

A regular Town Board Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6011 South Park Avenue, Hamburg, New York on the 19<sup>th</sup> day of November 2007.

**TOWN BOARD MEMBERS**

**PRESENT:**

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

**OTHERS PRESENT:** Catherine A. Rybczynski, Town Clerk; Richard Boehm, Deputy Town Attorney; Mary Dosch, Sr. Account Clerk; Martin Denecke, Director of Recreation; Carmen Kesner, Chief of Police; Tim Ellis, Traffic Safety Coordinator; Robert E. Hutchison, Town Assessor; Wayne Dresser, Town Financial Consultant; Gerard Kapsiak, Town Engineer; Andrew Reilly, Planning Consultant; Rick Krautsick,

The Pledge of Allegiance was recited.

Information on fire exits was provided.

7:00 p.m. Public Hearing for the Municipal Home Rule Law, a proposed local law to be known as proposed local law #10, 2007; said local law provides for the amendment of Local Law #10, 1986. Adoption of amendment to said Zoning Code for property at 4817 Lake Ave.

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

7:00 p.m. Public Hearing for the adoption of an amendment to said Zoning Code for property located at 4817 Lake Ave.

**LEGAL NOTICE**  
**TOWN OF HAMBURG**

PLEASE TAKE NOTICE that there has been presented to the Town Board on September 24, 2007, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #10, 2007; said local law provides for the amendment of Local Law #10, 1986, Chapter 280-entitled Zoning, and provides substantially as follows:

For the adoption of an amendment to said Zoning Code for property located at 4817 Lake Avenue. The property is to be rezoned from —1 (Industrial Park-Research & Development District) to C-2 (General Commercial District) described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot 35, Township10, and Range 7 of the Buffalo Creek Reservation, bounded and described as follows:

BEGINNING at a point in the southerly line of Lake Avenue, as widened, at the southeast corner of land conveyed to the County of Erie by deed recorded in the Erie County Clerk's Office in Liber 7784 of Deeds at page 336 on April 9, 1973, said point of beginning being 38.22 feet south of a point in the north line of said Lot No. 35, distant 333.64 feet westerly from the northeast corner of said Lot No. 35; thence southerly along the west line of land conveyed to James Colangelo and Nicholas Pasquarelle be deed recorded in the Erie County Clerk's Office in Liber 4225 of Deeds at page 570 on November 12, 1947 a distance of 236.78 feet to the southwest corner of lands conveyed to Colangelo and Pasquarelle as aforesaid; thence easterly along the south line of land conveyed to Colangelo and Pasquarelle aforesaid, a distance of 46 feet to a point; running thence southerly at right angles, 579 feet to a point; running thence northerly at right angles, 808.11 feet to a point in the southerly line of Lake Avenue, as widened, in the south line of said lands conveyed to the County of Erie by deed aforesaid; running thence easterly along said southerly line of Lake Avenue, as widened, being along the southerly line of lands conveyed to the County of Erie be deed aforesaid, 504.14 feet more or less to the point or place of beginning.

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 19, 2007 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: September 24, 2007

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

No correspondence was received.

Andrew Reilly reports that this is a fairly simple rezoning request. This is owned by the New Era Cap Company, the old Twin Fair. It is presently zoned —1 with a new client moving into this facility and wants to make it a sports facility. The Planning Board did recommend this rezoning.

George Lee comments that he thinks this is a good idea the sports facility would be very nice for the Town of Hamburg.

Councilman Cavalcoli notes that the Town will plan to take positive action to rezone this property at the meeting of December 10, 2007.

**1.**

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

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

**RESOLVED**, that the Town Board close the Public Hearing at 7:15 p.m.

7:15 p.m. Public Hearing for the Municipal Home Rule Law, a proposed local law to be known

as proposed local law #11, 2007; said local law provides for the amendment of Local Law #10, 1986. Adoption of amendment to said Zoning Code for property at 5363 Southwestern Blvd.

