

Supervisor Walters calls the meeting to order at 6:20 p.m.

TOWN BOARD MEMBERS

PRESENT:	Steven J. Walters	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman

ABSENT:	Thomas Quatroche, Jr.	Councilman
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OTHERS PRESENT: Catherine Rybczynski, Town Clerk
James Spute, Finance Director; Richard Boehm, Deputy Town Attorney

1.

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

ADOPTED	Ayes 4	Walters, Cavalcoli, Hochul, Kesner
	Noes 0	

RESOLVED, that the Town Board approve the Loan of (\$604,000) Six Hundred and Four Thousand dollars from the General Fund (A Fund) to DB5140.440 - Contractual Services in the same amount. This is to fund the various contract's for the storm clean-up. Highway Superintendent James Connolly has approved all of the contracts as being owed and the correct amount. The Finance Department is holding back 10% retention of each contract amount due. This loan must be paid back within one year. The Town expects to receive 100% of these funds from the F.E.M.A. (DB 4960 Federal Emergency Disaster Assistance) reimbursement.

Councilman Cavalcoli thanks all the staff that worked on this, their diligence putting this together should ensure the reimbursement from F.E.M.A.

Supervisor Walters explains that the 10% retention held back from each contract will be used to negotiate if any of the contracts are questioned by F.E.M.A. as being out of line as far as the rates are concerned.

2.

“as shown on Map Cover No. 1753 filed in the Erie County Clerk’s office.

As a condition of this transfer, Grantee acknowledges and Grantor hereby declares that all utilities that may presently have installations upon the above-described premises are hereby deemed to have a permanent easement for occupation, access, operation and maintenance of their existing facilities in their current locations.

BE IT RESOLVED that the members of the Town Board, constituting the whole thereof, consent to the making and filing of the necessary certificate that this highway be and hereby is abandoned, pursuant to Section 205 of the Highway Law, and

BE IT FURTHER RESOLVED that all members of the Town Board of the Town of Hamburg subscribe the certification.

ROLL CALL

VOTING

Supervisor Walters	aye
Councilmember Cavalcoli	aye
Councilmember Hochul	aye
Councilmember Kesner	aye
Councilmember Quatroche	absent

The foregoing certification was duly adopted at said Town Board meeting, unanimously.

Catherine Rybczynski
Town Clerk

ACKNOWLEDGMENT

STATE OF NEW YORK) SS
COUNTY OF ERIE)

I, CATHERINE RYBCZYNSKI, DO HEREBY CERTIFY that I am the duly elected and acting Town Clerk of the Town of Hamburg, Erie County, New York; that the foregoing is a true and exact copy of a resolution adopted at a meeting of the Town Board held on the 4th day of December, 2006; and

I DO FURTHER CERTIFY that said meeting was called and held, and a quorum was present thereat.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the seal of the Town of Hamburg this 4th day of December 2006.

CATHERINE RYBCZYNSKI
Town Clerk
Town of Hamburg

CERTIFICATION

I, THE UNDERSIGNED, JAMES F. CONNOLLY, Superintendent of Highways of the Town of Hamburg, in the County of Erie, State of New York, hereby certify that all those parts or certain Town highways hereinafter designated have not been opened or worked for more than six (6) years last past, and have not been traveled, or have been abandoned by the public and have never been used as a public highway to wit:

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 Number 49, Township 9, Range 7 of the Holland Land Company's Survey, described as follows:

BEGINNING at the southeast corner of Sublot No. 8, Map Cover No. 1753, as filed in the Erie County Clerk's Office, said point also being on the west line of Vail Drive and the north line of Crestridge Drive; thence westerly along the south line of Sublot No. 8, a distance of 133.6 feet to the southwest corner of Sublot No. 8; thence southerly a distance of fifty (50) feet to the northwest corner of Sublot No. 9, the said point also being on the south line of Crestridge Drive; thence easterly along the north line of Sublot No. 9, a distance of 133.6 feet; thence northerly a distance of fifty (50) feet to the point or place of beginning.

