

A regular Town Board Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York on the 25<sup>th</sup> day of February 2008.

**TOWN BOARD MEMBERS**

**PRESENT**

Steven J. Walters	Supervisor
Thomas M. Best, Sr.	Councilman
Thomas Quatroche, Jr.	Councilman
Kevin Smardz	Councilman

**ABSENT:**

Joan A. Kesner	Councilwoman
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**OTHERS PRESENT:** Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Kenneth J. Farrell, Town Attorney; Robert Hutchison, Town Assessor; Drew Reilly, Planning Consultant; Martin Denecke, Director of Recreation; Sean Fanning, Crew Chief; Barbara Brauch, Justice Court Clerk; Michael Williams, Assistance Chief of Police; Gerard Kapsiak, Town Engineer; Brian Doyle, Deputy Town Attorney; Tim Ellis, Traffic Safety Coordinator; Kurt Allen, Supervising Code Enforcement Officer.

Pledge of Allegiance was recited.

Information on fire exits was provided.

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

7:00 p.m. Public Hearing for the increase and improvement of facilities of the Mount Vernon Sewer District.

EXTRACT OF MINUTES  
Meeting of the Town Board of the

Town of Hamburg, in the County of Erie, New York

February 25, 2008

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, S-6100 South Park Avenue, Hamburg, New York, on February 25, 2008.

There were present:                   Hon. Steven J. Walters, Supervisor; and

Board Members:                    Thomas M. Best, Sr.; Joan A. Kesner; Kevin Smardz and Thomas J. Quatroche, Jr.

There were absent:

Also present:                        Catherine A. Rybczynski, Town Clerk and Kenneth J. Farrell, Esq., Town Attorney

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The Supervisor stated that a public hearing had been called for this meeting at the Town Hall, S-6100 South Park Avenue, Hamburg, New York, at 7:00 o'clock P.M. (Prevailing

Time) to consider the increase and improvement of facilities of the Mount Vernon Sewer District, consisting of (i) removal and replacement of approximately 2,502 linear feet of sanitary sewer on Lake Shore Road (NYS Route 5), and connection to approximately 119 linear feet of new sanitary sewer installed by the NYSDOT over Berricks's Creek in conjunction with the NYS Route 5 Bridge Replacement Project; and (ii) removal and replacement of approximately 298 linear feet of sanitary sewer on Clifton Parkway North (west side); all of the foregoing to include any equipment, furnishings, machinery or apparatus, and any ancillary or related work required in connection therewith; 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. The Town Clerk presented affidavits showing that the Notice of said public hearing had been duly published and posted pursuant to the provisions of Article 12 of the Town Law.

The Supervisor stated that the hearing in the said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of such increase and improvement of facilities of said District:

The following persons appeared in opposition to such increase and improvement of facilities:

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.

No correspondence was received.

Gary Muffoletto, Project Manager with Nussbaumer & Clarke, Inc., takes the opportunity to thank the officials of the Town, the commissioners of Mt. Vernon and the residents of Mr. Vernon for giving him the opportunity to discuss the project. The work on Lakeshore Rd will be on the south side, beginning roughly 370 feet west of Roanoke and proceeding easterly to Walbridge Dr. The work on the lake side of Clifton Pkwy, roughly 170 feet north of Lakeshore Rd. The project construction would begin June of 2008 and completed no later than November 2008.

Ferd Garcia asks if Mount Vernon has been turned over to the County or if that will stay independent.

One of the commissioners responds that they are in the process of working with the County.

CERTIFICATE

I, CATHERINE A. RYBCZYNSKI, Town Clerk of the Town of Hamburg, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town of Hamburg duly called and held on February 25, 2008, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town of Hamburg this 25th day of February, 2008.

(SEAL)

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Catherine A. Rybczynski, Town Clerk  
Town of Hamburg

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

ADOPTED           Ayes 4           Walters, Best, Smardz, Quatroche  
                      Noes 0

**RESOLVED**, that the Town Board close the Public Hearing.

7:00 p.m. Public Hearing for the adoption of an amendment to said Zoning Code for property located at 5334 Southwestern Blvd.

