

A regular Town Board Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York on the 9th day of August 2010.

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
Kevin S. Smardz	Councilman
Joseph A. Collins	Councilman
Jonathan G. Gorman	Councilman
Amy J. Ziegler	Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Richard Lardo, Prin. Engineering Asst.; Robert Hutchison, Town Assessor; Kenneth Farrell, Town Attorney; Brian Doyle, Deputy Town Attorney; Chief of Police Michael Williams; Marty Denecke, Director of Recreation; Thomas Best, Sr. Highway Superintendent; Kurt Allen, Supervising Code Enforcement Officer; Drew Reilly, Planning Consultant; Peter Reszka, Planning Board Chairman; Mary Eisenhauer, Executive Director of Youth Board

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

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

LEGAL NOTICE
TOWN OF HAMBURG

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Hamburg, Erie County, New York, on August 9, 2010 at 7:00 p.m. (local time) at the Hamburg Town Hall, S-6100 South Park Avenue, Hamburg, New York for the purpose of permitting the Armor Volunteer Fire Co., Inc. to obtain \$75,000.00 financing for an Ambulance for the Armor Volunteer Fire Co., Inc.

All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the public hearing to be held aforesaid.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HAMBURG

Dated: July 19, 2010

Catherine Rybczynski
Town Clerk
Town of Hamburg

No correspondence was received.

The following spoke concerning the financing for an ambulance for Armor Vol. Fire Co.:

Supervisor Walters and Dean Messing, Armor Volunteer Fire Co.

No comments from the public.

1.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board close the public hearing.

2.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

WHEREAS, in order for a bond of a volunteer fire company to qualify for tax exemption, there must be 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 governmental unit on behalf of which the bond is to be 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 approval is given for the \$75,000.00 financing of an Ambulance for the ARMOR VOLUNTEER FIRE Co., INC, following a public hearing held at Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York 14075, on August 9, 2010 at 7:00 p.m. and is solely for the purposes of satisfying the requirements of Section 147(f) of the Internal Revenue Code.

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

Legal Notice
Town of Hamburg
Notice of Hearing Proposed Local Law #8, 2010

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on July 19, 2010, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #8, 2010; this local law authorizes fingerprint background checks of certain employment applicants and current non-civil service employees of the Town of Hamburg. An abstract of the proposed local law is described as follows:

It is the intent of the Town Board to provide for the health, safety and welfare of the residents of the Town of Hamburg by authorizing the Supervisor to enter into a Use and Dissemination Agreement with the New York State Division of Criminal Justice Services (DCJS) to enable the authorized person (Police Officer) to cause or require the fingerprints of an employment applicant eighteen(18) years of age or older applying for a job with the Town, and current non-civil service employees to be forwarded to the DCJS for a complete criminal background and investigation upon receipt of the appropriate fee to be paid by the applicant or employee.

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. on the 9th day of August, 2010, at which time all persons interested may be heard.

Dated: July 19, 2010

Catherine Rybczynski
Town Clerk
Town of Hamburg

No correspondence was received.

The following spoke on proposed local law #8:

Town Attorney Ken Farrell; Joe Killian; George Lee; Joe Dody; Officer Scott Fraser

3.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

RESOLVED, that the Town Board close the public hearing.

4.

WHEREAS, a public hearing was held on August 9, 2010, for discussion and public comment concerning the adoption of proposed local law #8, 2010, and

WHEREAS, proposed local law #8, 2010, calls for adoption of a new chapter to the Hamburg Town Code, to authorize fingerprint background checks of certain employment applicants of the Town of Hamburg , and

WHEREAS, the Town Board has reviewed and considered comments from the general public concerning the adoption of the proposed amendments,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamburg adopt the proposed local law as discussed at the hearing as follows:

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS FOLLOWS:

Section 1: TITLE. This local law shall be known as Local Law No. 3 for the year 2010, the Fingerprint Background Check Authorization Law.

Section 2: LEGISLATIVE FINDINGS. The Town Board of the Town of Hamburg finds that:

(A) Ensuring the integrity of the process by which the Town's employees are hired, and ensuring the responsibility, integrity and credibility of employees who are hired by the Town, and continue to work for the Town, and who manage Town funds, assets and resources, is necessary to protect the public, health and safety and welfare.

(B) Ensuring the safety of youth enrolled in or participating in the Town's Recreation Programs or other youth-related programs, and ensuring the safety of senior citizens enrolled in or participating in the Town's senior programs is necessary to protect public health, safety and welfare.

(C) The significant public interest in ensuring a safe environment for the youth participating in any Town Department of Recreation program, and for the senior citizens participating in any of the Town's senior programs, requires that the following Town employees: Supervisor, Human Resources Director, Town Attorney, Police Officer designated by the Police Chief to order and review criminal records (Criminal Records Officer), in the case of applicants for employment in the Recreation/Senior Services Department, the Recreation Director, and in the case of applicants for employment in the Buildings & Grounds Department, the Buildings & Grounds Department Head ("Authorized Persons"), have access to an employment applicant's or volunteer applicant's criminal record prior to making a decision in accordance with the Town's hiring policy, concerning hiring, (firing, retention, promotion and/or demotion). Said policy authorizes fingerprint background checks for employment applicants who are eighteen (18) years of age or older. In making the determination of the applicant's fitness for the requested permit or employment, based upon the information provided by DCJS, New York State Correction Law § §701-703 b and § §751-753 shall be given due consideration.

