

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 28th day of April 2014.

2.

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

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board adjourn Executive Session at 7:03 pm and move into the regular meeting.

ROLL CALL:	Steven J. Walters	Supervisor
	Michael Quinn, Jr.	Councilman
	Cheryl Potter-Juda	Councilwoman

ALSO PRESENT: Barbara S. Allen, Deputy Town Clerk
Mary Dosch, Sr. Account Clerk, Walter Rooth III, Town Attorney; Richard Lardo, Principal Engineering Assistant; Greg Wickett, Police Captain; Tom Best, Sr., Highway Superintendent; Kurt Allen, Supervising Code Enforcement Officer; Joe Pietras, Senior Recreation Supervisor; ; Drew Reilly, Planning Consultant; Ted Casey, Traffic Safety Coordinator; Amy Ziegler, Deputy Supervisor

Supervisor Walters asks for a moment of silence in memory of the Confidential Law Clerk to Judge Gorman, Dolores Rooth, who was a longtime, dedicated employee of the Town of Hamburg.

3.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

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

March 24, 2014	Work Session
March 24, 2014	Town Board Meeting
April 9, 2014	Special Meeting
April 14, 2014	Special Meeting

4.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the rehiring of personnel for the Town Board as follows:

I request that a Town Board Resolution be adopted approving the following personnel action:

#	Emp #	Emp Name	N or R	Position	Start date	Full time		PT/Sea/temp	
						hrly rate	hrly rate	hrly rate	Term date
1	3680	Jacquelyn Demske	R	Clerk Seasonal	3/19/2014			\$11.15	

5.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, the Town Board authorize Police Officer/K9 Officer Nicholas Borowski and ENDY, to attend the 2014 k-9 Seminar, to be held in Penn Yan, New York, May 4, 2014 – May 8, 2014.

Cost of Seminar: (Materials, lodging and meals)	\$625.00
Tolls (approximately)	\$ 50.00
<u>TOTAL</u>	<u>\$675.00</u>

Use of Police K9 Vehicle for transportation is requested; Money is available in account B3120.492.

6.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, the Town of Hamburg received a request from Lockwood's to rezone property (known as "Lockwood's Greenhouses") located at 4462 Clark street from M-1 (Industrial Park-Research and Development District) and R-3 (Multi-family district) to C-1 (Local Retail Business District); and

WHEREAS, the Code Review Committee reviewed the application and found merit in the rezoning of this property; and

WHEREAS, the Hamburg Town Board referred this request to the Planning Board and the Hamburg Planning Board issued a positive recommendation to the Town Board regarding this request; and

WHEREAS, the Hamburg Town Board held the required public hearing on this proposed rezoning on April 22, 2013; and

WHEREAS, the Hamburg Town Board issued a Negative Declaration and approved the rezoning on 5/13/13 with conditions; and

WHEREAS, the rezoning was not filed with NYS because the conditions were not met and the timeframe for filing the rezoning expired; and

WHEREAS, the Town held another public hearing on the rezoning on March 24, 2014, and

WHEREAS, the project has not been changed and therefore the SEQR Negative Declaration determination has not been affected, and

WHEREAS, the applicant has now met the conditions of the rezoning and wishes to move forward with the rezoning.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby rezones the lands located at 4462 Clark Street, identified as S.B.L.# 183.14-8-12.21 from R-3 and M-1 to C-1 with the following condition:

Any future development or redevelopment of the site will require proper setbacks and buffering from the surrounding residential homes and site plan approval through the Hamburg Planning Board. In areas abutting residential uses, minimum setbacks shall be 50 feet from the property line, and this area shall include screening, fencing, walls and/or landscaping.

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 Chapter 280 entitled "Zoning" to provide for a change in the boundary of the Zoning Map whereby the Zoning is changed from R-3 (Multi-family) and M-1 (Industrial Park – Research and Development) to C-1 (Local Retail Business) for the property located at 4462 Clark Street and identified as S.B.L. # 183.14-8-12.21.

7.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board authorize Police Officer Jason Nappo to attend: Electrical Fire Cause I and II Seminar to be held at the NYS Fire Academy in Montour Falls, NY, April 14 – 18, 2014.

Cost: Registration Fee, Meals, Lodging and Courses	\$241.00
Tolls: (Approximately)	<u>40.00</u>
TOTAL:	\$281.00

Money is available in account B3120.492
Use on unmarked Police Vehicle for transportation is requested.

