

Meeting No. 14
September 12, 2005
Hamburg Town Board Meeting
S-6100 South Park Avenue
Hamburg, N.Y. 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
	James Spute	Director of Finance
	Richard Boehm	Deputy Town Attorney
	Gerard Kapsiak	Town Engineer
	James Connolly	Highway Superintendent
	Joseph Coggins	Police Chief
	Robert Hutchison	Town Assessor
	Christopher Hull	Director of Community Development
	Drew Reilly	Planning Consultant
	Tim Ellis	Traffic Safety Consultant
	Kurt Allen	Supervising Code Enforcement Officer
	Martin Denecke	Director of Recreation

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

7:00 p.m. Public Hearing to review the requests of various volunteer fire companies and fire protection districts for their 2006 contracts.

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

PLEASE TAKE NOTICE that the Town Board of the Town of Hamburg will hold a public hearing on September 12, 2005, at 7:00 p.m. (local time) at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, in accordance with Section 184 of the Town Law, to provide for changes in the fire protection contracts as follows:

		Requested
<u>NAME OF COMPANY</u>	<u>2005 CONTRACT</u>	<u>2006 CONTRACT</u>
Armor Volunteer Fire Co., Inc.	\$206,000	\$211,459
Big Tree Volunteer Fire Co., Inc.	\$383,500	\$383,500
Lake Shore Volunteer Fire Co., Inc.	\$430,300	\$430,300
Lake View Fire District (Town wide fire protection district)	\$50,000	\$50,000
Newton Abbott Volunteer Fire Co., Inc.	\$388,500	\$388,500
Scranton Volunteer Fire Co., Inc.	\$389,800	\$397,800
Village of Hamburg Volunteer Fire Co., Inc. (Town wide fire protection district)	\$135,793	\$139,907
Woodlawn Volunteer Fire Co., Inc.	\$335,368	\$335,368

These contracts provide for fire protection and ambulance service within and/or outside the boundaries of the respective districts. The term of the above contracts shall be for a period of one (1) year with a privilege of renewal for four (4) additional year terms, as provided in and under the conditions stated in each contract. Full opportunity to be heard will be given to all citizens and parties interested.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HAMBURG

Dated: August 8, 2005

Catherine Rybczynski
Town Clerk
Town of Hamburg

Supervisor Hoak comments that he wants to thank the volunteer fire companies for their roll in our community, saving lives, property and our welfare, all for such a reasonable cost. On an annual basis they call on each fire company to share where they are and where they are going and some rational on what the budgetary requests might be. He asks that each fire company give a presentation, in alphabetical order, starting with Armor Volunteer Fire Company.

A representative from Armor comments that they voted to increase the fire protection money by \$5,459.78. This is the increase of the assessed property evaluation times the 2005 rate per thousand. This will represent no increase to the residents in the fire protection district. They have had increases in utilities, insurance and individual fire and first aid training.

Mr. Spute comments that it is an increase of .02% .

Dan Bozak, President of Big Tree Volunteer Fire Company, comments that they have a zero increase this year. They have applied for a few firematic grants.

Ray Pawlowski, South Park Avenue, gives the budget director kudos for the zero increase. He also gives kudos for the fundraising efforts, this past weekend where they raised money for the victims of the hurricane. His remarks are in no way meant to impugn the integrity or character of any of the rank and file firemen because he knows that they are dedicated and do a fine job. He used to work beside them for a long time. His problem is how some of the money is being spent. The reason for that is, he and Big Tree are involved in a civil suit. He mailed some FOIL requests to them and he has not received answers. He has requested audits from 2001 to 2004. They have told him that the records are not kept by that agency. He questions the Town Clerk what the retention would be on those records. Catherine Rybczynski, Town Clerk, responds that there is a seven year retention according to the MI-1 and MU-1 that all public entities are supposed to comply with. He has a problem with the Big Tree Volunteer Fire Company not keeping these records. Where are they. He also asked what their legal expenses were starting with November 2003. He received no response. In January 26, 2004 he received no response. After May 18, 2004 he got a response of \$5,914.75. For three years of litigation they are getting a deal. On June 2, 2004 they obtained a legal opinion from Robert Freeman, the director of open government, stating that his requests were legitimate and the fire company is obligated to answer him in a truthful manner. In October 2004 the Town Attorney sent a letter, with the legal opinion from the State of New York, to the fire company stating that they were obligated to answer the FOIL request. On October 21, 2004 he received a response from their legal counsel, Mr. Trask, of \$16,783.68. Which was only a partial answer to the FOIL request which asked for the legal expenses and what accounts they were coming from. On November 22, 2004 he sent another request that thanked him for the partial answer but, requested the account. On November 24, 2004 he received an answer stating that it came from the legal line item, plus the contingency account. After talking to numerous fire company members he found that none of them had ever heard of a contingency fund. On February 1, 2005 they received a letter that there was a mis-communication. They sent another FOIL request asking what accounts the funds were coming from and received a letter back stating that it was not a proper FOIL request. How could they get answers the previous year. They sent another request asking how much was spent and what accounts did the money come out of. They then received an answer that they spent \$15,111.30.

