

Meeting No. 3
February 9, 2004
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
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman
Also Present:	Catherine Rybczynski	Town Clerk
	James Spute	Finance Director
	Richard Boehm	Deputy Town Attorney
	Gerard Kapsiak	Town Engineer
	Joseph Coggins	Police Chief
	Drew Reilly	Planning Consultant
	James Connolly	Highway Superintendent
	Martin Denecke	Director of Recreation
	Christopher Hull	Director of Community Development
	Tim Ellis	Traffic Safety Consultant
	Robert Hutchison	Town Assessor
	Kurt Allen	Supervising Building Inspector

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

7:00 p.m. Public Hearing for property located on the south line of Willet Road commonly known as "Miller Farm" to be rezoned from R-1 to R-A.

Catherine Rybczynski, Town Clerk, reads the following public notice as published in the Hamburg Sun and the Front Page:

LEGAL NOTICE
TOWN OF HAMBURG

PLEASE TAKE NOTICE that there has been presented to the Town Board on December 16, 2003, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #10, 2003; said local law provides for the amendment of Local Law #10, 1986, Chapter 280-entitled Zoning, and provides substantially as follows:

For the adoption of an amendment to said Zoning Code for property located on the south Line of Willet Road, 1760 feet east of South Park Avenue, commonly known as "Miller Farm." The property is to be rezoned from R-1 (Single Family Residence Attached District) to R-A (Residential Agricultural District) 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 No. 437, T-10,R-7 of the Buffalo Creek Reservation, described as follows:

BEGINNING at a point on the south line of Willet Road (as 49.5 feet wide) at its intersection with the southerly line of land conveyed to the Terminal Railway by deed recorded in the Erie County Clerk's Office in Liber 747 of Deeds at page 125; thence easterly along the south line of Willet Road a distance of 250 feet to a point; thence southerly at a right angle with the south line of Willet Road a distance of approximately 660.11 feet to a point on the northerly line of lands conveyed to the Niagara Mohawk Power Corporation by deed recorded in the Erie County Clerk's Office in Liber 6672 of deeds at page 47; thence running westerly along the northerly line of said Niagara Mohawk Power Corporation lands 700.82 feet to an angle point; thence northwesterly along the northeasterly line of said Niagara Mohawk Power Corporation lands to its intersection with the southerly line of the said lands of the Terminal Railway; thence northeasterly along the southerly line of the said Terminal Railway lands to its intersection with the southerly line of Willet Road which is also the point or place of beginning, and

ALSO BEGINNING at a point on the south line of Lot No. 347 at its intersection with the east line of the Village of Blasdell said point also being the northwest corner of subdivision Lot No. 4 under Map Cover filed in Erie County Clerk's Office under Map Cover No. 1581; thence easterly along the south line of Lot No. 437 a distance of five hundred forty and fourteen hundredths (540.14) feet to a point on the southwesterly line of land conveyed to the Niagara Mohawk Power Corporation by deed recorded in the Erie County Clerk's Office in Liber 6672 of Deeds page 47; thence northwesterly at an interior angle of 32 degrees 12'27" along the southwesterly line of the said Niagara Mohawk Power Corp. land a distance of four hundred twenty-one and twenty-four hundredths (421.24) feet to an angle point; thence continuing along said Niagara Mohawk Power Corporation land southwesterly line at an exterior angle of 211 degrees 20' a distance of one hundred sixty-three and eighty-nine hundredths (163.89) feet to the southerly line of land conveyed to the Terminal Railway by deed recorded in the Erie County Clerk's office in Liber 747 of deeds page 125; thence southwesterly along the said southerly line of the Terminal Railway a distance of thirty-three and thirty-three hundredths (33.33) feet to the easterly line of the Village of Blasdell; thence southerly along the easterly line of the Village of Blasdell a distance of two hundred thirteen and twelve hundredths (213.12) feet to the south line of Lot No. 437 being the point or place of beginning.

THEREFORE, pursuant to the statutes and the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing on February 9, 2004 at 7:00 p.m. (Local time), at which time all interested persons may be heard.

Dated: December 16, 2003

Catherine Rybczynski
Town Clerk
Town of Hamburg

No correspondence.

