

Agenda

Catherine Rybczynski Town Clerk

Town Board of the Town of Hamburg

April 26, 2010

7:00 p.m. Public Hearing on proposed Local Law #3, 2010 for the rezoning of property located on the west side of South Park Avenue, south of Maelou Drive to be rezoned from C-2 to NC.

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Fire Exit Information**
- 4. Adoption of Minutes**
- 5. Presentations of Prefiled resolutions by the Town Board**
- 6. Reports from Town Board Members**
- 7. Business from the floor**
- 8. Meeting is adjourned by the Supervisor**

LEGAL NOTICE
TOWN OF HAMBURG

Rezoning of 5811 South Park Avenue

PLEASE TAKE NOTICE that there has been presented to the Town Board on March 22, 2010 pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #3, 2010; 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 on the west side of South Park Avenue, south of Maelou Drive. The property is to be rezoned from C-2 (General Commercial District) to NC (Neighborhood Commercial General Residence District). The property can be identified as S.B.L. Number 183.09-5-1.

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 April 26, 2010 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: March 22, 2010

Catherine Rybczynski
Town Clerk
Town of Hamburg

1.

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

04/12/2010 Town Board Meeting

04/19/2010 Work Session

Moved: Gorman

2.

RESOLVED, that the Town Clerk is authorized to publish a legal notice for the Master Plumber License, Site Utility Contractor License and Journey Plumber License examination.

The examination is scheduled for May 25, 2010 at 6:00 p.m.

Moved: Gorman

3.

BE IT RESOLVED that the Town Board approve the hiring of the following in the Buildings and Grounds Department. Funds are available in account A.7140.100

Gill, Chad	Laborer, Seasonal	start 5/3/10	rate-\$8.00/hr
Kolb, John	Laborer, P/T	start 5/3/10	rate-\$8.00/hr
Bantle, Robert	Laborer, Seasonal	start 5/3/10	rate-\$8.00/hr
Tenebruso, Robert	Laborer, Seasonal	start 4/27/10	rate-\$8.00/hr
Militello, Frank	Laborer, P/T	start 5/3/10	rate-\$10.17/hr

Moved: Smardz

4.

WHEREAS, bids were opened on March 24, 2010 for the purchase of a Skid Steer (Track Loader) for the Buildings and Grounds Department.

WHEREAS, eight (8) bids were received as follows:

Monroe Tractor	\$29,473.00
Admar	\$33,800.00
Baschmann Services	\$34,140.00
5 Star Equipment	\$28,990.00
Z & M Ag & Turf	\$33,190.00
Milton Cat	\$33,158.00
Buffalo Tractor	\$45,225.00 (no bid bond)
Bobcat of Buffalo	\$31,881.48

WHEREAS, the bids were reviewed and it was determined that Bobcat of Buffalo is a qualified and responsible bidder, and recommended that the contract be awarded to Bobcat of Buffalo.

THEREFORE BE IT RESOLVED, that the Town Board approve the purchase and award of bid to Bobcat of Buffalo in the amount of \$31,881.48. Funds are available in ER.7250.201.

Moved: Smardz

5.

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Senior Services Department as follows:

1. Korabek, Mary Lou (A6780) Rec. Attendant 04/26/2010 Terminate
2. Korabek, Mary Lou (A6780) Rec. Attendant 04/27/2010 \$8.80/hr. Seas.

Moved: Ziegler

6.

RESOLVED, that the Town Board approve the out-of-town travel request of Tom Best, Superintendent of the Highway Department and Rick Krautsack, Deputy Superintendent, to attend the Erie County Highway Superintendents' conference in Ithaca, New York from June 6-June 9, 2010. Use of a town vehicle is also requested for transportation. The estimated costs per person are as follows:

Hotel	\$417.00
Meals (\$40.00 per day)	<u>\$160.00</u>
Total estimated expense (per person)	\$577.00

Moved: Smardz

7.

