

A regular Town Board meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, 6100 South Park Avenue, Hamburg, New York on the 26th day of January 2015.

2.

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

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board adjourn Executive Session at 7:14 pm and move into the regular meeting.

ROLL CALL:	Steven J. Walters	Supervisor
	Michael Quinn, Jr.	Councilman
	Cheryl Potter-Juda	Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney; Mary Dosch, Sr. Account Clerk; Gerard Kapsiak, Town Attorney; Greg Wickett, Police Captain; Marty Denecke, Director of Youth, Recreation and Senior Services; Jay Collard, Deputy Highway Superintendent; Sarah desJardins, Planning Consultant; Sean Crotty, Coordinator of Emergency Management Team; Milt Bradshaw, Assessor; Amy Ziegler, Deputy Supervisor

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

Supervisor Walters comments that a longtime volunteer and someone who was very active in the community, Mary Blakeslee, passed away suddenly.

Councilman Quinn comments that Mary Blakeslee was a very special person to him. She taught him a lot about selflessness. He will never be able to measure up to what she has given to the community and to his family personally. They ran a benefit years ago for a young neighborhood kid and he started it and she came on board and started telling him what to do. They raised \$90,000 for his medical expenses. When he ran for office she volunteered again and she became a cornerstone at his house. She woke him up, told him where to go and what to do and she was always giving. Whenever there was anything involving Veterans or children she was always there. She set the standard for giving within the community and he hopes he can make her proud moving forward.

Supervisor Walters comments that they will have a moment of silence for Mary Blakeslee.

3.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

12/08/2014	Work Session
12/08/2014	Town Board Meeting
12/30/2014	Year End Meeting
01/12/2015	Organizational Meeting

4.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following January / February 2015 Taylor Road rentals:

01/24/15	01/30/15	01/31/15	02/08/15
02/28/15			

5.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board authorize Avery Sigle, a student at Hilbert College to do Internship in the Police Department at no cost to the Town.

6.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the termination and rehiring of personnel in the Assessing Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	4239	Debbie Ginnetti		Part Time		\$11.25		1/17/2015
2	4239	Debbie Ginnetti	R	Seasonal Full Time	1/18/2015		\$11.25	

7.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the out of town travel request of the Honorable Gerald P. Gorman to attend the Association of Towns meeting in New York City from February 15 to February 18, 2015. This meeting provides the required 12 hours of training at an approximate cost of \$1200.00

8.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board authorize Donna Gavin and Heidi Brunner to attend an "Introduction to Microsoft Excel 2010" class through the Hamburg Continuing Education Program, Mondays starting March 2 to 23 from 7:15 pm to 9:00 pm at a cost of \$60.00 each. The class is held at Hamburg Senior High School. The funds are available in A1690.492.

9.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED that the Town Clerk be authorized to advertise for a public hearing regarding renewal of the Time Warner Cable Franchise Agreement with the Town of Hamburg.

The public hearing will be scheduled for March 9, 2015 at 7:00 p.m. local time.

10.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED that the Town Board approve the purchase of a 2015 John Deere Compact Excavator per NYS Contract #PC66575. The total price of the equipment is \$46,103.75, which will be paid in 3 yearly payments of \$15,367.92. The equipment is to be shared by Buildings & Grounds Departments. Funds are available in the following accounts: A.1620.303 (\$3,841.98), A.7140.201 (\$3,841.98), A.7141.201 (3,841.98), and ER.7250.201 (\$3,841.98).

11.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the termination and rehiring of personnel for the Town Clerk as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1								
2	4238	BRAUN, SHARON		P/T CLERK SEASONAL	1/26/15	\$10.78		
3	4159	MORFORD, ROSINA		P/T CLERK SEASONAL	1/26/15	\$15.25		
4	4510	RYDZIK, SUZANNE		P/T CLERK SEASONAL	1/26/15	\$15.25		
5	4159	MORFORD, ROSINA		P/T CLERK				1/25/15
6	4510	RYDZIK, SUZANNE		P/T CLERK				1/25/15

12.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, the Rejuvenation Committee held its first 2015 meeting and approved the dates for events that they sponsor on an annual basis.