8.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board authorize Police Officers Andrew Hochworter and Robert Palmer to attend: Fire Investigative Photography and Fire Scene Evidence Collection Seminar to be held at the Fire Academy in Montour Falls, NY, May 19 – 23, 2014.

COST: Registration Fee, meals, lodging and courses \$526.00

Money is available in account B3120.492.
Use of unmarked Police Vehicle for transportation is requested.

9.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board authorize Adam Taber, a Web Development student from Erie 1 BOCES Career & Technical Education and Hamburg High School to do an internship of thirty (30) hours with the Town of Hamburg Info Tech Department at no cost to the Town.

13.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

5/02/14	5/03/14	5/04/14	5/10/14
5/11/14	5/13/14	5/17/14	5/18/14
5/23/14	5/24/14	5/25/14	5/30/14
5/31/14			

14.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board authorize Chief of Police Michael Williams to attend the NYS Chiefs of Police Association Annual Training Conference, to be held in Lake Placid, New York, July 13, 2014 – July 17, 2014.

Registration	\$150.00
Lodging: 4nights @ \$160.00	\$640.00
Meals: 3days @ \$40.00	\$120.00
Tolls: approximate	<u>\$ 50.00</u>

TOTAL: \$960.00

Money is available in account B3120.492.

Use of unmarked Police Vehicle for transportation is requested.

15.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, under an agreement between the Town of Hamburg and Erie County, the County provides operation and maintenance services for the Town’s Mount Vernon Sewer District sanitary sewer system; and

WHEREAS, as part of these services, the County has performed various sewer system evaluation study activities within the district, following which they submitted a report to the Town presenting the findings of the study and resultant recommendations for sewer rehabilitation work to be performed in the district; and

WHEREAS, the Mount Vernon Sewer District is responsible for all capital costs associated with sewer system rehabilitation and other improvements undertaken within the district; and

WHEREAS, Nussbaumer & Clarke, Inc. previously served as the long-time consulting engineers to the district prior to the district’s dissolution as a Commissioner District in March 2013, from which Nussbaumer & Clarke has extensive background and knowledge of the district’s sewer system; and

WHEREAS, a proposal has been requested and received from Nussbaumer & Clarke for providing engineering services and technical assistance to the Town relative to the review of the County’s report and associated information, as well as attendance at meetings between the Town and County in this regard. These services are to be provided on an as-needed and directed hourly basis, at a total cost not to exceed \$7,000. This proposal has been reviewed by the Town Engineer and determined to be reasonable and acceptable for the services to be provided.

THEREFORE BE IT RESOLVED, that a contract be entered into with Nussbaumer & Clarke, Inc. for these services, and that the Supervisor is authorized to sign their April 3, 2014 proposal letter/agreement in this regard. Funding for these services is to be from the Mount Vernon Sewer District budget, Account Nos. S2-8120.456 (Consultant Fees) and S2-8110.419 (Contingency Account).

16.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board authorize the travel request for Highway Superintendent Thomas Best and Deputy Highway Superintendent Richard Krautsack to attend the 2014 Highway School sponsored by the Association of Towns of the State of New York at Ithaca College, Ithaca, New York, from June 2nd – June 4th, 2014. Estimated cost for the seminar including registration, meals and lodging is approximately \$1500.00 for both.

BE IT FURTHER RESOLVED, that the Town Board approve the transfer of funds from A1970.492 (Central Training & Seminars) to A5010.492 (Highway Administration Seminars).

17.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

WHEREAS, bids were opened on March 24, 2014 for the purchase of a 2015 Ford Super Duty F-250 truck for the Buildings and Grounds Department, and

WHEREAS, two (2) bids were received as follows:

Delacy Ford	\$34,874.88
West Herr Ford	\$35,060.00

WHEREAS, the bids were reviewed and it was determined that Delacy Ford is a qualified and responsible bidder.

THEREFORE BE IT RESOLVED, that the Town Board approve the purchase and award of bid to Delacy Ford in the amount of \$34,874.88. Funds are available in A.1640.202.

18.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

BE IT RESOLVED, that the Town Engineer's report on the completion and acceptance of the TREEHAVEN ESTATES PHASE 5 street light installation work performed under Public Improvement Permit No. 995 be received and accepted, and that the Supervisor is authorized to sign the report.

