

Supervisor Walters calls the meeting to order at 6:05 p.m.

TOWN BOARD MEMBERS

PRESENT:

| | |
|-----------------------|--------------|
| Steven J. Walters | Supervisor |
| Thomas M. Best, Sr. | Councilman |
| Joan A. Kesner | Councilwoman |
| Thomas Quatroche, Jr. | Councilman |
| Kevin Smardz | Councilman |

OTHERS PRESENT: Catherine A. Rybczynski, Town Clerk; Robert Brown, Finance Assistant; Gerard Kapsiak, Town Engineer; Kenneth Farrell, Town Attorney; Brian Doyle, Deputy Town Attorney

1.

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

| | | |
|---------|--------|--|
| ADOPTED | Ayes 5 | Walters, Best, Kesner, Quatroche, Smardz |
| | Noes 0 | |

At a meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, held at Town Hall, in said Town, on the 6th day of October, 2008.

PRESENT:

Hon. Steven J. Walters, Supervisor
 Thomas M. Best, Sr., Councilperson
 Joan A. Kesner, Councilperson
 Kevin Smardz , Councilperson
 Thomas J. Quatroche, Jr. Councilperson

In the Matter
of the

Construction of a Water Improvement in the Town of Hamburg, in the County of Erie, New York pursuant to Article 12-C of the Town Law

ORDER CALLING FOR A PUBLIC
HEARING TO BE HELD ON
NOVEMBER 10, 2008

WHEREAS, the Town Board of the Town of Hamburg (herein called the “Town Board” and “Town” respectively), in the County of Erie, New York, has caused Gerard M. Kapsiak, P.E., Town Engineer, a competent engineer duly licensed by the State of New York, to prepare a map, plan and report for the proposed construction of water system improvements, consisting of the replacement of approximately 11,460 linear feet of existing substandard or deficient waterlines along Columbia Street, Princeton Street, Pittsburg Street, Old Sowles Road, Scranton Road, Milestrip Road and Lincoln Avenue; and the disconnection and abandonment of approximately 2,850 linear feet of unnecessary dual parallel watermains on Mount Vernon Boulevard, Walbridge Drive, Durham Road, Johnson Street, McKinley Parkway, Lakeview Road and Big Tree Road; all of the foregoing to include any other related work, original furnishings, equipment, machinery, and apparatus required in connection therewith (herein designated and called the “Water Improvement” or the “Hamburg Master Water Improvement-2008A”); all within an unincorporated area of the Town outside of any villages, pursuant to Article 12-C of the Town Law, which map, plan and report have been heretofore duly filed in the office of the Town Clerk for public examination; and

WHEREAS, the Town Board has given due consideration to the impact that the Water Improvement may have on the environment and, on the basis of such consideration, the Town Board has determined that the project is a Type II action for purposes the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law and, therefore, no further environmental review is necessary; and

WHEREAS, the proposed area within the Town to be benefited by the proposed Water Improvement (herein designated and called the “Benefited Area” or the “Hamburg Master Water Improvement Area-2008A”), is more particularly bounded and described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie and State of New York, being part of Ranges 7 and 8 of Township 10 and Ranges 7 and 8 of Township 9 of the Holland Land Company’s Survey, excluding those lands located in the Village of Hamburg and the Village of Blasdell, existing Erie County Water Authority direct service customers, and that portion of the Town of Hamburg presently serviced by the Village of Blasdell water system.