THEREFORE BE IT RESOLVED, that the dates for the Rejuvenation Committee sponsored events for 2015 are as follows:

Hamburg Town Wide Clean Up	Hamburg Town Hall	May 2, 2015
Blast on the Beach	Hamburg Town Park	July 25, 2015
Christmas at the Cabin	Taylor Road Cabin	December 5, 2015

13.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

WHEREAS, the Project proposed to be undertaken by the Town of Hamburg to create Railroad Quiet Zones by installing supplemental safety measures in compliance with the Federal Railroad Administration (FRA) requirements at the Bayview Road, Pleasant Avenue, and Lakeview Road at-grade crossings of the CSX and Norfolk Southern Railroads in the Town of Hamburg, Erie County, New York, PIN 5761.01 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% Non-Federal funds; and

WHEREAS, the Town of Hamburg desires to advance the Project by making a commitment of 100% of the Non-Federal share, if any, of the costs of the Preliminary Engineering (Design I-VI) phase of the Project PIN 5761.01.

NOW THEREFORE, the Town Board of the Town of Hamburg, duly convened, does hereby

RESOLVE, that the Town Board of the Town of Hamburg hereby approves the above subject Project; and be it further

RESOLVED, that the Town Board of the Town of Hamburg hereby authorizes the Town of Hamburg to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) phase of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$55,000 is hereby appropriated from Town funds and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the project's Preliminary Engineering (Design I-VI) phase exceeds the amount appropriated above, the Town of Hamburg shall convene its Town Board as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the Supervisor of the Town of Hamburg be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Town of Hamburg with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs, and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the \$245,000 balance remaining from the total amount of \$475,000 in Federal funding that the Town of Hamburg originally received for the establishment of railroad quiet zones in the Town is intended to be utilized for the Construction and Construction Inspection phase costs associated with establishing the proposed additional railroad quiet zones at the Bayview Road, Pleasant Avenue, and Lakeview Road at-grade crossing locations; and be it further

RESOLVED, that this Resolution shall take effect immediately.

14.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

WHEREAS, Erdman Anthony was previously retained by the Town of Hamburg to provide engineering services associated with the Town’s railroad quiet zone project at the CSX and Norfolk Southern railroad crossings along Rogers Road and Cloverbank Road; and

WHEREAS, in that \$300,000 in Federal Highway funding remains available for this project, the Town is proposing to expand the quiet zones to include the Bayview Road, Pleasant Avenue, and Lakeview Road crossings; and

WHEREAS, the Town desires to proceed with the Preliminary Engineering work necessary for establishing the additional quiet zones at these crossings, for which a proposal was requested and received from Erdman Anthony. This proposal has been reviewed by the Town Engineer and determined to be reasonable and acceptable for the services to be provided, and within the Federal funding amount which has been authorized by the New York State Dept. of Transportation for this purpose. Erdman Anthony’s proposed fee amounts for each phase of this work are as follows:

Survey Phase	=	\$14,100
Design Phase	=	<u>\$40,830</u>
TOTAL FEE	=	\$54,930

THEREFORE BE IT RESOLVED, that the current contract with Erdman Anthony is amended to include the above services, and that the Supervisor is authorized to sign their January 21, 2015 proposal letter/agreement in this regard. Funding for these services is to be from the Federal Highway funding that the Town has received for this project (PIN 5761.01).

15.

