

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 11th day of April 2016.

2.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 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
 Thomas Best, Jr. Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney; Joseph Collins, Deputy Town Attorney; Mary Dosch, Sr. Account Clerk; Richard Lardo, Principal Engineering Assistant; Gregory Wickett, Police Captain; Martin Denecke, Director of Youth, Recreation and Senior Services; Christopher Hull, Director of Community Development; Kurt Allen, Supervising Code Enforcement Officer; Sean Crotty, Emergency Services Coordinator; Thomas Taylor, Sr. Public Safety Dispatcher

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

Supervisor Walters comments that Village Trustee Mark Colmerauer passed away suddenly about a week ago. He asks for a moment of silence in memory of Mark.

3.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board approve the minutes of the following meeting:

03/28/2016 Work Session
 03/28/2016 Town Board Meeting

4.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED the Town Board approve the termination and rehiring of personnel for the Buildings and Grounds Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time PT/Sea/temp		Term date
						hrly rate	hrly rate	
1	4147	OBAD, LOUIS	R	LEO/EI.7266.100		\$28.42		4/11/2016
2	4147	OBAD, LOUIS	R	LEO/A7140.100	4/12/2016	\$28.42		
3	4415	MC CORMICK, JOHN	R	LEO/EI.7266.100		\$28.42		4/11/2016
4	4415	MC CORMICK, JOHN	R	LEO/A7140.100	4/12/2016	\$28.42		

5.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following May Taylor Road rentals:

5/01/16 5/07/16 5/08/16 5/13/16
 5/14/16 5/15/16 5/21/16 5/22/16
 5/28/16 5/29/16

6.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town of Hamburg received a request from the Hanania Family Partnership LP to modify Condition No. 1 as imposed by the Town Board on November 23, 2015 in connection with its approval of the rezoning of approximately 9.5 acres of property located at 4819 Southwestern Boulevard) from C-1 (Local Retail Business District) to R-3 (Multifamily District) in order to construct an “upscale attached residential project”; and

WHEREAS, Condition No. 1 as set forth in the resolution adopted by the Town Board on November 23, 2015 required a conservation easement to be provided as depicted on the Concept Plan for the project prepared by Carmina Wood Morris DPC dated November 19, 2015; and

WHEREAS, the Hanania Family Partnership LP is requesting that Condition No. 1 be modified to accommodate a reduction of the width of the conservation easement area from 50 feet to 25 feet as depicted on the Overall Site Plan prepared by Carmina Wood Morris DPC dated March 22, 2016 in order to accommodate a driveway needed for emergency access purposes on the south side of the proposed multifamily building on the southwestern portion of 4819 Southwestern Boulevard;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby schedules a public hearing on the requested modification of Condition No. 1 of the rezoning to be held on May 9, 2016 at 7:00 p.m.

7.

On a motion of Councilman Best, seconded by Supervisor Walters, the following resolution was
ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, it is the goal of the Town of Hamburg to protect beaches and improve water quality in Lake Erie; and

WHEREAS, the Town of Hamburg is eligible to apply to the Lake Erie Watershed Protection Alliance (LEWPA) for a grant under the 2016 Request for Proposals; and

WHEREAS, grant money would be used for seed money to prepare schematic engineering design drawings for green infrastructure to be located at the Hamburg Town Park,

THEREFORE BE IT RESOLVED, that the Hamburg Town Board hereby authorizes that a grant application be submitted under the LEWPA 2016 Request for Proposals for a green infrastructure project known as the Town of Hamburg Park Green Infrastructure Design; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign any documents required for the grant application.