Section 3: LEGISLATIVE INTENT. It is the intent of the Town Board to provide for the health, safety and welfare of the residents of the Town of Hamburg by authorizing the Supervisor to enter into a Use and Dissemination Agreement with the New York State Division of Criminal Justice Services (DCJS) to enable the Criminal Records Officer to cause or require the fingerprints of an employment applicant eighteen(18) years of age or older applying for a job with the Town to be forwarded to the DCJS for a complete criminal background and investigation upon receipt of the appropriate fee to be paid by the applicant or employee.

Section 4: STATEMENT OF AUTHORITY. This local law is authorized by the general police power vested with the Town of Hamburg to promote the health, safety and welfare of all residents and property owners in the Town.

Section 5: SEVERABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this local law.

Section 6: EFFECTIVE DATE. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Legal Department to file this local law with the New York State Secretary of State within ten days following its adoption

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

LEGAL NOTICE
TOWN OF HAMBURG
NOTICE OF PROPOSED LOCAL LAW #9, 2010

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg, on July 19, 2010, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed Local Law #9, 2010; this local law provides for an amendment of Chapter 191 of the Hamburg Town Code, entitled "Peddling & Soliciting", more particularly Section 191-4 thereof, by adding thereto three new subparagraphs described as follows:

§191-4 (C) The Police Officer designated by the Police Chief to order and review criminal records ("Criminal Records Officer") may cause the fingerprints of any applicant for a peddling or soliciting permit, and any applicable fee to be forwarded to the Division of Criminal Justice Services (DCJS) in the form and manner as prescribed by DCJS for a complete criminal background and investigation upon receipt of the appropriate fee from the applicant.

§191-4 (D) The Criminal Records Officer, the Town Clerk and the Town Attorney shall review the criminal history record information (CHRI) disseminated by DCJS in connection with the applicant's criminal background and investigation.

§191-4 (E) In making the determination of the applicant's fitness for the requested permit, based upon the information provided by DCJS, New York State Correction Law § 701-703 b and § 751-753 shall be given due consideration.

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, 2010, at which time all persons interested may be heard.

Dated: July 19, 2010

Catherine Rybczynski
Town Clerk

No correspondence was received.

The following spoke concerning proposed local law #9:

Officer Scott Fraser; resident; Town Attorney Ken Farrell; Joe Kilian; Town Clerk Catherine Rybczynski; Councilman Collins

5.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board close the public hearing.

6.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, a public hearing was held on August 9, 2010, for discussion and public comment concerning the adoption of proposed local law #9, 2010, and

WHEREAS, proposed local law #9, 2010, calls for adoption of an amendment to Chapter 191 of the Hamburg Town Code, entitled "Peddling and Soliciting", and

WHEREAS, the Town Board has reviewed and considered comments from the general public concerning the adoption of the proposed amendments,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamburg adopt the proposed local law as amended and discussed at the hearing.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Legal Department to file this local law with the New York State Secretary of State within ten days following its adoption

7.

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

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

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

07/19/2010 Town Board Meeting

8.

On a motion of Councilman Gorman, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

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

- 1. Rogers, Linda Clerk P/T 07/20/2010 Terminate

The following spoke concerning Resolution #8:

Ferd Garcia; Supervisor Walters

9.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following September 2010 Taylor Road rentals:

9/02/10	9/04/10	9/05/10	9/10/10
9/11/10	9/12/10	9/13/10	9/16/10
9/17/10	9/18/10	9/19/10	9/24/10
9/25/10	9/26/10		

10.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

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

Amber Robinson
39 Waterview Parkway
Hamburg, N.Y. 14075

Michael Hosie (as a restricted member)
4305 Beetow Drive
Hamburg, N.Y. 14075

The following spoke concerning resolution #10:

Steve Strnad; Supervisor Walters; Pat McAnaney

11.

On a motion of Councilman Gorman, seconded by Councilman Collins, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED that the Town Clerk be authorized to advertise for a public hearing to review the requests of the various volunteer fire companies and fire protection districts for their 2011 contracts with the Town. The public hearing will be scheduled for September 27, 2010 at 7:00 p.m. local time.

12.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

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

- | | | | |
|--------------------|-------------|------------|------------------|
| 1. Ryan, Wendy | A7180(215) | 07/27/2010 | \$10.84 Seasonal |
| 2. Deneke, Patrick | ER7251(225) | 07/28/2010 | Terminate |

13.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

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

Michael C. Barberio 3914 Yale Ave. Hamburg, N.Y. 14075	Michael R. Best 3823 Sowles Road Hamburg, N.Y. 14075
Thomas J. Rivera 3604 Princeton Road Hamburg, N.Y. 14075	Peter P. Seeriter 92 Chapel Glen Drive Hamburg, N.Y. 14075

14.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board approve the Transfer of Appropriations, within the 2010 Budget, as follows:

From: Contingency	A1990.419	\$20,000
To: Litigation	A1420.457	\$20,000

For unanticipated expense.

