

A Budget Hearing of the Town of Hamburg, County of Erie and State to New York was held at the Town Hall, 6100 South Park Avenue, Hamburg, New York on the 27<sup>th</sup> day of October 2014.

ROLL CALL:            Steven J. Walters        Supervisor  
                             Michael Quinn            Councilman  
                             Cheryl Potter-Juda      Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk;  
Walter Rooth III, Town Attorney, Luke Malecki, Financial Consultant; Gerard Kapsiak, Town Engineer; Martin Denecke, Director of Youth, Recreation and Senior Services; Christopher Hull, Director of Community Development; Robert Hutchison, Town Assessor; Tom Best, Sr., Highway Superintendent; Kurt Allen, Supervising Code Enforcement Officer; Greg Wickett, Police Captain; Drew Reilly, Planning Consultant; Mike Bartlett, Director of Hamburg Industrial Development; Barbara Brauch, Clerk of Justice Court; Paula Bucci, Sr. Personnel Clerk; Donna Gavin, Sr. Computer Operator; Jen Kosmowski, Domestic Violence Advocate; Ted Casey, Traffic Safety Coordinator; Sean Crotty, Emergency Management Coordinator; Amy Ziegler, Deputy Supervisor

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

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

LEGAL NOTICE/TOWN OF HAMBURG  
NOTICE OF HEARING

PLEASE TAKE NOTICE that the Town Board of the Town of Hamburg will hold a public hearing on October 27, 2014, at 7:00 p.m. (local time) at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, in accordance with Section 184 of the Town Law, to provide for changes in the fire protection contracts as follows:

<u>NAME OF COMPANY</u>	<u>2015 CONTRACT REQUEST</u>	<u>2014 CONTRACT</u>
Armor Volunteer Fire Co., Inc.	\$260,018	\$254,920
Big Tree Volunteer Fire Co., Inc.	\$465,186	\$456,065
Lake Shore Volunteer Fire Co., Inc.	\$495,800	\$495,800
Lake View Fire District (Town wide fire protection district)	\$65,523	\$65,523
Newton Abbott Volunteer Fire Co., Inc.	\$449,232	\$440,732
Scranton Volunteer Fire Co., Inc.	\$462,300	\$454,700
Village of Hamburg Volunteer Fire Co., Inc. (Town wide fire protection district)	\$160,686	\$157,536
Woodlawn Volunteer Fire Co., Inc.	\$375,734	\$368,367

These contracts provide for fire protection and ambulance service within and/or outside the boundaries of the respective districts. The term of the above contracts shall be for a period of one (1) year with a privilege of renewal for four (4) additional year terms, as provided in and under the conditions stated in each contract. Full opportunity to be heard will be given to all citizens and parties interested.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF HAMBURG

Dated: September 22, 2014

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

No correspondence was received.

Jason Newell, Armor Volunteer Fire Co, comments that this year they are requesting a 2% increase due to rising costs for utilities, vehicle maintenance, school costs, new purchases for tools, first aid supplies and maintenance of equipment.

Councilman Quinn questions if any of the fire departments have been looking into alternative energy for utilities, etc.

Mr. Newell comments that at their last meeting they did discuss purchasing solar panels for the roof to lower electricity bills.

Ken Page, President of Big Tree Volunteer Fire Co., comments that they are requesting a 2% increase which represents an increase of \$9,121.00. They are in the process of putting up a new fire station and there are some additional costs associated with that. The increase will cover legal fees over the next two years, firematic purchases, and with the Ebola scare EMS is being required to carry a lot more personal protective equipment. He comments that they are looking into solar panels as well.

Matt Giacomini, Chief of Lakeshore Volunteer Fire Co., comments that they are holding the line this year and not asking for an increase. Last year they wrote a grant for new air packs in the amount of \$65,000. A couple of years ago they went with Mobil for gas through the Town and they also replaced all their lighting in the station which is saving on the electrical bills.

Councilwoman Potter-Juda expresses her appreciation for them holding the line and for applying for one of the many grants available.

