

Meeting No. 11  
August 9, 2004  
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
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Present:	Catherine Rybczynski	Town Clerk
	Richard Boehm	Deputy Town Attorney
	Gerard Kapsiak	Town Engineer
	Robert Brown	Sr. Account Clerk
	Drew Reilly	Planning Consultant
	Robert Hutchison	Town Assessor
	Martin Denecke	Director of Recreation
	Joseph Coggins	Police Chief
	Christopher Hull	Director of Community Development
	Richard Eberhardt	Asst. Building Inspector

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

Councilwoman Kesner comments that tonight they are going to honor Captain John Conlon. She goes on to read a proclamation concerning the National Night Out 2004. (Resolution I.)

Supervisor Hoak then asks Deputy Mayor of Blasdell, George Lee to come forward along with Trustee Warner, John Conlon, Chief Coggins, Scott Fraser and Asst. Chief Kesner. Councilwoman Kesner then officially presents the plaque.

George Lee comments that in 1993 they had a lot of burglaries and house break-ins. He called Captain John Conlon and he came to Blasdell to speak with a large number of neighbors. Within two weeks the Hamburg Police cleaned up Blasdell. They then started the National Night Out and they couldn't have done that without Captain Conlon.

Councilman Quatroche comments that lake water levels have been down. This has allowed them to get onto various parts of the shoreline and do massive clean-ups. They have been able to do that with the assistance of the International Union of Operating Engineers Local 17 joint apprenticeship and training program here in the Town of Hamburg. Without this organization, our shoreline would have a lot more debris and we would not have a golf course. This organization has been absolutely essential to the Town and its function. In addition, Gary Hill from Union Concrete and Construction Corporation has also assisted them by providing free equipment for the Operating Engineers to function with. We are very fortunate to have great neighbors in the Operating Engineers and he asks that their representatives come forward. Supervisor Hoak comments that they have their Corporate Headquarters in Hamburg. They have saved the Town hundreds of thousands of dollars. They have provided assistance with the soccer fields, the beach and the golf course. Without their assistance we could not have afforded to do this work. He thanks them. He presents them with a plaque as a thank you for all their help.

A representative comments that in the future they look forward to working with the Town of Hamburg, it has been great for them and they will always be there.

Councilwoman Hochul comments that the Operating Engineers are one of the sponsors for the Blast on the Beach as well. She then introduces the photographer, her name is Jewel and she is from Beijing, China. There was a Buffalo News article looking for families in the Southtowns to host Chinese students. She called on Thursday night and the next Monday they had her in their arms and she has been very precious to them. She has opened up their eyes to a whole new world. She has become a part of the family and she will be sorely missed. She has been with them for a few weeks and she is leaving on Friday. She is just wonderful and they will miss her very much.

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

7:00 p.m. Public Hearing to add new locations to Local Law #12, 1968, entitled "Shopping Centers and Other Areas of Assembly: Traffic Regulations".

LEGAL NOTICE  
TOWN OF HAMBURG  
NOTICE OF HEARING PROPOSED LOCAL LAW # 4, 2004

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg, on July 12, 2004, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #4, 2004; this local law provides for the amendment of Local Law #12, 1968, entitled "Shopping Centers and Other Areas of Assembly: Traffic Regulations;" by adding thereto new locations as follows:

Maxi's Pizzeria; Miran Electronics & Wanakah Pharmacy  
4909-4919 Lakeshore Road  
Hamburg, New York 14075

Wilson Farms #384 & Blockbuster Video  
4931 Lakeshore Road  
Hamburg, New York 14075

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 the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 7:00 p.m. (local time) on the 9th day of August, 2004, at which time all person interested may be heard.

Dated: July 12, 2004

Catherine Rybczynski  
Town Clerk

Catherine Rybczynski, Town Clerk, reads the following correspondence:

The first is from the Traffic Safety Advisory Board, Re: Wilson Farms et al inclusion under Local Law 12. Stating that due to the long term nature of the problems associated with the above, and to help migrate the situations, the Traffic Safety Advisory Board requests that the Town Board dispense with the usual two-week waiting period and act favorably on the above on August 9, 2004.

