

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 23rd day of February 2015.

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 adjourn Executive Session at 7:09 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; Michael Williams, Police Chief; Marty Denecke, Director of Youth, Recreation and Senior Services; Tom Best Sr., Highway Superintendent; Kurt Allen, Supervising Code Enforcement Officer; Christopher Hull, Director of Community Development; Drew Reilly, Planning Consultant; Barbara Brauch, Clerk of Justice Court; Thomas Taylor Sr. Public Safety Dispatcher

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

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

Legal Notice
Town of Hamburg
Notice of Hearing Proposed Local Law #2, 2015

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on January 26, 2015, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #2, 2015; the proposed local law amends Chapter 235 of the Hamburg Town Code entitled "Taxation". An abstract of the proposed local law is described as follows:

The purpose of this local law is to amend the provisions of Chapter 235 of the Code of the Town of Hamburg entitled "Taxation" to add a new section to the local law changing the date established for Grievance Day for Real Property Assessment Review.

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 the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 7:00 p.m. on the 23rd day of February, 2015, at which time all persons interested may be heard.

Dated: January 26, 2015

Catherine Rybczynski
Town Clerk
Town of Hamburg

No correspondence was received.

Walt Rooth, III, Town Attorney, comments that Grievance Day is set by State Statute and the Grievance Day in Hamburg is the same day as in Orchard Park. The Town is sharing services for the Orchard Park Assessor and he can't be in two places at the same time. So the Town has to do a local law to change the Grievance Day so that the Assessor can be here on Grievance Day.

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 close the public hearing.

Catherine Rybczynski, Town Clerk, reads the following legal 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 January 26, 2015 pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #1, 2015; 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 at 4455 Lake Avenue. The property is identified as tax map parcel S.B.L. No.151.15-10-2. The property is to be rezoned from R-3 (Multi Family District) to C-2 (General Commercial District).

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 23, 2015 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: January 26, 2015

Catherine Rybczynski
Town Clerk
Town of Hamburg

No correspondence was received.

Drew Reilly, Planning Consultant, gives out copies of an aerial photo of the property to be rezoned along with a zoning map identifying where it is and the zoning of surrounding properties. He then states that the applicant MB LAD, LLC owns the property located at 4455 Lake Avenue in order to accommodate a small welding/fabrication business. That type of business is not allowed under the current zoning so they are asking to rezone to C-2. The adjoining piece to the one side is zoned C-2 and there are more C-2 properties closer to McKinley and between the site and that is a power line which will never be anything but that. This was referred to the Planning Board and they made a positive recommendation on this with part of the recommendation being that they only recommended rezoning the portion of the property that abuts the C-2 property next door.

John McKendry comments that there is a metal fabrication shop available behind NOCO Gas station that is for sale. Is this person aware of it?

Brian Kenyan responds that they already own the property at 4455 Lake Ave. and when they purchased it they didn't know what their long term plans were. Within the last six months they had the opportunity to bring this business in so they are requesting this rezoning.

Bob Mahoney questions if there are any tax breaks offered for this business.

Mr. Reilly responds that they have not approached the Hamburg IDA so there are no tax breaks being offered at this time.

6.

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 close the public hearing.

7.

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 meeting:

02/09/2015 Work Session
02/09/2015 Town Board Meeting

8.

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 authorize the Recreation Department to issue alcohol waivers for the following March 2015 Taylor Road rentals:

03/07/15 03/21/15 03/22/15 03/28/15

9.

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 grant permission to the Police Department to advertise for bid, five (5) New and Unused 2016 Ford Police Interceptor Utility Vehicles.

10.

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

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

At a meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, held at Town Hall, in said Town, on the 23rd day of February, 2015.