**LEGAL NOTICE**  
**TOWN OF HAMBURG**

PLEASE TAKE NOTICE that there has been presented to the Town Board on January 28, 2008, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #3, 2008; 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 5334 Southwestern Boulevard. The property is to be rezoned from R-3 (Multi Family District) to C-2 (General Commercial District) described as follows:

Parcel "A"

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

Beginning at a point in the northwesterly line of the Southwestern Boulevard distant 199.71 feet easterly from its intersection with the west line of Lot No. 21, Township 9, Range 8; running thence northerly parallel with the west line of Lot No. 21, 216.64 feet to the southerly line of lands deeded to Victor L. Dobay by deed recorded in the Erie County Clerk's Office in Liber 2797 of Deeds page 271; thence easterly along the southerly line of said lands 283.05 feet to the northwesterly line of the Southwestern Boulevard; thence southwesterly along the northwesterly line of the Southwestern Boulevard 359.23 feet to the place of beginning.

Parcel "B"

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

Beginning at a point of intersection of the northwesterly line of Southwestern Boulevard with the west line of Lot No. 21; running thence northerly along the westerly line of Lot No. 21, 337.08 feet to the southerly line of lands deeded to Victor L. Dobay by deed recorded in the Erie County Clerk's Office in Liber 2797 of Deeds page 271; thence easterly along the southerly line of said lands 157.36 feet; thence southerly on a line parallel to the westerly line of Lot No. 21, 216.64 feet to the northwesterly line of Southwestern Boulevard; thence southwesterly along the northwesterly line of Southwestern Boulevard, 199.71 feet to the point or place of beginning.

Excepting therefrom those lands appropriated by the People of the State of New York by Notice of Appropriation dated August 5, 2004 and recorded in the Erie County Clerk's Office on August 23, 2004 in Liber 11081 of Deeds at page 5979.

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 25, 2008 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: January 28, 2008

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

No correspondence was received.

Drew Reilly reports that the property is located right next to the old Brierwood Plaza, the Bank of America and there is a single family home. The property owner is concerned because he is surrounded by commercial property. The Town is taking the action to re-zone that property to C-2. There is a proposal, the property is owned by Benderson Development and they have been before the Planning Board with a proposal for a 3000 square foot First Niagara Bank. So this is a re-zoning that will result in an actual action taking place.

Supervisor Walters thanks Mr. Reilly and notes that he has had the chance to review the plan himself. He is requesting from the Traffic Safety Board a report on the project because he is concerned with the curb cut on Route 20 as close as it would be to the proposed traffic light for the Wal-Mart site. He asks that Mr. Ellis provide his report.

Tim Ellis responds that they looked at that land at the last meeting and forwarded the comments to the Planning Board.

Mr. Reilly responds that based on that plan the applicant did come back and originally had two entrances on Southwestern and the plan was amended to have one access onto Southwestern.

Don Weiss, resident, asks if there is anyway they can have the traffic report read into the minutes.

Supervisor Walters responds that right now they do not have a copy of it.

Drew Reilly responds that they have it on four applications, item "C" with proposed new bank at Brierwood Square, the Board recommends no driveways onto Route 20 use existing driveways.

Don Weiss notes that his concerns are the two electric meters on the property and it was said that it was a single family home. He notes that they have several banks that have tried to get entrances on to major state highways such as South Park, and the traffic study is recommending no entrances here. He would like the traffic safety committee do further studies to make sure the safety of the citizens of the Town of Hamburg are not jeopardized by putting an entrance close to a traffic light.

Supervisor Walters responds that it is an issue, and is a concern in front of the Board.

Tony Battesta, with Benderson Dev. requests to clarify a few things such as they are not putting in the Wal-Mart, Wal-Mart purchased the property from them. Secondly, the homeowner they purchased the home from was very decent through the whole Wal-Mart approval process. Also they have another tenant who wants another location in Hamburg and that's First Niagara Bank. Benderson has been trying to accommodate them. Lastly, the time table with Wal-Mart, that's entirely in their hands. Many of the issues Mr. Weiss had brought up, Benderson is in discussions with the Planning Board on those.

