

A Budget Hearing 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 6th day of November 2006.

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

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
D. Mark Cavalcoli	Councilman
Kathleen C. Hochul	Councilwoman
Joan A. Kesner	Councilwoman
Thomas Quatroche, Jr.	Councilman

OTHERS PRESENT: Catherine Rybczynski, Town Clerk
Richard Boehm, Deputy Town Attorney; James Spute, Finance Director; Gerard Kapsiak, Town Engineer; James Connolly, Highway Superintendent; Joseph Coggins, Police Chief; Robert Hutchison, Town Assessor; John Farrell, Director of Senior Services; Martin Denecke, Director of Recreation; Kurt Allen, Supervising Code Enforcement Officer

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

Supervisor Walters announces that the Character First Awards will be presented this evening.

Councilwoman Hochul comments that last months Character Trait was Diligence - persistent application to ones work while giving great value to the task at hand. To strive to apply constant and careful effort.

They asked Department Heads and employees to nominate people that they feel deserve this award. They received more recipients of this award than any other. She then presents these awards to the following employees: Richard Crandall, Laurie Felice, Karen Fittry, Karen Fronckowiak, Joan Kruszka, Sharon Kucala, Crystal McDowell, Kim Reeping, Zora Schultz, Patti Wheelock, Rosanne Witryk, Roger Gibson, Don Sikau, Donna Gavin, Hazel DiMarco, Robert C. Mueller, Joseph Fox, David Trask, Jeffrey Sweetland, Donald O'Bryant, Thomas Partridge, John Hilliard, Sean Crotty, Maureen Kryszak, Michael Taylor, Roseanne Nadrich, Lance Kelly, Jack Chiappone and Thomas Taylor.

1.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

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

September 18, 2006	Town Board Meeting
September 25, 2006	Work Session
October 2, 2006	Work Session
October 23, 2006	Work Session
October 28, 2006	Open Meeting on 2007 Budget

2.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

WHEREAS, the building located at 6382 Southwestern Blvd. was left in an abandoned state.

WHEREAS, as the result of neglect due to the abandonment, the building has become an attractive nuisance to the contiguous neighborhood and the general public.

WHEREAS, due to the building being unsecure, the Town Code Enforcement Officer contracted services to board up the building. This action was executed in accordance with Local Law No. 5-1972, Sections 80-5 and 80-6 of the Town of Hamburg.

NOW THEREFORE BE IT RESOLVED, that the Town Board approve the payment of \$250 (Two Hundred and fifty dollars) to Dan Cappola, General Construction, to provide the necessary enclosures in order to secure the building

BE IT FURTHER RESOLVED, the payment of such services, that the Town Board increase appropriations to Account B3620.469 ,(Clean-up of Properties) through B1990.419 - Contingency Account..

3.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	

WHEREAS, Mary Anne Kustra would like to request a refund for the Zoning Board of Appeals application/ permit #2006-00860 for \$150.00. It was suggested to Ms. Mary Anne Kustra, by a member of the Zoning Board of Appeals after the meeting was adjourned, to request a refund since she had previous permission by the Zoning Board of Appeal to conduct dog related programs. The Zoning Board was not made aware of the previous variance granted until the night of the Zoning Board meeting.

Therefore, the refund of \$150.00 shall be issued to Mary Anne Kustra as follows:

Mary Anne Kustra
6900 Southwestern Blvd.
Lake View, New York 14085

4.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	

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

- | | | | | |
|----|------------------|------------------------|-----------|-----------|
| 1. | Sanabria, Sandra | Clerk Typist, Seasonal | 11/5/2006 | Terminate |
| 2. | Sanabria, Sandra | Clerk Typist, PT | 11/6/2006 | \$9.83 |

5.

14. Reid, Gregory	“	”	Terminate
15. Ignatius, Christopher	“	”	Terminate
16. McGahey, Brad	“	”	Terminate
17. Sadowski, Christopher	“	”	Terminate
18. Reid, Gregory	A7265(230)	10/30/2006	\$8.50 P/T
	Rec. Attendant		
19. Ignatius, Christopher	B7310(320)	10/30/2006	\$7.47 P/T
	Rec. Attendant		
20. McGahey, Brad	A7265(230)	10/30/2006	\$9.00
	Rec. Attendant		
21. Sadowski, Christopher	A7265(230)	10/30/2006	\$7.25 P/T
	Rec. Attendant		
22. Cefaly, Paul	A7265(230)	11/17/2006	Terminate
23. Cefaly, Paul	A7265(230)	11/18/2006	\$10.04 Seasonal

7.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

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

Joseph Sztaba
 3255 Lake Shore Road
 Woodlawn, N.Y. 14075

Michael Rosenberg, Jr.
 2748 Cloverbank Road
 Hamburg, N.Y. 14075

8.

