs are available within the capital account for the jetty improvement project, under Account No. H60-7180.331.2.

Moved: Quatroche

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

V.

RESOLVED, that the Town Board approve the use of two voting machines for the Southtowns Walleye Assoc. Of W.N.Y., Inc. On January 16, 1997 from noon to 9 p.m. at the Newton Abbott Firehall, 3426 Abbott Road.

Moved: Hochul

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

VI.

RESOLVED, that the Town Board approve the appointment of Donald Hawkins, Patrick Granville and Thomas Nelson to the Recreation Advisory Board for a two year term from 01/01/97 to 12/31/98.

Moved: Quatroche

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche

Noes: None

Carried

VII.

BE IT RESOLVED, that the Town Board appoint Gerry Kapsiak and R. Pawlowski to the Safety Committee for a period commencing 1-1-97 and ending on 12-31-97.

Moved: Hoak

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche

Noes: None

Carried

VIII.

RESOLVED, that the Town Board approve the membership of the following into the Armor Volunteer Fire Company, Inc.:

Charles M. Ziemba
4845 Clark Street
Hamburg, N.Y. 14075

Moved: Hochul

Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche

Noes: None

Carried

X.

RESOLVED, that the Town Board authorize the Recreation Department to purchase one SCI-

FIT STEPPER with institutional warranty at \$2,500.00 and one Ultra Smith machine at \$1,100.00. Money is available in account H22 7180.303.

Moved: Quatroche

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

XI.

WHEREAS, the contract for the Town of Hamburg's 1996 Waterline Replacement Project was awarded to Triple R Development of WNY, Inc. On September 23, 1996; and

WHEREAS, at the time of contract award, funding for the portion of the project within the Osborne-Sagamore Water District (SW-24) was not yet available. However, such funds have since been appropriated in the 1997 budget for the water district, under Account No. SW24-9901.960,

THEREFORE BE IT RESOLVED, that the Osborne-Sagamore portion of the project be added as a change order to the contract of Triple R Development, in the amount of \$35,505.25, which was their August 28, 1996 bid amount in this regard. This increases the total contract amount to \$344,894.25.

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign the change order documentation in this regard.

Moved: Cavalcoli

Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

XII.

BE IT RESOLVED, that the Town Board appoint Russ Grosjean to the Assessment Board of Review for a period commencing 1-1-1997 to 12-31-2001.

Moved: Hoak

Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

XII.

RESOLVED, that the Town Board approve the audit of cash disbursements as follows:

OPERATING FUND:

BATCH #2	\$ 36.00
BATCH #3	\$564,999.99
BATCH #4	\$ 86,178.46
BATCH #5	\$133,641.49 unprocessed

TOTAL OPERATING FUND DISBURSEMENTS: \$ 784,855.94

TRUST & AGENCY:

BATCH #1	\$221,657.60
BATCH #2	\$268,462.21
BATCH #3	(\$ 994.35)
BATCH #3a	\$ 963.38
BATCH #4	\$ 30.97

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 490,119.81

CAPITAL FUND DISBURSEMENTS:

BATCH #2	\$350,000.00
BATCH #3	\$ 240.00

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 350,240.00

PAYROLL:

PR #1	\$462,165.54
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TOTAL PAYROLL DISBURSEMENTS: \$ 462,165.54

PETTY CASH:

TOTAL PETTY CASH: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$2,087,381.29

Moved: Hoak
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

Seconded: Cavalcoli

XII.

BE IT RESOLVED, that an advertisement for bids for Contract No. 2 of the Town of Hamburg Sanitary Sewer Rehabilitation Project, being conducted within Town sewer districts which are tributary to the Village of Blasdell wastewater treatment facility, be published in the official Town newspapers, with bids to be received until 10:00 a.m. (Local time) on February 5, 1997.

Moved: Cavalcoli
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

Seconded: Hochul

Supervisor Hoak presents the 1995 Best Performance Award For Defensive Driving to Captain Best, Officer Joe Muldowny, and Officer Paolini. They are recognized Nationally on an annual basis.

General Communications

Notice of Claims - 1996

#30	Gerardo Colondres vs. Town of Hamburg	11/04/96
#31	Constantine Wieczorek vs. Town of Hamburg	12/09/96

Notice of Claims - 1997

#1	Joseph Sanchez vs. Town of Hamburg	01/10/97
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**TOWN OF HAMBURG
QUARTERLY REPORT OF SETTLED CLAIMS
FROM 10/1/96 TO 12/31/96**

<u>CLAIMANT</u>	<u>LOSS DATE</u>	<u>KIND OF LOSS*</u>	<u>DATE SETTLED</u>
L. Zimmerman	09/03/96	GB	11/96

* AB - Auto Bodily Injury	GB - Gen. Liability Bodily Injury
AD - Auto Property Damage	GD - Gen. Liability Prop. Damage
AN - Auto No Fault	PI - Personal Injury Liability
AP - Auto Physical Damage (Town Property)	RB - Building (Town)
PD - Property Damage Only	RC - Contents (Town)

Correspondence

Letter # 8 - Supervisor Hoak states that this should go in Rosemary McManus' personnel file. She did an outstanding job in coordinating throughout our Town.

Letter #12 - From Mr. McAllister making some recommendations on how to help wildlife that was displaced due to the Golf Course construction project. Supervisor Hoak requests that Mr. Denecke give a copy to the Recreation Advisory Board and Conservation Board.