Second is from Maxi's Pizzeria stating that patrons of Root 5 have repeatedly ignored the parking laws in their lots and have caused several accidents. They were told by the Police that they cannot ticket cars if their lot is not listed in the Town ordinances. They spoke with Tim Ellis, Traffic Safety Coordinator, who advised them to ask for permission for them and the other businesses around the area to be put on the list of ordinances as one lot. Signed Jeffrey Hageman.

Third is from Joyce Castiglia Salvo Stating that recently Jeffrey Hageman of Maxi's Pizzeria contacted her in regards to the insufficient and chaotic parking situation concerning Root Five Restaurant. He asked if they were in support of being put on a list of ordinances as one lot for towing and ticketing purposes. She also notes some other concerns which include loud music after 11 pm, unreasonable noise from the overabundance of cars and traffic safety issues which have caused numerous accidents. She is a longtime resident of the community and is very concerned about the safety issues in this area.

Forth is from David Root, Root Five Restaurant, to Joyce Castiglia Salvo, just a quick note to let her know that it has not been a problem for her tenants' customers or her own customers to park in his lot during the extensive parking lot improvement. It was a pleasure to accommodate them during this hardship.

Last is Joyce's reply to Mr. Root thanking him but they did not need or require or ask to use his property for parking during their repaving. They have more than enough parking for their customers at all times. If one of their customers parked on his property it was not by need or direction from her. Thanking him for thinking of them, but they experienced no hardship and require at no time, including the repaving, any additional parking for their clients.

Supervisor Hoak comments that normally they will wait a two week period on any public hearing before action will be taken. He then asks if anyone is present who would like to speak.

Norman Hageman, 4909 Lakeshore Road, comments that this is a situation that has been going on for a number of years. Patrons of Root Five park in their lot. He has had employees of his go out and they have tried to allocate certain areas of their parking lot for the overflow, but it just gets totally out of hand. It has gotten to the point where they can't operate anymore. His customers can't get into the lot and therefore he is losing revenues, the same as the other tenants. He has had employees get into altercations with patrons of Root Five. The management of Root Five has always claimed that they cannot control where the customers elect to park, so the responsibility falls on them. He feels that this is a horrendous burden for them. They are asking for the opportunity to operate their businesses. There have been accidents because patrons park along the side of the road, his patrons and employees cannot get in and out safely. This just adds to all the confusion.

Sherry Wightman, 3792 Big Tree Road, she is the manager of the Wilson Farms on Lakeshore Road. They tried to work with Dave where they were sharing parking spots, they tried a parking attendant, they called the Police when there was not a single spot left in their lot for their customers to park. She went and talked to Dave and they have tried everything to be good neighbors. She understands that his customers are her customers during the day. But they are at the last straw when they have come to this point. She has talked to the Police Chief several times, sent a letter to Supervisor Hoak and she has dealt with Tim Ellis and sent him letters as well. These letters did not make it into correspondence for this meeting. She has also spoken to Benderson Development and signs were put up, but they do not take care of the problem. Root Five has held benefits and wedding receptions, knowing that there is not adequate parking. They don't know what to do except appeal to the Town Board's sense of business. There are a number of businesses having a problem because of one business and Mr. Root isn't present tonight because he isn't having problems. They are taking the brunt of all the overflow with no consequences to Root Five.

Councilwoman Hochul comments that the Traffic Safety Committee did receive her letters and their response was to hold this public hearing so these comments could be brought out. They would then wait two weeks for other comments to be made before they hold a vote. This way they can make the best informed decision after hearing all sides. She believes that there is a lot of sympathy for her situation and it is obviously very frustrating for them to bring it to this point. They have granted this in other areas of the Town and she doesn't see a difference. Councilwoman Hochul wants Sherry to know that she has been heard from this evening and her comments mean a lot to them. Mr. Ellis isn't present due to a very serious illness in the family, normally he would be present to respond as well.

