

Meeting No. 19
October 27, 1997
Hamburg Town Board Meeting
S-6100 South Park Avenue
Hamburg, New York 14075

Supervisor Hoak calls the meeting to order at 7:00 p.m.

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Present:	George Danyluk	Town Clerk
	Richard Boehm	Deputy Town Attorney
	James Spute	Director of Finance
	Gerard Kapsiak	Town Engineer
	Drew Reilly	Planning Consultant
	Tim Ellis	Traffic Safety Coordinator
	Joseph Coggins	Ass. Police Chief
	Robert Hutchison	Town Assessor
	James Connolly	Highway Superintendent
	Martin Denecke	Ass. Director of Recreation
	Robert Mars	Receiver of Taxes
	Kurt Allen	Supervising Building Inspector

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

7:00 Public Hearing for proposed Local Law #10, 1997, to provide for an amendment to Senior Citizens Tax Exemption.

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

PLEASE TAKE NOTICE, that there has been presented to the Board of the Town of Hamburg on October 6, 1997, a proposed local law to be known as proposed Local Law #10, 1997. This local law provides for an amendment to the Town Code as follows:

Senior Citizens Tax Exemption

Section 235-2 Conditions for Exemption

- A.
- (1) An extension of the filing deadline for the Aged Exemption application to not later than the last date for filing a petition for hearing assessment complaints, where failure to file a timely application resulted from the death of an applicant's spouse, child, parent, brother or sister; or an illness of the applicant or the applicant's spouse, child, parent, brother, sister, which actually prevented the applicant from filing on a timely basis, as certified by a licensed physician.
 - (2) An extension of the deadline for filing renewal for the Aged Exemption application to not later than the date for hearing assessment complaints, provided the owner or all of the owners received the exemption on the preceding assessment roll.

THEREFORE, the Town Board of the Town of Hamburg will hold a public hearing on the aforesaid proposed law to consider final adoption thereof, at the Hamburg Town Hall, S-6100 South Park Avenue, Hamburg, New York at 7:00 p.m. local time on October 27, 1997, at which time all persons interested may be heard.

Dated: October 6, 1997

George Danyluk
Town Clerk

Mr. Hutchison, Town Assessor, comments that every year there are a couple of people who miss the filing deadline of June 1st, for the over 65 exemption. This will help the department to help the individuals, who are on the most part, in need of this exemption.

I.

RESOLVED, that the Town Board close the public hearing at 7:10 p.m. and table it for a minimum of two weeks.

Moved: Hoak

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

II.

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

September 22, 1997	Town Board Meeting
October 6, 1997	Work Session
October 20, 1997	Work Session

Moved: Cavalcoli

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

VII.

WHEREAS, the Town Board held a public hearing on April 28, 1997, to determine whether or not to approve the sale of surplus property in the Wanakah Water District located on Coachman's Lane; and

WHEREAS, the Town Board approved the sale of the property, to be sold as a non-buildable lot, with a minimum bid of \$7,000 and set July 30, 1997, as the bid opening; and

WHEREAS, only one bid was received at that time and that bid was for less than the minimum bid requirement of \$7,000,

NOW THEREFORE BE IT RESOLVED, that the Town Board re-bid the property as a non-buildable lot, with a minimum bid of \$7,000. Sealed bids are to be received by the Town Clerk, no later than 2:00 p.m. on November 17, 1997.

Moved: Hochul
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

Seconded: Cavalcoli

VIII.

RESOLVED, that the Town Board approve the hiring of the following seasonal personnel for the Recreation Department:

1. Baldell, Mark	A7265(220) Rink Attendant	10/29/97	\$6.00
2. CeFaly, Paul	A7265(220) Rink Attendant	10/29/97	\$6.25
3. Charney, Jill	A7265(220) Rink Attendant	10/29/97	\$6.00
4. Dimpfl, Peter	A7265(220) Rink Attendant	10/29/97	\$7.00
5. MacNeil, Dylan	A7265(220) Rink Attendant	10/29/97	\$6.00
6. O'Connor, Christopher	A7265(220) Rink Attendant	10/29/97	\$6.00
7. O'Connor, John	A7265(220) Rink Manager	10/29/97	\$7.00
8. O'Connor, Patrick	A7265(220) Rink Attendant	10/29/97	\$6.50
9. Russell, Erin	A7265(220) Rink Attendant	10/22/97	\$6.00
10. Zdrojewski, Shannon	A7265(220) Rink Attendant	10/29/97	\$6.00
11. Zdrojewski, Thomas	A7265(220) Rink Attendant	10/29/97	\$6.25
12. Kulczyk, Daniel	B7310(320) Volleyball Referee	10/23/97	\$7.00

Moved: Quatroche
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

Seconded: Kesner

X.

