

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 12th day of April 2010.

1.

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 move into Executive Session 6:35 p.m. on a personnel matter concerning one employee.

2.

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 7:03 p.m.

Supervisor Walters calls the meeting to order at 7:04 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 |

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Gerard Kapsiak, Town Engineer; Robert Hutchison, Town Assessor; Greg Wickett, Acting Police Chief; Kenneth Farrell, Town Attorney; Brian Doyle, Deputy Town Attorney; Kurt Allen, Supervising Code Enforcement Officer; Tom Best Highway Superintendent; Peter Reszka, Planning Board Chairman; Jerry Giglio, Traffic Safety Consultant; Joe Wenzel, Recreation Supervisor; Marty Denecke, Director of Recreation; Drew Reilly, Planning Consultant; Tom Taylor, Senior Public Safety Dispatcher

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

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

NOTICE OF PUBLIC HEARING

TOWN OF HAMBURG, ERIE COUNTY, NEW YORK

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Hamburg, Erie County, New York, will meet at Hamburg Town Hall, S6100 South Park Avenue, in Hamburg, New York, in said Town, on April 12, 2010, at 7:00 o'clock P.M., Prevailing Time, for the purpose of conducting a public hearing on the question of whether an obligation should be issued by Scranton Volunteer Fire Company Inc. (the "Fire Company") in the Town of Hamburg, Erie County, New York (the "Town"), to finance part of the cost of the purchase of two fire pumper trucks, at a maximum estimated cost of \$1,002,138, including, incidental expenses in connection therewith, in Hamburg, New York. The aggregate maximum estimated cost of said acquisition has been determined to be \$1,002,138, for which the issuance of a \$650,000 obligation (the "Obligation") of the Fire Company will be authorized by the Fire Company. The Fire Company will be the owner and beneficial user of the fire pumper trucks, currently intended for use as a fire fighting vehicles.

The maximum aggregate face amount of the Obligation to be issued is \$650,000 and the Obligation shall not constitute indebtedness of the Town itself.

At said public hearing said Town Board will hear all persons interested in the subject matter thereof.

Dated: Hamburg, New York

March 8, 2010

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF HAMBURG, ERIE COUNTY, NEW YORK

Catherine Rybczynski
Town Clerk

The following spoke in favor of the Public hearing:

Paul Rudnicki, Mike Lotocki, Bob Reynolds, George Lee and Steve Strnad

No one spoke against the public hearing.

3.

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 close the public hearing.

4.

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

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

At a regular meeting of the Town Board of the Town of Hamburg, Erie County, New York, held at the Hamburg Town Hall, S6100 South Park Avenue, in Hamburg, New York, in said Town, on April 12, 2010, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by Supervisor Steven J. Walters, and upon roll being called, the following were

PRESENT: Steven J. Walters, Supervisor

Joseph A. Collins, Councilmember

Jonathan G. Gorman, Councilmember

Kevin S. Smardz, Councilmember

Amy J. Ziegler, Councilmember

ABSENT:

The following resolution was offered by Supervisor Walters, who moved its adoption, seconded by Councilmember Smardz, to-wit:

RESOLUTION DATED April 12, 2010.

RESOLUTION APPROVING THE ISSUANCE BY SCRANTON VOLUNTEER FIRE COMPANY INC. OF AN \$650,000 OBLIGATION TO FINANCE PART OF THE COST OF THE PURCHASE OF TWO FIRE PUMPER TRUCKS, AT A MAXIMUM ESTIMATED COST OF \$1,002,138, INCLUDING, INCIDENTAL EXPENSES IN CONNECTION THEREWITH.

WHEREAS, Scranton Volunteer Fire Company Inc. (the "Fire Company"), a not-for-profit volunteer fire company serving a portion of the Town of Hamburg, Erie County, New York (the "Town") has determined to proceed with the issuance of an obligation, not to exceed \$650,000 in principal amount, of said not-for-profit corporation (the "Obligation") to finance part of the cost of the purchase of two fire pumper trucks, including, incidental expenses in connection therewith; and

WHEREAS, the Obligation will be a "volunteer fire department" obligation within the meaning of Section 150(d) of the Internal Revenue Code of 1986 (the "Code") and a "private activity" obligation within the meaning of Section 141 of the Code; and