Councilman Cavalcoli comments that the Board issue is that by law they have to hold the public hearing in order to change this law so that the Police can act and enforce it. Based on what he has heard this evening he doesn't feel that there is a huge issue as to whether they shouldn't consider this in a positive way, and make this change. However, they need to wait the two weeks to get other input from other people. The next meeting is September 13<sup>th</sup> and he knows from attending functions at Root Five that the parking does overflow into the surrounding businesses, so he knows that they do have a serious issue. Supervisor Hoak comments that he knows that it is frustrating, but the policy is to wait a minimum of two weeks. He then comments, he understands, she has a business, they need the parking space and they can't run their business under the present circumstances.

Councilwoman Hochul comments that they need to come up with a solution, which could be a shuttle bus from a nearby parking lot. However this needs to be taken care of and they will attend to it.

Al Guglielmi, Glendale Ave, wants to complain about the noise. He feels there should be a certain noise level that they are allowed. There have been times he went to bed at 12:00 at night and he could still hear the music. Supervisor Hoak comments that the Building Inspector needs to enforce the noise ordinance. Al then complains about 4 wheel vehicles that drive around near Cloverbank School. They took the mufflers off and they are very loud. Supervisor Hoak asks the Chief to look into this. Councilman Cavalcoli comments that he should lodge a complaint with the Frontier Educational building near him. They are the ones to enforce that and bring it to their attention.

Councilman Quatroche comments that before the next hearing and with the circumstances of having people park elsewhere, he feels they will have on street parking and between now and then Traffic Safety should look at posting signs that say no parking. Pulling out of there will be very dangerous.

Sherry Wightman questions if this is passed who will provide the signs. The Board responds that the businesses should post the signs.

## **II.**

**RESOLVED**, that the Town Board close the public hearing at this time.

Moved: Hoak

Seconded: Cavalcoli

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

Noes: None

Carried

7:15 p.m. Public Hearing for two additional streets to be included on the present "No Parking Tow Away Zone" amending Hamburg Town Code entitled "Parking Code".

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

LEGAL NOTICE  
TOWN OF HAMBURG  
NOTICE OF PROPOSED LOCAL LAW # 5, 2004

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg, on July 12, 2004, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed Local Law #5, 2004; this local law provides for an amendment of Chapter 185 of the Hamburg Town Code, entitled "Parking Code", more particularly Section 185-1 thereof, by adding thereto two new subparagraphs that provide for two additional streets to be included in the present "No Parking Tow Away Zone", described as follow:

- JEFFREY BOULEVARD, east and west sides, in a northerly direction, from the intersection of Bayview Road, approximately 6000 feet to NY #179 Milestrip Road

- NILES AVENUE, west side in a northerly direction from the intersection of Tim Tam Trail approximately 575 feet to NY # 179

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 the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 7:15 P.M. (local time) on the 9th day of August, 2004, at which time all persons interested may be heard.

Dated: July 12, 2004

Catherine Rybczynski

Town Clerk, Town of Hamburg



**Add:**

A second heading under D as follows:

No Special Use Permit for a bank or drive-through bank in the H-C Hamburg Commercial District shall be authorized unless the applicant's project meets the requirements of 280-200B (1), (2), (3), and (4) and the following:

- A. Buffering of surrounding residential areas
- B. Meeting of any overlay zoning requirements
- C. Proper access and internal traffic flow, and access management techniques:  
Cross access, shared driveways, etc.

**THEREFORE**, pursuant to the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing August 9, 2004, at 7:30 p.m. local time. At this time all persons interested may be heard.

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF HAMBURG**

Dated: July 12, 2004

Cathy Rybczynski  
Town Clerk

Councilman Cavalcoli asks Mr. Reilly to explain the change in simple terms.

