

Meeting No. 5
February 24, 2003
Hamburg Town Board Meeting
S-6100 South Park Avenue
Hamburg, N.Y. 14075

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|---------------|-----------------------|---------------------------------------|
| Roll Call: | Patrick H. Hoak | Supervisor |
| | Kathleen C. Hochul | Councilwoman |
| | Joan A. Kesner | Councilwoman |
| | Thomas Quatroche, Jr. | Councilman |
| Absent: | D. Mark Cavalcoli | Councilman |
| Also Present: | Catherine Rybczynski | Town Clerk |
| | James Spute | Finance Director |
| | Gerard Kapsiak | Town Engineer |
| | Drew Reilly | Planning Consultant |
| | Tim Ellis | Traffic Safety Coordinator |
| | Martin Denecke | Director of Recreation |
| | Fred Kingsbury | Real Property Appraiser |
| | James Connolly | Highway Superintendent |
| | Tim Willard | Assistant Director of Housing & Bldg. |
| | Carmen Kesner | Assistant Police Chief |

The Pledge of Allegiance was recited

Information on Fire Exits was provided.

7:00 p.m. Public Hearing for the establishment of Engel Drive Sewer District.

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

EXTRACT OF MINUTES

Meeting of the Town Board of the

Town of Hamburg, in the

County of Erie, New York

February 24, 2003

* * *

A regular meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, was held at the Town Hall, in said Town, on February 24, 2003 at 7:00 o'clock p.m. (Prevailing Time).

There were present: Hon. Patrick H. Hoak, Supervisor; and

Councilpersons: Kathleen Courtney Hochul
Joan A. Kesner
Thomas J. Quatroche, Jr.

There were absent: D. Mark Cavalcoli

Also present: Catherine Rybczynski, Town Clerk
Richard G. Boehm, Deputy Town Attorney

* * *

At 7:00 o'clock p.m. (Prevailing Time) the Town Clerk stated that a Public Hearing had been called for this meeting at the Town Hall, in said Town, in the County of Erie, New York at 7 p.m. (Prevailing Time) to consider the establishment of Engel Drive Sewer District (the "District"), in said Town. The Town Clerk presented affidavits showing that certified copies of the Order Calling said Public Hearing had been published and posted pursuant to the provisions of Article 12-A of the Town Law.

The Supervisor stated that the Public Hearing on the establishment of Engel Drive Sewer District in the Town of Hamburg, was now open and asked if there was any interested person who desired to be heard.

The following persons appeared in favor of the establishment of the District:

The following persons appeared in opposition to the establishment of the District:

The Town Clerk reported that the following pertinent written communications had been received:

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

* * *

Supervisor Hoak offered the following resolution and moved its adoption:

A meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, was held at the Town Hall, in said Town, on the 24th day of February, 2003.

PRESENT:

| | |
|--------------------------|---------------|
| Hon. Patrick H. Hoak | Supervisor |
| Kathleen Courtney Hochul | Councilperson |
| Joan A. Kesner | Councilperson |
| Thomas Quatroche, Jr. | Councilperson |

-----X

In the Matter

of the

Establishment of Engel Drive Sewer District in the Town of Hamburg, County of Erie, New York, pursuant to Article 12-A of the Town Law.

-----X

**RESOLUTION CREATING THE ENGEL
DRIVE SEWER DISTRICT
SUBJECT TO PERMISSIVE REFERENDUM
AND PERMISSION OF THE STATE COMPTROLLER**

WHEREAS, the Town Board of the Town of Hamburg (herein called "Town Board" and "Town", respectively), County of Erie, New York, has, pursuant to Town Law Article 12-A, caused the preparation of a map, plan and report for the establishment of Engel Drive Sewer District (the "District"), in the Town, with proposed improvements consisting of the construction of a sanitary sewage transmission system of approximately 1,200 LF of eight (8) inch gravity pipe, 600 LF of six (6) inch gravity pipe, 400 LF of four (4) inch forecmain pipe, including land or rights in land, original furnishings, equipment, machinery, apparatus and other improvements and costs incidental thereto, (the "Sewer Improvement"), the maximum amount proposed to be expended for the construction of such Sewer Improvement is estimated to be \$176,250; and

WHEREAS, the boundaries of the proposed District are as stated in the attached Schedule A; and

WHEREAS, the Town Board has pursuant to an Order Calling for a Public Hearing, which Order was duly posted and published, held a public hearing to consider the creation of the proposed District, at which hearing all members of the public were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN HAMBURG as follows:

The Board hereby determines:

1. That the notice of public hearing was duly published and posted as required by law, and is otherwise sufficient.
2. That all properties and property owners benefited by the improvements are included in the District.
3. That all properties and property owners included in the District are benefited thereby.
4. That it is in the public interest to establish the Engel Drive Sewer District.