Drew Reilly questions if there are any residents present and gives them a handout. He then explains that this is a rezoning request for property on Willet Road. You go north on South Park and it is the last street in the Town of Hamburg on the right. The north side of Willet Road is in the City of Lackawanna, once you get off of South Park you will get into the Town of Hamburg. This is the old Miller Greenhouses, which have been there in excess of fifty years now. The property is presently zoned R-1 which allows for single family, south of there is zoned R-2, and is pretty much zoned residentially surrounding it, except in the Village of Blasdell where there is some commercial along South Park. The request is to rezone to R-A, someone wants to purchase the property and reuse the greenhouses. Unfortunately with a zoning of R-1 they cannot operate the greenhouse or have an agricultural business on the property. They have requested that it return to the zoning that existed for 30 years previous which was R-A, Residential Agricultural. This would allow two acre single family homes and agricultural uses. The applicant did not realize that the Town changed the zoning on this to residential about 15 years ago. The applicant is present to answer any questions. The Planning Board reviewed this and thought this was a down zoning and recommended approval for the rezoning and also approval to allow them to use the greenhouses on the site.

Councilman Cavalcoli comments that in a rezoning of this type it will reduce the density of that parcel. There are approximately 10 acres of land involved. If that were to stay R-1 there could be upwards of 40 homes built there. Drew comments that the present owners have come to the Town with a proposal of 40 or 50 lots, but could not get a buyer for the property. Unfortunately if you stop the non-conforming use for one year, you need to go through a process like this. If they had kept operating over the years it would have stayed as a non-conforming use.

Councilman Cavalcoli questions if it is rezoned agricultural and there are greenhouses there, must they maintain the same type of agricultural use that is currently there and is that the intent of the owners. Drew comments that they have to come in for site plan approval if they have made any changes to the property. If they had broken it into lots, which is not their intent, they would have gotten subdivision approval. The future purchaser of the property intends to reuse the greenhouses and have retail sales there, selling the product that they grow on the premises.

Councilwoman Hochul questions if there would be other agricultural uses on the land, such as farm animals, odors, that sort of thing.

Carol Miller replies that there have never been any farm animals on the property. It has been greenhouses and a truck farm. Her husband's grandfather purchased the farm in 1917 and, at that time, started a truck farm, with a few greenhouses to get a head start on the growing season. The greenhouses then became horticulture and industry combined with the truck farm.

Councilwoman Hochul responds that this seems to be a good use for the land and greenhouses are non-threatening to neighborhood. Her only concern is that if it is rezoned there may be some uses that might not be as welcome. She asks Drew if there could be a condition to the rezoning. Drew comments that if that is an issue that surrounding residents would be concerned about they could make conditions on it. But, he believes that with the size and scale of the property you will probably not get animals or whatever. It will basically be greenhouses as illustrated.

Councilman Cavalcoli comments that the future purchaser is present and asks if they could state their intent.

Todd Klubeck comments that he worked for Connie Miller for about 13 years and went to Cornell and received his degree in agriculture. He got away from it, but he plans to open it back up as greenhouses. His parents live across the street, he grew up there and has lived there all his life.

Supervisor Hoak opens it up to questions from the public.

Joe Janca, 4243 Salem Drive, questions if they will work with the soil to put vegetables in. Todd comments that they would like to. Joe comments that it sounds like a good idea, however he hopes that in a couple of years they don't come back and change it to residential. Todd responds that, if anything, they would only put a house on it for themselves.

Connie Miller comments it is residential now. Councilman Cavalcoli comments that this is why they call it a downzoning, it allows for less density. This should be to the benefit of the neighbors in that area.

George Lee, Deputy Mayor Village of Blasdell, comments that this will be a good thing for Blasdell and the Town. It will put people to work if he puts up greenhouses and has retail sales. He questions how many people he intends to hire. Todd responds that they will start out small. He asks Connie how many people she had. Connie responds that at their busiest time they had twenty people working for them, with the average about 8-10. George comments that he thinks it is a very good project for the Town of Hamburg.

Lawrence, Salem Drive, questions if they keep the greenhouses are they anticipating doing a landscaping business out of there. Todd responds no, just greenhouses.

Joe Killian, United Council, comments that it sounds like a no brainer to him. As George Lee pointed out, they will be hiring some people. Drew comments that the nice part of it is that even though it is in a residential area, there is a large Niagara Mohawk easement which is over 100 ft. wide which offers a buffer to the properties to the south and then you have the railroad tracks to the east. It is a very rural area.

Connie comments that Willet Road is a dead-end, the Thruway cut it in half. They looked into putting in homes and they said that there is no other access. It is not uncommon for a train sit on the tracks cutting off access to an exit and there were potential problems with emergency vehicles. Councilwoman Hochul comments that agricultural land is at a premium in the Town and any opportunity to restore land to agricultural, she supports it. She wishes the new owners the best.

