

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 22nd day of September 2014.

2.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board adjourn Executive Session at 7:04 pm and move into the regular meeting.

ROLL CALL:	Steven J. Walters	Supervisor
	Michael Quinn, Jr.	Councilman
	Cheryl Potter-Juda	Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Mary Dosch, Sr. Account Clerk, Walter Rooth III, Town Attorney; Gerard Kapsiak, Town Engineer; Michael Williams, Chief of Police; Tom Best, Sr., Highway Superintendent; Kurt Allen, Supervising Code Enforcement Officer; Martin Denecke, Director of Youth, Recreation and Senior Services; Christopher Hull, Director of Community Development; Drew Reilly, Planning Consultant; Sean Crotty, Emergency Management Coordinator; Thomas Taylor, Sr. Public Safety Dispatcher; Ted Casey, Traffic Safety Coordinator; Amy Ziegler, Deputy Supervisor

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

Supervisor Walters comments that they are going to start the meeting with the proclamation that is on the agenda. This was sponsored by the Hamburg Sunrise Rotary and Hamburg Rotary. They are going to vary from the agenda and move the proclamation into record now.

3.

On a motion of Supervisor Walters, with a unanimous second, the following proclamation is

APPROVED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	



Town of Hamburg

Office of Supervisor

WHEREAS, Rotary International, founded on February 23, 1905 in Chicago, Illinois, USA, is the world's first, and one of the largest non-profit service organizations; and

WHEREAS, Rotary, in 1985, launched PolioPlus and spearheaded the Global Polio Eradication Initiative with the World Health Organization, U.S. Centers for Disease Control and Prevention, and UNICEF to immunize the children of the world against polio; and

WHEREAS, polio cases have dropped by 99 percent since 1988, and the world stands on the threshold of eradicating the disease; and

WHEREAS, to date, Rotary has contributed more than US 1 billion and countless volunteer hours to the protection of more than two billion children in 122 countries; and

WHEREAS, Rotary is currently working to raise an additional \$200 million toward a \$355 million challenge grant from the Bill & Melinda Gates Foundation; and

WHEREAS, these efforts are providing much needed operational support, medical personnel, laboratory equipment and educational materials for health workers and parents; and

WHEREAS, in addition, Rotary has played a major role in decisions by donor governments to contribute \$8 billion to the effort; and

WHEREAS, the Rotary Clubs of Hamburg, New York are two of the 70 clubs throughout our Rotary District 7090 (Southern Ontario, Canada and Western New York State), with over 2,300 members sponsoring service projects to address such critical issues as poverty, health, hunger, illiteracy and the environment in their local communities, and abroad.

NOW THEREFORE, I, Steven J. Walters, Town Supervisor of Hamburg, New York, do hereby proclaim October 24, 2014 as "World Polio Day" in Hamburg, New York, and encourage all citizens to join me and Rotary International in the fight for a polio-free world.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 24th day of October 2014.


Steven J. Walters
Supervisor
Town of Hamburg

Michael Quinn, Jr., Councilman
Cheryl Potter-Juda, Councilwoman



Supervisor Walters presents the proclamation to James Eiseman from the Hamburg Sunrise Rotary and Maria Guizzotti from the Hamburg Rotary.

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

LEGAL NOTICE TOWN OF HAMBURG
NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that there has been presented to the Town Board on August 11, 2014 , pursuant to the Municipal Home Rule Law, a proposed local law, introduced as proposed local law 8, 2013; said local law provides for amendments to the Zoning Code and Subdivision Laws of the Town of Hamburg, in the following sections. The proposed amendments are in accordance with recommendations of the Town of Hamburg Code Review Committee. The amendments can be described as follows:

- Amend Article XLIV of the Zoning Code (Chapter 230) by adding a new section 280-307.2, entitled “Landscaping Installation Certification”
- Amend Chapter 230, Subdivision of Land, under Article VI: Final Plan Requirements, by adding a new item, “G.” under section 230-3 that addresses Landscaping certification
- Add a new Chapter entitled, “Plowing”
- Amend Section 280-277, “Permitted obstructions in Required Open Space”, by adding a new paragraph E., which is entitled, “Screening and Location Requirements for Dumpsters and Refuse Containers, Service and Parking Areas”

A detailed copy of the proposed amendments will be available, for public review, during regular business hours at the following locations:

HAMBURG TOWN HALL -2 Locations

Town Clerk’s Office/upper level & Planning Department/lower level)
6100 South Park Avenue
Hamburg, New York 14075

And on the Town of Hamburg’s website:

www.townofhamburgny.com Click on Legal Notices & Bids

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 September 22, 2014 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: August 11, 2014

Catherine Rybczynski, Town Clerk
Town of Hamburg

Walt Rooth comments that he received a letter from the Chief of Police regarding the proposed code change adding a section for snowplowing. The Chief raised several concerns he had new law and commented that the Town Clerk had concerns as well. He contacted the Chief and they felt it was best to continue with the public hearing and get input from the public on concerns they had with the proposed snow plowing law and then revise the statute with their concerns at another meeting.

