

Supervisor Walters calls the meeting to order at 6:00 p.m.

TOWN BOARD MEMBERS

PRESENT:	Steven J. Walters	Supervisor
	Thomas M. Best, Sr.	Councilman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman
	Kevin S. Smardz	Councilman

OTHERS PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Ken Farrell, Town Attorney; Andrew Reilly, Planning Consultant; Gerald Koenig, Planning Board Chairman; Gerard Kapsiak, Town Engineer; Karen Rogers, Planning Board Member; Peter Reszka, Planning Board Member; Richard Taber, Planning Board Member.

1.

On a motion of Councilwoman Kesner, seconded by Councilman Best, the following resolution was

ADOPTED	Ayes 5	Walters, Best, Kesner, Quatroche, Smardz
	Noes 0	

BE IT RESOLVED, that the Town Board approve travel request of Bob Hutchison, Town Assessor, to attend as a presenter, the Learn From the Experts Seminar sponsored by the Western New York/Ontario International Chapter of the Appraisal Institute on January 25th, 2008 in Ellicottville, NY. There is no cost to the Town and re-certification credits for appraisal and assessment purposes will be obtained.

2.

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

ADOPTED	Ayes 5	Walters, Best, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board approve the request authorizing the Supervisor to sign a contract with Industrial Appraisal Company to do an up to date appraisal of the Town buildings, site improvements, fixed equipment and movable equipment. This is in conjunction with the Government Accounting Standards Board (GASB). The last appraisal was done in 1992. Cost for this service is \$15,000. Money has been budgeted in the 2008 year, in account # A1310.444 (Actuary & Appraisal)

Councilman Best questions what this is for.

Supervisor Walters notes it's basically taking a look at all the equipment and what the value is

for insurance purposes.

Councilwoman Kesner questions why they chose this company.

Mary Dosch, responds that Wayne Dresser did recommend it. They were used in the past and there is a limited number of companies that do this.

Ken Farrell notes there are a limited number of appraisers that are capable to do this type of appraisals. They had a meeting of the insurances the other day and one key example is there is a deductible on some of the property insurances of \$50,000 for example and have listed a number of properties that are being insured and questions why they are insuring something that is less then the deductible. That's part of the insurance review, there needs to be an appraisal done.

3.

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

ADOPTED	Ayes 5	Walters, Best, Kesner, Quatroche, Smardz
	Noes 0	

WHEREAS, the Town of Hamburg received a rezoning application from Susan Ljungberg-Murray to rezone her property located on the west side of Gowanda State Road from RA and C-1 to NC (Neighborhood Commercial) in order to make the property more marketable, and

WHEREAS, at its September 19, 2007 meeting the Code Review Committee reviewed the application and found merit in the rezoning of this property, and

WHEREAS, the Town Board did refer this request to the Planning Board for its review and recommendation, and

WHEREAS, on December 19, 2007 the Hamburg Planning Board did issue a positive recommendation to the Town Board regarding this request;

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby schedules a public hearing to be held on February 11, 2008 at 7:00 p.m.

4.

On a motion of Councilman Best, seconded by Councilwoman Kesner, the following resolution was

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

WHEREAS, the residence as located at 4837 Gerber Parkway, has been left in an abandoned state and as the result has become an attractive nuisance to the contiguous neighborhood and the general public.

WHEREAS, the Town Code Enforcement Department has provided written notifications and directives to the owner (as listed on the Town Tax Assessment Records) to correct the unsafe conditions associated with the vacated structure, without any response what so ever.

WHEREAS, due to the owners lack of compliance and in an effort to render the property safe, the Supervising Code Enforcement Official contracted services to board up the house. 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 \$250.00 (Two hundred fifty dollars) to Dan Cappola, General Construction, to provide the necessary emergency enclosures in order to secure the house.

BE IT FURTHER RESOLVED, to effectuate payment of such services, that the Town Board increase appropriations to Account A3620.469, (Clean up of Properties) through A599 - Appropriated Fund Balance.

5.

