

Meeting No. 11
April 28, 1997
Hamburg Town Board Meeting
S-6100 South Park Avenue
Hamburg, New York 14075

Supervisor Hoak calls the meeting to order at 7:00 p.m.

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathy C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Present:	George Danyluk	Town Clerk
	Richard Boehm	Deputy Town Attorney
	James Spute	Director of Finance
	Joseph Coggins	Asst. Police Chief
	Drew Reilly	Planning Consultant
	Richard Tripp	Director of Recreation
	Kurt Allen	Supervising Building Inspector
	Fred Kingsbury	Real Property Appraiser
	Timothy Ellis	Traffic Safety Coordinator
	James Connolly	Highway Superintendent
	Robert Mueller	Sr. Public Safety Dispatcher

Excused:	Gerard Kapsiak	Town Engineer
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The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

7:00 p.m. Public Hearing to consider whether or not to approve the sale of vacant land owned by Wanakah Water District located on Coachman's Lane.

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

NOTICE IS HEREBY GIVEN that pursuant to Sections 198(12) and 215(8) of Town Law, the Town Board of the Town of Hamburg will hold a Public Hearing on April 28, 1997, at 7:00 p.m., at the Hamburg Town Hall, S-6100 South Park Avenue, Hamburg, New York, for the purpose of considering whether or not to approve the sale of vacant land owned by the Wanakah Water District located on Coachman's Lane. The property, which is no longer required for Water District purposes, is more particularly described as follows:

**LEGAL DESCRIPTION
WANAKAH WATER DISTRICT
AMSDELL PARK/COACHMAN'S LANE WATER TOWER PROPERTY**

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie, and State of New York, being part of Lot 34, Township 9, and Range 8 of the Holland Land Company's Survey, and being more particularly bounded and described as follows:

BEGINNING at the southwest corner of Sublot 105 as shown on Map Cover 2543 as filed in the Erie County Clerk's Office, which point is also located along the easterly highway boundary of Coachman's Lane in the Amsdell Park Subdivision; thence easterly at right angles to said highway boundary, a distance of 25 feet to a point; thence northerly at right angles and parallel to said highway boundary, a distance of 35 feet to a point; thence easterly at right angles, a distance of 100 feet to a point along the east line of the land subdivided under said Map Cover 2543; thence southerly at right angles a distance of 100 feet to a point along said east line of said Map Cover 2543; thence westerly at right angles, a distance of 100 feet to a point; thence northerly at right angles along a line which is parallel to said highway boundary of Coachman's Lane, a distance of 35 feet to a point; thence westerly at right angles, a distance of 25 feet to a point along said highway boundary, said point also being the northwest corner of Sublot 104 as shown on said Map Cover 2543; thence northerly at right angles, a distance of 30 feet to the point of place of beginning, and containing an area of 0.247 acres.

Said parcel comprises the parcel of land which is identified as Account No. 181.12-3-8 in the office of the Assessor of the Town of Hamburg.

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

Dated: April 14, 1997

George Danyluk
Town Clerk
Town of Hamburg

Supervisor Hoak explains that the money that is received for the sale of this land will go to the Wanakah Water residents in that district.

Fern Garcia asks if the Town enlisted the services of a Realtor to get the full market value.

Supervisor Hoak explains that this land is not large enough for a building lot.

George Komenda questions what the residents who want to purchase this land are planning to do with it.

Supervisor Hoak says that it would be completely theirs after it is purchased.

Frank Gifford, Coachmans Lane, explains that his plan is just to buy it plant a few trees and add it to their yards. It would be impossible to build anything there because the foundation of the Tower is still there, which is a large 10' concrete base.

Joe Killian, Ferndale, questions how the other property owned by the Wanakah Water District will be handled if put up for sale.

Supervisor Hoak responds that they have received offers on the waterfront property, Wanakah Waterworks, but until the offers reach the assessed evaluation of the property, they will not consider them. When that purchase price is reached they will notify the people in the water district and see if they want to sell the property to help defray their costs in the water bills.

Councilman Cavalcoli explains that this does not relate to the Waterfront property.

Dave, 5568 Coachman's, states that as long as the money goes back into the Water District he doesn't feel there is any reason to hold onto this property. If the land is sold it will improve the look of the neighborhood.

V.

RESOLVED, that the Town Board authorize the Finance Department to increase appropriations A7410.423 by \$1,789.00 and A1620.440 by \$706.00 through the appropriated fund balance (A599). This is to fund for the fourth quarter 1996 billing service contract with Building Controls & Services. The company never sent a fourth quarter bill and the money went into the fund balance at the year end.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

VI.