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

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

WHEREAS, the Town of Hamburg Planning Board has approved the Preliminary Plat Plan for the Carnegie Subdivision, Part 2; and

WHEREAS, three (3) fire hydrants are to be installed within the subdivision to provide proper fire protection for the development; and

WHEREAS, although the developer is responsible for the cost of installation of the fire hydrants, it is necessary that the Town agree to such installation as the Town is charged for the maintenance of fire hydrants under the Direct Service Agreement with the Erie County Water Authority; and

WHEREAS, the subdivision is located within the Town Hydrant District, and property owners in the subdivision will be paying associated charges to such district as part of their annual Town and County tax bill,

THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG, AS FOLLOWS:

1. The Town Board considers that the installation of the additional three hydrants to serve the Carnegie Subdivision, Part 2 will be beneficial to the health and safety of residents of the Town of Hamburg, and is therefore in the public interest.
2. The development of the subdivision will result in increased revenue to the Town of Hamburg, including revenue for fire protection. As such, the cost to the Town for the annual maintenance of the fire hydrants will be offset by the additional revenue generated by the subdivision.
3. The Town Board agrees that the cost of the hydrant maintenance fees for the additional fire hydrants being installed as part of the subdivision shall be paid by the Town of Hamburg through revenues generated by the Town Hydrant District.
4. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Department for transmittal to the Erie County Water Authority.

16.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED, that the Town Board approve the following appointment as COORDINATOR of the Town’s Geographic Information System, for a term commencing on January 17, 2015 and ending on December 31, 2015:

Richard J. Lardo \$2,000 Annual Stipend (\$76.92 per pay period)

BE IT FURTHER RESOLVED, that the Town Board approve the allocation of \$2,000 from Acct. No. A599 (New York State STAR Funds) to Acct. No. A1440.100 (Engineering Dept. Personal Services) for this purpose.

17.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 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 2015:

Primary Representative: Gerard M. Kapsiak, Town Engineer
Alternate Representatives: Supervisor Steven J. Walters
 Thomas M. Best, Highway Superintendent

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.

18.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, the Town is obligated by General Municipal Law to maintain a balanced budget in the funds, and

WHEREAS, the Town is self-insured for workers’ compensation, and

WHEREAS, the workers’ compensation expenditures (CS.9040.840) within the Town’s Insurance Reserve Fund exceeded the adjusted budget by \$17,343 during the year ended December 31, 2014, and

WHEREAS, the Town has available workers’ compensation reserves within the Insurance Reserve Fund

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby amends the 2014 General Fund (CS) to increase the appropriation for workers’ compensation expenditures on line CS.9040.840 by \$17,343 through use of available reserves in the workers’ compensation reserve (CS.814) by \$17,343.

19.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

Zachary Balzer
3278 Bethford Drive
Blasdell, N.Y. 14219

Michael Evelo
4027 Bond Street
Blasdell, N.Y. 14219

20.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1	2639	Barlow, William		Van Driver-A6772				1/26/2015
2		Bogner, Mary Catherine	N	Rec Attd-A6780- P/T	1/7/15		\$9.00	
3	4420	DeRamo, Melissa		Rec Attd- A6780				1/26/2015
4	4327	Dietterich, Anne	R	Rec Attd- A6780- P/T	1/27/15		\$10.50	
5	3320	Felice, Charles		Rec Attd-A6772				1/26/2015
6	2697	Hornberger, Rory		Van Driver-A6772-P/T				1/16/2015
	2697	Hornberger, Rory	R	Van Driver-A6772-Seas	1/17/15		\$12.24	
7	4279	Kummer, Zachary		Rec Attd-EW7251				9/13/2014
8	4477	Mohn, Rebecca		Rec Attd-EW7251				9/10/2014
9	4141	Parker, Nancy		Rec Attd-A6780- P/T				1/26/2015
	4141	Parker, Nancy	R	Rec Attd-A6780-Seas	1/27/15		\$10.25	
10	4527	Rosen, Stacey		Rec Attd-A6780				1/26/2015
11	98	Scheffler, Gerald		Van Driver-A6772				1/26/2015
12	4490	Sorgi, John		Rec Attd-EW7251				9/10/2014
13		Wenzel, Traci	N	Rec Attd-A6780-P/T	1/7/15		\$9.00	
14	4435	Winans, Gaylon Bruce		Rec Attd- A6780				1/26/2015