RESOLVED that the Town Board hereby approves the creation of the Engel Drive Sewer District with the boundaries as stated in Schedule A; and be it

FURTHER RESOLVED that the maximum amount proposed to be expended for such Sewer Improvement is \$176,250, which is planned to be financed by the issuance of a like amount of serial bonds of the Town, and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and be it

FURTHER RESOLVED, the Town Clerk is authorized and directed within ten (10) days after the adoption of this resolution, to file certified copies thereof, in duplicate, in the office of the state department of audit and control at Albany, New York, together with an application by the Town Board, in duplicate, for permission to establish the District, in the Town, as herein described, pursuant to the provisions of the New York Town Law, and that such application shall be executed and verified by and on behalf of said Town Board by the Supervisor of the Town; and be it

FURTHER RESOLVED that this resolution is subject to a permissive referendum; and be it

FURTHER RESOLVED that the Town Clerk shall, within ten days after the adoption of this Resolution, publish a public notice at least once in the “SUN AND ERIE COUNTY INDEPENDENT” and the “FRONT PAGE”, two (2) newspapers hereby designated as the official newspapers of the Town for such publication, and posted on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, in the Form of Exhibit A to this Resolution, stating the adoption of this Resolution subject to permissive referendum, and the Town Clerk shall cause to be prepared and have available for distribution proper forms for the petition requesting a referendum and shall distribute a supply to any person requesting same; and be it

FURTHER ORDERED, that if the time for filing a petition requesting that the matter be submitted to a referendum of the property owners expires without such a petition be filed, the Town Clerk shall file a certificate stating such fact in the office of the county clerk, and in the office of the state department of audit and control at Albany, New York; and be it

FURTHER ORDERED, that if such petition is filed, after such referendum is held Town Clerk shall file a certificate stating that a petition was filed and a referendum held and certifying the results of the vote on the proposition submitted at such referendum fact in the office of the county clerk, and in the office of the state department of audit and control at Albany, New York.

DATED: February 24, 2003

TOWN BOARD OF THE
TOWN OF HAMBURG

(SEAL)

LEGAL DESCRIPTION OF PROPOSED
ENGEL DRIVE SEWER DISTRICT

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 18, Township 9, Range 8 of the Holland Land Company's Survey, and further described as follows:

BEGINNING at a point on the north line of Old Lakeview Road, the said point also being on the east line of Engel Drive; thence easterly along the north line of Old Lakeview Road, a distance of 118 feet more or less to the southeast corner of Parcel No. 195.03-2-8; thence northerly along the east line of said parcel, a distance of 186 feet more or less to the northeast corner of said parcel; thence westerly along the north line of said parcel, a distance of 53 feet more or less to the northeast corner of Sublot No. 1, Map Cover 1761 as filed in the Erie County Clerk's office; thence northerly along the east line of said Map Cover and extension thereof, a distance of 495 feet more or less to the northeast corner of Parcel No. 195.03-2-2.1; thence westerly at a right angle, a distance of 256 feet more or less to the west line of Engel Drive; thence northwesterly along a curve to the left and along the Engel Drive right-of-way, a distance of 129 feet more or less to the east line of Sublot No. 7, Map Cover 1761; thence northerly along the east line of said Sublot No. 7, a distance of 3 feet more or less to the northeast corner of said Sublot No. 7; thence westerly along the north line of said Sublot No. 7, a distance of 290 feet more or less to the northwest corner of Sublot No. 7, Map Cover 1761; thence southerly along the west line of Map Cover 1761, a distance of 829 feet more or less to the southwest corner of Sublot No. 13, Map Cover 1761; thence easterly along the south line of said Sublot No. 13, a distance of 79 feet more or less to the northwest corner of Parcel No. 195.03-2-11; thence southerly along the west line of Parcel No. 195.03-2-11, a distance of 394 feet more or less to the north line of Old Lakeview Road; thence easterly along the north line of Old Lakeview Road, a distance of 656 feet more or less to the point or place of beginning.