The following spoke concerning resolution #7: Laura Hahn, Supervisor Walters

8.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED that the Hamburg Town Board authorize Jennifer Robertson; GIS Coordinator, to attend the New York State GIS Association Annual Conference to be held, Tuesday, April 12, 2016 at the Burgundy Basin in Rochester, NY. The conference will cover Open-Street-Map and will discuss editing, licensing, community uses, etc. Funding for the training is available within A-1970.492. Total estimated cost is as follows:

Registration:	\$ 95.00
Meals:	\$ 40.00
Mileage/Parking/Tolls/Misc. Fees:	<u>\$ 65.00</u>
 TOTAL:	 \$200.00

9.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED, that the Town Board grant permission for Martin Denecke and Nicole Dayka to attend the Association of New York State Youth Bureau's (ANYSYB) Directors Training Conference. As an ANYSYB member organization, the Town of Hamburg Youth Bureau is entitled to two complimentary registrations that include accommodations. The program is scheduled in Saratoga, NY on May 4th and 5th, 2016.

Reimbursable travel expenses include the following:

Meals (2 persons, 2 days)	-	\$160.00
Mileage (Approx. 600 round trip)	-	\$246.00
Tolls/Miscellaneous	-	<u>\$ 44.00</u>
		\$450.00

Funds are available in account# A1970.492

10.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 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	4436	DiPasquale, Ryan		Rec Attd-EI7265-P/T				4/22/2016
	4436	DiPasquale, Ryan	R	Rec Attd-ER7251-Seas.	4/23/16		\$9.00	
2		Flanagan, James	N	Van Driver-A6772-P/T	4/12/16		\$9.00	
3	4431	Geraci, August		Van Driver-A6772-P/T				4/28/2016
	4431	Geraci, August	R	Van Driver-A6772-Seas.	4/29/16		\$9.50	
4	4318	Joslin, Mark		Rec Attd-EI7265-P/T				4/16/2016
	4318	Joslin, Mark	R	Rec Attd-ER7251-P/T	4/17/16		\$9.00	
5	4221	Kumiega, Mark		Rec Attd-EI7265-P/T				4/16/2016
	4221	Kumiega, Mark	R	Rec Attd-ER7251-P/T	4/17/16		\$9.00	
6	3905	Lease, Warren		Rec Attd-EI7265-P/T				4/16/2016
	3905	Lease, Warren	R	Rec Attd-ER7251-P/T	4/17/16		\$11.50	
7	4206	Martin, Jeffrey		Rec Attd-EI7265-P/T				4/16/2016
	4206	Martin, Jeffrey	R	Rec Attd-ER7251-P/T	4/17/16		\$9.50	
8		Marts, William	N	Van Driver-A6772-P/T	4/12/16		\$9.00	
9	4638	Pietras, Sarah	R	Rec Attd-A6772-P/T	4/12/16		\$9.00	
10	3704	Reid, Gregory		Rec Attd-EI7265-P/T				4/16/2016
	3704	Reid, Gregory	R	Rec Attd-ER7251-P/T	4/17/16		\$10.45	
11	4437	Ringo, Nolan		Rec Attd-ER7251-P/T				4/27/2016
	4437	Ringo, Nolan	R	Rec Attd-ER7251-Seas.	4/28/16		\$9.00	
12	3821	Sadowski, Christopher		Rec Attd-EI7265-P/T				4/16/2016
	3821	Sadowski, Christopher	R	Rec Attd-ER7251-P/T	4/17/16		\$10.18	
13		Sambora, David	N	Van Driver-A6772-P/T	4/12/16		\$9.00	
14	3321	Saunders, Joyce		Rec Attd-A6772-P/T				4/19/2016
	3321	Saunders, Joyce	R	Rec Attd-A6772-Seas.	4/20/16		\$10.74	
15	2875	Steger, Joseph		Rec Attd-A7310-P/T				4/27/2016
	2875	Steger, Joseph	R	Rec Attd-ER7251-Seas.	4/28/16		\$12.75	
16	4062	Wicka, John		Rec Attd-A7310-P/T				4/19/2016
	4062	Wicka, John	R	Rec Attd-ER7251-Seas.	4/20/16		\$11.25	

11.

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

ADOPTED Ayes 3 Walters, Best, Quinn

 Noes 0

RESOLVED, that the Town Board approve the recommendation of the Chief of Police in appointing COREY J. SAUBERAN, as a transfer, to the vacant position of Police Officer at the 1 year rate of pay; effective April 12, 2016. Salary is \$26.95 per hour; Funds available in B3120.100.