WHEREAS, Section 141(f) of the Code requires that obligations which are "private activity" obligations be approved by the governmental unit issuing such obligations, or, as is the case with regard to this Obligation, responsible for overseeing the issuance of such obligations by volunteer fire departments, after a public hearing following reasonable public notice, in order for interest on the Obligation to be excludable from gross income of the owners thereof for federal income tax purposes; and

WHEREAS, by resolution dated March 8, 2010, the Town Board called a public hearing on the proposed issuance of the Obligation by said Fire Company, which Obligation shall not constitute indebtedness of said Town, and notice of said hearing was published in The Front Page

and the Hamburg Sun on March 24, 2010 and March 25, 2010 respectively; NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Hamburg, Erie County, New York, as follows:

Section 1. On April 12, 2010 at 7:00 o'clock P.M., Prevailing Time, the Town Board met at the Hamburg Town Hall, S6100 South Park Avenue, in Hamburg, New York, in said Town, and conducted a public hearing on the question of whether an obligation should be issued by the Scranton Volunteer Fire Company Inc. to finance part of the cost of the purchase of two fire pumper trucks, including, incidental expenses in connection therewith, as described in the notice of the aforesaid hearing. The maximum aggregate face amount of the obligation to be issued with respect to such acquisition will not exceed \$650,000 (the "Obligation"). The Obligation will not constitute debt of the Town. For the sole purpose of qualifying the interest payable on the Obligation of the Fire Company for exclusion from gross income for federal income tax purposes, as required pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, we do hereby approve the issuance of the Obligation.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

| | | |
|-----------------------|--------|-----|
| Supervisor Walters | VOTING | Yes |
| Councilmember Collins | VOTING | Yes |
| Councilmember Gorman | VOTING | Yes |
| Councilmember Smardz | VOTING | Yes |
| Councilmember Ziegler | VOTING | Yes |

The resolution was thereupon declared duly adopted.

* * * *

STATE OF NEW YORK)

) ss:

COUNTY OF ERIE)

I, the undersigned Clerk of the Town of Hamburg, Erie County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on April 12, 2010, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

| <u>Newspaper and/or other news media</u> | <u>Date given</u> |
|--|-------------------|
| The Hamburg Sun | March 2010 |
| The Front Page | March 2010 |

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

| <u>Designated Location(s)</u> <u>of posted notice</u> | <u>Date of Posting</u> |
|--|------------------------|
| Town Clerk Sign Board | March 2010 |

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on April 12, 2010.

Catherine Rybczynski
Town Clerk

(CORPORATE
SEAL)

5.

On a motion of Councilman Gorman, 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 minutes from the following meeting:

| | |
|------------|--------------------|
| 03/22/2010 | Town Board Meeting |
|------------|--------------------|

With the following amendment: Townwide Clean-up will be held on May 1st 2010.

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 Board approve the lease/purchase of one (1) Toro Greensmaster with trade in for the Golf Course. Cost is \$8216.15 per year for three (3) years and is state contract pricing. Funds are available in ER.7250.201

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 | |

BE IT RESOLVED that the Town of Hamburg Buildings and Grounds Department is authorized to enter into a Lease Agreement with John Deere Credit for two (2) John Deere mowers for the Town of Hamburg Golf Course. The Lease Agreement will run for three (3) years with annual payments in the amount of \$5,802.91. As this lease is a true lease, it is not subject to competitive bidding under General Municipal Law, §103.

BE IT FURTHER RESOLVED that Tom Best, Buildings & Grounds Superintendent is authorized to sign the lease Agreement.

The following spoke on resolution No. 7: Steve Strnad, Ken Farrell

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, THE Town Board authorize the Finance Department to increase the Police Department Budget B3120.202 in the amount of \$5,427.11 thru the B599 Appropriated Fund Balance. These funds are unexpended STOP DWI GRANT monies from previous years.

The money was unexpended and will be used to equip the new Police vehicle purchased for the Police Department STOP DWI details.

9.

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

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

RESOLVED, that the Town Board approve the following reappointments to the RECREATION ADVISORY BOARD for a two (2) year term commencing January 1, 2010 and ending December 31, 2011:

Patrick Sullivan Thomas Zimmerman Todd Rice

Daniel J. Chiacchia

10.

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

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

RESOLVED, that the Town Board approve the following AD HOC appointments to the RECREATION ADVISORY BOARD for a two (2) year term commencing January 1, 2010 and ending December 31, 2011:

Thomas Ryan Jeff Sortisio

11.