**LEGAL NOTICE**  
**TOWN OF HAMBURG**

PLEASE TAKE NOTICE that there has been presented to the Town Board on October 22, 2007, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #11, 2007; said local law provides for the amendment of Local Law #10, 1986, Chapter 280-Zoning and provides substantially as follows:

For the adoption of an amendment to said Zoning Code for property located at 5363 Southwestern Boulevard. The property is to be rezoned from R-2 (Single Family Residence, Attached District) to C-2 (General Commercial District) and is further described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie and State of New York, being part of Lot 29, Township 9, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at the southeast corner of Lot 29 in Able Road;

Thence westerly along the south line of Lot 29 a distance of 417.8 feet;

Thence northwest at right angles to Southwestern Boulevard 148.0 feet to the southeast line of Southwestern Boulevard;

Thence N 53 23' 28" E along the southeast line of Southwestern Boulevard 448.86 feet;

Thence N 53 23' 18" E along the southeast line of Southwestern Boulevard 193.0 feet to the east line of Lot 29;

Thence southerly along the east line of Lot 29 a distance of 502.55 feet to the point of beginning.

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 19,

2007 at 7:15 p.m. (local time), at which time all interested persons may be heard.

Dated: October 22, 2007

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

No correspondence was received.

Andrew Reilly notes that this property is located across the street from where the new proposed Wal-Mart is and makes a presentation. Drew also notes that they are researching the overall zoning of this area.

Councilman Smith questions if the balance of the property could be rezoned at the same time.

Mr. Reilly responds that the owners of the property said they have contact the adjoining resident and they have been told the resident wants to speak through their attorney.

Councilwoman Kesner notes that there was mention that there would not be a commercial driveway onto Abel Rd.

Mr. Reilly responds that it's a recommendation from the Planning Board. The recommendation was no driveway at all.

Councilwoman Kesner requests that no driveway will be allowed to go on Abel Rd. especially in that particular location.

Art Ravenhorst who lives on Abel Rd. questions if this particular property is on Southwestern.

Mr. Reilly notes the property is next to Kay Technologies with little frontage on Abel Rd.

Irene Smuda states that she has lived next door to this property for 50 years and all of a sudden it could be rezoned from residential to commercial. She is not happy and doesn't feel that commercial property should be allowed there.

Councilman Quatroche questions if there has been any other discussion with the applicant of the type of zoning.

Mr. Reilly notes that the applicant feels it should be C-2 because of the surrounding properties.

Councilwoman Kesner questions if restrictions could be placed on this.

Mr. Reilly notes that there can be reasonable restrictions, you can't go through the whole category and say only one use will be allowed. You can say that a certain use will not be allowed.

Marilyn Ravenhorst notes that her concern is the possibility of opening that area up so much that sight and sound will be overwhelming once the trees are cleared out.

Joe Killian notes that this is the first knowing of anyone asking for rezoning and not telling anyone what it is for.

Councilman Cavalcoli responds that by Law the rezoning does have to be entertained. They have a right to rezone.

Joe Dee notes he is against this.

Mr. Reilly responds that some of the residents have complained in the past that all this area was zoned commercial.

Mr. Dee questions how many feet this property goes back from Southwestern to Abel.

Drew responds about 370 feet.

W. Jay Milligan notes that he has applied for the rezoning on Southwestern Blvd. and has been a part of this Town since 1943. The Master Plan this Town paid for in 1997 shows that Southwestern Blvd. is supposed to be commercial property. The selective spot rezoning needs to stop and make Southwestern Blvd. highway commercial.

Supervisor Walters notes there will not be any further action on the rezoning request of this property tonight.

**2.**

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

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

**RESOLVED**, that the Town Board close the Public Hearing at 7:25 p.m.

**3.**

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

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

**RESOLVED**, that the Town Board adopt the 2008 preliminary budget with amendments.

Wayne Dresser explains that the amendments include increasing the appropriation fund balance by \$50,000. Continue to review revenues added \$50,000 to the video lottery terminal revenues, those were the major changes. It actually lowered the tax rate that was previously presented at the public hearing. As previously presented the Town outside Village residents would have received a small tax decrease, about ½ of 1%, under the new scenario they will be reducing taxes by a little over 1%. The Village of Hamburg under the previous scenario and the Village of Blasdell would have increased their taxes about 1.12%, under this budget to be adopted, those residents will actually receive a small decrease about .08%.

Joe Killian questions how much the Fund Balance.

Mr. Dresser responds that it is an estimate to year end and it's about a little over \$3 million.

Supervisor Walters notes the amount of Fund Balance used this year is less than the amount used last year.

