

Meeting No. 4
February 10, 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
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Presents:	George Danyluk	Town Clerk
	Richard Boehm	Deputy Town Attorney
	James Spute	Director of Finance
	Gerard Kapsiak	Town Engineer
	Kurt Allen	Supervising Building Inspector
	Richard Tripp	Director of Recreation
	Mathew Czerwiec	Police Chief
	Christopher Hull	Director of Community Development
	Tim Ellis	Traffic Safety Coordinator
	Robert Hutchinson	Town Assessor
	James Connolly	Highway Superintendent

Pledge of Allegiance was recited.

Information on Fire Exits was provided.

I.

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

January 27, 1997	Town Board Meeting
February 3, 1997	Work Session

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

II.

BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids on "1997 Clothing Allowance Bid for Police Officers".

Bids are scheduled to opened on Tuesday, February 25, 1997 at 2:00 p.m.

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

III.

RESOLVED, that the Town Board authorize the Finance Department to increase appropriation SS6 8120.413 - \$5,000 through the SS6 599 appropriated fund balance. This is to fund for repairs for the pump station.

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

IV.

RESOLVED, that the Town Board appoint Bill Dash of Highway, Bill Koerner and Dave Miller of Buildings and Grounds to the Safety Committee for a period of one year December 31, 1997.

Moved: Hoak

Seconded: Hochul

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

V.

WHEREAS, in order for a bond of a volunteer fire company to qualify for tax exemption, there must be public approval of the bond under I.R.C. Section 147 (f), and

WHEREAS, a bond will satisfy the Public approval requirement if it is approved by the governmental unit on behalf of which the bond is issued, in this case the Town of Hamburg, and

WHEREAS, an issue shall be treated as having been approved by any governmental unit after a public hearing following reasonable public notice,

THEREFORE BE IT RESOLVED, that a public hearing be scheduled to approve the \$205,000 mortgage refinancing of the current indebtedness of the Big Tree Volunteers Firemen's Company, Inc., obtained in 1991 for the construction of fire station No. 2 located at 4470 Bayview Road in the Town of Hamburg. The public hearing is to be scheduled for February 24, 1997, at 7:00 p.m. local time.

Moved: Hoak

Seconded: Quatroche

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

VI.

BE IT RESOLVED, that the Town Engineer's report on the acceptance of the PARKVIEW PLACE SUBDIVISION work performed under Public Improvement Permit Nos. 572, 573, & 574 be received, and that the Supervisor is authorized to sign the report.

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

Moved: Hoak

Seconded: Cavalcoli

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

VII.

RESOLVED, that the Town Board approve the Out-of-Town Travel request for Robert Loomis to travel to Walter J. Mahoney State Office Building, 65 Court St, Buffalo, N.Y. on Friday, February 28, 1997, to attend the Retirement Systems' Employer Benefit Staff Workshop. The cost is \$25.00 and the money is available in account A1430.492.

Moved: Hoak

Seconded: Quatroche

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

X.

WHEREAS, the Town of Hamburg and Norfolk and Western Railway Company have agreements originally entered into in 1962 for four sanitary sewer pipeline crossings of railroad property located with the Hamburg Master Sewer District, for which the Town has previously paid a rental charge to the railroad of \$586 per year; and

WHEREAS, in response to a request by the Town, Norfolk and Western and the Town have negotiated the payment of a one-time lump sum fee of \$6,500, in lieu of continuing the annual rental payments,

THEREFORE BE IT RESOLVED, that the Town Board approve this lump sum payment, and authorize the Supervisor to sign the agreement with Norfolk and Western in this regard. Funds for the \$6,500 fee have been included in the 1997 budget for the Hamburg Master Sewer District, under Account No. SS21-8120.432.

Moved: Cavalcoli

Seconded: Quatroche

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

XI.

WHEREAS, On October 28, 1996, pursuant to Local Law #5, 1972, the Town Board ordered the removal of three (3) partially collapsed structures located at 3653 Old Lake View Road; and

WHEREAS, the Town Supervisor signed the required notice of order and submitted same to the property owner of 3653 old Lake View Road, Clarence Denzel; and

WHEREAS, the Town Board authorized the Supervising Building Inspector to solicit and accept quotations for said demolition. The cost was set at \$5,600 (based on the lowest qualified bid for the required work); and

WHEREAS, the Town Board held a Public Hearing on January 14, 1997 on the amount of the cost to demolish the said three (3) structures, giving Clarence Denzel the opportunity to contest the cost of said demolition; and

WHEREAS, after such hearing the Town Board convened and confirmed the established cost of demolition at \$5,600.

NOW THEREFORE BE IT RESOLVED, that the Town Board accept the bid proposal from Ultrapas, Inc. of North Collins, N.Y., being the lowest qualified bidder, to undertake the demolition, located at 3653 Old Lake View Road, in the amount of \$5,600.00.

Moved: Hochul

Seconded: Quatroche

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

Councilwoman Hochul states that this is the final step in a long process to clean up property that has been an eyesore for a long time. The Town has complied with all the due process requirements and this is the next step and the cost of this demolition will be attached to Mr. Denzels' property taxes so that the Town will not incur any cost associated with this.

Kurt Allen states that the contract will be awarded and demolition should take place within 30 days.

XIII.

