

A Budget Hearing Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York on the 22<sup>nd</sup> day of October 2007.

**TOWN BOARD MEMBERS**

**PRESENT:**

Steven J. Walters	Supervisor
Joan A. Kesner	Councilwoman
Thomas Quatroche, Jr.	Councilman
Richard A. Smith	Councilman

**ABSENT:**

D. Mark Cavalcoli	Councilman
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**OTHERS PRESENT:** Catherine Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Wayne Dresser, Town Financial Consultant; Carmen Kesner, Chief of Police; James Connolly, Highway Superintendent.

The Pledge of Allegiance was recited.

Information on fire exits was provided.

Supervisor Walters takes a few moments to reflect a year ago, the October Storm. One of the people to thank the most is a fellow named, Charles Nagle. Charles went above and beyond to get the job done during that time. This is brought up because Charles passed away this morning, he had a long fought with cancer. He is someone that this Town will miss. The Supervisor asks for a moment of silence for Charles.

6:00 p.m. Public Hearing for the adoption of preliminary budget of the Town of Hamburg for the fiscal year beginning January 1, 2008.

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

**LEGAL NOTICE**

TOWN OF HAMBURG  
NOTICE OF PRELIMINARY BUDGET

**NOTICE IS HEREBY GIVEN** that the preliminary budget of the Town of Hamburg for the fiscal year beginning January 1, 2008 has been completed and filed in the Office of the Town Clerk, 6100 South Park Avenue, Hamburg, New York, where it is available for inspection by any interested person, at reasonable hours.

**FURTHER NOTICE IS HEREBY GIVEN**, that the Town Board of the Town of Hamburg pursuant to Section 121(b)(1) of the State and Local Fiscal Assistance Act of 1972, as amended, and all other applicable statutes, will meet and review said preliminary budget and hold a public hearing thereon at Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York at 6:00 p.m. (local time) on the 22<sup>nd</sup> day of October, 2007, and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any items therein contained.

**PURSUANT** to Section 108 of the Town Law, the proposed salaries of the following Town Officers are hereby specified as follows:

Supervisor	\$78,968
Councilman (4) each	\$18,479
Town Clerk	\$69,113
Registrar of Vital Statistics	\$ 3,521
Highway Superintendent	\$78,446

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HAMBURG

Dated: October 15, 2007

CATHERINE A. RYBCZYNSKI  
Town Clerk  
Town of Hamburg

No correspondence was received  
Wayne Dresser and Mary Dosch give a presentation of the budget and hand out the 2008 proposed budget summary.

Wayne Dresser explains that in early July requests are sent out to each department head as to what they need to run their department effectively and efficiently. They have a month to complete these. Early August they are received back and reviewed and evaluated. In mid-August a meeting with each department head is held. From August to mid-September there's payroll, benefit levels etc. are computed. By mid-September the budget was reviewed with the Town Board and adjustments were made. Finally on October 1, 2007 the budget was filed with the Town Clerk. The budget will not be accepted until November 19<sup>th</sup> at the regular meeting. In the General Fund 44% of about a fifteen million dollar budget goes to salaries and wages; Employee benefits make up 21%; the others are contractual (heat, power, gas), dept service. With your annual tax bill, living outside the village, about 23% of your real property taxes goes to the Town, about 19% goes to Erie County and approximately 58% goes to the school district.

Inside the village the Town portion is much smaller about 8% would go to the Town, 30% to the village, 15% to the County and about 47% to the school district.

Supervisor Walters reiterates the video lottery terminal money, this is the first year this has come to the Town as a result of the Town being the hosting community. Because the Town is really unsure what is going to happen in the following years, this year is an estimation. The first year the State estimates the revenue. With the new casino being pushed in the City of Buffalo, the Racino's revenue is uncertain. Most of that money was earmarked into debt reduction. Public Safety last year, with the tightening of the budget, there were a lot of things that were put off with respect to Public Safety Equipment. This year there will be room to catch up from previous years.

Councilwoman Kesner thanks Wayne Dresser and Mary Dosch for an outstanding job and all the colleagues for all the hard work.

Councilman Smith notes that it's a pleasure working with Wayne and the Finance Department and the Supervisor. He has some questions on some of the appropriated balances that are there, some of the estimates. All in all, this is a good budget in place right now. The press has released the budget as Village vs Town, that is not really true. The "A" Fund is paid by everyone Townwide, and the "B" Fund is the Town outside Villages.