Drew Reilly gives an overview of the process for amending the local laws. He then reviews the proposed changes. He hands out copies of the changes to the law, which are available on the Town of Hamburg website.

Dennis Chapman comments that, with the snowplowing permits, there is no fee associated with it.

Supervisor Walters comments that he is on the Code Review Committee and one of the things he was very adamant about was that there were no fees for the snowplow operators. This is simply an opportunity for the Town to have a copy of the operators insurance and their contact information. They did not want to charge the fee because that would have been passed on to the customer. That was not the intent of the law.

Thom Taylor questions if the permits would be put on-line after approval because dispatch would need the contact information.

Supervisor Walters comments that it would be sent to dispatch but would not be viewable by the public.

4.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board close the public hearing.

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

LEGAL NOTICE
TOWN OF HAMBURG

PLEASE TAKE NOTICE that there has been presented to the Town Board on August 11, 2014 pursuant to the Municipal Home Rule Law, a proposed local law introduced as proposed local law #9, 2013; said local law provides for the amendment of Local Law #10, 1986, Chapter 280-Zoning and provides substantially as follows:

For the adoption of an amendment to said Zoning Code for the properties specified below and identified by the S.B.L. Numbers listed for each parcel:

1. Rezone 5768 South Park Avenue (SBL# 183.05-2-13) from M-1, Industrial Park-Research and Development District to NC, Neighborhood Commercial District.
2. Rezone 5661 Camp Road (SBL# 183.09-3-16.22) from M-2, Light Industrial District to C-2, General Commercial, and the rear portion of 5543 Scranton road currently zoned M-2, Light Industrial District to R-3, Multifamily District, and a portion of a vacant parcel (SBL# 183.09-3-17) from M-2, Light Industrial to R-3, Multifamily District.

Rezone the following properties to PR Park/Recreation Lands District:

3. Locksley Hamburg Town Park/Beach 4420 Lakeshore Rd. (consisting of one parcel SBL #170.05-1-11): Existing Zoning R-1 Single Family Residence District.
4. Erie County Eighteen Mile Creek Parkland. consisting of parcels North Creek Rd. SBL # 194.00-5-7.1 and Hickox Rd. SBL # 195.00-1-64: Existing Zoning R-A Residential Agricultural District
5. Eighteen Mile Golf Course consisting of one parcel 6374 Boston State Rd. SBL # 196.00-1-17.11: Existing Zoning R-A Residential Agricultural District and R-3 Multifamily District
6. Taylor Road Recreation Facility 6765 Taylor Rd. (consisting of one parcel SBL #196.00-3-1): Existing Zoning R-A Residential Agricultural District
7. Town Ice Arena/Park (Nike Base) 2982 Lakeview Rd. (consisting five parcels, SBL # 194.00-4-13, SBL # 194.00-4-14, SBL # 194.00-4-15, SBL # 194.00-4-16 and SBL # 182.00-4-72): Existing Zoning R-A Residential Agricultural District

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 September 22, 2014 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: August 11, 2014

Catherine Rybczynski, Town Clerk
Town of Hamburg

No correspondence was received.

Drew Reilly explains the process for the rezoning of the properties and the Town's reasoning behind the rezoning of the properties that are included in the public hearing. The properties are not being rezoned for a specific project they are being changed so that they are in the correct zoning district.

Paul Ratchuk questions what is happening with the old Calkins property.

Supervisor Walters responds that the property is no longer operating as a junk yard. They are taking affirmative steps to get it more into conformance with surrounding properties, which is commercial.

Dennis Chapman comments if it is standard procedure that if a facility no longer fits under a certain zoning that the board goes in and changes it to what it was zoned prior.

Mr. Reilly responds that it is not standard procedure but there are some major properties in the Town that are obviously zoned incorrectly. The Code Review Committee reviewed the map and looked at the Comprehensive Plan to find properties that are way out of line. Otherwise they wait for people to request a rezoning. They are being proactive with the properties they are rezoning at this hearing.

Dennis Chapman questions if a school is no longer being used for that purpose would it automatically revert to the previous zoning?

Mr. Reilly responds that there is no such thing as reversionary zoning. The Town Board has to take action to change a zoning.

John McKendry questions the Braymiller rezoning along Route 62.