Mr. Reilly comments that there is no presentation because they are not changing the zoning on any piece of property, they are only making a small change to the code. This is an amendment to the H-C Zoning District that was created in 1998. There are presently no properties zoned H-C. The question came up at a recent meeting and five years ago they also changed N-C (Neighborhood Commercial) so that banks would be allowed by Special Use Permit. Someone asked at the last meeting why they don't allow banks in the H-C District so they proposed a local law to add banks by Special Use Permit. They are making some minor changes saying that you can have banks by Special Use Permit up to 10,000 sq. ft. and it also adds a category which shows the requirements and the reasoning behind it, such as buffering of surrounding residential areas, meeting overlay zoning requirements and proper access and internal traffic flow, and access management techniques such as cross access, shared driveways, etc. they will be working on potentially changing properties to H-C in the future so it was recommended to make this change to the zoning code.

Councilman Cavalcoli comments that part of the justification in adding this is that there has been a trend for banks to become smaller neighborhood banks with a drive-through and ATM. They do physically fit into neighborhoods and do characteristically fit into the type of atmosphere that you like to see in a neighborhood. More and more emphasis is being put on walkable neighborhoods and neighborhoods where you can have services available without driving long distances. They feel that it is appropriate to put it into this category.

Drew comments that N-C allows for very small banks, H-C allows for larger banks, up to 10,000 sq. ft. and then C-1 and C-2 have no limitation on size.

**IV.**

**RESOLVED**, that the Town Board close the public hearing and this time with no action to be taken for at least two weeks.

Moved: Hoak

Seconded: Cavalcoli

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

Noes: None

Carried

**V.**

**RESOLVED**, that the Town Board approve the minutes from the following meetings:

July 12, 2004

Town Board Meeting

Moved: Hochul

Seconded: Kesner

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

Noes: None

Carried

**VI.**

**BE IT RESOLVED**, that the Town Clerk be authorized to advertise for a public hearing on proposed budget requests for 2005 Fire Protection Contracts. The hearing is scheduled for Monday, September 27, 2004 at 7:00 p.m. local time.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

**VII.**

**BE IT RESOLVED**, that Sean Fanning is appointed Deputy Superintendent of the Building and Grounds Department and will receive the stipend of \$2,000 at the completion of 2004.

Moved: Quatroche

Seconded: Cavalcoli

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

Noes: None

Carried

**VIII.**

**RESOLVED**, that the Town Board approve the membership of the following into the Lake Shore Volunteer Fire Company:

Sharon Paterson

3150 Seaford Terrace

Hamburg, N.Y. 14075

Moved: Kesner

Seconded: Hochul

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

Noes: None

Carried

**IX.**

**RESOLVED**, that the Town Board approve the Travel Request for Nancy Crane, Mary Dosch, Donna Gavin, Micki Bratek, Robert Brown and Paula Bucci to travel to Buffalo, N.Y. on August 16<sup>th</sup> - 18<sup>th</sup> to attend the KVS National Users Conference. The approximate cost is \$1,580.00 and funds are available in account #H66-1680.207.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried





**XVII.**

**WHEREAS**, the Town of Hamburg supports the agricultural industry, the protection of farmland, intelligent development of rural communities, the Right To Farm Act and better ways to coordinate between various levels of government on development and agricultural issues, and

**WHEREAS**, one solution to providing needed funds is found in legislation before the New York State Assembly and Senate (S.6949/A.10053), which if approved would create a fund for the implementation of plans for preservation of community character, including the protection of farmland, and

**WHEREAS**, if approved this fund would allow towns to acquire interests or rights in real property for the preservation of community character, to establish a bank pursuant to a transfer of development rights program and to provide management and stewardship for such interests and rights, and

**NOW THEREFORE BE IT RESOLVED**, that the Town of Hamburg is committed to helping the agricultural industry, the protection of farmland, intelligent development of rural communities, the Right to Farm Act and better ways to coordinate between various levels of government, and

**BE IT FURTHER RESOLVED**, that this Honorable Body asks the Governor and the New York State Legislature to consider passing (S.6949/A.10053), which would create a community preservation fund, and

**BE IT FURTHER RESOLVED**, that certified copies of this resolution be forwarded to Governor George Patacki, the Western New York Delegation of the New York State Legislature, the Supervisors of Amherst, Alden, Aurora, Boston, Brant, Cheektowaga, Clarence, Colden, Collins, Concord, Eden, Elma, Evans, Holland, Lancaster, Marilla, Newstead, North Collins, Orchard Park, Sardinia and Wales, the Erie County Commissioner of Environment and Planning, the New York State Department of Environmental Conservation and the President of the Erie County Farm Bureau.