VIII.

At a regular meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York, on the 9th day of February, 2004.

PRESENT:

Hon. Patrick H. Hoak, Supervisor
D. Mark Cavalcoli , Councilperson
Kathleen C. Hochul , Councilperson
Joan A. Kesner , Councilperson
Thomas Quatroche, Jr. , Councilperson

In the Matter

of the

Increase and Improvement of Facilities of the Mount Vernon Sewer District, in the Town of Hamburg, in the County of Erie, New York, pursuant to Section 202-b of the Town Law

Offered by: Councilman Cavalcoli

Seconded by: _____

ORDER CALLING FOR A PUBLIC
HEARING TO BE HELD ON
MARCH 8, 2004

WHEREAS, the Board of Commissioners of the Mount Vernon Sewer District (herein called the "District") in the Town of Hamburg (herein called the "Town"), in the County of Erie, New York, by petition heretofore filed with the Town Clerk of the Town, has requested that the Town Board undertake proceedings pursuant to Section 202-b of the Town Law for the increase and improvement of facilities of the District, consisting of the replacement of approximately 3,020 to 3,790 linear feet of existing sanitary sewer lines, installation of approximately 180 linear feet of new sanitary sewer lines, installation of manholes and other improvements to existing sanitary sewer reaches, including any equipment, furnishings, machinery or apparatus, and any ancillary or related work required in connection therewith; and

WHEREAS, a map, plan and report have been prepared by Nussbaumer & Clarke, Inc., engineers duly licensed by the State of New York (herein called "Engineer"), for such increase and improvement of facilities of the District and the cost thereof has been estimated to be \$1,000,000; and

WHEREAS, of the \$1,000,000 estimated maximum cost of the project, approximately \$433,700 is expected to be paid from New York State grant funds received or to be received; and

WHEREAS, the District, as lead agency, has given due consideration to the impact that the project described herein may have on the environment and has determined that such project constitutes an Unlisted action pursuant to the State Environmental Quality Review Act (SEQRA), constituting Article 8 of the Environmental Conservation Law, and 6 N.Y.C.R.R., Regulations Part 617 and the Board of Commissioners of the District and the Town Board have reviewed a Full Environmental Assessment Form (Parts 1 and 2) prepared by the Engineer and the District has determined that the project will not result in any significant adverse environmental impacts and a negative declaration has been adopted by the Board of Commissioners of the District;

Now, therefore, be it

ORDERED, that a meeting of the Town Board of the Town be held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York, on the 8th day of March, 2004 at 7:00 o'clock P.M. (Prevailing Time) to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it,

FURTHER ORDERED, that the Town Clerk publish at least once in "THE HAMBURG SUN AND ERIE COUNTY INDEPENDENT," and "FRONT PAGE", hereby designated as the official newspapers of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, in substantially the form attached hereto in Exhibit A, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing; and that the Town Clerk shall mail, or cause to be mailed, by first class mail to each owner of taxable real property in the District, a notice of such public hearing in substantially the form attached hereto in Exhibit A.

DATED: February 9, 2004

TOWN BOARD OF THE TOWN OF HAMBURG

(SEAL)

The adoption of the foregoing Order was duly put to a vote on roll call, which resulted as follows:

Supervisor Patrick H. Hoak	Aye
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Councilman Cavalcoli	Aye
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Councilwoman Hochul	Aye
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Councilwoman Kesner	Aye
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Councilman Quatroche	Aye
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The Order was declared adopted.

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CERTIFICATE

I, Catherine A. Rybczynski, Town Clerk of the Town of Hamburg, in the County of Erie, State of New York, DO HEREBY CERTIFY that I have compared the preceding Order Calling for a Public Hearing with the original thereof filed in the office of the Town Clerk on the 9th day of February, 2004, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town on this 9th day of February, 2004.

(SEAL) _____
Catherine A. Rybczynski, Town Clerk
Town of Hamburg

Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Hamburg, in the County of Erie, State of New York, will meet at the Town Hall, S-6100 South Park Avenue, Hamburg, New York, on March 8, 2004, at 7:00 o'clock P.M. (Prevailing Time), for the purpose of conducting a public hearing in relation to the increase and improvement of facilities of the Mount Vernon Sewer District, consisting of the replacement of approximately 3,020 to 3,790 linear feet of existing sanitary sewer lines, installation of approximately 180 linear feet of new sanitary sewer lines, installation of manholes and other improvements to existing sanitary sewer reaches, including any equipment, furnishings, machinery or apparatus, and any ancillary or related work required in connection therewith, at an estimated maximum cost of \$1,000,000; however \$433,700 is expected to be paid from New York State grant funds received or to be received by the Town.