Councilwoman Kesner adds the money from the Racino had restrictions, it could only be used for certain items, one for debt and bonding. The sales tax revenue is better than projected and also the energy audit and the health care. Next year will be just as good and the year after if we stay on track.

Councilman Cavalcoli commends the Town Board and Wayne Dresser for all the hard work and this is one of the better budgets that they have worked on. Part of the transition is the consultants and the new approaches and he commends the Board and all Departments for working well with Mr. Dresser and Mary Dosch.

Councilman Smith responds that it was a pleasure working on the budget this year because the work was done collectively as a unit.

Councilman Quatroche thanks Mr. Dresser for keeping everyone's feet to the fire with regards to the budget. The budget is conservative in some ways and aggressive in others. Anytime the debt can be reduced it's always a good thing to do for long term stability. He thanks Mary Dosch for picking up the pieces and all the Department Heads and the Board.

Supervisor Walters thanks Wayne and Mary in the Finance Department for all the assistance they gave in this budget process. Over the last several months there was a lot of talk about the four Democrats and one Republican on the Board can't get along and don't work together, this is proof that we do work together.

**4.**

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

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

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

November 5, 2007                   Work Session

**5.**

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

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

**RESOLVED**, that the Town Board approve the alcohol waivers for the following November and December 2007 Taylor Road rentals:

11/23/07	12/14/07	12/27/07
12/01/07	12/15/07	12/28/07
12/02/07	12/16/07	12/29/07
12/03/07	12/22/07	12/30/07
12/07/07	12/23/07	
12/08/07	12/24/07	
12/09/07	12/25/07	
12/13/07	12/26/07	

**6.**

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

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

**BE IT RESOLVED**, upon the recommendation of the Traffic Safety Advisory Board, that an R2-3 (Area Speed 30 mph) be erected on Teacher’s Lane at the intersection with Sheldon Road.

**7.**

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

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

**BE IT RESOLVED**, that the Town Board authorize the Finance Department to increase appropriation account A1355.203 Office Equipment in the amount of \$4,900. This will be funded through the A599 Appropriated Fund Balance (STAR funding), and

**BE IT FURTHER RESOLVED**, the Town Board authorize the purchase of five Dell Pentium Computers at a total cost of \$4,364.75. Funds are available in account A1355.203.

**8.**

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

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

**RESOLVED**, that the Town Board approve the hiring of one in the Senior Services Department as follows:

- 1.        Scheffler, Gerald        P/T Van Driver                    10/29/07                    \$9.00

**9.**

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

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

**RESOLVED**, the Town Board grant permission for the Police Department to open and accept,

the single bid for, one (1), 1972 Cross 28 foot travel trailer, that once served as a Mobil Communications Center for the Emergency Management Unit.

Proceeds from the sale, will be used to offset the cost of the upgraded Response Vehicle for the Emergency Management unit.

**10.**

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

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

**RESOLVED**, the Town Board grant permission for the Police Department to advertise for Police Uniforms and Equipment; to include Dog Control Officer and Public Safety Dispatch.

**11.**

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

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

**WHEREAS**, certain properties within the Town have been neglected or abandoned and as consequence the growth of weeds, grass and other rank vegetation has exceeded twelve inches in height, the standard established by Local Law No 9-1974.

**WHEREAS**, the Town Code Enforcement Official has identified these properties to be violation of said local law and based on his formal inspections has mailed a notice of violation to the respective property owners with an order to cut and remove such grass and weeds on the premises.

**WHEREAS**, the Town has received no response by the listed owner nor has any remedial work been undertaken to alleviate the violations within the prescribed ten day period and subsequently the Town Code Enforcement Official has caused the grass and weeds to be cut and removed by a Town approved contractor.

**NOW, THEREFORE BE IT RESOLVED**, the Town Board approve the following invoice for payment for the work contracted to Property Care & Enhancements of Collins, New York to cut, mow, rake high grass and weeds including the proper disposal as directed by the Town Code



1. Fraser, Sam            P/T Laborer            10/13/07            Terminate

**14.**

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

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

**RESOLVED**, that the Town Board approve the hiring of personnel in the Senior Services Department as follows:

- 1. Doody, Joseph        P/T Rec. Att.            11/19/07            Terminate
- 2. Doody, Joseph        P/T Seas. Rec. Att.        11/19/07            \$10.60
- 3. Lake, Karen            P/T Nutrition Assis.        11/19/07            \$7.50

