

Supervisor Walters calls the meeting to order at 6:04 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; Robert Brown, Sr. Account Clerk; Drew Reilly, Planning Consultant

I.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	None

RESOLVED, that the Town Board approve that Edward Baran, appointed to president of the Armor Volunteer Fire Company, shall be the official liaison between the fire company and the Town of Hamburg:

Edward Baran
22 Bittersweet Lane
Orchard Park, New York 14127

Home Phone# 648-7214
Cell Phone# 863-0644

2.

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

ADOPTED	Ayes 4	Cavalcoli, Hochul, Kesner, Quatroche
	Noes 1	Walters

BE IT RESOLVED, that the Town Board authorize the Supervisor to sign Section 8 of the PO-17 Form approving the creation of the new full-time Town Comptroller in the Finance Office.

3.

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	None

BE IT RESOLVED, that the Hamburg Town Board authorize the Department of Community Development to advertise for sealed bids in order to complete the following project utilizing 2006 and 2007 Community Development Block Grant funds:

Village of Hamburg Waterline project (Center Street)

Funding for publication of the bid is available in CD 32 8662.354.

4.

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	None

WHEREAS, in July of 2006, the property located at 4000 Buffalo Avenue, Blasdell, New York 14219 was put “for sale” through a foreclosure proceeding, and

WHEREAS, the Department of Community Development had a significant monetary interest in this property via a Housing Rehabilitation Loan, and

WHEREAS, the foreclosure proceedings would have rendered the Department of Community Developments financial interest null and void, and

WHEREAS, in order to protect its financial interest in the property, the Department of Community Development had to purchase the dwelling located at 4000 Buffalo Avenue, Blasdell, New York 14219, and

WHEREAS, over the past several months, the Department of Community Development has had the dwelling: a) professionally cleaned. b) the severe mold accumulation within the dwelling mitigated to code. c) inspected for stability and repair feasibility by a Town of Hamburg Building Inspector.

NOW THEREFORE BE IT RESOLVED that the Department of Community Development be authorized to advertise for bidders to complete necessary repairs to the dwelling to make it decent, safe, sanitary, code compliant and ready for sale. Funding for publications and repairs is available in the Town of Hamburg Department of Community Development “Acquisition/Subsidy” account.

5.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	None

BE IT RESOLVED, that the Supervisor is authorized to sign a one year maintenance agreement with Soyata Computers Office Systems Division, at a cost of \$399. This is for the Engineering Department’s office copier, for the period of 5/1/07 through 4/30/08. The agreement is based on 20,000 copies per year, with overage billable at 2¢ per copy. Funding for this purpose was appropriated in the 2007 budget for the Engineering Department, under Account No. A1440.423.

6.

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

ADOPTED	Ayes	4	Walters, Cavalcoli, Hochul, Quatroche
	Abstain	1	Kesner

WHEREAS, the Town of Hamburg has been notified by State Senator William Stachowski that \$25,000 has been awarded to the Town for the establishment of a railroad quiet zone at the Rogers Road crossing,

THEREFORE BE IT RESOLVED, that the Town Board hereby approves the Town of Hamburg entering into an agreement with the New York State Dept. of Transportation (NYSDOT) for this funding, and authorizes the Town Supervisor to execute the agreement and sign all related documents in association with the agreement; and

BE IT FURTHER RESOLVED, that the Town Clerk is requested to provide two certified copies of this resolution to the Engineering Dept., for transmittal to NYSDOT and Senator Stachowski; and

BE IT FURTHER RESOLVED, that the Town Board expresses its sincere appreciation to Senator Stachowski for his efforts in securing this funding for the Town of Hamburg, which will serve to reduce train noise and improve the quality of life for Town residents in the vicinity of the Rogers Road crossing.

7.

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

resolution was

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	None

BE IT RESOLVED, that the Town Board authorize the Supervisor to sign Section 6 of the PO-17 Form requesting the Erie County Department of Personnel to complete Section 7 for classification of a full-time Deputy Town Clerk position in the office of the Town Clerk, establishment of this position being consistent with the provisions of Section 30(10) of NYS Town Law.

8.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	None

WHEREAS, in accordance with the contract between the Town of Hamburg and the Village of Hamburg to provide code enforcement services, additional overtime is expended by Town Code Enforcement personnel. The additional services include attending Village Board, Zoning Board, Planning Commission and other advisory committees meetings as required under the execution of this contract.