As a condition of this transfer, grantee acknowledges and Grantor hereby declares that all utilities that may presently have installations upon the above-described premises are hereby deemed to have a permanent easement for occupation, access, operation and maintenance of their existing facilities in their current locations.

ALSO, we the undersigned members of the Town Board, constituting the whole thereof, do hereby consent to the making and filing of this certificate and do hereby execute the same.

THEREFORE, pursuant to Section 205 of the Highway Law, said highway is declared to be and hereby is discontinued.

Dated: December 4, 2006

JAMES F. CONNOLLY
Superintendent of Highways

TOWN BOARD OF THE TOWN OF HAMBURG
BY:

STEVEN J. WALTERS, Supervisor

D. MARK CAVALCOLI, Councilman

KATHLEEN HOCHUL, Councilwoman

JOAN A. KESNER, Councilwoman

THOMAS J. QUATROCHE, JR., Councilman

ACKNOWLEDGMENT

STATE OF NEW YORK) SS
COUNTY OF ERIE)

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I DO FURTHER CERTIFY that said meeting was called and held, and a quorum was present thereat.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Hamburg this 4th day of December 2006.

CATHERINE RYBCZYNSKI
Town Clerk
Town of Hamburg

3.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to set the following rates for the 2007 golf season as recommended by the Town of Hamburg Recreation Advisory Board:

Facility: TOWN OF HAMBURG GOLF COURSE

Rental Fees	TYPE	Rate Last Raised	Raised From	Current Fees	Rec. Proposed	RAB Proposed	Tn. Bd. Approved
	Power Carts/9 holes	2003	10.00	11.00	12.00	12.00	
	Power Carts/18 holes	2003	16.00	18.00	20.00	20.00	
	Hand Carts			3.00	3.00	3.00	
	Golf Clubs		Sec.Dep.	5.00	5.00	5.00	
	Locker Rentals	Est.1998	25.00	25.00	30.00	30.00	
	Closed Tourn/9 holes	Est.2000		25.00		25.00	
	Closed Tourn/18 holes	Est.2000		33.00		33.00	

User Fees	TYPE	Rate Last Raised	Raised From	Current Fees	Rec. Proposed	RAB Proposed	Tn. Bd. Approved
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	Greens Fees						
RY	(9) Mon-Fri	2003	7.00	7.50	8.50	8.50	
NR Y	(9) Mon-Fri	1998	12.50	12.00	12.00	13.00	
RA	(9) Mon-Fri	2003	8.00	8.50	9.50	9.50	
NRA	(9) Mon-Fri	1998	12.50	12.00	12.00	13.00	
RSr.	(9) Mon-Fri	2003	7.00	7.50	8.50	8.50	
NR Sr.	(9) Mon-Fri	1998	12.50	12.00	12.00	13.00	
RY	(18) Mon-Fri	2003	11.00	11.50	13.00	13.00	
NR Y	(18) Mon-Fri	2003	20.00	21.00	22.00	23.00	
RA	(18) Mon-Fri	2003	12.00	13.00	15.00	15.00	
NRA	(18) Mon-Fri	2003	20.00	21.00	22.00	23.00	
RSr.	(18) Mon-Fri	2003	11.00	11.50	13.00	13.00	
NR Sr.	(18) Mon-Fri	2003	20.00	21.00	22.00	23.00	
RY	(9) Sat/Sun/Hol	2003	9.00	9.50	10.50	10.50	
NR Y	(9) Sat/Sun/Hol	1998	14.50	12.00	12.00	13.00	
RA	(9) Sat/Sun/Hol	2003	9.00	9.50	10.50	10.50	
NRA	(9) Sat/Sun/Hol	1998	14.50	12.00	12.00	13.00	
RSr.	(9) Sat/Sun/Hol	2003	9.00	9.50	10.50	10.50	
NR Sr.	(9) Sat/Sun/Hol	1998	14.50	12.00	12.00	13.00	
RY	(18) Sat/Sun/Hol	2003	13.00	14.00	16.00	16.00	
NR Y	(18) Sat/Sun/Hol	2003	20.00	21.00	22.00	23.00	
RA	(18) Sat/Sun/Hol	2003	13.00	14.00	16.00	16.00	
NRA	(18) Sat/Sun/Hol	2003	20.00	21.00	22.00	23.00	
RSr.	(18) Sat/Sun/Hol	2003	13.00	14.00	16.00	16.00	
NR Sr.	(18) Sat/Sun/Hol	2003	20.00	21.00	22.00	23.00	
User Fees	TYPE	Rate Last Raised	Raised From	Current Fees	Rec. Proposed	RAB Proposed	Tn. Bd. Approved