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

TABLED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

WHEREAS, the following properties were left in an abandoned state: 2111 Lakeview Road, 5749 Lakeview Terrace, 4073 Johnson Street, 5637 Old Lakeshore Road and 5131 College Street,

WHEREAS, as the result of the property owners neglecting to maintain these property, these properties have become an attractive nuisance to the surrounding neighbors.

WHEREAS, due to the property not being maintained, the Town Code Enforcement Officer

contracted services to cut the lawn. This action was executed in accordance with Local Law No. 9 of 1972, Section 75-4 A & B of the Town of Hamburg.

NOW THEREFORE BE IT RESOLVED, that the Town Board approve the payment of \$840 (Eight Hundred and forty dollars) to Highland Acres Landscaping, Inc. to provide the necessary cutting in order to maintain the property.

BE IT FURTHER RESOLVED, the payment of such services, that the Town Board increase appropriations to Account B3620.469 ,(Clean-up of Properties) through B1990.419 - Contingency Account..

Councilman Cavalcoli questions the expense for cutting five lawns and wants clarification.

Joe Kilian questions why Buildings and Grounds could not cut the lawns.

Councilman Quatroche responds that they cannot enter private property and also the cost for this can be placed on the tax rolls for each property.

8.

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	

RESOLVED, that the Town Board authorize the Town Clerk to advertise for bids for LaBelle Avenue Culvert removal and replacement in the Village of Blasdell. Bids will be accepted in the Town Clerk's Office until 11:00 a.m. on December 7, 2006.

9.

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

resolution was

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

WHEREAS, three bridges in the Village of Blasdell have extensive deterioration and require immediate repair, and

WHEREAS, the Town of Hamburg is responsible for the maintenance of these bridges, and

WHEREAS, the 2006 bridge account has insufficient funds available to cover the anticipated cost of the repairs and related engineering services,

BE IT RESOLVED, that the Town Board authorize the Finance Department to increase account DA5120.0460 through the Appropriated Fund Balance DA 599, in the amount of \$43,000.00.

10.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

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

- 1. Figiel, Stanley Laborer, Part-time Seasonal 11/01/2006 Terminate

11.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

WHEREAS, the building located at 5637 Old Lakeshore Road was left in an abandoned state.

WHEREAS, as the result of neglect due to the abandonment, the building has become an attractive nuisance to the contiguous neighborhood and the general public.

WHEREAS, due to the building being unsecure, the Town Code Enforcement Officer contracted services to board up the building. This action was executed in accordance with Local Law No. 5-1972, Sections 80-5 and 80-6 of the Town of Hamburg.

NOW THEREFORE BE IT RESOLVED, that the Town Board approve the payment of \$450 (Four Hundred and fifty dollars) to Dan Cappola, General Construction, to provide the necessary enclosures in order to secure the building

BE IT FURTHER RESOLVED, the payment of such services, that the Town Board increase appropriations to Account B3620.469 ,(Clean-up of Properties) through B1990.419 - Contingency Account..

12.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quattroche
 Noes 0

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

VOUCHER #'S

OPERATING FUND:

BATCH #153	\$800,000.00	14815
BATCH #154	\$ 60,888.66	14818 - 14880
BATCH #155	\$600,000.00	14959
BATCH #156	\$ 45,489.23	14885 - 14957
BATCH #157	\$561,691.08	14860 - 15029
BATCH #158	\$275,942.68	UNPROCESSED

TOTAL OPERATING FUND DISBURSEMENTS: \$2,344,011.65

TRUST & AGENCY:

BATCH #53	\$654,202.38
BATCH #54	\$ 9,157.39

TOTAL TRUST & AGENCY DISBURSEMENTS:

BATCH #72	\$ 200.00	14814
BATCH #73	\$625,000.00	14816 - 14817
BATCH #74	\$ 61,184.76	14881 - 14884
BATCH #75	\$750,000.00	14958
BATCH #76	\$ 49,440.63	UNPROCESSED

TOTAL CAPITAL FUND DISBURSEMENTS: \$1,485,825.39

PAYROLL:

PR# P/R 22	\$630,310.80
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TOTAL PAYROLL DISBURSEMENTS:		\$ 630,310.80
PETTY CASH:	\$ 172.45	\$ 172.45
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$5,123,680.06		

Reports From Town Board Members

Councilwoman Hochul reports on the tolls. The entire effort started in this room. They had a lot of support from the Chamber of Commerce and surrounding communities to remove the Lackawanna toll booths. The removal of the tolls on the I-190 was great but we still have the economic disincentive to do business in Hamburg. On Wednesday they will continue to pressure individuals, she spoke with Elliot Spitzer on this topic and has had conversations with our County representatives. It is an issue they plan to move forward with. Mr. Sorrentino assisted also, representing the Town of Hamburg, and added some extra clout.

