

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 22<sup>nd</sup> day of January 2007.

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

**TOWN BOARD MEMBERS**

**PRESENT:**

Steven J. Walters	Supervisor
D. Mark Cavalcoli	Councilman
Kathleen C. Hochul	Councilwoman
Joan A. Kesner	Councilwoman
Thomas Quatroche, Jr.	Councilman

**OTHERS PRESENT:** Catherine Rybczynski, Town Clerk

Richard Boehm, Deputy Town Attorney; James Spute, Finance Director; Gerard Kapsiak, Town Engineer; Joseph Coggins, Police Chief; Drew Reilly, Planning Consultant; William Dash, Deputy Highway Superintendent; Sean Fanning, Work Crew Chief; Robert Hutchison, Town Assessor; Tim Regan, Community Development Assistant; John Farrell, Director of Senior Services; Marty Denecke, Director of Recreation; Tim Ellis, Traffic Safety Coordinator; Kurt Allen, Supervising Code Enforcement Officer.

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

Supervisor Walters asks for a moment of silence in memory of Rosemary McManus' sister, Paula Bucci's mother-in-law, Robert Mueller's mother and an employee from our Recreation Department Donald Thiry, who was a very special person and will be missed.

**1.**

On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was

<b>ADOPTED</b>	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	

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

December 11, 2006	Town Board Meeting
December 18, 2006	Work Session
December 29, 2006	Year End Meeting
January 8, 2007	Organizational Meeting

**2.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**BE IT RESOLVED**, that in accordance with Section 230-26 of the Town Code, the Town Board hereby adopts the following 2007 Public Improvement Permit (PIP) Cost Estimating Schedule. This includes construction cost estimate increases averaging 8%, which is reflective of changes in the Construction Cost Index since the schedule was last revised in January 2005.

**3.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board approve the membership of the following into the Newton Abbott Fire Company, Inc.

Nicholas J. Borowski  
3610 Terri Trail  
Blasdell, N.Y. 14219

**4.**

On a motion of Councilwoman Hochul, seconded by Councilman Cavalcoli, the following resolution was

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board accept the resignation of Marian Felice as Deputy Town Clerk as of January 28, 2007.

Catherine Rybczynski, Town Clerk, wants to publically thank Marian for her over 18 years of service in the Town Clerk's Office, she was a pleasure to have on her staff and will be missed.

5.

On a motion of Councilman Quatroche, seconded by Councilwoman Hochul, the following resolution was

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board approve the appointment of MARIAN FELICE, to the vacant full time position of Sr. Account Clerk (provisional) in the Highway Department effective January 29, 2007. Marian will be taking a leave of absence from her present position as Clerk Typist in the Town Clerk’s office. This appointment is pending the outcome of the exam that was taken on November 4, 2006. Salary is \$20.58 per hour per CSEA White Collar, funds available in A5010.100.

6.

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board set a Public Hearing for a rezoning petition for Jack Keiffer covering property at S-4945 Southwestern Blvd. from R-2 to C-2, on Monday, February 12, 2007 at 7:00 p.m.

This rezoning first occurred on April 25, 1974. One portion of the parcel was rezoned C-2, but the smaller piece (zoned R-2) was left off and is to be corrected to comply with the rest of the parcel.

7.

On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board approve the Transfer of Appropriations for the Legal Department, within the 2007 Budget, as follows:

From: Hospital & Medical	A1420.860	\$13,000.00
To: Hospital & Medical Retirees	A9060.861	\$13,000.00

Retirement of personnel.

**8.**

On a motion of Councilwoman Hochul, seconded by Councilman Cavalcoli, the following resolution was

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following January/February 2007 Taylor Road rentals:

01/27/2007           02/04/2007           02/10/2007           02/18/2007  
02/25/2007

**9.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board authorize the Finance Department to increase account DB 5140.440 - Contracted Services through DB599 Appropriated Fund Balance in the amount of \$40,000.00. This is to pay for Lardon Construction for tree grinding. This bill was not submitted to us when the other appropriated bills were submitted for payment in December.

Supervisor Walters explains that this is in regards to the October storm. They agreed to except half of the payment until reimbursement from FEMA comes through.