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

Dated: February 9, 2004
Hamburg, New York

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF HAMBURG, COUNTY OF ERIE,
STATE OF NEW YORK

By _____
Catherine A. Rybczynski, Town Clerk
Town of Hamburg

XII.

RESOLVED, that the Town Board grant permission for the Police Department to accept the low bid from DeLacy Ford, 3061 Transit Road, Elma, N.Y. for six (6) 2004 Police Interceptors (P71) Police Vehicles for a cost of \$101,760.00. One vehicle in the amount of \$17,460.00 will be paid for by the Village of Hamburg, leaving a cost of \$84,300.00 for the Town Police Department to pay. Money is available in account B3120.202.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

XIII.

RESOLVED, that the Town Board authorize the Supervisor to sign an agreement with Great Lakes Environmental & Safety Consultants. They are well versed in all OSHA regulations, including General Industry, Department of Transportation and Construction. Scope of work to include Facility Inspections, Site Inspections, OSHA Required Training and Consulting Services. Fee for the above services in 2004 will be \$1,545.00 per month. Funding is available in CS 1710.487.

Moved: Cavalcoli

Seconded: Kesner

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

Noes: None

Carried

XIV.

WHEREAS, the Town of Hamburg created a Park/Recreation Lands Zoning District, PR, in 2002, and

WHEREAS, the intent of this Zoning District “is to provide a special zoning classification for passive and active recreational facilities, including both public and privately owned properties, in order to ensure the proper location and protection of recreational lands”, and

WHEREAS, the Town of Hamburg rezoned the property associated with the Penn Dixie Fossil site to PR, and

WHEREAS, the Town of Hamburg would also like to consider the adjoining approximately 16.5 acres of land for this new zoning district.

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board refers the potential rezoning of this approximately 16.5 acres of land from —1 (Industrial Park - Research and Development District) and —2 (Light Industrial District) to PR (Park/Recreational Lands District), and

BE IT FURTHER RESOLVED, that the Hamburg Town Board wishes to act as Lead Agency under the State Environmental Quality Review Act, SEQRA, and authorizes the Planning Department to begin the coordinated review process.

Moved: Cavalcoli

Seconded: Kesner

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

Noes: None

Carried

Correspondence

Letter #19 - Supervisor Hoak refers this to Mr. Ellis, Traffic Safety Coordinator.

Letter #23 - Supervisor Hoak comments that this is from Councilman Cavalcoli thanking him for his help in reference to Village Green Landscape. Supervisor Hoak comments that this should be reversed. Councilman Cavalcoli has put in so much time trying to helping this business on Lake View Road to survive. The closing of the road and bridge repairs was very detrimental to their business. Councilman Cavalcoli worked with them almost on a weekly basis last year helping them. He talked with Community Development and Economic Development. He publically thanks Councilman Cavalcoli for all his efforts.

Councilman Cavalcoli comments that the entire Town Board puts forth an effort on behalf of this community. They must stand up and support our residents and business people. They must support things that generate taxes in our Town and provide jobs. It is tough economic times our there and when businesses or residents face challenges each of them have the responsibility and step up to the plate and do these things. That letter was also sent to the members of the HIDA for all the extra hours they spent and extra meetings they held. This business provides over 20 jobs to this community. He was very pleased to be able to help in any way he could and wanted to thank everyone behind the scenes who made it work.

Reports From Town Board Members and Department Heads

Councilman Cavalcoli reports that the Conservation Board is undertaking an update of the Open-Space portion of the Open-Space Recreation Plan. Councilman Quatroche has been working closely with Mr. Denecke, Director of Recreation, and between those two groups they will be updating the Open-Space Recreation Plan. They will also be undertaking the five year review of the Master Plan. He and Councilwoman Kesner met on Saturday, with the Natural History Society (Penn Dixie Site) looking at the upgrading of the property and the changes they are bringing about and the tremendous number of grants that they have coming in. They just received a \$100,000 grant from the Went Foundation and they were able to get \$50,000 additional because of the funding that they got from private individuals all over the country (matching funds) and the \$100,000 became \$150,000 because of their efforts. These are the kind of projects that they continue to support. They hope that within two years they will have their education/meeting building up on that property. This will be over a million dollar facility going in there, with the astronomy pads, additional trails and educational programs. It has become a real jewel to the Southtowns.