BE IT FURTHER RESOLVED, that the Town Board authorize National Grid to connect two (2) 70-watt high pressure sodium luminaries in accordance with the existing rate tariff, and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Department for transmittal to National Grid, and that this resolution becomes effective on the day the report is signed by the Supervisor.

19.

On a motion of Councilwoman Potter-Juda, seconded by Councilman Quinn, the following resolution was

ADOPTED	Ayes	2	Quinn, Potter-Juda
	Noes	1	Walters

RESOLVED, that the Town Board approve the hiring of **RICHARD J. STOBERL** as the full time **DOG CONTROL OFFICER**, effective April 29, 2014, at a Salary of \$15.00 per hour; Funds available in A3510.100.

Supervisor Walters comments that he does not feel the Town needs a full-time Dog Control Officer. He doesn't feel they have the number of calls to warrant it. The Town should look at making him an animal control officer not just a dog control officer. Then the Town Board could justify the increased expenses of a full time position.

Carol Staffel comments that until April 23rd she worked for the New York State Department of Agriculture and Markets as the Animal Health Inspector which included the Town of Hamburg. When she was an official agent for the Town she oversaw Article 7 which supports the taking of dogs and control of dogs for the purpose of licensing and control. There is no such article for cats. They are still considered to be private and personal property. If the Town was to have an Animal Control Officer and if they were to take stray cats they would have to house them for at least 5 days. There would be no fees collected to support this. In regards to wildlife, that is handled by the DEC. Mr. Stoberl would have to undergo training and they would have to provide him with an area to dispose of carcasses. There is not financial support for that either. There is financial support for Mr. Stoberl going full time as this Town has not done an enumeration in over 40 years. That would bring in more license fees to support that position. Looking at records from 2012 to 2014 the number of dangerous dogs complaints, tickets and action against people have definitely increased as compared to activities of prior full time Dog Control Officers.

Dave Bellissimo questions if Mr. Stoberl is qualified to be a full time dog control officer.

Supervisor Walters responds that he is a qualified Dog Control Officer.

Mr. Bellissimo comments on the increased pay and hours and questions if there is an increased volume of incidents.

Councilwoman Potter-Juda responds that there have been incidents where Police Officers have had to respond and they should be protecting this community rather than picking up dogs.

Joseph O'Brien, Police Officer, comments that he has been bit several times, while on the job. The last time a dog bit him he had to have treatment. Mr. Stoberl was able to get the dog with no problem. Other Officers have been bit as well. His job is to do traffic enforcement and keep neighborhoods safe. That is money well spent. They should not be out chasing dogs. That is why they should have a full time DCO.

Highway Superintendent Best questions if being a DCO precludes him from picking up dead animals, such as cats or squirrels.

Carol Staffel responds that the Highway Department of the appropriate municipality which maintains the roads is responsible.

Mary Blakeslee comments that she works in the same office with the DCO and his phone is constantly ringing and there are always messages waiting for him.

Steve Strnad thanks Mr. Bellissimo and Ms. Staffel for bringing all this information to the public.

20.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board appoint the following to the **TOWN OF HAMBURG BOARD OF ETHICS** beginning January 1, 2014 and ending on December 31, 2015:

Cheryl Potter-Juda

Councilwoman Potter-Juda comments that, for the record, it must be a Councilperson in that position.

21.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the termination and rehiring 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	4359	Babcock, Joshua	R	Lifeguard-EW7251-Seas.	5/13/14		\$8.10	
2	4369	Birmingham, Seamus	R	Lifeguard-EW7251-Seas.	5/13/14		\$8.10	
3	113	Boswell, David	R	Rec Attd.-P/T-ER7251	4/29/14		\$9.25	
4	3854	Boswell, James		Van Driver-Seas-A6772				3/31/2014
5	3854	Boswell, James	R	Van Driver-P/T-A6772	4/1/14		\$10.72	
6	4436	DiPasquale, Ryan		Rec Attd.-P/T-ER7251				4/22/2014
7	4436	DiPasquale, Ryan	R	Rec Attd.-Seas-ER7251	4/23/14		\$8.00	
8	4280	Courtade, Justin	R	Lifeguard-ET7180-Seas.	5/13/14		\$8.10	
9	4346	Cuddihy, Sarah	R	Lifeguard-EW7251-Seas.	5/13/14		\$8.10	
10	4361	Duszkiewicz, Benjamin	R	Lifeguard-ET7180-Seas.	5/13/14		\$8.25	
11	4462	Emmerling, Ryan	R	Lifeguard-EW7251-Seas.	5/13/14		\$8.00	
12	4400	Hayes, Korey	R	Lifeguard-ET7180-Seas.	5/13/14		\$8.10	
13	4318	Joslin, Mark		Rec Attd-P/T-ER7251				5/13/2014
14	4318	Joslin, Mark	R	Rec Attd-Seas-ER7251	5/14/14		\$8.00	
15	4221	Kumiega, Mark		Rec Attd-P/T-ER7251				5/11/2014
16	4221	Kumiega, Mark	R	Rec Attd-Seas-ER7251	5/12/14		\$8.75	
17	4499	Lakso, Blair	R	Rec Attd-Seas-ER7251	4/29/14		\$8.00	
18	3855	McAnaney, Patrick James	R	Rec Attd-Seas-A7310	4/29/14		\$11.25	
19	4362	McMahon, Grace	R	Lifeguard-ET7180-Seas.	5/13/14		\$8.10	
20	4266	Nowak, Patrick	R	Lifeguard-ET7180-Seas.	5/13/14		\$8.75	
21	4435	Prowse, Megan	R	Lifeguard-EW7251-Seas.	5/13/14		\$8.00	