The following spoke concerning resolution #14:

Councilman Gorman; Town Attorney Ken Farrell; Councilman Collins

15.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, the properties located at 28 Grafton Avenue, 25 West Crescent, 5759 Lakeview Terrace, 20 Salisbury, 5517 Scranton Road and 3825 Big Tree Road were left in an abandoned state.

WHEREAS, as the result of neglect due to the abandonment, the property has become an attractive nuisance to the contiguous neighborhood and the general public.

WHEREAS, due to the property being left in an unsafe manner, the Town Code Enforcement Officer contracted services to secure the property and make it safe. This action was executed in accordance with Local Law No. 5-1972, Sections 80-5 and 80-6 of the Town of Hamburg.

NOW, THEREFORE BE IT RESOLVED, that the Town Board approve the payment of \$1,525.00. (One Thousand Five Hundred Twenty-Five dollars) to Dan Cappola, General Construction, to provide the necessary enclosures in order to secure the buildings; location and cost per property as follows:

28 Grafton Ave.	\$775.00
25 West Crescent	\$125.00
5759 Lakeview Terrace	\$125.00
20 Salisbury Ave.	\$125.00
5517 Scranton Road	\$ 75.00
3825 Big Tree Road	\$300.00

BE IT FURTHER RESOLVED, for payment of such services, that the Town Board increase appropriations to Account A3620.469 ,(Clean-up of Properties) through Account A1990.419

BE IT FURTHER RESOLVED, the Town Board authorize the Town Attorney to institute the appropriate actions against the owners of the aforementioned properties for recovery of costs incurred by the Town in connection with these proceedings as provided by Local Law #5-1972 Section 80-7.

The following spoke concerning resolutions # 15

Bob Reynolds; Supervisor Walters; Councilman Gorman; Steve Strnad

16.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, Under Title 19 NYCRR, Part 434 The Department of the State Codes Division requires each Code Enforcement personnel to receive a minimum of 24 hours of in service training on an annual basis and,

WHEREAS, Town Code Enforcement Officials, namely, Kurt Allen, Joseph Boncore and Lon Robinson presently require such mandated training.

THEREFORE BE IT RESOLVED that the Town Board authorized travel requests for Code Enforcement Officials Kurt Allen, Joseph Boncore and Lon Robinson to attend the Western Southern Tier Buildings Officials Educational Conference on Monday, September 27, 2010 through Wednesday, September 29, 2010. This program is to be held at the Chautauqua Suites Meeting & Expo Center, Mayville, New York. The New York State Department of State Codes Division will apply 18 hours of in-service credit toward each of the attendees continuing educational needs.

BE IT FURTHER RESOLVED that Town Board approve the cost of the conference registration fees of \$ 250.00 per attendee. The total cost to the Town for the three-day seminar will be \$ 750.00. Use of a Town vehicle will be required.

THEREFORE BE IT FURTHER RESOLVED, the Town Board approve the transfer of funds in the amount \$750.00 from A1990.419 (contingency) to A3620.492 (seminars) to fund the total cost as stated.

17.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, during the construction of the extension of the concrete box culvert that conveys Waterfalls Village Creek beneath Howard Road, it was necessary that additional work be performed which was not part of the original scope of the contract for this

project, due to various field changes and site conditions encountered during construction; and

WHEREAS, this additional work resulted in increased costs to the contractor for this project, Gardenville Landscape & Nursery, LLC, in the amount of \$7,825, which increases their total contract amount to \$52,325,

THEREFORE BE IT RESOLVED, that this increased amount is hereby approved under Change Order No. 1, and the Supervisor is authorized to sign the change order documentation in this regard. Funding for this work is available from the 87½ percent Federal and State disaster assistance which has been provided to the Town of Hamburg for this project, with the 12½ percent local share to be from Capital Account No.H96-5120.460.

18.

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

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Board authorize the Engineering Department to renew their AutoCAD 2011 subscription and technical support agreement with DLT Solutions, Inc. for a three year period beginning October 23, 2010. This is for the computer aided design, drafting, and mapping software which is utilized by the Engineering Department. The cost for these services is \$1,154.29 (\$384.76 per year), funds for which are available in the 2010 budget for the Engineering Department, under Account No. A1440.451.

