

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 27<sup>th</sup> day of June 2016.

**2.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**RESOLVED**, that the Town Board adjourn Executive Session at 7:25 pm and move into the regular meeting.

ROLL CALL:	Steven J. Walters	Supervisor
	Michael Quinn, Jr.	Councilman
	Thomas Best, Jr.	Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk  
Walter Rooth III, Town Attorney; Joseph Collins, Deputy Town Attorney; Mary Dosch, Sr. Account Clerk; Richard Lardo, Principal Engineering Assistant; Gregory Wickett, Police Chief; Tom Best Sr., Highway Superintendent; Martin Denecke, Director of Youth, Recreation and Senior Services; Kurt Allen, Supervising Code Enforcement Officer; Drew Reilly, Planning Consultant; Thomas Taylor, Sr. Public Safety Dispatcher; Sean Crotty, Emergency Management Coordinator; Michael Bartlett, Director of Hamburg Industrial Development Agency; Jerry Giglio, Safety Committee

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

**3.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

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

06/13/2016           Work Session

06/13/2016           Town Board Meeting

**4.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

**RESOLVED**, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following July 2016 Taylor Road rentals:

7/01/16	7/02/16	7/03/16	7/04/16
7/08/16	7/09/16	7/10/16	7/14/16
7/15/16	7/16/16	7/17/16	7/18/16
7/19/16	7/21/16	7/22/16	7/23/16
7/24/16	7/28/16	7/29/16	7/30/16
7/31/16			

**5.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

**BE IT RESOLVED** that the Hamburg Town Board authorize the Department of Community Development to advertise bids and Request for Proposals for the purpose of completing the following 2016 CDBG projects:

- 1) Village of Hamburg Waterline Reconstruction project.
- 2) Village of Blasdell Road Reconstruction project.

**6.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

**WHEREAS**, the Hamburg Town Board adopted a resolution on November 27, 1995, granting permission to the Hamburg Snowmobile Club to use Town property located at the Electric Avenue playground, along Rush Creek (near Parker Road) and the dedicated recreation land commonly referred to as “Sixty-Five Acres” for development of snowmobile trails, and

**WHEREAS**, the Hamburg Snowmobile Club trail system also includes Town of Hamburg property located at 6040 Smith Road, and 4575 Tomaka Drive, and

**WHEREAS**, the Hamburg Town Board adopted a subsequent resolution on January 26, 2015, to also include Town of Hamburg property on Lake View Road, commonly referred to as the “Nike Base”, and identified as S.B.L. Nos. 194.00-4-15; 194.00-4-16 and 194.00-4-17 as part of their trail system.

**WHEREAS**, both parties are desirous of continuing the agreement for use of Town property as part of the Hamburg Snowmobile trail system for the forthcoming season that runs April 1, 2016, through March 31, 2017, (the actual snowmobile riding season will commence on or about December 15, 2016, and end on or about March 31, 2017), and

**NOW THEREFORE, BE IT RESOLVED**, that the Supervisor is authorized to sign the agreement between the Town and the Hamburg Snowmobile Club, subject to the Club meeting all insurance and other requirements.

**7.**

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

**WHEREAS**, the Department of Community Development has jurisdiction and oversight over the towns Community Development Block Grant funds and is responsible for ensuring that said funds are utilized in accordance with all federal laws and requirements, and

**WHEREAS**, a portion of the towns CDBG funding has been utilized for economic development purposes, specifically for job creation/job retention activities per the current regulations of the CDBG program, and

**WHEREAS**, on March 28, 2016, a resolution was passed authorizing the extension of the 2015 contract by and between the Town of Hamburg and the Hamburg Development Corporation for a three month period until a determination of the 2017 federal budget process could be made.

**NOW THEREFORE BE IT RESOLVED** that the current extended agreement by and between the Town of Hamburg and the Hamburg Development Corporation for use of the towns CDBG program income funds be extended for the remainder of the regular program year (March 31, 2017) and that the Department of Community Development continue its management and oversight role for this agreement.