PRESENT:

Hon. Steven J. Walters, Supervisor
Cheryl Potter-Juda, Councilwoman
Michael Quinn, Councilman

In the Matter
of the
Construction of a Sewer Improvement in
the Town of Hamburg, in the County of Erie,
New York pursuant to Article 12-C of the Town Law

**ORDER CALLING FOR A PUBLIC
HEARING TO BE HELD ON
MARCH 23, 2015**

WHEREAS, the Town Board of the Town of Hamburg (herein called the "Town"), in the County of Erie, New York, has caused Gerard M. Kapsiak, P.E., Town Engineer, an engineer duly licensed by the State of New York, to prepare a map, plan and report for the proposed construction of a sewer improvement in the area formerly known as the Mount Vernon Sewer District, consisting of 1,763 feet of sewer replacement (along portions of Lake Shore Road and Mount Vernon Boulevard), 4,152 feet of cured-in-place pipe lining (along portions of Clifton Parkway, Kennison Parkway and Mount Vernon Boulevard), 8 manhole replacements and 39 manhole repairs, including any original furnishings, equipment, machinery, and apparatus required therefor (the "Sewer Improvement"), all within an unincorporated area of the Town outside of any villages, pursuant to Article 12-C of the Town Law, which map, plan and report have been duly filed in the office of the Town Clerk for public examination; and

WHEREAS, the Town Board has given due consideration to the impact that the Sewer Improvement may have on the environment and, on the basis of such consideration, the Town Board had found that no substantial adverse environmental impact will be caused by the Sewer Improvement; and

WHEREAS, the Town Board, 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 a Type II 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 617.5(c), and therefore no further environmental review is required; and

WHEREAS, the proposed area within the Town to be benefited by the proposed Sewer Improvement (herein designated and called the “Benefited Area” or the “Mount Vernon Sewer Improvement Area”), is more particularly bounded and described as follows:

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, laying and being in the Town of Hamburg, County of Erie and State of New York; being parts of Lots 30 and 35, Township 9, Range 8 of the Holland Land Company’s survey; and including Mount Vernon Subdivision, as laid out on map filed in the Erie County Clerk’s Office under cover 1234, 1158, 1165, 1152 and being further bounded and described as follows:

BEGINNING at a point in the center line of the Lake Shore Highway, as now laid out and constituted, where the same is intersected by the center line of Cloverbank Road, as now laid out and constituted; running thence southeasterly along the said center line of Cloverbank Road to a point where said center line is intersected by the southeasterly line of Mt. Vernon subdivision; thence northeasterly along the southeasterly line of Mt. Vernon Subdivision to a point, said point being the northeasterly corner of Mt. Vernon Subdivision, as shown on above filed map; thence northwesterly along the dividing line between Mount Vernon and Locksley Park Subdivisions to a point in the center line of the Lake Shore Highway; thence northeasterly along the said center line of the Lake Shore Highway to a point where said center line would be intersected by the most northeasterly boundary of Mount Vernon Subdivision; thence northwesterly along the said most northeasterly boundary to a point in the shore line of Lake Erie; thence southwesterly along the shore line of Lake Erie to a point where the said shore line would be intersected by the production of a southwesterly boundary of Mount Vernon Subdivision, said Boundary being the rear line of Lots 459 to 464 as shown on above filed map; thence southeasterly along said southwesterly boundary and its production to a point in the center line of the Lake Shore Highway; thence southwesterly along the center line of the Lake Shore Highway to the place of beginning, containing 310 acres, be the same more or less.

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is estimated to be \$800,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of assessments upon the several lots and parcels of land within the Mount Vernon Sewer Improvement Area which the Town Board shall determine to be especially benefited by the Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer

upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the annual cost of operation and maintenance of said Sewer Improvement shall be paid with a charge upon the entire area of the Town outside of any villages and shall be levied and collected in the same manner and at the same time as other Town charges;

NOW, THEREFORE, BE IT ORDERED, that the Town Board of the Town shall meet and hold a public hearing at the Town Hall, in the Town, on the 23rd day of March, 2015, at 7:00 o'clock p.m. (Prevailing Time) to consider the construction of such Sewer Improvement, at which all persons interested in the subject thereof may be heard 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 Sun*" and the "*Front Page*," newspapers having a general circulation in the Town of Hamburg, and hereby designated as the official newspapers of the Town for such publication, and post conspicuously on the bulletin board of the Town Clerk, a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the day set and designated herein for said public hearing as aforesaid.