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Recreation Department as follows:

1. Bermingham, James	A7265(230) Rink Attendant	10/29/97	
2. Hanson, Kyle	A7265(230) Rec Attendant	10/06/97	\$5.15
3. Scime, Christine	A7180(215) Aerobics	10/16/97	\$7.00
4. Mindel, William	A7180(215) Fitness	09/16/97	\$6.00
5. Savage, Katherine	A7180(215) Reg. Aerobics	09/16/97	\$7.00
	A7180(215) Temp. Fitness	09/16/97	\$5.75
6. Scheffler, Barb	A7180(215) Fitness	09/16/97	\$7.75
7. Clark, Tiffany	B7310(320) Golf Attendant	09/02/97	\$5.75
	A7180(215) Aerobics	09/02/97	\$7.00
8. Majer, Richard	A7180(215) Fitness	09/02/97	\$6.00
9. Sweetland, George	A7265(230)	09/08/97	Terminate
10. Sweetland, George	A7265(230) Rink Attendant	09/08/97	
11. Granville, Priscilla	A7180(215)	10/13/97	Terminate
	ER7251(225)	10/13/97	Terminate
12. Granville, Priscilla	A7180(215)Reg. Rec Attendant	10/13/97	
	ER7251(225) Temp.	10/13/97	
13. DeVinney, Melisa	B7310(320)Reg. ER7251(225)Temp.	10/16/97 10/16/97	Terminate Terminate
14. DeVinney, Melisa	B7310(320)Reg. Rec Attendant	10/16/97	\$6.25
	ER7251(225)Temp.	10/16/97	\$5.75
15. Ver, Sandra	B7310(320) Rec Attendant	10/31/97	Terminate
16. Ver, Sandra	B7310(320) Rec Attendant	10/31/97	\$7.15
17. Anzalone, Anthony	ER7251(225)	10/31/97	Terminate
18. Anzalone, Anthony	A7265(230) Rink Attendant	10/31/97	\$6.00
19. Caton, Denise	A7265(220) A7180(215)Temp.	10/22/97 10/22/97	Terminate Terminate
20. Caton, Denise	A7265(220) Rec Attendant	10/22/97	\$7.75
	A7180(215)Temp.	10/22/97	\$7.15

Moved: Quatroche

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

X.

BE IT RESOLVED, that the Town Board authorize the Supervisor to sign an equipment maintenance agreement with Ronco Communication for service on our telephone system. Our current contract is up for renewal which is a three year contract. Money is budgeted in A1410.423 at a rate of \$482.00 a month.

Moved: Hochul
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

Seconded: Quatroche

XI.

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

OPERATING FUND:

BATCH #129 \$1,560,000.00
BATCH #130 \$ 139,505.74
BATCH #131 \$ 686,923.61 unprocessed

TOTAL OPERATING FUND DISBURSEMENTS: \$2,386,429.35

TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 0.00

CAPITAL FUND DISBURSEMENTS:

BATCH #54 \$240,000.00
BATCH #55 \$400,000.00
BATCH #56 \$ 96,580.39 unprocessed

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 736,580.39

PAYROLL:

TOTAL PAYROLL DISBURSEMENTS: \$ 0.00

PETTY CASH:

TOTAL PETTY CASH DISBURSEMENTS: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$3,123,009.74

Moved: Hoak
Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche
Noes: None
Carried

Seconded: Cavalcoli

General Communications

Notice of Claims:

#24 Milinda M. Hosley 07/17/97
#25 Kathryn Mattison 07/28/97
#26 Arlene Walton 08/27/97
#27 Judy Hooper 09/15/97
#28 Jonathan Devereaux & James Pruet DBA 09/24/97
#29 George Rosten 10/01/97
#30 Rhonda Heinen 10/15/97
#31 Cina Petro Hunt 10/17/97

TOWN OF HAMBURG
 QUARTERLY REPORT OF SETTLED CLAIMS
 FROM 07/01/97 TO 09/30/97

CLAIMANT	LOSS DATE	KIND OF LOSS*	DATE SETTLED
Kathryn Mattison	01/97	pd	08/97
Ellen Nowaldy	04/97	pd	09/97
General Accident	04/97	pd	07/97
Arline Walton	08/97	pd	09/97