Mr. Reilly responds that is later on in the agenda; however that is being pulled this evening.

Mr. McKendry questions if that rezoning would affect the Hamburg Rod and Gun Club which is in the same area of Town.

Mr. Reilly responds no it will not.

Irene Shymko questions who plants the plants that are at Woodlawn Beach.

Supervisor Walters comments that they have some dedicated employees from the Buildings and Ground Department that do all the landscaping throughout the town.

Ms. Shymko questions if there is any input from the public on that.

Mr. Best comments that she can stop by his office and he will take any recommendations that she has to offer.

Frederick Anderson and Supervisor Walters discuss an ongoing issue Mr. Anderson has with the Town in regards to property he wants to build a house on.

Bill Knab comments that he has an issue with a letter he received in regards to this public hearing and the proposed rezonings. He asked for an explanation from the Planning Department and they refused to talk to him and sent him to the Legal Department. That is a problem and the information in the letter needs to be addressed.

Supervisor Walters thanks him for bringing it to his attention.

5.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board close the public hearing.

6.

On a motion of Councilwoman Potter-Juda, seconded by Councilman Quinn, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

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

- 09/08/2014 Work Session
- 09/08/2014 Town Board Meeting
- 09/08/2014 Executive Session

7.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

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

- | | | | |
|----------|----------|----------|----------|
| 10/03/14 | 10/04/14 | 10/05/14 | 10/10/14 |
| 10/11/14 | 10/12/14 | 10/18/14 | 10/19/14 |
| 10/25/14 | 10/26/14 | | |

8.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, the Town Board authorize Detective Paul Randall and Officer Jeffrey Bullard to attend GST (Gracie Survival Tactics) to be held at the US Navy Seals Training facility in Coronado, California, October 12 – October 18, 2014.

Cost of Training: \$945.00 ea.	\$ 1,890.00
Hotel & Parking	\$ 1,167.00
Air Fare	\$ 823.40
Car Rental & Gas	\$ 250.00
Meals - \$40.00 per day X 2Officers x 5 days	<u>\$ 400.00</u>
TOTAL:	\$ 4,530.40

Money is available in account B3120.202.

9.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, On March 24, 2014 the Hamburg Town Board authorized the Department of Community Development to advertise bids for the purpose of completing the 2014 Village of Blasdell Infrastructure Reconstruction project, and

WHEREAS, the bids were opened on Thursday, September 4, 2014 at 11:00 a.m. subsequently reviewed by the Department of Community Development, representatives of the Village of Blasdell and their engineering firm, and

WHEREAS, the following contractors submitted bids on the project:

Occhino Corporation	\$45,280.00
E&R General Construction, Inc.	\$70,470.00

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board authorize the Department of Community Development to accept the bid of and enter into a contract with Occhino Corporation to complete the 2014 Village of Blasdell Infrastructure Reconstruction project. Funding for the contract is available in CD40 8662.354. Any CDBG funding remaining after the initial project has been completed will be utilized to continue reconstruction on Arthur Avenue.

10.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

WHEREAS, the Town of Hamburg will be receiving federal Community Development Block Grant and HOME Investment Partnership funds for use within the 2015 program year, and

WHEREAS, citizen participation is requested in the development of the towns Five Year and One Year Action Plans, in its development of its CDBG and HOME projects and in the review of previous years CDBG and HOME 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 and times to develop its Five Year and One Year Action Plans and its CDBG and HOME projects within the 2015 program year:

- Tuesday, October 7, 2014 @ 7:00 p.m.
- Monday, October 13, 2014 @ 6:30 p.m.
- Wednesday, October 15, 2014 @ 6:00 p.m.
- Monday, October 27, 2014 @ 6:00 p.m.
- Wednesday, October 29, 2014 @ 6:00 p.m.
- Monday, November 10, 2014 @ 6:30 p.m.
- Wednesday, November 12, 2014 @ 6:00 p.m.
- Monday, November 24, 2014 @ 6:00 p.m.

BE IT FURTHER RESOLVED that notices of these hearings be published in the official town newspapers.

Joe Killian questions where the public hearings are to be held.

Mr. Hull responds in the Lobby of Town Hall.

11.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

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

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1		Best, Sherri		Clerk/A7140.0100 Sea				10/1/2015
2		Best, Sherri		Clerk/A7140.0100 P/T	10/2/2014		\$15.50	
3	4149	Nowak, Kyle		Laborer/EI7266.0100 Sea				10/5/2014
4	4149	Nowak, Kyle		Laborer/EI7266.0100 P/T	10/6/2014		\$9.50	

12.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED, the Town Board approve the request for Joseph Wenzel and Marc Collins of the Department of Youth, Recreation and Senior Services to attend the Summit on Aging, Independence and Culture in Niagara Falls. The Summit will be held at the Niagara Falls Convention Center on September 24th and 25th 2014. Approximated expenses include the following:

(2) Registrations @ \$250	= \$500.00
Mileage and tolls	= <u>40.00</u>
	\$540.00

Upon approval, funds are available in account A1970.492.