DATED: February 23, 2015

TOWN BOARD OF THE TOWN OF HAMBURG

(SEAL)

CERTIFICATE OF CLERK

CATHERINE A. RYBCZYNSKI, Town Clerk of the Town of Hamburg in the County of Erie, State of New York, DOES HEREBY CERTIFY that she has compared the preceding Order Calling Public Hearing with the original thereof filed in her office on the 23rd day of February, 2015, and that 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 this 23rd day of February, 2015.

(SEAL)

Catherine A. Rybczynski, Town Clerk

11.

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

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

At a meeting of the Town Board
of the Town of Hamburg, held at
the Town Hall, 6100 South
Park Avenue, Hamburg, New York
on the 23rd day of February, 2015.

PRESENT: Steven J. Walters, Supervisor
Michael Quinn, Jr. Councilmember
Cheryl Potter-Juda, Councilmember

ABSENT:

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

WHEREAS, Thomas M. Best, Sr., Superintendent of Highways, states that all those parts of certain Town highways hereinafter designated have not been opened or worked for more than six (6) years last past, and have not been traveled, or have been abandoned by the public and have never been used as a public highway to wit:

Harvard Street Abandonment

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 13, Township 9 and Range 8 of the Holland Land Company’s Survey, being more particularly described as follows:

BEGINNING at the point in the southwest corner of subdivision lot 231, block “2” and recorded in the Erie County Clerk’s office under cover 712, said point being in the north line of Harvard Street;

Thence N 89°58’20” E, along the north line of Harvard Street, a distance of 341.00 feet to the southeast corner of subdivision lot 241, block “2” and recorded in the Erie County Clerk’s office under cover 712;

Thence S 00°01’40” E, a distance of 60.00 feet to the south line of Harvard Street;

Thence S 89°58’20” W, along the south line of Harvard Street, a distance of 341.00 feet to the northwest corner of subdivision lot 706, block “7” and recorded in the Erie County Clerk’s office under cover 712;

Thence N 00°01’40” W, a distance of 60.00 feet to the point of beginning, containing 0.47 acres more or less.

and:

Yale Avenue Abandonment

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 13, Township 9 and Range 8 of the Holland Land Company's Survey, being more particularly described as follows:

BEGINNING at the point in the southwest corner of subdivision lot 735, block "7" and recorded in the Erie County Clerk's office under cover 712, said point being in the north line of Yale Avenue;

Thence N 89°58'20" E, along the north line of Yale Avenue, a distance of 310.00 feet to the southeast corner of subdivision lot 744, block "7" and recorded in the Erie County Clerk's office under cover 712;

Thence S 00°01'40" E, a distance of 60.00 feet to the south line of Yale Avenue;

Thence S 89°58'20" W, along the south line of Yale Avenue, a distance of 310.00 feet to the northwest corner of subdivision lot 1207, block "12" and recorded in the Erie County Clerk's office under cover 712;

Thence N 00°01'40" W, a distance of 60.00 feet to the point of beginning, containing 0.43 acres more or less.

the intent of the above described is to abandon that part of Harvard Street and Yale Avenue up to the new right of way alignment to be refiled and dedicated to the Town of Hamburg.

Grantor, Town of Hamburg, hereby abandons entire parcels described above to the Grantee, Eddy & Lewin Homes.

As a condition of this transfer, Grantee acknowledges and Grantor hereby declares that all parties that may presently have utility installations upon the above-described premises are hereby deemed to have a permanent full width utility easement for occupation, access, operation, and maintenance of their existing facilities in their current locations.

BE IT RESOLVED that the members of the Town Board, constituting the whole thereof, consent to the making and filing of the necessary certificate that this highway be and hereby is abandoned, pursuant to Section 205 of the Highway Law, and

BE IT FURTHER RESOLVED that all members of the Town Board of the Town of Hamburg subscribe the certification.

ROLL CALL

Supervisor Walters
Councilmember Quinn
Councilmember Potter-Juda

VOTING

Yes
Yes
Yes

The foregoing certification was duly adopted at said Town Board meeting.

Catherine Rybczynski
Town Clerk

ACKNOWLEDGMENT

STATE OF NEW YORK) SS
COUNTY OF ERIE)

I, CATHERINE RYBCZYNSKI, DO HEREBY CERTIFY that I am the Town Clerk of the Town of Hamburg, Erie County, New York; that the foregoing is a true and exact copy of a resolution adopted at a meeting of the Town Board held on the 23rd day of February, 2015; and

I DO FURTHER CERTIFY that said meeting was called and held, and a quorum was present thereat.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the seal of the Town of Hamburg this 23rd day of February, 2015.

