

Work Session
March 6, 2006
S-6100 South Park Avenue
Hamburg, New York 14075

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

Roll Call:	Steven J. Walters	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman
Also Present:	Catherine Rybczynski	Town Clerk
	James Spute	Finance Director
	Gerard Kapsiak	Town Engineer
	Robert Hutchison	Town Assessor
	William Dash	Deputy Highway Superintendent

WORK SESSION

6:00 p.m. – 6:10 p.m.	Resolutions
6:10 p.m. – 8:00 p.m.	Executive Session (Personnel & Legal Matters)

I.

WHEREAS, the Engel Drive Sanitary Sewer Improvement Area (SS-30) currently has the highest annual sanitary sewer costs per property owner of any sewer district in the Town of Hamburg; and

WHEREAS, the Town of Hamburg and the County of Erie recently jointly commissioned an analysis by the Erie County Division of Sewerage Management to compare the typical annual sewer rates in the area to those of similar properties in nearby Erie County Sewer District No. 3; and

WHEREAS, the analysis showed that the typical homeowner would save substantial costs as part of Erie County Sewer District No. 3, while at the same time receiving a comparable level of sanitary sewer service; and

WHEREAS, to effectuate the outcome of said analysis, it is necessary that an extension to Erie County Sewer District No. 3 be formed, and the sewer assets of the area transferred to Erie County; and

WHEREAS, the Town Board of the Town of Hamburg desires to see the area residents realize sanitary sewer cost reductions as soon as possible,

THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Hamburg is authorized to petition Erie County, the Erie County Legislature, and the Board of Managers of Erie County Sewer District No. 3, for an extension to Erie County Sewer District No. 3 for the provision of sanitary sewer services to the Engel Drive Sanitary Sewer Improvement Area; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to immediately enter into negotiations with Erie County for an Intermunicipal Agreement to provide interim operation and maintenance services by Erie County Sewer District No. 3 for the Engel Drive Sanitary Sewer Improvement Area and for the transfer of said sewer assets upon the formation of an extension to Erie County Sewer District No. 3; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute said Intermunicipal Agreement with Erie County, contingent upon satisfactory negotiations of the terms of the Agreement and approval as to form by the Town Attorney; and

BE IT FURTHER RESOLVED, that the Town Clerk is requested to send certified copies of this resolution to Erie County Executive Joel A. Giambra; the Erie County Legislature, Andrew M. Eszak, Commissioner, Erie County Department of Environment and Planning; Erie County Sewer District No. 3; and Town of Hamburg Supervisor Steven J. Walters; and

BE IT FURTHER RESOLVED, that the Town Board, on behalf of the Engel Drive property owners, extends its sincere appreciation to Erie County, Erie County Sewer District No. 3, and the Erie County Division of Sewerage Management for their assistance and consideration regarding this matter.

Moved: Walters

Seconded: Quatroche

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

Noes: None

Carried

Councilman Cavalcoli comments that he and Mr. Kapsiak have been working on this to try and bring the Engel Drive residents into District 3. It had been basically approved by the District 3 groups but it has to be approved by the County Legislature and go through the necessary steps. This is part of the legal steps that have to be taken to get it done and will save the residents in the Engel Drive District upwards of \$800.00 per year.

II.

BE IT RESOLVED, that the Supervisor is authorized to sign a one year maintenance agreement with Soyata Computers Office Systems Division,, at a cost of \$399. This is for the Engineering Departments's office copier, for the period of 5/2/06 through 5/1/07. The agreement is based on 20,000 copies per year, with overage billable at 2¢ per copy. Funding for this purpose was appropriated in the 2006 budget for the Engineering Department, under Account No. A1440.423.

Moved: Walters

Seconded: Walters

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

Noes: None

Carried

III.

WHEREAS, through resolution XII. of Meeting No. 2 held on January 23, 2006, the Town Board approved the funding request of \$180.00, enabling all six Town Code Enforcement Officials to renew their membership with the Niagara Frontier Building Officials Association, and

WHEREAS, the Town Board in the same resolution also approved the travel request for Code Enforcement Officials to attend the Annual Educational Conference in the amount of \$1,250.00, and

WHEREAS, as required to allocate the necessary funding for these requests, money must be transferred into the seminar account.

