

A regular Town Board meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, 6100 South Park Avenue, Hamburg, New York on the 15th day of August 2016.

2.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board adjourn Executive Session at 7:11 pm and move into the regular meeting.

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

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Joseph Collins, Deputy Town Attorney; Mary Dosch, Sr. Account Clerk; Richard Lardo, Principal Engineering Assistant; Gregory Wickett, Police Chief; Tom Best Sr., Highway Superintendent; Martin Denecke, Director of Youth, Recreation and Senior Services; Sarah desJardins, Planning Consultant; Thomas Taylor, Sr. Public Safety Dispatcher; Sean Crotty, Emergency Management Coordinator; Michael Quinn, Engineering Consultant; Ted Casey, Traffic Safety Coordinator

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

3.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

07/18/2016 Work Session
 07/18/2016 Executive Session
 07/18/2016 Town Board Meeting

4.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board approve the termination and rehiring for the IT Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	3163	Heidi Brunner		Clerk typist Seasonal			\$16.00	7/30/2016
2	3163	Heidi Brunner		Clerk Typist PT	8/1/2016		\$16.00	

5.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board authorize Evan Taylor, a senior at Hilbert College, to do Internship in the Police Department at no cost to the Town for the fall semester.

6.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town of Hamburg Planning Board has approved the Preliminary Plat Plan for DEER SPRINGS PHASE 2D; and

WHEREAS, three (3) fire hydrants are to be installed within DEER SPRINGS PHASE 2D 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 Direct Service Agreement with the Erie County Water Authority; and

WHEREAS, DEER SPRINGS PHASE 2D is located within the Town Hydrant District, and property owners in 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 additional fire hydrants to serve DEER SPRINGS PHASE 2D 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 DEER SPRINGS PHASE 2D 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 DEER SPRINGS PHASE 2D 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.

7.

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

Ayes	3	Walters, Best, Quinn
Noes	0	

WHEREAS the New York State Department of Education, Division of Library Development, under the NYS Public Library Construction Grant Program (“State Grant”) is offering funds up to 50% of approved costs for renovation or rehabilitation of public libraries in New York State, and

WHEREAS the Town of Hamburg is the owner of the building that houses the Hamburg Public Library, located at 102 Buffalo Street, in the Town of Hamburg, and maintains the building under an agreement with the Buffalo and Erie County Public Library System, and

WHEREAS the Hamburg Public Library is in charge of its library operations in cooperation with the Buffalo and Erie County Public Library System, and per the guidelines for the State Grant and County Grant, must be the applicant for such grants, and

WHEREAS the Hamburg Public Library is in dire need of rehabilitation of its library parking lot and expansion of entrance to the library parking lot from the Union Street entrance at an estimated cost of \$33,300;

WHEREAS the Town of Hamburg, as owner of the Hamburg Public Library building and grounds, recognizes its responsibility to maintain the building and, in accordance with its responsibility, hereby commits to paying the entire project cost less any grant funds awarded, as the local match towards the State Grant.

NOW THEREFORE BE IT RESOLVED the Town of Hamburg will be providing matching funds through its capital budget, less any Public Library Construction Grant proceeds, for the parking lot reconstruction project, based on the attached project budget, contingent on the award of a Library Construction Grant;

AND BE IT FURTHER RESOLVED that this Town Board hereby authorizes and directs Town Grants Consultant Connie D. Miner to submit the NYS Public Library Construction Grant for the Hamburg Public Library and directs the Hamburg Town Supervisor, Steven J. Walters and Hamburg Library Board of Directors to provide all necessary signatures and documents needed for the Grant Consultant related to the aforementioned project and application for grant funding.

AND BE IT FURTHER RESOLVED that the Hamburg Town Board agrees and covenants that the Library building at 102 Buffalo Street in the Town of Hamburg shall be legally available for use as a public library building for at least 10 (ten) years from the anticipated date of the completion of the aforementioned renovation/rehabilitation project.

8.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

WHEREAS, the Town of Hamburg should be receiving federal Community Development Block Grant and HOME Investment Partnership funds for use within the 2017 program year, and

WHEREAS, citizen participation is requested in developing the towns projects and also with reviewing previous years program performance.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board authorize the Department of Community Development to hold public hearings on the following dates/times to develop its projects for the 2017 program year:

Monday, September 12, 2016 @ 4:30 p.m. and 6:30 p.m.

Monday, September 26, 2016 @ 4:30 p.m. and 6:30 p.m.

Wednesday, October 12, 2016 @ 2:00 p.m. and 5:00 p.m.

Monday, October 24, 2016 @ 4:30 p.m. and 6:30 p.m.

Monday, November 7, 2016 @ 4:30 p.m. and 6:30 p.m.

BE IT FURTHER RESOLVED that notices of these hearings be published within official town newspaper(s).

