

Supervisor Walters calls the meeting to order at 6:00 p.m.

TOWN BOARD MEMBERS

PRESENT:	Steven J. Walters	Supervisor
	Kevin S. Smardz	Councilman
	Joseph A. Collins	Councilman
	Jonathan G. Gorman	Councilman
	Amy J. Ziegler	Councilwoman

OTHERS PRESENTS: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk, Gerard Kapsiak, Town Engineer; Kenneth Farrell, Town Attorney; Wayne Drescher Financial Consultant; Paula Bucci, Sr. Personnel Clerk; Peter Reszka, Planning Board Chairman; Sarah Desjardins, Planning Consultant, Martin Denecke, Recreation Director

1.

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

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

**WHEREAS**, Nussbaumer & Clarke, Inc. was previously retained by the Town of Hamburg to provide engineering services associated with a waterline replacement project which was performed in various locations within the Town water system that the Erie County Water Authority (ECWA) identified as being in need of replacement as part of the ongoing Town Water System Improvement Project; and

**WHEREAS**, during their work on this project, Nussbaumer & Clarke performed various additional services which were beyond their original contract scope of work, summarized as follows:

- (1) Revising the construction plans and specifications to combine four separate projects together and comply with U.S. Dept. of Housing and Urban Development requirements associated with the \$126,675 in Federal economic stimulus funding which was provided for this project.
- (2) Revisions necessary to comply with recent changes in ECWA design standards and obtain required ECWA approval of the plans and specifications.
- (3) Design revisions for the waterline replacement work in the area of the Big Tree Road/South Park Avenue intersection, to correspond with the roundabout which the New York State Dept. of Transportation is in the process of installing at this location.
- (4) Performance of survey and stake-out of the replacement waterline locations during the construction phase of the project.

**WHEREAS**, these additional services resulted in a negotiated amount of \$8,813 in additional costs being incurred by Nussbaumer & Clarke, which the Town Engineer has determined to be reasonable and acceptable for this work,

**THEREFORE BE IT RESOLVED**, that the contract with Nussbaumer & Clarke, Inc. is amended to include these additional services and fees, and that the Supervisor is authorized to sign their February 1, 2010 proposal letter/agreement in this regard. Funding for this is available from the bonds which were issued for this project, under Capital Fund Account No. H97-8310.331.

**2.**

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

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

**WHEREAS**, the New York State Dept. of Transportation (NYSDOT) is planning to perform a highway pavement resurfacing project along Camp Road and St. Francis Drive (NYS Route 75) between Deacon Street and NYS Route 5 in the Town of Hamburg; and

**WHEREAS**, it is anticipated that several Town-owned sanitary sewer manhole covers located within the pavement area will require adjustment as a result of this NYSDOT project; and

**WHEREAS**, Subdivision 24 of Section 10 of State Highway Law enables NYSDOT to provide for the adjustment of municipally owned utilities at the expense of the State, when such work is necessary as a result of State highway work,

**THEREFORE BE IT RESOLVED**, that the Town Supervisor is authorized to enter into an agreement with NYSDOT in this regard, granting the State of New York authority to perform required utility adjustments as part of the project and at no cost to the Town of Hamburg, and agreeing that the Town will resume maintenance of such adjusted facilities following the completion and acceptance of the construction work associated with the NYSDOT project.

**BE IT FURTHER RESOLVED**, that four (4) certified copies of this resolution be provided to the Town Engineering Department, for transmittal to NYSDOT together with the executed utility work agreements.

3.

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

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

**WHEREAS**, due to severe winter weather conditions usually experienced in the Town of Hamburg, and

**WHEREAS**, this harsh weather has an adverse effect on the equipment stored at the Highway Department being exposed to this severe weather and significantly reduces the life of the equipment causing great expense to the taxpayer, and

**WHEREAS**, in an effort to protect and extend the productivity of this equipment.

**THEREFORE BE IT RESOLVED**, that the Highway Superintendent is authorized to advertise for bids to construct a building attached to the existing Highway Garage. This additional space would be used solely for the purpose of storage for the Highway Equipment.

4.

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

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

**RESOLVED**, that the Town Board appoint Brendan Lovullo to fill the vacancy of Richard Taber on the Hamburg Planning Board for a term effective March 2, 2010 and expiring December 31, 2010.

5.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

**RESOLVED**, that the Town Board authorize the Finance Department to increase the Police Department Appropriation B3120.494 in the amount of \$40,864.15 thru the B599 Appropriated Fund Balance. This money was unexpended Drug Forfeiture and Seizure money from 2009.

**6.**

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

ADOPTED           Ayes 5       Walters, Smardz, Collins, Gorman, Ziegler  
                      Noes 0

**BE IT RESOLVED**, that the Town Clerk be authorized to advertise for bids on the purchase of one (1) new or demonstrator model Skid Steer (Track Loader) for the Buildings and Grounds Department. Funds are available in account ER7250.201.

**7.**

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

ADOPTED           Ayes 5       Walters, Smardz, Collins, Gorman, Ziegler  
                      Noes 0

**RESOLVED**, that the Town Board approve the membership of the following into the Woodlawn Volunteer Fire Company, Inc.:

Cory Tyger  
20 Labelle Ave.  
Blasdell, N.Y. 14219

**8.**

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED           Ayes 5       Walters, Smardz, Collins, Gorman, Ziegler  
                      Noes 0

**RESOLVED**, that the Town Board authorize the American Legion Auxiliary, Hamburg Post No. 527, to conduct their annual “Poppy” campaign during the month of May. The donations received are used for rehabilitation programs for the hospitalized and disabled veterans in this area and aid for their families.

**9.**

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

ADOPTED           Ayes 5       Walters, Smardz, Collins, Gorman, Ziegler  
                      Noes 0

**RESOLVED**, that the Town Board approve the hiring of personnel for the Recreation Department as follows:

- 1. DiOrio, Christine      P/T Rec. Attd. – Golf Course (ER7251)      03/01/2010      \$10.84





CAPITAL FUND DISBURSEMENTS:

BATCH #4	\$7,962.50	39796-39798
BATCH #	5,\$675.00	UNPROCESSED

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 8,637.50

PAYROLL:

TOTAL PAYROLL DISBURSEMENTS:

PETTY CASH

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$2,977,227.22

Wayne Drescher, Financial Consultant, discusses the funding for the proposed new Highway Garage Addition and the benefits it would provide to the Town of Hamburg.

Sarah Desjardins, Planning Consultant, and Nancy Ware, Owner, discuss the rezoning of property and plans for the Edukids project.

**13.**

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

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

**RESOLVED,** that the Town Board move into Executive Session at 6:32 pm

**14.**

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

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

**RESOLVED,** that the Town Board adjourn Executive Session at 7:00 pm

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Catherine A. Rybczynski, Town Clerk