**2.**

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

ADOPTED	Ayes 4	Walters, Best, Smardz, Quatroche
	Noes 0	

**RESOLVED**, that the Town Board close the Public Hearing.

7:00 p.m. Public Hearing for an amendment to said Zoning Code for property located at 4255 McKinley Pkwy.

**LEGAL NOTICE**  
**TOWN OF HAMBURG**

PLEASE TAKE NOTICE that there has been presented to the Town Board on January 28, 2008, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #4, 2008; said local law provides for the amendment of Local Law #10, 1986, Chapter 280-Zoning and provides substantially as follows:

For the adoption of an amendment to said Zoning Code for property located at 4255 McKinley Parkway (Seven Corners) The property is to be rezoned from C-1 (Local Retail Business District) to C-2 (General Commercial District) and is further 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 47, Township 9, Range 7 of the Holland Land Company's Survey and being more particularly bounded and described as follows:

Commencing at the intersection of the southerly right-of-way line of Big Tree Road (66 feet wide R.O.W) With the easterly right-of-way line of McKinley Parkway (120 feet wide R.O.W.); thence S 79 degrees 13' 21" E, along the southerly right-of-way line of Big Tree Road, a distance of 359.86 feet to the point of beginning; thence S 79 degrees 13' 21" E, along the aforementioned southerly right-of-way line of Big Tree Road, a distance of 247.51 feet to and angle point; thence S 78 degrees, 48' 00" E, along the aforementioned southerly right-of-way line of Big Tree Road, a distance of 539.31 feet to a point; thence S 11 degrees 12" 00" W, a distance of 450.00 feet; thence N 78 degrees, 48' 00" N, a distance of 25.00 feet to a point; thence S 11 degrees 12" 00" W, a distance of 364.00 feet to a point; thence N 78 degrees 48' 00" W, a distance of 510.94 feet to an angle point; thence N 79 degrees, 13' 21" W, a distance of 45.73 feet to a point on the easterly right-of-way line of McKinley Parkway (120 feet wide R.O.W.); thence N 01 degrees 41' 06" E, along the aforementioned easterly right-of-way line of McKinley Parkway, a distance of 541.97 feet to a point; thence S 79 degrees, 13' 21" E, a distance of 315.03 feet to a point; thence N 10 degrees 46' 39" E, a distance of 280.10 feet to the point of beginning.

Tax Identifier Map Parcel Number: A portion of 160.19-2-1.2

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 25, 2008 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: January 28, 2008

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

No correspondence was received.

Drew Reilly notes that they received a letter from Wal-Mart saying that this is an application started by the Town of Hamburg not an application from Wal-Mart. Wal-Mart has submitted a letter in support of this. They cannot expand at this site, they can't build what they need to build for a super center. They also noted they will have problems marketing selling this site when they leave because the property is zoned C-1. Which only allows buildings up to 15,000 square feet. They have 100,000+ square foot building there, how could they market that when it's a non-conforming use on the property. They are in favor of the re-zoning from C-1 to C-2 believing the C-2 classification would be more appropriate for the character of the area. They don't plan on touching the buffer in the back also the property to the east of it which is also C-1. Now that Wal-Mart is going to move away, they want to make sure this is a marketable building.

Louis Violanti, resident, responds that he thinks the Town should take some leadership role with dealing with Wal-Mart and Benderson. He wants to know why they should be allowed to move into the new building without knowing what's going to happen with the other piece of property. If they do develop it, hopefully the value of the surrounding homes will not decrease.

Supervisor Walters responds that the property hasn't been put on the market yet. They aren't in the position to do that yet because they're still there. All they are doing is making this a conforming building, so when they do move out they can bring someone in to use that existing building.

Drew Reilly notes that they can't sell the building unless it's conforming.

Councilman Quatroche asks Drew to explain the restrictions in C-2 so they can understand that.

Mr. Reilly responds that a C-2 is a fairly wide open zoning, it's the highest commercial zoning in the Town it allows large scale building.

Don Weiss comments that the parcel was originally zoned for a Wegmans. He also notes that they never knew Wal-Mart was going in there. He notes he has no objection to C-2 if it makes it more viable. He would like to see the Town watch what would be going in there.