WHEREAS, the maximum amount proposed to be expended for the construction of such Hamburg Master Water Improvement-2008A is estimated to be \$1,738,000, which is planned to be financed by the expenditure of \$165,000 available funds to pay a part of the cost, the issuance of serial bonds of the Town in the principal amount of \$1,573,000 to finance the balance of the cost, and the levy and collection of assessments upon the several lots and parcels of land within the Hamburg Master Water Improvement Area-2008A which the Town Board shall determine to be especially benefited by the Water Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Water Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the annual cost of operation and maintenance of said Hamburg Master Water Improvement-2008A shall be paid with a charge upon the entire area of the Town outside of any villages and shall be levied and collected in the same manner and at the same time as other Town charges;

Now, therefore, be it

ORDERED, that the Town Board of the Town shall meet and hold a public hearing at the Town Hall, in the Town, on the 10th day of November, 2008, at 7:00 o'clock p.m. (Prevailing Time) to consider the construction of such Hamburg Master Water Improvement-2008A, at which all persons interested in the subject thereof may be heard concerning the same, and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in "The Sun" and the "Front Page", newspapers having a general circulation in the Town of Hamburg and hereby designated as the official newspapers of the Town for such publication, and post conspicuously on the bulletin board of the Town Clerk, a copy of this Order certified by said Town Clerk, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the day set and designated herein for said public hearing as aforesaid.

DATED: October 6, 2008

TOWN BOARD OF THE TOWN OF HAMBURG

(SEAL)

CLERK'S CERTIFICATE

CATHERINE A. RYBCZYNSKI, Town Clerk of the Town of Hamburg in the County of Erie, State of New York, DOES HEREBY CERTIFY that she has compared the preceding Order Calling for a Public Hearing with the original thereof filed in her office on the 6th day of October, 2008, and that same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 6th day of October, 2008.

(SEAL)

Town Clerk

2.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board authorize the Supervisor to sign the amendment to the Southtown Police Club, Inc. contract extending the probationary period for new hires to up to eighteen months.

3.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board authorize the Supervisor to sign the amendment to the Southtown Police Club, Inc., contract delineating the work rules of the School Resource Office.

Councilman Best questions if there is anyone that is recommended yet.

Supervisor Walters responds that the interviews were held and the school selected Al Schum as the new school resource officer. The two Assistant Police Chiefs through their conversations with the Chief of Police both recommended this resolution.

4.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board authorize Patrolman Alan Schum to travel to Auburn, New York, October 20-24, 2008, to attend the “19th Annual D.A.R.E. & Safe School Conference.”

| | |
|------------------------------|-------------------|
| Registration: | \$350.00 |
| Lodging: 5 nights @ \$80.00 | \$400.00 |
| Meals: 5 days @ \$40.00 | \$200.00 |
| Gas & Tolls: (approximately) | \$100.00 |
| Total: | \$ 1050.00 |

Use of Unmarked Police Vehicle is requested for transportation.

Money is available in account B3120.492

5.

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

| | | |
|---------|--------|--|
| ADOPTED | Ayes 5 | Walters, Best, Kesner, Quatroche, Smardz |
| | Noes 0 | |

RESOLVED, that the Town Board authorize Martin Denecke and Joseph Wenzel to attend the National Recreation and Parks Association Congress and Exhibition in Baltimore, Maryland from October 14-17, 2008. Associated costs are as follows:

| | |
|--|------------------|
| Registration \$365.00 X 2 | \$730.00 |
| Rooms (3 nights) \$170.00 X3 | \$510.00 |
| Meals (4 days/2 @ \$40.00 ea) 160.00X2 | \$360.00 |
| Gas (40 gal. @ \$4.00) | <u>\$160.00</u> |
| TOTAL: | \$1760.00 |

Use of Town recreation van requested. Funds are available in Account # A7020.492

6.

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

| | | |
|---------|--------|--|
| ADOPTED | Ayes 5 | Walters, Best, Kesner, Quatroche, Smardz |
| | Noes 0 | |

WHEREAS, certain properties within the Town have been neglected or abandoned and as consequence the growth of weeds, grass and other rank vegetation has exceeded twelve inches in height, the standard established by Local Law No 9-1974.

WHEREAS, the Town Code Enforcement Official has identified these properties to be violation of said local law and based on his formal inspections has mailed a notice of violation to the respective property owners with an order to cut and remove such grass and weeds on the premises.

WHEREAS, the Town has received no response by the listed owner nor has any remedial work been undertaken to alleviate the violations within the prescribed ten day period and subsequently

the Town Code Enforcement Official has caused the grass and weeds to be cut and removed by a Town approved contractor.