STATE OF NEW YORK)

:ss:

COUNTY OF ERIE)

I, CATHERINE A. RYBCZYNSKI, Town Clerk of the Town of Hamburg, in the County of Erie, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution Creating The Engel Drive Sewer District Subject To Permissive Referendum And Permission Of The State Comptroller with the original thereof filed in my office on the 24th day of February, 2003, 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 ____ day of _____, 2003.

(SEAL)

Town Clerk

Supervisor Hoak comments that we had a public hearing on this about a month ago. There were some questions and concerns that came up along with some changes. Richard Sangiacomo and Bob Harris from R & D Engineering are present along with Gerard Kapsiak, Town Engineer, to answer questions.

Mr. Kapsiak comments that this is a follow up to the public hearing that was previously held on January 27th. The Engel Drive people were represented then and most of them are present now. He then explains that Engel Drive is off Old Lakeview Road just west of the Village of Hamburg, it is just a small street with ten homes and the existing homes are serviced by on-site private septic systems. These systems have been failing over the years leading to neighborhood complaints, discharges into eighteen mile creek and requests from the NYSDEC and Health Department for public sewer service to be extended to the area. As a result of the input that was received from the property owners and the Town Board at the last public hearing, the sewer district boundaries have been revised to include only the properties along Engel Drive and one on Old Lakeview Road. No properties along Lakeview Road are now located within the district. The Map Plan Report which was previously prepared by R & D Engineering has been revised by them, followed by the Town Board calling for the public hearing this evening, a legal notice was published in the local newspapers and a written notice was sent to each property owner within the district informing them of the hearing and the estimated cost per property owner. He then introduces Bob Harris from R & D Engineering to give a brief presentation on what the costs are and to show the sewer district boundaries as they are now.

Bob Harris comments that this is the second hearing for the Map Plan and Report for the creation of the Engel Drive Sewer District. After the discussion from the last meeting there were some revisions to the district boundaries. This is considering being established because of the performance of the existing septic systems. The owners approached the Town to have this go ahead if possible, and the Map Plan and Report was done to determine what the cost would be to create this. A petition was delivered to the Town requesting sanitary sewers. He then explains that the main change in boundaries is that the section at the north end, connected to Lake View Road, has been deleted from the project so they are only including the properties that abut Engel Drive and properties along Old Lake View Road to the south end of Engel Drive. He then explains how they have reworked the pumping of the flow, which reduced the cost of the project. There is a total project cost of about \$176,000 for the entire system. They will spread that cost over 13 parcels with a cost per home owner, just for debt service, of \$1,043.00 annually, then you add the standard charge for treatment and sewer maintenance of \$212.00 which gives you an overall typical cost of \$1,255.00. This is slightly more than last month including Lake View Road but it addresses only the homes that need it. He then asks if there are questions from the audience.

Beverly Kiniry, 6451 Engle comments that the pumping station, according to the map, will be on her property. Will it be above ground, below ground, how big is it, etc. Mr. Harris responds that it will be a duplex grinder pump station. Basically the pumps are below ground and the only things that needs to be above ground is a control panel. Beverly questions if the fee could be paid up front. Mr. Kapsiak comments that the only way to do that would be for everyone to pay it up front. She then questions, if this is passed, when would it be put into affect. Mr. Harris responds that it is a step process. If this is passed it needs to be sent to State Audit and Control and they need to accept this for the district to be formed. This could take 3-4 months, at that point construction could start, at best construction would start this fall. Supervisor Hoak questions how long construction would take. Mr. Harris responds 2-3 months.

Drew Alessi, 6432 Engel Drive, questions about the placement of the manholes on the drawings. Mr. Harris comments that this is just a schematic at this time. They will be roughly in that vicinity.

Julie Hanley, 6422 Engel Drive, questions why the State needs to approve this. Mr. Kapsiak responds that State Audit and Control needs to approve the cost because the cost per year is greater than the threshold limit that they have set which is \$525.00 per year per property owner. Supervisor Hoak comments that her question was why are they addressing Engel Drive when Old Lakeview Road would seem to be a bigger problem as far as infiltrating eighteen mile creek. Mr. Harris responds that the reason this area was addressed is that the residents were told that the Health Department has problems with failing septic systems. Mr. Kapsiak comments that east of the district boundary line Old Lakeview Road is served by Erie County sewer district. Old Lakeview Road west of the boundary line hasn't been identified as a problem, the lots are bigger and their septic systems are operating properly.