Letter #14 - Supervisor Hoak requests a report on this.. Mr. Kapsiak responds that Jim Ryan, Rick Krautsack and Kurt Allen did look at this and report back to Highway Superintendent Connolly. His understanding is that the Highway Department can install a road crossing, across Windover and the affected area, with receivers. With the matter of directing the flow from the road to 18 mile creek. They will draw up a proposed plan and submit it to the Board with cost estimates.

Letter #7 - Councilman Quatroche responds that there is some money available, it would be a 50/50 split between the County and the Corps of Engineers. Due to the high cliff this is a very expensive project. The County will probably do something to alter the road rather than fix it.

Supervisor Hoak introduces Charles Castiglia, representing Assemblyman Richard Smith.

Mr. Castiglia says that Assemblyman Smith would like to give his congratulations to James Connolly who is now the Highway Superintendent. He also wants everyone to be aware of his headquarters which are located at 3812 South Park Avenue. The phone number is 826-1878. One of the first public hearings Assemblyman Smith will be attending concerns the Environmental Bond Act where he will be looking to fight for any ways to get State funding to help Woodlawn Beach and other projects along the lake front. He is looking forward to working with the Town and will help in any way he can.

Mr. Denecke states that the annual Snowfest will be held February 1 & 2, 1997. Please call Recreation at 646-5145 for any further information.

Reports from Board Members and Department Heads

Councilman Quatroche reports that the Town has been pursuing the N.Y.S. DOT to do something between Hoaks and Foits along the lake shore. Wants the public to know they are working on this.

Councilman Cavalcoli wants the public to know the Planning Board will be working Wed. Of this week to address some concerns on the Master Plan. At the next Board meeting he should be able to announce the schedule for Public Hearings and stages that we will have to get through to get to the final hearings.

Councilwoman Hochul met with citizens that are concerned with safety along Route 5. They are concerned with the proposal to widen Route 5 and also asked her to make a public plea for people to stop exceeding the speed limit.

Supervisor Hoak reports that he will appear before the Kawanis and also the Rotary, for the IDA Economic program. They are going through out the Community presenting the goals of the IDA. He also announces that they were hoping to have the vacant Councilmen seat filled. However there were 18 very qualified applicants. They still wish to have more Board discussion before making the appointment which should be made at the next scheduled Board Meeting.

Steve Strnad, asks if the applicants will be made public. The Supervisor explains that this will not be made Public to protect the applicants, this has always been confidential in the past.

Supervisor Hoak explains that this decision is made in Executive Session.

Carl Kopac states that it is a question of whether or not an appointment to a public office qualifies under being a personnel matter under the open meeting law.

Mr. Boehm states that the County and State Legislature use the Executive Session to decide appoints for vacant positions.

George Danyluk, Town Clerk, reports that in the Year End Report it shows receipts of \$626,932.55 which is an overall increase of \$113,991.35 over 1995. Mr. Danyluk explains that \$23,000 of the money received is from revenues from Bingo and Games of Chance licenses. In the future Casino Niagara will have an impact on this and if gambling is legalized in the State of New York it will be an even bigger impact. Many local churches and Fire Halls will be effected.

James Connolly, Highway Superintendent, reports that due to the weather his crews have been out 24 hours a day. He thanks the public for staying off the roads.

Business from the Floor

Steve Strnad, comments that he became aware of some year end bonuses for Department Heads. Has this been a practice in the past. He would like to know who got them, how much, and why.

Supervisor Hoak states that this became a practice eight years ago. It was proven in the private sector that if you award someone for good performance they will work even harder the following year. Other Communities have done the same. In the Budget they have set aside \$5,000.00. The four individuals to receive it this year are Mr. Allen, Mr. Spute, Mr. Kapsiak and Mr.

Gilmartin. They each received \$1,250.00. There have been years when no bonuses were received, and there have been years where other individuals have received a bonus. Mr. Allen set records in his Department on numbers of permits issued, number of citations, what he did with the same staff and what he brought back to the Town. In Mr. Spute's case, we are the only Town in New York State to receive an award fourteen years in a row for Accounting excellence. Each individual has their own story.

Steve Strnad questions if employees can be rewarded also. Supervisor Hoak responds that Department Heads have taken action to reward outstanding services but not through the bonus system.

Carl Kopac, Chairman of the Republican Committee, states that at the reorganizational meeting Vincent Sorrentino was reappointed as the Town Attorney. He questions the amount of hours that Mr. Sorrentino works for the Town and wants documentation of this.

Councilwoman Hochul responds that it isn't fair to judge an attorney by the amount of time he spends in his office. It isn't a true reflection of the hours that are being contributed to the Town.

Councilman Cavalcoli responds to the question of why the amount of outside legal services has increased so much in the past 5 years. Due to special litigation for assessment reduction, such as Bethlehem Steel Corp. and Ford Motor Company. We have never had this before and they are large items.

Supervisor Hoak responds that he would like more employees, that over a ten year period, he could pay approx. \$400,000 and get in return a savings of \$2.2 million dollars due to his insurance program.

Steve Strnad questions the fact that Mr. Sorrentino is not present at the Town Board Meetings. He also questions why the taxes were not reduced due to this \$2.2 million dollar savings.

Supervisor Hoak explains that ,after talking to insurance experts, they were told that this money should be held in reserve in case it is needed for future lawsuits.

Steve Strnad requests a copy of the legal report stating how much the self-insurance program is saving the Town.

XIII.

RESOLVED, that the Town Board adjourn to Executive Session at 8:00 p.m. to discuss a personnel matter in the Legal Department.

Moved: Hoak

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Quatroche
Noes: None
Carried

George Danyluk, Town Clerk