**10.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

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

- |                    |                       |            |           |
|--------------------|-----------------------|------------|-----------|
| 1. Aydelotte, Dawn | Clerk Typist P/T      | 01/26/2007 | Terminate |
| 2. Aydelotte, Dawn | Seasonal Clerk Typist | 01/29/2007 | \$10.59   |



**14.**

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

ADOPTED                   Ayes   5           Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                                  Noes   0

**WHEREAS**, the construction of the 2004 Waterline Replacement Project in various locations throughout the Town of Hamburg was inspected by the Town Engineering Dept., and has been certified by the Town Engineer and Nussbaumer & Clarke, Inc. as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract close-out submittal requirements have been complied with,

**THEREFORE BE IT RESOLVED**, that the Town Board hereby accepts this contract as complete, and approves the release of final payment. The total amount paid under this contract is \$282,159.64, which is \$17,840.36 less than the previously authorized contract amount of Donald J. Braasch Construction, Inc., the contractor for this project.

**15.**

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

ADOPTED                   Ayes   5           Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                                  Noes   0

**RESOLVED**, that the Town Board approve the termination of personnel in the Police Department as follows:

- |                   |                 |            |           |
|-------------------|-----------------|------------|-----------|
| 1. Marzec, Justin | Part-Time Clerk | 01/15/2007 | Terminate |
| 2. Mikac, Ryan    | Part-Time Clerk | 01/15/2007 | Terminate |

**16.**

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	

**WHEREAS**, the Town of Hamburg received a rezoning application from Morado Bay Associates for 36.15 acres of land located on the north side of Southwestern Blvd. to be rezoned from R-2, R-3 and C-1 to C-2, to construct a Lowe's retail site, and

**WHEREAS**, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act--SEQR) of the Environmental Conservation Law, the Town determined that the rezoning of this property and the development of a Lowe's would have an impact on the environment and issued a Positive Declaration on October 23, 2006, and

**WHEREAS**, a Public Scoping Session was held on November 15, 2006 in order to identify the relevant environmental issues to be addressed in a Draft Environmental Impact Statement (DEIS) and to receive comments from the public related to these potential impacts, and

**WHEREAS**, a Final Scoping Document has been developed by the Town of Hamburg to insure that the DEIS will be a concise, accurate and complete document upon which all involved agencies can base their decisions regarding the proposed project, and

**WHEREAS**, the Planning Board has recommended that the Scoping document is adequate,.

**NOW THEREFORE BE IT RESOLVED**, that the Hamburg Town Board issues the Scoping Document dated 11-22-06 as the Final Scope for the EIS.

Councilwoman Kesner states that this does not indicate that they are in approval of this project.

Councilman Cavalcoli states that is correct. Morado Bay Associates applied for a rezoning in order to put in a Lowes project. After much investigation by the Planning and Town Board it was felt that this project would have a negative impact on the environment. After all the various meetings and public hearings they came up with what needs to be investigated and all those things are included in the Scoping Document. Now they need to review that to see what the impact is and if it is possible for them to mitigate and show that the environmental issues have been properly addressed to the satisfaction of the Town Board, the Planning Board and the residents, then the project could go to the next step which is site plan approve. If they can't mitigate the problems then the project cannot go forward.

**17.**

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	

**BE IT RESOLVED**, that the North Forest Office Providers request for rezoning be removed from the table, and

**WHEREAS**, the Town of Hamburg has received a rezoning application from North Forest Office Providers to rezone 13 acres of land located on the south side of Southwestern Boulevard from R-3 to C-1 in order to construct a commercial office park consisting of six (6) one story brick buildings totaling 98,000 s.f., and two (2) 1.5 acre out parcels, and

**WHEREAS**, the Hamburg Town Board has reviewed the action and coordinated the SEQR process with other involved and interested agencies, and

**WHEREAS**, the Hamburg Town Board concludes that the proposed rezoning and subsequent development are not anticipated to result in any significant adverse effects on the environment that cannot be mitigated,

**NOW THEREFORE BE IT RESOLVED**, that the Hamburg Town Board does issue the attached Negative Declaration in accordance with SEQR.

Mr. Reilly comments that the one outstanding issue was traffic. They received an updated traffic information study and with that are recommending a negative declaration.

Councilwoman Hochul comments that she has supported this project from the get go. She looked at a similar project in Amherst and it is very attractive. It has been before the IDA several times to discuss what they will bring to the community. They will have incubator businesses that are very small and given the opportunity to expand. Her only concern is the out parcels.

Mr. Reilly responds that the next resolution contains conditions of the rezoning, including no automotive uses and no hotels or drive thru restaurants. This project will have access to the new light being put in for the Burke Business Park.