**15.**

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

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

**WHEREAS**, the Erie County Water Authority is planning to install a new, 8 inch diameter watermain to replace the existing 4 inch watermain along Fourth Street in the Woodlawn area; and

**WHEREAS**, the new watermain will provide increased pressure and flow for improved fire protection in the area, thereby necessitating the installation of an additional fire hydrant along Fourth Street, in order to comply with requirements of the Erie County Department of Health and applicable design guidelines,

**THEREFORE BE IT RESOLVED**, that the Town Board authorizes the Erie County Water Authority to install an additional fire hydrant in the vicinity of 3669 Fourth Street, and that the Town of Hamburg agrees to pay the Erie County Water Authority the annual hydrant maintenance fee for this hydrant; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is requested to provide two certified copies of this resolution to the Engineering Dept. for transmittal to the Erie County Water Authority.

**16.**

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

TABLED	Ayes 4	Walters, Cavalcoli, Kesner, Quatroche
	Noes 1	Smith

**BE IT RESOLVED**, The Town Board call for a public hearing at the Town Hall at 7:00 pm on December 10<sup>th</sup>, 2007 to discuss proposed local law #12 of 2007 entitled Cold War Veterans Exemption.

**AND BE IT FURTHER RESOLVED**, The Town Board call for a public hearing at the Town Hall at 7:10 pm on December 10<sup>th</sup>, 2007 to discuss proposed local law #13 of 2007 to amend the existing income limits of the Senior Citizen Exemption.

Councilman Cavalcoli requests more information on this before it goes to a Public Hearing.

**17.**

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

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

**WHEREAS**, the Town of Hamburg received an application from Elizabeth Fadale for a two-lot subdivision to be located at 6385 Heltz Road, and

**WHEREAS**, an area variance was required from the Zoning Board of Appeals for lot size in the R-A zone in order for the Planning Board to approve the subdivision request, and

**WHEREAS**, due to misinformation, she proceeded with the application for the subdivision and the variance, and

**WHEREAS**, the Planning Board recommended that the Zoning Board of Appeals deny the variance request, and

**WHEREAS**, the Zoning Board of Appeals denied Mrs. Fadale’s request for an area variance;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hamburg Town Board hereby authorizes the return of the \$200 Preliminary Plan fee to Mrs. Fadale (the Town of Hamburg will retain the Planning Board public hearing fee and the Zoning Board of Appeals application fee).

**18.**

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

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

**WHEREAS**, the Town of Hamburg received a rezoning application from Susan Ljungberg-Murray to rezone 1.3 acres of vacant land located on the west side of Gowanda State Road, north of 18 Mile Creek from R-A and C-1 to N-C, and

**WHEREAS**, the Code Review Committee, at its September 19, 2007 meeting, reviewed the application and found merit in the rezoning of this property;

**NOW, THEREFORE, BE IT RESOLVED**, that the Hamburg Town Board hereby refers this application to the Planning Board for its review and recommendation.

**19.**

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

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

Resolution approving continuation of a partial exemption from real property taxes for the property located at 25 Buffalo Street (Tax Section 196.09, Block 2, Lot 9.1) in the Town and Village of Hamburg, County of Erie and State of New York (the "Property") pursuant to Section 33 of the Private Housing Finance Law of the State of New York.

**WHEREAS**, Creekbend Heights Houses, Inc. (the "Housing Company"), a housing company organized and existing under and by virtue of Article 2 of the State of New York State Private Housing Finance Law ("PHFL"), is the record owner of that certain 130 unit project (the "Project") located at the Property; and

**WHEREAS**, pursuant to PHFL Section 33.1©), the Housing Company has been entitled an initial exemption from real property taxes; and

**WHEREAS**, pursuant to that certain Purchase and Sale Agreement (the "PSA") by and between Creekbend Heights Associates L.P., the beneficial owner of the Project and Property (the "Seller"), and Creekbend Apartment, L.P., a Delaware limited partnership (the "Buyer"), Seller agreed to sell its beneficial interests in the Property to the Buyer; and

**WHEREAS**, the Housing Company will remain the record owner of the Property for the benefit of the Buyer; and

**WHEREAS**, the Buyer intends to acquire and modernize the Project and preserve it as

affordable housing; and

**WHEREAS**, the Town has determined that the rehabilitation of the Project and its preservation as affordable housing is beneficial to and in the best interests of the public; and