RESOLVED, that the Town Board approve Supervisor Hoak signing Section 8 of the PO-17 Form creating an additional SENIOR ACCOUNT CLERK position for the Buildings & Grounds Department. In accordance with the provisions of Civil Service Law, Section 22, Erie County Commissioner of Personnel, Leonard Lenihan, has completed Section 7 of the PO-17 form certifying this the appropriate title for this position.

Moved: Quatroche

Seconded: Hochul

Roll Call: Ayes:

Noes:

VIII.

WHEREAS, in order for a bond of a volunteer fire company to qualify for tax exemption, there must be a public approval of the bond under I.R.C. Section 147(f), and

WHEREAS, a bond will satisfy the public approval requirement if it is approved by the government unit on behalf of which the bond is issued, in this case the Town of Hamburg, and

WHEREAS, an issue shall be treated as having been approved by any governmental unit if such issue is approved by the applicable elected representative of such governmental unit after a public hearing following reasonable public notice,

NOW THEREFORE BE IT RESOLVED, that a public hearing be scheduled to approve the \$325,000.00 financing of a 1997 R.D. Murray Infinity Series Aerial Platform Fire Apparatus for the SCRANTON VOLUNTEER FIRE COMPANY, INC. The public hearing is to be scheduled for June 9, 1997, at 7:00 p.m. (Local time).

Moved: Kesner

Seconded: Cavalcoli

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

Noes: None

Carried

IX.

RESOLVED, that the Town Board approve the recommendation of the Chief of Police and Senior Public Dispatcher in appointing:

SEAN P. CROTTY, 5578 Southside Dr., Hamburg

and

JOHN L. HILLIARD, JR., 4073 Schuster Rd., Eden

to the two (2) vacant positions of PUBLIC SAFETY DISPATCHER with the Town of Hamburg. Both Mr. Crotty and Mr. Hilliard were tied for number one on the current Civil Service list for Public Safety Dispatcher, established January 29, 1997, Exam No. 060306. Salary: \$15.70 per hour; appointment effective April 29, 1997; funds available in A3020.100.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

Supervisor Hoak states that Mr. Crotty and Mr. Hilliard are in the audience and he congratulates them on their appointments and he introduces them to the audience.

XIV.

BE IT RESOLVED, that proposed Local Law #4, 1997, that will amend Local Law #10, 1986, Chapter 280, article XXV, Section 280-160, be removed from the table.

BE IT FURTHER RESOLVED, that the local law be adopted as follows:

Section 280-160

B. Definitions

BODY RUB ESTABLISHMENT

Any establishment having a fixed place of business where body rubs, sports rubs, hot oil body rubs, body shampoos or similar services are administered. This definition shall not be construed to include a hospital, bona fide medical or health establishment, nursing home or medical clinic or the office of a physician, surgeon, chiropractor, osteopath, duly licensed physical therapist, licensed massage therapist (as defined in the provisions of NYS Board of Regents Law Article 155), or barbershops, beauty shop, and beauty salons in which massages are administered only to the scalp, face, neck or shoulders. As required for beautifications purposes only.

C.

(1) No adult use shall be allowed within 1000 feet of another existing adult use.

(2) No adult use shall be located within 1000 feet of the boundaries of any zoning district which is zoned for residential use.

(3) No adult use shall be located within 1000 feet of a preexisting school or place of worship, day care centers or playgrounds.

D.

(3) The processing fee for each such certificate of registration or amendment thereto shall be \$500.00.

Add as new paragraph:

(4) A licensing fee in the amount of \$500.00 per year shall be required of each and every business and/or establishment as defined under this section.

Renumber old paragraph 4, 5, 6, and 7 as paragraphs 5, 6, 7, and 8.

Amend paragraph 5

(6) The owner or manager of any adult use shall cause a copy of registration and license issued under the provisions of this section to be prominently displayed on the premises, building or location for which it is issued.

Amend paragraph 6

(7) Any knowingly false statement or any statement which the registrant or applicant should reasonably have known to be false which is provided in the certificate of registration, license, or any document or information supplied therewith shall be grounds for the rejection, suspension or revocation of the certificate of registration.

Amend paragraph 7

(8) It is a violation of this chapter for the owner or person in control of any property to establish or operate thereon or to permit any person to establish or operate an adult use without having in force a certificate of registration and current valid license complying with this section.