On October 21, 2004 how can the total be \$16,783.68 and then in June 2005 the total becomes \$15,111.30. Just the other day he requested another FOIL asking for a line by line breakdown of the 2005-2006 Budget. For the first time since he has been requesting FOIL's he received a letter from Mr. Trask stating that he received the FOIL and would respond within 7 days. All he is asking for is an answer to his question, which he is entitled to as a homeowner and a taxpayer within Big Tree Volunteer Fire Co District. He is hoping that the Town Board look into this. He would also like to see an open audit of the books. He has sent a letter to the State Attorney General and State Comptroller, but has not received a reply yet. All he wants to know is that the taxpayers money is being used for taking care of the residents and the firemen. He supports the budget from all the fire companies.

Bill Trask, 4819 South Park Ave., comments that they want to thank Mr. Pawlowski for this support of their budget request.

Tim Conmy, President Lake Shore Volunteer Fire Co., thanks the community for their support at through their annual fund drive and numerous fundraising activities. Once again, they are holding the line for the 8th consecutive year. Their concerns for the coming year are rising fuel costs and extra funding that is needed due to cuts by Erie County. They were able to balance their 2006 budget by counting on the continued support of the Town Board and their district community.

Supervisor Hoak responds that they had an excellent community weekend. The concern of everyone is the price of gas and for the 8th consecutive year to have a zero percent increase is admirable.

Joe Kilian questions if they could buy gas bulk and have it available for Town vehicles and the fire companies. Supervisor Hoak responds that they have shared with the Villages but he asks the fire Chiefs to look into this. Mr. Spute comments that legally they can't do it because the Town does not own the equipment. Councilman Cavalcoli comments that they would have to put in bigger tanks and the more they are used there would be permit requirements that would have to meet DEC requirements. Councilwoman Kesner comments that Michael Chiacchia, President of the Fire Chiefs Association, is present and asks that this is brought up at the next meeting so they could research it.

Supervisor Hoak asks, in regards to Big Tree Volunteer Fire Company, that Mr. Trask and Mr. Boehm should be in contact with each other.

John Wicka, Lake View Fire District, comments that it is a pleasure to report that they will not ask for a raise in their 2006 Townwide Fire Protection contract. They will keep their request at the 2005 level of \$50,000. He is also pleased to report that the overall tax rate for the Lake View Fire District will be the same as for 2005. This measure of holding the taxes is being done despite several issues that have negatively impacted the Fire District over the past year. Probably the most drastic cost affecting them is the increased energy cost. When they prepared the budget back in May, June & July they could not have anticipated the drastic increase in gasoline and diesel costs they have experienced over the last couple of weeks. Dealing with this will be a challenge. Another situation that raised concern is the possibility that individual fire companies would have to absorb the cost of supplemental fire training due to the funding cut-backs in Erie County this year. Through the cooperative efforts of the Town, the Fire Chiefs and Councilwoman Kesner they were able to look at this challenge with the direct intention of looking at alternatives to offset these cut-backs to minimize the impact for the time being. The Erie County Fire Advisory Board has been successful working with our State representatives in securing a grant of \$50,000 to reverse the loss of the supplemental fire training. They will continue to work towards making this restoration permanent in Erie County, however they cannot be assured that permanent funding will be restored and it may become necessary for fire departments to absorb these costs. This will have a drastic impact on their operating budgets. The Lake View Fire Department is both proud and pleased to be part of a partnership with the rest of the Town of Hamburg fire companies to address the many issues that lie ahead. The fire service in the Town of Hamburg has historically been in the forefront of emerging issues and the catalyst of change for the betterment of the fire service and the residents they serve. Thanks for their consideration and attention.

John Piscena, President of Newton Abbott, comments that they will stay the same in 2006 and they have had only one increase in seven years. Even with a new building going up they will remain the same. Like everyone else, they have rising fuel and utility costs.

Mike Quinn, Chief of Scranton Volunteer Fire Co., comments that they are raising their budget by \$8,000 which represents a 2% increase over the 2005 Budget. As everyone else has alluded to utilities are a major concern along with the price of fuel for the vehicles and natural gas to heat the building. Another big component that hasn't been mentioned is the rising cost of insurance for the vehicles and the facilities. A couple of things they will be doing this year is working on energy efficient improvements to their facilities. Although they try to hold the line with fundraising ever year they hope that they can count on their support. They look very consciously at their budgets and it is certainly not due to a lack of trying to keep the budget in line. He thanks them for their support and also the taxpayers.

Councilman Cavalcoli comments that, they noted that the increase in the budget for Armor Volunteer Fire Co did not represent an increase to the taxpayer because of changes in assessment evaluation. In Scranton's case is the \$8,000 increase an actual increase to the taxpayers. Mr. Quinn responds that it is an actual increase but it is minimal. They presented that to the taxpayers in that area. Supervisor Hoak commends them for meeting with the taxpayers in the area. Mr. Quinn comments that it works well, they can get their concerns up front.

Jim Kester, President of the Village of Hamburg Fire Department, comments that they have a slight increase in their budget and wants to echo the thoughts of other fire companies. Even with the increase in the budget the tax rate increase is zero due to the increased assessment evaluation.