BE IT RESOLVED, that the Town Board authorize the transfer of appropriations for the Code Enforcement Department as follows:

From account B1990.419 - Contingency	\$1,430.00
To account B3620.492 - Seminars	\$1,430.00

Moved: Quatroche

Seconded: Kesner

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

Noes: None

Carried

IV.

BE IT RESOLVED, that the Town Board authorize the Town Travel Request to allow Code Enforcement Officer, James Eberhardt to attend the New York State Building Officials Association (NYSBOC) meeting in Syracuse, New York. Mr. Eberhardt is the representing delegate appointed by the New York State Building Officials Association. This meeting is to be held on March 10, 2006. There are no costs to Hamburg taxpayers for travel expenses incidental to the attendance of Mr. Eberhardt at this meeting. All costs will be wholly funded by NYSBOC.

WHEREAS, the New York Department of State mandates that each Code Enforcement Officer employed by the Town meets the annual in-service training requirement of 24 hours, and

WHEREAS, the Niagara Frontier Building Officials Association (of which all Town Code Enforcement Officers are members in good standing) sponsors six bimonthly training sessions held in the Western New York Region, and

WHEREAS, these two-hour training sessions attribute toward the annual in-service training requirement of 24 hours.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize an Out of Town Travel Request to allow Code Enforcement Officers, Kurt Allen, Walter Bratek, James Eberhardt, Roger Gibson, Don Sikau and Tim Willard to attend Niagara Frontier Building Officials Association (N.F.B.O.A) sponsored bimonthly training sessions. A Town car is required and the anticipated cost to attend such training sessions is \$220.00.

BE IT FURTHER RESOLVED, that the Town Board authorize the transfer of appropriations for Code Enforcement Department within the 2006 Budget as follows:

From account B1990.419 - Contingency	\$220.00
To account B3620.492 - Seminars	\$220.00

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

V.

WHEREAS, the County of Erie has closed the Blasdell Library, located at 54 Madison Avenue in the Village of Blasdell, and

WHEREAS, the Town of Hamburg and its partners, the Village of Blasdell and the Village of Hamburg, are committed to establishing a centralized location for a variety of youth and adult programs that are either lacking in the three communities or need to be expanded in the three communities, and

WHEREAS, the Town of Hamburg and its partners, the Village of Blasdell and the Village of Hamburg, will share in the decision-making processes related to the operation and maintenance of the Blasdell Community Center, to be located at the former Blasdell Library, as well as the design and management of the programs offered therein, and

WHEREAS, the Hamburg Town Board supports the creation of a centralized Community Center and understands that the Village of Blasdell will serve as lead agency for the purposes of securing and administering any grant monies secured for capital improvements to the Blasdell Community center to house a Youth Center, Reading Room, Tiny Tots Program, Tutoring Program and Community Meeting Room,

NOW THEREFORE BE IT RESOLVED that the Town of Hamburg enters into an Intermunicipal Agreement with the Village of Blasdell to lease the former Blasdell Library premises,

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign the Agreement.

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

XVII.

RESOLVED, that the Town Board approve the following appointments to the SENIOR SERVICES ADVISORY BOARD for a one (1) year term commencing March 6, 2006 and ending December 31, 2006:

Ms. Norma Boroski
Mr. Dave Eaton
Ms. Andrea Maxick
Ms. Paula Takach
Ms. Amy McKnight

Dr. Evan Calkins
Mr. Jack Edson
Ms. Sue Montgomery
Mr. Mark Trammell

Fr. Sean DiMaria
Ms. Eileen Eich
Mr. Michael Murphy
Mr. Jim Voye

Moved: Cavalcoli

Seconded: Kesner

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

Noes: None

Carried

XVIII.

WHEREAS, the Town of Hamburg has been unfairly penalized by the presence of two toll barriers, Exit 57 and Exit 56 for over 50 years, and

WHEREAS, Town residents are also adversely impacted by what amounts to a commuter tax for those who must pay at the Lackawanna toll barrier and at the Ogden Street barrier upon entering the City of Buffalo, and

WHEREAS, the County of Erie and Carl Palladino have joined in a lawsuit regarding the legality of the 190 toll barriers which includes the Ogden Street barriers.

NOW THEREFORE BE IT RESOLVED, that the Town of Hamburg Legal Department is authorized to explore the feasibility and the potential cost of the Town of Hamburg to join in the lawsuit to seek damages.