Add new paragraph

(9) The Town of Hamburg Police Department and Building Inspection Department shall be authorized to inspect and enforce all provisions of this article.

Move: Hochul

Seconded: Kesner

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

Noes: None

Carried

XVI.

RESOLVED, that the Town Board approve the hiring of Personnel for the Buildings and Grounds Department as follows:

1. Michael Crawford	Seasonal Laborer		04/21/97	\$6.00
2. Sean McLaughin	“ ”	Lakeview	04/21/97	\$6.00
3. Thomas Jasinski	“ ”	Golf	04/16/97	\$6.00
4. Sam Fraser	“ ”	Lakeshore	04/14/97	\$6.00
5. Bill Thompson	“ ”	Parker	04/30/97	\$6.00
6. James McGillicuddy	“ ”		04/30/97	\$5.00

Moved: Quatroche

Seconded: Kesner

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

Noes: None

Carried

XVIII.

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

- | | | | |
|------------------------|------------------------------|----------|--------|
| 1. DeVinney, Melissa | ER7251(225)
Golf Cashier | 04/25/97 | \$5.25 |
| 2. Jasinski, Thomas E. | ER7251(225)
Temp. Starter | 04/25/97 | \$5.25 |
| 3. McNamara, James | ER7251(225)
Golf Starter | 04/25/97 | \$5.25 |
| 4. McCausland, Karen | ER7251(225)
Golf Cashier | 04/25/97 | \$5.75 |

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

XIX.

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

OPERATING FUND:

BATCH #55	\$500,000.00
BATCH #56	\$211,404.07
BATCH #57	\$ 95,614.06 unprocessed

TOTAL OPERATING FUND DISBURSEMENTS: \$ 807,018.13

TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 0.00

CAPITAL FUND DISBURSEMENTS:

BATCH #24	\$ 1,889.60 unprocessed
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TOTAL CAPITAL FUND DISBURSEMENTS: \$ 1,889.60

PAYROLL:

PR #8	\$362,756.22
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TOTAL PAYROLL DISBURSEMENTS: \$ 362,756.22

PETTY CASH:

TOTAL PETTY CASH: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$1,171,663.95

Moved: Hoak

Seconded: Cavalcoli

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

Noes: None

Carried

XX.

RESOLVED, that the Town Board adopt the Update, dated April 25, 1997, to the Town FISCAL POLICIES originally adopted June 25, 1990.

Moved: Hoak

Seconded: Kesner

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

Noes: None

Carried

XXI.

RESOLVED, that proposed Local Law #3 of 1997, concerning the rezoning petition of R.D. Murray, for the property formerly known as Grossman's at 4760 Camp Rd., to be rezoned from C-2, General Commercial to M-2, Light Industrial be removed from the table; and

WHEREAS, in compliance with the guidelines of 6 NYCRR Part 617 (SEQR) for an unlisted action, the Town of Hamburg has performed an un-coordinated SEQR review of the R.D. Murray Rezoning Request, and

WHEREAS, the project 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,

THEREFORE BE IT RESOLVED, that the Town Board has determined that the project is not anticipated to result in any significant adverse impacts on the environment, and that a Negative Declaration is hereby issued, based on the following reasons:

1. No substantial adverse impacts on air quality, energy usage, or noise levels as anticipated as a result of this action. The paint spray booth will require proper permitting from the NYSDEC.
2. Due to the nature (re-use of existing structures), size and location of the proposed action, no significant adverse effects on agricultural, archaeological, historic or other natural or cultural resources are expected.
3. Review of the parcel characteristics (existing disturbances) indicates that this use will not affect any significant wildlife, plant, or fish habitats.
4. Since the project will involve no additional impervious surface but will provide improvements to the landscaping and building appearances, there will be no adverse impact on aesthetics, and erosion, flooding, or drainage.
5. The project will be serviced by public water and sewer systems with adequate capacity.
6. The proposed use will not adversely impact transportation and the character of the area (proposed use actually reduces traffic generation from levels of previous use).

BE IT FURTHER RESOLVED, that the Supervisor be authorized to sign the Environmental Assessment Form.

WHEREAS, the petition of R.D. Murray for the rezoning of property located on Camp Rd. From C-2, General Commercial to M-2, Light Industrial should be approved for the following reasons:

Supporting Reasons:

1. It is in accordance with the concepts of the Master Plan Update, which calls for mixed uses in this area.
2. There will be no significant adverse environmental impacts.
3. The rezoning will allow for the improvement of an existing deteriorating site and associated structures, thus improving the aesthetics of the area. No outside storage will be allowed on the site, except in the existing covered storage building.