**WHEREAS**, the acquisition and rehabilitation of the Project are to be financed through the issuance by the State of New York Housing Finance Agency of tax-exempt bonds (such financing is the “HFA Financing”); and

**WHEREAS**, as a means of assisting the modernization of the Project and its preservation as affordable housing, the Housing Company has requested from the Town and the Town desires to extend certain tax abatements presently enjoyed by the Project and Property; and

**WHEREAS**, the Housing Company is a corporation established pursuant to Article 2 of the PHFL; and

**WHEREAS**, the Housing Company and Buyer have each been formed for the purpose of providing residential rental accommodations for persons and families of low-income; and

**WHEREAS**, pursuant to PHFL Section 33.6, the local legislative body of a municipality may grant a Project which receives an exemption under PHFL Section 33.1©) an additional exemption from local and municipal taxes other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project, for a period not to exceed fifty (50) years;

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby grants an exemption from real property taxes as follows:

An exemption is granted from local and municipal taxes, other than assessments for local improvements, of 100% of the value of the Property and the Project, including both the land and improvements, commencing upon the date the Buyer acquires beneficial title to the Project (the “Effective Date”) and terminating on the date which is fifty (50) years from the Effective Date (the “Expiration Date”); and

Commencing upon the Effective Date and during each year thereafter until the Expiration Date, the Buyer, as beneficial owner, shall make real estate tax payments in the amount of ten (10%) percent of the annual shelter rent for the Project as defined in PHFL Section 33.1(a) to the Town; and be it further

**RESOLVED**, that the Supervisor of the Town of Hamburg is hereby authorized and directed to execute and deliver an agreement on behalf of the Town, and to take any and all actions necessary and/or required to effectuate such Tax Exemption.

Steve Strnad questions that if this is in the Village why the Town is being involved.

Supervisor Walters responds that the Town is the assessing unit for the Town and Villages.

Mr. Strnad asks how much money is involved in the exemption.

Supervisor Walters notes that right now they are exempt. They’re exempt because they offer low income senior housing. They have been around approximately 30 years. They do pay special districts like sewer.



**21.**

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

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

**RESOLVED**, that the Town Board approve the appropriation of funds for the Buildings and Grounds Department as follows:

From: Personal Services A7266.100           \$60,000           Sufficient funds to transfer  
To:    Personal Services A7141.100           \$60,000           Funds necessary for payroll

**22.**

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

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

**BE IT RESOLVED**, that the Town Board grant permission for Supervisor Walters to sign the Maintenance Agreement with United Business Systems in the amount of \$795.00. Money is available in account B3620.409. This is for the copy machine in the Building Inspection Department.

**23.**

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

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

**RESOLVED**, that the Town Board authorize the Town Supervisor to sign an agreement with Integrated Systems. The agreement is to purchase support hours for Network and Computer support. The total cost for 100 hours is \$6500.00  
Funds are available in A1680.423 (\$4875.) B3120.423 (\$1625.)

**24.**

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

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

TOWN BOARD NOVEMBER 19, 2007  
 AUDIT OF CASH DISBURSEMENTS

		VOUCHER #'S
OPERATING FUND:		
BATCH # 148	\$ 66,973.00	22674-22763
BATCH # 149	\$347,025.00	22765
BATCH # 150	\$155,823.83	UNPROCESSED
BATCH # 151	\$ 21,898.55	UNPROCESSED
BATCH #		
TOTAL OPERATING FUND DISBURSEMENTS:		\$ 591,720.38

TRUST & AGENCY:		AGENCY
BATCH # 50	\$625,685.17	
BATCH # 51	\$ 717.35	
BATCH # 52	\$ 52,800.00	
BATCH #		
BATCH #		
TOTAL TRUST & AGENCY DISBURSEMENTS:		\$ 679,202.52

CAPITAL FUND DISBURSEMENTS:		
BATCH # 74	\$9,254.00	22670-22673
BATCH # 75	\$650,000.00	22764,
BATCH # 76	\$3,185.43	22766-22770
BATCH # 77	\$10,517.71	UNPROCESSED
BATCH #		
		\$ 672,957.14
TOTAL CAPITAL FUND DISBURSEMENTS:		