Pat McAnaney, President of Woodlawn Vol. Fire Co., comments that this year they have a zero percent increase. They were able to hold the line because of all the fundraisers that they were able to do. One thing that everyone else seems to have is growth. The Town needs to do something in the Woodlawn area to get some growth there.

Supervisor Hoak comments that the Town Board has been concerned about assessment in the Woodlawn area. They have spent countless hours maintaining the longevity of the Ford Plant. Woodlawn has been hit over the head with the downsizing of Bethlehem Steel and they will pursue further development. They really appreciate what they have done holding the line on their budget.

Joe Kilian, United Council, questions if it would be more economical for them to look into one insurance carrier to keep costs down. Supervisor Hoak asks Mike Chiacchia to bring that up at the Fire Chief's Association meeting as well.

XII.

RESOLVED, that the Town Board authorize the Finance Department to increase revenue account DB 3501 C.H.I.P.S. and Appropriation Account DB 5112.210 in the amount of \$5,209.68 due to unanticipated C.H.I.P.S. Funding to be received from the State.

Moved: Quatroche

Seconded: Hochul

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

Noes: None

Carried

XIII.

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

- | | | | |
|------------------|---------------------------|------------|-----------|
| 1. Wyler, Cheryl | P/T Clerk Typist | 09/01/2005 | Terminate |
| 2. Wyler, Cheryl | P/T Seasonal Clerk Typist | 09/01/2005 | \$9.98 |

Moved: Cavalcoli

Seconded: Kesner

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

Noes: None

Carried

XIV.

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

- | | | | |
|-------------------|------------------|------------|-----------|
| 1. Zulawski, John | Seasonal Laborer | 09/04/2005 | Terminate |
| 2. Zulawski, John | P/T Laborer | 09/06/2005 | \$9.09 |
| 3. Scinta, Mike | Seasonal Laborer | 09/04/2005 | Terminate |
| 4. Scinta, Mike | P/T Laborer | 09/06/2005 | \$9.09 |
| 5. Gorman, Jared | Seasonal Laborer | 08/26/2005 | Terminate |
| 6. Nelson, Brett | Seasonal Laborer | 08/26/2005 | Terminate |

Moved: Quatroche

Seconded: Cavalcoli

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

Noes: None

Carried

XV.

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

- | | | | |
|----------------------|------------------------|------------|-----------|
| 1. DiMarco, Hazel | Tax Clerk P/T | 09/05/2005 | Terminate |
| 2. DiMarco, Hazel | Tax Clerk P/T Seasonal | 09/06/2005 | \$11.83 |
| 3. Kellerman, Sharon | Tax Clerk P/T | 09/05/2005 | Terminate |
| 4. Kellerman, Sharon | Tax Clerk P/T Seasonal | 09/06/2005 | \$10.41 |
| 5. Rhoads, Deborah | Tax Clerk P/T | 09/05/2005 | Terminate |
| 6. Rhoads, Deborah | Tax Clerk P/T Seasonal | 09/06/2005 | \$9.64 |
| 7. Jackson, Carol | Tax Clerk P/T | 09/05/2005 | Terminate |
| 8. Jackson, Carol | Tax Clerk P/T Seasonal | 09/06/2005 | \$9.33 |

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

Recreation Department as follows:

1. Aroune, Paul	ER7251(225) Reg. Dept. B7310(320) Temp. Dept.	09/18/2005	Terminate
2. Cannan, Sean	ER7251(225)	09/18/2005	Terminate
3. Di'Orio, Anthony	"	"	Terminate
4. Gardner, George	"	"	Terminate
5. Gibson, Amy	"	"	Terminate
6. Gibson, Michael	"	"	Terminate
7. Haller, Carl	"	"	Terminate
8. Ignatius, Christopher	"	"	Terminate
9. McFeely, Elizabeth	"	"	Terminate
10. McFeely, Maria	"	"	Terminate
11. McGahey, Brad	"	"	Terminate
12. Sharlock, Matthew	"	"	Terminate
13. Schulz, Gregory	"	"	Terminate
14. Sigeti, Andrew	"	"	Terminate
15. Steger, Joseph	"	"	Terminate
16. Cannan, Sean	ER7251(225)	09/19/2005	\$6.65 P/T
17. Ignatius, Christopher	B7310(320) Rec. Attendant	09/19/2005	\$725 P/T
18. Aroune, Paul	"	"	\$9.75 P/T
19. McFeely, Elizabeth	B7310(320) Rec. Attendant	09/19/2005	\$7.40 P/T
20. Sharlock, Matthew	ER7251(2250) Rec. Attendant	09/19/2005	\$6.65 P/T
21. Sigeti, Andrew	"	"	\$7.00 P/T
22. Steger, Joseph	"	"	\$9.75 P/T
23. Hlavaty, Eric	A7270(238)	09/06/2005	Terminate
24. Cleary, Michael	A7180(215)	09/06/2005	Terminate
25. Smith, Sean	A7180(215)	09/06/2005	Terminate
26. Revezzo, Adam	A7265(230)	09/06/2005	Terminate
27. Cullen, Kevin	A7180(215)	09/11/2005	Terminate
28. Ferris, David	"	"	Terminate
29. McKenney, Matthew	"	"	Terminate
30. Rooda, Christi	"	"	Terminate
31. Schmitt, Christine	"	"	Terminate
32. Slowik, Angela	"	"	Terminate
33. Slowik, Joel	"	"	Terminate
34. Smith, Lindsay	"	"	Terminate
35. Strum, Nicole	"	"	Terminate
36. Van Remmen, Greg	"	"	Terminate
37. Walsh, Dave	"	"	Terminate
38. Braunscheidel, Marissa	A7265(230)	"	Terminate
39. Denecke, Eric	"	"	Terminate
40. DiFrancisco, Christopher	"	"	Terminate
41. Fay, Mary Katherine	"	"	Terminate
42. Gugliuzza, Andrew	"	"	Terminate
43. Houseman, Elise	"	"	Terminate
44. Knopeck, Karen	"	"	Terminate
45. Otreмба, Steve	"	"	Terminate
46. Mulhisen, Matthew	"	"	Terminate
47. Schulz, Elizabeth	"	"	Terminate
48. Suchyna, Nathaniel	"	"	Terminate
49. Travis, William	"	"	Terminate
50. Vitrano, DeAnne	"	"	Terminate
51. Vitrano, DeAnne	B7310(320) Rec. Attendant	09/12/2005	\$8.60 P/T
52. Wilk, Peter	A7270(239)	09/11/2005	Terminate
53. Anzalone, Christine	B7310(320)	09/06/2005	Terminate
54. Bates, Edward	"	09/11/2005	Terminate