John Wicka, Fire Commissioner of Lake View Fire District, comments that they are holding the line with no increase this year. Over the last few years they have taken a lot of steps with energy efficiency for both fire stations. This year they replaced all the windows in station 2 that are more energy efficient, they are using alternate energy suppliers and they are also looking at new boilers.

No one appears for Newton Abbott Volunteer Fire Company.

Mike Guadagno, Chief of Scranton Volunteer Fire Co., comments that they are looking for a 1.67% increase. They replaced lighting and are saving money with alternative energy sources. The increase they are looking for is for insurance, OSHA and repairs to equipment and the building. They have rented out facilities and held fundraisers to help keep costs down.

Kim Skrzypek, President of Village of Hamburg Volunteer Fire Company, comments that they are also looking for a 2% increase which amounts to \$3150.00. This is to purchase equipment. They have worked with the Village of Hamburg to save on energy costs and have replaced lights.

John Kolb, President of Woodlawn Volunteer Fire Co., comments that they are asking for an increase due to rising fuel costs. They went along with Lakeshore Volunteer Fire Company in going with the Town and Mobil for fuel. With the new addition to the fire hall they will be more energy efficient with the installation of new windows, doors, lighting and new heating and air conditioning units.

**1.**

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 close the public hearing.

Catherine Rybczynski, Town Clerk, reads the following legal notice as published in the Hamburg Sun and the 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, 2015 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. Additionally, an exemption report is also available for inspection.

**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 7:00 p.m. (local time) on the 27th day of October, 2014, 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:

<b>Supervisor</b>	<b>\$82,123</b>
<b>Councilman (2) each</b>	<b>\$19,210</b>
<b>Town Clerk</b>	<b>\$71,870</b>
<b>Highway Superintendent</b>	<b>\$81,266</b>
<b>Justices (2) each</b>	<b>\$59,652</b>

**BY ORDER OF THE TOWN BOARD OF THE TOWN OF HAMBURG**

Dated: September 22, 2014

CATHERINE RYBCZYNSKI  
Town Clerk  
Town of Hamburg

Supervisor Walters and Luke Malecki review the Town of Hamburg 2015 proposed Budget Public Hearing hand out as per attached.

Supervisor Walters comments, on page 20, the increase for the Town-Outside Village residents is listed at 1.29% and for Village residents it is listed as 3.10%, as listed in the original proposed budget. In the meantime the Town Board has had an opportunity to look at the Budget and there were some suggestions and proposals made. They ended up having a benefit, so what is on the table now is that the 1.29% is decreased to 1.1% and the 3.10% is decreased to 2.68%. This does show that the Town Board is working together and they are doing what is in the best interest of the taxpayers and they are showing successes along with the challenges that they are forced to work through.

Councilman Quinn comments that the Budget lists an expense of \$200,000 for improvements to South Creek Road. Would the Town be better off using a bond to cover the expense?

Supervisor Walters responds that South Creek road is one of the more difficult roads in the Town. This is primarily because of the length of the road and the proximity to the 18 mile creek ravine. It is better to fund small projects like this without borrowing money because not only would they pay interest but they would have to look at the administrative costs associated with borrowing the money. Because they have sufficient savings it is his recommendation to fund this project.

Paul Radchuk questions what can be done about Lakeview Road between Route 20 and Route 5.

Supervisor Walters responds that there are three types of roads in our Town. There are State roads, County roads and Town roads. The town can only control and do work on Town roads. The county roads are in the worse shape of any of the three categories. It is hard to say that it is a County road and therefore the town is not responsible because people that drive those roads day in and day out are dealing with the potholes and potential damage to their vehicles. This Town Board fought hard to push the County to do Sowles road this past year. There were petitions filed by residents that lived along Sowles road and the adjoining neighborhoods and the Town Board took a very aggressive stance that the road needed to be paved. The Town is very cognizant that they need help from the County to get the roads fixed. There are portions of Lakeview Road that need work and Amsdell Road is in really tough shape. The County Executive did put additional funding in his budget for roadways for next year and the Town Board will stay on top of the situation.

He urges Mr. Ratchuk to call the County Executive and call the County Highway Department and let them know what roads are of concern because phone calls and letters do make an impact.