Moved: Hoak

Seconded: Unanimous

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

Noes: None

Carried

Supervisor Hoak comments that this was discussed at our last meeting. A gentlemen on Parker Road wishes to protect his farmland and this would improve the aesthetics of our town. This is an opportunity, through State money, to purchase this property and possibly lease money to continue the farming industry in this town so that it isn't over run by development. We still have 30% plus of greenspace and much of it is farmland. Although these farms are not still active some could be and they have the support of everyone on this Board.

**XVIII.**

**BE IT RESOLVED**, that the Hamburg Town Board authorize the Town Supervisor to enter into a contract with the Niagara Insurance Group to design and develop the Town of Hamburg's insurance program. The funding for this contract will come from commissions from insurance carriers recognizing Niagara Insurance Group as the broker of record.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

**XIX.**







Councilman Cavalcoli comments that it is important to note that even though the bids came in much higher than the amount of money that is currently available in that district, the Town Engineer used his discretion in only approving the amount of work that could be completed for that amount of money. Any future work that needs to be accomplished will only be done when there are sufficient funds available. He thanks Mr. Kapsiak for his diligence. He is sorry they couldn't get the whole thing complete, but with construction costs going up all bids seem to be coming in high right now.

Joe Kilian questions what location this is. Mr. Kapsiak comments that these are scattered locations throughout the Town. There are five or six different water districts that are involved and at least fifteen locations.

**XXX.**

**WHEREAS**, the Town of Hamburg initiated efforts to have the speed limit reduced on the Lakeview section of Rt. 5 (from Evans/Hamburg Town line to intersection with Old Lake Shore Road) in 1992, 1995 and again with the enactment of a supporting resolution on February 1, 1999;

**WHEREAS**, the Town of Hamburg has also called for the installation of a center turning lane as a means of creating safer turns as well as a buffer to reduce the incidence of head-on collisions;

**WHEREAS** over five years ago in 1999, the New York State Department of Transportation agreed to consider a center turning lane in a future reconstruction project, however no action has been taken to date;

**WHEREAS**, the substantial growth in the number of housing subdivisions and individual housing units in the Lakeview area over the past ten years has contributed significantly to the number of vehicles on Rt. 5 in recent years;

**WHEREAS**, the number of serious and fatal vehicular accidents along this road has risen in recently, with six fatalities in the past few years and 268 accidents overall since 1996, with a significant number of serious personal injury accidents;

**NOW THEREFORE BE IT RESOLVED**, that in the interest of improving the safety of residents and commuters that use Rt. 5, the Town Board of the Town of Hamburg hereby calls upon the New York State Department of Transportation to reduce the posted speed limits from 55 mph to 45 mph and to institute a center turn lane in the aforementioned section of Rt. 5.

Certified copies of this resolution shall be sent to the NYS Department of Transportation Commissioner in Albany, the Regional Director of the NYS Department of Transportation in Buffalo, NYS Senator William Stachowski and NYS Assemblyman Richard Smith.

Moved: Hochul

Seconded: Unanimous

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

Noes: None

Carried

Councilwoman Hochul comments that she feels the resolution speaks for itself. This is, once again, an effort by the Town Board to get the speed limit reduced on Route 5. She hates to say that this is always precipitated by a severe accident, but again this was the case. They had a double fatality within 36 hours of each other and they lost a dear friend Bill Laudner from the Lake View Fire Company and Lake View Community Association along with a young man from Evans. She received many phone calls asking what they were going to do and she had to say that they have been on record as trying to do something for over 10 years. Therefore, this is a considerable source of frustration for them. She has had some very positive conversations with Al Taylor who is the Regional Director of the NYS DOT. He agreed to take another look at both the requests they have made. They will acknowledge their requests within a very short period of time. She asked them to speed up the process and give it an emergency approach rather than the traditional study it to death approach. She made the case, she doesn't want it studied for any length of time and they have serious issues on the other section of Route 5 as well. They have had some serious accidents involving teenagers as well. A lot of people say, it is the driver, it is human error, it is weather conditions and she agrees, but as long as she knows there is something they can do, such as adding a center turning lane and reducing the speed, then if something happens, it is an act of God. But, they want to get the changes in place similar to Route 20, because that is a safer road.