19.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

WHEREAS, the Town Board of the Town of Hamburg adopted a Local Waterfront Revitalization Program (LWRP) on March 23, 1987; and

WHEREAS, conditions and land use along the Town’s waterfront area have changed since the adoption of this program, warranting the need to update the LWRP to better address existing conditions and reflect the Town's current vision for this area; and

WHEREAS, the Town of Hamburg retained Wendel Duchscherer Architects and Engineers to prepare an amendment to the LWRP; and

WHEREAS, Wendel Duchscherer, working with the Hamburg Shoreline Revitalization Committee, completed a draft amendment to the LWRP in accordance with the guidelines of the New York State Department of State and the requirements of New York State Executive Law 42; and

WHEREAS, the draft amendment has been reviewed by the New York State Department of State and found to be acceptable for review by other approval agencies and the public; and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Town Board would like to conduct a coordinated environmental review of the draft LWRP amendment,

NOW, THEREFORE BE IT RESOLVED, that the Hamburg Town Board commence the SEQR review process for this action by circulating a lead agency notification letter and a copy of the SEQR Full Environmental Assessment Form to all involved agencies.

BE IT FURTHER RESOLVED, that the Town Board authorize Wendel Duchscherer to initiate the coordinated review process and conduct the required mailings.

BE IT FINALLY RESOLVED, that the Town Board set a public hearing for September 13, 2010 at 7:00pm, for discussion regarding the acceptance and adoption of the LWRP amendment, at which all interested persons may be heard.

Drew Reilly comments that the amendments to the LWRP are available on the website and in the Town Clerk’s Office.

20.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, certain properties within the Town have been neglected or abandoned and as consequence the growth of weeds, grass and other rank vegetation has exceeded twelve inches in height, the standard established by Town of Hamburg Local Law No 9-1974, Village of Blasdell Chapter 95 Article 1, Village of Hamburg Local Law No. 3 - 1998 Section 182-2

WHEREAS, the Town Code Enforcement Official has identified these properties to be violation of said local law and based on his formal inspections has mailed a notice of violation to the respective property owners with an order to cut and remove such grass and weeds on the premises.

WHEREAS, the Town has received no response by the listed owner nor has any remedial work been undertaken to alleviate the violations within the prescribed ten day period and subsequently the Town Code Enforcement Official has caused the grass and weeds to be cut and removed by a Town approved contractor.

NOW, THEREFORE BE IT RESOLVED, the Town Board approve the following invoices for payment for the work contracted to Windsor Landscaping of Lakeview, New York to cut, mow, rake high grass and weeds including the proper disposal as directed by the Town Code Enforcement Official at the following locations:

Property Address	Service Date(s)	Invoice Amount
137 Pierce	07/29/10	\$62.00
27 Chapel Glen	07/27/10	\$62.00
1983 Lakeview Rd	07/27/10	\$126.00
28 Grafton	07/22/10	\$217.00

BE IT FURTHER RESOLVED, the Town Board authorize the Town Attorney to institute the appropriate actions against the owners of the aforementioned properties plus an additional administrative overhead fee of twenty-percent for recovery of costs incurred by the Town in connection with these proceedings as provided by Local Law No. 9-1974 Section 75-4 B

The following spoke concerning resolution #20:

Joe Kilian; Faye Staley; Bob Reynolds

21.

On a motion of Councilman Smardz, seconded by Councilman Collins, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, the Town of Hamburg has a Code Review Committee that deals with code issues and concerns within the Town, and;

WHEREAS, the Hamburg Code Review Committee has proposed two amendments to the Town’s codes to address issues and concerns dealing with the following: Unsafe buildings - inspection and order, disregard of notice, enforcement, penalties, and notice, and;

WHEREAS, the Code Review Committee has recommended these code amendments to the Town Board, and;

WHEREAS, the Hamburg Town Board held a Public Hearing on the proposed code amendments on June 28, 2010, and;

WHEREAS, the Hamburg Town Board has conducted a SEQR coordinated review and has determined that the proposed code amendments will not adversely impact the environment or the public health, safety, and welfare, and is consistent with social and economic considerations.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board has determined that the proposed code amendments are not anticipated to result in any significant negative impacts to the environment and that a Negative Declaration is hereby issued.

22.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, the Town of Hamburg has a Code Review Committee that deals with code issues and concerns within the Town, and;

WHEREAS, the Hamburg Code Review Committee has proposed two amendments to the Town's codes to address issues and concerns dealing with the following: Unsafe buildings - inspection and order, disregard of notice, enforcement, penalties, and notice, and;

WHEREAS, the Code Review Committee has recommended these code amendments to the Town Board, and;

WHEREAS, the Hamburg Town Board held a Public Hearing on the proposed code amendments on June 28, 2010; and,

WHEREAS, the Town Board has determined that the proposed code amendments are not anticipated to result in any negative impacts to the environment and have issued a Negative Declaration.

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board amend the Town Code as per the attached laws:

Amendment #1

Chapter 80, §80-3(C) and §80-4(A)(B)

§80-3 Inspection and Order

B. Said Town Board shall thereafter consider said report and, by resolution, determine if in its opinion the report so warrants that said structure or building is unsafe and dangerous and order its removal or repair if the same can be safely repaired, and further order that a notice shall be given to the owner of the structure and the property on which the structure is located (hereinafter the "owner") in the manner herein as provided in §80-3(C).