Tom Best Sr., Highway Superintendent, commends the Town Board for getting through the budget process so smoothly. His concern is how they got from the 1.29% to the 1.1% change from last year for Town-Outside Village residents.

Supervisor Walters responds that the big change was that there were two dispatchers who had indicated that they were retiring next year. They have since indicated that they will not be retiring and they had put enough money in the proposed budget for mandatory retirement payouts. They took the retirement cost and left some in the budget to hire a new dispatcher due to the volume of calls increase in that department. Then they were able to take the rest of that cost and transfer it into a cost saving. There were some other minor changes in retirement, social security, medical coverage, minor changes in various departments, but no changes to the B & G or Highway Department

Dave Grasso questions the large difference in the Police Department Personal services.

Supervisor Walters responds that the Police Department indicated that they expected several retirements in 2016. With a new hire for the Police Department it takes about a year to put someone through the academy and get them trained. If they waited until 2016 to replace those Officers it would be a difficult year for the Police Department to maintain the safety of the Town. What the Town Board looked at were transitional officers which would be officers they could hire in 2015, put through the academy, put through their training period and then in 2016, when the retiring officer left, he would be replaced by the transitional officer. This is a onetime expense. They did request and they did receive formal letters stating that the officers were going to retire.

Dave Grasso questions why they couldn't take a transfer from Blasdell or possibly Eden and save the cost of the academy and training.

Supervisor Walters responds that they do have the option of taking a transfer. There are pluses and minuses to that. They would have to find someone that wanted to transfer. The way the contract is set up a new Police Officer comes in with multiple steps. The first few years they are not making the full pay of a Patrolman that has been with the Town for seven or eight years. On the plus side the training period is a lot shorter. They certainly have that option. They are not mandated to hire a new Officer.

Mr. Grasso comments that going through the Police budget they have \$90,000 in Department supplies.

Captain Wickett responds that they need new printers, cameras for the detectives and new radar units which are very expensive items. They are also looking at cameras and equipment for the Police cars.

Bob Mahoney comments that on the VLT's he said that the State owes the Town 1.2 million dollars. Who did they address this issue to and why are they dragging their feet?

Supervisor Walters responds that they have met with several different State Senators and several different State Assemblymen who have represented the Town. They have met with the Deputy for the Budget Office. The seven Communities with Upstate terminals have had several telephone conferences and had face to face meetings. They are speaking with their State Senator and Assemblyman as well. Mark Grisanti and Sean Ryan did sponsor a Bill in their respective houses that increased the money slightly. Their hope is that they will do it again. He encourages the media to do stories on this to keep this issue in the forefront. The change to bring it back has to come from the State Senate and State Assembly and would have to be signed by the Governor. The attitude from Albany, for too long, has been that the Towns were getting too much of the money. There is an eighth terminal in Downstate New York and they are exempt from this and continue to receive what was initially promised to all the sites with terminals.

Mr. Mahoney comments that he mentioned amendments to the law. What were they?

Supervisor Walters comments that what the first amendment did was to cap the revenue to stay at the 2007 amount. So if the net win went up the Town received none of that. The second year they amended it again to say that in addition to capping it they were going to take 10% off the top. The third year they continued the cap, continued to take 10%, and took an additional 50%. They fought every one of the amendments and they all passed.

Mr. Mahoney and Supervisor Walters discuss the savings, in the proposed budget, for someone that retires as opposed to the cost and the difference between hiring a transfer as opposed to a new officer.

Dennis Chapman questions, with all the new building in the Town, haven't the revenues gone up enough to cover the small increase in the proposed budget.

Supervisor Walters responds that there has not been a huge increase in assessed value from last year to this year. The Town has some big projects that are proposed but haven't happened yet. A lot of the commercial and industrial growth has been through existing buildings. When Wal-Mart built their new building that was a significant bump in assessed value because that was a new building as opposed to an existing one. There has been some increase in housing and that accounts for the majority of the increase in assessed value in this Town. A dollar increase in the assessed value for residential is lower than a dollar in spending. So for every \$1.00 you increase in residential assessed value you are spending \$1.10. While they welcome people moving into the Town it doesn't have the impact of a new commercial or industrial site.