*AB - Auto Bodily Injury
 AD - Auto Property Damage
 AN - Auto No Fault
 AP - Auto Physical Damage
 (Town Property)
 PD - Property Damage Only

GB - Gen. Liability Bodily Injury
 GD - Gen. Liability Prop. Damage
 PI - Personal Injury Liability
 RB - Building (Town)

Correspondence

Letters 142 - 154 in opposition to the re-zoning at 4882 Southwestern from residential to C-1 Commercial. Councilman Cavalcoli states that there are a total of 16 letters in opposition to this. At this time the re-zoning is tabled and is being reviewed by the Board, the Planning Dept. and the Planning Consultants. They are not anticipating any action on this for a minimum of 3 weeks, they may not even take action then. They have been in contact with the owner, Mr. Woch, he has been in contact with Drew Reilly and they will be meeting with the owner and possibly setting up a meeting with residents, inviting all the people who are in opposition to this to explain what is involved in this rezoning.

Letter 163 - 528 signatures of residents strongly opposed to the construction of the Rite Aid in Wanakah. And Letter 169 - 580 letters from Wanakah residents in favor of the Rite Aid Pharmacy. Councilman Cavalcoli explains that there is fairly equal voice both in favor and in opposition to this re-zoning. He has supplied the Board and Planning Board a list of comparable Rite-Aid pharmacies with the same square footage, urging that they go look at these sites. In addition, he has scheduled representatives from Rite Aid to attend the Work Session of November 17th which will be held in the conference room at 6:00 p.m.

Letter # 158 - opposing Tinseltown and asking that a demolition bond be requested for this project. Councilman Cavalcoli states that this project is at the point where the developer is complying with the Planning Departments decree that they complete a draft environmental impact statement, the time is on their side, then they must submit it back to us. The Town takes no action at this time, once we receive the DEIS it is reviewed by our staff and at that time they will determine whether it is acceptable.

Letter # 160 - Sherwood Sipprell requests that the Board consider the issue of Bed & Breakfast operations within the Town. Councilman Cavalcoli comments that this is part of the packet that is reviewed at the meetings of the ordinance committee. This has been submitted for review and they will respond to him on that basis.

Letter #162 - Mr. Quatroche comments that we are looking into ways to enhance the Seaway Trail. Most of the issues brought up were safety issues, however, they also discussed recreation and ways to beautify that area. Councilwoman Hochul states that the report on this is due out the end of this month.

Steve Strnad comments that there are tax dollars involved with the Seaway Trail. It is a private concern supported by state taxpayer money.

Letter # 166 & Letter # 161 regarding Recreation and Assessing commending the two Departments.

George Komenda - Letter #164 - Mr. Ellis commends the taxpayers for their work. The next step is to petition New York State. Supervisor Hoak responds that in the interim the Police Department should be able to help out and monitor the speed in that area. Mr. Ellis comments that they have requested help from the police.

Letter # 155 - Supervisor Hoak commends the Police Officers involved.

Reports from Board Members and Department Heads

Councilman Cavalcoli comments that through the correspondence he gave an update on the rezoning of 4882 Southwestern and Tinseltown. He comments that questions keep coming up concerning the dome. They are still pursuing this vigorously through Town actions. Mr. Boehm responds that he has talked to the Trustee for the bankruptcy and there are some interested parties in purchasing this property and he made sure they were aware that they will have to conform with the dictates of the Zoning Board, Planning Board and Town Board. He reports that he attended the meeting held by the Village of Blasdell Board with Mr. Kapsiak. The outcome of the meeting is that there was no new information presented. He states that they should still go through with the formation of the Sewer District and chose where it will go after.

George Komenda questions why there was no representation from Southtowns. Councilman Cavalcoli responds that this meeting was set up by the Village of Blasdell and that the next time a meeting is held they will make sure to bring in the Southtowns people.

Councilwoman Kesner comments that as the liaison to the Public Safety Committee she has heard a number of complaints from the Police and Fire Departments that they are having trouble locating house numbers in response to emergency calls. They are asking that the residents take a walk out to the curb and see how easy it is to see the street number of your home. In an effort to assist the elderly, low income or handicapped residents she has approached the Town Youth Bureau to tie this in with their community service projects. So, if it is difficult for a citizen to identify their home they are asking that they call Councilwoman Kesner or Michael Dundon, Youth Director.

Councilwoman Hochul states that the Traffic Safety Board has received word from New York State that they have committed funds to the McKinley, Bayview, Sowles intersection. She wants to thank George Triepel, one of the charter members of the Traffic Safety Committee for over 25 years now, who has committed many hours to reviewing a State Report on behalf of the Town.