CATHERINE RYBCZYNSKI
Town Clerk
Town of Hamburg

CERTIFICATION

I, THE UNDERSIGNED, THOMAS M. BEST, SR., Superintendent of Highways of the Town of Hamburg, in the County of Erie, State of New York, hereby certify that all those parts of certain Town highways hereinafter designated have not been opened or worked for more than six (6) years last past, and have not been traveled, or have been abandoned by the public and have never been used as a public highway to wit:

Harvard Street Abandonment

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 13, Township 9 and Range 8 of the Holland Land Company's Survey, being more particularly described as follows:

BEGINNING at the point in the southwest corner of subdivision lot 231, block "2" and recorded in the Erie County Clerk's office under cover 712, said point being in the north line of Harvard Street;

Thence N 89°58'20" E, along the north line of Harvard Street, a distance of 341.00 feet to the southeast corner of subdivision lot 241, block "2" and recorded in the Erie County Clerk's office under cover 712;

Thence S 00°01'40" E, a distance of 60.00 feet to the south line of Harvard Street;

Thence S 89°58'20" W, along the south line of Harvard Street, a distance of 341.00 feet to the northwest corner of subdivision lot 706, block "7" and recorded in the Erie County Clerk's office under cover 712;

Thence N 00°01'40" W, a distance of 60.00 feet to the point of beginning, containing 0.47 acres more or less.

and:

Yale Avenue Abandonment

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 13, Township 9 and Range 8 of the Holland Land Company's Survey, being more particularly described as follows:

BEGINNING at the point in the southwest corner of subdivision lot 735, block "7" and recorded in the Erie County Clerk's office under cover 712, said point being in the north line of Yale Avenue;

Thence N 89°58'20" E, along the north line of Yale Avenue, a distance of 310.00 feet to the southeast corner of subdivision lot 744, block "7" and recorded in the Erie County Clerk's office under cover 712;

Thence S 00°01'40" E, a distance of 60.00 feet to the south line of Yale Avenue;

Thence S 89°58'20" W, along the south line of Yale Avenue, a distance of 310.00 feet to the northwest corner of subdivision lot 1207, block "12" and recorded in the Erie County Clerk's office under cover 712;

Thence N 00°01'40" W, a distance of 60.00 feet to the point of beginning, containing 0.43 acres more or less.

The intent of the above described is to abandon that part of Harvard Street and Yale Avenue up to the new right of way alignment to be refiled and dedicated to the Town of Hamburg.

Grantor, Town of Hamburg, hereby abandons entire parcels described above to the Grantee, Eddy & Lewin Homes.

As a condition of this transfer, Grantee acknowledges and Grantor hereby declares that all parties that may presently have utility installations upon the above-described premises are hereby deemed to have a permanent full width utility easement for occupation, access, operation, and maintenance of their existing facilities in their current locations.

THEREFORE, pursuant to Section 205 of the Highway Law, said highway is declared to be and hereby is abandoned.

Dated:

THOMAS M. BEST, SR.
Superintendent of Highways

TOWN BOARD OF THE TOWN OF HAMBURG

STEVEN J. WALTERS, Supervisor

MICHAEL QUINN, JR., Councilmember

CHERYL POTTER-JUDA, Councilmember

ACKNOWLEDGMENT

STATE OF NEW YORK) SS
COUNTY OF ERIE)

I, CATHERINE RYBCZYNSKI, DO HEREBY CERTIFY that I am the Town Clerk of the Town of Hamburg, Erie County, New York; that the foregoing is a true and exact copy of a resolution adopted at a meeting of the Town Board held on the 23rd day of February, 2015; and

I DO FURTHER CERTIFY that said meeting was called and held, and a quorum was present thereat.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Hamburg this 23rd day of February, 2015.

CATHERINE RYBCZYNSKI
Town Clerk
Town of Hamburg

12.