13.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the hiring and rehiring of personnel for the Town Clerk as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	4119	BROWN, BARBARA	R	P/T CLERK SEASONAL	9/29/14		\$10.53	
2	4238	BRAUN, SHARON	R	P/T CLERK SEASONAL	9/29/14		\$10.53	
3		KRUPSKI, JENNIFER	N	P/T CLERK SEASONAL	9/23/14		\$15.00	

14.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED that the Town Clerk be authorized to advertise for a public hearing regarding renewal of the Time Warner Cable Franchise Agreement with the Town of Hamburg.

The public hearing will be scheduled for November 10, 2014 at 7:00 p.m. local time.

15.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1	4561	Criscione, Kristen		Rec Attd-A7310-Seas				9/23/2014
2	4045	Gray, Alexandra		Rec Attd-EI7265-P/T				9/23/2014
3	4491	Hietanen, Christopher		Rec Attd-A7310-Seas				9/23/2014
4	4499	Lasko, Blair		Rec Attd-ER7251-Seas				9/23/2014
5	4454	Lane, Shannon		Lifeguard-EW7251-Seas				9/23/2014
6	4566	Lease, Hannah		Rec Attd-A7310-Seas				9/23/2014
7	4343	Lease, Ryan		Rec Attd-EI7265-Seas				9/9/2014
8	4569	Loomis, Sarah		Rec Attd-A7310-Seas				9/23/2014
9	4571	Maronski, Marco		Rec Attd-EW7251-Seas				9/23/2014
10	3855	McAnaney, Patrick		Rec Attd-A7310-Seas				9/23/2014
11	4395	McCormick, Emily		Rec Attd-EW7251-Seas				9/23/2014
12	4362	McMahon, Grace		Lifeguard-ET7180-Seas				9/23/2014
13	4315	Mead, Karla		Rec Attd-EI7265-Seas				9/23/2014
14	4570	Marcinkowski, Kevin		Rec Attd-A7310-Seas				9/23/2014
15	4493	McDermott, Morgan		Rec Attd-A7310-Seas				9/23/2014
16	4546	Michaud, Sarah		Lifeguard-ET7180-Seas				9/23/2014
17	4408	Moscato, James		Rec Attd-A7310-Seas				9/23/2014
18	4471	Pellicano, Andrea		Rec Attd-A7310-Seas				9/23/2014
19	4488	Naughton, Conner		Rec Attd-EW7251-Seas				9/23/2014
20	3817	Newton, Katie		Rec Attd-EW7251-Seas				9/23/2014