On a motion of Councilman Best, seconded by Councilwoman Kesner, the following resolution was

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

WHEREAS, the Town of Hamburg is a member of the Northeast-Southtowns (NEST) solid Waste Management Board, which is comprised of 37 municipalities located within Erie County that meet bimonthly and work cooperatively with the Erie County Dept. Of Environment and Planning in regionally addressing issues associated with solid waste collection, hauling, recycling, and disposal operations, including compliance with associated State mandated regulatory requirements, and

WHEREAS, in accordance with the 1993 Joint Municipal Agreement which created the NEST Solid Waste Management Board, each municipality is to annually designate a primary representative and one or more alternates to serve on the NEST Board,

THEREFORE, BE IT RESOLVED, that the Town Board hereby designates the following to serve as the town of Hamburg’s representatives on the NEST Board for the year 2008:

Primary Representative:	Steven J. Walters, Supervisor
Alternate Representatives:	Gerard M. Kapsiak, Town Engineer
	James F. Connolly, Highway Superintendent
	Susan C. Attridge, Town Resident

BE IT FURTHER RESOLVED, that the Town Clerk is requested to provide one certified copy of this resolution to the Engineering Department for transmittal to the Erie County Dept. of Environment and Planning.

Supervisor Walters questions Mr. Kapsiak if Sue is going to continue of attend the meetings.

Mr. Kapsiak responds that she has been attending all the meetings within the past year. They meet every other month. Actually Susan is going to be chairman of the Solid Waste Management Board.

6.

On a motion of Councilman Best, seconded by Councilwoman Kesner, the following resolution was

ADOPTED	Ayes 5	Walters, Best, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board approve to increase appropriation A1355.207 (Assessing-Computer Equipment) through the A599 (Appropriated Fund Balance) in the amount of \$13,875. This is the unexpended balance of the “Real Property Technology Grant”.

7.

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

ADOPTED	Ayes 5	Walters, Best, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board approve the appropriation of funds for the Building Inspection Department as follows:

From:		
Contingency Account	A1990.419	\$2,030.00
To:		
Seminars	A3620.492	\$2,030.00

Councilman Best questions where these names came from whether they are past employees.

Councilman Quatroche and Councilwoman Kesner respond that they are repeats.

10.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board approve the Audit of Cash Disbursements as follows:

TOWN BOARD JANUARY 14,2007
 AUDIT OF CASH DISBURSEMENTS

		VOUCHER #'S	
OPERATING FUND:			
BATCH #	2	\$35,000.00	23796
BATCH #	3	\$450.00	23893
BATCH #	4	\$4,000.00	23894
BATCH #	5	\$148,330.66	23895-24024
BATCH #		\$168,214.21	UNPROCESSED
BATCH #			
TOTAL OPERATING FUND DISBURSEMENTS:			\$355,994.87
TRUST & AGENCY:		AGENCY	
BATCH #	1	\$18,482.34	
BATCH #	2	\$619,621.88	
BATCH #			
BATCH #			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$638,104.22
CAPITAL FUND DISBURSEMENTS:			
BATCH #		\$8,267.18	UNPROCESSED
BATCH #			
BATCH #			
TOTAL CAPITAL FUND DISBURSEMENTS:			\$8,267.18

Mr. Reilly notes that they will take a look at that building.

Taylor McDermott, Lowe’s site development manager notes that putting the materials aside, in terms of what you see when you look at the buildings and the way it is broken up with the different sections they were trying to address what the Town Board had asked be done.

Councilwoman Kesner notes that if it could be tied together with the look of the building on Camp Rd. it would start to pull everything together.

Jay Pohlman notes they will get a picture of that building and send it along. He also notes that this will cost a lot more than the Orchard Park store. Jay does a quick recap of the opinions discussed.

Taylor McDermott notes that all of this will be done, as much as possible, locally.

Mr. Reilly questions if this will take a week or two to put together the example and the Hamburg rendering for the Town Board.

Drew Reilly notes that they will only approve the Lowe’s special use permit and site plan. They are subdividing bringing off the front parcel as one piece.

11.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was
ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board move into Executive Session on a Personnel and Legal Matter at 6:40 p.m.

12.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was
ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board close Executive Session at 9:30 p.m.