C. Prior to repairing, securing or demolishing such unsafe building or structure either by town employees or pursuant to a contract, the Town Board shall notify the owner in writing of the estimated cost of such work at the address of the property and at the address as indicated on the assessment roll of the Town of Hamburg by depositing a true copy of the same enclosed in a postpaid properly addressed wrapper in a post office official depository under the exclusive care and custody of the United States Postal Service within the State of New York. Such notice shall state the date, time and place where the Town Board or its designees shall hold a public hearing on the condition of the property which requires repairing, securing or demolishing such structure and on the amount of such estimated cost and that the owner may appear before the Town Board, or its designees to contest or object to the repairing, securing or demolishing of such structure and/or the estimated cost of same. Such hearing shall be held not less than twenty (20) days after serving of such notice. After such hearing the Town Board, or its designees, shall render its findings and order, and serve a copy of same on the owner by certified mail; however, any increase in the estimated cost shall require another public hearing on like notice of the increased amount. After the Town Board, or its designee, shall determine the final amount of costs, the Town Board shall adopt a resolution levying the same upon the land on which the unsafe building or structure is located.

§80-4 Disregard of Notice

In the event of the neglect or refusal of the person(s) so notified to comply with said order of the Town Board, or its designee, the Building Inspector shall:

A. Deliver a notice of the scheduled date of repair, securing or demolition of the structure to the owner by certified mail, and advising the owner to remove all items of personal property etc. and vacate the premises on or before that date.

B. A signed copy of such notice shall be posted on said structure.

C. Proceed with the repair, securing or demolition of the structure as directed by order of the Town Board, and/or its designee.

Amendment #2

Chapter 280, Zoning, §280-347(A) Enforcement; penalties for offenses; remedies for violation

Chapter 76, Building Code
§76-19(C) Notice of Violations; penalties for offenses

Add the following language to the end of the above sections: "without the need to file an additional notice of offense/violation."

23.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, the Town of Hamburg has a Code Review Committee that deals with code issues and concerns within the Town, and;

WHEREAS, the Hamburg Code Review Committee has proposed five amendments to the Town’s codes to address issues and concerns dealing with the following: Traffic signage in new subdivisions, fencing, Zoning Board of Appeals approval time limits for variances, multi-family senior housing parking requirements, definitions for public mini-storage facilities, and;

WHEREAS, the Code Review Committee has recommended these code amendments to the Town Board, and;

WHEREAS, the Hamburg Town Board held a Public Hearing on the proposed code amendments on June 14, 2010, and;

WHEREAS, the Hamburg Town Board has conducted a SEQR coordinated review and has determined that the proposed code amendments will not adversely impact the environment or the public health, safety, and welfare, and is consistent with social and economic considerations.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board has determined that the proposed code amendments are not anticipated to result in any significant negative impacts to the environment and that a Negative Declaration is hereby issued.

24.

On a motion of Councilman Smardz, seconded by Councilman Collins, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, the Town of Hamburg has a Code Review Committee that deals with code issues and concerns within the Town, and;

WHEREAS, the Hamburg Code Review Committee has proposed five amendments to the Town’s codes to address issues and concerns dealing with the following: Traffic signage in new subdivisions, fencing, Zoning Board of Appeals approval time limits for variances, multi-family senior housing parking requirements, definitions for public mini-storage facilities, and;

WHEREAS, the Code Review Committee has recommended these code amendments to the Town Board, and;

WHEREAS, the Hamburg Town Board held a Public Hearing on the proposed code amendments on June 14, 2010; and,

WHEREAS, the Town Board has determined that the proposed code amendments are not anticipated to result in any negative impacts to the environment and have issued a Negative Declaration.

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board amend the Town Code as per the attached laws:

Amendment #1 – Subdivision signage language

Add to section 230-17 new paragraph R., as follows:

All required “traffic” signage (stop signs, “No Parking”, etc.), including those required by the Traffic Safety Advisory Board, shall be installed at the cost of the developer (In accordance with Town Standards and all applicable laws).

Amendment #2- Fencing requirements

Under Section 280-277 of the Zoning Code add new Item “D.” as follows:

D. Additional fencing requirements are as follows:

- (1) A fence, whether of wood, chain link, stockade or any other type, shall be erected so that the smooth or finished side shall face to the outside of premises. All fence posts shall be placed on the inside of the fence.

- (2) Each side of a painted fence shall be of one color only.
- (3) No images or language shall be painted, affixed to the outward side of any fence or directed at neighboring properties for any reason.
- (4) No fence shall be erected in such manner as to inhibit or divert the natural drainage flow or to cause the blockage or damming of surface water, creating ponding.
- (5) No fence shall be erected which may create a fire hazard or other dangerous condition or which may result in obstruction to the effective combat of fire.
- (6) Advertisement of products and/or services shall not be painted or affixed to a fence so as to constitute a sign.
- (7) Existing fences: All existing fences and other barriers which do not conform to the provisions of this chapter may be continued as they presently exist, as long as the same are not altered, extended or modified.