Roy Jordan, North Forest Office Providers, comments that the out parcels would be the same universal design. They may even have more office buildings or a possible daycare center. This will be an all brick colonial look.

**18.**

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

ADOPTED                   Ayes   5           Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                                  Noes   0

**WHEREAS**, the Town of Hamburg received a rezoning application from North Forest Office Providers to rezone 13 acres of land located on the south side of Southwestern Blvd. from R-3 to C-1 in order to construct a commercial office park consisting of six (6) one story brick buildings totaling 98,000 s.f. and two (2) 1.5 acre out parcels, and

**WHEREAS**, the Town has held the required Public Hearing and the Planning Board has recommended approval of this rezoning request, and

**WHEREAS**, the Town of Hamburg has issued a Negative Declaration for this project, and

**WHEREAS**, the Town of Hamburg wishes to rezone this parcel from R-3 to C-1 with the following conditions and reasons:

**Conditions:**

1. The two future out parcels shall have no access onto Southwestern Blvd., but rather will be accessed from the roadway off of Southwestern Blvd., used to access the office buildings.
2. The office buildings will have a residential look to them, as proposed by the applicant and presented to the Planning Board, with brick on all four sides.
3. The two future outparcels will have the same architectural look as the office buildings.
4. There will be no parking between Southwestern Blvd., and the two new buildings on the future outparcels per overlay—parking is encouraged at the side and rear of buildings.
5. There will be no detention facility located between Southwestern Boulevard and the two new buildings on the future outparcels, unless the Engineering Department deems it essential that it be located there.
6. Proper screening shall be installed in order to adequately buffer the apartment complex located to the west of this parcel (Maplewood Apartments)
7. For these rezoned C-1 lands, office buildings of up to 18,000 s.f. will be allowed per the site plan.
8. Cross access will be provided to the property to the East (HCK/ Southtowns Market site)
9. The rezoning shall be contingent upon site plan approval.
10. The following uses shall not be permitted—hotels or motels and drive thru

restaurants

**Reasons Supporting this rezoning:**

1. The proposed rezoning is in accordance with the Town's Comprehensive Plan.
2. The project will not have any negative impacts to the surrounding residential and business uses.

Therefore, Be It Resolved, that the zoning code of the Town of Hamburg be amended as follows:

To amend, Local Law #10, of the year 1986 of the code of the Town of Hamburg entitled "Zoning" to provide for a change in the boundary of the zoning map whereby the zoning is changed from R-3 (Multi-family) to C-1, Local Retail business for the property located on the south side of Southwestern Boulevard and further described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot #6, T-9 and R-8 of the Holland Land Company's Survey and being more particularly described as follows:

Beginning at a point in the west line of lands conveyed to Henry C. Kearns and Theo S. Kearns by Liber 9664 of Deeds at Page 628 and the southeast line of Southwestern Boulevard as now laid out; thence southeasterly at an interior angle of 76 degrees, 32', 42" and along the westerly line of said Kearns' land a distance of 615.8 feet more or less to an angle therein; thence southeasterly at an exterior angle of 147 degrees, 30' - 40" and along said Kearns' westerly line a distance of 350.57 feet to the northwesterly line of the New York State Thruway; thence southwesterly at an interior angle of 88 degrees -08' - 23" and along said Thruway lands a distance of 319.75 feet to the southeast corner of lands conveyed to Saunders by Liber 10746 of Deeds at Page 359; thence continuing southeasterly along the lands of the New York State Thruway a distance of 126.29 feet to the south line of lands conveyed by Liber 10925 of Deeds at Page 6506; thence westerly at an interior angle of 127 degrees -38'-37" and along the said south line of Liber 10925 of Deeds at Page 6506 a distance of 385.53 feet to the easterly line of lands conveyed to the Buffalo & Susquehanna Railway Company by Liber 997 of Deeds at Page 227; thence northwesterly along the said Railway Company's east line a distance of 100.59 feet to a jog in railway boundary; thence westerly at an exterior angle of 96 degrees-11'34" a distance of 17.10 feet; thence northwesterly along the northeasterly line of said Railway's lands and along a curve to the left having a radius of 1465.69 feet an arc distance of 404.54 feet to a point of tangency; thence northwesterly along said Railway's northeasterly line a distance of 203.11 feet to the east line of land conveyed to Hamburg Railway Company by deed recorded in Liber 918 of Deeds at page 575; thence continuing northerly forming an interior angle of 186 degrees -05'-23" a distance of 181.6 feet more or less to the southeast line of Southwestern Boulevard, as now laid out; thence northeasterly along the southeast line of said Southwestern Boulevard a distance of 522 feet more or less to the point of beginning, being 12.73 acres, more or less.

