

Meeting No. 3  
January 27, 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
	Kathy C. Hochul	Councilwoman
	Thomas Quatroche, Jr.	Councilman
	Joan Ann Kesner	Councilman

Also Present:	George Danyluk	Town Clerk
	Richard Boehm	Deputy Town Attorney
	Gerard Kapsiak	Town Engineer
	Drew Reilly	Planning Consultant
	James Connolly	Highway Superintendent
	Kurt Allen	Supervising Building Inspector
	Tim Ellis	Traffic Safety Coordinator
	Joe Coggins	Ass't. Police Chief
	Carmen Kesner	Lieutenant of Detectives
	Christopher Hull	Director of Community Development
	John Farrell	Director of Senior Services
	Robert Mars	Receiver of Taxes
	Robert Hutchinson	Town Assessor

The Pledge of Allegiance is recited.

Information on Fire Exits is provided.

**I.**

**BE IT RESOLVED**, that the Town Board appoint Joan Ann Kesner to fill the unexpired term of James F. Connolly effective 1/27/97 through 12/31/97.

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

At this time Joan Kesner comes forward to be Sworn in by George Danyluk, Town Clerk.

**II.**

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

January 13, 1997	Town Board Meeting
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Moved: Cavalcoli	Seconded: Quatroche
Roll Call:	Ayes: Hoak, Cavalcoli, Hochul, Quatroche, Kesner
	Noes: None
	Carried

**III.**

**BE IT RESOLVED**, that the Town clerk be authorized to advertise for bids on the following:

“Operation of a Food Concession Stand at the Town of Hamburg Golf Course for the 1997 Golf Season”

Bids are scheduled to be opened on February 18, 1997 at 2:00 p.m. local time.

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

**IV.**

**RESOLVED**, that the Town Board authorize Dispatchers Richard Lynch, Joseph Fox, and Thomas Partridge to attend a Powerphone 2 Day Law Enforcement Dispatch Training Program on May 1, and 2nd 1997 at the Days Inn in Batavia, N. Y.

The program will cover crimes and incidents in progress; liability and legal issues; breaking hysteria thresholds; crisis intervention; officer safety; multiple calls; suicide calls; domestic violence; public relations and more. Use of a Town vehicle for transportation is also requested. The cost is \$199 each, for a total of \$597.00. Funds are available in Account A3020.492.

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

**V.**

**BE IT RESOLVED**, that the Town Engineer’s report on the acceptance of the BERKLEY SQUARE SUBDIVISION PART 7 work performed under Public Improvement Permit Nos. 597, 598, 599, 600 & 601 be received, and that the Supervisor is authorized to sign the report.

**BE IT FURTHER RESOLVED**, that this action does not relieve the developer of the responsibility for completing the street lighting installations under Public Improvement Permit No. 602.

**BE IT FURTHER RESOLVED**, that this resolution becomes effective on the day the report is signed by the Supervisor.

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

**VI.**

**RESOLVED**, that the Town Board grant permission for Officer Michael Springer to attend the New York State Fire Investigators Winter Seminar to be held January 31 thru February 2, 1997, at the Sheraton University Hotel in Syracuse, New York.

Registration	\$ 70.00
Lodging	\$158.30
Meals - 3 days x \$40.00 per day	\$140.00
Gas & Tolls - approximately	<u>\$ 50.00</u>
Total	\$398.30

Use of Unmarked Police Vehicle to be used for transportation. Money is funded in Account B3120.492.

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

**VII.**

**BE IT RESOLVED**, that the Town Clerk be authorized to advertise for bids on the following:

1. Arts and Crafts/Town of Hamburg Recreation Dept. - 1997
2. Athletic Equipment/Town of Hamburg Recreation Dept. - 1997
3. Staff Uniforms/Town of Hamburg Recreation Dept. - 1997

Bids are scheduled to be opened on March 4, 1997 at 2:00 p.m. local time.

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

**VIII.**

**RESOLVED**, that the Town Board approve the transfer of appropriations from the Legal Department within the 1997 budget as follows:

From: Contingency	A1990.419	\$500.00
To: Telephone	A1420.421	\$500.00

To fund phone line for computer modem.

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

**IX.**

**RESOLVED**, that the proposed rezoning for the Dils property located at 5504 South Park Avenue from R-3, Multi-family to N-C, Neighborhood Commercial be removed from the table.