55. Bebak, Marilou	“	”	Terminate
56. Bolm, Ryan	“	”	Terminate
57. Castanza, Jenea	“	”	Terminate
58. Clark, Lyndsay	“	”	Terminate
59. Collins, Ann	“	”	Terminate
60. Conrad, Megan	“	”	Terminate
61. Denecke, Patrick	“	”	Terminate
62. Donovan, Cornelius	“	”	Terminate
63. Dulak, Jenna	“	”	Terminate
64. Filighera, Randall	“	”	Terminate
65. Gavin, Jill	“	”	Terminate
66. Goldbach, Jennifer	“	”	Terminate
67. Haefner, Jessica	“	”	Terminate
68. Haefner, Kristina	“	”	Terminate
69. Hemme, Matthew	“	”	Terminate
70. Jacobs, Kimberly	“	”	Terminate
71. Jewett, Zachary	“	”	Terminate
72. Koch, David	“	”	Terminate
73. Kromke, Lauren	“	”	Terminate
74. Kumiega, Renee	“	”	Terminate
75. Lantzy, Emily	“	”	Terminate
76. Lederman, Susanne	“	”	Terminate
77. Lyon, Elyse	“	”	Terminate
78. MacKinnon, James	“	”	Terminate
79. Manganello, Erin	“	”	Terminate
80. MacNamara, Rachel	“	”	Terminate
81. Meyer, Megan	“	”	Terminate
82. Meyer, Molly	“	”	Terminate
83. Michelsen, Jessie	“	”	Terminate
84. Nelson, Brett	B7310(320)	09/11/2005	Terminate
85. Nelson, Gay Lynn	“	”	Terminate
86. Newton, Katie	“	”	Terminate
87. Poliseno, Jessica	“	”	Terminate
88. Portka, Cara	“	”	Terminate
89. Prucnal, Kathryn	“	”	Terminate
90. Resetarits, Frank	“	”	Terminate
91. Rettig, Amber	“	”	Terminate
92. Rettig, Daniel	“	”	Terminate
93. Rickard, Kelly	“	”	Terminate
94. Rust, Charles	“	”	Terminate
95. Ryan, Wendy	“	”	Terminate
96. Sadowski, Christopher	“	”	Terminate
97. Saunders, Kelly	“	”	Terminate
98. Schanbacher, Kristin	“	”	Terminate
99. Schappert, Erika	“	”	Terminate
100. Schranz, Kirk	“	”	Terminate
101. Spencer, Megan	“	”	Terminate
102. Szczur, Celia	“	”	Terminate
103. Szabta, James	“	”	Terminate
104. Willats, Bethany	“	”	Terminate
105. Wolfrum, Jacob	“	”	Terminate
106. Thiry, Donald	“	”	Terminate