Laura Podkulski, resident, questions if the property gets zoned, Tops will be done as well.

Drew Reilly responds that tonight’s Public Hearing is just about Wal-Mart. The Planning Department would recommend in the future doing the same for Tops.

Mark Krieger, resident, notes that in a year if it’s not re-zoned, the building would have to be knocked down.

Mr. Reilly responds that if they have a non-conforming building, they would potentially have to know it down.

Mr. Krieger questions why it wouldn’t be knocked down instead of having another vacant building.

Mr. Reilly responds that he’s not an attorney, but they would lose millions of dollars.

Supervisor Walters responds that vacant buildings are a concern of everyone. They have been working with Benderson, and they are moving forward with Brierwood project, to redevelop that site. Also, started demolition in fact the Day’s Inn at the old Leisureland site is completely down. The redevelopment of existing sites needs to take precedence over new development.

**3.**

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was  
ADOPTED                   Ayes 4                   Walters, Best, Smardz, Quatroche  
                                      Noes 0

**RESOLVED**, that the Town Board close the Public Hearing.

**4.**

On a motion of Councilman Quatroche, seconded by Supervisor Walters, the following resolution was  
ADOPTED                   Ayes 4                   Walters, Best, Smardz, Quatroche  
                                      Noes 0

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

February 11, 2008 Town Board Meeting

**5.**

On a motion of Councilman Best, seconded by Councilman Quatroche, the following resolution was  
ADOPTED                   Ayes 4                   Walters, Best, Smardz, Quatroche  
                                      Noes 0

**WHEREAS**, the ongoing New York State Department of Transportation (NYSDOT) Route 20 Southwestern Blvd. highway improvement work requires that New York State Electric & Gas (NYSEG) remove eight (8) existing street lights along the portion of Route 20 between South Park Avenue and the Buffalo Southern Railroad bridge, and due to the NYSDOT project, the replacement street lights in this area will need to be installed further away from the road at an additional charge;

**THEREFORE BE IT RESOLVED** that the Town Board authorizes NYSEG to reinstall eight (8) lights on new wood poles with 22 feet long brackets, at a total annual increased cost to the Town of Hamburg in the amount of \$1,176.96, in accordance with the terms and conditions of the current NYSEG street light tariff agreement.

**BE IT FURTHER RESOLVED**, that the Town Clerk is requested to provide two (2) certified copies of this resolution to the Engineering Department, for transmittal to NYSEG.

**6.**

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

ADOPTED                      Ayes 4                      Walters, Best, Smardz, Quatroche  
    Noes 0

**BE IT RESOLVED**, that the Town Board approve the Out-of-Town travel request for Garry Nelson and Sean Fanning to travel to Amherst, New York on March 6, 2008 to attend the New York State Turfgrass Association Western Regional conference. A Town vehicle will be used. Cost is \$130.00. Funds available in ER.7250.413 and A.7140-413.

**7.**

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

ADOPTED                      Ayes 4                      Walters, Best, Smardz, Quatroche  
    Noes 0



ADOPTED                   Ayes 4                   Walters, Best, Smardz, Quatroche  
                                  Noes 0

**WHEREAS**, on February 19, 2008 at 11:00 a.m., there was a bid opening for the 2008 and 2009 Rubbish and Dumpster Pickup for the Town of Hamburg,

**WHEREAS**, only one (1) bid was received from Waste Management,

**THEREFORE BE IT RESOLVED**, that the Town Board authorize the Town Clerk to open this bid which will be reviewed by the Highway Superintendent and the Town Board.

**10.**

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

ADOPTED                   Ayes 4                   Walters, Best, Smardz, Quatroche  
                                  Noes 0

**RESOLVED**, the Town Board grant permission for the Police Department to employ Jena Squelch, a student from Hilbert College, to do Internship in the Police Department, at no cost to the Town.

**11.**

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

ADOPTED                   Ayes 4                   Walters, Best, Smardz, Quatroche  
                                  Noes 0

**RESOLVED**, the Town Board grant permission for Officers Joseph Kleinfelder and Dennis Horrigan to attend “ The Impact of War” seminar to be held March 5-6, 2008 in Buffalo, New York.