Moved: Hochul

Seconded: Unanimous

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

Noes: None

Carried

Councilwoman Hochul comments that this will be somewhat driven by cost, but she wanted to get an estimate. She feels very strongly that they have had many years of delays and stonewalling by the Thruway Authority and one thing that gets them to sit up and pay attention is legal action. She is pleased to see other Elected Officials joining in this and it is up to the Town of Hamburg to step in and see what the options are. She thanks Supervisor Walters and Betty Newell from the Chamber who attended a hearing with her that was hosted by the New York State Assembly Committee on Transportation. This was a hearing requested by Dave Swarts some months ago and the feedback from the Chairman and Assemblyman Hoyt and Assemblywoman Peoples was that Hamburg was extremely well represented and they were impressed that they just keep working on this. Supervisor Walters spoke towards the end of the meeting and she got the impression that they know they are not going away. That was the message they want to make. They especially want the Governor to get the message because it is up to him to make the decision, they were able to move tolls near his hometown and they should have the same courtesy. Councilwoman Kesner thanks her for her leadership.

Supervisor Walters wants to add that this is important based upon the seemingly cavalier attitude the Authority showed at the hearing, which really disappointed him.

XIX.

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

VOUCHER #'S

OPERATING FUND:

BATCH #21	\$ 20,000.00	9591
BATCH #22	\$1,586,896.22	9592 - 9697
BATCH #23	\$ 410,671.71	9680 - 9755
BATCH #24	\$ 15,582.82	9756 - 9757
BATCH #25	\$ 642,909.70	9758 - 9826
BATCH #26	\$ 170.00	9827
BATCH #27	\$1,550,000.00	9828 - 9829
BATCH #28	\$2,550,000.00	9830 - 9832
BATCH #29	\$2,100,000.00	9833 - 9835
BATCH #30	\$2,025,000.00	9836 - 9838
BATCH #31	\$1,400,000.00	9906 - 9908
BATCH #32	\$ 548,240.27	9842 - 9903
BATCH #33	\$ 16,294.70	9909
BATCH #34	\$2,200,000.00	9910 - 9912
BATCH #35	\$2,750,000.00	9913 - 9915
BATCH #36	\$2,525,000.00	9916 - 9918
BATCH #37	\$ 78,168.80	9919 - 9974
BATCH #38	\$1,850,000.00	9975 - 9977
BATCH #39	\$2,450,000.00	9978 - 9981
BATCH #40	\$ 52,746.75	9982 - 10038

PRTRN P/R 4 \$ 524,889.96

TOTAL OPERATING FUND DISBURSEMENTS: \$25,296,570.93

TRUST & AGENCY:

BATCH #9	\$ 10,982.29	
BATCH #10	\$ 517,416.53	\$ 528,398.82

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 528,398.82

CAPITAL FUND DISBURSEMENTS:

BATCH #10	\$ 525,000.00	9839
BATCH #11	\$ 5,199.50	9840 - 9841
BATCH #12	\$ 600,000.00	9904 - 9905

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 1,130,199.50

PAYROLL:

PR # 4 \$ 488,148.26

TOTAL PAYROLL DISBURSEMENTS: \$ 488,148.26

PETTY CASH DISBURSEMENTS: \$ 109.30

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$27,443,426.81

Moved: Walters

Seconded: Cavalcoli

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

Noes: None

Carried

Councilman Cavalcoli wants to publically thank Councilwoman Hochul on the presentation on the quiet zone that took place March 1st. He would estimate there were about 130 people in attendance. He also thanks Mr. Kapsiak and Laurie from the Engineering Department for putting together the power point presentation. It was well organized and the people were very responsible in how they asked their questions and so many of them thanked the representatives from the Railroads and the Railroad Administration for being there. The way Councilwoman Hochul handled the meeting and the questions kept everything under control.

Councilwoman Hochul comments that Mr. Kapsiak was outstanding. She was also very proud of the residents. This is something they feel very passionate about and they were very respectful. The professionalism of the Railroad representatives and the Federal Railroad Administration was extremely present. They will have information on the website and a toll free number. She feels strongly that they will get the money. She has spoken to Senator Schumers office daily and Congressman Higgins is on board.

Councilman Cavalcoli comments that he feels the professionalism of the presentation and the way the residents handled themselves will go a long way with those agencies to try and bring them the money.

XX.

RESOLVED, that the Town Board adjourn to Executive Session.

Moved: Walters

Seconded: Kesner

Roll Call:

Ayes: Walters, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

Catherine Rybczynski, Town Clerk