Councilman Quatroche thanks Wayne, Mary and the Supervisor along with the Unions for their work this past year for the single healthcare coverage. The costs keep escalating and anything that can be done to keep them in line is greatly appreciated. This is a work in progress but all in all this is a solid budget.

Ferd Garcia questions what would the percentage rate increase be according the estimates.

Supervisor Walters responds about ½% decrease for Town residents outside the Village that's about five cents and the 1.12 increase for the Village residents is also about five cents.

Councilman Smith notes that pay raises for elected officials, that it is unfair to full time elected officials that they do not get a raise. Is there a possibility of changing their salaries if the Board does come to an agreement, since it's been a published salary.

Councilman Quatroche notes once there published there basically set. That can be reduced, but it can't be increased. That consideration should be made in future years.

Steve Strnad comments that there are a lot of figures and the taxpayer group will have a lot of questions to ask.

Councilman Quatroche points out that the budget was not voted on tonight and there is time to adjust the budget between now and the vote.

**1.**

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

ADOPTED                      Ayes 4                      Walters, Kesner Quatroche, Smith  
  Noes 0

**RESOLVED**, that the Town Board close the Preliminary Budget Hearing at 6:15 p.m.

6:15 p.m. Public Hearing on the Capital Improvement Program, to be established over the next six (6) years.

**LEGAL NOTICE  
TOWN OF HAMBURG  
NOTICE OF CAPITAL IMPROVEMENTS PROGRAM**

**NOTICE IS HEREBY GIVEN** that the Town of Hamburg will hold a public informational hearing on Capital Improvements Program on October 22, 2007, at 6:15 p.m. (local time), at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York 14075. The Town is seeking public input as to project priorities, means of funding projects on the various Capital Improvements Program, to be established over the next six (6) years.

Additional information is available in the Finance Office, Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York 14075

Dated: October 15, 2007

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

No correspondence was received.

Wayne Dresser notes that the only thing they have is the transfer of capital. Included within the general fund budget this year is a line entitled "Transfer to Capital Projects" the Town Board did want to put money aside for capital improvements to the Town. The proposal would be whenever a department head requested an improvement to the Town. Of the original amount of \$279,000.00, \$50,000.00 of that was earmarked for drainage projects throughout the Town.

2.

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

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

**RESOLVED**, that the Town Board close the Capital Improvement Public Hearing at 6:30 p.m.

**3.**

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

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

**RESOLVED**, that the Town Board approve the minutes of the following meetings:

October 15, 2007                   Town Board Meeting

**4.**

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

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

**WHEREAS**, the Town of Hamburg received a rezoning application from Stephen Dolber, who resides at 5363 Southwestern Boulevard, to rezone his property from R-2 to C-2 in order to make it more attractive to potential buyers, given its proximity to the proposed Wal-Mart shopping center, and

**WHEREAS**, the Code Review Committee, at its September 12, 2007 meeting, reviewed the application and found merit in the rezoning of this property, and;

**WHEREAS**, the Town Board did refer this request to the Planning Board for its review and recommendation, and

**WHEREAS**, on October 17, 2007 the Hamburg Planning Board did issue a positive recommendation to the Town Board regarding this request;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hamburg Town Board hereby schedules a public hearing to be held on 11/19/07 at 7:15 PM.

**5.**

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

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

**RESOLVED**, that the Town Board approve the appointment of JEFFREY C. ADRIAN to the full time vacant permanent position of ASS'T. CODE ENFORCEMENT OFFICER (probationary) in the Building Inspection Department. This reinstatement has been approved by Erie County Civil Service. Appointment effective November 1, 2007; salary \$22.71 per hour; funds available in B3620.100.

Supervisor Walters notes that Jeff was appointed unofficially, permission was needed from Civil Service as a transfer. This is part of the Code Enforcement merger that was talked about earlier. This resolution will officially appoint Jeff.

Ferd Garcia questions when the position became vacant.

Supervisor Walters responds that the Town had four Assistant Code Enforcement Officers on the books for quite some time. Two of them went unfilled for awhile.