107. Thiry, Donald	B7310(320) Rec. Attendant	09/12/2005	\$7.75 P/T
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108. Brockenshire, John	“	09/11/2005	Terminate
109 Brockenshire, John	“	09/12/2005	\$9.00 P/T
110. Bushen, Amy	“	09/11/2005	Terminate
111. Bushen, Amy	“	09/12/2005	\$7.00 P/T
112. Cavaretta, Peter	“	09/11/2005	Terminate
113. Cavaretta, Peter	“	09/12/2005	\$8.50 P/T
114. Collins, Lauren	“	09/11/2005	Terminate
115. Collins, Lauren	“	09/12/2005	\$7.85 P/T
116. Garcia, Alicia	“	09/11/2005	Terminate
117. Garcia, Alicia	“	09/12/2005	\$6.10 P/T
118. Greenaurer, Joshua	“	09/11/2005	Terminate
119. Greenaurer, Joshua	“	09/12/2005	\$6.60 P/T
120. Voltz, Cathy	“	09/12/2005	\$7.00 P/T
121. Henry, Kelly	“	09/11/2005	Terminate
122. Henry, Kelly	“	09/12/2005	\$8.30 P/T
123. Silverman, Elizabeth	“	09/11/2005	Terminate
124. Silverman, Elizabeth	“	09/12/2005	\$6.12 P/T
125. Silverman, Scott	“	09/11/2005	Terminate
126. Silverman, Scott	“	09/12/2005	\$7.00 P/T

Moved: Quatroche

Seconded: Hochul

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

Noes: None

Carried

XXIX.

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

1. Fraser, Sam	Seasonal Laborer	09/18/2005	Terminate
2. Fraser, Sam	P/T Laborer	09/19/2005	\$9.09
3. Kieber, Dan	Seasonal Laborer	09/18/2005	Terminate
4. Kieber, Dan	P/T Laborer	09/19/2005	\$9.09
5. Ryan, John	Seasonal Laborer	09/18/2005	Terminate
6. Ryan, John	P/T Laborer	09/19/2005	\$9.09
7. Sutton, Ted	Seasonal Laborer	09/18/2005	Terminate
8. Sutton, Ted	P/T Laborer	09/19/2005	\$9.09
9. LaRosa, Barbara	P/T Clerk Typist	09/18/2005	Terminate
10. LaRosa, Barbara	Seasonal Clerk Typist	09/19/2005	\$10.30
11. Ersing, Mike	Seasonal Laborer	09/04/2005	Terminate
12. Ersing, Mike	P/T Laborer	09/06/2005	\$9.39
13. Jasinski, Cassidy	Seasonal Laborer	09/02/2005	Terminate
14. Nelson, Brett	Seasonal Laborer	09/02/2005	Terminate
15. Scheffler, G.	Working Crew Chief	08/20/2005	Retired

Moved: Quatroche

Seconded: Kesner

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

Noes: None

Carried

XXX.

WHEREAS, the Town Board is dedicated to the promotion of fire prevention in order to safeguard our community from injury and damage created by fire; and

WHEREAS, the Town Board continues their efforts to enhance fire safety inspections in all areas of public assembly as a means to further cultivate fire prevention within the Town of Hamburg; and

WHEREAS, provisions have been made to appoint a fire inspector to administer and conduct fire safety inspections under a contracted

NOW THEREFORE BE IT RESOLVED, that the Town Board has reviewed the credentials of several applicants and based of the recommendations presented by the Supervising Code Enforcement Official appoint Michael Chiacchia as Fire Safety Inspector to assist our Town Code Enforcement Officers with fire safety inspections of places of public assembly effective this day

The rate of pay for these contracted services will be a flat rate of \$18.00/ hour.

BE IT FURTHER RESOLVED, that the funds allocated for the sole purpose of contracted fire safety inspections are available in account B 3620.440 (Contracted Fire Inspectors).

Moved : Quatroche Seconded: Kesner
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
 Noes: None
 Carried

Councilman Quatroche comments that they have been covering this with their existing officers and it has been very difficult to identify someone to do this and they want to welcome him aboard to assist with these inspection.

Ferd Garcia questions if this is a new position.

Councilman Quatroche explains that they made provisions in last years budget for this.

XXXV.

BE IT RESOLVED, that the Town Engineer's report on the acceptance of the street lighting for WOODS AT VERSAILLES SUBDIVISION PART 3 installed under Public Improvement Permit No. 818 be received and accepted, and that the Supervisor is authorized to sign the report.

BE IT FURTHER RESOLVED, that the Town Board authorize Niagara Mohawk to connect a total of ten (10) 70-watt high pressure sodium luminaries in accordance with the existing rate tariff, and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Department for transmittal to Niagara Mohawk, and that this resolution becomes effective on the day the report is signed by the Supervisor.

Moved: Hochul Seconded: Quatroche
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
 Noes: None
 Carried

XXXVI.

XXXVIII.

RESOLVED, that the Town Board table resolution XXXVII. For further discussion.

Moved: Hochul

Seconded: Quatroche

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

Noes: Cavalcoli

Carried

RESOLVED, that the Town Board approve the Out-of-Town Travel request for James Spute, Robert Brown and Mary Dosch to travel to Batavia, New York on November 2, 2005 to attend the G.F.O.A. Seminar entitled “Budgeting Best Practices”.