**19.**

On a motion of Councilwoman Kesner, seconded by Councilwoman Hochul, the following

resolution was

ADOPTED           Ayes   5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes   0

**BE IT RESOLVED**, that the Hamburg Town Board authorize the Department of Community Development to publish a “Request for Proposals” for completion of the following projects utilizing Community Development Block Grant funds:

- 1)       Comprehensive Housing & Financial Counseling Services; 4/07 - 3/09
- 2)       Legal Collection Services for all “Housing Funds”; 4/07 - 3/09

The above projects were authorized under the Community Development Block Grant and/or the HOME Investment Partnership programs. Funding for publication of said notices is available in the CDBG Program Income account and CD 30; 8668.350.

**20.**

On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following

resolution was

ADOPTED           Ayes   5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes   0

**WHEREAS**, the Hamburg Development Corporation (HDC) cooperatively submitted an application with the Village of Hamburg for New York Main Street Program funds through the New York State Housing Trust Fund Corporation, and

**WHEREAS**, the Hamburg Development Corporation (HDC) was the primary applicant for this program due to its 501-C-3 designation, and

**WHEREAS**, the Village of Hamburg had requested and will received \$200,000 from the New York Main Street Program through the New York State Housing Trust Fund Corporation, and

**WHEREAS**, the \$200,000 in grant funding is to be utilized for the issuance of grants to businesses for renovation and facade work within a specific target area in the Village of Hamburg.

**NOW THEREFORE BE IT RESOLVED**, that the Executive Director of the Hamburg Development Corporation (HDC) be authorized to sign the agreement by and between the New York Main Street Program through the New York State Housing Trust Fund Corporation and the Village of Hamburg for the use of these funds.

**BE IT FURTHER RESOLVED**, that the Village of Hamburg be solely and independently liable for all work and any litigation that arises; that the Village of Hamburg shall indemnify and hold harmless the Hamburg Development Corporation (HDC), its Executive Director, Directors and Board Members and the Town of Hamburg from said work and litigation and that the Hamburg Development Corporation and the Town of Hamburg be added as an additional insured on any liability policy with relation to this agreement and program.

On a motion of Supervisor Walters, with a unanimous second, the following resolution was  
ADOPTED                   Ayes   5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                              Noes   0

**WHEREAS**, in April of 2006, the Town of Hamburg entered into a tentative agreement with both the Village of Hamburg and the Village of Blasdell wherein the Town of Hamburg would provide building inspection services to the entire town, including the incorporated villages, and

**WHEREAS**, a resolution was adopted on May 1, 2006, to request a Home Rule Message that would grant permission to the Town to charge all expenses, including salaries, incurred by the building inspector and his deputy and assistants in connection with his duties as outlined under section 138 of the NYS Town Law, less fees collected, if any, on the taxable properties of that part of the town to include the incorporated villages and that those taxes would be assessed, levied and collected in the same manner as other town charges levied on the taxable properties of that part of the town to include the incorporated villages, and

**WHEREAS**, a second resolution was adopted on June 5, 2006, authorizing a written home rule request to approve “An Act to authorize the Town of Hamburg, County of Erie, to provide code enforcement services to the Villages of Hamburg and Blasdell”, and

**WHEREAS**, said Home Rule Message failed to achieve passage in the New York State Assembly,

**WHEREAS**, this Home Rule Message is required because local government does not have the power to enact such legislation by local law, and

**NOW THEREFORE BE IT RESOLVED**, that the Town of Hamburg resubmit the Home Rule Request to the New York State Senate and Assembly for reintroduction.

**BE IT FURTHER RESOLVED** that certified copies of this resolution be sent to NYS Senator William T. Stachowski and NYS Assemblyman Jack Quinn.

Supervisor Walters explains that this is step one to consolidate the Building Inspection Departments throughout the Town. It is a cost savings measure for the entire Town and hopefully they can achieve passage and would encourage everyone to write their local Assembly to implore them to pass this.

Councilwoman Kesner comments that Senator Stachowski did vote for this to pass in the past. She asks Kurt Allen to prepare a print out of all the activities performed for both Villages and a print out of monies received from the Villages for this particular service.