Amendment #3-ZBA Approval Time Limits

Amend Section 280-311 I as follows:

- I Lapse of Authorization. Any variance, special permit or modification of regulations authorized by the Zoning Board of Appeals shall be automatically revoked, unless a building permit conforming to all of the conditions and requirements established by the Zoning Board of Appeals is obtained within 12 months of the date of approval by the Zoning Board of Appeals (or a 6 month extension is granted by the ZBA), and construction is completed within 18 months of such date of approval (or 24 months if 6 month extension is granted). All extensions will be coordinated with the Planning Board, if site plan approval is required.

Amendment #4 – Senior Parking

Add new Item C to Section 280-216, and change existing C, D, and E to D, E, and F:

- C Multi-Family Senior Living Facility (providing adequate proof to the Town that the facility is for seniors): 1.5 spaces per unit, with all ½ spaces rounded up to the next highest number (i.e. 11 units would require 17 parking spaces). Future changes to the facility allowing non-seniors would require site plan approval and potential additional parking spaces.

Amendment #5 – Public Mini Storage Definition

PROVIDE DEFINITION (add to section 280-341):

Private Rental Storage (aka Public Mini-Storage, Self-Service Storage Facility)

A building or group of buildings in a controlled access or fenced compound, consisting of individual, self-contained units or stalls for the storage of customer’s (businesses, individuals etc.) goods, wares, or contractor supplies for a rental fee. These facilities can have supervised or unsupervised access to the rental units.

25.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes 5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, the Town of Hamburg has received correspondence from residents and property owners on Southwestern Boulevard, between the new Lowes Store and Howard Road, requesting that their property be rezoned to commercial in accordance with the Town’s Comprehensive Plan, and;

WHEREAS, the Hamburg Code Review Committee and Planning Department have reviewed this request and found merit with it, and;

WHEREAS, the Code Review Committee has recommended to the Town Board that they consider rezoning all of six (6) properties (addresses 4888, 4882, 4876, 4870, and 4862 Southwestern Boulevard, and the vacant parcel adjoining 4862 Southwestern Boulevard) and a portion of 4828 to within 100 feet of the north property line from R-2, Single Family Residence-Attached to C-1, Local Retail Business District, and;

WHEREAS, the 100-foot buffer created along the northern property line of 4828, adjacent to the residences fronting Dogwood Lane and Howard Road, be retained as R-2, Single Family Residence-Attached in order to act as a buffer to the C-1 zoning; and,

WHEREAS, the Hamburg Town Board held a Public Hearing on a previous rezoning request that did not include 4828 Southwestern Boulevard on March 22, 2010.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board finds merit in this request to investigate rezoning of this area to commercial and therefore refers the rezoning concept to the Planning Board for their additional input; and,

BE IT FURTHER RESOLVED that the Town Board would like to act as Lead Agency in accordance with the New York State Environmental Quality Review Act (SEQR) and authorizes the Planning Department to perform the necessary notifications; and,

BE IT FINALLY RESOLVED that the Town Board set a Public Hearing on the rezoning request for September 27th at 7:00 PM in the Hamburg Town Hall to receive public comment on this potential rezoning.

26.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Gorman, Ziegler
 Abstain: Collins
 Noes 0

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

1. Hamels, Kimberly	Laborer, P/T	07/26/2010	Terminate
2. LaRosa, Barbara	Clerk, P/T	08/10/2010	New Pay Rate \$12.43
3. Brown, Joy	Laborer	08/12/2010	\$23.67
4. Deinzer, Deborah	Laborer	07/27/2010	New Pay Rate \$19.18
5. Lovullo, Michael	Laborer	08/12/2010	Terminate

27.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

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

1. Smith, Kelly	A7180.215	08/04/2010	Terminate
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28.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Board approve the advertising of a legal notice for a bid for One (1) Wood Chipper for the Highway Department. Funds are available in Account H26.5130.0201 - Machinery and Equipment.

29.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

WHEREAS, the Town of Hamburg Planning Board has approved the Preliminary Plat Plan for the Woods at Versailles Subdivision Part 4; and

WHEREAS, four (4) fire hydrants are to be installed on Shadow Lane to provide proper fire protection for the development; and

WHEREAS, although the developer has agreed to pay for the cost of installation of the fire hydrants, it is necessary that the Town agree to such installation, as the Town is charged for the maintenance of fire hydrants under the Lease Management Agreement with the Erie County Water Authority; and

WHEREAS, the Woods at Versailles Subdivision Part 4 is located in the Town Hydrant District, and property owners within the subdivision will be paying associated charges to such district as part of their annual Town and County tax bill,

THEREFORE BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG, AS FOLLOWS:

1. The Town Board considers that the installation of the 4 additional fire hydrants to serve the Woods at Versailles Subdivision Part 4 will be beneficial to the health and safety of residents of the Town of Hamburg, and is therefore in the public interest.
2. The development of the Woods at Versailles Subdivision Part 4 will result in increased revenue to the Town of Hamburg including revenue for fire protection, so that the cost to the Town for the annual maintenance of the fire

hydrants will be offset by the additional revenue generated by the subdivision.