**WHEREAS**, the petition of Herbert Dils for the rezoning of property located at 5504 South Park Avenue from R-3, Multi-family to N-C, Neighborhood Commercial was referred to the Planning Board and received a Negative Recommendation, and

**WHEREAS**, the Town Board has reviewed the application and held a Public Hearing;

**THEREFORE BE IT RESOLVED**, that the Dils rezoning be denied for the following reasons:

1. It is not in accordance with the existing Master Plan or the proposed Master Plan Update.
2. The rezoning would not be beneficial to the Town of Hamburg and its residents.

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

**X.**

**RESOLVED**, that the Town Board grant permission to the Police Department to purchase two (2), new MaraTrac Mobile Radios, from Metro Electronics, 500 Aero drive, Cheektowaga, New York, for a cost of \$3,146.00 to be used in two new Police Vehicles. Money is funded in account B3120.202.

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

**XI.**

**RESOLVED**, that the proposed rezoning for the Pinelli property located at 5532 South Park Avenue from R-3, Multi-family to N-C, Neighborhood Commercial be removed from the table.

**WHEREAS**, the petition of Ellen Pinelli for the rezoning of property located at 5532 South Park Avenue from R-3, Multi-family to N-C, Neighborhood Commercial was referred to the Planning Board and received a Negative Recommendation, and

**WHEREAS**, the Town Board has reviewed the application and held a Public Hearing,

**THEREFORE BE IT RESOLVED**, that the Pinnelli rezoning request is hereby denied for the following reasons:

1. It is not in accordance with the existing Master Plan or the propose Master Plan Update.
2. The rezoning would not be beneficial to the Town of Hamburg and its residents.

Moved: Cavalcoli

Seconded: Quatroche

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

Noes: None

Carried

**XIII.**

**RESOLVED**, that the Town Board approve the transfer of appropriations for the Court within the 1997 budget as follows:

From: Contingency	A1990.419	\$4,842.00
To: Personal Services	A1110.100	\$4,498.00
Social Security	A1110.830	\$ 344.00

Funding for Part Time Staff.

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

Seconded: Cavalcoli

**XIV.**

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

1. Leyh, Pauline	#2507	01/09/97	Termination
2. DiChristopher, Marianne	Nutrition Assistant	01/14/97	\$5.50
3. Kruger, Donald	Van driver	01/21/97	\$5.00

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

Seconded: Quatroche

**XV.**

**RESOLVED**, that the Town Board grant permission to the Police Department to purchase the following vehicle equipment for new Police Vehicles:

From Gall's Inc., 2680 Palumbo Dr., Lexington, KY - spotlights, traffic flashers, strobe lights & other various equipment in the amount of \$4,710.00.

From Streicher's, 10911 West Highway 55, Minneapolis, MN - sirens, light bars, mount kits and other various equipment in the amount of \$7,500.00.

Total for all equipment \$12,210.00. Money is funded in account B3120.202.

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

Seconded: Quatroche

**XVI.**

**BE IT RESOLVED**, that in accordance with Section 31-26 of the Town Code, the Town Board hereby adopts the following 1997 Public Improvement Permit (PIP) Cost Estimating Schedule. This includes construction cost increases averaging 4%, which is reflective of actual cost increases during the past year.

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

Seconded: Kesner

**XVII.**

**RESOLVED**, that the Town Board authorize the Finance Department to increase appropriation account B32120.494 Drug Enforcement Funds through the B599 Appropriated Fund Balance in the amount of \$16,901.64. These funds are received from the Drug Task Force and are to be used for Law Enforcement Purposes.

Moved: Hoak

Seconded: Quatroche

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

**XVIII.**

**RESOLVED**, that the Town Board grant permission to the Police Department, along with the Public Safety Dispatch, to purchase a Konica 1112 Copy Machine, from Eastern Copy Products, 455 Commerce Drive, Amherst, N.Y. for the purchase price of \$929.75. This is a State Contract Price (State Contract #P-051025).

Also, to purchase the annual Maintenance Agreement for a cost of \$204.00 per year.

Money is funded in accounts B3120.203 and A3020.203 for the Copy Machine and in account B3120.423 for the Maintenance Agreement.

Moved: Hoak

Seconded: Cavalcoli

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

**XIX.**

**RESOLVED**, that the Town Board approve the use of three (3) voting machines by the Village of Blasdell to be used Tuesday, March 18, 1997 where they will be conducting a General Village Election.

Moved: Hochul

Seconded: Kesner

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

**XX.**

**RESOLVED**, that the Town Board grant permission for Michelle Klinko, a student at Frontier Central High School, to do Internship in the Police Department at no cost to the Town.