21	1729	Otremba, Steven			Rec Attd- EI7265-Seas			9/12/2014
22	4389	Patronik, Kyle			Rec Attd- A7310-Seas			9/23/2014
23	4486	Pawlowski, Cassandra			Rec Attd-EW7251-Seas			9/23/2014
24	4487	Pawlowski, Darlene			Rec Attd-EW7251-Seas			9/23/2014
25	4479	Purcell, Katherine			Rec Attd-EW7251-Seas			9/23/2014
26	4572	Reardon, Kaylee			Rec Attd-A7310-Seas			9/23/2014
27	4391	Reardon, Taylor			Rec Attd-A7310-Seas			9/23/2014
28	4349	Rich, Devon			Lifeguard-EW7251-Seas			9/23/2014
29	4446	Rich, Luke			Lifeguard-ET7180-Seas			9/23/2014
30	4573	Robinson, Emily			Rec Attd-EW7251-Seas			9/23/2014
31	3897	Rodems, Benjamin			Rec Attd-EW7251-Seas			9/23/2014
32	4574	Ryan, Griffin			Rec Attd-A7310-Seas			9/23/2014
33	4480	Schupp, William			Rec Attd-EW7251-Seas			9/23/2014
34	4314	Sedor, Joseph			Rec Attd-ER7251-Seas			9/23/2014
35	4377	Smith, Konner			Rec Attd-EW7251-Seas			9/23/2014
36	4116	Steenberg, Ashley			Rec Attd-A6772-Seas			9/23/2014
37	4260	Suchyna, Nicholas			Rec Attd-EI7265-Seas			9/23/2014
38	4397	Sudyn, Joshua			Rec Attd-EW7251-Seas			9/23/2014
39	4186	Sullivan, Amanda			Rec Attd-A7310-Seas			9/23/2014
40	4407	Taylor, Matthew			Rec Attd-A7310-Seas			9/23/2014
						Full time	PT/Sea/tem	Termination
#	Emp #	Employee Name	N or R	Position	Start date	hourly rate	hourly rate	Date
41	4575	Tierney, Mackenzie		Rec Attd-A7310-Seas				9/23/2014
42	4497	Todorov, Christian		Rec Attd-A7310-Seas				9/23/2014
43	4036	Todorov, Jessica		Rec Attd-EI7265-Seas				9/23/2014
44	4475	Traina, Jessica		Rec Attd-A7310-Seas				9/23/2014
45	4197	Traina, Rachel		Rec Attd-A7310-Seas				9/23/2014
46	4576	Violanti, Joseph		Rec Attd-A7310-Seas				9/23/2014
47	4417	Anderson, Robert		Rec Attd-EW7251-Seas				9/22/2014
	4417	Anderson, Robert	R	Rec Attd-EI7265-P/T	9/23/14		\$8.00	
48	4436	DiPasquale, Ryan		Rec Attd-ER7251-Seas				9/23/2014
	4436	DiPasquale, Ryan	R	Rec Attd-EI7265-P/T	9/24/14		\$8.00	
49	4031	Eisenbeis, Erin		Rec Attd-A7310-Seas				9/22/2014
	4031	Eisenbeis, Erin	R	Rec Attd-EI7265-P/T	9/23/14		\$8.24	
50	4431	Geraci, August		Van Driver-A6772-Seas				9/29/2014
	4431	Geraci, August	R	Van Driver-A6772-P/T	9/30/14		\$9.25	
51	4502	Kramer, Susan		Rec Attd-A6780-P/T				9/6/2014
	4502	Kramer, Susan	R	Rec Attd-A6780-Seas	9/7/14		\$9.25	
52	4264	Kazibut, Kacper		Rec Attd-EW7251-Seas				9/22/2014
	4264	Kazibut, Kacper	R	Rec Attd-EI7265-P/T	9/23/14		\$8.00	
53	3799	McKenney, Matthew		Rec Attd-ET7180-Seas				9/6/2014
	3799	McKenney, Matthew	R	Rec Attd-ET7180-P/T	9/7/14		\$10.50	

BE IT RESOLVED that the Town Board approve the request of Martin Denecke, Director of Youth, Recreation & Senior Services, to attend the 2014 National Recreation and Parks Society Congress. The program is scheduled for October 14-16, 2014 in Charlotte, North Carolina. Estimated expenses include the following:

Air Fare	\$300.00
*Registration	620.00
Accommodations	420.00
Meals	160.00
Incidentals	<u>100.00</u>
Total	\$1,600.00

*If approved, registration fee will be reimbursed by the New York State Recreation and Parks Society. This would bring the cost down to \$980.00; Funds available in account A1970.492

18.

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

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

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

Michael R. LeBarron
3359 McKinley Pkwy
Blasdell, N.Y. 14219

Joshua M. Reichardt
967 Ridge Road
Lackawanna, N.Y. 14218

17.

On a motion of Supervisor Walters, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board, in the interest of an inter-municipal agreement, with benefit to both parties, extend the Agreement between the NFTA and the Town of Hamburg Police Department for use of the Town's Firearms Range by the NFTA to expire September 15, 2019.

BE IT FURTHER RESOLVED, that the Niagara Frontier Transportation Authority in return for the extension of this agreement shall make improvements to the Range and structures on the property.

18.

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

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

WHEREAS the New York State Department of Education, Division of Library Development, under the 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 Lake Shore Branch of the Hamburg Public Library (“Lake Shore Public Library”) located at 4857 Lakeshore Road, in the Town of Hamburg, and maintains the building under an agreement with the Buffalo and Erie County Public Library System, and

WHEREAS the Lake Shore 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, must be the applicant for such grants, and

WHEREAS the Lake Shore Public Library is in dire need of a roof replacement along with the replacement of three sky lights at an estimated cost of \$97,165;

WHEREAS the Town of Hamburg, as owner of the Lake Shore 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 NYS Public Library Construction Grant proceeds, to complete the roof replacement based on the attached project budget, contingent on the award of a Library Construction Grant;

AND BE IT FURTHER RESOLVED that this Town of Hamburg Town Board hereby authorizes and directs Town of Hamburg Grants Consultant Connie D. Miner to submit the Public Library Construction Grant for the Lake Shore Public Library and directs 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 Town of Hamburg Town Board agrees and covenants that the Library building at 4857 Lakeshore Road 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.

Mr. Bellissimo questions if it will be a repair to the existing roof or a new roof.