9.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town of Hamburg received a revised request from Zak Management to rezone 4.5 acres of the parcel located at 4090 Jeffrey Boulevard from M-2 (Light Industrial District) to PR (Park/Recreation Lands District), and

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

WHEREAS, on July 18, 2016 the Hamburg Town Board referred this revised rezoning request to the Planning Board for its review and recommendation and to Erie County in accordance with General Municipal Law section 239-m; and

WHEREAS, on August 3, 2016 the Planning Board continued its review of the proposed project and revised rezoning request and forwarded a positive recommendation of the rezoning request with conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby schedules a public hearing on this matter to be held on September 26, 2016 at 7:00 P.M. in Hamburg Town Hall.

10.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1		Arce, Katherine	N	Police Matron	7/28/2016		\$15.00	
2		Burns, Eileen	N	Police Matron	7/28/2016		\$15.00	
3		Danler, Jennifer	N	Police Matron	7/28/2016		\$15.00	
4		Harris, Mary Ann	N	Police Matron	7/28/2016		\$15.00	
5		Jewett, Brittany	N	Police Matron	7/28/2016		\$15.00	
6		Kron, Monica	N	Police Matron	7/28/2016		\$15.00	
7		Lemke, Catherine	N	Police Matron	7/28/2016		\$15.00	
8		Pixley, Samantha	N	Police Matron	7/28/2016		\$15.00	
9		Pupo, Ali	N	Police Matron	7/28/2016		\$15.00	

11.

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

RESOLVED, that the Town Board approve the recommendation of the Chief of Police in appointing Daniel McCarthy, as a transfer, to the vacant position of Police Officer at the 2 year rate of \$29.36 per hour, effective August 21, 2016. Funds are available in B3120.100.

Officer McCarthy comes forward for the presentation of the badge.

12.

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

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

George Sanders
 4606 Milestrip Road
 Blasdell, NY 14219

13.

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

WHEREAS, the Town of Hamburg Planning Board has approved the Preliminary Plat Plan for DEER SPRINGS PHASE 2E; and

WHEREAS, one (1) fire hydrant is to be installed within DEER SPRINGS PHASE 2E 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 hydrant, it is necessary that the Town agree to such installation as the Town is charged for the maintenance of fire hydrants under the Direct Service Agreement with the Erie County Water Authority; and

WHEREAS, DEER SPRINGS PHASE 2E is located within the Town Hydrant District, and property owners in 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 additional fire hydrant to serve DEER SPRINGS PHASE 2E 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 DEER SPRINGS PHASE 2E 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 hydrant 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 DEER SPRINGS PHASE 2E 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.

14.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

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

9/03/16	9/04/16	9/05/16	9/07/16
9/10/16	9/11/16	9/14/16	9/15/16

19.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board approve the installation of a Stop sign on Hewson Road at Lakecrest Drive in Lake View.

20.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, bids were opened on July 12, 2016 for the 2016 Roof Rehabilitation Project; Little Loop, Little League and Dare Building; and

WHEREAS, three (3) bids were received as follows:

Murray Roofing	\$134,604.00
Weaver Metal & Roofing	\$141,388.00
Sahlem’s Roofing	\$77,016.00

THEREFORE BE IT RESOLVED, the Town Board accept the low bid of \$77,016.00 from Sahlem’s Roofing and authorize the Supervisor to sign the appropriate contract for these services. Funds are available in account H98-1620.460.

21.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Courtroom/Meeting Room in the Town Hall has been found to be in dire need of renovation including tile replacement, asbestos abatement, painting, upholstery repair and cleaning,

AND WHEREAS, a cumulative estimate of said repairs has been received under \$20,000.00

NOW THEREFORE BE IT RESOLVED, the Town Board authorize Superintendent Tom Best Sr. to proceed with emergency work at a cost not to exceed \$20,000.00

Monies are available and need to be transferred from H98.1620.460 (General Capital Improvement Projects) to A7140.413.

22.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the basketball and tennis courts located at Carnegie Playground are in dire need of repair

AND WHEREAS, an RFP has been received in the amount of \$26,000.00

NOW THEREFORE BE IT RESOLVED, the Town Board authorizes the Buildings and Grounds Department to advertise for bids on said renovations.

Monies are available and need to be transferred from the Trust and Agency Park Fund to A7140.413.

23.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, pursuant to NYS domestic Relations Law, Section 11-C, the governing body of any village, town or city is authorized to appoint one or more marriage officers who have the authority to solemnize a marriage; and

WHEREAS, the number of marriage officers appointed by a municipality shall be determined by the governing body of the municipality; and

WHEREAS, the term of marriage officers is to be determined by the governing body which makes the appointment, but the term of office cannot exceed four years.

NOW, THEREFORE BE IT RESOLVED, that the Hamburg Town Board appoint Seven J. Walters as a marriage officer for the term commencing August 1, 2016 through December 31, 2017.