Cost of Registration:                   \$150.00 ea. = \$300.00  
(Inc. Lunch & Reception)

Use of an Unmarked Police vehicle is requested for transportation.

Money is available in account B3120.492.

**12.**

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

ADOPTED Ayes 4 Walters, Best, Smardz, Quatroche  
Noes 0

**WHEREAS**, the Town Board on 12/17/07 approved a resolution authorizing National Grid to install one 250 watt high pressure sodium flood light and one wood pole in the vicinity of the basketball court area of the Hamburg Town Park parking lot, at an estimated increased cost of \$260 per year; and

**WHEREAS**, the Building and Grounds Superintendent has since requested that a different type light fixture be used,

**THEREFORE BE IT RESOLVED**, that the Town Board hereby rescinds its 12/17/07 resolution for additional lighting at the Town Park, and instead approves the installation of one 400 watt metal halide flood light and wood pole in the vicinity of the basketball court. National Grid has estimated that this will result in an increased billing to the Town of Hamburg of approximately \$315 per year for street lighting.

**BE IT FURTHER RESOLVED**, that the Town Clerk is requested to provide two (2) certified copies of this resolution to the Engineering Department for transmittal to National Grid.

Ferd Garcia questions why there was a change in the lighting from one type fixture to the other.

Gerard Kapsiak responds that it was requested by James Connolly, the Buildings and Grounds Superintendent, but the reasoning was that the high pressure sodium lighting is a yellow light and this is really more intended to light up the basketball court at the Town Park. They felt the white light would be better.

**13.**

On a motion of Councilman Best, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 4 Walters, Best, Smardz, Quatroche  
Noes 0

**BE IT RESOLVED**, that the Town Engineer's report on the completion and acceptance of the WELLINGTON WOODS SUBDIVISION street light installation work performed under Public

Improvement Permit No. 891 be received and accepted, and that the Supervisor is authorized to sign the report.

**BE IT FURTHER RESOLVED**, that the Town Board authorize National Grid to connect eight (8) 70-watt high pressure sodium luminaries in accordance with the existing rate tariff, and

**BE IT FURTHER RESOLVED**, that two certified copies of this resolution be provided to the Engineering Department for transmittal to National Grid, and that this resolution becomes effective on the day the report is signed by the Supervisor.

**14.**

On a motion of Councilman Smardz, seconded by Councilman Best, the following resolution was

ADOPTED    Ayes 4                    Walters, Best, Smardz, Quatroche  
                  Noes 0

**WHEREAS**, the Town of Hamburg received a request from New Berkley Square III, LLC to amend the Berkley Square PUD (this requires a rezoning) to allow for the construction of single family homes in an area originally intended for commercial development. The land in question is located on the north and south sides of Tisbury Lane, adjacent to Regents Park, and

**WHEREAS**, the Code Review Committee reviewed the application and found merit in the rezoning of this property;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hamburg Town Board hereby refers this rezoning request to the Planning Board for its review and recommendation.

**15.**

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

ADOPTED    Ayes 4                    Walters, Best, Smardz, Quatroche  
                  Noes 0

**WHEREAS**, following review of a request from the Traffic Safety Advisory Board for improved street lighting at the intersection of Milestrip Road with South Park Avenue, the Town Engineer has recommended that two additional street lights are warranted at

these locations,

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes New York State Electric and Gas (NYSEG) to install two poles and 250 watt high pressure sodium fixtures with brackets at both the northeast and southwest corners of Milestrip Road and South Park Avenue. NYSEG has estimated that this will result in an increased billing to the Town of Hamburg of \$519 per year for street lighting costs (not including energy). The installation of these street lights is conditional upon NYSEG receiving a permit from the New York State Dept. of Transportation for the poles to be installed within the State highway right-of-way at these locations.

**BE IT FURTHER RESOLVED**, that the Town Clerk is requested to provide two certified copies of this resolution to the Engineering Department for transmittal to NYSEG.