Mr. Chapman questions if a vacant building is taxed less than an occupied building.

Supervisor Walters responds yes.

Mr. Chapman responds that it seems like they are rewarding the owner for leaving the building vacant. What is the incentive for the owner to rent or occupy the building?

Supervisor Walters responds that he has looked into this. The State of Maryland has a multiplier to vacant buildings and the longer a building is vacant the higher the multiplier is. So theoretically in the State of Maryland you could pay double the property tax bill. The Town looked into doing this in the Town of Hamburg and was told no by the State of New York. It is not allowed under New York State Law. The Town of Hamburg asked if they could amend the law and the State said no. He agrees this should be addressed.

Ted Casey questions what the Town will contribute to the Woodlawn Beach Revenue for this year and what it will be for next year.

Supervisor Walters responds that in the 2015 proposed Budget there are 4 Enterprise funds. The overall transfer to those respective Enterprise funds has decreased by around \$56,000.00. The money transferred to support Woodlawn Beach was decreased by \$20,000.00.

Mr. Chapman questions transfers within the Town from one department to another.

Mr. Malecki explains that he is referring to a transfer to the reserve fund. This is a separate fund that works as a centralized insurance agent for all the separate funds. This fund is where all the liability and Workers Compensation is paid out of. So, the General fund pays a share of that, the Highway funds pays a share, the Part-Town fund pays a share and the special districts pay a share. The other transfer that was highlighted was the transfer from the General fund to the Enterprise funds, which would be a transfer to help support operations in the Town Park, the Ice Arena and Woodlawn Beach. This could also be labeled as a Workers Compensation expense and a liability expense.

Supervisor Walters comments that his right hand person over the last seven years has been Mary Dosch and he wants to thank her for all her assistance in the budget process. She makes everyone's job easier with the knowledge and expertise that she brings to the table.

Councilman Quinn thanks Mary Dosch, Luke Malecki, all the Department Heads and the heads of the Fire Districts. They all do a great job.

## 2.

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 close the public hearing.

## 3.

On a motion of Supervisor Walters, seconded by Councilman Quinn, the following resolution was  
 ADOPTED                   Ayes   3           Walters, Quinn, Potter-Juda  
                                   Noes   0

**BE IT RESOLVED** that the Town Board of the Town of Hamburg adopt the special assessments indicated on the attached "Letter of Authorization" as part of the 2015 Town of Hamburg Budget.

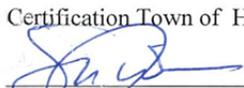
**Letter of Authorization**

To: Erie County Real Property Tax Department  
 From: Town of Hamburg  
 Subject: Unpaid items to be included in tax warrant  
 Date: October 17, 2014

In accordance with New York State Town Law, section 198, the town board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below, by placing a lien upon the real property for which such services were provided. **Be sure to include a copy of the resolution(s) adopting all special town charges.**

**In light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the town assessor's master computer assessment roll file, which is also hereby being delivered by the assessor with this letter of authorization.**

• Total Unpaid Water	\$11,317.22
• Total Unpaid Sewer	\$
• Total Unpaid Refuse	\$36,292.90 (\$33,899.40 + \$2,393.50)
• Total Agric Penalty	\$
• Total Other Charges	\$
• Total Omitted Taxes	\$
<b>Total of Items Above</b>	<b>\$47,610.12</b>

Certification Town of Hamburg  
  
 Steven J. Walters, Town Supervisor

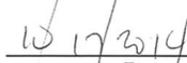
Date: October 17, 2014  
  
 Catherine Rybczynski, Town Clerk

**Assessors Use Only**

Date RPS file submitted to County RPTS \_\_\_\_\_

I hereby certify that the entries on the master assessment roll file delivered herewith equal the amounts as required by the town board as provided for above.