4. There presently exists a buffer greater than 250' between the occupied portion of the site and the residential property to the west, which will be maintained.

5. The project will allow a local business to stay in the community, provide tax dollars and increase employment opportunities.

NOW, THEREFORE BE IT RESOLVED, that the zoning code of the Town of Hamburg be amended with the condition that a minimum 100 foot buffer always be maintained between any proposed uses on the subject property and the residential subdivision to the west, as follows:

To Amend Local Law #10 of the year 1986 (Chapter 280) of the Code of the Town of Hamburg entitled "Zoning". To provide for a change in the boundaries of the Zoning Map whereby the Zoning is changed from C-2, General Commercial, to M-2, Light Industrial for the following property located on Camp Rd. As described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie, and State of New York, being part of Lot 22, Township 9, Range 8 of the Holland Land Company's survey, bounded and described as follows:

BEGINNING at the intersection of the west line of Camp Road with the South line of lands conveyed to Elizabeth Snyder by deed recorded in the Erie County Clerk's Office in Liber 6151 of Deeds at Page 114, on April 9, 1957 (said south line being parallel to the north line of said Lot 22 and distant 30 chains southerly therefrom); thence westerly, along the southerly line of lands so conveyed to Elizabeth Snyder, 971.92 feet measured (983.49 feet deed) to a point; thence northerly, at an interior angle of 89° with the last above line, 511.42 feet measured (510.35 feet deed) to a point; thence easterly, at right angles to the last line, 362.67 feet; thence easterly, on a line deflecting to the north 03°-41'-30", 306.25 feet measured (311.11 feet deed) to a point in the westerly line of Camp Road, and thence southerly, along the westerly line of Camp Road, 597.06 feet measured (599.68 feet deed) to the POINT OR PLACE OF BEGINNING.

Moved: Cavalcoli

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner

Noes: Quatroche

Carried

Councilman Cavalcoli explains that at the Public Hearing there was much discussion and this property has been vacant for some time. There have been assurances, which are documented, that the aesthetics be improved, that a proper buffer be maintained, and that there is no outside storage. All chemicals used and stored must meet DEC codes. It is his feeling that this will be a definite improvement for this area.

Steve Strnad questions why this was not put in the regular agenda and was added as a late resolution.

Drew Reilly explains they take all the public comments very seriously and it took a long time to answer all the questions. They were working on this as late as today with the owners and therefore it was submitted to Councilman Cavalcoli too late to be on the regular agenda.

Mike Croft, Rogers Road, questions what would happen if R.D. Murray closed down and this property has now been change to Light Industrial. How can the Town prevent an Industry that is smelly, or loud from coming in.

Councilman Cavalcoli states that because of the restrictions for that type of Zoning (Light Industrial) there a lot of controls in place so that you can restrict the type of things that come in there. It would still have to go before the Planning Board.

Mike Croft asks if there is any way to rezone it only for R.D. Murray and have it revert back should they have to sell the property.

Drew Reilly comments that they checked into this but it is illegal. The Zoning code for Light Industrial is very specific and restrictive.

Councilman Quatroche questions if any restrictions for special uses was looked into.

Drew Reilly explains that the Zoning Code already excludes all the future uses people are commenting on, it can't generate odors, have loud noise or hazardous materials. The only extra restriction they felt was needed was the 100 foot buffer.

Councilman Quatroche states that he knows R.D. Murray is a reputable company. His concern is looking to the future.

Councilwoman Hochul comments that this is an existing building that will be put to good use. If this was a vacant piece of property the Board would probably not be so willing to rezone.

George Komenda asks if there are any restrictions concerning dust blowing into residential areas.

Councilman Cavalcoli says yes it has to meet all the restrictions and should not be a problem. There are a lot of problems with vacant buildings and this is a change to improve this building while meeting all the restrictions.

Steve Strnad comments that he remembers a case when they rezoned a property and restricted it to that particular business and when the business left it reverted back to the previous zoning.

Councilman Cavalcoli comments that this can happen at the planning board level, however he doesn't remember this as a rezoning, there may have been a variance associated with that.

Mr. Garcia comments that it may have been Amoco Town they are thinking of.

Councilman Quatroche asks what type of truck uses are allowed.