Councilman Cavalcoli comments on the outstanding work performed by the Highway Department, the B & G Department, the Police Department, Emergency Dispatch and all of the Departments involved in the clean-up and thanks to the residents for their patience. We will be reimbursed from FEMA. On November 14th they will be having the first public input meeting on the Master Plan update which will be held at the auditorium at the Gateway building near Woodlawn State Park. This is an opportunity for the public to come in and express their views. Their will be more meetings, to be announced.

Councilwoman Kesner wants to thank the public, our fire police and our Dispatch and our fellow citizens who reached out to help their neighbors. Also thanking Mr. Brown and the Volunteer Fire Companies in reference to our power outage program that was put together a couple of years anticipating the storm. They had the foresight to put together a plan that retrofitted all the major intersections of this Town with generators. She is grateful for that vision and the effort that everyone made during the storm.

Councilman Quatroche echoes his colleagues thanking all the employees that put aside their own families and homes to help the Town. He received many accolades concerning the Police, Dispatch, Emergency professionals, Buildings and Grounds and Highway.

Supervisor Walters comments that he put a letter into the Hamburg Sun thanking people but wants to reiterate on all the support and assistance. Mr. Brown especially and Mayor Tom Moses, Mayor Ernie Jewett and Village Disaster Coordinator Rick Dimpfle. Thanking all the residents for the support they gave one another and their patience. He announces that the State Office of Emergency Operations (SEMO) will have their mobile command services at the Hamburg Village Fire Hall on Union Street on Thursday November 9th between 1 p.m. and 4 p.m. To assist individuals to seek help from the snow storm with insurance questions and

guidelines regarding reimbursements.

Councilwoman Hochul announces the emergency bulk trash pick-up to start today with no limit to the quantity.

Joe Kilian questions if giant stumps are on the list.

Mr. Connolly responds they are two different things. That is bulk trash pick-up and the Highway Department is continuing to pick up any kind of tree debris. The County and State Roads are working on this as well.

6:30 p.m. Public Hearing on modifications to the Town Code Chapters 230 and 280 as recommended by the Town Code Review Committee.

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 PUBLIC HEARING

PLEASE TAKE NOTICE that there has been presented to the Town Board on September 11, 2006 pursuant to the Municipal Home Rule Law, a proposed local law, to be known as proposed local law #8, 2005; said local law provides for modifications to the Code of the Town of Hamburg, which are in accordance with recommendations of the Town of Hamburg Code Review Committee. The modifications can be described as follows:

-**AMENDMENT** to Section 280-46A of the Zoning Code, R-3 Multi Family District. To eliminate the minimum lot size requirements for multi family dwellings and regulate maximum lot coverage based on bulk requirements

-**AMENDMENT** to Section 280-53B(1) of the Zoning Code, R-4 General Residence, Mobile Home Court District. To eliminate the minimum lot size requirements for multi family dwellings and regulate maximum lot coverage based on bulk requirements

-**AMENDMENT** to Chapter 230-14, Subdivision of Land, Submission of preliminary plat-approval. Creating a new section to allow for proper notification of action and a new section regarding public hearing procedures. Also, amending Section 230-29, Submission of final plat.

-**AMENDMENT** to Section 280-303 of the Zoning Code, to incorporate notification requirements and requiring a public hearing for site plan application

A detailed copy of the proposed modifications will be available, for public review, during regular business hours at the following locations:

HAMBURG TOWN HALL (Town Clerk's Office)	HAMBURG PLANNING DEPARTMENT
6100 South Park Avenue	6122 South Park Avenue
Hamburg, New York 14075	Hamburg, New York 14075

And may also be found at the Town's website: www.townofhamburgny.com
Click on Legal Notices & Bid

THEREFORE, pursuant to the statutes and the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing on November 6, 2006 at 6:30 p.m. (local time), at which time all interested persons may be heard.

Dated: September 11, 2006

Catherine Rybczynski
Town Clerk
Town of Hamburg

There was no correspondence received.

Wendy Salvati, Planning Consultant, comments that the Town of Hamburg has a Code review Committee and this committee has been established to research and come up with solutions for problems that may exist in the Town's Code. The issues that are included in the public hearing tonight are issues that were brought to the committee. She then describes all the amendments.

Councilman Cavalcoli comments that this is a positive step to make everyone more aware of

what is going on in their neighborhoods.

Joe Kilian questions on regulating lot coverage.

Wendy explains that right now the size of the structure that can go on the lot is controlled by regulations in the code, setbacks, front yard, rear yard, etc. which controls the density of the development of the site. The way the code is written forces buildings to go higher and doesn't make sense so to try and take requirements out of the code that only lead to further confusion, that's what brought this about. It will not really change the way the sight can be developed right now because that is controlled by the other density regulations in the Code. Eliminating this doesn't make it better or worse it was just confusing the issue. This is to make the Code clearer.