**XXXIV.**

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

VOUCHER #'S

OPERATING FUND:

BATCH #91	\$ 561,792.95	914921 - 914922
BATCH #92	\$ 1,562.50	914923
BATCH #93	\$ 134,785.55	914924 - 915052
BATCH #94	\$ 242,707.93	915053 - 915203
BATCH #95	\$1,025,000.00	915204 - 915205
BATCH #96	\$ 750,000.00	915206
BATCH #97	\$ 341,760.41	915207 - 915306
BATCH #98	\$ 425,000.00	915307
BATCH #99	\$ 610,000.00	915308
BATCH #100	\$ 67,538.53	915309 - 915400
BATCH #101	\$ 309,510.91	915401 - 915539
BATCH #102	\$ 658,102.59	915540 - 915660

TOTAL OPERATING FUND DISBURSEMENTS: \$5,127,124.37

TRUST & AGENCY:

BATCH #38	\$ 28,771.20
BATCH #39	\$ 591,926.59
BATCH #40	\$ 203,261.63
BATCH #41	\$ 12,213.51
BATCH #42	\$ 612,927.09

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 1,449,100.02

CAPITAL FUND DISBURSEMENTS:

BATCH #53	\$ 1,100.00	720305
BATCH #54	\$ 325,000.00	720306
BATCH #55	\$ 157,462.01	720307 - 720324
BATCH #56	\$ 700,000.00	720325
BATCH #57	\$3,939,919.38	720326 - 720331
BATCH #58	\$ 450,000.00	720332 - 720333
BATCH #59	\$ 62,774.81	720334 - 720342
BATCH #60	\$ 153,408.60	720343 - 720354
BATCH #61	\$ 21,817.23	720355 - 720358

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 5,811,483.03

PAYROLL:

PR #P/R 15	\$ 569,237.23
PR #P/R 16	\$ 573,983.21

TOTAL PAYROLL DISBURSEMENTS: \$ 1,143,220.44

PETTY CASH: \$ 118.57

TOTAL PETTY CASH DISBURSEMENTS: \$ 118.57

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$13,531,046.43

Moved: Hoak

Seconded: Kesner

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

Noes: None

Carried

## **Correspondence**

Letter #77 - Supervisor Hoak states this is from Jason Mack commenting on some concerns along Buttermilk Lane where he lives concerning a playground. Supervisor Hoak refers this to Mr. Denecke, Director of Recreation. Also a concern with an empty lot that is an eyesore and Supervisor Hoak refers this to Mr. Eberhardt, Building Inspector. He also asks that Building Inspection look into the noise ordinance concerning Root Five Restaurant as discussed earlier in the meeting.

Letter #79 - Supervisor Hoak asks that Mr. Ellis be copied on this.

Letter #82 & 83 - Supervisor Hoak asks that copies be put in the personnel files of Christine DiOrio, Patrice Castanza, Katherine Betrus, Jacob Wolfrum and Lt. Jim Koch. Supervisor Hoak comments that this is an example of summer help responding to a crisis and handling it well.

Letter #84 - Supervisor Hoak thanks Assemblyman Smith for the grant money we received through the New York State Archives.

Letter #86 - Supervisor Hoak states this was definitely a "Blast on the Beach" and it is always good to get the public recognition.

Supervisor Hoak comments that they received many letters with comments on the Route 5 restriping project. He asks that comments, one way or the other, should be referred to the Hotline with the NYS DOT. He has received many phone calls on this. Whatever your views are on this, please express it to the DOT so they can make the decision.