**6.**

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

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

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

**7.**

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

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

**RESOLVED**, that the Town Board approve the hiring of three and terminations of four personnel in the Police Department as follows:

- 1.     Piwowar, Michelle   Clerk, Part time     10/30/07     Terminate
- 2.     Piwowar, Michelle   Clerk, Part time Seas 11/01/07     \$9.25



ADOPTED                      Ayes 4                      Walters, Kesner, Smith, Quatroche  
     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 BY IT RESOLVED**, the Town Board approve the following invoices for payment for the work contracted to Property Care & Enhancements of Collins, 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:

<b>Property Address</b>	<b>Service Date(s)</b>	<b>Invoice Amount</b>
5131 College Street	08/21/07, 10/12/07	\$ 120.00
3661 Sixth Street	08/21/07, 09/20/07 & 10/13/07	\$ 150.00
3183 Trenton Road	08/22/07, 09/21/07 & 10/14/07	\$ 210.00
3684 Third Street	08/22/07, 09/21/07 & 10/14/07	\$ 225.00
4837 Gerber Parkway	08/21/07, 09/20/07 & 10/12/07	\$ 240.00
217 Kenton Place	08/23/07, 09/23/07 & 10/16/07	\$ 210.00
3782 Cornell Street	09/22/07 & 10/15/07	\$ 130.00
4292 Big Tree Road	08/23/07, 09/22/07 & 10/15/07	\$ 225.00

**BE, IT FURTHER RESOLVED**, the Town Board approve the transfer of funds from Account B599 to B3620.469 to finance this work.

**BE, IT FURTHER RESOLVED**, the Town Board authorize the Town Attorney to institute the appropriate actions against the owners of the aforementioned properties plus an additional administrative overhead fee of twenty- percent for recovery of costs incurred by the Town in connection with these proceedings as provided by Local Law No. 9-1974 Section 75- 4 B.

Councilman Smith notes that prior to January 1<sup>st</sup> coming up the property owners used to be billed and get the money back in. The question is how the money coming into the “A” Fund. He questions if this goes onto the tax bill or does the property owner get billed.

Wayne Dresser responds that when they have these charges these are added to the tax bill. On January 1<sup>st</sup> they are put into the Town and County. The County guarantees our collection of these monies. Should these same properties not pay their taxes, then the County does the in-rem proceedings, but the Town is made 100% whole.

**11.**

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

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

**BE IT RESOLVED**, upon the recommendation of the Traffic Safety Advisory Board, that the following signs be erected and maintained by the Buildings and Grounds Department:

W2-3 with W5-16 “Driveways” legend on the west side of Hamptonbrook.

P1-5 NO STANDING ANYTIME on the Cloverbank extension at intersection of Rogers Road, for a distance including the grassy mall.

R1-1 STOP signs at White Oak Way and Winterberry, and the inclusion of R1-3 ALL WAY signs, and W3-1 stop ahead warning signs.

**12.**

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

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

TOWN BOARD                    OCTOBER 22, 2007  
AUDIT OF CASH DISBURSEMENTS

VOUCHER #'S

OPERATING FUND:

BATCH #    140                    \$900,000.00    22261-22262  
BATCH #  
BATCH #

TOTAL OPERATING FUND DISBURSEMENTS: \$ 900,000.00

TRUST & AGENCY:

BATCH # 45 \$12,362.63  
 BATCH # 46 \$529,269.73  
 BATCH #  
 BATCH #  
 BATCH #

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 541,632.36

CAPITAL FUND DISBURSEMENTS:

BATCH # 68 \$41,550.04 22249-22260  
 BATCH # 69 \$475,000.00 22263  
 BATCH #  
 BATCH #

\$ 516,550.04

TOTAL CAPITAL FUND DISBURSEMENTS:

PAYROLL:

PR # #21 \$500,606.03  
 PR #  
 PR#

TOTAL PAYROLL DISBURSEMENTS: \$ 500,606.03

PETTY CASH \$147.29 \$ 147.29

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$2,458,935.72

Councilman Smith reports that an annual assessment was done of the Town of Hamburg Adult Day Center. He reads a letter addressed to John Farrell regarding the assessment and requests that the letter be placed in Mr. Farrell's personnel file for a fine job for the Town of Hamburg.

Supervisor Walters reports on a letter received that Erie County requested be read at a public meeting for inclusion of land to an agricultural district. On September 23, 2004 designated

November 1 through November 30 as the annual 30 day period during which landowners may resubmit their request for inclusion of predominately viable agricultural land within an existing certified agricultural district as per New York State Agricultural and Markets Law Section 303-b.

**13.**

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

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

**RESOLVED**, that the Town Board adjourn at 7:00 p.m.