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

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

RESOLVED, The Town Board authorize the purchase of radio equipment for the Local Government radio system. The cost of antenna’s, repeaters, duplexers, mobile radios and portable radios total \$19,110.12, monies available in account A1650.204. All equipment is on New York State Bid Contract#PT62491.

13.

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 approve the transfer of funds in the amounts as follows:

\$4,500.00 from account A1990.419 to account A1650.204

\$6,000.00 from account B3120.423 to account A1650.204

\$4,000.00 from account B3120.411 to account A1650.204

for the purpose of funding an audio recording system for the Police and Public Safety Dispatch Office.

14.

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 purchase of a NICE Inform Professional Information Management System from WILMAC Company in the amount of \$39,445.00. Funds are available in account A1650.204 and the system is on New York State Contract Bid #PT65096.

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 is a Community Development Block Grant (CDBG) entitlement community as determined by the United States Department of Housing & Urban Development (HUD), and

WHEREAS, in January, 2015, the Town of Hamburg submitted its 2015 “Draft” application to HUD for CDBG funds with estimated grant amounts due to the fact that the 2015 HUD budget had not yet been officially released, and

WHEREAS, on February 12, 2015 the Town of Hamburg received its official 2015 CDBG funding notification from HUD detailing the towns 2015 CDBG grant amount of \$376,566.00

NOW THEREFORE BE IT RESOLVED THAT the Hamburg Town Board authorize the Department of Community Development to submit its 2015 “Final” Action Plan to the Buffalo HUD office with the following projects and grant amounts:

Administration and Planning:	\$ 46,566.00
Town of Hamburg - Road Reconstruction within eligible target areas.	\$150,000.00
Village of Hamburg - Waterline Replacement - (Victory Ave from E. Main to E. Union)	\$100,000.00
Village of Blasdell - Infrastructure Reconstruction - (Salisbury Ave from Miller to Maple)	\$ 80,000.00
TOTAL 2015 CDBG FUNDS:	\$376,566.00

BE IT FURTHER RESOLVED that the Hamburg Town Board authorize Supervisor Steven J. Walters and Christopher Hull; Director of Community Development to sign any and all documents, contracts and certifications required to receive the 2015 CDBG funds from the United States Department of Housing and Urban Development (HUD).

16.

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

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

WHEREAS, the Village of Blasdell has entered into a Cooperative Agreement with the Town of Hamburg in order to receive Community Development Block Grant funds from the United States Department of Housing and Urban Development and,

WHEREAS, the Village of Blasdell has requested and will receive \$80,000.00 from the Town of Hamburg’s 2015 Community Development Block Grant funds for infrastructure reconstruction on Salisbury Avenue from Miller to Maple within a HUD target area in the Village of Blasdell.

NOW THEREFORE BE IT RESOLVED that the Supervisor be authorized to sign the agreement by and between the Town of Hamburg and the Village of Blasdell for the use of these CDBG funds.

17.

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

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

WHEREAS, the Village of Hamburg has entered into a Cooperative Agreement with the Town of Hamburg in order to receive Community Development Block Grant funds from the United States Department of Housing and Urban Development and,

WHEREAS, the Village of Hamburg has requested and will receive \$100,000.00 from the Town of Hamburg’s 2015 Community Development Block Grant funds for water line reconstruction on Victory Avenue from East Main to East Union within a HUD target area in the Village of Hamburg.

NOW THEREFORE BE IT RESOLVED that the Supervisor be authorized to sign the agreement by and between the Town of Hamburg and the Village of Hamburg for the use of these CDBG funds.

18.

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

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

BE IT RESOLVED, that the Hamburg Town Board authorizes the Department of Community Development to enter into a contract with the towns Highway Department to complete a road reconstruction project within a HUD target areas utilizing \$150,000 in 2015 CDBG funds.

19.

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 is a Community Development Block Grant (CDBG) entitlement community, receiving federal funds from the United States Department of Housing and Urban Development (HUD), and

WHEREAS, the Town of Hamburg Department of Community Development has jurisdiction and oversight over the CDBG funds and is responsible for ensuring that said funds are utilized in accordance with all federal laws and requirements.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board authorize the Department of Community Development to enter into a sole - source contract with **Belmont Housing Resources for WNY** to provide “Comprehensive Housing & Financial Counseling Services” for the Town of Hamburg. The one year contract period begins April 1, 2015 and expires March 31, 2016. Funding in the amount of \$12,000.00 is available in CD 8686.350; Administration and/or the Community Development Program Income Account.