**16.**

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

ADOPTED    Ayes 4            Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, the Town Board approve the hiring of three (3) and termination of four (4) in the Town Clerk’s Department as follows:

1.	Mantino, Barbara	Clerk, P/T	02/14/08	\$10.84	
2.	Demarco, Hazel	Clerk, P/T	01/01/08	\$12.80	Terminate
3.	Reilly, Michael	Clerk, P/T Seas.	02/21/08	\$ 9.34	Terminate
4.	Kellerman, Sharon	Clerk, P/T Seas.	02/21/08	\$11.29	Terminate
5.	Kellerman, Sharon	Clerk, P/T	02/22/08	\$11.29	
6.	Catanzaro, Beverly	Clerk, P/T Seas.	02/21/08	\$ 9.34	Terminate
7.	Catanzaro, Beverly	Clerk, P/T	02/22/08	\$ 9.34	

**17.**

On a motion of Supervisor Walters, with a unanimous second, the following resolution was

ADOPTED    Ayes 4            Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, the Town Board proclaim Saturday, February 16, 2008 to be New York State Department Commander William Burnett Day in the Town of Hamburg.

**18.**

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

ADOPTED    Ayes 4                      Walters, Best, Smardz, Quatroche  
                   Noes 0

Request resolution authorizing permission for 3 Recreation Department staff members to attend the New York State Recreation and Parks Society Conference and Business Expo. The program is scheduled for March 30<sup>th</sup> - April 2<sup>nd</sup>, 2008 in Saratoga Springs, New York. Associated cost include the following:

3 early bird registrations(\$263)=	\$ 789.00
Triple room(3 nights) with most meals included=	567.00
Incidentals (tolls, gas, meals CEUS)	<u>144.00</u>
Total	\$1,500.00

Funds are available in account A7020.492

**19.**

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

ADOPTED    Ayes 4                      Walters, Best, Smardz, Quatroche  
                   Noes 0

**BE IT RESOLVED**, that the Town Clerk is authorized to advertise for bids on the purchase of one (1) New and Unused 2008 Ford Explorer to have shared use between Town of Hamburg Emergency Services and Town of Hamburg Police Department.

Bids are scheduled to be opened on March 10, 2008 at 11:15 a.m.

**20.**

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

ADOPTED   Ayes 4           Walters, Best, Smardz, Quatroche  
              Noes 0

**RESOLVED**, that the Town Board authorize the Veterans of Foreign Wars of the United States, Hamburg Township, VFW Post No. 1419, to conduct their annual “Buddy” poppy campaign on Friday, May 23<sup>rd</sup>, Sunday, May 25<sup>th</sup>, and Saturday, May 31<sup>st</sup>.

**21.**

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

ADOPTED   Ayes 4           Walters, Best, Smardz, Quatroche  
              Noes 0

**RESOLVED**, that the Town Board approve the memberships into the Lake Shore Volunteer Fire Company, Inc. as follows:

Paulo Lucente  
4592 Kennison Pkwy  
Hamburg, NY 14075

Paul Randall  
5674 Sterling Rd  
Hamburg, NY 14075

**22.**

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

ADOPTED   Ayes 4           Walters, Best, Smardz, Quatroche  
              Noes 0

**RESOLVED**, that the Town Board approve the appointment of Michael Bartkowiak to the position of COURT OFFICER P/T. This is a temporary appointment not to exceed 8 weeks. Effective date is February 28, 2008. \$13.79 per hour; funds available in A 1110.100.

**ALSO RESOLVED**, that the Town Board authorize the Supervisor to sign Section 6 of the PO-17 Form requesting Erie County Department of Personnel to complete Section 7 for the classification of a new Court Officer P/T position in the Town Justice Department. Also to

approve the Supervisor to sign Section 8 of the PO-17 Form in creating the position of Court Officer P/T.

**23.**

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

ADOPTED    Ayes 4            Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, that the Town Board approve the travel request for James McDonnell to the Original Pancake House on Niagara Falls Boulevard on February 29<sup>th</sup>, 2008 at 7:30am to attend a Product Seminar sponsored by Lakeside Sod Supply. New technologies for Natural Organic Nutrients & New Sod & Athletic Seed Blends will be discussed. There is no cost to the Town but a Town vehicle is requested.