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1	4349	Rich, Devon	R	Lifeguard-EW7251-Seas	5/13/14		\$8.25	
2	4371	Rindfuss, Mary	R	Lifeguard-EW7251-Seas	5/13/14		\$8.25	
3	4437	Ringo, Nolan		Rec Attd-ER7251-P/T				4/22/2014
4	4437	Ringo, Nolan	R	Rec Attd-ER7251-Seas	4/23/14		\$8.00	
5	4379	Sauerwein, Robert		Van Driver-P/T-A6772				4/22/2014
6	4379	Sauerwein, Robert	R	Van Driver-Seas-A6772	4/23/14		\$9.50	
7	4269	Schelter, Chelsea	R	Lifeguard-EW7251-Seas	5/13/14		\$8.25	
8		Skorma, Kelly	N	Rec Attd-Seas-A7310	4/29/14		\$9.25	
9	4288	Solak, John	R	Lifeguard-EW7251-Seas	5/13/14		\$8.10	
10	4314	Sedor, Joseph	R	Rec Attd-ER7251-Seas	4/29/14		\$8.00	
11	4357	Simoncelli, Eric		Rec Attd-ER7251-P/T				5/14/2014
12	4357	Simoncelli, Eric	R	Rec Attd-ER7251-Seas	5/15/14		\$8.00	
13	3808	Steger, Amy		Rec Attd-ER7251-P/T				5/15/2014
14	3808	Steger, Amy	R	Rec Attd-ER7251-Seas	5/16/14		\$9.93	
15	2875	Steger, Joseph		Rec Attd-A7310-P/T				4/27/2014
16	2875	Steger, Joseph	R	Rec Attd-ER7251-Seas	4/28/14		\$12.50	
17	4358	Volk, Charles	R	Rec Attd-ER7251-P/T	4/29/14		\$9.50	
18	3924	Warhol, Edward	R	Rec Attd-A7310-Seas	4/29/14		\$11.25	
19	4062	Wicka, John		Rec Attd-ER7251-P/T				4/19/2014
20	4062	Wicka, John	R	Rec Attd-ER7251-Seas	4/20/14		\$11.00	
21	4262	Winder, Nicolette	R	Lifeguard-ET7180-Seas	5/13/14		\$9.25	

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1	4494	Aroune, Ellen	R	Rec Attd-Seas-A7310	5/13/14		\$8.00	
2	4404	Avery, Maxwell	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
3	4484	Cox, Gabrielle	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
4	4483	Cox, Madison	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
5	4372	Dengler, Connor	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
6	4468	Downs, Allison	R	Rec Attd-Seas-A7310	5/13/14		\$8.00	
7	4399	Freitas, Derek	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
8	4458	Gallivan, Timothy	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
9	4431	Gerace, August		Van Driver-P/T-A6772				4/28/2014
10	4431	Gerace, August	R	Van Driver-Seas-A6772	4/29/14		\$9.25	
11	4459	Grimaldi, Kevin	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
12	4367	Gunning, Rebecca	R	Rec Attd-Seas-EW7251	5/13/14		\$8.50	
13	4491	Hietanen, Christopher	R	Rec Attd-Seas-A7310	5/13/14		\$8.00	
14	4470	Jordan, Christie	R	Rec Attd-Seas-A7310	5/13/14		\$8.00	
15	4345	Knaszak, Carly	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
16	4255	Knaszak, Mary Ellen	R	Rec Attd-Seas-EW7251	5/13/14		\$8.75	
17	4279	Kummer, Zachary	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
18								
19								
20	4395	McCormick, Emily	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
21	4391	Reardon, Taylor	R	Rec Attd-Seas-A7310	5/13/14		\$8.00	