Councilman Cavalcoli explains that they don't want someone coming in and to meet the density requirements just keep making the buildings taller. By limiting it to just the density requirement as well as landscaping, parking lot and setbacks you are taking away forcing the tall buildings.

Ferd Garcia comments that they are going to eliminate sideyards.

Councilman Cavalcoli responds no, they are still regulating the maximum lot coverage based on bulk requirements. This section only deals with taking away the multi-floor structures.

Supervisor Walters comments that they had a developer come in and present a proposal where they had a footprint of the building and under our current law they needed a variance to build that unless they went out and made the building one story taller. Because of conflicting density requirements they were almost forced to make the building taller.

Richard Petry questions what is the lot size.

Councilman Cavalcoli responds it can be any size, the size of the development cannot exceed the space arrangements. The lot size varies from development to development.

Joe Kilian comments that when he sees no minimum lot sees he thinks of Beechwood, the house is as big as the lot.

Councilman Cavalcoli comments that there seem to be a lot of questions so, anyone that has questions should make arrangements to come to the Planning Department for explanation on the full extent of the Code.

Wendy recommends that he call Drew Reilly, at the Planning Office, to go through the Code so he can better understand.

13.

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

resolution was

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

RESOLVED, that the Town Board table the public hearing for at least two weeks.

6:45 p.m. Public Hearing on providing for the transfer of duties, functions and operations of tax collection from the Finance Department to the office of the Town Clerk.

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

TOWN OF HAMBURG
NOTICE OF PUBLIC HEARING
PROPOSED LOCAL LAW # 9, 2006

PLEASE TAKE NOTICE that there has been presented to the Town Board on September 11, 2006 pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law # 9, 2006, said local law provides for the amendment of Chapter 40, entitled "Officers and Employees", of the Town Code of the Town of Hamburg, providing for the transfer of duties, functions and operations of tax collection from the Finance Department to the office of the Town Clerk and provides substantially as follows:

Chapter 40
Article II

Town Clerk

1. The purpose of this Chapter is to transfer the duties, functions and operations of tax collection from the Finance Department to the office of the Town Clerk

- 2. The office of the Town Clerk of the Town of Hamburg shall perform the duties, functions and operations of tax collection.
- 3. A Deputy Town Clerk may be directed by the Town Board to perform the duties, and functions of receiver of taxes and said deputy Town Clerk shall be appropriately bonded.

THEREFORE, pursuant to the statutes and the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing on the 6th day of November, 2006, at 6:45 p.m. (local time), at which time all interested persons may be heard.

Dated: September 11, 2006

Catherine Rybczynski
 Town Clerk
 Town of Hamburg

Councilwoman Hochul comments that she worked with Catherine Rybczynski, Town Clerk, on this proposal. Right now we have a separate Tax Office and Cathy has offered her office to be the recipient of those tax dollars twice a year when those checks come in. It is a great way to consolidate services and do more with less. She appreciates her staff being willing to take this on and save tax dollars.

Ferd Garcia questions if this would eliminate positions in the Finance Department.

Councilwoman Hochul responds that it would eliminate a position in the Tax Department, the Tax Manager. It is a reduction in staff to save tax dollars.

Dan Kozub comments that this is a great idea. Questions if the Town Clerk has the Qualifications to take over this Department.

Councilwoman Hochul responds that she does have the qualifications to do that and she is working with other Towns to gain the expertise to do this.

Catherine Rybczynski, Town Clerk, comments that in New York State there are over 500 Town's that currently do this, the two functions are consolidated in the Town Clerk's Office, and in Erie County 15 out of 25 Town's are consolidated.

14.

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

ADOPTED	Ayes 5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes 0	

RESOLVED, that the Town Board close the public hearing at this time.

15.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	

WHEREAS, the office of Tax Receiver was abolished by mandatory referendum on January 1, 2004, and

WHEREAS, the duties, functions and operations of tax collection were transferred to the Finance Department, and

WHEREAS, the Town is desirous of transferring the duties, functions and operations of tax collection to the office of Town Clerk, effective January 1, 2007,

NOW THEREFORE BE IT RESOLVED that the duties, functions and operations of tax collection be transferred to the office of the Town Clerk, and

BE IT FURTHER RESOLVED that the present Tax Collector shall surrender and deliver to the Town Clerk of the Town all assessment rolls, books, papers, writings and all other documents and property in his possession as such officer.

7:00 p.m. Public Hearing on preliminary 2007 Budget.

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, 2007 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 7:00 p.m. (local time) on the 6th day of November, 2006, 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: September 25, 2006

CATHERINE RYBCZYNSKI
Town Clerk
Town of Hamburg

Catherine Rybczynski, Town Clerk, comments that she received 50 letters of correspondence. In summary there is one letter against the cuts in Recreation, 4 letters concerned about the cuts in the D.A.R.E. Program and 36 letters against Dispatch going to the County. She does have two letters requested to be read and she reads them now.