BE IT FURTHER RESOLVED, that the Town Board authorize the Finance Department to transfer \$270.00 from A1990.419 Contingency to A1310.492 Finance Seminars.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

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

VOUCHER #'S

OPERATING FUND:

BATCH #113	\$325,000.00	5242
BATCH #114	\$497,323.62	5244 - 5372
BATCH #115	\$ 80,422.12	5378 - 6427
BATCH #116	\$161,281.26	5451 - 5452
BATCH #117	\$ 95,000.00	5455
BATCH #118	\$ 15,907.20	5457
BATCH #119	\$337,809.83	5462 - 5554
BATCH #120	\$ 6,000.00	5556
BATCH #121	\$ 61,071.48	5557 - 5644
BATCH #122	\$ 126.00	5645
BATCH #123	\$178,061.12	5659 - 5732
BATCH #124	\$900,000.00	5733 - 5734
BATCH #125	\$ 33,780.99	5736 - 5798
BATCH #126	\$172,600.78	5804 - 5902
BATCH #127	\$ 37,602.45	UNPROCESSED
PRTRN P/R 16	\$595,351.00	
PRTRN P/R 17	\$559,376.40	
PRTRN P/R 18	\$542,702.48	

TOTAL OPERATING DISBURSEMENTS: \$6,048,416.73

TRUST & AGENCY

BATCH #33	\$ 20,602.25
BATCH #34	\$574,273.93
BATCH #35	\$635,341.40
BATCH #36	\$ 11,513.99
BATCH #37	\$ 4,023.00
BATCH #38	\$540,918.50
BATCH #39	\$ 44,977.85

TOTAL TRUST & AGENCY DISBURSEMENTS: \$1,831,650.92

CAPITAL FUND DISBURSEMENTS:

BATCH #57	\$350,000.00	5243
BATCH #58	\$148,932.50	5373 - 5377
BATCH #59	\$ 5,690.20	5453 - 5454
BATCH #60	\$225,000.00	5456
BATCH #61	\$138,622.11	5458 - 5461
BATCH #62	\$350,000.00	5555
BATCH #63	\$ 48,184.13	5646 - 5658
BATCH #64	\$450,000.00	5735
BATCH #65	\$132,582.76	5801 - 5803
BATCH #66	\$ 11,016.85	5799 - 5800
BATCH #67	\$ 18,424.62	5801 - 5804

TOTAL CAPITAL FUND DISBURSEMENTS: \$1,860,028.55

PAYROLL:

PR# P/R 16	\$554,151.68
PR# P/R 17	\$598,137.42
PR# P/R 18	\$520,499.40

TOTAL PAYROLL DISBURSEMENTS: \$1,672,788.50

Reports From Town Board Members and Department Heads

Councilwoman Kesner reports that the Domestic Violence Charity Board is in the process of putting together a fundraiser to be held October 14th at Brierwood Country Club. Last year they were able to raise \$18,000 which went directly to the victims. More information to come. They have helped over 900 families.

Councilwoman Hochul reports that the Seaway Trail Visitors Center will be the site for the Hamburg YES program to host an afternoon craft party. There will be face painting and painting rocks from the Town beach. This will be Saturday September 17th and she asks families to bring their children between 1:00 pm and 4:00 pm.

Councilman Quatroche comments that they are very fortunate in the Town of Hamburg to have great volunteers. Whether they are firefighters or coaches they all put a lot of time in. Marty Denecke and staff do a phenomenal job with the youth in keeping the lines of communication open. On September 16th they will be having a Character Council Coach of the Year banquet and he encourages people to attend. These are people who put in countless hours for our youth. We have one of the best run coaching programs in the area. They have also been recognized nationally.

Supervisor Hoak thanks VFW Post 1419 for hosting the 9-11 ceremony. They have a plane from Vietnam and other equipment which is the start of a historical museum. They also have inside displays from veterans who are donating articles from past wars. They should be commended for remembering this memorable day (9-11). Supervisor Hoak then comments that they attend a lot of benefits and fundraisers. The Domestic Violence fundraiser is top-notch. Councilwoman Kesner hosts a very classy and reasonable event for a worthwhile cause. They are very fortunate to have the employees they have because what they have to deal with on a daily basis is very difficult.

Catherine Rybczynski, Town Clerk, wants to thank everyone who supported the Domestic Violence Chicken Barbecue sponsored by the Hamburg Moose and Sunrise Rotary. This was the 3rd annual fundraiser with all the proceeds to go to Domestic Violence. She then reminds everyone that Tuesday, September 13th is Primary Day and we are one of 13 Towns that have paper ballots. Please exercise your right to vote.

Business From the Floor

Walter Koleta, Adams St., comments that on Scranton Road the Erie County Water Authority has made cuts in the road and patched over them. They are all getting old. Who is responsible for that. Jim Connolly, Highway Superintendent, comments that if the Erie County Water Authority did work on the road they are required to bring it back to its original state. He will take a look at that.

Steve Walters, 5601 Stilwell, wants to commend the fire companies for, on the most part, no tax increases. He then asks the Town Board if they will be able to hold the line on taxes this year.

Councilman Quatroche responds that, as fellow taxpayers, their goal is zero or lower. They are working very hard, as they do every year, and need to go line by line. It is very difficult with health insurance and pension costs. They have a timetable and will be working very diligently as they have every year.

Mr. Walters comments, so, at this point there is no knowledge as to where that will stand. Councilman Quatroche responds that they are still working with the Department Heads and trying to project revenues.