21.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, the Hamburg Town Board adopted a resolution on November 27, 1995, granting permission to the Hamburg Snowmobile Club to use Town property located at the Electric Avenue playground, along Rush Creek (near Parker Road) and the dedicated recreation land commonly referred to as “Sixty-Five Acres” for development of snowmobile trails, and

WHEREAS, the parties entered into an agreement for use of Town property as part of the Hamburg Snowmobile trail system commencing on April 1, 2014, through March 31, 2015, and

WHEREAS, the Hamburg Snowmobile Club trail system also includes Town of Hamburg property located at 6040 Smith Road, and 4575 Tomaka Drive, and

WHEREAS, the Hamburg Snowmobile Club submitted a request to also include Town of Hamburg property on Lake View Road, commonly referred to as the “Nike Base”, and identified as S.B.L. Nos. 194.00-4-15; 194.00-4-16 and 194.00-4-17

NOW THEREFORE, BE IT RESOLVED, that the Hamburg Snowmobile Club is authorized to include Town of Hamburg property on Lake View Road, commonly referred to as the “Nike Base”, and identified as S.B.L. Nos. 194.00-4-15; 194.00-4-16 and 194.00-4-17 as part of their trail system.

22.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED that a public hearing be scheduled to consider an amendment to Chapter 235 of the Hamburg Town Code entitled “Taxation”. This amendment would provide for the addition of a new section, “Grievance Day for Real Property Assessment Review.”

The hearing is scheduled for February 23, 2015 at 7:00 p.m.

23.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED, that the Hamburg Town Board authorize the Finance Department to increase the Town Hydrant Fund Appropriation Account No. SH3440.438 (Hydrant Rental) through a transfer from Account No. SH599 (Appropriated Fund Balance) in the amount of \$35,000. This is to fund additional expenses that have been incurred for 2015 due to a recently enacted change by the Erie County Water Authority in their billing frequency for providing hydrant maintenance services.

24.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, the Town of Hamburg received a request from MB LAD, LLC to rezone property located at 4455 Lake Avenue from R-3 (Multi-Family District) to C-2 (General Commercial District) in order to accommodate a small welding/fabrication business; and

WHEREAS, the Code Review Committee reviewed the application and found merit in the rezoning of this property with concerns;

WHEREAS, the Town Board referred this rezoning request to the Planning Board for its review and recommendation; and

WHEREAS, on November 5, 2014, the Planning Board forwarded a positive recommendation regarding this proposed rezoning with the following conditions:

1. The property should only be rezoned back to the point where it meets the rear property line of the adjoining property to the west.
2. No vehicles, debris, equipment or supplies shall be stored in front of the building.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby schedules a public hearing regarding this rezoning request to be held on February 23, 2015.

25.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

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

Adam Joseph Norman
4443 Stratford terrace
Hamburg, N.Y. 14075

26.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, the Town Board authorize Police Officers Jeffery Lavelle and Howard Widman to attend the CDR Analyst and Technician Level I and II courses, to be held in Marietta, Ga, from March 18, 2015 to March 27, 2015.

Cost of Course: \$800.00 ea.	\$1600.00
Hotel: 9 nights X 115.78per room	\$1042.00
Meals: 7 days x \$40.00 per day	\$ 560.00
Air Fare: \$359.20ea	\$ 718.40
Rental Car:	\$ 280.66
Gas (approximate)	\$ 50.00

TOTAL: \$4251.06

Money is available in accounts: B3120.492 and B4358 (Drug Seizure Acct.)