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1	3327	Potter, Lisa		Rec Attd-P/T-A7310				4/28/2014
2	3327	Potter, Lisa	R	Rec Attd-Seas-EW7251	4/29/14		\$9.25	
3	4453	Sentz, Taylor	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
4		Sortisio, Zachary	N	Rec Attd-P/T-A7310	4/29/14		\$8.00	
5	4457	Zeis, Gregory	R	Rec Attd-Seas-EW7251	5/13/14		\$8.00	
6		Voye, James	N	Rec Attd-P/T-ER7251	4/29/14		\$8.00	
7	4360	Boncal, Alyssa		Lifeguard-P/T-A7310				5/3/2014
8	4360	Boncal, Alyssa	R	Lifeguard-Seas-ET7180	5/4/14		\$8.10	
9	4268	Jackson, Alex		Lifeguard-P/T-A7310				5/3/2014
10	4268	Jackson, Alex	R	Lifeguard-Seas-EW7251	5/4/14		\$9.25	
11	4263	Keesler, Brett		Lifeguard-P/T-A7310				5/3/2014
12	4263	Keesler, Brett	R	Lifeguard-Seas-EW7251	5/4/14		\$8.10	
13	4454	Lane, Shannon		Lifeguard-P/T-A7310				5/3/2014
14	4454	Lane, Shannon	R	Lifeguard-Seas-EW7251	5/4/14		\$8.00	
15	4364	Lunz, Shaun		Lifeguard-P/T-A7310				5/3/2014
16	4364	Lunz, Shaun	R	Lifeguard-Seas-EW7251	5/4/14		\$8.10	
17	4447	McMahon, Claire		Lifeguard-P/T-A7310				5/3/2014
18	4447	McMahon, Claire	R	Lifeguard-Seas-ET7180	5/4/14		\$8.00	
19	4265	Michalek, Colin		Lifeguard-P/T-A7310				5/3/2014
20	4265	Michalek, Colin	R	Lifeguard-Seas-EW7251	5/4/14		\$8.50	
21	4487	Pawlowski, Darlene	R	Rec Attd-Seas-EW7251	5/13/14		\$8.10	

Councilman Quinn comments that he will second the resolution with an amendment removing #19 in the third block of names, employee #4259.

Supervisor Walters questions under what justification are they requesting that the name be removed.

Councilman Quinn responds that they want to move in a different direction.

Councilwoman Potter-Juda comments to save the Town money.

Supervisor Walters comments that this person is the one primarily responsible for running Woodlawn Beach State Park and has done an excellent job in the past.

Joe O'Brien comments that over the last couple of years they have seen attendance rise at Woodlawn Beach. You don't change a winning team.

Joe Collins comments that he knows that Woodlawn Beach loses money and doesn't think a change in management is a bad idea.

Supervisor Walters responds that both Woodlawn Beach and the Town Park lose money to a varying degree. Every year that the Town has been running Woodlawn Beach the amount of money the Town has had to put into it has decreased. Every Recreation program in the Town of Hamburg is subsidized, the golf course is the only exception.

Amy Ziegler comments that it is less than a month from opening day. Who will run the Beach?

Councilman Quinn responds that the Recreation Department will run the Beach.

Councilwoman Potter-Juda responds that she spoke with Mr. Denecke and he said that they would be able to run Woodlawn Beach functionally with the help that he has.

Mr. Bellissimo comments that there are a number of employees being hired. Why are they targeting only one individual?

Councilwoman Potter-Juda responds that it is to save money. The employee they are removing receives \$15.50 per hour and the rest of the individuals on the list are listed at \$8.00 or \$8.50 per hour.

Supervisor Walters comments that there are some legal ramifications to this.

Councilwoman Potter-Juda responds that these are at will employees and can be changed by the Recreation Department from season to season.

Councilman Quinn comments that there has been a lot of dispute over Woodlawn Beach. His intention is not to destroy it. He voted against Councilwoman Potter-Juda for the Concessions contract which he felt would be a good change. Now there is another change in management style that they are addressing. This is not personal it is strictly business. They are intending to be open on time with the staff they have.