- 3. The Town Board agrees that the cost of the hydrant maintenance fees for the additional fire hydrants being installed as part of the Woods at Versailles Subdivision Part 4 shall be paid by the Town of Hamburg through revenues generated by the Town Hydrant District.
- 4. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Department for transmittal to the Erie County Water Authority.

30.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

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

- | | | | |
|--------------------|-----------------------|------------|----------------------|
| 1. Brown, Joy | Laborer | 08/11/2010 | Terminate |
| 2. Sanabria, Sandy | Clerk Typist/Seasonal | 08/10/2010 | New Pay Rate \$11.62 |

31.

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

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board approve the promotion of STEPHEN MIKAC to the vacant full time position of Assistant Police Chief effective August 10, 2010. Mr. Mikac is currently on the Assistant Police Chief Civil Service list established June 24, 2008, exam #073392. Salary is \$49.04 per hour, funds available in B3120.100.

32.

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

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the recommendation of the Chief of Police in promoting ROBERT KRONE AND NICHOLAS UGALE to the vacant positions of Lieutenant effective August 10, 2010. Mr. Krone and Mr. Ugale are currently on the Police Lieutenant Civil Service List, established June 14, 2008, Exam #074029. Salary is \$42.02 per hour, funds available in B3120.100.

33.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, upon the recommendation of the Traffic Safety Advisory Board, that an **R1-1 (STOP)** sign be erected and maintained by the Buildings and Grounds Department in accordance with the New York State Manual of Traffic Control Devices at the following location:

The southeast corner of Meadow Lane at its intersection with Best Street.

34. On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, upon the recommendation of the Traffic Safety Advisory Board that two **R1-1 (STOP)** signs be erected and maintained by the Buildings and Grounds Department in accordance with the New York State Manual of Traffic Control Devices at the following location:

On Hobblebush Lane at its intersection with White Oak Way.

35.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, upon the recommendation of the Traffic Safety Advisory Board that two **W1-6 (Directional Arrows)** be erected and maintained by the Buildings and Grounds Department in accordance with the New York State Manual of Traffic Control Devices at the following location:

Marie Drive at its curve

36.

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, upon the recommendation of the Traffic Safety Advisory Board that **NYP 1-2 No Parking Any Time** signs be erected and maintained by the Buildings and Grounds Department in accordance with the New York State Manual of Traffic Control Devices at the following location:

On South Creek Road, eastside, from Eighteen Mile Creek bridge to its intersection with Old Lakeview Road a distance of approximately 360 feet.

37.

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

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, THAT THE Town Board authorize the Finance Department to increase the Lakeshore Fire Protection District account SF1 9025.820 by \$24,000.00 thru the Appropriated Fund Balance SF1 599. This is due to an increase in the Service Award Program.

38.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

BE IT RESOLVED that the Town Board schedules a public hearing on proposed local law #10, 2010. This proposed local law would allow the Town of Hamburg to provide certain eligible employees with a retirement incentive program authorized by Part A of Chapter 105 of the Laws of 2010.

The hearing is to be scheduled for August 26, 2010 at 8:00 a.m.

The following spoke concerning resolution #38:

Joe Kilian; Supervisor Walters

39.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, PROSPECT LAWN CEMETERY ASSOCIATION, INC. presently operates the Prospect Lawn Cemetery located on 6561 Gowanda State Road, Town of Hamburg, and

WHEREAS, the Town of Hamburg recognizes the benefits provided to Town residents by the Prospect Lawn Cemetery Association, Inc.; and

WHEREAS, General Municipal Law §165-a provides that "Any municipal corporation may appropriate and provide funding to a public cemetery corporation as defined in article fifteen of the not-for-profit corporation law. In lieu of or in addition to providing funding to a public cemetery corporation, any municipal corporation may provide goods and/or services to a public cemetery corporation as defined in article fifteen of the not-for-profit corporation law"; and

WHEREAS the Town is willing to assist Prospect Lawn to see these programs continue,

NOW THEREFORE BE IT RESOLVED that the Town of Hamburg enter into an Agreement with Prospect Lawn Cemetery Association to provide funding in monthly installments of \$1,000.00 commencing on September 1, 2010. The agreement shall terminate on August 31, 2011, unless a successor agreement is made and executed before the termination date.

The following spoke concerning resolution #39:

Supervisor Walters

40.

On a motion of Councilman Gorman, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Board approve the request of Bob Hutchison, Town Assessor, to attend a seminar on the Valuation of Mixed Use Property being given by the New York State Assessors Association. The seminar is being held in Hamburg on August 20th, the cost is \$85.00. The course is approved for appraisal and assessment continuing education credits.

BE IT FURTHER RESOLVED, that the Town Board approve the transfer of funds in the amount of \$85.00 from Account A1970.492 to Account A1355.492.

41 & 42.