Supervisor Walters invites Corey Sauberan, and family, to come forward for the presentation of the badge.

12.

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

ADOPTED	Ayes	2	Best, Quinn
	Noes	1	Walters

BE IT RESOLVED, that the Town Board gives the Supervisor the authority to sign the tentative agreement between the Town Board and the CSEA Blue Collar Union.

13.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

WHEREAS, the Hamburg Town Board adopted a resolution on April 27, 2015, to abandon a portion of the paper streets commonly known as Wolf and White Roads, at the request of James Grandoni, and

WHEREAS, James Grandoni has expressed an interest in acquiring a portion of the property previously abandoned, and

WHEREAS, the property can be generally described as that part of White Avenue being a 60 foot wide right of way north of Winslow Drive and south of Johnson Street, and that part of Wolf Avenue being a 30 foot wide right of way north of Winslow Drive and south of Johnson Street, and

WHEREAS, the estimated market value of the property has been determined to be \$2,000.00 to be paid by James Grandoni along with any and all costs associated with the said transfer upon the closing of the transfer of the property.

NOW THEREFORE BE IT RESOLVED that the Town of Hamburg shall transfer title of the property to James Grandoni upon payment by Mr. Grandoni of the sum of \$2,000.00 and all closing costs.

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign the Quit Claim Deed and recording documents, and

BE IT FURTHER RESOLVED that pursuant to Town Law Section 64, this resolution is subject to permissive referendum.

14.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, that a refund be issued to A Leap in Learning, 79 Buffalo Street, Hamburg, NY 14075, in the amount of \$400.00 for Site Plan Review fees paid. The Code Enforcement Officer has determined that the applicant does not require Site Plan Approval to occupy the vacant building located at 5197 South Park Avenue.

15.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, the Town Board authorize Lieutenant Nicholas Ugale, Officer Jason Nappo, Officer John Baker and Officer Robert Paas to attend the 2016 New York State Tactical Officers Assoc. Seminar to be held in Verona, New York, April 26, 2016 – April 28, 2016.

Cost of Seminar:	\$1,199.96
Lodging:	\$ 636.00
Gas and Tolls (approximate)	<u>\$ 100.00</u>
TOTAL:	<u>\$1,935.36</u>

Use of Unmarked Police vehicle for transportation is requested.

Money is available in account B3120.492.

16.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, that the Town Board approve the membership of the following into the Newton Abbott Fire Company, Inc.:

Christian Burgos
3405 Dickens Road
Blasdell, NY 14219

17.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

TOWN BOARD
 AUDIT OF CASH DISBURSEMENTS April 11, 2016

	VOUCHER #'S
OPERATING FUND:	
BATCH #54	\$189,499.09 81947-81994
BATCH #55	\$2,574.28 81996-82005
BATCH #56	\$2,383.30 82006-82016
BATCH #57	\$61,350.89 82017-82049
BATCH #58	\$23,307.70 82050-82052
BATCH #59	\$5,871.62 82053-82076
BATCH #60	\$47,753.82 82077-82104
BATCH #61	\$11,017.74 82105-82135
BATCH #62	\$870,853.47 82136-82209
TOTAL OPERATING FUND DISBURSEMENTS:	\$1,214,611.91
TRUST & AGENCY:	
TOTAL TRUST & AGENCY DISBURSEMENTS:	\$0.00
CAPITAL FUND DISBURSEMENTS:	
BATCH #10	\$88,495.10 82210-82211
TOTAL CAPITAL FUND DISBURSEMENTS:	\$88,495.10
PAYROLL:	
PR #P/R 7	\$606,405.77
TOTAL PAYROLL DISBURSEMENTS:	\$606,405.77
PETTY CASH	\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$1,909,512.78

Reports from Town Board Members and Department Heads

Councilman Quinn – no report

Councilman Best reports that the 21st Annual Townwide Clean-up, for the Town and both Villages, will be Saturday May 7, 2016. The kick-off is at 8:30 am, all ages and groups are welcome to participate. To register contact Cathy Rybczynski, Town Clerk; hot dogs will be served 11:00 am to 12:30 pm. Christopher Hull, Director of Community Development, is being awarded the H.O.M.E. Sarah Metzger Human Rights Award this Thursday at the Convention Center for his outstanding contributions to Civil Rights for the work he has done as the Director of Community Development in Hamburg. Congratulations to Mr. Hull.