**22.**

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

ADOPTED                   Ayes   5           Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                                  Noes   0

**WHEREAS**, residents along Heltz Road between Southwestern Blvd. and Lakeview Road have informed the Town Engineering Dept. that they frequently experience problems with air build-ups in their household water systems. Following investigation of this situation, it has been determined that air becomes trapped in the system due to a high point created by a significant elevation change in the Heltz Road watermain after it crosses Southwestern Blvd., as well as it being a dead-end watermain at the Lakeview Road end. In order to remedy this, it is necessary that an air release valve be installed within this portion of the Heltz Road watermain; and

**WHEREAS**, Nussbaumer & Clarke, Inc. has previously been retained by the Town of Hamburg to provide engineering services associated with the Town's 2006 Waterline Replacement Project, the Town Engineer requested a proposal from them for providing additional design and construction administration services for the installation of the proposed air release valve. Their proposal has been reviewed by the Town Engineer, who has determined it to be reasonable and acceptable for the services to be provided,

**THEREFORE BE IT RESOLVED**, that Nussbaumer & Clarke's contract is amended to include these services, at an additional fee not to exceed \$5,000, which increases their total contract amount for this project to \$50,700. The Town Supervisor is authorized to sign their 1/16/07 proposal letter/agreement in this regard. Funding for these services is available within the fund balance for the 1989 Master Water Improvement Area (SW-31), under which the Heltz Road watermain was originally installed.

**23.**

On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was

ADOPTED           Ayes   5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes   0

**WHEREAS**, through the efforts of former Congressman Jack Quinn and Congressman Brian Higgins, the Town of Hamburg has received \$400,000.00 in Federal transportation funding for transportation related improvements to be undertaken by the Town along Lake Shore Road (NYS Route 5); and

**WHEREAS**, the Town Board intends to utilize these funds for the design and construction of gateway features in the Big Tree Road area of Route 5, as recommended in the Lake Shore Road Traffic Calming Study prepared by the New York State Department of Transportation (NYSDOT). These features are proposed to include items such as signage, entrance walls/pillars, landscaping, highway medians, traffic control devices, architectural crosswalks, and site amenities and streetscaping associated with the upcoming US Army Corps of Engineers shoreline protection project in the area between the Hoaks and Foits restaurants; and

**WHEREAS**, this funding is being administered by NYSDOT, who has requested that concept plan drawings of the proposed features be prepared, for review and approval by NYSDOT prior to the Town proceeding further with the project,

**THEREFORE BE IT RESOLVED**, that the Town Engineer is authorized to issue a Request for Proposals to qualified architectural/engineering consultants for providing services associated with the preparation of concept plan drawings for this project, at an estimated cost not to exceed \$20,000. The Federal funding will cover 80% of this cost, with the Town responsible for the remaining 20%.

**BE IT FURTHER RESOLVED**, that the Town Board expresses its sincere appreciation to Former Congressman Jack Quinn and Congressman Brian Higgins for his efforts in securing this funding for the Town of Hamburg, and related assistance to the Town regarding this matter.

Councilwoman Hochul comments that there has not been a concrete plan put forth for Route 5 because of a difference of opinion on how it should be undertaken. The NYSDOT has stated that they do have a plan to go into affect in the year 2010, but they don't know what shape that will take. In the meantime, they do have money available to them and Congressman Higgins has made sure that money is still available for them to use. Therefore they would like to hire some consultants to come up with a plan for this area that they can take back to the NYSDOT and ask them for their approval.

Kennett Noyes comments that she is formerly from Chicago and they put in layers of brick down to the lake and put pillars up and put up a sign that said welcome to the City of Chicago. She suggests they do that and say Welcome to Hamburg.

Councilwoman asks if she can get a picture of that, she would like to see it.

Councilman Quatroche comments that they have been working on a splashover project for many

years and the problem is between the lawyers of the Federal Government and the State Government and it has taken way too long to work out the differences of intermingling the funding. He has been working with Laura Ortiz, Army Corp of Engineers, to get this resolved with a cooperative agreement.

Councilwoman Hochul comments that copies of this resolution be sent to the Master Plan Committee and Shoreline Revitalization Committee for their input.

Councilwoman Kesner comments that she appreciates the traffic calming, anything to slow people down, because that is where the bike path will cross Route 5.