Tim Hanley comments that they have a two year old system and they do not have any problems, runoff into eighteen mile creek is their concern. They question if there is anyway around them getting into this. Mr. Kapsiak comments that a petition was sent around and eight of the ten property owners signed it. He understands that Mr. Hanley did not sign that. Mr. Hanley comments that the petition was not to have this put in but to see how much it would cost.

Mr. Alessi comments that a couple of things bother him. Number one, the total cost includes 25% contingencies (Engineering, Legal etc.) he would like to know what the etc. is. And number two, if you take the cost over 20 years that would be \$27,000 to have the luxury of flushing your toilet into a sewer rather than a septic system. He could put in quite a few septic systems for that amount of money. Councilwoman Hochul comments that there is no mandate that they do this. They were responding, quite quickly, to a request from residents to get a price and her view is that if the residents don't want it, they want to install their own septic systems and they all meet the health codes and aren't dumping into eighteen mile creek, then go for it. The Town is not imposing this on anyone they were doing this to be helpful. Mr. Alessi comments that the cost is almost prohibitive if you look at it in terms of dollars and cents. Mr. Harris responds that the 25% contingencies include engineering, legal bonding costs, some cushion in case they run into some unforeseen construction problems. The problem the Town runs into is if that they get the district formed and they are \$1.00 short they need to hold another public hearing. This is an upper limit. They may not need to spend that full 25%. Mr. Alessi comments that there should be some alternative method of funding rather than sticking the residents with a \$1,300.00 per year bill. Mr. Kapsiak comments that they have put applications for funding in over the years and weren't able to get it. There is a lot of competition for this funding and they look at the bigger projects rather than the smaller ones. There is a State Loan program that is available through the NYS Environmental Facilities Corporation. Unfortunately they cannot apply for this until the Sewer District is actually formed. That would provide bond financing at about 50% of the going rate. So, instead of 4.5% this would be around 2.25% which would result in a savings of about \$200 per year per property owner. Essentially everyone that applies for it gets it, you have to show hardship but we should have enough documentation of that based on past studies.

Councilwoman Hochul questions how many people are present from Engel Drive. She notes that eight households are present. She doesn't want to approve this if everyone is not for it. Mr. Alessi comments that personally, his system is not failing. He wouldn't mind having the sewers but the cost is too high. Supervisor Hoak comments that this should be the high bid for this. They might be able to get a better construction cost. Mr. Sangiacomo comments that this is the highest price that it will come in at. They believe they are 10-15% higher than they need to be. Based on their cost, on the going rate of construction, they need to quote higher. Councilwoman Kesner questions what the cost of a septic system would be. Mr. Alessi responds that it depends on what is needed.

John Bushman, Engel Drive comments that the cost for an entire system would be \$7,500 to \$8,000.00. Councilwoman Kesner questions how long they last. Average of 15 to 20 years. Mr. Hanley comments that he did it for \$4,000 but he did a lot of work himself.

Mr. Alessi comments that what struck him was that at the last public hearing there was a builder who said that he could tie into the sewer for a lot cheaper than what this would cost him.

Councilwoman Hochul comments that the residents should get together tonight, maybe go into the Conference Room, come up with a consensus, give the town another petition of whether they want this or do not. Mr. Kapsiak comments that there was a petition that went with the notice to the property owners of the public hearing and of the eleven developed properties five have returned the signed petition in favor of this. Supervisor Hoak comments that this is not a new situation in the Town of Hamburg. Highland Acres had to wait 47 years. There have been problems with sales on properties because of septic systems. This is an investment. But they are here to serve the public on this. Councilman Quatroche comments that the bottom line is that it will probably cost around \$1,000 and the residents have to decide whether that is a good value for them. Nothing has to be decided this evening. Supervisor Hoak questions if they will miss the boat on competitive bids on this if they put this off a month. Mr. Sangiacomo responds probably not, they have to wait for Audit and Control. The time frame is good now and will get worse the longer they put it off.

Joe Kilian, United Council, questions if they are able to tell which septic systems are failing now and are getting into the creek. Mr. Kapsiak comments that all the drains go to one storm drain system and from there they go into the creek. Joe questions how long the State will put up with that. Mr. Kapsiak comments that this would be up to the State and Erie County Health Department.

