

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

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
Joan M. Kesner	Councilwoman
Thomas Quatroche, Jr.	Councilman
Kevin Smardz	Councilman

OTHERS PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Kenneth Farrell, Town Attorney; Robert Hutchison, Jr. Town Assessor; Tamara Harbold, Human Resource Consultant; Brian Doyle, Deputy Town Attorney

1.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board adjourn to Executive Session on a personnel matter involving a specific town employee at 6:01 p.m.

2.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board re-open the meeting at 6:15 p.m.

3.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town Board designate Saturday, October 31st as official Trick or Treat night in the Town of Hamburg from 6:00 p.m. to 8:00 p.m

4.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town of Hamburg recognizes October 23rd through October 31st as “National Red Ribbon Week” and designates Wednesday, October 28th as the Red Ribbon Rally- “Take a Stand Against Drugs”, encouraging the Hamburg Community to participate in taking a stand against drug abuse.

5.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

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

Jay Phillip Glendenning
3649 6th Street
Blasdell, NY 14219

Kristi Reed
4352 Highland Pkwy
Blasdell, NY 14219

6.

On a motion of Councilman Smardz, seconded by Councilman Quatroche, the following

resolution was

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

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

Zachery R. Knowles
3232 Cambridge Square
Blasdell, NY 14219

7.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

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

Daniel Griffin
5400 S. Park Ave Apt O-2
Hamburg, NY 14075

8.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town Board approve the annual maintenance agreement with ESRI, Inc. For ArcGIS software in the following departments:

Department	Cost	Account
Assessing	\$415	A1335.423
Engineering	\$828	A1440.456
Building Inspection	\$276	B3620.423
Emergency Management	\$276	A8760.201
Total cost:	\$1,798	

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign the agreement authorization.

9.

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

ADOPTED Ayes 3 Walters, Kesner, Quatroche
 Noes 0
 Abstain 1 Smardz

RESOLVED, that the Town Board authorize alcohol waivers for the following Oct/Nov. 2009 Taylor Road rentals:

10/27/09	11/18/09
10/29/09	11/21/09
11/01/09	11/22/09
11/07/09	11/26/09
11/08/09	11/27/09
11/14/09	11/28/09
11/15/09	11/29/09

10.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz

Noes 0

RESOLVED, that the Town Board amend resolution #18 from the September 28, 2009 board meeting to read:

WHEREAS, the condition of the following properties within the Town have been deemed by the Town Code Enforcement Official to be an endangerment and attractive nuisance to the citizens of our Town.

Address/location

Current/Last Known Property Owner

6354 Southwestern Blvd (SBL# 170.10-1-37)

Joseph & Samantha Lucckino

WHEREAS, it was the determination of the Town Code Enforcement Official based on his formal inspections and reports to the Town Board and in accordance with the provisions of Local Law No. 5-1965, Section 76-13 and Local Law No. 5-1972, Section 80-3 did proceed to condemn the above property.

WHEREAS, the Town has received no response by the listed owners nor has any remedial work been undertaken to alleviate the known hazards. Currently the unsafe conditions and progressive deterioration which persist on the premises listed have only become more hazardous to the neighboring properties and our community.

THEREFORE BE IT RESOLVED, that the Town Board based on the review of the report prepared by the Town Code Enforcement Official and the absence of response by the property owners, order the demolition of the above listed structures and complete removal of all unsafe debris and refuse left on the properties.

NOW, BE IT FURTHER RESOLVED, the Town Board authorizes the Town Code Enforcement Official to initiate the process in order to expedite the demolition of said properties including the necessary remedial work to render the subject property safe, including defining demolition scope and establishing cost estimates as required.

Supervisor Walters notes that they met before the meeting with one of the property owners and he was given a 15 day extension on all convictions. That property is located at 5381 Abbott Rd, SBL# 183.08-2-12.1, Hoaks.

11.

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

ADOPTED

Ayes 4

Walters, Kesner, Quatroche, Smardz

Noes 0

BE IT RESOLVED, that the Town Board schedule a public hearing on proposed local law #10, 2009. This proposed local law will provide for a new chapter to the Hamburg Town Code that will set rules and regulations governing Secondhand Dealers.

The hearing is to be scheduled for October 26, 2009 at 7:00 p.m.

12.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board approve the transfer of appropriations in the Buildings & Grounds Department as follows:

FROM: Heat, light and power A1620.422 \$8,216.00

Funds needed to transfer.

TO: Equipment rental A7230.406 \$8,216.00

Account was reduced by \$17,000. In 2009 budget. Boat launch dredged-funds needed to pay for dredging.

13.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town Board approve the hire of one and termination of one and

Violence Department as follows:

1. Rodrigues, Maria	Clerk Typist P/T	10/02/09	Terminate
2. Rodrigues, Maria	Clerk Typist, Seas	10/03/09	
3. Reynolds, Brigit	Clerk Typist, P/T	10/03/09	\$10.38
4. Reynolds, Brigit	Clerk Typist, P/T	10/11/09	Terminate
5. Reynolds, Brigit	Clerk typist, P/T Seas	10/12/09	

17.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board approve the hiring of 26 and termination of one in the Recreation Department as follows:

1. Diorio, Christine	Rec. Att'd P/T	10/11/09	\$10.84
2. Omphalius, Ellen	Rec. Att'd P/T	10/11/09	\$8.75
3. Steger, Joseph	Rec. Att'd P/T	09/29/09	\$10.84
4. Lease, Warren	Rec. Att'd P/T	10/19/09	\$10.29
5. McAnaney, Patrick	Rec. Att'd P/T	10/13/09	\$10.50
6. Steger, Andrew	Rec. Att'd P/T	10/14/09	\$10.15
7. Kassam, Ramsey A	Rec. Att'd P/T	10/06/09	\$7.64
8. Lease, Michael	Rec. Att'd P/T	10/19/09	\$7.64
9. Bermingham, James	Rec. Att'd P/T	10/04/09	\$10.80
10. Grosjean, Kristin	Lifeguard P/T	10/26/09	\$9.51
11. McKenny, Matthew	Lifeguard P/T	10/26/09	\$8.20
12. Rousseau, David	Lifeguard P/T	10/26/09	\$7.62
13. Scherer, Kenneth	Lifeguard P/T	10/26/09	\$7.62
14. Slowik, Angela	Lifeguard P/T	10/19/09	\$8.75
15. Smith, Lindsay	Lifeguard P/T	10/19/09	\$8.22
16. Schmitt, Christine	Lifeguard P/T	11/02/09	\$10.84
17. Christy, Anthony	Rec. Att'd P/T	11/03/09	\$9.75
18. Betrus, Thomas	Rec. Att'd P/T	11/02/09	\$7.63
19. Gallardo, Nicholas	Rec. Att'd P/T	11/02/09	\$10.05
20. Ryan, Katy	Rec. Att'd P/T	11/02/09	\$8.00
21. Biellak, Paul	Rec. Att'd P/T	11/03/09	\$8.24
22. Motz, Lisa	Rec. Att'd P/T	11/03/09	\$10.84
23. Zdnojewski, Shannon	A7180(215)	10/20/09	Terminate
24. Zdnojewski, Shannon	Rec. Att'd Seas.	10/21/09	\$10.15

25. Walsh, Matthew	Rec Att'd Seas	10/19/09	\$7.50
26. Becker, Lisa	Rec. Att'd P/T	10/19/09	\$8.00
27. Melewski, Mark	Rec. Att'd P/T	10/19/09	\$8.74

18.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town Board approve the termination of one in the Public Safety Dispatch Department as follows:

- 1. Kryszak, Maureen Public Safety Dispatcher 10/20/09 Terminate

19.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

BE IT RESOLVED, that the Town Board approve the temporary assignment of Joe Wenzel to the Senior Services Department. Joe Wenzel will continue his Civil Service title of Recreation Supervisor.

BE IT FURTHER RESOLVED, that the Town Board authorize out of title pay totaling \$34.34 per hour for the duration of the temporary assignment. Upon completion of the temporary assignment, this out of title pay shall be discontinued and he will return to his normal hourly rate.

20.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board approve the audit of cash disbursements as follows:

TOWN BOARD October 19, 2009
 AUDIT OF CASH DISBURSEMENTS

			VOUCHER #S
OPERATING FUND:			
BATCH #	100	\$358,842.99	36790-36892
BATCH #	101	\$725.92	36893-36894
BATCH #	102	\$102,987.70	36895-36993
BATCH #	103	\$200.00	37009
BATCH #	104	\$45,212.48	37010-37011
BATCH #	105	\$902,197.24	37019-37127
BATCH #	106	\$8,776.50	37128
BATCH #	107	\$33,827.61	37129-37205
BATCH #	108	\$184,418.13	37206-37270
TOTAL OPERATING FUND DISBURSEMENTS:			\$1,637,188.57
TRUST & AGENCY:			
BATCH #	24	\$9,000.00	
BATCH #			
BATCH #			
BATCH #			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$9,000.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #	54	\$229,381.37	36994-37009
BATCH #	55	\$121,606.40	37012-37018
BATCH #	56	\$632,805.00	37271-37274
BATCH #			
BATCH #			
BATCH #			
TOTAL CAPITAL FUND DISBURSEMENTS:			\$983,792.77
PAYROLL:			
PR #	P/R 20	\$625,098.27	
PR #	P/R 21	\$577,675.11	
PR #			
TOTAL PAYROLL DISBURSEMENTS:			\$1,202,773.38

Supervisor Walters opens the floor

Kristen Johnson questions if anything came back from the engineering firm about the extension of the ice rink.

Supervisor Walters responds that nothing came back yet.

Kristen Johnson notes they are running into deadlines at this point and an RFP needs to go out because it takes a month to gather proposals.

Supervisor Walters notes that this was voted down at the referendum regardless of the small numbers of people that came out to vote. In fairness to the people who voted against this, this Town Board is not going to do anything until the engineering report is received. This needs to be presented to the public and allow the public to weigh in whether to go ahead.

Steve Day owner of an apartment project on Fairgrounds Rd that is in the process of being converted to condominiums. He has been talking with the Town since September 2007. They believed they agreed to submit a letter to ORPS to get a specific opinion on the property and status. The letter has not gone out and was told it will not go out.

Supervisor Walters notes that now this is brought forth this will be discussed and they will get back to him.

George Grasser, consultant, gives an example to the board that happened in Amherst. He notes there is not an assessor around that has taken the position that Hamburg's Assessor has.

Ken Farrell notes that they are allowed to opt out when it's a condominium conversion. There is one reference from Mary Lou Rath's letter that had to do with the legislation. This will have to be discussed in executive session.

Supervisor Walters adds that one of the last issues to discuss is the Town budget. Everyone has had approximately a month to look at it and they need to start looking at any amendments to it. He asks the Town Board if they are prepared to discuss anything now feel free to jump in. If not please start to get amendments if any, over to him soon.

Jeff Kryczak, K-Technologies, appreciated the Town Board for approving the submitted application to do modifications to the Krepe Kraft building.

Supervisor Walters adds the Board appreciates them growing in the Town of Hamburg.

21.

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

resolution was

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board move into Executive Session at 6:50 p.m to discuss a proposed litigation.

22.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

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

Catherine A. Rybczynski, Town Clerk