One is from Laura Reynolds concerning tax dollars being spent on the Seaway Trail visitors Center.

Two is from Robert Reynolds, Erie County Legislator, a resolution that was submitted by him

concerning the County taking over the Town of Hamburg Public Safety Dispatchers.

All correspondence listed above is filed in the Town Clerk's Office.

Mr. Spute, Finance Director, makes a power point presentation on the 2007 Budget. All information provided is in the 2007 Budget book.

Councilman Cavalcoli comments they have had many differences this year that they have not had in past years. The Supervisor presented his tentative Budget back in September, turned it over to the Councilmembers, they have been reviewing it with their Department Heads, making changes and coming up with an alternative budget. In the public meetings they have had they had a great turn out of concerned citizens and probably the biggest concern of all was the loss of the Public Safety Dispatch. Clearly, the message came through loud and clear, from all the letters they received and so the alternative budget being presented this evening includes the public dispatch, it does contain the funding removed for various sports and youth groups, it includes the funding for Senior Adult Day Care and the Senior Van services. There were some changes along the way. In the budget presented by the Supervisor they were going to remove all the things indicated and the general Townwide tax rate was to be 7.88%. The alternate budget includes the emergency dispatch, etc. with a tax rate of 4.99%. So, they were sensitive to the needs of the people in keeping the tax rate low. He doesn't feel it is possible to come up with a zero percent tax rate. The cost of living and doing business has gone up. The Town is not in any fiscal crisis by doing this budget. He is very proud of everyone on the Board who worked on this budget.

Councilman Quatroche comments that three groups are very important in any budget process. First and foremost the public, secondly the Department Heads and employees, and our CFO Mr. Spute and his staff along with the auditors for the Town. He wants to thank Mr. Spute publically, he is a large reason why our fund balances are healthy and the Town is in good fiscal condition.

Councilwoman Hochul comments that this budget does reflect that they respond to the concerns of the residents. This is articulated in these numbers, the lower tax rate that is proposed, and the services that are restored and she would offer that they start right now, the process for the next budget, the five of them as a team. She is very proud of the results that came out of this budget.

Councilwoman Kesner comments that this is not the final word on the budget. This is an ongoing process by this Town Board and there is still a lot of work to be done and a lot of improvements that still need to be made. Their commitment to keep Dispatch is clear, the outcry from the community to keep Dispatch is clear, people want people familiar with the entire operation and they are committed to improve those operations. They will seek grants and a bond and they will go after the 911 Dispatch surcharge money that the County has been keeping for themselves and not sharing with any of the local PSAPS. She has been studying this topic for a couple weeks and in other States, Towns have sued their Counties for their fair share. Just like all of our Homeland Security money went to the County. We are the first responders and we

deserve to have that money to keep up with the new technology. They looked at the County dispatch operations and it was extremely impressive, the people who work there are professional caring people, but the fact is they are part of government operations that is under a hard control board, our calls would be mixed in with the City of Buffalo and the City of Lackawanna. She wants to compete only with our own Town so that we continue to have the 4-6 minute response that our dispatch, fire and Police are doing at this time. Every Department in the Town felt a hit with this budget but they have to constantly reassess the value of services and improve on them.

Supervisor Walters comments that the Town Board is right saying that there is more work to be done and they need to move forward working together. That being said, he wants to clarify a few things. It was stated that the tax increase under the preliminary budget 4.99% for the Town outside of the Villages was lower than the rate proposed by him in September. Technically that is true but it does not take into account that there were some significant adjustments that were made to several areas of the budget that would have been made regardless of whether a single change was made from the budget he presented in September until today. That is not to take anything away from what the Board did, he commends them, they found alternative methods in funding youth programs, but there were several adjustments that were made and what those adjustments would have meant to the budget he proposed in September would have been a negative 11.13 % tax reduction for Village residents and for the Town residents outside the Village it would have meant a 3.67% increase. He did work very closely with Mr. Spute in which those numbers were confirmed.

Ed Soda comments that he feels the Supervisor should have worked with the Town Board sooner.

Ford Beckwith comments that the Public Safety Dispatch issue should go up for a referendum vote. He then states that every employee in the Town is getting a raise.

Councilman Cavalcoli responds that there was a zero percent raise for the Town Board, including the Supervisor, no elected Official got a raise.

Councilman Quatroche comments that they have Union contracts with the Town employees and they have to honor that.

Mr. Beckwith questions how many other Town's in the State have a Command Officers Union.

Councilman Quatroche responds he does not know the answer to that but if a group of individuals organize and form a formal Union they have to honor that.