Moved: Hoak

Seconded: Quatroche

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

**XXI.**

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

OPERATING FUND:

BATCH #6	\$461,000.00
BATCH #7	\$180,662.32
BATCH #8	\$635,000.00
BATCH #9	\$ 70,699.56
PTR #1	\$497,175.71

TOTAL OPERATING FUND DISBURSEMENTS: \$1,844,537.59

TRUST & AGENCY

BATCH #5	\$ 11.44
BATCH #6	\$247,830.53
BATCH #7	\$204,187.03

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 452,029.00

CAPITAL FUND DISBURSEMENTS:

BATCH #4	\$456,000.00
BATCH #5	\$ 4,862.70

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 460,862.70

PAYROLL:

PR #2	\$425,356.37
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TOTAL PAYROLL DISBURSEMENTS: \$ 425,356.37

PETTY CASH:

TOTAL PETTY CASH: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$3,182,785.66

Moved: Hoak

Seconded: Cavalcoli

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

**XXII.**

**RESOLVED**, that the Town Board approve the Out-of-Town travel request for Robert E. Hutchinson, Jr. to travel to Albany, N.Y. on February 4, 1997 to attend the Erie County Assessors Association Seminar to lobby for legislature relating to Assessment Laws. The cost is \$60.00 and money is available in account A1355.492.

Moved: Hoak

Seconded: Hochul

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

**XXIII.**

**BE IT RESOLVED**, that the Town of Hamburg enter into an agreement with the Village of Blasdell for police protection to the Village of Blasdell. The agreement to take effect on June 1, 1997 and shall continue for a period of twelve (12) months (May 31, 1998).

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to sign this agreement.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

Supervisor Hoak thanks Mr. Boehm and Mr. Sporasz for all the time they have put into this agreement.

Councilman Quatroche points out that this is a good example of Governments working in cooperation.

George Lee comments that when the Town and Villages work together a lot can be accomplished.

**XXIV.**

**RESOLVED**, that the Town Board approve Supervisor Hoak signing Section 8 of the PO-17 Form creating an additional SENIOR CLERK TYPIST position in the Justice Court. In accordance with the provisions of Civil Service Law, Section 22, Erie County Commissioner of Personnel, Leonard Lenihan, has completed Section 7 of the PO-17 form specifying the appropriate title for the position.

Moved: Hoak

Seconded: Kesner

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

Noes: None

Carried

**XXV.**

**FURTHER RESOLVED**, that the Town Board approve the promotion of SANDRA McCLEARY to this position of SENIOR CLERK TYPIST in the Justice Court. Ms. McCleary is on the Erie County Civil Service Preferred list for this title; list established 11/7/94.

Appointment effective immediately; salary per CSEA White Collar contract: \$13.47 per hour (18 month rate); funds available in A1110.100.

Moved: Hoak

Seconded: Hochul

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

Noes: None

Carried

## **XXVII.**

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

Timothy Bantle  
3453 Bethford Dr.  
Blasdell, N.Y. 14219

Moved: Hochul

Seconded: Quatroche

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

### **Correspondence**

Letter #16 - Supervisor Hoak reads a proclamation from the Government Finance Officers Association. He then congratulates James Spute for another job well done.

Letter #15 - Councilman Quatroche states that a meeting is scheduled for this week to discuss what can be done along Old Lakeshore Road.

### **Reports from Board Members and Department Heads**

Councilman Cavalcoli reports that the Planning Board met last Wednesday, at which time all documentation was reviewed. The Planning Board has requested to meet with the Town Board on February 3, 1997 at 5:30 p.m. at which time the Planning Board and Town Board will review their comments. Following this Mr. Reilly will receive all this information and the document will be prepared as a final draft. A Public Hearing will be scheduled at the end of April. Copies will be provided for public viewing prior to this Public Hearing.

Councilwoman Kesner thanks the Town Board for appointing her Councilwoman. She is extremely honored and looks forward to serving with them. She feels she will be able to contribute a great deal with her 25 years of community and government service.

Councilwoman Hochul comments that with Joans experience the Town will benefit greatly from her many years of community service. She also comments that the proclamation with the Public Library will be presented at a tea on February 9 which begin a year long celebration of the libraries' 100th anniversary. She received notification, through Mr. Ellis, that the State has allowed the Town to put in a "No Turn on Red" sign at the corner of Route 5 and Old Lakeshore Road.

In reference to the Clarence Denzel property, three out structures are due for demolition. They have received one bid and are waiting for others. The fee for this will be levied against Mr. Denzel's property taxes. Announces the formation of a staff code review committee, consisting of Dick Boehm, Richard Crandall, Kurt Allen and herself. They are reviewing the codes as they pertain to property offenses. The objective is to tighten up the Town law.