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

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

BE IT RESOLVED that the Town Board approve the advertising of a legal notice for a bid for a new and unused 2011 Fleet/Non Retail Ford Super Duty F-350 SRW 4WD Reg Cab 137" XL for the Buildings and Grounds Department. Funds are available in Account A.1640.202.

12.

On a motion of Councilman Smardz, seconded by Supervisor Walters, the following resolution was offered for adoption:

WHEREAS, the Town of Hamburg received a request from Edu-kids to rezone property located at 5235 Roberts Road from R-1, Single Family Residence District to R-3, Multi-family District in order to construct a new child care facility building replacing the existing facility, and

WHEREAS, on December 14, 2009 the Hamburg Town Board held the required public hearing and received comments from the public; and

WHEREAS, the Hamburg Town Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the conditioned rezoning and subsequent re-construction of a new Day Care facility will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hamburg Town Board hereby determines that the proposed rezoning is not anticipated to result in any significant adverse environmental impact and that a Negative Declaration is hereby issued.

The following spoke concerning proposed resolution No. 12: Drew Reilly, Supervisor Walters, Ken Farrell, Nancy Ware, Councilman Collins, Bob Reynolds

The following are opposed to resolution No. 12: Frederick Platek, Celeste Chase, Joe Dispenza, Michael Ryan, Gene Romanyshyn, David Peters, Marylou Kreinik

The following spoke in favor of resolution No. 12: Peggy Comerford

On a motion of Supervisor Walters, seconded by Councilman Smardz, resolution No. 12 was

| | | |
|----------------------|--------|----------------------------------|
| <u>TABLED</u> | Ayes 4 | Walters, Smardz, Gorman, Ziegler |
| | Noes 1 | Collins |

The following resolution was **WITHDRAWN**

13.

WHEREAS, the Town of Hamburg received a request from Edu-Kids to rezone property located at 5235 Roberts Road from R-1, Single Family Residence District to R-3, Multi-Family District, and

WHEREAS, the Town has conducted the required public hearing and has addressed the comments raised at that hearing, and

WHEREAS, the Town has issued a Negative Declaration in accordance with the New York State Environmental Quality Review (SEQR) process for this proposed rezoning, and

WHEREAS, the rezoning with the proposed conditions is in compliance with the Town of Hamburg Comprehensive Plan and allows an existing non-conforming use to be continued with improvements and with appropriate restrictions placed upon it.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby rezones the lands located at 5235 Roberts Road from R-1, Single Family Residence District to R-3, Multi-Family District with the following conditions:

1. The Town Board will have review authority over the Architecture of the building.
2. The applicant will provide a deed restriction on the property, approvable by the Town Attorney's office, that will restrict (not allow) the following uses: Multi-Family dwellings and condominiums, Dwelling groups and all institutional uses
3. The site plan and special use permit to be reviewed and potentially approved by the Hamburg Planning Board will address the issues of the maximum number of children at the site, playground areas and accessibility.

BE IT FURTHER RESOLVED, that the Zoning Code of the Town of Hamburg be amended as follows:

To amend Local Law # 10 of the year 1986 of the code of the Town of Hamburg Charter 280 entitled "Zoning" to provide for a change in the boundary of the Zoning map whereby the Zoning is changed from R-1 (Single Family Residence District) to R-3 (Multi-Family District) for the property located at 5235 Roberts Road.

17.

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

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

RESOLVED, that the Town Board approve the termination of personnel for the Public Safety Dispatch Department:

1. DeVinney, Jeffrey Public Safety Dispatcher 02/15/2010 Terminate

18.

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

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

WHEREAS, bids were opened on March 31, 2010 for the extension of the existing concrete box culvert that conveys Waterfalls Village Creek beneath Howard Road; and

WHEREAS, 12 bids were received, which are summarized as follows:

| <u>Bidder</u> | <u>Total Bid</u> |
|--|------------------|
| Gardenville Landscaping & Nursery, LLC | \$44,500.00 |
| Buffalo Creek, Inc. | \$46,693.00 |
| STC Construction, Inc. | \$49,000.00 |
| C. Destro Development Co., Inc. | \$58,000.00 |
| Louis DelPrince & Sons, Inc. | \$62,400.00 |
| C & C Contractors, Inc. | \$71,500.00 |
| E & R General Construction, Inc. | \$72,000.00 |
| Kandey Company, Inc. | \$72,480.00 |
| Northeast Diversifications | \$73,900.00 |
| H & K Services | \$87,000.00 |
| Occhino Corp. | \$105,442.00 |
| Mainline Utility | \$136,000.00 |

WHEREAS, the bids have been reviewed by Donald Gallo, Consulting Engineer, who determined that Gardenville Landscaping & Nursery, LLC is a qualified and responsible bidder, and recommended that the contract be awarded to them.