27.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

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

TOWN BOARD
AUDIT OF CASH DISBURSEMENTS January 26, 2015

		VOUCHER #S
OPERATING FUND:		
BATCH #1	\$313,629.00	73409-73546
BATCH #2	\$247.99	75547
BATCH #3	\$116,608.30	73548-73550
BATCH #4	\$18,750.00	73551
BATCH #5	\$48,229.54	73552
BATCH #6	\$51,968.70	73559-73594
BATCH #7	\$4,801.27	73595
BATCH #8	\$8,673.58	73596-73619
BATCH #9	\$7,775.47	73621-73649
BATCH #10	\$52,764.33	73650-73724
BATCH #11	\$29,183.65	73726-73768
BATCH #12	\$45.00	73769
BATCH #13	\$35,555.09	73770-73799
BATCH #14	\$15,172.31	73800-73820
BATCH #15	\$16,126.20	73821-73837
BATCH #16	\$1,509.94	73838-73845
BATCH #17	\$97,449.77	73851
BATCH #18	\$537,083.17	73852-73908
BATCH #19	\$29,783.25	73918
TOTAL OPERATING FUND DISBURSEMENTS:		\$1,385,356.56
TRUST & AGENCY:		
TOTAL TRUST & AGENCY DISBURSEMENTS:		\$0.00
CAPITAL FUND DISBURSEMENTS:		
BATCH #1	\$280,337.55	73553-73558
BATCH #2	\$26,399.67	73846-73850
BATCH #3	\$34,979.43	73909-73917
TOTAL CAPITAL FUND DISBURSEMENTS:		\$341,716.65

PAYROLL:

PR #P/R #1	\$625,143.44
PR #P/R #2	\$722,227.04

TOTAL PAYROLL DISBURSEMENTS:	\$1,347,370.48
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PETTY CASH	\$0.00
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TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$3,074,443.69
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Reports from Town Board Members and Department Heads

Councilwoman Potter-Juda – No report

Councilman Quinn – No report

Supervisor Walters reports that since the last Town Board meeting they had the official last day of the Town Assessor Robert Hutchison and he would like to send formal congratulations as he begins his retirement and welcome to Milt Bradshaw who will be taking over as Town Assessor as they move forward. Secondly he wants to note, going back to the November storm, that the town did conduct the debriefing through the Coordinator of Emergency Management, Sean Crotty, and Dean Messing the former County Coordinator who is a Hamburg resident and volunteered to assist in the process. The Town Board has some very thick books that they will be reviewing and hopefully implementing some of the recommendations that came to light from the storm. Also, with respect to the storm, he wants to note that they received in the mail today commendations from the Governor for the Town's handling of the storm. He would also like to note that Sean Crotty and he were invited to attend the Governors State of the State address last week and they did have the opportunity to hear some of the proposals that were made. He wants to highlight and stress all the work that was done by all the professionals in the Town from the Highway Department, Police Department, Dispatchers, Building Inspection and everyone that was involved. He can't say enough about the efforts that were put in during that storm.

Catherine A. Rybczynski, Town Clerk, reports that she received a call from County Clerk, Chris Jacobs Office and they want to hold a "Thank A Vet" outreach event. This will be held on February 12th from 9:00 am to 11:30 am. They will also be doing Valentines for Vets at the same time. Any Erie County resident that has been honorably discharged from the military can bring in their original DD214 and they can get a "Thank A Vet" card.

Mr. Kapsiak thanks the Town Board for approving the resolutions pertaining to the Railroad Quiet Zones and others that were acted on tonight. On the Quiet Zones, the lengthy one has to do with the Federal Funding agreement for the project. The wording is required by the NYSDOT and that is why it was so lengthy. They did receive the agreement from the NYSDOT that allows the Town to proceed with the preliminary engineering design work for establishing the additional Quiet Zones at the Bayview Road, Pleasant Ave and Lakeview Road railroad

crossings. The resolution that followed was awarding the preliminary engineering work to Erdman Anthony Engineering who had worked on the Rogers Road and Cloverbank Road crossings at which they did a good job and have the experience. He wants to note that based on discussions they had with Erdman Anthony and the Federal Railroad Administration, they are going to look at including the Norfolk Southern Crossing on Pleasant Ave. They evaluated and submitted an application to the FRA for their consideration in allowing that installation to be made there as an alternative safety measure as opposed to a supplemental safety measure. This is necessary based on the reduced length of the traffic separator that will be installed there due to the closeness of the Versailles Road intersection. There is no guarantee it will be approved by the FRA but they did say they would at least take a look and evaluate it and give the Town a yes or no on it. Erdman Anthony plans to start the work very soon.

