

Supervisor Walters call the meeting to order at 6:00 p.m.

TOWN BOARD MEMBERS

PRESENT: Steven J. Walters  
D. Mark Cavalcoli  
Joan A. Kesner  
Thomas Quatroche, Jr.  
Richard A. Smith

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk;  
Gerard Kapsiak, Town Engineer; Nathan Neil

1.

On a motion of Councilwoman Kesner, seconded by Councilman Quatroche, the following resolution was

ADOPTED	Ayes 5	Walters, Cavalcoli, Kesner, Quatroche, Smith
	Noes 0	

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

Jason Woronchuk  
4061 Harwood Avenue  
Blasdell, NY 14219

2.

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

TABLED	Ayes 4	Walters, Kesner, Quatroche, Smith
	Noes 1	Cavalcoli

**WHEREAS**, in order to rectify drainage problems in the Smith Road area, an approximately 1655 feet long drainage ditch has been proposed to be installed along the National Grid power line property located to the west of Smith Road; and

**WHEREAS**, the Town Engineer has received price quotations from three contractors for this work, which are summarized as follows:

Tom Greenauer Development, Inc.	\$ 6,700
Michael Serafini, Inc.	\$ 8,750
Highland Acres Landscaping, Inc.	\$ 19,200

**WHEREAS**, the Town Engineer has reviewed the price quotations and recommended that the contract be awarded to Tom Greenauer Development, Inc.,

**THEREFORE BE IT RESOLVED**, that the contract for this project is awarded to Tom Greenauer Development, Inc. of Elma, New York, in the amount of \$6,700. The Town Supervisor is authorized to sign an agreement with Tom Greenauer Development, Inc. in this regard, and the Town Engineer is to issue a Notice of Award and Notice to Proceed at the appropriate times. Funding for this work is available in Drainage Improvement Capital Account No. H63-8540.419.

**BE IT FURTHER RESOLVED**, that the Supervisor is also authorized to sign an agreement with National Grid, which authorizes entry onto their property by the Town of Hamburg and the Town's contractors for the construction and maintenance of this drainage ditch.

Councilman Smith comments that as former Highway Superintendent they have looked at this on and off for 30 years. The individual involved has built the house at the rear edge of the property right in the middle of a low area of Smith Road. Various drainage proposals were looked at and the side and front yard ditch was corrected.

Councilman Cavalcoli notes that there are a number of new homes being built in that area, along with excess drainage coming from the village. They will set up discussions with the Village to work on their drainage side which will help the problem.

Councilman Smith notes that the ditch was dug all the way down to Smith Road the problem was they couldn't get the drainage underneath Lakeview Rd. He isn't sure if the County will change that.

Councilman Cavalcoli notes that he has had discussions with Bob Reynolds, Jeanne Chase at that time Jeanne Chase was not interested in helping to solve the problem because of money issues.

Bob Reynolds is more willing to have the County look at this. Dave Boehm will take direction, he, himself says there's a problem. Hopefully there is a combined effort here.

Councilman Smith questions if this is upstream or downstream.

Councilman Cavalcoli responds that it is upstream of the village.

Councilman Smith questions where the drainage will be going down to.

Gerard Kapsiak responds that it's to the village ditch.

Councilman Cavalcoli questions if this will be deep enough to accept this water now.

Gerald Kapsiak responds that it is. It needs cleaning out but as far as being deep enough it is

according to the survey. Six or seven homes will be helped.

Councilwoman Kesner questions if this is a band aid for the problem

Councilman Cavalcoli notes that it's not quite a band aid it's part one of a three part action that will help to alleviate this.

Supervisor Walters responds that he had been down there after a moderate rainfall and the water is six inches deep.

Councilman Cavalcoli notes that eventually it does soak in. After a few days you don't see that water, the ground is soggy for days on end.

Councilman Smith notes that we're allowing residents to build homes in the middle of (in my opinion) wetlands. We asked the builders to build closer to Smith Rd and they insisted on putting them farther back.

Councilman Cavalcoli notes that years ago they didn't require drainage plans for single family homes, now they do.

Frank Rosiek notes that putting the ditch in is going to open a can of worms. If you're going to drain woods, which is the farthest point from his house. Where the proposed ditch will be, it's never wet. Someone drew up the plans, proposed this ditch, and coming through his land without even talking to him first.

Councilman Cavalcoli responds that there has been an ongoing battle between Frank and Lorquet. There have been engineers that have looked at this and if it was only this that was going to be done, it would be a waste. Working with the County and Village, hopefully, the water can move better through there and into the creek.