Councilwoman Kesner reports that she had the pleasure of meeting Saturday with the Board of Directors of the Penn Dixie Fossil Site, Councilman Cavalcoli and the Director of Community , Christopher Hull, in reference to linking two to their bike trails in the Town of Hamburg. They already have a State Grant and their intent is to bring link two from the Hoover Beach site over to the Penn Dixie Site. She doesn't think there is another community that can say that they have a bike trail from their waterfront community to their Fossil Site. This will be very family friendly and they are very excited about it. She could tell at the meeting, that the Penn Dixie Board was very excited about it and very receptive to the fact that they are coming to them. They are already planning the provisions for the bicyclists and their families as far as having a place to put the bikes when they get there. It was a very productive three hour meeting. Also, Wednesday she will be having a meeting with the EMS Committee to review the Emergency Medical Services here in the Town fo Hamburg. There are a couple of issues they are concerned about in the LakeView area of our Town and they will be working hard to address them. She feels it is important that every year they sit down as a group and take a hard look at it and see where they can improve it. They also want to make sure people are aware of our Spirit Program that is available for citizens who are not covered for ambulance service under their insurance or for people who don't have insurance.

Councilwoman Hochul comments that she had a meeting Saturday with Richard Crandall and the architect for the Wanakah Water Works Building. They are at the point where they are picking out the colors, the carpeting, the tiles, etc. and it is looking like there is an end in site. That work is expected to be done in late Spring. The only reason it is not being done now is because of some damage to the roof, due to a storm in November. Anyone who wants to see it before the work starts should get down there now. Then she announces that this Wednesday at 9:30 am is another showdown on Tolls. For over four years now, they have been seeking the results of the study and she attended, with County Clerk, Dave Swarts, the last meeting and they were absolutely 100% promised the results would be out before the meeting. The results are not out and they are not happy. They are looking for citizen participation. At the last meeting they had the Mayor of Lackawanna and the Supervisor from Orchard Park were there, so they are getting support from other communities as well. They will not give up hope on this because they are entitled to the results from this study and hopefully at the next meeting she will be able to report that the study was released and was worth waiting for.

Councilman Quatroche comments that while his colleagues were at their meetings on Saturday he and Cathy Rybczynski were at the Snofest. They had a lot of fun, Luke Sullivan Chaired the event, and as always everyone at Recreation did a very professional and phenomenal job. The Town of Hamburg just received an honor, we are 56th in the United States as a magnate center for quality sports. We will be sending a representative to the Summit in the Spring and will be recognizing the Recreation Department when they bring that award back. The National Recreation Parks Association will be sponsoring this effort with materials, evaluation tools, training and technical assistance valued at \$7,000. The Town has become a model program and it is because of the great work of Mr. Denecke and his staff. The Learn To Skate Program was turned over to Skate Great and as a result of that, participation has doubled from the highest numbers from last year. That was another initiative that Mr. Denecke and staff brought forward to them and participation just continues to grow. Finally congratulations to Ken Machleski for his nomination for a Grammy.

Councilwoman Hochul extends her congratulations to Mr. Denecke and his entire team. If you want to have fun, Hamburg is the place to be. We have so many activities and now to be recognized like this, a lot of communities envy us. We have so much to offer and to be recognized as one of 50 communities in the entire company, please take her thanks back to his entire staff.

Ferd Garcia, Columbia Ave., questions who is doing the work out at the Seaway Trail Building.

Councilwoman Hochul responds that Wendel Engineering is the architectural firm and they have subcontracted out.

Ferd responds that he thought maybe it was the people working on Town Hall because they are doing a great job.

Drew Reilly, Planning Consultant, comments that they held a Public Hearing on the Tops on Milestrip two weeks ago and the public comment period is still open until Friday. After the public comment period is finished the Town Board has to help direct the completion of an FEIS. They received more letters this week. One of the major issues of this project is traffic, and he would like to schedule a meeting with the NYSDOT, the Traffic Safety Advisory Board, representatives of the Village of Blasdell and members of the Town Board and the Thruway Authority to talk about those issues and how they need to be addressed. The Sewer issues will slow the project down. Councilwoman Hochul comments that the traffic studies are based on a supermarket being placed there. However, now it seems as though that may not happen. Should we just study the worst case scenario. Mr. Reilly comments that one of the things they put in the memo is that they direct the applicant to study the affects of other types of development on the project. They need to direct the applicant to do additional studies and then, once they complete that, the Town is then in control and they would make changes to the document as they see fit.