Supervisor Walters responds that it is a completely new roof. The construction of the original roof is why this project is so costly.

Superintendent Best responds that the original roof is flat and they will be constructing a pitched roof in its place.

19.

On a motion of Councilwoman Potter-Juda, seconded by Supervisor Walters, the following resolution was

ADOPTED Ayes 2 Walters, Potter-Juda
 Abstained 1 Quinn
 Noes 0

RESOLVED, that the Town Board approve the hiring of personnel for the Council Office as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1		Quinn, Jodi	N	P/T Clerk	9/22/2014		\$14.00	

20.

On a motion of Councilwoman Potter-Juda, seconded by Councilman Quinn, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

WHEREAS, Warning Electric paid for and obtained an electrical permit for 5814 Ashler Court, and

WHEREAS, they decided not to do the work

THEREFORE BE IT RESOLVED, that Warning Electrical & Services be issued a refund for the electrical in the amount of \$100.00.

Warning Electrical & Services
 431 Olean Road
 East Aurora, New York 14052

21.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED, that the Town Clerk is authorized to advertise for a public hearing to review the requests of the various volunteer fire companies and fire protection districts for their 2015 contracts with the Town of Hamburg

The public hearing will be scheduled for October 27, 2014 at 7:00 pm local time.

22.

On a motion of Councilman Quinn, seconded by Councilwoman Potter-Juda, the following resolution was

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

BE IT RESOLVED, that the Town Clerk be authorized to advertise for a public hearing on the 2015 Town of Hamburg Budget. The hearing is to be scheduled for October 27, 2014 at 7:00 pm local time.

23.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

RESOLVED, that the Town Board approve the membership of the following into the Woodlawn Volunteer Fire Co, Inc:

Andrew Ellers
132 Martin Ave.
Blasdell, N.Y. 14219

Mico Khan-Lee
132 Martin Ave.
Blasdell, N.Y. 14219

Tom Wirfel
3582 Heatherwood Dr.
Hamburg, N.Y. 14075

Michael Cole
3706 White Ave.
Blasdell, N.Y. 14219

24.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

Ryan Anzalone
 3610 Fox Run Drive
 Hamburg, N.Y. 14075

25.

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

ADOPTED Ayes 3 Walters, Quinn, Potter-Juda
 Noes 0

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

**TOWN BOARD
 AUDIT OF CASH DISBURSEMENTS September 22, 2014**

	VOUCHER #'S
OPERATING FUND:	
BATCH #171 \$45,588.66	71165
BATCH #172 \$30,153.03	71166-71179
BATCH #173 \$26,850.92	71180-71230
BATCH #174 \$686,266.34	71231-71282
BATCH #175 \$2,027.60	71285
BATCH #176 \$200.00	71286
BATCH #177 \$83,598.72	71287-71346
BATCH #178 \$70,077.84	71347-71348
BATCH #179 \$5,211.48	71353-71369
BATCH #180 \$6,810.66	71370-73384
BATCH #181 \$11,720.03	71385-71415
BATCH #182 \$54,322.56	71416-71456
BATCH #183 \$144,935.18	71461-71545
TOTAL OPERATING FUND DISBURSEMENTS:	\$1,167,763.02

TRUST & AGENCY:

BATCH #9	\$317.34	71263-71284
----------	----------	-------------

TOTAL TRUST & AGENCY DISBURSEMENTS:	\$317.34
-------------------------------------	----------

CAPITAL FUND DISBURSEMENTS:

BATCH #39	\$113,183.99	71349-71352
BATCH #40	\$6,136.92	71457
BATCH #41	\$117,805.31	71547-71550

TOTAL CAPITAL FUND DISBURSEMENTS:	\$237,126.22
-----------------------------------	--------------

PAYROLL:

PR #P/R 19	\$645,109.47
------------	--------------

TOTAL PAYROLL DISBURSEMENTS:	\$645,109.47
------------------------------	--------------

PETTY CASH	\$0.00
------------	--------

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$2,050,316.05
---	----------------

Reports from the Town Board and Department Heads

Councilwoman Potter-Juda – no report

Councilman Quinn reports that he just received a letter from the Locksley Park Taxpayers Association concerning some issues they are having with garbage in peoples yards causing rodent problems. He met with some residents that had concerns with people storing garbage on their premises and whether or not they had garbage service. He feels it is very important that everyone has garbage service and he will be looking into this further as to possibly making it mandatory. He also comments on televisions that have been left on front lawns for months that have not been picked up because large trash pickup does not include electronics. He will be looking into laws to address this problem.