On a motion of Supervisor Walters, with a unanimous second, the following proclamations were

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0



Town of Hamburg
Office of Supervisor

NATIONAL NIGHT OUT 2010

WHEREAS, the National Association of Town Watch (NATW) and TARGET are sponsoring a unique, nationwide crime, drug and violence prevention program on August 3, 2010 entitled "National Night Out"; and

WHEREAS, the "27th Annual National Night Out" provides a unique opportunity for Hamburg to join forces with thousands of other communities across the country in promoting cooperative, police-community crime prevention efforts; and

WHEREAS, Hamburg plays a vital role in assisting both Police Departments through joint crime, drug and violence prevention efforts in Hamburg and Blasdell and is supporting "National Night Out 2010" locally; and

WHEREAS, it is essential that all citizens of Hamburg be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in Hamburg; and

WHEREAS, police-community partnerships, neighborhood safety, awareness and cooperation are important themes of the "National Night Out" program.

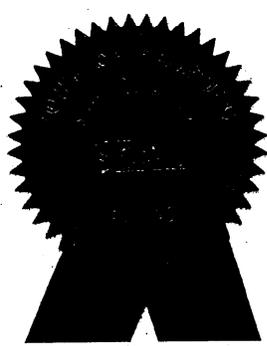
NOW, THEREFORE, I, Steven J. Walters, Supervisor of Hamburg, do hereby call upon all citizens to join the National Association of Town Watch in supporting the "27th Annual National Night Out" on August 3, 2010.

FURTHER, LET IT BE RESOLVED THAT, I, Steven J. Walters, Supervisor of the Town of Hamburg, on behalf of the Town Board, do hereby proclaim Tuesday, August 3, 2010 as "NATIONAL NIGHT OUT" in the Town of Hamburg.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 3rd of August 2010.


STEVEN J. WALTERS, Supervisor

Joseph A. Collins, Councilman
Jonathan G. Gorman, Councilman
Kevin Smardz, Councilman
Amy J. Ziegler, Councilwoman





Town of Hamburg

Office of Supervisor

WHEREAS, the Hamburg High School is an established place of higher education located at 4111 Legion Drive, Hamburg, New York, and

WHEREAS, the Hamburg High School has provided a place of learning, community, athletic and cultural programs for Hamburg Residents, and

WHEREAS, the Hamburg High School, also known as the **Hamburg Bulldogs**, in recognition of all its graduates has set aside the days of September 10, 11 and 12, 2010 to hold its 1st annual Hamburg Bulldog Alumni Weekend, and

WHEREAS, all **Hamburg Bulldogs**, friends, family members and Town Residents are invited to return to their High School Alma Mater to enjoy the **Hamburg Bulldog Alumni Weekend** which will include:

The establishment of the Hamburg Bulldog Wall of Fame, with induction Ceremony and Reception of Bulldog Alumni into the 1st class on Friday, September 10, 2010.

All day activities on Saturday, September 11, 2010 at Howe Field.

Alumni Soccer game on Sunday, September 12, 2010 at Howe Field.

NOW THEREFORE, be it proclaimed throughout the Town of Hamburg that the weekend of September 10, 11 and 12, 2010 be set aside for the gathering of all Hamburg Bulldog Alumni for the celebration of the 1st annual **Hamburg Bulldogs Alumni Weekend**.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 10th day of September, 2010.

Steven J. Walter
Supervisor
Town of Hamburg

Joseph A. Collins, Class of 67
Councilman

Amy Carroll Ziegler, Class of 79
Councilwoman

Kevin Smardz, Councilman
Jonathan G. Gorman, Councilman



TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$3,950,642.89

Reports from Town Board Members and Department Heads

Councilman Collins reports that the Rejuvenation Project held the Blast on the Beach on July 31st; it was a great success thanks to the committee and Rosemary McManus.

Councilwoman Ziegler reports that the Night Out was a great success; thanks to Chief Williams his crew; thanks to George Lee

Catherine Rybczynski, Town Clerk, thanks the Board for passing the Peddling and Soliciting amendments; she and Scott Fraser have worked on this over a year; this will protect residents when peddlers come to their door

Kurt Allen, Building Inspection, reports that work will be done on the former Hoak's Armor Inn this week.

Marty Denecke, Director of Recreation, reports that the Dancing Under the Stars is rescheduled for September 1st at Hamburg Town Park.

Business from the Floor

The following commented concerning noise, dust and fumes from ATV's along Milestrip Road:

Janet Andrews; Supervisor Walters

The following spoke concerning the new microphones:

Steve Strnad

The following spoke concerning resolutions #26 and #30:

Ferd Garcia; Supervisor Walters

The following spoke concerning an expenditure report from the Highway Department to submit to taxpayer groups for their review; 2007 State of Town address statement concerning not hiring new employees at same rate as current and/or retired employees; stopping healthcare benefits for part-time employees:

Ferd Garcia; Supervisor Walters

44.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board move into Executive Session at 8:20 pm regarding personnel matters on specific employees in Assessing, Engineering, Youth and Police.

45.

On a motion of Supervisor Walters, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED Ayes 5 Walters, Smardz, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board adjourn Executive Session at 10:20 pm.

Catherine A. Rybczynski, Town Clerk