XIV.

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

VOUCHER #'S

OPERATING FUND:

| | | |
|-----------|----------------|---------------|
| BATCH #16 | \$1,054,000.00 | 901229-901231 |
| BATCH #17 | \$ 300,000.00 | 901232 |
| BATCH #18 | \$ 166,357.41 | 901272-901336 |
| BATCH #19 | \$5,500,000.00 | 901337 |
| BATCH #20 | \$1,555,000.00 | 901338-901340 |
| BATCH #21 | \$4,513,897.50 | 901341-901342 |
| BATCH #22 | \$1,000,000.00 | 901343 |
| BATCH #23 | \$1,023,843.76 | 901344-901345 |
| BATCH #24 | \$ 441,113.96 | 901346-901447 |
| BATCH #25 | \$2,200,000.00 | 901448-901450 |
| BATCH #26 | \$ 80,296.66 | UNPROCESSED |
| BATCH #27 | \$ 425,324.25 | UNPROCESSED |
| PRTRN #4 | \$ 487,652.26 | 901233 |

TOTAL OPERATING FUND DISBURSEMENTS: \$18,747,485.80

TRUST & AGENCY:

| | | |
|-----------|---------------|---------------|
| BATCH #9 | \$ 15,245.55 | 560060-560071 |
| BATCH #10 | \$ 471,603.47 | 560072-560076 |

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 486,849.02

CAPITAL FUND DISBURSEMENTS:

| | | |
|-----------|---------------|---------------|
| BATCH #11 | \$ 375,000.00 | 710085 |
| BATCH #12 | \$ 20,250.18 | 710086-710092 |
| BATCH #13 | \$ 432,000.00 | 710093 |
| BATCH #14 | \$ 8,010.21 | 710094-710100 |

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 835,260.39

PAYROLL:

| | |
|-------|---------------|
| PR #4 | \$ 453,957.38 |
|-------|---------------|

TOTAL PAYROLL DISBURSEMENTS: \$ 453,957.38

PETTY CASH:

\$ 151.91

TOTAL PETTY CASH DISBURSEMENTS: \$ 151.91

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$20,523,704.50

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

Correspondence

Late Correspondence

31A - Supervisor Hoak comments that this is from the Locksley Park Taxpayers Association stating that they are totally against rezoning the property off Route 179 for a new Tops.

31B - To the Town Board from Renee and John Andreeff, 4859 Milestrip Road, Blasdell noting their many concerns about the new Tops Food store on Milestrip Road. Stating that they would be thoroughly disappointed if they were to build this store when it is not needed.

Supervisor Hoak notes that letters 30, 31A & 31B are all against the Tops on Milestrip and will be added to the many letters already received.

Reports from Town Board Members and Department Heads

Councilwoman Kesner comments that her report will reflect on her attendance at the Association of Towns Seminar in New York City February 16th - 18th. To say the least it was quite an experience. They had 100,000 peace protestors that blocked down 10 blocks of Manhattan that caused traffic jams, the whole City was on edge because of the high alert with the terrorism and then a major snowstorm paralyzed the City for a couple of days. Regardless, she was able to attend 3 seminars that pertained to Town issues. One was preparing your Local Community for Terrorism. After they made their presentation and out-lined the equipment and training needed she felt very confident that we contracted with the Southtowns Hazmat Team. We have excellent coverage with that Team and with their expertise. The next seminar was utilizing volunteers, they are starting to caution localities on using volunteers for various programs. They do recommend that they screen and supervise all volunteers due to the liability issues that many towns have experienced as a result of bringing in volunteers to do clean-ups or to work with Seniors or children. The other was an update on Domestic Violence Procedures. This was basically a course for Judges and it was interesting to learn how they proceed with their orders of protection and basically what the Courts role is. It really doesn't take it to the next step, of working with the victims, and she feels very comfortable with our program because the Court merely processes getting the couples apart and enforces the law. We try to implement programs that will prevent it from happening again and make sure that the victims have all the resources they need.