THEREFORE BE IT RESOLVED, that the contract for this project is awarded to Gardenville Landscaping & Nursery, LLC of West Seneca, New York in the amount of \$44,500.00, that the Town Supervisor is authorized to sign the contractual agreement with their firm, and that the Town Engineer is to issue the Notice of Award and Notice to Proceed at the appropriate times. Funding for this work is available from the Federal and State disaster assistance which has been provided to the Town of Hamburg for this project, with the 12½% required local share to be from Capital Account No. H96-5120.460.

19.

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, CRA Infrastructure & Engineering, Inc. was previously retained by the Town of Hamburg to provide engineering services for the ongoing Town Water System Improvement Project; and

WHEREAS, during construction of the various waterline replacement contracts included in this project, the Erie County Water Authority (ECWA) requested several alignment and interconnection modifications which differed from the design plans previously approved by ECWA. This resulted in additional field and office time by CRA to meet and coordinate with ECWA and the construction contractors, as well as to make the associated revisions to the contract drawings; and

WHEREAS, in that this additional work was beyond CRA’s original contract scope of work and fee, they have requested a contract adjustment in the amount of \$12,450 for providing the additional engineering services necessary; and

WHEREAS, these additional costs have been reviewed by the Town Engineer and determined to be reasonable and acceptable,

THEREFORE BE IT RESOLVED, that the contract with CRA Infrastructure & Engineering, Inc. is increased in the amount of \$12,450, which revises their total contract amount to \$250,450, and that the Supervisor is authorized to sign their April 1, 2010 change order request 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.

20.

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, bids were opened on April 7, 2010 for the Hamptonbrook Drive/Eighteenmile Creek Streambank Stabilization Project; and

WHEREAS, 11 bids were received, which are summarized as follows:

| <u>Bidder</u> | <u>Total Bid</u> |
|--------------------------------------|-------------------------|
| D&H Excavating, Inc. | \$ 89,730.00 |
| Buffalo Creek, Inc. | \$ 94,444.00 |
| Birch Grove Landscaping, Inc. | \$ 99,025.00 |
| Donald J. Braasch Construction, Inc. | \$102,710.00 |
| Winter Groundbreaking, Inc. | \$109,013.00 |
| C. Destro Development Co., Inc. | \$109,950.00 |
| Custom Topsoil, Inc. | \$110,975.00 |
| Union Concrete & Construction Corp. | \$112,325.00 |
| E&R General Construction, Inc. | \$122,475.00 |
| Louis Del Prince & Sons, Inc. | \$148,900.00 |
| Edbauer Construction | \$273,800.00 |

WHEREAS, the bids have been reviewed by Greenman-Pedersen Engineers, who determined that D&H Excavating, Inc. is a qualified and responsible bidder, and recommended that the contract be awarded to them.

THEREFORE BE IT RESOLVED, that the contract for this project is awarded to D&H Excavating, Inc. of Cheektowaga, New York in the amount of \$89,730.00, that the Town Supervisor is authorized to sign the contractual agreement with their firm, and that the Town Engineer is to issue the Notice of Award and Notice to Proceed at the appropriate times. Funding for this work is available from the Federal and State disaster assistance which has been provided to the Town of Hamburg for this project, with the 12½% required local share to be from Capital Account No. H63-8540.303.

The following person spoke on resolution No. 20: Bob Reynolds, Gerard Kapsiak

21.

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

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

WHEREAS, Chapter 280, §280-261(I)(2)(k) of the Hamburg Town Code currently reads as follows:

Existing billboards, posters and bulletins that have been previously approved by the Town are allowed to be converted to electronic variable message signs, provided they fully comply with §280-238, Illumination and §280-261(I)(1), (2) and (3).