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

Councilman Cavalcoli compliments Councilwoman Hochul, Rosemary McManus and all of the Town staff for the outstanding job that they did at the Blast on the Beach. This has become an annual event that is extremely looked forward to by our residents. It is a thrill to go there and see all the families that go there to enjoy this. He thanks the Recreation Department, Building and Grounds Department, Police Department, Firemen and it is a wonderful cooperative effort. Councilwoman Hochul came up with this idea several years ago and it has gotten bigger and better. Thanks to everyone.

Councilwoman Kesner agrees and thanks Councilwoman Hochul for putting it together. She was there from morning to night. It was very wet in the morning for the Dash and Splash, but the talent for the Hamburg Idol was great and the fireworks were amazing. She thanks all the Departments that spent the whole day it was a full effort by the Town with the leadership of Councilwoman Hochul. Also reports, there is a citizens advisory group that was formed with our Domestic Violence Department and they are a dynamic group. They are citizens that are really interested in helping the victims of Domestic Violence in the Town and raise money for those victims. They have recently developed a logo and a card which states 15 signs of domestic violence, these are available to the public. There are two wonderful events that are being planned, one with Character First and George Lee's effort is a Bike-a-thon on October 2<sup>nd</sup> along Hoover Road. The Youth will be participating in this event to raise money for the victims. There is also a black-tie affair the following week at Brierwood Country Club on October 9<sup>th</sup> with the proceeds to also benefit the victims of Domestic Violence in Hamburg. A new member, Councilwoman Hochul's mother has been working diligently and putting her heart and soul into it.

Councilwoman Hochul comments that she appreciates them using her mother's talents, she was one of the early advocates on the issue of Domestic Violence in the 1970's. She didn't have any personal experience, but she was a counselor and came across it very often and was involved in the whole idea of having a Haven House. She is delighted that her mom he is home for the summer and every night she hears stories of the lives that they have touched. It is a phenomenal thing that we do here in the Town. She doesn't know what to say about the Blast on the Beach that hasn't been said. She woke up with a great amount of stress due to the rain and the rain was there for the Dash and Splash but then right at five o'clock the skies cleared and they had a wonderful ceremony and the Hamburg Idol competition was incredible. She has spoken to a couple other communities to have an Erie County Idol competition. There was already a meeting for next years Blast on the Beach. Thanks to Rosemary and all the Departments mentioned they couldn't do it without them. Also thanks to all the Sponsors.

Councilman Quatroche commends Councilwoman Hochul as well. This is something that has really brought this community together. It is a wonderful event and other communities are envious of this. The Blasdell Night Out was a great success and he commends George Lee and all the other elected officials in Blasdell. They had another record crowd. George Lee comments that there are some Town Board members on the committee as well, Councilwoman Kesner. Councilwoman Kesner also started the Hamburg Firemen's tournament and the Recreation Department has decided to start a golf tournament honoring volunteer coaches and administrators in the Town of Hamburg. This will be held on September 13<sup>th</sup> and is a way for them to say thank you to all those people who put their energy into Youth Sports. They just want to have a way to thank them and have the opportunity for them to get together socially and meet people from other associations and meet some of the Recreation staff. He thanks the Recreation Department and Marty Denecke for organizing that.

Councilwoman Hochul comments that Tim White was awesome at the Blast on the Beach. Up top they had an older crowd along with young children listening to Lance Diamond and then they had the younger crowd 12 - 18 years old and they found a home on the beach and it was a great sight to see them dancing to Tim's music. Having teenagers say they had a great time and want to come back was great. All age groups had fun.

Supervisor Hoak announces that he participated in the Dash and Splash along with 143 other people. He didn't come in last. There was a twelve year old in the Teen Idol competition that he thought sounded like the real singer. The Fitness Center was packed for this event.

### **Business From the Floor**

Joe Kilian, Coalition of Lakeshore Taxpayers, comments that there is a terrible smell coming from the Erie County Sewer Plant on Route 5. Mr. Kapsiak responds that the smell is because the plant is at capacity. He has talked to the County about this and the long term solution is to expand. However there are no plans to do that at this time. If residents smell offensive odors they should call 823-8188 to report this.

