

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 14th day of September 2015.

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 7:18 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
Walter Rooth III, Town Attorney; Mary Dosch, Sr. Account Clerk; Richard Lardo, Principal Engineering Assistant; Orst Ciolko, Engineering Consultant; Greg Wickett, Police Chief; Christopher Hull, Director of Community Development; Joe Wenzel, Assistant Director of Recreation; Kurt Allen, Supervising Code Enforcement Officer; Darrin Smith; Working Crew Chief; Sean Crotty, Coordinator of Emergency Management Team, Drew Reilly, Planning Consultant; Amy Ziegler, Deputy Supervisor

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

3.

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 minutes of the following meetings:

08/17/15 Work Session
 08/17/15 Town Board Meeting
 09/04/15 Special Meeting

4.

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 Community Development Department as follows:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/temp hourly rate	Termination Date
1	4673	Jennifer O'Neil	R	Clerk P/T				8/31/2015
2	4673	Jennifer O'Neil	R	Clerk Seasonal	9/1/15		\$13.00	

5.

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 rehiring of personnel for the Tax Office as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	4119	BROWN, BARBARA	R	P/T CLERK SEASONAL	9/28/15		\$10.53	
2	4238	BRAUN, SHARON	R	P/T CLERK SEASONAL	9/28/15		\$10.53	

6.

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 approve the recommendation of the Chief of Police to promote JOHN BLUMAN to the vacant position of DETECTIVE-TEMPORARY, effective September 15, 2015. Salary is \$41.93 per hour, funds available in B3120.100.

Supervisor Walters asks Chief Wickett, Detective Bluman and family to come forward for the presentation of the Badge.

7.

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

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

WHEREAS, heavy damage was incurred to properties within the Town of Hamburg during the November 2014 storm, including landscaping and curb and driveway damage, and

WHEREAS, the Federal Emergency Management Association (FEMA) has allocated \$320,900.00 as replacement costs

NOW THEREFORE BE IT RESOLVED the Town Board accept the low bids of:

Nova Site Management, LLC, of West Seneca, New York, for curb and driveway damage; total cost not to exceed \$148,800.00 and Lakeview Lawns, Inc., for repairs to damaged landscaping; total cost not to exceed \$172,100.00.

8.

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

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

WHEREAS, the Hamburg Town Board adopted a resolution on November 27, 1995, granting permission to the Hamburg Snowmobile Club to use Town property located at the Electric Avenue playground, along Rush Creek (near Parker Road) and the dedicated recreation land commonly referred to as "Sixty-Five Acres" for development of snowmobile trails, and

WHEREAS, the Hamburg Snowmobile Club trail system also includes Town of Hamburg property located at 6040 Smith Road, and 4575 Tomaka Drive, and

WHEREAS, the Hamburg Town Board adopted a subsequent resolution on January 26, 2015, to also include Town of Hamburg property on Lake View Road, commonly referred to as the “Nike Base”, and identified as S.B.L. Nos. 194.00-4-15; 194.00-4-16 and 194.00-4-17 as part of their trail system.

WHEREAS, both parties are desirous of entering into an agreement for use of Town property as part of the Hamburg Snowmobile trail system commencing on April 1, 2015, through March 31, 2016, and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign the agreement between the Town and the Hamburg Snowmobile Club, subject to the Club meeting all insurance and other requirements.

Loraine Podkulski questions if the snowmobiles are still coming up the median strip on McKinley.

Supervisor Walters responds that they are but this is just with respect to Town owned property. The median strip is County property. She should contact them.

9.

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

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

WHEREAS, the Town of Hamburg Planning Board has approved the Preliminary Plat Plan for the Deer Springs Subdivision, Part 4, Phase 2B; and

WHEREAS, two (2) fire hydrants are to be installed within the subdivision to provide proper fire protection for the development; and

WHEREAS, although the developer is responsible 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, the subdivision 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 two hydrants to serve the Deer Springs Subdivision, Part 4, Phase 2B 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 subdivision will result in increased revenue to the Town of Hamburg, including revenue for fire protection. As such, 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 subdivision 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.

10.

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

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

WHEREAS, bids were opened for One (1) New and Unused 2015 Ford F-250 4X4 Super Cab Truck for the Town of Hamburg Highway Department on September 9, 2015; and

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

- | | |
|-------------------------|-------------|
| 1. Delacy Ford Inc. | \$34,375.38 |
| 2. Van Bortel Ford Inc. | \$34,664.00 |
| 3. West Herr Ford Inc. | \$31,401.00 |

THEREFORE BE IT RESOLVED, that the Town Board authorizes the Highway Superintendent, Thomas Best, to accept the lowest bid of West Herr Ford Inc. in the amount of \$31,401.00. Funds are available in account H26.5130.201.

Councilwoman Potter-Juda asks if Darrin Smith is present.

Mr. Smith responds that he is.