20.

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

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

BE IT RESOLVED, that the Hamburg Town Board authorize the Department of Community Development to advertise bids and Request for Proposals for the purpose of completing the following 2015 CDBG projects:

- 1) Village of Hamburg Waterline Reconstruction project.
- 2) Village of Blasdell Road Reconstruction project.
- 3) RFP for a Drainage and Flood study; Tomaka/Wilson Drives.

21.

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		Brown, Susan	N	Rec Attd-A6772-P/T	2/10/15		\$9.00	
2	4461	Denecke, Kathleen		Rec Attd-A7310				2/9/2015
3		Donohue, Christopher	N	Rec Attd-ET7180-P/T	2/10/15		\$9.00	
4	4525	Duszkiewicz, Michael		Rec Attd-A7310				2/9/2015
5	4093	Farrell, Shannon C.	R	Rec Attd-A7310-P/T	2/10/15		\$8.75	
6	4268	Jackson, Alex		Rec Attd-A7310				2/9/2015
7	4040	Jedynak, Richard		Van Driver-A6772-P/T				2/16/2015
	4040	Jedynak, Richard	R	Van Driver-A6772-Seas	2/17/15		\$10.44	
8	4502	Kramer, Susan		Rec Attd.-A6780-Seas				2/6/2015
	4502	Kramer, Susan	R	Rec Attd-A6780-P/T	2/7/15		\$9.50	
9	4321	Meyer, Jennifer		Rec Attd-A6780-Seas				2/8/2015
	4321	Meyer, Jennifer	R	Rec Attd-A6772-P/T	2/9/15		\$10.75	
10	4339	Pitillo, Joan		Rec Attd-A6780-Seas				2/20/2015
	4339	Pitillo, Joan	R	Rec Attd-A6780-P/T	2/21/15		\$10.00	
11	3167	Wienczek, Paul		Van Driver-A6772-Seas				2/23/2015
	3167	Wienczek, Paul	R	Van Driver-A6772-P/T	2/24/15		\$10.00	

22.

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 Finance Department to bring forward the 2014 unexpended balance of \$2,098.00 from the Domestic Violence Account A3225.483 through the A599 Appropriated Fund Balance. These monies are strictly donations to be used for Domestic Violence supply purchases.

23.

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 that Jason Newell, appointed to president of the Armor Volunteer Fire Company, Inc., shall be the official liaison between the fire company and the Town of Hamburg:

Jason Newell
4752 Woodside Ave.
Hamburg, N.Y. 14075

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’s Capital Fund expects to expend \$6,022,286 on the renovations of the Senior Community Center and the Hamburg Public Library, and

WHEREAS, the expected funding of the renovations is \$4,738,978, leaving a shortfall of approximating \$1,300,000 that the Town expects to finance through the issuance of debt by years end. This \$1,300,000 includes an ongoing fundraising commitment from the Hamburg Library Board to raise a total of \$400,000.00, and

WHEREAS, the Town of Hamburg Highway Department has a need for specific highway equipment amounting to \$200,000.00, and

WHEREAS, Chapter 195 of the New York State Laws of 1989 provides that towns may temporarily advance moneys from one fund to any other fund, and

WHEREAS, the Town’s Town Outside Village Fund has available cash.

NOW, THEREFORE BE IT RESOLVED, that the Town Board does hereby authorize the Town Outside Village Fund to provide a short term inter-fund loan in the amount of \$1,500,000 prior to year end from its available funds to support the Capital Fund in the amount of \$1,300,000 and the Highway Capital Fund in the amount of \$200,000.00.