Joe then comments that the stop signs on Big Tree and Bay View in the vicinity of the St. Francis circle are hard to see. Councilwoman Hochul refers this to the Traffic Safety Committee and asks Joe to put this in writing.

Joe then comments on the trees on Lakeshore at the overlook, they are blocking the view. Mr. Boehm responds that the Town is in the process of purchasing the property and that the trees are important for erosion control.

Al Guglielmi, Glendale, comments that the boat launch at the beach is deteriorating, there are holes that need to be filled and it is in poor condition. Councilman Quatroche comments that he will discuss this with Mr. Connolly and the Shoreline Revitalization Committee to see what they can do to make conditions better. Al also comments that there is a problem with jet skiers. They are constantly getting in and out of the water and they hold up the boat launch and make it hard for those who want to put a larger boat in the water.

**XXXV.**

**RESOLVED**, that the Town Board adjourn to Executive Session at 8:40 p.m.

Moved: Hoak

Seconded: Cavalcoli

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

Noes: None

Carried

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Catherine Rybczynski, Town Clerk

## Correspondence - August 9, 2004

76 - To Supervisor Hoak from the Town Clerk, the monthly report with receipts totaling \$55,750.80.

77 - To Supervisor Hoak from Jason Mack, 2206 Buttermilk Lane, stating that he moved to Hamburg last year and the community has provided him with a very good "quality of life". Stating three concerns he would like to have looked into. One - multiple power outages, Two - would like a common park or playground for Buttermilk Falls and Dear Springs, and three - there is an undeveloped lot that is an eyesore in his community.

78 - To the Town Board from Dodie Mann, Mt. Vernon Blvd., concerning the new markings on Route 5. Commenting that she feels it is a "Nightmare".

79 - To Supervisor Hoak requesting four-way stop signs at every intersection within the Four Seasons neighborhood off Sowles Road.

80 - To George Gavalla, US Department of Transportation from Supervisor Hoak concerning the CSX Railroad Tracks in the area of Rogers Road crossing. Stating he has not received a response to his letter dated September 2003 concerning excessive horn blowing. Requesting appropriate follow-up action to satisfactorily rectify this quality of life issue for the neighborhood.

81 - To Michael Bartlett, Hamburg Development Agency, from Congressman Quinn stating that he received a letter back from Lt. Colonel Jeffrey Hall regarding the Hickey Farms Senior Development. The Army Corps of Engineers will visit the site shortly and send a response to Mr. Bartlett concerning the review of a wetlands delineation report.

82 - To Joe Wenzel, Recreation Supervisor, from James Banko, 4542 Deerfield Rd., complimenting Christine DiOrio, Assistant Manager of Golf Operations for the outstanding job she is doing at the Hamburg Golf Course.

83 - To Supervisor Hoak from Martin Denecke, Director of Recreation, a letter of commendation for Patrice Castanza, Katherine Betrus, Jacob Wolfrum and Lt. Jim Koch for the way they handled an incident at the Rush Creek Playground.

84 - To Catherine Rybczynski, Town Clerk, from Assemblyman Richard Smith informing her that the Town of Hamburg is the recipient of grant money from the New York State Archives in the amount of \$10,000.00.

85 - To Supervisor Hoak from Renee Sass commenting on the Route 5 "restriping project" stating the Route 5 is the primary route for people out of the city to anywhere south of Buffalo. A normal 35 minute ride will now take about an hour. She is not in favor of this.

86 - To the Town Board from Ruth Kremblas, 4766 Mt. Vernon Blvd., commenting on how much she enjoyed the "Blast on the Beach" the fireworks display was awesome. Wants to go on record as saying "thank you" to the Town of Hamburg.

87 - To the Town Board from Lake Shore Volunteer Fire Company, Inc. stating that they approve Sharon Paterson as an active member at their meeting of July 16<sup>th</sup>. (Prefiled).