**8.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

**BE IT RESOLVED**, that the Town Engineer’s report on the completion and acceptance of the DEER SPRINGS PART 4 PHASE 2B work performed under Public Improvement Permit Nos. 980, 981, and 982 be received and accepted, and that the Supervisor is authorized to sign the report, and

**BE IT FURTHER RESOLVED**, that this action does not relieve the developer of the responsibility for completing the required street lighting installations under Public Improvement Permit No. 983, and

**BE IT FURTHER RESOLVED**, that this resolution becomes effective on the day the report is signed by the Supervisor.

**9.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

**BE IT RESOLVED** that the Town of Hamburg extend the present third party claim administration contract with First Niagara Risk Management, Inc. for the Town’s Self-Insured Workers’ Compensation for one (1) additional year from July 1, 2016 through June 30, 2017. The annual claim handling fee for the contract period will be \$23,500.00, all other terms and conditions will remain the same.

**BE IT FURTHER RESOLVED** that the Supervisor is authorized to sign the contract extension.

**10.**

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

ADOPTED           Ayes 3       Walters, Best, Quinn  
                      Noes 0

**RESOLVED**, that the Town Board approve the recommendation of the Sr. Public Safety Dispatcher in appointing CINDY M. REHBERG and ANTHONY M. BIENIAS as transfers to the vacant position of Public Safety Dispatcher, the rate of pay for Cindy M. Rehberg is \$28.01 an hour and the rate of pay for Anthony M. Bienias is \$26.45 an hour. Both appointments effective July 3, 2016; funds available in account A3020.100.

Cindy Rehberg and Anthony Bienias come forward for the presentation of their badges.

**11.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**BE IT RESOLVED**, that the Town Engineer's report on the completion and acceptance of the LAKE ERIE BOULEVARD work performed under Public Improvement Permit Nos. 1010, 1011, 1012, and 1013 be received and accepted, and that the Supervisor is authorized to sign the report, and

**BE IT FURTHER RESOLVED**, that the Town Board authorizes National Grid to provide energy only SC 3 (unmetered) service for six (6) 200 watt LED fixtures installed along Lake Erie Boulevard in accordance with the existing rate tariff, and

**BE IT FURTHER RESOLVED**, that two (2) certified copies of this resolutions be provided to the Engineering Department for transmittal to National Grid, and

**BE IT FURTHER RESOLVED**, that this resolution becomes effective on the day the report is signed by the Supervisor.

**12.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**BE IT RESOLVED** that the Hamburg Town Board authorize Timothy Regan; Community Development Assistant to attend the mandatory, United States Department of Housing and Urban Development, Community Planning and Development Training Session in Ithaca, New York on the following dates: Monday, July 11, 2016 and Tuesday, July 12, 2016. This training is specifically set for CDBG and HOME program entitlement communities and will deal with the concept of "Sustainable Communities". The Community Development car will be utilized for transportation. Funding for the training is available within the town's CDBG Program Income account. Total estimated cost is as follows:

Registration/Class Fee	\$ - 0 -
Hotel: (Hotel Ithaca)	\$150.00
Meals:	\$ 80.00
Parking and Misc. Fees:	<u>\$ 50.00</u>
<b>TOTAL:</b>	<b>\$280.00</b>

**13.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**WHEREAS**, Federal and State Phase II Stormwater Regulations require that the Town of Hamburg review, accept, and administer Stormwater Pollution Prevention Plans submitted by developers and contractors for construction projects; and

**WHEREAS**, Local Law No. 4 of 2007, as adopted by the Town Board on July 16, 2007, authorizes the Town Board to designate an employee or officer for providing review and inspection services associated with the stormwater program; and

**WHEREAS**, Town Engineer, GHD Consulting Services, Inc. has reviewed the situation and recommends that Principal Engineer, Richard Lardo be assigned this task; and

**THEREFORE BE IT RESOLVED**, that Principal Engineer Richard Lardo be designated as the Town of Hamburg Stormwater Management Officer.