Drew Reilly comments that it excludes all uses listed in M-3 which is General Industrial District which are heavier uses. They can have deliveries coming in and out of the site.

Correspondence

Letter #56 - Supervisor Hoak thanks Detective Koch, who was off duty at the time, for helping to stop a robbery at Marine Midland Bank. Asks that a copy of this letter be placed in his personnel file.

Letter #60 - Supervisor Hoak offers seminars to Taxpayer Associations, the newest being a presentation by the Police Department. Councilman Cavalcoli comments to Gary Jabczynski that he talked with the Conservation Advisory Board and he brought them up to date on the questions that were raised at the taxpayers meeting concerning the 65 acre park. The Conservation Advisory Board has set up a committee and they have begun to put together ideas and they liked the ideas Mr. Connolly had concerning bike paths around the outer perimeter. They should see a comprehensive plan by the end of this year.

Letter #61 - Councilwoman Hochul thanks Dick Smith for sending a letter to the DOT asking that the Speed limit be reduced along Route 20.

Fern Garcia questions, in reference to letter #55, if ECC South campus is in jeopardy of closing. Supervisor Hoak states that that is the discussion at this time.

George Danyluk, Town Clerk, concerning #57 about the enactment of the new Bell Jar Ticket Law. Asking if the Board wants to join with the other Towns in passing a Resolution against this loss of revenue. Supervisor Hoak comments that he would be in favor of this, especially concerning the fact that the State more than doubled the fee collected.

Reports from Board Members and Department Heads

Councilwoman Hochul reports that the Clean-up will be held at 8:30 a.m. on Saturday. It is very well planned this year, with many volunteers. Also, She and Councilman Quatroche have been meeting with residents along Route 5 and wants the residents to be aware that the Police will be patrolling concerning the speed limit.

Councilman Quatroche comments on the Award Dinner for the Youth. Stating that there are youths that put in countless hours.

Supervisor Hoak comments on the ice arena. They had been talking with private enterprise to come into the Town and build an ice arena. They also wanted to have a plan in place, for the refurbishing of the ice arena, in case this didn't happen. On Friday morning he received a letter from Arc Ice Sports, which is a company based out of Toronto, with headquarters in Virginia. At this time they have decided not to go into the Western New York area, and have decided to go into the Virginia market. The good news is that they had Plan B operating all along. At 7:00 p.m. next Monday, after the work session, they will hold a public meeting for bonding for the ice arena. The numbers have been tabulated for the cost of a new roof, siding, ice pad, and dasher boards for a cost of approximately \$1.2 million dollars for another 25 years. By taking this action they hope to be ready for the next season. It could be subject to a permissive referendum.

Councilman Quatroche comments that a revenue is generated through the Hockey Association and they are looking into cost saving measures.

Councilwoman Kesner comments that she sat in on a lot of the meetings and she had concerns on additional ways they could enhance the use of the facility to add to the revenue generated. They were looking into sports flooring that would provide gymnastics, basketball and in line skating. They are also looking into non-residential fee increases.

Steve Strnad questions if this is in addition to the private company coming in.

Supervisor Hoak responds that on Friday he was notified that this company has withdrawn from their offer. That is why they had a plan B just in case it fell through.

Steve questions if there was an indication as to why this company backed out.

Councilman Quatroche comments that the demographics didn't work out for this area. The Virginia area has higher incomes and therefore they could charge more and receive better revenues.

Supervisor Hoak stated that they contacted the local Colleges, High Schools, East Aurora, Lake Shore, County Executive Dennis Gorski, and they offered IDA assistance. We charge \$85.00 per hour for ice time, they were proposing to double this to \$155.00 per hour, however in Virginia they can get a minimum of \$200.00 per hour. They went by the economy, we had the support from the community, but it was their call.

Richard Tripp, Director of Recreation, notifies the public that the summer recreation schedules are now available at his office and will be available at Town Hall.

Drew Reilly comments that he hopes the Board got his memo on putting a light at Camp Rd. and Howard Rd. If they need any help from Planning let him know. Councilwoman Hochul states that she will be working with him through the Traffic Safety Advisory Board with Mr. Ellis.

James Connolly, Highway Superintendent, comments that highlighting the success of our Youth in Hamburg, on Channel 2 they had a segment in conjunction with the Volunteerism taking place in Philadelphia, they showcased Kelly Branden, a member of our youth engaged in service project (YES), and they showed her doing that work at the Adult Day Care Center. Also wants to remind the public that they going around picking up twigs, leaves, etc.