Mr. Ellis comments that they know that the funds are committed, when it will happen is anyone's guess, also thanks Mr. Triepel who acted as an unpaid consultant for the Town.

Councilwoman Hochul comments that the Police are continuing to monitor Route 5 on the speed limit. The residents will be assisting them. She has also enlisted the help of Jack Quinn in her effort on Lakeshore Road. He is on the Transportation committee and she sent a letter to him and Senator Moynihan asking if there is any way they can put in language assisting their efforts to get the trucks off Route 5.

Councilman Quatroche states that he and Mr. Kapsiak met with the Army Corps of Engineers regarding Route 5, between Hoaks and Foits. They received a \$500,000 grant from Assemblyman Smith's Office to help stop the waves from coming over onto the road. They are looking for a match or more from the Army Corps of Engineers.

Supervisor Hoak thanks all the youths in the community for standing up against the use of drugs and alcohol. It is also School Board recognition week and the Town would like to recognize members from both Hamburg and Frontier School Districts. The Budget hearing will be held on November 3rd. Last report is that there was a slight decrease in Town taxes and a 1.4% increase in Village taxes, the numbers are still going down. The budget proposal should be available on Thursday afternoon in both Villages and the public libraries in the Town. Councilman Cavalcoli comments that the hearing will be held at 7:00 p.m. Supervisor Hoak comments that we are the host to other Supervisors for talking about joint cooperative efforts with other municipalities for the future of governing and regionalism in our community. Councilwoman Hochul states that the objective of this particular group is to find ways communities can share equipment and save dollars.

George Danyluk comments that in the latest issue of the quarterly publication entitled the Town Recorder the Town of Hamburg is cited as the second in the State for the sale of Hunting and Fishing Licenses. We sold 4500 licenses last year.

Business from the Floor

John Scherlitz, 4324 Manor Lane, states he has been talking to Mr. Ellis regarding parking on his street for the Bills games. They are blocking both sides of the streets and after the games people are using Manor Lane as a cut through. He sent a letter to Mr. Ellis which he gives to the Board. He also submits petitions signed by residents concerning this. Supervisor Hoak comments that if Mr. Ellis puts this on the agenda for the Traffic Safety meeting he is more than welcome to attend. Mr. Scherlitz states that the parking is not the biggest problem, it is the cut through traffic. He also comments that in Orchard Park they do block off streets to local traffic only.

Cliff Ball wants to thank the Highway Department for doing a nice clean up job on the creek to help flooding. He would like an answer from the Building Inspection Department. Mr. Allen states that he met with Mr. Ball after the last meeting and discussed that they are taking some action with the Bedrock Eatery to correct some of those issues. They are correcting all the problems that were not done in accordance with Site Plan approval. Mr. Ball states that he wants to know what will be enforced and wants it in writing. Supervisor Hoak states that he received documentation from Mr. Allen on what was enforced and he will send a copy to Mr. Ball.

Leonard Sawicki, Fuller Ave., states that when he came home in June from a trip he was out cutting his lawn and someone stopped him and told him that he couldn't clip the lawn and pile it. He responded that he has been doing this for 50 years and asked who sent him there. The inspector responded that someone called and wouldn't give their name. Mr. Sawicki then received a letter from Mr. Sorrentino concerning this. He voices complaints about the Building Inspection Department. Councilman Cavalcoli comments that he would like to meet Mr. Sawicki to address his concerns and then he and Councilwoman Hochul will meet with the Building Inspection Department to address this as well. He will contact him to set up a meeting.

George Komenda comments that his complaint concerns the north end of the playground and litter, it is a garbage dump and there are a lot of mosquitos.

Mr. Danyluk announces that there is a change in voting districts 14 & 21 which were formally at ECC South will now be voting at the Wesleyan Church. If the newspapers could make mention of that again.

Peg Hermann, Lakeview-Pinehurst watch, wants to thank Councilwoman Kesner for bringing to light home identification throughout the Town, this has been brought up in her neighborhood. Wants to thank Councilman Quatroche for all his hard work in taking care of the shoulder of the Old Lakeshore Road.

A student at Hamburg High School questions if there is any discussion about repaving Clark from South Park to McKinley. Supervisor Hoak comments it is discussed monthly, there have been many requests, they will continue to follow up on that, it is a County Road.

XII.

RESOLVED, that the Town Board adjourn to Executive Session at 8:10 p.m.

Moved: Hoak

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

George Danyluk, Town Clerk