Supervisor Walters disagrees stating that she is doing a fine job at Woodlawn Beach and the numbers prove that.

Supervisor Walters suggests that they remove line 18 and 19, in the third block of names, which will allow this employee to remain on part-time until this matter can be discussed with Mr. Denecke. He then states that if the Town Board does not keep this employee there will be legal ramifications because he does not agree with Councilman Quinn’s original amendment to eliminate Line 19.

The Town Board discusses the matter further.

Councilman Quinn comments that he is willing to agree to the amendment that Supervisor Walters suggested.

Councilwoman Potter-Juda questions how many hours a part-time employee can work and if they can exceed that amount and make overtime.

Supervisor Walters responds, pursuant to Civil Service, a part time employee cannot work more than 19.5 hours per week and if you don’t exceed 40 hours per week you are not eligible for overtime.

22.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, the Town Board accept the low bid for Vehicle Maintenance in the Police Department, from Joe’s Auto Service, 3756 Lakeview Road, Hamburg, NY at a cost of \$43.64 per hour for Labor and 29.98% for parts.

Money is available in account B3120.460.

23.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

BE IT RESOLVED, the following individuals (list as indicated below) be appointed as student members of the Town of Hamburg Youth Board to replace current student members who will be graduating. The terms for these members will begin in the fall of 2014 and expire upon their graduation from high school

Kathryn Lukasiewicz
3500 Creekview Dr.
Hamburg, N.Y. 14075
(Immaculata Academy)

Michaela Kacmarski
5337 Briercliff Dr.
Hamburg, N.Y. 14075
(Frontier High School)

Erin Kane
4012 Ockler Avenue
Hamburg, N.Y. 14075
(Hamburg High School)

24.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, That the Hamburg Town Board authorize the Finance Department to bring forward the 2013 unexpended balance of \$1,312 from the Domestic Violence Donations account A3225.483 thru the Appropriated fund balance A599.

25.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED the Town Board approve the termination, rehiring and hiring 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	4149	NOWAK, KYLE		LABORER/EI7266.100/P/T			\$9.50	5/4/2014
2	4149	NOWAK, KYLE		LABORER/EI7266.100/SEA.	5/5/2014		\$9.50	
3	3972	REED, EDWARD		LABORER/EW7250.100/P/T			\$8.75	5/4/2014
4	3972	REED, EDWARD		LABORER/EW7250.100/SEA	5/5/2014		\$8.75	
5	4154	CZERWIEC, DAVID		LABORER/EW7250.100/P/T			\$8.91	5/4/2014
6	4154	CZERWIEC, DAVID		LABORER/EW7250.100/SEA	5/5/2014		\$8.91	
7	4355	STONE, NICHOLAS		LABORER/EW7250.100/P/T			\$8.49	5/4/2014
8	4355	STONE, NICHOLAS		LABORER/EW7250.100/SEA	5/5/2014		\$8.49	
9	4246	FLIS, PAUL	R	LABORER/EW7250.100/SEA	5/5/2014		\$8.75	
10	4442	GREGOIRE, DAMIAN		CLEANER/A7140.100/P/T			\$10.17	5/4/2014
11	4442	GREGOIRE, DAMIAN		CLEANER/A7140.100/SEA	5/5/2014		\$10.17	
12	4501	MIELCAREK, PETER		CLEANER/A7140.100/P/T			\$10.17	5/4/2014
13	4501	MIELCAREK, PETER		CLEANER/A7140.100/SEA.	5/5/2014		\$10.17	
14	4245	GIBBONS, RICHARD		CLEANER/A7140.100/P/T			\$10.67	5/4/2014
15	4245	GIBBONS, RICHARD		CLEANER/A7140.100/SEA	5/5/2014		\$10.67	
16		YACOBUCCI, JOSEPH	N	LABORER/A7140.100/SEA	5/1/2014		\$8.00	
17		MCCUNE, JONATHAN	N	LABORER/A7140.100/SEA	5/1/2014		\$8.00	
18	4244	BIEBER, ROBERT	R	LABORER/A7140.100/SEA	5/1/2014		\$8.75	
19	4452	DONAHUE, CONNOR	R	LABORER/A7140.100/SEA	5/1/2014		\$8.24	
20	4242	KRAUSE, ROBERT	R	LABORER/A7140.100/SEA	5/1/2014		\$8.75	
21	4440	KUKOLECA, CHARLES JR	R	LABORER/A7140.100/SEA	5/1/2014		\$8.24	



Town of Hamburg

Office of Supervisor

Municipal Clerk's Week

- WHEREAS,** the Office of the Municipal Clerk, a time honored and vital part of 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 serves as 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, province, county and international professional organizations, and
- WHEREAS,** it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Steven J. Walters, Supervisor of the Town of Hamburg, do recognize the week of May 4 through May 10, 2014, 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 28th day of April 2014.