NOW, THEREFORE BE IT RESOLVED, the Town Board approve the following invoices for payment for the work contracted to Windsor Enterprise Group, Inc. of Lakeview, New York to cut, mow, rake high grass and weeds including the proper disposal as directed by the Town Code Enforcement Official at the following locations:

| Property Address | Service Date(s) | Invoice Amount |
|-------------------------|------------------------|-----------------------|
| 217 Kenton Place | 08/21/08 | \$86.25 |
| | 09/08/08 | \$86.25 |
| | 09/23/08 | \$86.25 |
| 5530 Deacon Street | 08/21/08 | \$86.25 |
| | 09/08/08 | \$86.25 |
| | 09/23/08 | \$86.25 |
| 4837 Gerber Pkwy | 08/21/08 | \$86.25 |
| | 09/08/08 | \$86.25 |
| 6414 Mayflower | 08/21/08 | \$69.00 |
| | 09/08/08 | \$69.00 |
| | 09/23/08 | \$69.00 |
| 5159 Briercliff | 08/21/08 | \$69.00 |
| | 09/08/08 | \$69.00 |
| | 09/23/08 | \$69.00 |
| 2672 Lakewood | 08/21/08 | \$86.25 |
| | 09/08/08 | \$86.25 |
| | 09/23/08 | \$86.25 |
| 97 Forestal | 08/21/08 | \$69.00 |
| | 09/08/08 | \$69.00 |
| | 09/23/08 | \$69.00 |
| 5131 College | 08/21/08 | \$69.00 |
| | 09/08/08 | \$69.00 |
| | 09/23/08 | \$69.00 |
| 5637 Old Lakeshore | 09/23/08 | \$207.00 |
| 1983 Lakeview Rd | 09/10/08 | \$414.00 |
| 3990 Willowdale | 09/10/08 | \$172.50 |
| | 09/19/08 | \$172.50 |
| 6767 Boston State Rd | 09/10/08 | \$345.00 |
| | 09/19/08 | \$345.00 |

BE, IT FURTHER RESOLVED, the Town Board approve the transfer of funds from Account A599 Appropriated Fund Balance to A3620.469 to finance this work.

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

WHEREAS, GZA GeoEnvironmental has previously been retained by the Town of Hamburg to provide survey, design, and construction engineering services associated with the maintenance improvements which have been undertaken at the former Town landfill on Lakeview Road, as required by the New York State Dept. of Environmental Conservation (NYSDEC); and

WHEREAS, NYSDEC requires that semi-annual sampling and analysis be performed for a five year period to monitor the groundwater and surface water quality in the area of the landfill; and

WHEREAS, GZA has submitted a proposal for the first year of providing these sampling, laboratory, and reporting services, which has been reviewed by the Town Engineer and determined to be reasonable and acceptable for the services to be provided, at a total lump sum fee of \$14,650,

THEREFORE BE IT RESOLVED, that the contract with GZA GeoEnvironmental is amended to include these additional services, and that the Supervisor is authorized to sign their 9/19/08 proposal letter/agreement in this regard. Funding for these services is available from bonds which were issued for this project, under Capital Fund Account No. H72-7141.331.

10.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that an advertisement for bids for the hydrant replacement contract which is part of the overall Hamburg Water System Improvement Project is authorized to be published in the official Town newspapers, with the bid opening scheduled for Thursday, November 6, 2008 at 11:00 a.m. local time.

11.