Councilwoman Hochul reports that after the tragic accident on Route 20 in December, she sent a letter to the DOT in Albany requesting a meeting with them as soon as possible to discuss options and the number one preference in the Town of Hamburg is to have a center turn lane which the State has agreed to but not until the year 2005. She has requested a meeting with the Regional Director of the DOT and she is happy to report that he has responded and on March 7th she will be meeting with Brian Roback to carry the message of the Town of Hamburg that we want no more delays for that center turn lane. Mr. Ellis our Traffic Safety Coordinator will be joining her and she has also invited Senator Stachowski, Assemblyman Smith and County Legislator Chase to attend. The Town is very anxious to get this moving, there is no more reason for delay. Nine fatalities in two years is intolerable. She wants everyone to know it is very much on their minds and they are moving ahead at the speed that the State is allowing them. On a lighter note, on Friday we hosted a skatepark roundtable. We had people represented from all over Erie County from Newfane School District all the way down to Gowanda. She wants to thank Marty Denecke for helping to host the meeting and answer a lot of their questions and talk about the six month process we went through to get the skate park. She feels they appreciated getting the information and we will assist them in any way we can. This is an up and coming sport, the fastest growing sport in the Country. She then gives an update on the Bethlehem Steel Retirees. At an earlier meeting they passed a resolution that she is very proud to say has been adopted by many other communities in Western New York, even the little Village of Farnham along with Amherst, Orchard Park, Lackawanna and West Seneca. She also wants to thank Mary Blakeslee, she has received hundreds of signatures on petitions. We initiated a petition drive to assist these people and she has had 3 or 4 meetings with different Steel Worker Groups with another planned for March 24th from 1:00 p.m. to 4:00 p.m. at the Knights of Columbus on South Park. Mary Blakeslee responds that Jim Settner from Bethlehem Steel Workers will be there to explain their options. She wishes Supervisor Hoak a Happy Birthday.

Councilman Quatroche reports that this Saturday they will be having their annual meeting with all the Baseball Associations to keep the lines of communication open. If anyone has any input for the Associations get in touch.

Supervisor Hoak comments on his trip to New York City. You don't know how lucky you have it until you travel away from home. He found it very interesting that 20 inches of snow would shut down the City and the clean-up was \$20 million for 20 inches of snow. He attended the conference on terrorism with Councilwoman Kesner and also Multi-year Capital Planning, Financing Celebrations and Surviving Tactics in a Tough Economy. When he got back on Thursday Mr. Spute handed him a letter from the State Comptrollers Office that because of Wall Street effective March 31st we will be getting a bill on the pension contributions of municipal employees. The market has not been going up and the Town will have to come up with \$800,000. This will be a major challenge for this community. This has trickled down from 911 and Wall Street. Thanks to Mr. Spute and his Department along with the support of the Town Board we have budgeted some money. The next meeting will be a regular Town Board Meeting on March 10th.

Drew Reilly, Planning Consultant, gives an update on Tops. He reports that they held a public scoping session and the comment period is open until February 26th. The NYSDOT will be submitting comments. He is hoping to have the draft scope available by the week of March 10th so there will be two weeks to review it and hopefully the Town Board will act at their meeting of March 24th.

Business From the Floor

Joe Kilian questions if they have heard anything more on the airplane droppings. Supervisor Hoak comments that they sent letters to our Senators and Congressman and are waiting for a report back from them.

Mary Blakeslee comments that they are planning a Character First fundraiser and questions the students how they would feel about a battle of the bands for a fundraiser. The students respond that sounds good.

XV.

RESOLVED, that the Town Board adjourn to Executive Session at 8:45 p.m.

Moved: Hoak

Seconded: Kesner

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

Noes: None

Carried

Catherine Rybczynski, Town Clerk

Correspondence - February 24, 2003

30 - To the Town Board from Joyce Christie stating that she is against the proposed Tops market on Blasdell. Questioning if there is a limit to development in Hamburg, commenting that if she wanted to live with all-to-wall people she would have moved to Amherst.

31 - To the Town Clerk from Jeanne Coleman, General Manager - Adelpia, commenting on Power Link Enhancements/Service Improvements, New Channels and Bundled packages. Giving a comparison of current and new rates and announcing that additional television sets, receiving basic cable, are free of charge.

Late Correspondence

31A - To the Town Board from the Locksley Park Taxpayers Association stating that they are totally against rezoning the property off Route 179 for a new Tops.

31B - To the Town Board from Renee and John Andreeff, 4859 Milestrip Road, Blasdell noting their many concerns about the new Tops Food store on Milestrip Road. Stating that they would be thoroughly disappointed if they were to build this store when it is not needed.