

TOWN BOARD MEMBERS PRESENT:

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

ALSO PRESENT: Barbara S. Allen, Deputy Town Clerk
Walter Rooth III, Town Attorney; Mary Dosch, Sr. Account Clerk; Tom Best Sr., Highway Superintendent; Drew Reilly, Planning Consultant; Craig Cwick, Deputy Town Attorney

Supervisor Walters calls the meeting to order at 6:00 pm

Supervisor Walters comments that Sean Hopkins and Glenn Wetzl are present to review a package that was submitted to the Town Board last week in response to public comments from the November 9, 2015 Public hearing for a proposed 45 lot clustered residential subdivision.

Sean Hopkins comments that they did submit a letter in response to the input that was received at that meeting. There were 10 people that spoke. Five people spoke in favor and 5 people spoke against. He is present to answer any questions. He feels they have presented the best of the available alternatives for the site.

Supervisor Walters reviews the concerns that have been addressed. He then questions if there would be any objection to deed restrictions.

Mr. Hopkins responds that they would not have any objections.

Mr. Reilly comments that when the map is approved it becomes the zoning of the site. The Town Board, as Lead Agent for SEQR, has to make the environmental decision as well. A petition for this project has been filed and they are working with the Town Attorney's office on that as well. They have to certify the petitions as valid or not valid. They are working with the Department of State, the Association of Towns and the Town Attorney's Office to make that decision. They are on step ten of a seventeen step process, for this project. He then explains that process stating that a decision has to be made by the Town Board and a resolution has to be passed.

Supervisor Walters questions, with the PRD zoning, if deed restrictions are necessary?

Mr. Reilly responds that any conservation easement should be filed in the name of the Town and they should file the deed restrictions as well.

Supervisor Walters comments it was mentioned, that because this is a gateway into the Town that the applicant would consider additional gateway features.

Mr. Hopkins responds that if you look at the plans, on the corner of Newton and McKinley and the corner of McKinley and Boston State, there is a detail with decorative fences. He then discusses the preserved vegetation on the site. The stormwater improvements are shown on the map as well but if they want to memorialize that in the resolution, so that it is clear, they are fine with that. This goes far beyond what the DEC would require. He wants to note that their position is that the protest petitions are not valid. That does require precise analysis of exact calculations. They would be willing to submit a letter with the calculations and explaining their position.

Mr. Reilly responds that if they have the calculations they should present them. It is a unique piece of property.

Mr. Hopkins comments that he will submit a letter with a list of conditions which will be put into the resolution which would include items that would be appropriate for deed restriction.

Supervisor Walters responds that normally they do put it right in the resolution so that it is clear to everyone.

Mr. Wetzel requests that this be put on the agenda for the December meeting.

Mr. Reilly comments that they will need to make a decision on the validity of the petitions and have a resolution ready ahead of time for review.

Mr. Reilly now comments on the resolution that is in the agenda for approval on the Hanania rezoning request.

Mr. Reilly then reviews the submitted Engineering report as follows:

ARCHITECTURE ENGINEERING PLANNING ENERGY SERVICES CONSTRUCTION MANAGEMENT

**MEMO**

To: Hamburg Town Board
From: Orest Ciolko, PE, Interim Town Engineer
Date: November 23, 2015
RE: Engineering Project Update

The following is an update to the Town Board on Engineering Department projects and activities:

- A. Mt Vernon Sewer District – CIPP Lining**
 - a. Received United Survey summary report of required spot repairs required in sections of sewer mains. Reviewing construction estimate of spot repair costs from United Survey Inc.
- B. Mt Vernon Sewer District - Lakeshore Road/Mt Vernon Blvd Sewer Replacement**
 - a. The Town's consultant is currently completing the design report, design plans and specifications for the project for submittal to ECDEP for design approval and bidding in early 2016.
- C. RR Quiet Zone – Phase 2 – Bayview, Pleasant and Lakeview**
 - a. Notices of Intent for the Quiet Zone Phase 2 project for all three at grade crossings were prepared and distributed to involved agencies via certified mail on November 20, 2015.
 - b. The Design Report, estimates and Design Plans for the project are being finalized and will be submitted for Town review prior to formal design submittal to NYSDOT
 - c. The closure and abandonment of Bayview Road to eliminate the Quiet Zone crossing should be determined prior to bidding the project in 2016.

If you have any questions, do not hesitate to contact me.

BUFFALO, NY ROCHESTER, NY MINNEAPOLIS, MN, NEW YORK METRO PHOENIX, AZ RICHMOND, VA WASHINGTON, DC

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Councilman Quinn comments that he has a late resolution urging NYS lawmakers to support the passage of a Bill to amend Public Health Law to require all acute care facilities and nursing homes to meet standards for appropriate staffing ratios of nursing and unlicensed direct care staff.

Deb Mueller, NYS Nurses Assoc., comments that this resolution has been passed in Amherst, Cheektowaga, several other Counties in New York, and has been unanimously supported in the City of Buffalo which will be formally announced tomorrow. They held a hearing last week and every single Common Council Member cosigned.

Councilman Quinn comments that he is in favor of this and will present it at the Town Board meeting.

Ms. Mueller comments that this is just saying that they support, through resolution, the idea of nurse to patient ratios in hospitals and nursing home facilities. Currently New York State has no ratios. The hospitals determine whatever ratio they feel is adequate. In the nursing profession they feel the ratio is not adequate and they are not able to provide the care they should be providing to patients. They do have ratios in New York State for Day Care centers. For example, how many children can be in a toddler room, but you take those same children and put them in a pediatric care unit in a hospital and there are no ratios.

Supervisor Walters questions if any other States have these staffing ratios?

Ms. Mueller responds California and several other states are working on it. This is not something they have the right, as a body, to legislate on. It is a State issue. They are just trying to have various municipalities show their State Officials that they think this is a good idea and would like to see the State Official support this. This will also shed some light on the issue publically. This is not just a nursing issue it is a patient issue as well. The number of nurses that take care of a patient can change dramatically, even within the same day. This would set some benchmarks for minimum levels of staffing for various departments.

Tom Best Sr., Highway Superintendent, comments that he was just notified that the Town Board voted to lay off two of his employees. If this is true he would like to refer them to Section 4.5.2 of the CSEA Contract which states that all part time employees must go before any full time employees. This would mean that upwards of 70 employees would not be rehired or laid off until the full timers come back. This would essentially put the Golf Course, Woodlawn Beach, Town Park and the NIKE Base out of operation. He cannot man or maintain these operations without the part time people. The contract also calls for a six week notice before a lay off can occur. It will be impossible to maintain all the venues without the part time employees.

Supervisor Walters comments that the Budget was passed with two layoffs built into it, one in Highway and one in Buildings and Grounds. It was required to be passed by Tuesday Nov. 17th and is now filed with the County in accordance with the timelines. They have to look at the bottom line and balance that with the operational standpoint. They will certainly sit down and talk with him.

Superintendent Best responds that they should have discussed this with him first.

1.

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

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

RESOLVED, that the Town Board move into Executive Session at 6:34 pm.