Supervisor Hoak commends Mr. Walters on the thought of a zero percent tax increase and also his suggestion that they hire seven police officers. However, that would cost the Town over \$500,000. Then to have a zero percent tax increase. What really concerns him is the last person to come forth in this community and promise zero percent tax increases was Joel Giambra. When he came out with that Parks and beaches were closed and the tax rate for the budget this year will go up 30%. Under his leadership over the last 12 years they have been able to keep the tax rate under inflation. They have also increased the bond rating over the last 12 years and have the highest financial reporting, being the only Town out of 930 in New York State to receive this. As he urges that they need to hire seven more police officers there are only 5 Towns out of 930 in New York State that have received the highest accreditation of police services and Hamburg is one of the 5. When he goes to the gas pump or to the supermarket, prices are going up, and to say he demands zero percent tax increase, but wants to hire more employees. This is scary and he would never want to have happen in the Town what happened in the County.

Mr. Walters responds that Joel Giambra did more than just hold the line on taxes, he took a deep cut. Only one of 8 fire departments has asked for an increase. He is asking the Town to do the same.

Supervisor Hoak responds that for the past 8 years the fire companies have had zero percent increases, however, if you go back 10 years the increases were in excess of 10%. Under this administration they have brought them in and requested that they hold the line. They have done that for the last 8 years. The Town has also held the line for the last 12 years.

Mr. Walters points out the growth in the Town and the increase in tax base. Where then is the reciprocal help to the taxpayers. He is not asking for a cut, just to hold the line.

Supervisor Hoak responds that with the increase in the tax base they were able to expand the golf course to 18 holes, put in new soccer fields for our youth and put in the ice arena that is one of the finest in the Western New York area.

Mr. Walters responds that he feels the police should be a higher priority.

Supervisor Hoak responds that, again, our police department has received the highest accreditation in New York State. If it works, why do we need more help.

Mr. Walters comments that he has had police officers approach him that they need help and were told not to assist police officers in other communities.

Supervisor Hoak asks Chief Coggins to address this.

Chief Coggins responds that he has never heard of any problems and asks that the officers come forward. Over the last 12 months they assisted the Village of Hamburg 123 times and the Village of Blasdell 52 times and other agencies within the State 367 times since the first of this year. Just recently they had a call in Brook Gardens where there were drugs and they asked the Sheriff's Department to come assist. It is a back and forth give and take. They have done this for years. Supervisor Hoak questions if they are short-staffed. Chief Coggins responds no they are not, they policed Blasdell for years and the Village got out of that contract with us. Four officers were assigned to that jurisdiction and are now available to work in the Town. Supervisor Hoak responds that he called the mayors of both Villages and they were very happy with the way things are run. Chief Coggins comments that we have a good spirit of cooperation.

Chief Coggins asks Mr. Walters to call him and set a date to sit down and talk this over.

Mark Cuda, questions why don't they sign the memorandum of understanding just so that they would have something in place.

Chief Coggins responds that they deal with so many different agencies that it would be impossible to keep track of all the details on a day to day basis.

Councilwoman Kesner comments that she knows he supports the police officers, but she is the wife of a police officer and she resents that they are using their police department for their political agenda. These men and women have enough challenges on their plate every day to be dragged in. If you want to talk about tax reform and services bring it on, but to drag the police department in is appalling. She has never been this upset.

Pete Reszka, Lake Ave., comments that he has been in two meetings with Mr. Walters and has heard the complaints. There appears to be a problem.

Councilman Cavalcoli comments that he has served on a lot of different Boards and managed a lot of departments and no matter what group you are managing there will be some disgruntled people. The issue was raised publically and should not be discussed over and over. These employees have mechanisms, grievance processes and channels of command if they have a real issue. The Town Board supports those channels and they have never allowed any employees to be treated with anything but respect. This issue should be put to bed and if they have valid concerns they should be addressed through the proper channels.

Mr. Reszka comments that he heard that the Town Board asked the fire departments to make a 10% cut in their budgets. Councilman Cavalcoli comments that they addressed them the same way they did the Department Heads and asked them to look for ways to make cuts if at all possible. It was not a demand or request of a flat amount for each fire department. Mr. Reska asks, in Mr. Gullo's request, instead of holding him up couldn't they pass it on to the proper Board pending his return with the R-A designation. Councilwoman Hochul comments that the Planning Board will not meet between now and Monday so that would not make any difference. Councilman Cavalcoli comments that the better procedure is not to have a resolution that has improper language.

Mike Chiacchia, President of the Fire Chief's Association, he would like to thank everyone for the consideration shown in the Town of Hamburg. As president of the Fire Chiefs they meet once a month and try and hold the line on spending. The fire companies have fundraisers, community days, Bingo and this offsets some of the costs so they don't have to increase the cost to residents. They probably have one of the cheapest rates for fire service in Erie County. They are available 24 hours a day seven days a week, and they try and keep the budget in line. Erie County cut the budget for fire training. The Town of Hamburg has initiated a program to start their own training to offset the loss from the county.