 Steven J. Walters
 Supervisor
 Town of Hamburg

Cheryl Potter-Juda, Councilwoman
 Michael Quinn, Jr., Councilman



27.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	1650	Dolores Rooth		Clerk to Town Justice				4/29/2014
2		Angel Hoak	N	Clerk to Town Justice	5/1/2014	\$23.70		

28.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

Roseanne D’Andrea-Burkley
 4926 Big Tree Road
 Hamburg, N.Y. 14075

Kelsey Madeja
 4964 Daisy Lane
 Blasdell, N.Y. 14219

29.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, The Town Board authorize PSD Katherine Strnad to attend the Priority Dispatch EMD 12.2 Course, June 15, 16 & 17, 2014 in West Seneca, NY. The cost of the course is \$350.00 and monies are available in Account A3020.492. Use of a Town vehicle is requested.

BATCH #8	\$173,349.46	68347-68355
BATCH #9	\$760.36	68356-68358
BATCH #10	\$2,000.00	68516
BATCH #11	\$1,425.12	68104-68105

TOTAL CAPITAL FUND DISBURSEMENTS:	\$177,534.94
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PAYROLL:

PR #P/R 7	\$630,487.90
PR #P/R 8	\$663,109.94
PR #P/R 9	\$610,011.62

TOTAL PAYROLL DISBURSEMENTS:	\$1,903,609.46
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PETTY CASH	\$167.25
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TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$3,384,323.92
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Reports from Town Board Members and Department Heads

Councilman Quinn – no report

Councilwoman Potter-Juda reports that the Townwide Clean-up is Saturday May 3rd starting at 8:30 am at Hamburg Town Hall. Afterwards lunch will be served at 11:00 am at Town Hall. All ages and groups are invited to participate. This is sponsored by the Hamburg Rejuvenation Committee. Laura Hahn, President is urging everyone to participate to clean up the Town.

Supervisor Walters comments that he has nothing to report but would like to recognize the Boy Scouts and Girl Scouts in the audience. Having been a Scout he knows the community involvement that it brings and the character that it builds. He thinks anyone who goes through that process should be commended for the great deal of effort and commitment that is involved.

Richard Lardo, Principal Engineering Assistant, announces that the contractors started work this morning on the Railroad Quiet Zones.

Highway Superintendent Tom Best, Sr. reports that the hot patch is in so they will be working on some of the potholes. They will be evaluating all the streets and by the next town Board meeting he should have a list of streets that will be paved this year.

Drew Reilly, Planning Consultant, reports that they have a busy Planning Board Agenda next month. The Agenda will be available on the Town's website.

New Business from the Floor

Steve Strnad questions the rate per hour for Nussbaumer & Clarke to review the County report relative to the Mt. Vernon Sewer District.

Supervisor Walters responds that they are professional Engineers. In 2008, The Town transferred most of the Sewers to the County. At the time there were two Commissioner Districts, Mt. Vernon and Woodlawn. Those Commissioner District are independent of the town. Mt. Vernon decided that it was time for them to dissolve and when they dissolved the Town automatically became the owner of that Sewer District. The Town is in the process of working with the County to take over ownership now. However, the County does not want to take over the District until some necessary work is complete.

Joe Kilian questions if it was the Town that repaired the Wanakah Tunnel.

Superintendent Best responds yes.

Mr. Kilian commends the repairs of the Historic Wanakah Tunnel, one of only two on the shoreline.

Supervisor Walters comments that they do have a grant application out for the Seaway Trail's Visitor Center. Part of that grant is to completely repair the Tunnel so that it will last another 100 years. Right now, they only did enough work to make it safe.

Mr. Kilian comments that it might be a landmark and should be called "Historic".

Mary Blakeslee comments that the tunnel was built in the 1800's.

31.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board move into Executive Session at 8:20 pm on some pending litigation matters.