**14.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**BE IT RESOLVED**, that the Town Board authorize Supervisor Walters and Mary Dosch to review and release checks from 6/28/16 thru 09/09/16 due to the reduced Town Board meeting schedule during the summer months.

**15.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**WHEREAS**, there is a vacancy on the Planning Board due to the resignation of David Bellissimo as one of its members;

**WHEREAS**, this vacancy should be filled in order to maintain the best functions of the Planning Board;

**NOW THEREFORE BE IT RESOLVED** that the Hamburg Town Board hereby appoints Dennis F. Chapman to the fill the unexpired term on the Planning Board commencing immediately and ending December 31, 2016.

**16.**

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

ADOPTED           Ayes   3       Walters, Best, Quinn  
                      Noes   0

**WHEREAS**, there is a vacancy on the Zoning Board of Appeals due to the expiration of Joseph Sacco’s term;

**WHEREAS**, this vacancy should be filled in order to maintain the best functions of the Zoning Board of Appeals;

**NOW THEREFORE BE IT RESOLVED** that the Hamburg Town Board hereby appoints Laura Hahn to fill the vacancy on the Zoning Board of Appeals commencing July 1, 2016 and ending December 31, 2023.

**17.**

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

ADOPTED           Ayes   3       Walters, Best, Quinn  
                      Noes   0

**WHEREAS**, the condition of the properties and abandoned residential structures located at 5867 Elmhurst Road and 6117 South Park Avenue have been deemed by the Town Code Enforcement Official to be unsafe, attractive nuisances and endangerment to the public at large, and

**WHEREAS**, it was the determination of the Town Code Enforcement Official based on his formal inspections and reports to the Town Board did proceed to condemn said vacant premises.

**WHEREAS**, the Town has not received an adequate response from the listed owners nor has any remedial work been undertaken to alleviate the known hazards. Currently the unsafe conditions which persist on both premises only have become more hazardous to the public.

**THEREFORE BE IT RESOLVED**, that the Town Board based on the review of the report prepared by the Town Code Enforcement Official and the absence of response by the property owners, order the demolition of the abandoned buildings, and

**BE IT RESOLVED**, the Town Board authorize the Town Code Enforcement Official to administer the proposed demolition by establishing the scope of work, necessary contracts and cost estimates including the necessary remedial work to render the properties safe, and

**NOW, BE IT FURTHER RESOLVED**, that the Town Board further order that a notice be forwarded to the owners of the structures and the properties on which the structures are located in a manner as prescribed by Local Law No. 5-1972 , Section 80-3. (paragraph C.).

The following spoke concerning resolution #17: Bob Reynolds, Kurt Allen

**18.**

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

ADOPTED	Ayes	2	Best, Quinn
	Noes	1	Walters

**RESOLVED**, that the Hamburg Town Board remove Supervisor Steven Walters and Councilman Michael Quinn, Jr. from the Board of the Hamburg Industrial Development Agency;

**THEREFORE BE IT RESOLVED**, that the Hamburg Town Board appoints Wenceslao Valentin III and Jeffrey Brylski to the Hamburg Industrial Development Agency;

**NOW THEREFORE BE IT RESOLVED**, that the Hamburg Town Board also appoint Robert Reynolds, Jr to replace Michael Sender.

The following spoke concerning resolution #18: Supervisor Walters, Councilman Best

**19.**

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

ADOPTED	Ayes	2	Best, Quinn
	Noes	1	Walters

**RESOLVED**, that the Hamburg Town Board remove Supervisor Steven Walters and Councilman Michael Quinn, Jr. from the Board of the Hamburg Land Development Corporation;

**THEREFORE BE IT RESOLVED**, that the Hamburg Town Board appoints Wenceslao Valentin III and Jeffrey Brylski to the Hamburg Land Development Corporation;

**NOW THEREFORE BE IT RESOLVED**, that the Hamburg Town Board also appoint Robert Reynolds, Jr to replace Michael Sender.