**24.**

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	

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

Craig Staffeldt  
5455 Southwestern Blvd. #21 B  
Hamburg, N.Y. 14075

**25.**

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	

**RESOLVED**, that the Town Board approve the hiring of personnel for the Building and Grounds Department as follows:

- |                    |                  |            |           |
|--------------------|------------------|------------|-----------|
| 1. LaRosa, Barbara | Clerk, Part-time | 01/12/1007 | Terminate |
| 2. LaRosa, Barbara | Clerk, Seasonal  | 01/15/2007 | \$10.93   |

**26.**

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
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TOTAL CAPITAL FUND DISBURSEMENTS: \$ 655,399.18

PAYROLL:

PR #1 \$ 578,604.72

TOTAL PAYROLL DISBURSEMENTS: \$ 578,604.72

PETTY CASH \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$3,288,165.80

### **Reports From Town Board Members and Department Heads**

Councilwoman Kesner reports that the Town has received a \$90,000 grant for our Dispatch Department through the municipal sharing program. This will be to upgrade our dispatch equipment. We also received \$10,000 from Assemblyman Jack Quinn for our Domestic Violence Program. We will use this money to get the message out to our High Schools about anger management programs that are available. This is Mr. Spute's last meeting with the Town before his retirement. He has done a wonderful job and she wishes him well.

Councilwoman Hochul reports that they are going to celebrate the 30<sup>th</sup> anniversary of the Blizzard of '77. This Saturday, January 27<sup>th</sup> they will hold "Family Fun Day" at the Lake Erie Seaway Trail Center from 12:00 to 4:00 p.m. Her thanks to Mr. Spute as well.

Councilman Quatroche comments that Mr. Spute has been through many administrations and he has always done the utmost to make sure that the residents investment in the community is watched after. He thanks him for his role as the Emergency Management Administrator as well.

Supervisor Walters also wishes Mr. Spute well.

Councilman Cavalcoli comments that this is very difficult for him because Mr. Spute and he have been together for many years. He will miss him and wishes him the best.

Mr. Spute reports that he just received another certificate for excellence in Financial reporting, this is for the 24<sup>th</sup> consecutive year.

All remaining Departments thank Mr. Spute.

### **Business From the Floor**

Joe Kilian, Lakeshore Taxpayers, requesting a stop sign. On East and West Parkway off Route 5 there is road which was an alley and was probably supposed to never be used as a driveway access for a new building that was put up there and since the brush has been cleared people have

started whipping through there.

Councilwoman Hochul tells Mr. Kilian to put this in writing to them so that they can submit it to the State.

Mr. Ellis, Traffic Safety Coordinator, comments that they are already looking into this, no letter is necessary.

Mr. Kilian comments that several months ago they gave the Town Board a letter with seventeen questions and would like to set a date to discuss this.

Supervisor Walters responds to call him tomorrow and they will set a date.

Mr. Kilian then comments on the Master Plan Update and that the public comment so far has been minimal. The United Council is sponsoring a meeting at Woodlawn Fire Hall on February 22<sup>nd</sup> from 6:00 to 9:00 p.m. The Master Plan Committee will be there and they want public comment.

Councilman Cavalcoli comments that they will be holding several community based information nights throughout the Town. They will be held in February and March in various parts of the Town and he will keep him informed.

Kennett Noyes comments that kids are ruining the circle in her neighborhood and her property with 4 wheelers.

Councilman Quatroche responds that a couple of years ago they put together a special detail to deal with kids that were ruining parks in the area. Maybe they should look at that again for this area.

Supervisor Walters responds that they will work with the Police Department to come up with a solution.

Councilwoman Kesner requests that she leave her phone number with the Town Clerk so they can get in touch with her.

Joe Kilian comments on a similar situation in his neighborhood.

Councilman Cavalcoli comments that this is not just a Police issue but a neighborhood issue. In other Town's they have formed community action groups and it is the people in the neighborhood that keep watch and work on this with the assistance of B & G and Police.

Faye Dils, Scranton McKinley Taxpayers, questions if they have heard anymore about the traffic light on South Park and Scranton.

Councilwoman Hochul questions Mr. Ellis how many times they have tried and been rejected. Mr. Ellis responds 3 times. Councilwoman Hochul responds this is a new administration, they will try again.

**28.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board move into Executive Session on a Legal Contractual matter and personnel Planning matter at 8:15 p.m.

**29.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board close Executive Session at 9:10 p.m.

**30.**

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

ADOPTED           Ayes 5       Walters, Cavalcoli, Hochul, Kesner, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board adjourn at 9:10 p.m.

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Catherine Rybczynski, Town Clerk