Mr. Beckwith responds that they are management and under contract with the Town and should not be able to form a Union.

Sketch with the Teamsters comments that you are allowed to organize all the way up to the top

that is State law and the Town Board has to negotiate in good faith with the appropriate bargaining units.

Diane Neuhauser comments that we have always had Dispatch here and it is important to have them here. They are always taking away from the kids, do you want them to stay out of trouble? Give them a place to go to. She is for the Dispatchers staying here and she is for all the youth programs.

Councilman Cavalcoli responds that they are all still in place in this budget.

Michael Taylor would like the Supervisor to comment on their phone call on Friday.

Supervisor Walters responds that the Erie County Control Board went hard and one of the things that was brought up with the hard control board was that there was going to be a hiring freeze. With the firing freeze they would not be able to go forward with any kind of merger, because a condition of that merger was going to attempt to bring our dispatchers over. So, until that situation is rectified, either by the hard control board going away or an opinion from the hard control board authorizing positions there is no point in even continuing to discuss this matter. Once that situation is rectified, as he mentioned to Mr. Taylor on the phone, he would like to put together a formal group, consisting of some of the dispatchers, some fire fighters and some others that would be integral to the process to go forward exploring the merger. Anything that can save town residents money needs to be explored.

Carol Conahan questions what they are doing with all the money from the gaming room at the racetrack.

Councilwoman Kesner responds that they are zoned agricultural and they don't pay taxes to us, and we don't get any money from that.

Bob Felser questions if there was any consideration given to selling Wanakah Water Works for revenue for the Town.

Councilwoman Hochul responds no, because there are a number of restrictions that wouldn't have allowed it to be used for private use. For example the parking lot size, because we are a municipality we are able to have a waiver for the setbacks that are required, no private developer would have been able to do that. It would have had to remain in public hands and had they not pursued all the thousands of dollars in grant money that they had over the past years, that would have looked like Foit's. It would have been an abandoned eyesore. They are very proud of what they have done with it and she would like Betty Newell, Chamber of Commerce, to comment on that.

Betty Newell, Hamburg Chamber, comments that in 1995 they started looking at that building and the Hamburg Chamber supported Councilwoman Hochul and several other volunteers in the effort to seek grants. They have received 6 or 7 grants to repair it. The building was a disaster and they had a vision. The building is not only a treasure to see what this community has to offer, but it is good for economic development, it gets people into Greycliff and restaurants and retail within the community. They have had two great taste of Lakeshore events that showcased restaurants in the area. It is beautiful and a great visitors center and the Seaway Trail has been a great supporter. It is a great asset in terms of tourism.

Frances Sheenan, owns property in the Village and the Town, wants to speak and say she is opposed to any elimination of the 911 Dispatch services or any of the other services that they talked about decreasing like senior services or youth services. She had a personal experience with 911 in the City of Buffalo, which is a good example of why we need to keep our dispatch service here, she needed the 911 to stay on the line with her and they said they were too busy to do that. She applauds Mr. Walters for trying to save money, however, eating away at our infrastructure is not the wise thing to do. Erie County has been in trouble for a long time and the farther we stay away the better. Our recent encounter with the October storm was a clear message that we need to keep emergency service here. They would all like to see our quality of life enhanced with some creative ways to bring money into the Town. All of the new housing in our Town should contribute to our tax base. She is definitely in favor of keeping 911 public safety dispatch in Hamburg.

John Wicka comments that in regards to our first responders, the Town Board has come a long way over the last 6 weeks, they have listened to the residents in putting the public safety dispatch back into the budget. Hamburg has always been known as a class operation and we are known throughout Erie County for the fine services our dispatchers provide and he commends them for keeping this service in place.

Councilwoman Kesner thanks him for his support on this.

Officer Schum, representative of the Southtowns Police Benevolent Association, he and his fellow officers are the first line of protection for the residents and their property within the Town of Hamburg. The Town Board has cut two officers out of the budget. They understand the concept of doing more with less, but not in public safety. They are concerned about the ability the road officers have to keep the public safe and concerned for the safety of the officers with the reduction in officers. The PBA is concerned about providing adequate public safety with the cuts.

Councilman Cavalcoli comments that they appreciate the work that the officers do. He states that they cut two positions that were vacant, not two police officers. The reason for that was that

in discussions with both the Chief of Police and the Command Officers they indicated that there was less need for the officers because of Blasdell taking over their own Police protection and they are sufficiently and safely providing for their citizens and the men under the command. By not funding those positions they did create more money for overtime and asks the Chief to comment.

Officer Schum comments that FBI statistics for 2005 stated that there were 2.4 officers nationwide for every 1,000 residents. We average slightly over 1. Do you feel safe with only four officers on duty.

Councilman Quatroche responds that they rely on advice from the Chief, he is the expert. If there was a large emergency they are also backed up by both Villages along with the County Sheriffs Department.