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 Audit of Cash Disbursements as follows:

TOWN BOARD
AUDIT OF CASH DISBURSEMENTS February 23, 2015

		VOUCHER #'S	
OPERATING FUND:			
BATCH #26	\$6,705.37	74123-74124	
BATCH #27	\$23,705.82	74125-74176	
BATCH #28	\$26,064.14	74179-74202	
BATCH #29	\$12,030.08	74203-74214	
BATCH #30	\$18,233.14	74215-74233	
BATCH #31	\$226,690.43	74234-74270	
BATCH #32	\$2,555.28	74271-74276	
BATCH #33	\$196,629.01	74277	
BATCH #34	\$975,851.16	74278-74329	
BATCH #35	\$11,366.50	74330-74350	
BATCH #36	\$354.92	74359	
BATCH #37	\$492,512.24	74365-74413	
TOTAL OPERATING FUND DISBURSEMENTS:			\$1,992,698.09
TRUST & AGENCY:			
BATCH #1	\$36.00	74177-74178	
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$36.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #6	\$51,365.35	74351-74358	
BATCH #7	\$3,832.50	74363-74364	
BATCH #8	\$443,776.00	74360-74362	
TOTAL CAPITAL FUND DISBURSEMENTS:			\$498,973.85
PAYROLL:			
PR #P/R #4	\$708,431.54		
TOTAL PAYROLL DISBURSEMENTS:			\$708,431.54
PETTY CASH			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$3,200,139.48

Reports from Town Board Members and Department Heads

Councilwoman Potter-Juda – No report

Councilman Quinn – No report

Supervisor Walters comments that they did hold the ribbon cutting for the new Senior Center on Tuesday February 17th. The County Executive was there and issued the Town of Hamburg an official proclamation regarding the dedication and opening of the Town of Hamburg Community Center. A copy will be placed in the front atrium for everyone to see. Even with the cold weather they had a large crowd in attendance. The County Executive commented that he has had the opportunity to travel to every Senior Center within the County and he felt the Town of Hamburg was at the top of the list as far as what they offer and the way they offer it. He congratulates Marty Denecke and all of his staff and the programs they run, Kurt Allen for the job he has done bringing this together, it was a team effort by everyone. He thanks the Frontier School District as well. The Community Center is a center for the entire community and they are thrilled to have it. They have been contacted by people that previously asked to run programs at the Senior Center that were turned away because they didn't have the space and others that just read about the new center and came forward with programs for our Senior residents. Secondly, the Town received a letter from Meals on Wheels thanking the Town Board for its financial commitment to Meals on Wheels. The Town of Hamburg gives several grants, through our budget process, to various community groups with Meals on Wheels being one of them.

Catherine Rybczynski, Town Clerk, reports that on February 13th all the tax money was turned over to the Town in the amount of \$25 million. The Town is now collecting the County money.

Gerard Kapsiak, Town Engineer, reports that Erdman Anthony initiated their engineering work for the design of the additional Quiet Zones at Bayview Road, Pleasant Ave and Lakeview Road crossings. They are waiting for the snow to melt so that they can complete their survey work.

Marty Denecke, Director of Youth, Recreation and Senior Services, comments that the Center had after hour programs and tonight they had seven groups using the building, including the gym, the diner, billiard room, library and adult day dining room. The more the word gets out the more groups that will use it.

Kurt Allen, Supervising Code Enforcement Officer, comments that they received a single bid from Hannah Demolition in the amount of \$13,750.00 to demolish the dilapidated property at 4515 Oxford. He will review the contract with the legal department and then proceed with that demolition.

Thom Taylor, Sr. Public Safety Dispatcher thanks the Town Board for passing the resolutions to build on the Local Government radio system which should be complete in about 6 weeks.

Tom Best Sr., Highway Superintendent, reports that the harsh winter is taking its toll on the men, women and equipment in the Highway Department and also on the salt supply. The salt supply is dwindling and the budget to purchase more salt is dwindling. Hopefully we will get some warm weather and will make it through this winter. However, next November and December could be a problem. This is not a unique situation. He has spoken with other highway departments and they are all experiencing the same problem. In the next week or two, if time allows, he will be having their highlifts in subdivisions removing some of the snow around fire hydrants. This seems to be a problem with all the snow.

Michael William, Police Chief, recognizes Detective Joseph Kleinfelder, who will be retiring from the department on Thursday. He has put in 42 years in law enforcement, 23 years as a Railroad Police Officer and 19 years with the Town of Hamburg. He has dedicated himself to the community and will be sorely missed.