Councilman Cavalcoli comments that one of the things that came up during discussion was that, if in fact this does not move ahead as a Tops - Benderson rezoning, they would have to look at this as a generic rezoning which means that the impact statement would have to be modified to generic and they would have to look at the worst case scenario for all issues.

Drew responds that they gave Benderson the information that if they continue with this rezoning as Tops, and then they change their mind , they would have to go back and start all over with a generic impact statement or a supplemental.

Councilman Cavalcoli comments that he wants to make sure, that as they move along, the applicant is aware that if they do not proceed with the store they will have to go back to a much earlier point and start over again with the generic. Councilman Cavalcoli comments that he and Mr. Reilly need to get together and send a written draft of all the things they discussed this evening to Benderson.

Business From the Floor

Ferd Garcia, Columbia Ave., comments that in his area he has a neighbor who allows his dog to run at large, and he has spoken to him telling him there is a law restricting that and everyone else uses leashes. The response was that he would continue to do the same thing. Supervisor Hoak comments that he should talk to Chief Coggins after the meeting.

Walter Kaleta, Scranton Taxpayers, asks who is going to repair the fence at Scranton playground butting up to Washington Square apartments, where they push all the snow. The other thing is, what do they have to do to get a street light put up at the corner of Scranton Road and South Park. He understands that the slot machines are going in at the Fairground next month and this will produce more traffic, they have a hard time getting out onto South Park now. That will also impact Milestrip Road. Supervisor Hoak questions Mr. Connolly, on the first question concerning the playground fence and the snow. Mr. Connolly responds this would be the responsibility of the owner of the Lincoln Square Apartment building. He will take a picture and contact the owner of the property. Supervisor Hoak comments that, on the traffic light, they need to get a letter from their Traffic Safety Committee. It projected that there will be one million people coming to the raceway over a one year period. He believes that South Park will be the main entrance. McKinley will be impacted as well. Councilwoman Hochul comments that there are a lot of steps involved in a traffic signal, particularly with a State Road. A letter from their Traffic Safety Coordinator to the DOT asking for a study will be the first step. They can get the ball rolling on that, it is an excellent idea, we need to be proactive on that. There will be consequences on the raceway increasing the number of patrons and we need to be ready for that.

XVII.

RESOLVED, that the Town Board adjourn to Executive Session with Engineering, Highway, Personnel and Legal at 8:00 p.m.

Moved: Hoak

Seconded: Cavalcoli

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

Noes: None

Carried

Catherine Rybczynski, Town Clerk

Correspondence - February 9, 2004

18 - To Supervisor Hoak from the Town Clerk's Office, the Monthly Report for January 2004 with receipts totaling \$21,274.31.

19 - To the Town Clerk from Jean Miller, 25 Briggs Dr., Orchard Park, commenting on the traffic situation in front of Wegmans on McKinley and stating that the new entry to the Wegmans store does not serve the traffic using it and may be dangerous.

20 - To the Town of Hamburg from Francis Pluta, Chairman - Mount Vernon Sewer District, submitting the Notice of Determination of Non-Significance and Part 2 of the Full Environmental Assessment Form. Also submitting a resolution accepting the SEQR Negative Declaration for the Mount Vernon Sewer District Sanitary Sewer Rehabilitation.

21 - To Supervisor Hoak from William Heussler, H & H Wood Products, Inc., stating that he is very concerned about the lack of snow removal on the sidewalks along Camp Road. He cannot patronize any of the nearby service companies or restaurants that he generally can safely walk to. Not enforcing snow removal along Camp Road dramatically increases the probability of a pedestrian accident.

22 - To Supervisor Hoak from George and Linda Saunders requesting that the Town Board deny the rezoning on Milestrip at I-90 whether it is a Tops or a mini strip mall. This will create a glutted transportation mess in an already overused roadway.

23 - To Supervisor Hoak from Councilman Cavalcoli thanking him for his support for Village Green Landscaping during their severe financial crisis. He was the final piece in the puzzle in helping the owner to obtain new financing. He and the Town Board appreciate the time he spends on the HDC Board, his dedication as a volunteer is another example of why the Town of Hamburg is a good place to do business.