Councilwoman Potter-Juda asks Mr. Smith what happened to the truck that Tom Sullivan, foreman before him, drove.

Mr. Smith responds that he is presently driving it.

Councilwoman Potter-Juda questions if Tom Sullivan is still a foreman.

Mr. Smith responds that on a daily basis he is.

Councilwoman Potter-Juda comments that she would like to table the resolution until Superintendent Best is present to answer her questions.

Councilman Quinn comments that the Town Board already approved to put this out for bid. She was aware of it then and he wants to pass the resolution because Mr. Smith needs the truck to do his job.

Supervisor Walters questions if vehicles are given to every foreman.

Mr. Smith responds that every foreman gets a truck. Mr. Sullivan does not take his truck home but he is delegated to drive it on a daily basis. The Town Board agrees to approve the resolution.

11.

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

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

RESOLVED, that the Town Board accept the low bid for Five(5) New and Unused 2016 Chevrolet Tahoe's from Joe Basil Chevrolet, 5111 Transit Road, Depew, NY. in the amount of \$170,490.00.

The Police Department will be paying for four (4) of these vehicles in the amount of \$133,022.00 Money is available in account B3120.202.

The Fifth vehicle is for the Emergency Management Coordinator, in the amount of \$37,468.00. Money is available in account A8760.202.

BE IT FURTHER RESOLVED, that the Town Board authorize the Finance Department to transfer \$37,468.00 from Contingency Account A1990.419 to Emergency Management motor vehicle A8760.202 to fund the purchase of the new Emergency Management vehicle.

Tom Best, Jr. questions if all the vehicles are earmarked to go to the Police Department.

Supervisor Walters responds that one of the vehicles will be for the Supervisor. His present vehicle is eight years old and the Supervisor is scheduled to get a new vehicle every eight years.

12.

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

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

RESOLVED the Town Board approve the hiring and termination 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	
	4611	Batorski, Tyler		Laborer/Sea/A7140.100				9/14/2015
	4618	Bennett, Ethan		Laborer/Sea/A7140.100				9/14/2015
	4244	Bieber, Robert	R	Laborer/Sea/A7140.100				9/14/2015
	4244	Bieber, Robert	R	Laborer/P/T/A7140.100	9/15/2015		\$8.75	
	2827	Best, Sherri	R	Clerk/Sea/A7140.100				9/14/2015
	2827	Best, Sherri	R	Clerk/P/T/A7140.100	9/15/2015		\$15.75	
	4608	Buczkowski, Nicholas		Laborer/EI7266.100				9/14/2015
	4441	Clinton, Scott	R	Laborer/Sea/A7140.100				9/14/2015
	4441	Clinton, Scott	R	Laborer/P/T/A7140.100	9/15/2015		\$8.75	
	4534	Collins, Michael	R	Laborer/Sea/A7140.100				9/14/2015
	4534	Collins, Michael	R	Laborer/P/T/A7140.100	9/15/2015		\$8.75	
	4154	Czerwiec, David	R	Laborer/Sea/EW7250.100				9/14/2015
	4154	Czerwiec, David	R	Laborer/P/T/EW7250.100	9/15/2015		\$9.16	
	4582	Donovan, Ryan		Laborer/Sea/A7140.100				9/14/2015
	4627	Feuerstein, Shawn		Laborer/Sea/A7140.100				9/14/2015
	3891	Figiel, Stanley	R	Laborer/Sea/ET7250.100				9/14/2015
	3891	Figiel, Stanley	R	Laborer/P/T/ET7250.100	9/15/2015		\$10.34	
	4533	Fiorello, Charles	R	Laborer/Sea/ET7250.100				9/14/2015
	4533	Fiorello, Charles	R	Laborer/P/T/ET7250.100	9/15/2015		\$8.75	
	4612	Fiorello, Louis Jr.		Laborer/Sea/A7140.100				9/14/2015
	4246	Flis, Paul	R	Laborer/Sea/EW7250.100				9/14/2015
	4246	Flis, Paul	R	Laborer/P/T/EW7250.100	9/15/2015		\$9.00	
	4617	Gates, Brandon		Laborer/Sea/A7140.100				9/14/2015
	2961	Hanson, Kyle	R	Laborer/Sea/EI7266.100				9/14/2015
	2961	Hanson, Kyle	R	Laborer/P/T/EI7266.100	9/15/2015		\$9.50	
	4535	Jay, Larry		Laborer/Sea/A7140.100				9/14/2015
	4444	Johnston, Evan		Laborer/Sea/A7140.100				9/14/2015
	4370	Jurek, Ryan		Laborer/Sea/A7140.100				9/14/2015
	4242	Krause, Robert		Laborer/Sea/EW7250.100				9/14/2015
	4370	Lasko, Bruce		Laborer/Sea/A7140.100				9/14/2015
	4455	Love, Kevin	R	Laborer/Sea/A7140.100				9/14/2015
	4455	Love, Kevin	R	Laborer/P/T/A7140.100	9/15/2015		\$8.75	
	4536	McCune, Jonathan		Laborer/Sea/A7140.100				9/14/2015
	3998	Militello, Frank	R	Laborer/Sea/A7140.100				9/14/2015
	4149	Nowak, Kyle	R	Laborer/Sea/EI7266.100				9/14/2015
	4149	Nowak, Kyle	R	Laborer/P/T/EI7266.100	9/15/2015		\$9.75	
	3972	Reed, Edward	R	Laborer/Sea/EW7250.100				9/14/2015
	3972	Reed, Edward	R	Laborer/P/T/EW7250.100	9/15/2015		\$9.00	
	4537	Scinta, Michael	R	Laborer/Sea/ET7250.100				9/14/2015
	4537	Scinta, Michael	R	Laborer/P/T/ET7250.100	9/15/2015		\$8.75	
	4250	Spiridonov, Peter		Laborer/Sea/A7140.100				9/14/2015
	4581	Steiger, Austin		Laborer/Sea/A7140.100				9/14/2015
	4648	Walker, Grant		Laborer/Sea/A7140.100				9/14/2015
	4539	Yacobucci, Joseph		Laborer/Sea/A7140.100				9/14/2015
	4616	Deinzer, Nathan	R	Cleaner/Sea/A7140.100				9/14/2015
	4616	Deinzer, Nathan	R	Cleaner/P/T/A7140.100	9/15/2015		\$9.92	
	3958	McKnight, Amy	R	Cleaner/Sea/EW7250.100				9/14/2015
	3958	McKnight, Amy	R	Cleaner/P/T/EW7250.100	9/15/2015		\$9.92	
	4245	Gibbens, Richard	R	Cleaner/Sea/A7140.100				9/14/2015
	4245	Gibbens, Richard	R	Cleaner/P/T/A7140.100	9/15/2015		\$10.92	
	4501	Mielcarek, Peter	R	Cleaner/Sea/A7140.100				9/14/2015
	4501	Mielcarek, Peter	R	Cleaner/P/T/A7140.100	9/15/2015		\$10.42	