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

ADOPTED Ayes 4 Walters, Best, Quatroche, Smardz

Noes 0
Abstain 1 Kesner

WHEREAS, in September 2004, former Assemblyman Richard Smith notified the Town of Hamburg that he had secured \$250,000 in New York State Community Capital Assistance Program (CCAP) funding for the Town to acquire the former Foit's Restaurant property and develop the proposed Hamburg Lake Erie Scenic Overlook Project at 4178 Lake Shore Road; and

WHEREAS, negotiations with the current property owner of 4178 Lake Shore Road, together with other legal issues, were not able to result in a mutually acceptable agreement for the Town to acquire the property; and

WHEREAS, the Town Board desires to instead utilize this funding for undertaking further capital improvements to the Town's Seaway Trail Visitors Center at 4968 Lake Shore Road, including providing additional parking, handicap access facilities, improved site drainage, and various interior and exterior repairs to the building; and

WHEREAS, this reallocation of the funding has been discussed with and endorsed by the Hamburg Shoreline Revitalization Committee,

THEREFORE BE IT RESOLVED, that the Town Board hereby requests that New York State approve the reprogramming of the \$250,000 CCAP funding to be used for capital improvements to the Town's Seaway Trail Visitors Center.

BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to the State Assembly Ways & Means Committee, Assemblyman Jack Quinn, and Senator William Stachowski.

Councilman Best questions if this is done automatically and there will not be any problem transferring this money.

Councilman Quatroche notes that this money was supposed to be sited for Foit's. The building was condemned there has been ongoing negotiations with the owner and all legal issues surrounding the bankruptcy of the property. The building is down and the property will be fixed up because the owner has had problems keeping the property sightly. The property owner will then be assessed on their taxes. Because of these legal issues in purchasing the property have not been expeditious they will try to reallocate these funds to the Seaway Trail Center. Whether the funds sit there or get reallocated, there's risk in moving funds like this to another project. At this time the shoreline revitalization committee recommended that this be done.

12.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

WHEREAS, the State of New York Solid Waste Management Act of 1988, listed in Part 371 of the NYS Codes, Rules and Regulations (6 NYCRR) prepared in accordance with 6 NYCRR Part 360, established a statewide goal to maximize solid waste reduction and recovery to the extent economically and technically feasible; and

WHEREAS, the Act calls for all municipalities of New York to be part of a solid waste management unit and to develop, and have the State approve, a Solid Waste Management Plan; and

WHEREAS, consistent with this plan, the Northeast Southtowns Solid Waste Management Board (NEST) is to achieve a 50 percent or more recycling rate by 2012, the end of the ten-year planning period; and

WHEREAS, NEST, a designated Solid Waste Planning Unit recognized by the New York State Department of Environmental Conservation (NYSDEC), consisting of municipal representatives and serving a region that includes 37 municipalities (22 towns, 14 villages, and one city) in Erie County, including the Town of Hamburg; and

WHEREAS, NEST is required to address the solid waste management needs of the municipalities within its borders; and

WHEREAS, the NEST Solid Waste Management Plan identifies Erie County as the administrator of the plan; and

WHEREAS, the State of New York and the local solid waste management boards have provided financial aid to Erie County to support a Recycling Coordinator position to serve Erie County municipalities; and

WHEREAS, the Recycling Coordinator for Erie County acts as the staff for NEST, and has provided the administrative support for the implementation of the Solid Waste Management Plan; and

WHEREAS, Erie County, with the support of NEST, has prepared and submitted a grant application to the New York State Dept. of Environmental Conservation (NYSDEC) for the Recycling Coordinator position for 2009-2011; and

WHEREAS, the State of New York has delayed funding of the Recycling Coordinator position; and

WHEREAS, the local solid waste boards intend to continue to contribute financial support to offset costs associated with the Recycling Coordinator position; and

WHEREAS, the local solid waste boards are concerned with the possible loss of the position of Recycling Coordinator from the Erie County’s 2009 budget;

THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamburg urges the County Executive and Erie County Legislature to continue to provide support to assist in implementing the mandatory requirements of the Solid Waste Management Plan.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Hamburg requests that the County Executive and Erie County Legislature utilize their funding support to convert the position of Recycling Coordinator to a County budget line position until State grant funding is reinstated.

BE IT FURTHER RESOLVED, that certified copies of this resolution be sent to County Executive Chris Collins, County Legislature Chairwoman Lynn Marinelli, and County Legislators Daniel Kozub and Robert Reynolds.