Chapter 280, §280-261(I)(2)(k) should read:

Existing billboards, posters and bulletins that have been previously approved by the Town are allowed to be converted to electronic variable message signs, provided they fully comply with §280-238, Illumination and §280-261(I)(2)(a), (b) and (c), and

WHEREAS, resolutions number 24, and number 25 entitled "A Resolution By The Town Board of the Town of Hamburg Amending Chapter 280 of the Code of the Town of Hamburg", adopted on February 23, 2009, incorrectly referred to the section to be amended as §280-161(I)(11)

NOW THEREFORE BE IT RESOLVED, that resolutions number 24 and 25 adopted by the Hamburg Town Board on February 23, 2009, be amended to reflect all references to the section of the Code to be amended as §280-261(I)(2)(k), and that the reference to §280-261, Paragraphs (1),(2) and (3) contained in the text of resolution number 25 should be corrected to read §280-261 (I)(2)(a), (b) and (c), and

BE IT FURTHER RESOLVED, that these typographical errors in the resolution to approve these laws do not change the intent of the Law or what was published, and do not require the re-holding of a public hearing, and

BE IT FURTHER RESOLVED that the Town Board re-approves this Law Amendment with the noted corrected references and confirms the SEQR Negative Declaration.

22.

On a motion of Councilwoman Ziegler, seconded by Councilman Collins, 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. Landes, Kenneth | ER7251(225) Temp. Dept. Rec. Attendant | 04/13/2010 | \$8.22 PT |
| 2. Wicka, John | ER7251(225) Temp. Dept. Rec. Attendant | 04/13/2010 | \$7.25 Seasonal PT |

23.

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 authorizes the Town to enter into a monitoring agreement for the Fire Suppression System for Immaculata Academy. The fee is to be determined by the Town Board.

24.

On a motion of Councilman Gorman, 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 request of Bob Hutchison, Assessor and Rick Lardo, Engineering to attend a free GIS seminar presented by ESRI on April 14th, 2010 at the Buffalo Niagara Marriot.

25.

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 Veterans of Foreign Wars of the United States, Hamburg Township VFW Post No. 1419, to conduct their annual “Buddy” poppy campaign on Friday, May 28th, Saturday, May 29th and Sunday, May 30th.

26.

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

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

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

| | | | |
|---------|---------|---------|---------|
| 5/01/10 | 5/08/10 | 5/09/10 | 5/15/10 |
| 5/16/10 | 5/21/10 | 5/22/10 | 5/23/10 |
| 5/25/10 | 5/28/10 | 5/29/10 | 5/30/10 |

27, 28 & 29

On a motion of Supervisor Walters, with a unanimous second, the following proclamations were

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

Municipal Clerk's Week

- WHEREAS,** the Office of the Municipal Clerk, a time honored and vital part of the local government exists throughout the world, and
- WHEREAS,** the Office of the Municipal Clerk is the oldest among public servants, and
- WHEREAS,** the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and
- WHEREAS,** Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and
- WHEREAS,** the Municipal Clerk is the information center on functions of local government and the community, and
- WHEREAS,** Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state and county professional organizations, and
- WHEREAS,** it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamburg does hereby recognize the week of April 19 through April 23, 2010 as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Catherine A. Rybczynski, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.



IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 19th day of April 2010.

Steven J. Walters
Supervisor
Town of Hamburg

Kevin Smardz, Councilman
Joseph Collins, Councilman
Jonathan Gorman, Councilman
Amy Ziegler, Councilwoman



Town of Hamburg

Office of Supervisor

WHEREAS, today we are recognizing the achievement of rank of Eagle Scout; and

WHEREAS, Kevin R. Di Matteo and his fellow scouts constructed a wooden picnic table and benches, along with refurbishing and painting a supply closet for the Centennial Art Center in the Town of Hamburg; and

WHEREAS, the Boy Scouts of America has a long tradition of developing fine young men who service their communities; and

WHEREAS, the Boy Scouts instill values in their members that stay with them throughout their lives.

NOW THEREFORE, on behalf of the Town Board of the Town of Hamburg, we salute:

Kevin R. Di Matteo

for his achievement of Eagle Scout. Congratulations and continue your hard work and dedication to the troop. Good luck with your future endeavors.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 17th day of April 2010.

A handwritten signature in black ink, appearing to read "Steven J. Walters", is written over a horizontal line.