Chief Coggins comments presently on the road they have a Captain, Lieutenant, seven patrolman and two detectives. At night they have a Lieutenant and seven patrolman. He feels at this point in time that what they have to work with is doing a good job in protecting our citizens.

Supervisor Walters comments that he had two positions that were funded and two unfunded. He feels that they need more officers on the road to respond as needed.

Detective O'Brien asks if there is any way they could get Federal funding for officers.

Councilwoman Kesner responds that the President took that away. She is hoping it will be re-instated and will keep an eye open for that.

Peter Reszcka comments that in the Supervisor's original budget he unfunded a Captain and funded two officers. Doesn't it make more sense to get someone out from behind the desk and on the road.

Chief Coggins responds that the Captains salary is much less than two officers combined and there isn't enough money in the budget to cover the two officers.

Councilman Cavalcoli comments that the Command Officer can still go out on the road at any time. They don't just sit at their desk.

Dan Kozub thanks the Board for coming up with a Budget that the public can work with.

Joe Contrabecki, retired NYS Police Supervisor, comments that by all standards of International Police conferences and Associations of Chiefs of Police, the Town of Hamburg is over staffed in Supervisory personnel.

Chief Coggins responds that his type of police patrolling is different.

Councilman Cavalcoli comments that is something that the Board will look at. They will compare to other communities for the upcoming budget.

Bob Palmer, Police Officer, comments that since he started with the Town there are seven less officers and with all the new subdivisions there is a lot more area to patrol.

Councilwoman Hochul comments that last year, Business First, rated Hamburg the second safest Town in Western New York and that speaks for the caliber of the Police Force they have assembled here and she gives them a lot of credit for that.

Ferd Garcia comments on the budget and it seems to him it was always handled with the Supervisor submitting a higher percentage and then working with the Board to bring it down.

Councilman Cavalcoli responds that what happens is that, every year, the Department Heads submit their wish lists and that is what makes the percentage high. Then the entire Board works together to bring those numbers down to a realistic position. Every Supervisor can do his own budget and submit it to the Board. If this Board decided not to challenge that budget they would be facing a 7% increase along with all the cuts.

Councilman Quatroche comments that it wasn't the budget that was submitted, but the rhetoric while the budget was being submitted. They have talked about it and worked it out.

John Miller, Police Officer, wants to point out the quality of life for Police Officers, they are often asked to work overtime. Come January 1st they will be moving things around so that they will have more patrolman on the shifts where they are needed, however, he will not get days off unless they disrupt someone else's schedule.

Diane Neuhauser questions what the status of the Youth Bureau is now.

Councilwoman Kesner responds that they reinstated the money for the drug and alcohol awareness program.

Diane questions how many domestic violence calls the police handle, what about terrorism, and the police officers should have time for their families.

Councilwoman Kesner responds that they are handling quite a bit and doing an awesome job with domestic violence. They are looking for homeland security money for equipment. Police Officers should have time with their families and they would never do anything to compromise their safety. They have made good points and this is an ongoing working budget and they will continue to work until everyone is happy.

Diane Neuhauser questions what about the Seniors.

Councilman Cavalcoli responds that the seniors have been paying school taxes their whole lives even though they no longer have children in school and a community must reach out to all of its citizens not everything can be balanced out in dollars and cents. We have a responsibility to our citizens, whether it's seniors or our youth. This Board will continue to look at ways at making it more efficient.

Diane comments that before they cut services they should have a referendum vote.

Councilman Cavalcoli responds that they elected them to make those decisions, if they put everything on a referendum you couldn't afford the cost of that.

Steve Strnad comments that he noticed tonight that there is cooperation between all the Board members and that is good. The Town Board should constantly be watching their departments to make sure they are running efficiently.

Ray Pawlowski, President of C.S.E.A Blue Collar, comments that he wants to put some facts on the table. They have been doing more with less for a long time. Their drainage foreman assumed the responsibility of Engineer at the Highway Department without any pay. When things need to get done they talk to the Highway Superintendent, work things out, and the jobs get done. They also play a part in public safety keeping streets clear so everyone can get to where they need to go. For the record, they voted to go to one insurance carrier. They are all about doing the right thing. They will continue to do more with less, work with the Highway Superintendent and get the job done.

Councilman Quatroche responds that the Highway Superintendent has always spoken highly of them and they should be commended for the job they do.

Jim Connolly, Highway Superintendent, comments that what they have accomplished is a result of team effort with all the Unions and their representatives working together to adjust how they do the job. Over the years his administrative staff has been cut by 30% and the Town has expanded it's highways, drainage, sewers, etc. They have also tripled the area at the Nike Base, added more playgrounds, bike paths, they added nine holes to the golf course, added a skate park, four new pump stations, two traffic signals, Blast on the Beach and the Town clean-up. You have witnessed what the Highway Department can do when faced with an emergency and they do it through cooperation and he applauds the Unions.