PAYROLL:		
PR #	#23	\$521,844.61
PR #		
PR#		
TOTAL PAYROLL DISBURSEMENTS:		\$ 521,844.61

PETTY CASH                      \$0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:                      \$2,465,724.65

### **Reports From Town Board Members and Department Heads**

Councilman Cavalcoli reports the Town of Hamburg Police Department is sponsoring a holiday food drive and is asking for donations of non perishable food items from now until December 19<sup>th</sup>. The needy families in the area will benefit. There is a drop off in the front foyer of the Town Hall. Progress is being made at the Brierwood Plaza. The Lowe's rezoning is still in a state of public comment. The environmental impact statement was received, it will be available at the Town's website probably next week. Copies will be available at the Planning Office and the Town Clerk's Office. Possible action will be taken at the December 10<sup>th</sup> meeting. He wishes everyone a Happy Thanksgiving. The old Leisureland demolition will be moving ahead much more quickly than expected due to the recent fire.

Supervisor Walters notes that there was a severe fire at the old Leisureland about a week ago and would like to commend the fire departments for the exceptional work they did. Thanks to Mr. Milligan for being kind enough to let him through the blockade. As for the demolition itself, the building permits have been issued, the demolition is proceeding, the building is about 33% down right now and they will continue to take it down. Probably within the next two weeks the building should be completely down.

Councilwoman Kesner thanks the Police department and dispatch for initiating the food drive. The Domestic Violence was contacted for some names of victims and families that could benefit from this effort and they were very happy for this offering. She thanks everyone for the good work and wishes everyone a Happy Thanksgiving.

Councilman Smith reports that the Erie County Senior Services Department reviewed our Adult Day Center and gave it an A+. A letter was received from New York State Senior Citizen Division and in the near future we will be receiving a grant for \$45,160. toward the Adult Day Services. Councilman Smith publicly thanks Mr. Farrell and Connie Meyer who worked on the grant.

Councilman Quatroche thanks the Recreation Department for looking at the top line and bottom line. They were able to get a matching grant and save over \$28,000 on three playground units that were purchased this fall. They have been awarded a couple other grants in the amount of \$23,000. So far this year they are \$93,000 ahead of last year in regard to revenues. Thank you to Mr. Denecke and staff for doing a great job and making sure they are always watching the top and bottom line. Mr. Connolly's efforts as well with regard to the energy savings were a large part of why our budget is where it's at. Councilman Quatroche thanks everyone and wishes them a Happy Thanksgiving.

Supervisor Walters adds that December 7<sup>th</sup> the Town will be hosting a Pearl Harbor Remembrance Ceremony. Notices will be in the newspapers. Supervisor Walters wishes everyone a Happy Thanksgiving as well. He thanks Rick from Highway for being at the Leisureland fire so early bringing in a front loader to move barriers for the fire trucks.

Gerard Kapsiak notes that the final approvals are in place for the Town Sewer Districts to be transferred over to the County as of January 1<sup>st</sup>. Now the paperwork is being finalized for the finalization agreement. Everything is looking good for January 1<sup>st</sup>. All the affected property owners will be notified via letter.

**Reports from the Public**

Joe Killian reports that Cloverbank and Lakeshore, the pedestrian crossing in front of the Cloverbank Hotel, there is a hole there. There have been complaints from the taxpayers to fill it in somehow.

Lalaine Podkulski of McKinley Pkwy. comments on the suggested proposal for the Verizon tower at the Top's market. She and her neighbors are suggesting that the tower not be placed on the Top's corner. It's an eyesore along with a sewer and major gas line in that area.

Drew Reilly comments that it will be on the Planning Board's agenda this Wednesday night and currently it is at the Monroe Muffler site. The Top's site was ruled out by the applicant.

Karen Aquiline of Heatherwood Dr. expresses her point on the proposed Lowe's project. She thanks the Supervisor for his correspondence with her and her husband. She started petitioning the people in the area that Lowe's will directly impact, she ran into a lot of complaints from the people. She thinks about 90% of the people were opposed of the idea and upset that they did not receive the notices. They feel Lowe's coming into the Town of Hamburg is not a bad idea but the location is very worrisome.

**25.**

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

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

**RESOLVED**, that the Town Board adjourn to Executive Session on a Legal Matter at 8:35p.m.

**26.**

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

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

**RESOLVED**, that the Town Board adjourn at 9:10 p.m.