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	

WHEREAS, the Town of Hamburg Planning Board has approved the Preliminary Plat Plan for the Sherwood Meadows Subdivision Part 3; and

WHEREAS, two (2) fire hydrants are to be installed within the subdivision to provide proper fire protection for the development; and

WHEREAS, although the developer is responsible 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, the subdivision 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 two hydrants to serve the Sherwood Meadows Subdivision Part 3 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 subdivision will result in increased revenue to the Town of Hamburg, including revenue for fire protection. As such, 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 subdivision 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.

Dennis Chapman questions if two fire hydrants are enough protection for the development.

Mr. Lardo responds that the hydrant space is dictated by the Health Department and the Erie County Water Authority. Those two hydrants are not for the apartments they are for the public road which is sufficient.

Mr. Chapman wants something in writing explaining that. Mr. Lardo responds that he should come to the Engineering Department and ask for him.

14.

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	4417	Anderson, Robert		Rec Attd-EW7251-Seas				9/5/2015
	4417	Anderson, Robert	R	Rec Attd-A7310-P/T	9/6/15		\$9.25	
2	4404	Avery, Maxwell		Rec Attd-EW7251-Seas				9/5/2015
	4404	Avery, Maxwell	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
3	4559	Bates, Taylor		Rec Attd-EW7251-Seas				9/15/2015
4	3807	Betrus, Thomas		Rec Attd-EW7251-Seas				9/15/2015
5	4405	Busha, Christopher		Rec Attd-EI7265-Seas				9/5/2015
	4405	Busha, Christopher	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
6	4466	Chilcott, Joshua		Rec Attd-A7310-Seas				9/5/2015
	4466	Chilcott, Joshua	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
7	4528	Colleran, Alexander		Rec Attd-EW7251-Seas				9/5/2015
	4528	Colleran, Alexander	R	Rec Attd-A7310-Seas	9/6/15		\$8.75	
8	4650	Compise, Kali		Rec Attd-EI7265-Seas				9/15/2015
9	4562	Evancho, Paige		Rec Attd-EW7251-Seas				9/15/2015
10	4563	Fischer, Shawn		Rec Attd-A7310-Seas				9/15/2015
11	4099	Geraci, Jessica		Rec Attd-EW7251-Seas				9/15/2015
12	4384	Heil, Remington		Rec Attd-A7310-Seas				9/5/2015
	4384	Heil, Remington	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
13	4412	Hibit, Erik		Rec Attd-EW7251-Seas				9/5/2015
	4412	Hibit, Erik	R	Rec Attd-A7310-Seas	9/6/15		\$9.25	