Marty Denecke reports that they are on the verge of opening the Hamburg Senior Community Center on Southwestern Blvd. In mid-February they will be opening the Adult Day Care Center and their general seniors programming. The Building is spectacular and will be enjoyed and used by seniors throughout the Town.

Sean Crotty reports that he looks forward to moving beyond the November storm. They have moved on now to the reimbursement phase from FEMA and are looking forward to meeting with them to get that reimbursement so they can replenish funds. He has been working with John McKendry on the crude oil trains and bringing some additional training to our firefighters and first responders in the Town. He has been very involved in the collaboration amongst law enforcement and the School districts (Hamburg, Orchard Park and Frontier) so that when the Police respond to an emergency, in a school, it is a unified response.

Dan Corium, representative from State Senator Mark Panepinto's Office, states that they have a new Office and the doors are always open. They will also be advertising times and dates when they will have representatives available in area Town Hall's and Village Hall's to answer questions.

Business from the Floor

John McKendry comments that he will be working with Assemblyman Sean Ryan's Office and Congressman Chris Collins Office to report what trains are going through the Town of Hamburg and everyone should be concerned about a derailment. A group of people that are taking credit for the Governor banning fracking are now going after the "Bomb Trains". If they could help us prevent a catastrophe from happening here it would be wise. He thanks Mr. Kapsiak and the Town Board for moving forward on the additional Railroad Quiet Zones.

Joe Kilian comments that at a taxpayer group meeting an issue that came up was someone going at an extremely high rate of speed, intermittently, on Ontario Street in Scranton. They would appreciate it if the Police could look into this.

Captain Wickett responds that if they could get some further information on it, it would be helpful.

Mr. Kilian then reports that the Electric Company came in and removed all the trees along the Thruway underneath the high tension wires. There was a barrier there for wind and sound, they planted trees and bushes and that is all gone. There is a great deal of sound coming from the Thruway and the wind is whistling through there. If something could be done it would be appreciated.

Supervisor Walters responds that he will have someone from the Building Department look into that.

Bill Knab, Lakeview Road, comments that he wrote to him concerning the oil trains. He believes that it is the older cars that are being stored in Hamburg. If the railroad could chose a more rural area that would be better than a residential area. The second issue he has is drainage issues on Lakeview Road. His first winter in his house was 2013-2014 and the lot was not yet finished so there were some problems. However, the problems were compounded by the drainage ditch in the front. In June of 2014 he saw the County crew working across from the soccer and playing fields and he stopped to talk to them about his problem and they said they were aware of it and they would get to it in October. They did not get to it and in November they had the thaw and he had a lake 260 feet wide by 150 feet towards the house, up to 1 foot deep with a river 10 feet wide coursing across his driveway threatening to wash it out. His septic is in the front, it is going to flood the septic and backup into the house. He describes all the drainage issues surrounding him. Thanks to Alliance Homes and the site drainage they functioned as an island very well. He approached the Highway Department and he wrote to Lynn Dixson. He is having a problem maintaining the property because it is never dry. The Town seems to have some pull with the County in getting Town property taken care of so he is asking for help in getting this taken care of in the spring.

Supervisor Walters responds that they will reach out to the County and hopefully they can get out there and clean out the drainage ditches.

Mr. Knab comments that he liked getting the emergency updates on his phone and he feels the Town did a great job.

Mr. Anderson comments that he agrees with Mr. Knab in that he has had the same drainage problem with his property for 30 years in the front of his property. He questions that if they do dig out the ditches could they take that soil and put it in the back of his property. This would help the drainage in the back.

Supervisor Walters responds that he will take note of that and see if the County is willing to do that.

28.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board adjourn at 8:00 pm.

Catherine A. Rybczynski, R.M.C.
Town Clerk