Mr. Denecke, Director of Youth, Recreation and Community Development, reports that on April 12th at 7:00 pm at Hilbert College they will hold the second public meeting for the update for the Town of Hamburg Parks and Recreation Master Plan. Everyone is invited. Also on April 21st they will hold their Annual Youth Awards Banquet, tickets are available in his office. The last item is on May 14th they will be hosting the Second Annual Donny Thiry Day at the Hamburg Senior Community Center and the focus will be showcasing their summer youth programs and the partners that they deal with and the programs that they run.

Chief Wickett reminds the citizens of the Town of Hamburg to lock their car doors. They continue to have a problem with cars being broken into on a regular basis. Please do not leave valuables in the car.

Thomas Taylor, Sr. Public Safety Dispatcher, reports that on Wednesday he will be attending a meeting in Amherst regarding a 911 outage where he will be given a report on what caused it and what will be done to make sure it doesn't happen again.

Business from the Floor

John McKendry comments that at the last meeting it was stated that Scranton Fire Department has foam and he had Mr. Crotty verify that. He hopes that they have coordinated with the City of Buffalo regarding their foam supply. He comments on the signal at the Town Park along Lakeshore Road and the signal at Old Lakeshore Road and Pleasant which are both not working correctly.

Barbara Rogers comments that she participated in a Common Cause video on their upsizing campaign that was sent to Common Cause Headquarters in Washington DC. They received a positive response. This week it will be shown at the Common Cause's Annual Gala in New York City. The video shows the Town waterfront, Fairgrounds and Main Street in the Village. This is something that portrays our Town in a very positive light. This is available on U-tube and is entitled "Leading from the Grassroots".

Joe Kilian, Hamburg Taxpayers Assoc., comments that there is a dump on the corner of Park and Ontario Streets in Scranton, kudos to the Town for removing the couch. However, there are still branches and trees that were cut down and need to be removed. A no dumping sign placed there would be helpful.

Don Wiess comments that in 2009 he requested that the Town consider adding 8.8 acres, next to the William D. Williams Town Park. He also requested it in 2010, 2015 and again this year. He was wondering whether any progress has been made.

Supervisor Walters responds that he had a conversation with the Recreation Director, Martin Denecke, and they agreed that they are closing in on finishing the Townwide Recreation Master Plan and that they should finish that plan before any determinations are made on whether or not to acquire additional recreation property.

Mr. Wiess comments that he would hope that they would include this in the new master plan. This would allow for expansion and parking next to the existing parks. Plus given the fact that there is greenspace, because of the cell tower that is going on the 11.65 acres adjoining that, it is a positive situation. He then comments on the new Sports Complex proposed on Bayview, he spoke with the Planning Director and was told that a bar was never proposed there and it is now being referred back to the Planning Board. His understanding is that a bar cannot be built within 1000 feet of school property. Research will have to be done to verify that. He is beginning to question the project, and now from what he understands because he is under the minimum 10 acres he has to get a Zoning variance for the project. The taxpayer association is not in favor of having a stand alone bar. His last comment is on the new hockey complex. He had the opportunity to talk with the group that is proposing this. The Town is going to have to invest in the existing Town Ice Arena. They have a group that wants to invest in the Town of Hamburg and unless the Town Board takes action they will go to another municipality and the Town will be stuck maintaining an old facility.

Councilman Best responds that action is being taken. They have a responsibility to the Taxpayers and as a Board they are very interested in moving forward with the project. They had a little setback but then received new information and they will be moving forward. They will pick one or the other once they get enough information. At this time they don't have enough information to tell either party which direction they are going.

18.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, that the Town Board move into Executive Session at 7:39 pm on personnel matters.

19.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, that the Town Board adjourn at 8:30 pm.

Catherine A. Rybczynski, R.M.C.
Town Clerk