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
14	3823	Jewett, Zachary		Rec Attd-A7310-Seas				9/15/2015
15	4470	Jordan, Christie		Rec Attd-A7310-Seas				9/15/2015
16	4264	Kazibut, Kacper		Rec Attd-EW7251-Seas				9/5/2015
	4264	Kazibut, Kacper	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
17	4570	Marcinkowski, Kevin		Rec Attd-A7310-Seas				9/15/2015
18	4315	Mead, Karla		Rec Attd-EI7265-Seas				9/15/2015
19	4321	Meyer, Jennifer		Rec Attd-A6772-P/T				9/8/2015
	4321	Meyer, Jennifer	R	Rec Attd-A6772-Seas	9/9/15		\$10.75	
20	1729	Otremba, Steve		Rec Attd-EI7265-Seas				9/15/2015
21	4478	Pezzino, Dana Rose		Rec Attd-EW7251-Seas				9/15/2015
22	4224	Pezzino, Joseph		Rec Attd-EW7251-Seas				9/5/2015
	4224	Pezzino, Joseph	R	Rec Attd-A7310-P/T	9/6/15		\$9.00	
23	4472	Pike, Jamie		Rec Attd-A7310-Seas				9/5/2015
	4472	Pike, Jamie	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
24	4574	Ryan, Griffin		Rec Attd-A7310-Seas				9/15/2015
25	4480	Schupp, William		Rec Attd-EW7251-Seas				9/15/2015
26	3794	Steger, Amy (Bushen)		Rec Attd-A7310-Seas				9/5/2015
	3794	Steger, Amy (Bushen)	R	Rec Attd-A7310-P/T	9/6/15		\$9.75	
27	3828	Suchyna, Nathan		Rec Attd-EI7265-Seas				9/15/2015
28	4186	Sullivan, Amanda		Rec Attd-A7310-Seas				9/15/2015
29	4407	Taylor, Matthew		Rec Attd-A7310-Seas				9/15/2015
30	4665	Walczyk, Alex		Rec Attd-EI7265-Seas				9/15/2015
31	4380	Wapshare, Samuel		Rec Attd-A7310-Seas				9/15/2015
32	3924	Warhol, Edward		Rec Attd-A7310-Seas				9/15/2015
33	4577	Wentland, Lauren		Rec Attd-EW7251-Seas				9/15/2015
34	4579	Wittmeyer, Jacob		Rec Attd-EI7265-Seas				9/15/2015
35	4578	Wittmeyer, Joseph		Rec Attd-EI7265-Seas				9/15/2015
36	4667	Zahm, Chloe		Rec Attd-EI7265-Seas				9/15/2015
37	4489	Zeis, Mack		Rec Attd-EW7251-Seas				9/5/2015
	4489	Zeis, Mack	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
38	4399	Freitas, Derek		Rec Attd-EW7251-Seas				9/5/2015
	4399	Freitas, Derek	R	Rec Attd-A7310-P/T	9/6/15		\$8.75	
39	3440	Greenauer, Josh		Rec Attd-EI7265-Seas				9/5/2015
	3440	Greenauer, Josh	R	Rec Attd-A7310-P/T	9/6/15		\$10.69	
40	4367	Gunning, Rebecca		Rec Attd-EW7251-Seas				9/5/2015
	4367	Gunning, Rebecca	R	Rec Attd-A7310-P/T	9/6/15		\$9.75	
41	4364	Lunz, Shawn		Lifeguard-EW7251-Seas				9/5/2015
	4364	Lunz, Shawn	R	Lifeguard-A7310-Seas	9/6/15		\$9.50	
42	4167	Mencer, Andrew		Lifeguard-EW7251-Seas				9/5/2015
	4167	Mencer, Andrew	R	Lifeguard-A7310-P/T	9/6/15		\$12.75	

43	4362	McMahon, Grace			Lifeguard-EW7251-Seas				9/5/2015
	4362	McMahon, Grace		R	Lifeguard-A7310-P/T	9/6/15		\$10.00	
44	4265	Michalek, Colin			Lifeguard-EW7251-Seas				9/5/2015
	4265	Michalek, Colin		R	Lifeguard-A7310-P/T	9/6/15		\$11.00	
45	4438	Prowse, Megan			Lifeguard-EW7251-Seas				9/5/2015
	4438	Prowse, Megan		R	Lifeguard-A7310-P/T	9/6/15		\$9.50	
46	4288	Solak, John			Lifeguard-EW7251-Seas				9/5/2015
	4288	Solak, John		R	Lifeguard-A7310-Seas	9/6/15		\$9.10	
47	4634	Vail, Mitchell			Lifeguard-EW7251-Seas				9/5/2015
	4634	Vail, Mitchell		R	Lifeguard-A7310-P/T	9/6/15		\$9.00	
48	4369	Birmingham, Seamus			Lifeguard-EW7251-Seas				9/15/2015
49	4361	Duszkiewicz, Benjamin			Lifeguard-EW7251-Seas				9/15/2015
50	4628	Duszkiewicz, Thomas			Lifeguard-EW7251-Seas				9/15/2015
51	4345	Knasczak, Carly			Rec Attd-EW7251-Seas				9/15/2015
52	4255	Knasczak, Mary Ellen			Rec Attd-EW7251-Seas				9/15/2015
53	4454	Lane, Shannon			Lifeguard-EW7251-Seas				9/15/2015
54	4544	Madden, Timothy			Lifeguard-EW7251-Seas				9/15/2015
55	4546	Michaud, Sarah			Lifeguard-EW7251-Seas				9/15/2015
56	4547	Olek, Hannah			Lifeguard-EW7251-Seas				9/15/2015
57	4486	Pawlowski, Cassandra			Rec Attd-EW7251-Seas				9/15/2015
58	4630	Smith, Reilly			Lifeguard-EW7251-Seas				9/15/2015