**24.**

On a motion of Supervisor Walters, with a unanimous second, the following resolution was

ADOPTED    Ayes 4            Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, a proclamation honoring Detective Sergeant William P. Scully who has devoted over 32 years of public service as a Police Officer in both the Village and the Town of Hamburg.

**25.**

On a motion of Supervisor Walters, with a unanimous second, the following resolution was

ADOPTED    Ayes 4            Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, a proclamation honoring Allan R. Jones from the position of Dog Control Officer of the Police Department with the Town of Hamburg for 25 years of service.

**26.**

On a motion of Supervisor Walters, with a unanimous second, the following resolution was

ADOPTED    Ayes 4            Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, a proclamation honoring Mary Ellen Eustace from the position of Recreation Department with the Town of Hamburg for 15 years of service.

**27.**

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

ADOPTED Ayes 4 Walters, Best, Smardz, Quatroche  
 Noes 0

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

TOWN BOARD February 25, 2008  
 AUDIT OF CASH DISBURSEMENTS

		VOUCHER #'S	
<b>OPERATING FUND:</b>			
BATCH #	22	\$300.00	24748
BATCH #	23	\$3,375.00	24749
BATCH #	24	\$20,000,000.00	24751
BATCH #	25	\$133,452.26	24752-24824
BATCH #	26	\$3,518.42	24838
BATCH #	27	\$17,437.51	24839
BATCH #	28	\$117,465.58	24841-24924
BATCH #	29	\$512,708.34	UNPROCESSED
BATCH #			
<b>TOTAL OPERATING FUND DISBURSEMENTS:</b>			<b>\$20,788,257.11</b>

**TRUST & AGENCY:**

BATCH #	9	\$533,235.54	
BATCH #	10	\$13,630.85	
BATCH #			
BATCH #			
<b>TOTAL TRUST &amp; AGENCY DISBURSEMENTS:</b>			<b>\$546,866.39</b>

**CAPITAL FUND DISBURSEMENTS:**

BATCH #

BATCH #	12	\$675,000.00	42750
BATCH #	13	\$2,299.00	24925

TOTAL CAPITAL FUND DISBURSEMENTS:		\$677,299.00	
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**PAYROLL:**

PR #			
PR #	4	\$504,077.10	

TOTAL PAYROLL DISBURSEMENTS:		\$504,077.10	
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PETTY CASH		\$0.00	
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TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:		\$22,516,499.60	
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**Reports from the Town Board**

Councilman Quatroche reports that the Recreation Department is working very hard to not only bring more revenue to the Town of Hamburg, but in addition to that recently made National Awards. They are very proactive with regard to training the coaches, requiring parents of children to attend seminars and to make sure that the experience for the youth of our Town is the best it can be. He is very proud to announce that they received an award and they are named top ten chapter in the nation. He congratulates Mr. Denecke and his staff for continuing to be proactive in youth sports and watching the bottom line.

**Reports from Department Heads**

Catherine A. Rybczynski, Town Clerk, reports that the tax collection had finished processing all of the bills by February 16<sup>th</sup>, which as far as she knows is the earliest it has ever been done. She gives compliments to her staff for a job well done. Also, M&T Bank took in 290 payments for us at no charge to the Town.

Robert Hutchison, Town Assessor, reports part of the presentation tonight on the Geographic Information System was actually on the new web based system that is now available to the public. If you go to the Town of Hamburg's web-site there is a link to connect to this.

### **Reports from the Public**

Florence Kern, President of the Hoover Beach Association, reports that on February 20<sup>th</sup> a special meeting was called to all of the residents of Hoover Beach. At that time they voted overwhelmingly not in favor of the Shoreline Bike Path.

Ferd Garcia requests the results of the driving instruction.

Councilman Best responds that will be started up April 1<sup>st</sup>, 2008.

### **28.**

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

ADOPTED    Ayes 4                    Walters, Best, Smardz, Quatroche  
                  Noes 0

**RESOLVED**, that the Town Board adjourn at 8:30 p.m.

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Catherine A. Rybczynski, Town Clerk