24.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

TOWN BOARD
AUDIT OF CASH DISBURSEMENTS August 15, 2016

VOUCHER #'S

OPERATING FUND:

BATCH #129	\$10,767.70	84066-84086
BATCH #130	\$2,487.64	84087-84102
BATCH #131	\$6,183.13	84103-84126
BATCH #132	\$101,973.21	84127-84177
BATCH #133	\$21,619.63	84788-84231
BATCH #134	\$105,000.00	84232
BATCH #135	\$155,044.25	84233-4274
BATCH #136	\$218,698.94	84277-84313
BATCH #137	\$32,246.77	84314-84353
BATCH #138	\$14,407.00	84255
BATCH #139	\$385,072.37	84356-84410
BATCH #140	\$6,113.98	84411-84429
BATCH #141	\$1,053.00	84430
BATCH #142	\$350,260.04	84431-84485
BATCH #143	\$14,585.00	84486-84498
BATCH #144	\$6,518.44	84499-84524
BATCH #145	\$12,103.11	84525-84554
BATCH #146	\$40,752.38	84555-84585
BATCH #147	\$155,541.86	84586-84662

TOTAL OPERATING FUND DISBURSEMENTS: \$1,640,428.45

TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS: \$0.00

CAPITAL FUND DISBURSEMENTS:

BATCH #25	\$11,063.93	84275-84276
BATCH #26	\$300.00	84354

TOTAL CAPITAL FUND DISBURSEMENTS: \$11,363.93

PAYROLL:

PR# P/R #14	\$718,570.09
PR# P/R #15	\$724,475.01
PR# P/R #16	\$744,507.90

TOTAL PAYROLL DISBURSEMENTS:	\$2,187,553.00
PETTY CASH	\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$3,839,345.38

Reports from Town Board Members and Department Heads

Councilman Best thanks the Rejuvenation Committee for all the work they did with the Blast on the Beach last weekend, also thanks to the Buildings and Grounds Department, the Recreation Department and the Village of Hamburg employees that helped to make it a success. He took a trip to Woodlawn Beach to see what was going on with the issue of the two creeks that was brought at the last Town Board meeting. He is convinced that nature is pushing the creeks in the direction they are headed because of what has happened over the last eight or nine years when the State was in charge of it. He has a meeting set up with Assemblyman Ryan's Office on Friday and he feels that the State has to come in and fix the problem that they created. It is very clear once you go down there.

Councilman Quinn – no report

Supervisor Walters – no report. He then warns everyone to drive safely with the extra traffic from the Erie County Fair.

Catherine Rybczynski, Town Clerk, reminds everyone that this Saturday (08/20/2016), at Chestnut Ridge Park, is the 5th Annual K.I.A. Memorial Roadmarch. This is a march that was started 5 years ago by a Hamburg resident, Master Sergeant Jason Jaskula. The purpose is to honor the men and women in the armed forces that made the ultimate sacrifice and they ask people to bring non-perishable food items. These food items will be distributed to three different Veterans food pantries. The reason Jason started this is that his buddy in the army was killed (Army Staff Sergeant Christopher Dills) who was also a Buffalo Firefighter. It starts Saturday at 11:00 am with check in from 8:00 am to 10:30 am. Food will be collected in the Town Clerk's Office through Friday August 19th if anyone wants to make any food donations.

Marty Denecke announces that Flag Football starts on August 24th, registration is open now. This is for anyone between the ages of 6 and 14 (ages 9-11 play in the Village). On the Senior Services side, they just completed a program, in cooperation with Erie County Senior Services, called the Aging Mastery Program with the help of a grant. This will be repeated starting September 7th.

Superintendent Best reports that the Highway Department will be completing their paving season with the completion of the dead end portion of Bayview Road by the water tower.

Sean Crotty, Emergency Services, reports that they have been working with the local Highway Department and the County and State DOT along with the Police Departments to minimize the traffic impact from the Erie County Fair. Friday at the Fair the Town of Hamburg Fire Chiefs Association EMS Committee received an Excellence through Team Work Award. This was a collaborative effort between the Fire Departments, the Police Department, Chief Wickett and Erie County Adult Protective Services. On Sunday Sept 11th is the fifteen year anniversary of the tragic events of 9-11. They plan on having a remembrance ceremony at Town Hall at 2:00 pm.

Business from the Floor

John McKendry comments that he expects the Supervisor to continue to work on the issue of the loading and unloading of crude oil behind Major Tom’s on Camp Road.

Supervisor Walters responds that he met with Joe Casper who is in charge of the Southtowns Hazmat Unit. He has offered to sit down and meet with Mr. McKendry to talk about his concerns and see what his involvement might be with this.

Mr. McKendry comments that they will be counting the number of crude oil train cars (Broadway and Dick Roads) for a 24 hour period. He will get the information to Mr. Crotty. There was another crude oil fire along the Columbia River in Oregon and that oil is coming this way from along the Hudson River then out to Oregon.

Charlie Cox comments on the cost of the litigation between the Supervisor and the Town of Hamburg with respect to the Union Contract.

25.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

RESOLVED, that the Town Board adjourn at 7:39 pm.

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