14.

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

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

WHEREAS, under the provisions of New York State Environmental Conservation Law, Article 34, the New York State Department of Conservation, Coastal Erosion Management, Division of Water has exercised jurisdiction over the Town of Hamburg’s Local Coastal Erosion Management Program and,

WHEREAS, under an agreement made between New York State Department of Conservation, Coastal Erosion Management, Division of Water, the Town of Hamburg has lost its authority under Local Law No. 3- 1993 Chapter 85. Coastal Erosion Hazard to regulate shoreline activity, review and approve permits Coastal Erosion permits under its current local program and,

WHEREAS, the Town Board based on the foregoing circumstances has determined to return the responsibility and authority to of the Towns’ Coastal Erosion Management Program within its local jurisdiction back to the New York State Department of Conservation, Coastal Erosion Management, Division of Water pursuant to Article 34 of the New York State Environment Conservation Law, hence nullifying Local Law #3, 1993, Chapter 85 "Coastal Erosion Hazard Area.”

NOW, THEREFORE BE IT RESOLVED, that Hamburg Town Board schedule a public hearing on September 28, 2015 at 7:00 p.m.to consider rescinding Local Law #3, 1993, Chapter 85 "Coastal Erosion Hazard Area” in its entirety.

Jim Vogel, NYSDEC representative, comments that it was his understanding that they wouldn't have to hold a public hearing but that a resolution would be passed and the jurisdiction would be handed back to the DEC this evening.

Supervisor Walters responds that anytime a Town changes a local law they have to notify the public and hold a public hearing. If there is no one that is opposed to this they could adopt it that same evening.

Carolyn Montgomery questions who will handle the permits in the interim.

Supervisor Walter responds that until the Town Board acts to change the local law it is status quo.

Kurt Allen, Supervising Code Enforcement Officer, states that in the interim they will not act on any applications. They are regulating the existing permits only.

15.

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, On February 23, 2015 the Hamburg Town Board authorized the Department of Community Development to advertise bids for the purpose of completing the 2015 Village of Hamburg Waterline Reconstruction project, and

WHEREAS, the bids were opened on Thursday, September 10, 2015 at 11:00 a.m. and subsequently reviewed by the Department of Community Development and representatives of the Village of Hamburg and its engineering firm, and

WHEREAS, the following contractors submitted bids on the project:

Fairway Construction	\$113,807.00
DJM Contracting, Inc.	\$134,747.00

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 Fairway Construction to complete the 2015 Village of Hamburg Waterline Reconstruction project. Funding for the contract is available in CD 41 8662.355.

16.

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 February 23, 2015 the Hamburg Town Board authorized the Department of Community Development to advertise bids for the purpose of completing the 2015 Village of Blasdell Infrastructure Reconstruction project, and

WHEREAS, the bid was opened on Thursday, September 10, 2015 at 11:30 a.m. subsequently reviewed by the Department of Community Development, representatives of the Village of Blasdell and their engineering firm, and

WHEREAS, the following contractor submitted a bid for the project:

Occhino Corporation \$64,208.31

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 2015 Village of Blasdell Infrastructure Reconstruction project. Funding for the contract is available in CD 41 8662.354.

17.

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 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	BRUNNER, HEIDI	R	CLERK TYPIST P/T			\$16.00	9/13/2015
2	3163	BRUNNER, HEIDI	R	CLERK TYPIST P/T-SEASONA	9/14/2015		\$16.00	

18.

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 approve the membership of the following into the Newton Abbott Fire Company, Inc.:

Amanda Kaufmann
5170 Richmond Ave.
Blasdell, N.Y. 14219

19.