The following spoke concerning resolution #19: Supervisor Walters, Bob Reynolds, and Councilman Quinn

**20.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**BE IT RESOLVED**, that the Town Board authorize Supervisor Steven J. Walters to sign a contract with the Erie County Youth Bureau that is a requirement of participation in the Prime Time Grant program. The Town of Hamburg Youth Bureau was selected as a recipient of the grant and it is valued at \$10,000. The funds will be used to implement a summer youth mentoring program.

The following spoke concerning resolution #20: Dennis Chapman

**21.**

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

**BE IT RESOLVED**, that the Town Board authorize Supervisor Steven J. Walters to sign a contract with the Erie County Youth Bureau that will provide the Hamburg Youth Bureau \$5,000 in additional funds. These new funds will be used to develop and implement a Youth Court program.

**22.**

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

**RESOLVED**, that the Town Board approve the termination and rehiring of personnel for the Town Clerk’s Office as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1								
2	4510	RYDZIK, SUZANNE		P/T CLERK				7/4/2016
3	4510	RYDZIK, SUZANNE	R	P/T CLERK SEASONAL	7/5/16	\$12.25		

**23.**

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

**RESOLVED**, that the Town Board approve the termination, hiring 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/temp hourly rate	Termination Date
1	4561	Criscione, Kristen	R	Rec Attd-A7310-Seas	6/28/16		\$9.00	
2		Sortisio, Ryan	N	Rec Attd-EW7251-Seas	6/28/16		\$9.00	
3		Weiser, Jacob	N	Rec Attd-EI7265-Seas	6/28/16		\$9.00	
4		Wells, Ethan	N	Rec Attd-A7310-Seas	6/28/16		\$9.00	
5	4671	Wysocki, David		Rec Attd-A7310				6/28/2016

**24.**

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

ADOPTED                      Ayes    3            Walters, Best, Quinn  
     Noes    0

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

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1		DICKEY, JACOB	N	LABORER/SEA/EW7250.100	6/28/2016		\$9.00	

**25.**

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

ADOPTED                      Ayes    3            Walters, Best, Quinn  
     Noes    0

**BE IT RESOLVED**, that the Town Board approve the out of town travel request for Angel Hoak and Diane Sauer to attend Court Clerks training in Potsdam on July 19 and 20<sup>th</sup> at a cost to the town of \$450.00.

**26.**

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

ADOPTED                      Ayes    3            Walters, Best, Quinn  
     Noes    0

**RESOLVED**, that the Town Board approve the membership of the following into the Big Tree Volunteer Firemen’s Company, Inc.:

Reed Pepe  
 5219 Woodway Court  
 Hamburg, NY 14075

**27.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

**RESOLVED**, that the Town Board approve the recommendation of the Chief of Police in appointing PAUL DHAND, as a transfer, to the vacant position of Police Officer at the 1 year rate of pay, effective July 10, 2016. Salary is \$26.95 per hour; funds available in account B3120.100.

Patrolman DHand and family come forward for the presentation of the badge.

**28.**

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

ADOPTED	Ayes	2	Best, Quinn
	Noes	1	Walters

**BE IT RESOLVED**, that the Town Board authorizes the Finance Department to abide by the terms and conditions of the Blue Collar Agreement approved at the May 23, 2016 meeting.