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

OPERATING FUND:

BATCH #14	\$340,000.00
BATCH #15	\$925,000.00
BATCH #16	\$525,000.00
BATCH #17	\$ 49,979.94
BATCH #18	\$168,563.44 unprocessed
PTR #3	\$427,860.30

TOTAL OPERATING FUND DISBURSEMENTS: \$2,436,403.68

TRUST & AGENCY:

BATCH # 9	\$187,428.83
BATCH #10	\$231,346.22

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 418,775.05

CAPITAL FUND DISBURSEMENTS:

BATCH #8	\$360,000.00
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TOTAL CAPITAL FUND DISBURSEMENTS: \$ 360,000.00

PAYROLL:

PR #3	\$397,685.03
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TOTAL PAYROLL DISBURSEMENTS: \$ 397,685.03

PETTY CASH:

TOTAL PETTY CASH: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$3,612,863.76

Moved: Hoak

Seconded: Quatroche

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

XIV.

RESOLVED, that the Town Board approve the transfer of appropriations from the Capital Fund within the 1997 budget as follows:

From: Contingency	H227140.419	\$5,500.00
To: Ice Arena Gen. Improv.	H227141.303-7	\$5,500.00

To fund account for Ronald C. Hosken, Architect, to do a Facility Condition Study.

Moved: Hoak

Seconded: Quatroche

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

XV.

WHEREAS, bids were opened on February 5, 1997 for Contract No. 2 of the Town of Hamburg Sanitary Sewer Rehabilitation Project being conducted within Town Sewer districts which are tributary to the Village of Blasdell wastewater treatment facility; and

WHEREAS, four bids were submitted for the internal sewer lining portion of the project, which are summarized as follows:

(1)	Municipal Sales, Inc. Fort Edward, New York	\$149,758.74
(2)	New Hope Pipe Liners, Inc. Wharton, New Jersey	\$236,703.50
(3)	Instituform-Metropolitan New York, New York	\$299,859.50
(4)	United Survey, Inc. Cleveland, Ohio	\$358,621.00

WHEREAS, the bids were reviewed by Malcolm Pirnie, Inc., who determined Municipal Sales, Inc. to be non-responsive to the contract requirements, due mainly to their intention to utilize a lining procedure which was specified as not acceptable. Malcolm Pirnie has therefore recommended that the bid of Municipal Sales be rejected; and

WHEREAS, Malcolm Pirnie has determined that New Hope Pipe Liners, Inc. is the lowest qualified and responsible bidder, and recommended that the contract be awarded to them,

THEREFORE BE IT RESOLVED, that New Hope Pipe Liners, Inc. is awarded the contract for this project at their total base bid of \$236,703.50, and that the Town Engineer is to issue the Notice of Award and Notice to Proceed at the appropriate times.

Moved: Cavalcoli

Seconded: Hochul

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

Noes: None

Carried

Gerard Kapsiak, Town Engineer, notes that the bid received from New Hope Pipeliners was well below the engineers estimate which was \$399,000.00 for this project.

Correspondence

Letter #23 - Supervisor Hoak offers congratulations to Ron Martin who was elected President of the Scranton McKinley Taxpayers Assoc., Inc.

Letter #22 - Councilwoman Hochul states that this was discussed at the last Traffic Safety Board meeting. Mr. Ellis has been in touch with the State concerning this and they appreciate their interest. They are on top of this issue and fully agree with your concerns.

Letter #24 - Councilman Cavalcoli responds that this is to urge a final consideration as they are doing the Master Plan Update. This area has been a concern of the Town Board, as well as the Lakeview area, the South central and the Southeastern. They have met with the Planning Board members the last two Mondays to discuss these issues. The Planning Board will be reviewing this in the next two weeks and by the first Public Meeting in March they will receive a recommendation from the Planning Board. Public Hearings will be held so that residents can review the updated Master Plan.

Reports from Board Members and Department Heads

Councilwoman Kesner reports that she has been appointed liaison to Community Development, Economic Development, Assessing, Youth and Taxation.

Councilwoman Hochul reports that she contacted the County concerning the potholes on McKinley Parkway brought up at the last Board meeting. She received a response stating that McKinley is scheduled for repaving in 1998. Until then, they will do some maintenance paving. The week of February 9th - 15th is child passenger safety week, reports that the State has adopted this program to stress the benefits of using child safety seats and seat belts. Recognizes a group of girl scouts attending the meeting, troop #1443 and #138.

Councilman Quatroche reports that Mr. Kapsiak will be meeting with the County to discuss the Old Lake Shore erosion problem. Wants to thank the Chief for his patrol of Lake Shore Road.

James Connolly, Highway Superintendent, comments that potholes at this time are a serious problem. He is implementing a program to address this problem. He is implementing a special line for residents to call that will refer them to the correct agency in charge of County or State Roads. The number is 649-7700. He is also distributing a street directory stating what Government agency is in charge of which roads. He will make a supply of them available at Town and Village Libraries and at the Town Highway Office.

Business from the Floor

George Komenda requests a copy of information pertaining to the sewer project. Councilman Cavalcoli asks Mr. Kapsiak to provide Mr. Komenda with this information including a timeline. Refers to an article in the news about the Village of Farnham receiving HUD funds for waterline repair. The Town has a waterline repair on Johnson Street, could we receive HUD funds for this. Councilwoman Kesner responds that she would contact our Federal Representatives on this matter.

Steve Strnad says that the United Council of Hamburg taxpayers is having a meeting next Monday to finalize questions for the Board. They would like to pick a day in April when they could meet and go over these questions. Questions whether their will be a committee meeting discussing a new Town Hall. Supervisor Hoak responds, No, the taxpayers have spoken at the last referendum. The committee will meet to discuss ideas on what can be done with the present site and other Town owned property sites.

XVI.

RESOLVED, that the Town Board adjourn to Executive Session at 7:40 p.m. to discuss legal matters.

Moved: Hoak

Seconded: Hochul

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

Noes: None

Carried

George Danyluk, Town Clerk