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

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

WHEREAS, Detective Angelo Butera proposed retiring from the Town of Hamburg Police Department at a future date certain; and

WHEREAS, Detective Butera is due certain payments pursuant to an agreement approved by the Hamburg Town Board on the 14th day of September, 2015; and

WHEREAS, the Town and Detective Butera recognized an opportunity to save Town taxpayers money if Detective Butera were to retire earlier than the date certain; and

WHEREAS, the targeted retirement date of Detective Butera is September 25, 2015, and

WHEREAS, the estimated savings created by this agreement are in excess of \$35,000 in addition to the savings of other expenses such as retirement contribution, vision and dental insurance, and

WHEREAS, in consideration of the mutual benefits to the parties hereto;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves the acceleration of 2016 payments due to Detective Butera as established in the written agreement approved by the Hamburg Town Board on the 14th day of September, 2015, specifically, the payments for : longevity, holiday, vacation and compensatory time, and

BE IT FURTHER RESOLVED, that the Town Board approves and authorizes Supervisor Steven J. Walters to sign any necessary written instruments to implement this resolution.

20.

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 AUGUST 17, 2015**

		VOUCHER #'S
OPERATING FUND:		
BATCH #138	\$8,462.00	77057
BATCH #139	\$138,560.21	77058-77143
BATCH #140	\$48,747.26	77144
BATCH #141	\$8,846.37	77145-77170
BATCH #142	\$27,419.53	77171-77257
BATCH #143	\$1,302.61	77258-77259
BATCH #144	\$7,690.70	77260-77278
BATCH #145	\$129,598.29	77279-77367
BATCH #146	\$99.19	77373
BATCH #147	\$40,938.11	77376-77439
BATCH #148	\$336,093.02	77447-77495
BATCH #149	\$4,152.08	77496-77514
BATCH #150	\$16,966.17	77516
BATCH #151	\$89.99	77517
BATCH #152	\$14,039.80	77524
BATCH #153	\$157,519.53	77525-77583
BATCH #154	\$22,841.51	77590-77593
BATCH #155	\$158,869.83	77594-77595
BATCH #156	\$212,614.26	77596-77651
BATCH #157	\$56,480.12	77652-77702
BATCH #158	\$733.85	77703-77711
BATCH #159	\$83,683.34	77712-77745
BATCH #160	\$8,801.69	77746-77772
BATCH #161	-\$28.27	77773
BATCH #162	\$57,429.48	77774
BATCH #163	\$60,975.26	77776-77831
BATCH #164	\$414,650.57	77832-77887
BATCH #165	\$82,977.33	77893
TOTAL OPERATING FUND DISBURSEMENTS:		\$2,100,553.83

TRUST & AGENCY:

BATCH #4 \$11,373.51

TOTAL TRUST & AGENCY DISBURSEMENTS: \$11,373.51

CAPITAL FUND DISBURSEMENTS:

BATCH #31	\$32,331.50	77368-77372
BATCH #32	\$16,289.59	77440-77442
BATCH #33	\$14,722.46	77443-77446
BATCH #34	\$382.42	77515
BATCH #35	\$166.86	77518-77523
BATCH #36	\$216.88	77584-77589
BATCH #37	\$10.17	77775
BATCH #38	\$109,884.90	77888-77892

TOTAL CAPITAL FUND DISBURSEMENTS: \$174,004.78

PAYROLL:

PR #15	\$718,140.81
PR #16	\$743,913.07
PR #17	\$732,686.08

TOTAL PAYROLL DISBURSEMENTS: \$2,194,739.96

PETTY CASH \$0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$4,480,672.08

Reports from Town Board Members and Town Department Heads

Councilwoman Potter-Juda – no report

Councilman Quinn reports that he attended the September 11th remembrance and it was great. He would also like to comment on the Recreation Department and what was in the Buffalo News recently. He has called the State Comptroller's Office and they are going to roundtable this issue amongst themselves and decide whether they will look into it. He would also like to look into who was responsible for giving everyone's children's information out to a third party. This information should have stayed within the town and as someone who lives in the Town and has children, if anyone was given access to his children's information, without his permission, he would have been very upset. Lastly he has come to find out that it is a long standing practice that Town employees have been getting free services through the Recreation Department. Whether it is for the Day Care, the Fitness Center or the Golf Course he spoke with Director Denecke and he said that if that was the case, it would no longer happen.

Supervisor Walters reports that the Town recently lost a good community member. Steven Holmes was the President of the Hamburg Hockey Association for many years, was a great steward of the organization and a great ambassador. He passed away suddenly and leaves behind a wife, a daughter and a very large hockey family. He asks for a moment of silence in memory of Steve Holmes.

Catherine Rybczynski, Town Clerk, reports that tax bills went in the mail on Friday and most people received them today so the Tax Office is open to receive payments.

Christopher Hull, Director of Community Development, reports that they held their first public hearing tonight. They will have five more. The next one is Monday, September 28th at 6:30 pm in the Town Hall. If anyone wants to see him he will be at his booth in the Lobby after the meeting.

Drew Reilly issued his report on the Planning Department in the Work Session. A copy is available in the Town Clerk's Office.