13.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, upon the recommendation of the Hamburg Traffic Safety Board, that NO PARKING signs be erected on Winterway in a northerly direction from Sowles Road two hundred seventy (270') feet to the intersection with Autumnway.

BE IT FURTHER RESOLVED, that the Hamburg Town Board schedules a public hearing to amend Chapter 185, “Parking Code” of the Code of the Town of Hamburg to add one new location, as described above, in the “No Parking Tow Away Zone.” The hearing is to be scheduled for October 27, 2008 at 7:00 p.m.

14.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town Board amend resolution number 23 of the Town Board Meeting of September 22, 2008.

Number 1 the name Tamara Harbold is to be changed to Assistant Chief of Police Michael

| | | | |
|---------------------------|-------------|----------|-------------|
| 1. Omphalius, Ellen | ER7251(225) | 10/9/08 | Terminate |
| 2. Omphalius, Ellen | ER7251(225) | 10/10/08 | \$8.49 P/T |
| 3. Sadowski, Christopher | ER7251(225) | 10/16/08 | Terminate |
| 4. Sadowski, Christopher | A7310(320) | 10/17/08 | \$7.69 P/T |
| 5. Scharlock, Matthew | ER7251(225) | 10/2/08 | Terminate |
| 6. Scharlock, Matthew | A7310(320) | 10/3/08 | \$7.69 P/T |
| 7. McAnaney, Patrick J | A7310(320) | 10/13/08 | Terminate |
| 8. McAnaney, Patrick J | A7310(320) | 10/14/08 | \$10.25 P/T |
| 9. Eddy, Patrick | A7265(230) | 10/7/08 | \$7.15 P/T |
| 10. Ignatius, Christopher | A7310(320) | 10/7/08 | \$7.92 P/T |
| 11. Bermingham, James | A7180(215) | 10/1/08 | Terminate |
| 12. Bermingham, James | A7180(215) | 10/2/08 | \$10.55 P/T |
| 13. Gallson, Cameron | A7180(215) | 10/6/08 | Terminate |
| 14. Gallson, Cameron | A7310(320) | 10/7/08 | \$7.95 P/T |
| 15. Grosjean, Kristin | A7180(215) | 10/6/08 | Terminate |
| 16. Grosjean, Kristin | A7310(320) | 10/7/08 | \$9.01 P/T |
| 17. Smith, Kelly | A7180(215) | 10/6/08 | Terminate |
| 18. Smith, Kelly | A7310(320) | 10/7/08 | \$7.69 P/T |
| 19. Walsh, David | A7180(215) | 10/6/08 | Terminate |
| 20. Walsh, David | A7310(320) | 10/7/08 | \$8.48 P/T |
| 21. Steger, Andrew | A7310(320) | 10/13/08 | Terminate |
| 22. Steger, Andrew | A7310(320) | 10/14/08 | \$9.90 P/T |
| 23. Kassem, Ramsey | A7310(320) | 10/6/08 | Terminate |
| 24. Kassem, Ramsey | A7310(320) | 10/7/08 | \$7.42 P/T |
| 25. DiOrio, Christine | ER7251(225) | 10/9/08 | Terminate |
| 26. DiOrio, Christine | A7310(320) | 10/10/08 | \$10.59 P/T |
| 27. Gibson, Amy | ER7251(225) | 10/16/08 | Terminate |
| 28. Gibson, Amy | A7310(320) | 10/17/08 | \$7.58 P/T |
| 29. Hibbard, Kyle | ER7251(225) | 10/16/08 | Terminate |
| 30. Hibbard, Kyle | A7310(320) | 10/17/08 | \$7.58 P/T |
| 31. McGahey, Brad | ER7251(225) | 10/6/08 | Terminate |
| 32. McGahey, Brad | ER7251(225) | 10/7/08 | \$9.55 P/T |