  
 Robert Hutchison, Assessor

  
 Date

**County RPTS Use Only**

Date filed received \_\_\_\_\_ By: \_\_\_\_\_

File in balance Yes \_\_\_\_\_ No \_\_\_\_\_

Town of Hamburg  
2015 Budget  
Special Assessments

Erie County Water Authority delinquent water charges  
Total \$11,317.22

Removal of weeds, grass and brush  
Total \$33,899.40

Costs associated with unsafe building conditions/emergency enclosures  
Total \$2,393.50

TOTAL \$47,610.12

**4.**

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

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

**WHEREAS**, bids were opened on October 23, 2014 for the Hamburg Community Center Renovation Project (Site Work Improvements) and,

**WHEREAS**, numerous responsive bids were received and are summarized, and

**WHEREAS**, all of the bids have been reviewed by the Project Architect, Kate Waterman-Kulpa of EI Team Inc. with the assistance of by Kurt Allen, Project Consultant/Manager who have collectively determined that the following named contractor having submitted the lowest bid amount and being a qualified and responsible bidder recommends the contract be awarded to them.

**NOW, THEREFORE BE IT RESOLVED**, that the Site Work contract for the Hamburg Community Center Renovation Project be awarded as follows;

Site Work Construction: Titan Development, Inc. of Gasport, New York in the amount of \$ 124,895.00, (base bid), and \$ 19,950.00, (Alternate #1) and \$5,850 (Alternate #2) equaling the Total Contract amount of **\$ 150,695.00**.

**BE IT FURTHER RESOLVED**, that Town Supervisor Steven Walters, is authorized to sign the necessary contractual agreement with Titan Development, Inc. in addition to issuing the Notice of Award and Notice to Proceed and,

**IN ADDITION, BE IT FURTHER RESOLVED**, the Town Board approve a proposal from Kurt Allen to provide the project administration services as required to represent the Town's interest throughout the duration of this contract for the stipulated amount \$4,200.00.

Funding for this project is to be appropriated through Capital Account No. H99.6772.303 (Permanent Improvements) and H98.6772.456 (Consultant Fees).

**5.**

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 Audit of Cash disbursements as follows:

TOWN BOARD  
AUDIT OF CASH DISBURSEMENTS October 27, 2014

	VOUCHER #'S	
OPERATING FUND:		
BATCH #196	\$33,298.84	71859
BATCH #197	\$5,557.35	71860-71878
BATCH #198	\$4,740.02	71879-71890
BATCH #199	\$37,441.84	71891-71950
BATCH #200	\$113,912.62	71951-72004
BATCH #201	\$915.82	72008-72014
BATCH #202	\$123,284.91	72015
BATCH #203	\$1,836.50	72042
BATCH #204	\$24,952.12	72016-72041
BATCH #205	\$22,594.97	72043-72076
BATCH #206	\$97,914.39	72077-72118
BATCH #207	\$11,230.95	72119-72139
BATCH #208	\$35.00	71799-71800
BATCH #209	\$16,874.02	72142
BATCH #210	\$280,692.35	72143-72231
BATCH #211	\$68,597.38	72248
BATCH #212	\$269,798.94	72232-72247
TOTAL OPERATING FUND DISBURSEMENTS:		\$1,113,678.02
TOTAL TRUST & AGENCY DISBURSEMENTS:		\$0.00
CAPITAL FUND DISBURSEMENTS:		
BATCH #50	\$8,216.60	71858
BATCH #51	\$2,072.91	72005-72007
BATCH #52	\$7,241.13	72140
BATCH #53	\$3,221.00	72249-72252
TOTAL CAPITAL FUND DISBURSEMENTS:		\$20,751.64
PAYROLL:		
PR #P/R 22	\$661,874.56	
TOTAL PAYROLL DISBURSEMENTS:		\$661,874.56
PETTY CASH		\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:		\$1,796,304.22

Supervisor Walters thanks everyone for attending and for their public input.

Councilman Quinn thanks everyone as well. Everyone did a great job on the budget. It has been available on the website for a while. They held the public hearing for discussion on the Budget but he would like to invite the press to report on what is in the budget and let everyone know that if they could not attend that they can contact the Town Board with questions. They will definitely take all the concerns into consideration before approval.

**6.**

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 move into Executive Session at 8:27 pm on an upcoming Legal Matter and a Personnel Matter for a specific person in a specific department.

**7.**

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 Executive Session at 9:00 pm.

---

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