Rick Lardo, Engineering, reports with a Quiet Zone update that the County will be starting the paving of Lakeview and Pleasant within the next few weeks.

Joe Wenzel, Assistant Director of Recreation, reports that the Youth Bureau is planning their Middle School mixer in early November at the Hamburg Community Center. He comments that his heart goes out to the family of Steve Holmes, he helped a lot of children and the Recreation Department will have to lend a lot of support to help with that transition. There will be an Alzheimer's Walk this Saturday at Delaware Park. They will be there to help support the cause and help promote the Adult Day Care Center. They are offering a number of educational programs at the Senior Community Center.

Sean Crotty, Emergency Management Coordinator, thanks the Town Board and Supervisor Walters for hosting the 9-11 Ceremony. All the Town Departments were represented and many community members. He also thanks Catherine Rybczynski, Town Clerk, for making sure they had the use of a special flag. He met with Mr. McKendry and will let him report during business from the floor.

Chief Wickett reports that on Saturday Sept. 26th there is a "Pill Takeback Event" to be held at the Senior Community Center on Route 20. If anyone has any old prescription drugs they will have a drive through available.

Business from the Floor

John McKendry wants to commend Drew Reilly and Orst Ciolko for staying on top of the Quiet Zones. Sean Crotty and he hosted a meeting to discuss regional cooperation with the Buffalo Fire Department. At that meeting was Tom Barrett President of the Buffalo Firefighters Union, Kilpatrick Woodward who is genius on Haz-Mat with the Buffalo Fire Department, Charlie Bauman who is with the Energy Task Force and Craig Thrasher from the East Aurora Fire

Department and they discussed Haz Mat in the City of Buffalo, helping Eden or somewhere in the Southtowns, if there is a crisis. Mr. Crotty has a lot of the details but there would be a lot of cooperation if an oil train blows up. There is a concern for the firefighters being at risk. Danny Neaverth, Erie County Emergency Services, held a big meeting on this issue and it was attended by a lot of Homeland Security personnel. He commented that in his mind they sugar coated the issue. CSX seems to think they can do nothing wrong. When CSX pulls the trains through here they don't own any of the cars. So the liability is spread all over. Sean is working with Mike Bethage from CSX, who is a local representative, and they are training our nine volunteer fire departments on how to contain a fire if it should come up. Regular train traffic has decreased as well as oil train traffic because the cost is down but they are storing oil cars at the steel plant.

Barbara Rogers comments that she thought a resolution for upsizing was going to be on the agenda. When she brought up the issue the Town Board indicated that they were in support of it. They received an overwhelming response from the citizens that this is what they want. Could they please explain where this is at?

Walt Rooth, Town Attorney, explains that he has been talking to the Board of Elections for the last two weeks regarding a potential resolution for the Town Board to put this on the ballot for the November Election. They are still going back and forth as to the language that needs to be on it. The language has to be correct because this must be signed off by the State Board of Elections as well as the County. This should be completed by the next meeting which would still be timely to move forward.

Councilman Quinn thanks Ms. Rogers for all her help on this.

Karen Rogers comments that she was looking for the resolution on upsizing as well and will look forward to it being in the next meeting.

Cheryl May, representing the Steelton area of the Town, comments that it should be the Town's job to notify residents of any major changes in their neighborhood. Not one resident got a notification that they were removing all the woods near the playground and putting a Fire Hall there. All of the displaced animals are running wild. No one can sit on their porch because of numerous raccoons. The deer are running up and down the street and nobody thought about this.

Supervisor Walters comments that there was a public hearing on this project. It was published in all the local papers. This was at least a year ago. Since then they have had to go through the entire process of going before the Planning Board, etc.

Ms. May comments that she is speaking for an elderly resident that is very upset. She would like to know what is going to be done about the raccoon problem. The residents do not feel they should have to pay for it.

Supervisor Walters responds that this is a fire company project. They have autonomy from the Town Board. The only thing that the Town Board does is approve their budget and with respect to this project they had to authorize their ability to get financing for the project. That is the limit

to the Town involvement. They were required to go through the Planning Board process as well and she can certainly contact the fire company itself.

Ms. May reiterates who will take care of the animal problem?

Drew Reilly responds that they could start with the New York State Department of Environmental Conservation.

Ms. May then comments that they have a speeding issue in that area as well and they want signs posted.

Mr. Reilly responds that she should write a letter to the Traffic Safety Committee.

Ms. May then comments that there is drug paraphernalia being sold at the Bayview Deli across from the high school. Is this legal?

Supervisor Walters comments that is a question for the Police Department and asks Chief Wickett to look into it.

Eugene Donner comments that his issue is the students walking from the High School and the fact that there are no sidewalks. He submits pictures of brush along the side of the road so there is no place for them to walk. They are looking at their cell phones and not paying attention. This is a very unsafe condition. Please get someone to cut the grass so the kids aren't on the road.