Supervisor Walters wants to thank everyone that participated in the Town 911 Ceremony. Members of Frontier Band played some songs, members of the 914th Airforce Wing were there for a flag ceremony and the Buffalo Fire Drum Corps and Pipe Band led the procession. It was a very moving ceremony. Pastor Lou Guadagno of the Old Time Baptist Church was the guest speaker and he wants to thank everyone that participated. This was one of the best turnouts ever and he thanks Cathy Rybczynski for working with the 914th to bring them in and Sean Crotty who assisted in helping bring everything together.

Secondly he received a letter from Bruce Lakso from the Board of Directors of the Lakeshore Little League, thanking the Town for replacing the old picnic shelter that was on the Lakeshore Little League grounds. Legislator Lynn Dixon asked him to announce that the County is sponsoring a pharmaceutical drug collection event on Saturday Sept. 27th from 10:00 am to 2:00 pm. The local site is at West Herr Collision Center at 5140 Camp Road. The Tentative Budget was filed this afternoon and copies were presented to the Town Board for review. If anyone is interested, by tomorrow afternoon, it should be available on the Town of Hamburg website. The Town Board will now get to work on getting a final product in place to present to the public on October 27th.

Catherine Rybczynski, Town Clerk, reports that there are additional copies of the budget available in the Town Clerk's Office if anyone wants a hardcopy.

Gerard Kapsiak, Town Engineer, reports regarding the crumbling concrete abutments on the CSX Railroad bridges over Big Tree and Camp Roads. He contacted the Director of the CSX Regional Bridge Department and he said that their inspectors have inspected the bridges and found that there are no structural problems associated with them. They had some crews remove some loose concrete so that it doesn't fall on the road and they are planning to perform concrete repairs and Shotcrete the surfaces of the abutment next summer in order to improve the aesthetic appearance of the concrete. Also based on reports that he has received from residents that live near the railroad tracks, the frequency of train horn usage within the Rogers Road and Cloverbank Railroad Quiet Zone has decreased over the past couple of weeks and the parking of trains along the tracks has also decreased.

Sean Crotty reports that the Town of Hamburg is hosting, in conjunction with the State Department of Homeland Security, a citizen training preparedness class next Monday at Hilbert College at 6:30 pm. They have 370 people registered and the cap is at 400. The State Department of Homeland Security is pleased with the numbers and they will be working with the Town to deliver the information and products to the citizens.

Superintendent Best reports that the Highway Department has finished the paving season and both docks were removed by the Buildings and Grounds Department. Boats can still be launched at the Town Park depending on the weather.

Chief Williams reports that for those who cannot make the prescription drug drop-off event, that there is a prescription drug drop-off box and also a needle box in the lobby of the Police Department that is available all the time.

Kurt Allen, Supervising Code Enforcement Officer, reports that the Town Board received a letter from Robert and Carolyn Montgomery with concerns involving construction activity at 5800 Old Lakeshore Road. They are regulating some of the construction activity through a coastal erosion management permit which would address the majority of the concerns. He will report back to the Town Board with any further concerns. He is having a meeting with the owner of 5800 Old Lakeshore Road on Wednesday to further monitor the concerns.

Marty Denecke reports that from the Youth Bureau they had 18 volunteers from the Y.E.S. Program participate in the Great Lakes Beach Clean-up over the weekend. He wants to commend those young people and Bev Preischel who oversees the program. In addition, the Youth Bureau Clothes Closet is open for needy families and they accept donations of gently used clothing for babies through teens. For Recreation, the Ice Arena is now open and the golf course remains open and they have specials for anybody that wants to get their last rounds in before the bad weather hits. For Senior Services, he reports that the building project at 4540 Southwestern is coming along and they hope to be announcing their opening day in late October.

Business from the Floor

Roger Rosplochowski comments that he would like to know when the construction on the Quiet Zone is going to begin in the Bayview Road area.

Supervisor Walters comments that they have been working with the County to come up with something to begin construction on Pleasant and Lakeview. They have taken a look at the money that is available and it is more cost effective to do all three at the same time, rather than doing them piece meal. It has taken a lot longer to negotiate with the County. He asks the Town Engineer to see if the County would authorize the Town to start some of the specifications for the Pleasant and Lakeview crossings which could then include the Bayview Road crossing as well.

Mr. Rosplochowski questions if there is a timeframe, for example, one year or two years, to get this complete because he is ready to move, it is that bad.

Supervisor Walters comments that they have met with the County several times. The Town proposed what they thought was a good compromise. However the County is concerned about the liability of owning those crossings. The Town made a couple of suggestions to the County as to how they can mitigate that potential liability. They continue to require that the Town takes over a substantial amount of County roadway including those crossings. The County has brought the mileage down to about 2.5. There is quite a bit of engineering design work and regulations as to when they can build the crossings, so they could take a look at getting some of that design work done so that if the County does authorize the Town to put in the crossings they would not have to wait another 6 months.