Councilman Quatroche welcomes Joan Kesner to the Board. Concerning the traffic on Route 5, they have asked the Police to watch this area for speeding. He asks that residents set a good example by not speeding. They are also going to pursue getting more checks down there for truck traffic.

Councilman Cavalcoli states that although it will take some time to fill Jim Connollys shoes, Joan Kesner comes to the Board with much experience, She has an economic background, a background in managing Grants, experience with working with many economic development groups and she brings a maturity to this Board in living in Hamburg and raising a family here.

Supervisor Hoak reports that there was a request for a report from the Legal Department. Supervisor Hoak reads a report submitted by Mr. Sorrentino. He comments that other Departments within the Town also submit annual year end reports. These will be presented to the public at Board meetings. Tonight the report will be from the Senior Services Department. The report from the Legal Department will be handed out to Taxpayer groups after the meeting.

John Farrell, Director of Senior Services, passes out a copy of their monthly newsletter. These are done free of charge by a local printer. In the middle of this is a calendar that breaks down there programs and services. He then reads his annual report for 1996 and outlines some of the programs and services.

Steve Strnad requests a copy of this report. Questions why the Adult Day Care Center requested an extra \$40,000, wasn't it supposed to be self supporting? Mr. Farrell responds that they just received contracts from Erie County, Lakeshore Hospital and Rosa Copeland Center, it is very successful for a first year program. The program is doing very well, they brought in almost \$70,000 in fees and with the \$40,000 in Community Development Block Grant money they are almost self supporting now.

Supervisor Hoak responds that he met with HUD officials last week concerning the Adult Day Care Center and they said the innovation that we have in Hamburg, in providing Federal dollars to be spent on Seniors, is second to none in Western New York. They would like to video tape our Adult Day Care Center and take it to Washington to become a model for the Country.

Steve Strnad requests a breakdown of the expenses for 1996.

Joyce Vanote questions why there is no Van service on Sunday mornings. Mr. Farrell responds that it is impossible to get everyone to Church who wants to go. Joyce asks isn't it better to at least get some people to Church. Mr. Farrell responds that he feels that it is the responsibility of the Church to get their congregation there.

Tim Ellis, Traffic Safety Coordinator, announcing that he received a notification and contract from the County of Erie confirming a \$15,000 grant between the Traffic Safety Dept. And the County. This is through the efforts of Legislator Kuwik. We use the grant for signage and computer updating within his office. Welcomes Councilwoman Kesner.

### **Business from the Floor**

Mr. Garcia, Lakeshore Taxpayers, says that he saw a Town Vehicle plowing a Village residence. Superintendent Connolly requests that he call him with the details on this.

Joan Jabczynski, McKinley Pkwy. Taxpayers, comments that there are a lot of potholes along McKinley Parkway. Councilwoman Hochul asks if they have contacted the County on this. She responds no, but they are extremely large. Councilwoman Hochul responds that she will contact them.

Karl Kopac says that at the last meeting he asked how many hours Mr. Sorrentino works. He wanted this specific question answered. The letter does not respond to this specific question. Will this question be addressed. Supervisor Hoak responds that obviously he doesn't have the information of the legal report on what Mr. Sorrentino does for the Town. Mr. Sorrentino is willing to meet with him, in public if requested, to answer any questions on this issue.

John Wiencek welcomes Joan Kesner to the Board. He questions what her policy will be in regard to Police matters. Councilwoman Kesner responds that anything directly involving her husbands duty she would abstain from. Mr. Wiencek asks, specifically would that involve personnel matters. She responds that would depend on the matter.

Steve Strnad welcomes Joan Kesner. He questions that at the December 9th meeting they announced that the position would be open and they would be receiving applications for the position. After this meeting he received a call that mentioned Councilwoman Kesner as being the next Councilperson. He dismissed this as being a rumor. He would like to hear from the Board that she was not earmarked for this position.

Councilman Quatroche responds that the Board went through a tireless process before coming to this decision.

Councilman Cavalcoli responds that he never lied to Steve in the past and is not now, Ms. Kesner was not chosen from the beginning for this position.

Mr. Strnad responds that he just wanted to clear up the rumor.

Leonard Sawicki speaks in support of Ms. Kesner.

**XXVIII.**

**RESOLVED**, that the Town Board adjourn to Executive Session to discuss Legal matters.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

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George Danyluk, Town Clerk