Supervisor Walters responds that this is a County Road. They have worked with the County and the Frontier Central School District to apply for a program called the Safe Routes to School Program through New York State. This is a grant program to help fund sidewalks and they have been denied at least twice. They are reapplying again and they will continue to try because it would put sidewalks in to the surrounding subdivisions along with some additional safety features. Hamburg Central was just approved but it is very competitive. He asks the Highway Representative Mr. Smith to take this back to our Highway Department to call the County and see if the Town has any authority to take remedial action.

Dennis Chapman comments that for the student's safety they should just take care of the problem.

Councilwoman Potter-Juda responds that she has received many calls about sidewalks on Amsdell Road near the middle school. This seems to be a townwide problem.

Laura Podkolski comments that she has been cutting the median on McKinley Parkway, a County Road, for twenty years so that kids can walk on it and the people down the street do it as well.

Francine Geyer comments that the residents of Hoover Beach worked with the owner of the Dock of the Bay concerning noise issues and parking issues. They would like the chance to be

proactive and make sure that any future owner is aware of the issues and will be willing to work with them as well.

Supervisor Walters responds that the Town has no control over who buys the property. However the more changes to the property the more authority they will have. He would suggest that they get a list of concerns to Kurt Allen so that when a new owner comes in to see him he can review it with them.

Joe Kilian suggests that if a Town Board member can't make it to a meeting they could possibly use Skype. He is in favor of keeping the three member Town Board.

Jim Vogel, NYSDEC, questions the status of the newly appointed Coastal Erosion Review Board.

Kurt Allen responds that the Coastal Erosion Review Board was appointed a month ago. However, as soon as the local law is rescinded the new board will cease to exist. There is no activity taking place other than the handful of ongoing permits. They will not be approving any new applications until it is turned over to the State.

Laura Podkulski comments that her family wrote a letter to the Town Board concerning a loading dock for Harbor Freight. She has not heard anything back. She also has an issue with trees that are dead that were to be used as a buffer. She then asks Councilwoman Potter-Juda how many Planning Board meetings she has attended.

Councilwoman Potter-Juda responds that she doesn't have a list in front of her. She has contact with the people on the Planning Board and speaks to them regularly.

Councilman Quinn comments that the Town Board can only receive input from the Planning Board. They cannot intervene on their decisions.

Kurt Allen comments that per Ms. Podkulski's request they did issue a stop work order and they shut the project down pending resolution. The provisions indicate that the Planning Department had to make a decision as to whether or not it was a loading dock. They referred the issue to the Planning Board and they made a determination that it was not a defined loading dock. They then lifted the stop work order.

Laura Podkulski comments that she wants an answer in writing on that determination.

Drew Reilly responds that he will get a letter to her.

Mr. Allen then addresses the trees stating that the trees are on her property and they are hers to maintain.

Ms. Pokulski responds that they are on Benderson's property.

Mr. Allen disagrees.

Albert Bloom comments on drainage that the Highway Department is working on at the commercial end of Maelou Drive which affects his property. He had two antique cars destroyed in a flood and wants to know if the Town is going to pay for it. The flood was caused by work that the Town Highway Department is doing in his neighborhood. There was flooding on the commercial end of Maelou Drive so the Town cleaned out the drainage ditch between the commercial and the residential end.

Supervisor Walters comments that generally the Highway Department maintains the drainage easements that the Town has. He asks Mr. Bloom to speak with Darrin Smith after the meeting so that he can give him an overview of where this is and then he can go back to the Highway Department and they can then do a walk and survey the area and see what work if any needs to be done.

Mr. Bloom then comments that 90% of Town employees (B & G and Highway) that he has seen do not wear seatbelts, smoke cigarettes and talk on cell phones. Why are the Police not issuing tickets?

Supervisor Walters comments that this Town Board has addressed driving safety before and they have issued rules, particularly regarding tobacco and that it is not allowed in Town vehicles. The issue is that they need to see it happen. They will certainly remind all the employees of what the rules are.

Joe Kilian comments that when he worked for Erie County Water Authority insurance wouldn't pay for any injuries incurred if you were not wearing your seatbelt. He would think that the Town's insurance would be the same.

Jim Vogel, NYSDEC, questions what would be the status of a Coastal Erosion permit which was issued by the Town but the project hasn't been built yet? Would they resubmit to the State? And what would be the status of any known violations of the Coastal Law that is known now? Who would handle that?

Kurt Allen responds that he will meet with Mr. Vogel, during the transitional period and he will inform him of all the known violations and they will transfer the jurisdiction of any permits to the State. The Town will turn over all copies and files and close them out.

Mr. Vogel questions what happens if the State does not approve of permits that the Town has already issued.

Councilman Quinn responds that they would probably have to petition State Supreme Court.

21.

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 adjourn at 8:42 pm.

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