THEREFORE BE IT RESOLVED, that the Town Board authorize the increase of Part Town Fund appropriation to Account B3620.100 Personnel Services in the amount of \$4,300.00; Account B3620.810 New York State Retirement (not police)in the amount of \$371.00 and Account B3620.830 Social Security in the amount of \$329.00 for a total of \$ 5000.00. This will be funded through Contingency Account B1990.419 in the same amount, and

BE IT FURTHER RESOLVED, that the Town Board authorize the additional overtime to Kurt Allen, Supervising Code Enforcement Official for accountable overtime hours worked (6 hours per week @ 32.67/hour) effective this 2007 calendar year.

BE IT FURTHER RESOLVED, that this resolution is subject to change based upon the results of the New York State Home Rule Legislation.

9.

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	None

WHEREAS, the Town Board recognizes the persistent need to maintain a fire inspection services to administer and conduct fire safety inspections throughout the Town;

THEREFORE BE IT RESOLVED, that the Town Board renew the appointment of Michael Chiacchia as Fire Safety Inspector under a contractual basis to assist our Town Code Enforcement Officers with fire safety inspections of places of public assembly. The term of this appointment will expire on December 31, 2007 and the rate of pay for these contracted services will be a flat rate of \$18.00/ hour.

BE IT FURTHER RESOLVED, that the Supervisor be authorized to sign the Contract Agreement between Michael Chiacchia and the Town of Hamburg for this purpose.

Funds allocated for contracted fire safety inspections are available in account B 3620.440 (Contracted Fire Inspectors).

10.

On a motion of Supervisor Walters, with a unanimous second, the following resolutions were

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	None

Three Proclamations in honor of Nancy Crane, Marcia Seiflein and Theresa Dubey upon their retirement from the Town of Hamburg.

11.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0 None

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Senior Services/Adult Day Services as follows:

1. Fronckowiak, Karen	P/T Recreation Attendant	01/17/2007	Terminate
2. Wyler, Cheryl	P/T Clerk Typist	02/05/2007	Terminate
3. Wyler, Cheryl	P/T Seasonal Clerk Typist	02/05/2007	\$10.59

12.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0 None

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

1. Felice, Lauren	P/T Seasonal Rec. Attendant	01/29/2007	Terminate
2. Felice, Lauren	P/T Recreation Attendant	01/29/2007	\$9.58
3. Wheelock, Patricia	P/T Seasonal Rec. Attendant	01/29/2007	Terminate
4. Wheelock, Patricia	P/T Recreation Attendant	01/29/2007	\$9.83
5. Fittry, Karen	P/T Recreation Attendant	02/05/2007	Terminate
6. Fittry, Karen	P/T Seasonal Rec. Attendant	02/05/2007	\$7.69

13.

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

BATCH #5	\$ 8,200.36	16706 - 16709
BATCH #6	\$ 500,000.00	16790

TOTAL CAPITAL FUND DISBURSEMENTS: \$1,058,200.36

PAYROLL:

PR#2	\$ 578,312.20
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TOTAL PAYROLL DISBURSEMENTS: \$ 578,312.20

PETTY CASH \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$5,567,361.49

Jerry Grabowski, new owner of the Hamburg Sun, comments it is his intent to maintain the integrity and principles of the previous owner and speaks of future intentions for the paper.

Councilman Cavalcoli comments that there is an issue that will be coming up and that is the property next to Brierwood Plaza. They urged Benderson/Wal-Mart to buy that property but the property needs to be rezoned to conform with the Brierwood site. It is his recommendation that they entertain that rezoning.

Tony Battista, Benderson Development, comments that they closed on the property January 31st and everyone is happy. The only problem is that they thought the property was zoned C-2 and the entire parcel is not, however it is completely surrounded by commercial zoning.

Benderson is requested to submit a rezoning application for that property.

15.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0 None

RESOLVED, that the Town Board move into Executive Session at 7:07 p.m. on personnel and contractual issues.

16.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0 None

RESOLVED, that the Town Board close Executive Session at 8:15 p.m.

17.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0 None

RESOLVED, that the Town Board adjourn at 8:15 p.m.

Catherine Rybczynski, Town Clerk