Jim Morgan, Bayview area, comments that according to the Hamburg Sun there is \$370,000 left in the Quiet Zone fund and he thought they had agreed two months ago to do the Bayview crossing. If they can't negotiate with the County for Lakeview and Pleasant then do the Bayview project and put the other crossings on hold until next year. When he moved into the area they had normal train whistles, they are not normal anymore. He suggests strongly that the Town owns Bayview Road and therefore should work on it now.

John McKendry comments that the horn blowing over the weekend was brutal.

Vic Tomasulo thanks Supervisor Walters for the e-mails and information. He comments that in the information he received the biggest concern was the strip of Lakeview Road from Route 5 to Old Lakeshore. He e-mailed Charlie Sickler from the County and asked why they were even talking about that strip of road when it had nothing to do with the Quiet Zone. He has not gotten an answer. It was mentioned in the e-mails that the Town had used cameras and seen cracks and problems in the storm sewers on that section of road. When he mentioned that to Mr. Sickler he said he wasn't aware of that. He stated in the e-mail to him that they would fix issues with the road both pavement surface and drainage system prior to turning the road over to the Town. The County put that in writing. He doesn't necessarily agree with taking over that section of road, but if they are willing to fix it he doesn't see a problem.

Supervisor Walters responds that, in talking to Mr. Sickler, does he think the County would be willing to bring in an outside Engineer, and pay for it, to take a look at that section of road to see what needs to be done. The Town's concern is that the drainage has been so problematic that it has undermined the sub-surface of the road. Which means the road would have to be completely torn-out, sub-surface and all, which increases the cost from about \$100,000 per mile to almost \$200,000 per mile. That doesn't include fixing the stormwater system. The county could say they will mill and re-pave the road and then 2-3 years down the road the road could deteriorate and crumble again. As far as he knows, the County has never done a comprehensive study as to what needs to be done on that road.

Mr. Tomasulo responds that what he received in writing states that the County is willing to fix the issues of that road. He feels that the Town should send the County the results of what they found when they used the cameras in the storm sewers along that section of road. He feels this shouldn't be so difficult.

Supervisor Walters comments that he feels that his first comment was the most pertinent. Why are they including this section of road when it has nothing to do with the Quiet Zones? They have tried every which way to tell the County they will take over ownership of the crossings and that will eliminate the liability issues. Let's move forward for the benefit of all the residents along Pleasant, Lakeview and Bayview Road. The County flat out rejected that.

Mr. Tomasulo comments that he did ask why the County had to include that section of road and did not receive an answer. He does agree with Mr. McKendry that waiting until the snow flies and seeing who the plows handle it just puts it off for too long.

Supervisor Walters comments that it isn't the Town that is concerned about that. They spent a good amount of time telling the County that they are certain that those roadways with the improvements can be plowed without an issue. It went back and forth so many times that they knew there would be no agreement. That is why they decided to put it off.

Mr. Tomasulo questions if they could get someone else from the County involved, such as Legislator Lynn Dixon.

Supervisor Walters comments that the County Executive is the only person above John Loffredo.

Mr. Tomasulo comments that they should get in touch with the County Executive. He doesn't see why that one section of road should hold up the whole project.

Supervisor Walters responds that if the County took that portion of the road off the table they could probably have it settled quickly.

Joe Kilian comments that the Seaway Trail just wrapped up another summer season. They had a "Plastic Waters" exhibit which focused on pollution and the Great Lakes. They had a record attendance and it was an outstanding display. This was posted in all the local papers and the Seaway Trail was named the sixth most scenic spot in Western New York because of it. This Wednesday they are starting a speaker series, with a paranormal speaker at 7:00 pm and they will have another speaker every Wednesday after that, information is on the website.

Tom Kasinski comments that it is his understanding that the Town of Hamburg Beach is owned by Locksley Park Association not the Town.

Supervisor Walters responds that the Park is owned by the Town but there is a permanent easement to all Locksley Park residents. The Park is actually owned by the Town but there are deed restrictions that the town is mandated to comply with and failure to comply with those deed restrictions gives Locksley Park the right to claim the property as their own.

Mr. Kasinski questions, with the rezoning included in the second public hearing, will all public have access to the Beach or only Town Park residents.

Supervisor Walters responds that the rezoning will have zero effect on the deed restrictions. The Park will continue to be a resident only Park.

26.

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

ADOPTED	Ayes 3	Walters, Quinn, Potter-Juda
	Noes 0	

RESOLVED, that the Town Board adjourn at 8:29 pm.

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