Business from the Floor

Bill Flowers asks if the Dome at South Shore Country Club is coming down. Are they being fined every day and who is collecting the fines.

Richard Boehm, Deputy Town Attorney, comments that this is in litigation and cannot be discussed at this time. At the Zoning Board of Appeals meeting on May 6th this will be discussed.

Councilwoman Hochul comments that she has had countless calls from residents who went there and were told that it is closed because the Board doesn't like the way it looks. This is something that went before the Planning Board and approval was secured on the condition that it was a 6 month structure. The same thing with the Zoning Board of Appeals. The Town board is simply trying to enforce the laws.

Gary Jabczynski, McKinley Parkway, concerning the lowering of the speed limit along Rt. 20, He thought they were trying for 45 mph not 50. Councilwoman Hochul responds that they just asked for a reduction in the speed limit, 50 is consistent with Orchard Park, however she has requested it to be lowered to 45.

Gary questions the recent attendance policy that was passed last Monday. States that in the wording it says more than three concurrent absences, should this say consecutive absences. Councilman Cavalcoli states that it should be consecutive and that it will be changed. Thanks Councilman Cavalcoli for his letter stating that it is the Town Boards agreement that attendance in all the paid and volunteer Boards has been satisfactory. He questions the word satisfactory.

Councilman Cavalcoli comments that the intention was to be generalized so that the first discretion whether it is satisfactory or not lies with the Chairman of any given Board or committee. The Planning Board has a 90% attendance record.

Gary questions what would cause the rating of satisfactory to change to unsatisfactory.

Councilman Cavalcoli comments that it would be on an individual basis. He states that he would like to see 90% attendance.

Gary asks why they can't put a number in the policy.

Councilman Cavalcoli states that it is a decision they reached and felt comfortable with. The Chairmans agreed with this decision. They are talking about individuals who serve their community and are not making a large sum of money.

Gary questions if the bi-weekly meetings are the most important part of being a Planning Board Member.

Councilman Cavalcoli answers that it is a tough question because in order to function at the meetings they have to do a lot of reading at home, site visitations and there some training sessions that are attended. It is an integral part, but equally important is reviewing the documents ahead of time.

Gary states that if they are making a commitment they should carry through with it.

Councilman Cavalcoli says that this policy should be located in the Towns Personnel Policy and the functioning documents of each committee, he will check into this for sure.

Councilwoman Hochul reads a letter that Tim Ellis received from the NYS DOT concerning the truck traffic on Camp Road turning into Leisureland. Stating that they have completed a study on this and the DOT is in the process of letting a project this season to reconstruct Camp Road from Scranton Road to Old Big Tree Road. The project will include new signs and pavement markings with the addition of a two-way left turn lane.

Steve Strnad comments that the reason Gary Jabczynski feels so strongly on the issue of Board members is because he feels there are two people who are not putting their full time in. This is why he feels the Board should set some guidelines for the Chairman. He feels that the Chairman should not be burdened with this decision.

Mr. Ellis comments that as a Chairman of a Board he requests that things stay as they are. He has an all volunteer board and has a number of good dedicated people who have been serving for years. He is glad that the Town Board gives the Chairman the discretion to deal with this.

Jay comments that he spoke with Councilwoman Hochul, Councilman Quatroche and Mr. Ellis concerning Route 5 near Cloverbank Road. It is impossible to cross the road to get to the businesses on the other side.

Supervisor Hoak comments they have approached the State annually for a walkway to hook up from Woodlawn Beach down to 18 mile Creek. The Town cannot afford the 5 million dollars it would cost to do this. He feels the Town is second to known in recreation available for the youth.

Supervisor Hoak states that Route 5 has always been an issue.

Councilwoman Kesner states that the State looked into putting in shoulders for the residents to walk on and this was opposed. She has also attended many meetings concerning a Southtowns Connector which would hook trucks directly onto route 75 and onto the Thruway. This may not have happened for a long while.

Councilman Quatroche comments that unfortunately this is a State Road and they have the jurisdiction. It can be very frustrating, however, all they can do is put on pressure and with perseverance hopefully this will be taken care of.

Councilman Cavalcoli states that Route 5 is addressed in the new Master Plan that is available at the Planning Dept. or Town Clerk's Office.

XXII.

RESOLVED, that the Town Board adjourn to Executive Session for personnel and Legal reasons.

Moved: Hoak

Seconded:

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

Noes: None

Carried

George Danyluk, Town Clerk