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

1. Felice, Matthew	A7180(215)	04/19/2010	Terminate
2. Anzalone, Anthony	A7265(230)	04/19/2010	Terminate
3. Lantzy, Josh	A7265(230)	04/19/2010	Terminate
4. Bermingham, James	A7180(215)	05/03/2010	Terminate
5. Bermingham, James	A7180(215)	05/04/2010	\$10.80 Seas.
	Rec. Attendant		
6. Anetrini, Vicki	A7310(320)	04/02/2010	\$10.29 PT
	Rec. Attendant		
7. Omphallius, Ellen	ER7251(225)	05/09/2010	Terminate
8. Omphallius, Ellen	ER7251(225)	05/10/2010	\$8.75 Seas.
9. DiOrio, Christine	ER7251(225)	05/09/2010	Terminate
10. DiOrio, Christine	ER7251(225)	05/10/2010	\$10.84 Seas.
	Rec. Attendant		
11. Steger, Joseph	ER7251(225)	04/27/2010	Terminate
12. Steger, Joseph	ER7251(225)	04/28/2010	\$10.84 Seas.
	Rec. Attendant		
13. Czuprynski, Paul	ER7251(225)	05/05/2010	\$7.25 Seas.
	Rec. Attendant		
14. Lease, Warren		05/18/2010	Terminate
15. Lease, Warren	ER7251(225)	05/19/2010	\$10.29 Seas.
	Rec. Attendant		
16. Sadowski, Christopher	ER7251(225)	05/15/2010	Terminate
17. Sadowski, Christopher	ER7251(225)	05/16/2010	\$9.00 Seas.
	Rec. Attendant		
18. Scharlock, Matthew	ER7251(225)	05/15/2010	Terminate
19. Scharlock, Matthew	ER7251(225)	05/16/2010	\$8.25 Seas.
	Rec. Attendant		
20. Steger, Amy	ER7251(225)	05/15/2010	Terminate

21. Steger, Amy	ER7251(225) Rec. Attendant	05/16/2010	\$9.00 Seas.
22. Boswell, David	ER7251(225) Rec. Attendant	05/01/2010	\$8.75 PT
23. Wozniak, Richard	ER7251(225) Rec. Attendant	05/16/2010	\$8.20 PT
24. Kassem, Ramsey	ER7251(225)	05/05/2010	Terminate
25. Kassem, Ramsey	ER7251(225) Rec. Attendant	05/06/2010	\$7.64 Seas.

Moved: Ziegler

8.

RESOLVED, that the Town Board approve the following to act as Matrons in the Police Department on an on-call basis: Pay is \$10.00 per hour.

West, Eunice
Fest, Patricia
McKnight, Amy
Kordasiewicz, Kathleen
Barnes, Jacqueline
Formaniak, Beth
Jones, Heather

Money is available in account A3510.440.

Moved: Walters

9.

RESOLVED, that the Town Board authorize Police Officer William Stowell to attend "Police Bike Patrol" Course, to be held in Buffalo, New York, June 14 - 18, 2010.

Cost: \$150.00, inc. instructional materials, facility fees and lunch.

Use of unmarked vehicle for transportation is requested.

Money is available in account B3120.492.

Moved: Walters

10.

BE IT RESOLVED, that the Town Board approve the travel request for Mary Dosch and Cindy Conlon to attend the NYS GFOA Western Region Spring Seminar on Thursday, May 13, 2010, in Ellicottville, NY. The total cost of the seminar is \$180.00, plus mileage.

BE IT FURTHER RESOLVED that the Town Board approves the transfer of funds from A1970.492, Central Training and Seminars to A1310.492 (Finance – Seminars) and A1420.492 (Legal – Seminars) for the cost of the seminar and mileage.

Moved: Walters

11.

RESOLVED, that the Town Board remove resolution No. 12, from the Town Board Meeting of April 12, 2010, from the table.

Moved: Walters

12.

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.

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.

Moved: Walters