STEVEN J. WALTERS
Supervisor
Town of Hamburg

Kevin Smardz, Councilman
Joseph Collins, Councilman
Jonathan Gorman, Councilman
Amy Ziegler, Councilwoman





Town of Hamburg

Office of Supervisor

Western New York Armed Forces Week

WHEREAS, today we are recognizing the 50th Anniversary of Western New York Armed Forces Week; and

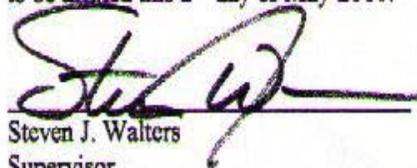
WHEREAS, we are honoring the men and women of the Armed Forces who are serving, and have served, our country; and

WHEREAS, the Armed Forces represents the branches of the Army, Navy, Marines, Air Force and Coast Guard; and

WHEREAS, we thank these men and women for protecting and defending our freedom.

NOW THEREFORE, I, Steven J. Walters, Supervisor of the Town of Hamburg, do hereby proclaim Sunday, May 2nd through Saturday, May 8th "Western New York Armed Forces Week" in the Town of Hamburg. I wish our residents to participate in this week, honoring the men and women of the Armed Forces, and never forgetting what they have done for us.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 2nd day of May 2010.



Steven J. Walters
Supervisor
Town of Hamburg



Kevin Smardz, Councilman
Joseph Collins, Councilman
Jonathan Gorman, Councilman

30.

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 approve the audit of cash disbursements as follows:

TOWN BOARD April 12, 2010
 AUDIT OF CASH DISBURSEMENTS

| | | VOUCHER #S | |
|--|--------------|-------------|-----------------------|
| OPERATING FUND: | | | |
| BATCH #29 | \$401.43 | 40293-40294 | |
| BATCH #30 | \$2,000.00 | 40295 | |
| BATCH #31 | \$216,361.21 | 40296-40368 | |
| BATCH #32 | \$451,154.69 | 40369-40442 | |
| BATCH #33 | \$865,000.00 | 40449 | |
| BATCH #34 | \$6,755.00 | 40450 | |
| BATCH #35 | \$966,049.72 | 40451-40531 | |
| BATCH #36 | \$50,590.25 | 40532-40599 | |
| BATCH #37 | \$1,025.00 | 40602 | |
| BATCH #38 | \$609,706.21 | UNPROCESSED | |
| TOTAL OPERATING FUND DISBURSEMENTS: | | | \$3,169,043.51 |
| TRUST & AGENCY: | | | |
| BATCH #2 | \$540.66 | | |
| BATCH #3 | \$10,700.00 | | |
| TOTAL TRUST & AGENCY DISBURSEMENTS: | | | \$ 11,240.66 |
| CAPITAL FUND DISBURSEMENTS: | | | |
| BATCH #7 | \$23,606.58 | 40443-40448 | |
| BATCH #8 | \$9,063.00 | 40600-40601 | |
| BATCH #9 | \$11,429.00 | UNPROCESSED | |
| TOTAL CAPITAL FUND DISBURSEMENTS: | | | \$ 44,098.58 |

PAYROLL:

| | | |
|------|-------|--------------|
| PR # | P/R 7 | \$584,313.09 |
|------|-------|--------------|

| | |
|------------------------------|---------------|
| TOTAL PAYROLL DISBURSEMENTS: | \$ 584,313.09 |
|------------------------------|---------------|

PETTY CASH

| | |
|---|----------------|
| TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: | \$3,808,695.84 |
|---|----------------|

Reports from Town Board Members and Department Heads

Councilman Smardz - no report

Councilman Collins - no report

Councilman Gorman - no report

Councilwoman Zeigler - no report

Supervisor Walters - no report

Catherine Rybczynski, Town Clerk, reports that Saturday March 27 was Passport Day in the USA and it was very successful; reminder - passports are accepted Monday through Friday; we also take pictures.

Ken Farrell, Town Attorney, reports we received the first pilot payment for the windmills and we received a \$2,000 check for repair of the brick wall at the beach that was hit by a car.

Marty Denecke, Director of Recreation, announces that the Golf Course is open, Season passes are on sale; April 24th at the Town Arena they will be holding a Recreation Expo for individuals with disabilities from 10:00 am to 3:00 pm; Skate Park opens April 17th; call Recreation Department for programs offered while school is closed for Spring Break.

Business From the Floor

The following spoke concerning a shelter for Youth Lacrosse at the Recreation Field:
Gerry Feuerstein

31.

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 move into Executive Session at 8:15 p.m.

32.

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 adjourn Executive Session at 9:05 p.m.

Catherine A. Rybczynski, Town Clerk