Frank Rosiek requests that the proposed ditch be done last. The bid ditch has to be done first to get it flowing. When the bid ditch fills, then everything is backed up.

Councilman Quatroche questions what Frank's feeling to the solution would be. Is it to alleviate the big ditch with pipe.

Frank Rosiek responds that you have to start there.

Councilman Smith responds that you start and Eighteen Mile Creek, that's the bottom, come back across Smith Road area. He agrees with Frank that they're starting at the top and they don't have the bottom straightened away.

Councilwoman Kesner asks Mr. Kapsiak if he has looked at the property.



Development offers its income eligible clients the ability to apply for differing housing programs, and

**WHEREAS**, there currently exists a numerical and monetary difference between the “First Time Home Buyer Existing Home” program and the “Housing Rehabilitation Loan” program.

**NOW, THEREFORE BE IT RESOLVED**, that in order to maintain the numerical and monetary balance between these housing programs, the Hamburg Town Board transfer CDBG funds between the following accounts:

From: Hometown Housing “Existing” Home Program:	CD 32 8662.356	\$100,000.00
To: Housing Rehabilitation Loan Program:	CD 32 8662.352	\$100,000.00

**4.**

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Kesner, Quatroche, Smith
	Noes 0	

**RESOLVED**, that the Town Board authorizes the Emergency Management Department to purchase a used 2002 Ford Explorer. Cost of vehicle is \$9,990 plus the trade-in of the town’s Emergency Management 1995 Ford Explorer. This purchase is a negotiated sale type purchase and therefore exempt from competitive bidding. Funding is available in Account H24 8760.201.

Supervisor Walters notes that this vehicle does meet the requirements of the Emergency Management Department with discussions of the Code Coordinators Glen Zawierucha and Tom Partridge as well as Chief Kesner and Assistant Chief Conlon, all feel that the vehicle would be effective at the lower cost. They did go through a procedure to locate the vehicle including contacting three dealerships, Emerling, Towne and West Herr Ford, West Herr was where the said vehicle was located. The cost is below the Blue Book Value and there aren’t any conflicts of interests with West Herr and any Town agency or employee.

**5.**

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

ADOPTED                      Ayes 5                      Walters, Cavalcoli, Kesner, Quatroche, Smith  
    Noes 0

TOWN BOARD                      October 1, 2007  
AUDIT OF CASH DISBURSEMENTS

VOUCHER #'S

OPERATING FUND:

BATCH #	128	\$450,000.00	21818
BATCH #	129	\$240,832.02	21820-21878
BATCH #	130	\$16,537.50	21879
BATCH #	131	\$48,596.75	UNPROCESSED
BATCH #			

TOTAL OPERATING FUND DISBURSEMENTS:

\$755,966.27

TRUST & AGENCY:                      AGENCY

BATCH #  
BATCH #

TOTAL TRUST & AGENCY DISBURSEMENTS:

\$.00

CAPITAL FUND DISBURSEMENTS:

BATCH #	64	\$425,000.00	21819
BATCH #	65	\$12,122.85	21880-21882
BATCH #			
BATCH #			

\$437,122.85

TOTAL CAPITAL FUND DISBURSEMENTS:

PAYROLL:

PR #  
PR #  
PR#

TOTAL PAYROLL DISBURSEMENTS: \$0.00

PETTY CASH \$0.00 \$0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$1,193,089.12

**6.**  
On a motion of Supervisor Walters, seconded by Councilman Cavalcoli, the following resolution was  
ADOPTED           Ayes 5           Walters, Cavalcoli, Kesner, Quatroche, Smith  
                          Noes 0

**RESOLVED**, that the Town Board move into Executive Session on a Legal Matter at 6:28 p.m.

**7.**  
On a motion of Supervisor Walters, seconded by Councilman Cavalcoli, the following resolution was  
ADOPTED           Ayes 5           Walters, Cavalcoli, Kesner, Quatroche, Smith  
                          Noes 0

**RESOLVED**, that the Town Board close Executive Session at 7:30 p.m.

**8.**  
On a motion of Supervisor Walters, seconded by Councilman Cavalcoli, the following resolution was  
ADOPTED           Ayes 5           Walters, Cavalcoli, Kesner, Quatroche, Smith  
                          Noes 0

**RESOLVED**, that the Town Board adjourn at 7:30 p.m.

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Catherine A. Rybczynski, Town Clerk