Christopher Hull, Director of Community Development, reports that they have started running radio ads on 1400 AM and 107.7 FM for their housing programs.

Business from the Floor

Jim Morgan comments that he spoke with Mr. Kapsiak concerning the railroad Quiet Zones and he was very helpful. In a Buffalo News article it was stated that the Town is having a problem meeting with the County and the County does not want the Quiet zones installed on Pleasant Avenue and Lakeview Road as they are County roads. Mr. Kapsiak informed him that probably the earliest they could get it done would be next spring. We aren't even into this spring yet. Mr. Kapsiak said that he could probably work on the Bayview Road crossing separately if the Town Board would approve it. He asks the Town Board to please consider this.

Supervisor Walters responds that because they are in the engineering and design phase it will not shorten the time period by breaking off Bayview from the other two. So, they are going to continue doing the engineering and design phase all together. While that phase is ongoing it is their expectation to meet with the County to further discuss Lakeview and Pleasant Avenue crossings and come up with a solution to the issues they have discussed in the past. Once the design phase is done, if it seems they are not getting anywhere with the County, then at that time he feels it would be appropriate to break off the Bayview Road portion and continue to move ahead with that separately. However, right now there is no reason to do that. The reason they want to do them all together is that they will get a better construction cost.

Mr. Morgan questions if it would be fair to say that once the design work is done and they are not moving forward with the County by this summer, then they could do the work then.

Supervisor Walters replies that would be fair.

Councilwoman Potter-Juda questions if Mr. Kapsiak agrees with the Supervisor or is there a way they could get started with Bayview Road. If they are going to do all three why can't they get it contracted, get that as a done deal and then break off the Bayview portion and complete it.

Supervisor Walters responds that to put out a contract to do three crossings and then say that they have to stage it at different times would increase the contractors cost. He feels it would be unfair to then say that they had to complete the one crossing and wait to do the others at the price that was bid.

Vic Tomasulo comments that he likes moving forward with the engineering and design phase. However, his biggest concern is the impasse with the County. We have been doing this for a long time. Maybe they need to get more of the public involved.

Supervisor Walters comments that the last meeting with the County was in November. At that time, the Town said that there was more than enough room with the barriers in place to have a plow go through. The County disagreed. They all agreed at that point to wait until the snow fell to make a decision. Obviously there has been a lot of snow and they have been able to show that the barriers are in place. The problem now, is that there has been so much snowfall that they would have to pull highway personnel from both the Town and the County away from their duties for this meeting. With the amount of snow that continues to fall that is a problem. Once things calm down they will be able to get together. The focus now has to be keeping the streets open.

Mr. Tomasulo responds that in the spring there will be potholes to deal with and this will be on hold again.

Councilwoman Potter-Juda comments that they should work on setting a date. By the time they can get everyone together it will probably be at least a month from now anyway.

John McKenry comments that he feels they will get this done, it is moving along. He wants to talk about the explosion in West Virginia due to crude oil tankers. Senator Schumer pointed out last week that the weakened crude oil cars are marked DOT and the stronger cars are marked CPT. Yesterday, by Forbush Lumber he counted nineteen DOT oil cars. He doesn't know if they have oil in them or not but the bad cars are sitting on either side of Camp Road and Forbush Lumber. If an explosion happened, there are 10,000 people living between eighteen mile creek and the Ford Plant. Why are those cars sitting there? This leaves the Town vulnerable. There were trains between the Wanakah Grill and Walden sitting all night long, running. The residents in that area need to stand up for themselves. Sean Crotty, Emergency Services Coordinator, has been working on the crude oil tanker problem.

Bob Mahoney questions what the process would be to put together a referendum to increase the size of the Town Board from three to five.

Supervisor Walters responds that there has to be a petition, signed by the residents, similar to the petitions for nominating for an election. It would be similar to the wording of the petitions that Kevin Gaughan circulated to downsize the Town Board. It would require a certain number of registered voters signatures. The Town Board could call for the referendum. However, from a more practical standpoint it should be a movement by the citizens and not a movement by the Town Board.

Mr. Mahoney responds there are two options then?

Supervisor Walters responds yes there are two options.

26.

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