The following spoke concerning resolution #28: Supervisor Walters

**29.**

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

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

TOWN BOARD  
AUDIT OF CASH DISBURSEMENTS June 27, 2016

OPERATING FUND:	VOUCHER #'S
BATCH #105 \$20,419.32	83317-83358
BATCH #106 \$29,765.44	83359-83390
BATCH #107 \$16,567.26	83391-83432
BATCH #108 \$20,425.37	82433-83464
BATCH #109 \$68,828.94	83465-83494
BATCH #110 \$34,250.38	83495-83569

BATCH #111 \$508,937.88 83570-83621  
 BATCH #112 \$17,666.29 83631-83655

TOTAL OPERATING FUND DISBURSEMENTS: \$716,860.88

TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS: \$0.00

CAPITAL FUND DISBURSEMENTS:

BATCH #19 \$489.26 83622-83627  
 BATCH #20 \$7,685.80 83628-83630  
 BATCH #21 \$300.00 83656

TOTAL CAPITAL FUND DISBURSEMENTS: \$8,475.06

PAYROLL:

PR #P/R 12 \$671,383.08

TOTAL PAYROLL DISBURSEMENTS: \$671,383.08

PETTY CASH \$199.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$1,396,918.17

### **Reports from Town Board Members and Department Heads**

Councilman Best – no report

Councilman Quinn – no report

Supervisor Walters reports that next month they will start the summer session. This means that there will only be one Town Board meeting in July and August. The next meeting is July 18<sup>th</sup>.

Catherine Rybczynski, Town Clerk, reports that as of the end of this week they will be turning the tax roll back to Erie County.

Marty Denecke, Director of Youth, Recreation and Senior Services, thanks Erie County Legislator Lynne Dixon for her help in getting the funds for Youth Court. For the Recreation Department, their summer programs opened this morning, there are still openings for anyone still interested in their summer camps that run on a week to week basis. They have Camp Friendship at the NIKE Base and Adventure Camp at Woodlawn.

Thomas Taylor, Sr. Public Safety Dispatcher, thanks the Town Board for hiring two more Public Safety Dispatchers for his department.

Tom Best, Sr, Highway Superintendent, reports on the Buildings and Grounds Department that they have contracts to put a new roof on both the Town Park and the Lakeshore Library. He expects both projects to be completed at the end of July. The other three roofs, two at the Lakeshore Little League and the D.A.R.E. building will be going out to bid this week.

### **New Business from the Floor**

Dennis Chapman questions the use of the Senior Pickel Ball court for youth programs.

Marty Denecke responds that before the Senior Center moved to the building on Southwestern the gymnasium was used for the summer youth basketball programs. They have made arrangements to use other rooms for the senior activities that normally go on there. Many of the pickle ball players go outside for the summer. It is a seven week program and they do not have an alternative site. They are optimistic that the new proposed Sports facility will accommodate those groups in the near future. This issue is also addressed in the new Recreation Master Plan.

Jim Tighe comments that they have had a drainage problem on Wilson Drive for a long time. They recently dug up his property and it is a hazard.

Tom Best, Sr. responds that they cleaned his ditch because it was causing some flooding in the street. The ditch is in the Town's right of way and this is normal maintenance. Mr. Tighe was offered the chance to pipe it in and have that covered with dirt but he did not want to pay the expense.

Mr. Tighe asks for a letter from Mr. Best concerning this.

Superintendent Best responds that he will go to Mr. Tighes home to discuss the issue.

Vic Tomasulo requests an update on the Quiet Zones at Pleasant Ave and Lakeview Road.

Rick Lardo responds that they got a report back from the State and it is still moving along; he does not have a date that it will be bid as yet.

Joe Kilian, United Council of Hamburg Taxpayers, comments that the Town should provide access to the beach for the residents in Woodlawn that can no longer get there because the creek has changed direction.

Supervisor Walters responds that he is not sure the Town could do that. The Superintendent would have to do some research.

Superintendent Best responds that he did research on that and talked to the NYSDEC and was told no.

**30.**

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

ADOPTED                   Ayes   3           Walters, Best, Quinn  
                                  Noes   0

**RESOLVED**, that the Town Board adjourn at 8:11 pm.

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