Joe Kilian, United Council, questions if everyone in the Town is on a single insurance.

Supervisor Walters comments that they tried twice and just engaged the health care committee with a new consultant and hopefully can get it passed.

Joe Kilian questions what the savings would be if the police went to a single carrier.

Councilwoman Kesner responded that she has members on that committee and if they would have voted in favor when Supervisor Hoak first took the initiative, if they took the most expensive program the Town would have saved \$400,000, if they took the middle line it would have been about \$600,000 in savings.

Joe responds that sounds like more Officers could be added then. He then adds that the Wanakah Water Works building could not be sold without holding a referendum vote and those usually don't go over.

John Hilliard comments on a hand out distributed before the meeting. They are not using the same computers they were using back in the 1970's. The Town Board has made every effort to make sure they have computer systems in place, they just got upgraded last year. He thanks the Town Board for their stand.

Pat Granville, Town of Hamburg Employee, hopefully they will be able to come through and save money with one insurance carrier. He implores the Supervisor to keep Mr. Spute and to work with the Town Board in the future.

Supervisor Walters comments that he did keep Mr. Spute and will continue to work with him.

16.

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

ADOPTED	Ayes	5	Walters, Cavalcoli, Hochul, Kesner, Quatroche
	Noes	0	

RESOLVED, that the Town Board close the public hearing at this time.

Supervisor Walters comments that he would ask that they hold off on adopting the budget until the next meeting. He spoke with Mr. Spute and there are some questions and certain aspects he would like considered. He then discusses with Mr. Connolly about bonding for trucks.

Councilman Quatroche comments that he discussed that with Mr. Connolly and they it handled that way to keep the taxes down.

Supervisor Walters comments that they wanted to bond out for Highway improvement and he thought they were going to make sure that was properly funded so they wouldn't have to bond. He has a concern that they will not be able to handle resident complaints and extras that come up because they are understaffed and two laborers were removed from the budget. Lastly, his proposed budget moved the tax manager into the Finance Department. The first reason for this is that Mr. Spute has indicated that there will be several retirements from his department and the

Tax Manager has an accounting and finance background and the second reason was to be able to use her as a resource for the first tax season.

Councilman Quatroche responds budgets are about priorities and making sure they have resources to do the job. He is comfortable with this budget and it has been a long standing tradition to pass the budget before the election so that the voters would have the opportunity to judge them on based on that budget. He would be very uncomfortable in changing that.

Councilman Cavalcoli comments that the Supervisor prepared a budget, presented it, they then took that budget and reworked it and presented tonight. Any of the issues he brought up this evening can still be adjusted and worked on.

Supervisor Walters comments that he feels he needs more of an opportunity to work with Mr. Spute and asks that they hold off.

Councilman Cavalcoli asks Mr. Spute if there is anything in the budget that cannot be addressed between now and January. Mr. Spute responds no.

Supervisor Walters makes a motion to table the budget. There is no second.

Councilwoman Hochul comments that she agrees with Councilman Quatroche that this should be passed before the election. She also states that if no budget is adopted before November 20th the Supervisors budget with a 7.88% increase and the elimination of dispatch along with cuts in seniors services and youth programs will be put in place. On October 13th they had a bizarre storm and she doesn't want to risk any chance that they cannot act on this. They have heard all the information they need to, they have had many public hearings, they have heard from the people who have spoken, and she thinks what they are doing tonight is what they want.

17.

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

ADOPTED	Ayes	4	Cavalcoli, Hochul, Kesner, Quatroche
	Noes	1	Walters

RESOLVED, that the Town Board adopt the Preliminary 2007 Budget as proposed including the Town Fire Contracts.

7:15 p.m. Public informational hearing on Capital Improvements Program

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 CAPITAL IMPROVEMENTS PROGRAM**

NOTICE IS HEREBY GIVEN that the Town of Hamburg will hold a public informational hearing on Capital Improvements Program on November 6, 2006, at 7:15 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: September 25, 2006

Catherine Rybczynski
Town Clerk
Town of Hamburg

There are no capital improvement projects to discuss therefore:

18.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche

Noes 0

RESOLVED, that the Town Board close the public hearing at this time.

Ferd Garcia questions what the actual percentage of increase is.

Councilman Cavalcoli responds 4.99%, which means that for a \$100,000 home the increase would be \$49.00 for an entire year.

19.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

RESOLVED, that the Town Board adjourn to Executive Session on a personnel matter at 9:07 p.m.

20.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

RESOLVED, that the Town Board close Executive Session at 9:22 p.m.

21.

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

ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
 Noes 0

RESOLVED, that the Town Board adjourn at 9:22 p.m.

Catherine Rybczynski, Town Clerk