Elizabeth Reszka, comments that after the opening of Coder Road Supervisor Hoak said that this would be a major help in getting the truck traffic off of Route 5. At the Board meeting in January 2005 she had a letter of correspondence concerning the truck traffic and requesting signs to divert the trucks off of Lake Avenue onto Coder Road. Councilwoman Hochul asked that Mr. Ellis prepare a resolution in support of this. Since that time the Village of Blasdell has installed signs heading west before Coder Road directing traffic to Route 179 and the Thruway. The Town has also installed no parking signs up and down Lake Avenue on both sides. The sign at the corner of Route 5 has been run down by trucks going across the sidewalk at least twice since its installation. Since the addition of the signs Lake Avenue has seen a large increase in truck traffic. When the trucks are waiting at the light, diesel exhaust comes in the windows and it generally makes life miserable on a daily basis. These trucks include car carriers and tandem trailers which are specifically prohibited by the NYSDOT to drive on Lake Avenue. She is requesting that the Town Board officially designate and also post Coder Road as a truck route and force the trucks off of Lake Avenue and as a result off of Route 5. Issuance of the resolution offered January 24th would be very helpful. She also has a videotape of the truck running down the sign, the very last time. She is available to assist in any way needed.

Supervisor Hoak thanks her for bringing this up. He then asks Mr. Ellis if he has any updates. Mr. Ellis responds that when that occurred he was directed by the Board to communicate with the NYSDOT and Erie County about signs. He has not heard from the County but, NYSDOT, Mr. Barnac wrote them a letter, that he passed on to Mr. Connolly that offered and gave suggestions on placing the signs. Those must be the signs that have been put up. Mr. Connolly responds yes those are the signs. Supervisor Hoak asks Mr. Ellis to get Mrs. Reszka's phone number so that he can be in contact with her.

XLV.

RESOLVED, that the Town Board adjourn to Executive Session at 9:05 p.m. to discuss Legal and Personnel issues.

Moved: Hoak

Seconded: Quatroche

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

Noes: None

Carried

Correspondence - September 12, 2005

- 71 - To Supervisor Hoak from the Town Clerk's Office, the Monthly Report from August 2005 with receipts totaling \$81,321.48.
- 72 - To Cathy Rybczynski, Town Clerk from NYSDEC responding to a request for a site plan review and comment regarding Ridgefield Terrace Phase III.
- 73 - To Patrick Hoak, Supervisor from Frances Bastedo, 2647 Oakwood Ave., asking that the Lakeshore Library be left open.
- 74 - To the Community Development Office from John Frizzell congratulating the Town on the recent amendment to the Fair Housing Portion of the Town Code strengthening penalties for housing discrimination.
- 75 - To the Hamburg Town Board from John Coniglio, Gina Coniglio and Maria Carducci opposing the building of a residence on the property between 4351 Fairview Pkwy and 3747 Blair Court as there is no lot frontage allowing a residence to be built there.
- 76 - To Catherine Rybczynski, Town Clerk from Assemblyman Quinn announcing the availability of grants from the Local Government Records Management Improvement Fund.
- 77 - To the Town Board from Ernest Jewett, Mayor of Village of Blasdell, a copy of a letter sent to the Board of Trustees of the Buffalo and Erie County Public Library stating on behalf of the Village of Blasdell he would like to go on record opposing the possible closing of the Blasdell Library.
- 78 - To Supervisor Hoak from David Swarts, Erie County Clerk, a copy of a press release expanding motor vehicle services and explaining his "Three Point Auto Bureau Enhancement Plan".
- 79 - To the Hamburg Town Board from John Wicka, Chairman of the Golf Outing for Firefighters, on behalf of all the volunteer firefighters thanking everyone involved in the 6th Annual Firefighters Golf Outing, especially Joe Wenzel, Chris D'Orio and the people at the snack bar. The firefighters are thankful and appreciative of the good working relationship that is beneficial to everyone.
- 80 - To the Hamburg Rejuvenation Project from Betty Newell, Hamburg Chamber of Commerce, announcing that they have been named as Non-Profit of the Year.
- 81 - To Councilwoman Joan Kesner from Betty Newell, Hamburg Chamber of Commerce, announcing that she is the recipient of the 2005 Leadership Award.
- 82 - To Supervisor Hoak from Ernest Jewett requesting a meeting with the Town Board regarding ongoing concerns with the Buffalo and Erie County Public Library System. Meeting to be held on September 7th at 1:00 p.m.
- 83 - To Patrick Hoak, Curt Herrmann, Ernest Jewett, Thomas Best Sr., Joseph Coggins, Dennis Gleason, Timothy Crawford and Kevin Haberman from Steven Walters, 31 Buffalo St., stating that it has come to his attention that there is a political rift between segments of the Town of Hamburg, the Villages of Blasdell and Hamburg and that our Town and village police officers have been put in the middle of the dispute. Enclosing an Interagency Assistance Memorandum of Understanding for their review.
- 84 - To Supervisor Hoak from Joseph Coggins enclosing a breakdown for the Blotter Log Report from 06/01/2003 to 06/01/2005 indicating dates and times that the Village of Blasdell and Village of Hamburg requested and received Police Officer assistance from the Town of Hamburg Police Department. Also stating that he has never received or promulgated a directive that would curtail or limit a response for assistance to any Law Enforcement Agency, emergency or otherwise.