18.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

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

| | | |
|----------------|----------|-------------|
| OPERATING FUND | | VOUCHER #'S |
| BATCH # 110 | \$150.00 | 29241 |

| | | | |
|---|--------------|-------------|--------------|
| BATCH # 111 | \$352,324.70 | 29254-29295 | |
| BATCH # 112 | \$13,387.50 | 29296 | |
| BATCH # 113 | \$49,862.24 | 29304-29392 | |
| BATCH # 114 | \$59,295.66 | UNPROCESSED | |
| TOTAL OPERATING FUND DISBURSEMENTS: | | | \$475,020.10 |
| TRUST & AGENCY | | | |
| BATCH # | | | |
| BATCH # | | | |
| TOTAL TRUST & AGENCY DISBURSEMENTS: | | | \$0.00 |
| CAPITAL FUND DISBURSEMENTS: | | | |
| BATCH # 57 | \$54,650.80 | 29297-29302 | |
| BATCH # 58 | \$135,537.60 | 29393-29399 | |
| BATCH # 59 | \$40,389.20 | UNPROCESSED | |
| TOTAL CAPITAL FUND DISBURSEMENTS: | | | \$230,577.60 |
| PAYROLL: | | | |
| PR# | | | |
| TOTAL PAYROLL DISBURSEMENTS: | | | \$0.00 |
| PETTY CASH: | | | \$0.00 |
| TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: | | | \$705,597.70 |

Cathy Rybczynski, Town Clerk, notes that the Preliminary Budget was filed in her office on September 30th as required by law.

Supervisor Walters adds that the Seaway Trail Board is there to discuss the facility.

Councilman Quatroche notes that at the last Seaway Trail meeting there was a discussion about the not for profit that has been created.

Bill McKeever notes hands out a memorandum of understanding between the volunteers of the Seaway Trail and the Town of Hamburg. This will allow an even exchange of ideas and a working relationship.

Councilman Quatroche adds that they would like to build a model similar to the Penn Dixie site. This will add more educational items and activities to the center.

Councilman Best asks how many volunteers there are at the center now.

Terry Dubey responds that there are 35.

Councilman Smardz ask what they would do in their plan differently than what they do now.

Mr. McKeever responds that this is more of an endorsement and basically they want to continue growing this. They want to bring more attention year round to the center and make it financially self sufficient.

Councilwoman Kesner responds that over the years she has seen this work become very successful like with Penn Dixie and the Domestic Violence group. They do this out of the love of their hearts.

Jerry Bestedo notes that without an agreement with the Town they will not be able to move forward and get new members and everyone is in agreement with what their responsibilities are.

Supervisor Walters notes that he has had a chance to only skim through it briefly. His understanding is that the Boards responsibilities and the Seaway Trail responsibilities won't change in the short term, it's more long term.

Bill McKeever adds that they aren't looking for any more commitment.

Supervisor Walters asks if there are any alienation issues that come into play.

Ken Farrell responds that they aren't leasing the building or transferring it. The actual division of responsibilities needs to be looked at.

Jerry Bestedo notes that this is the first draft of the memorandum and hopefully the sooner this is signed and agreed upon the sooner they can move forward.

Bill McKeever notes that about two weeks ago there was an eagle scout project being done out there they cleaned and painted the tunnel and it looks great.

Councilman Quatroche thanks Bill and the committee for all the work they have done there.

Ken Farrell asks who makes the schedule for the groups that go there and if there has been any other formal agreements with the Town and Seaway Trail.

Jerry Bastedo gives an update on what is going on at the Penn Dixie site. He notes they have purchased land on Jeffrey Blvd, they raised funds to be able to do this. They were then approached by a construction company to build a building for them. If everything works out construction may start in April. They are looking at putting up two windmills on the site but not as large as on Lakeshore.

Ford Beckwith notes that he is hoping and pushing that the Town Board will put some type of

contractual oversight into the fire contracts, he has been slowly and surely looking into the finances of some of the fire companies. He requests the Town Board to take a look at this before they hand over money.

19.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board move into Executive Session.

20.

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

ADOPTED Ayes 5 Walters, Best, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board adjourn Executive Session at 8:00 p.m.

Catherine A. Rybczynski, Town Clerk