SEASON PASS							
RY	Season Pass	2003	225.00	250.00	275.00	275.00	
NR	Season Pass	2003	475.00	525.00	550.00	550.00	
RA	Season Pass	2003	300.00	325.00	350.00	350.00	
NRA	Season Pass	2003	475.00	525.00	550.00	550.00	
RSr.	Season Pass	2003	250.00	275.00	300.00	300.00	
NRSr.	Season Pass	2003	475.00	525.00	550.00	550.00	
FAMILY PASS							
RO	1 st Person	2003	275.00	300.00			
RO	2 nd Person	2003	225.00	250.00	600.00	600.00	
RO	3 rd Person	2003	185.00	210.00	235.00	235.00	
Program Fees	TYPE	Rate Last Raised	Raised From	Current Fees	Rec. Proposed	RAB Proposed	Tn. Bd. Approved
RY	Start Smart Golf	2005	30.00	35.00	45.00	45.00	
NR	Start Smart Golf	2005	40.00	45.00	55.00	55.00	
RY	Tee-Level (HAKOG)	2003	100.00	110.00	135.00	135.00	
NR	Tee-Level (HAKOG)	2003	125.00	135.00	160.00	160.00	
RY	Green Level (HAKOG)	2003	10.00	30.00	40.00	40.00	
NR	Green Level (HAKOG)	2003	10.00	40.00	50.00	50.00	
RY	Challenge Level League	2003	10.00	55.00	75.00	75.00	
NR	Challenge Level League	2003	10.00	75.00	95.00	95.00	
RY	Lessons/Summer	2005	30.00	35.00	45.00	45.00	
NR	Lessons/Summer	2005	40.00	45.00	55.00	55.00	
RA	Lessons/Spr.-Sum.	2004	30.00	35.00	45.00	45.00	
NRA	Lessons/Spr.-Sum.	2004	40.00	45.00	55.00	55.00	
	Adult Playing Lesson			10.00	20.00	20.00	

ST (Southtowns Residents)

User Fees	Type	Rec. Proposed	RAB Proposed	Tn. Board
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ST	9 mon - fri	11.00	12.00	
ST	18 mon- fri	21.00	22.00	
ST	9 sat/sun/hol.	11.00	12.00	
ST	18 sat/sun/hol.	21.00	22.00	
ST	Season Pass	450.00	450.00	

4.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

WHEREAS, the condition of the property and residence located at 1846 North Creek Road has been deemed by the Town Code Enforcement Official to be dangerous to both to the occupant as well to the public.

WHEREAS, it was the determination of the Town Code Enforcement Official based on his formal inspection and report to the Town Board did proceed to condemn the house and vacate the premises.

WHEREAS, the Town has received no response by the listed owner nor has any remedial work been undertaken to alleviate the known hazards. Currently the unsafe conditions which persist on the premises only have become more of endangerment to the public.

THEREFORE BE IT RESOLVED, that the Town Board based on the review of the report prepared by the Town Code Enforcement Official and the absence of response by the property owner, order the demolition of the house and complete removal of all unsafe debris and refuse left on the property.

NOW, BE IT FURTHER RESOLVED, the Town Board authorize the Town Code Enforcement Official to administer the demolition of said property including the necessary remedial work to render the property safe. The scope of work, contracts and associated costs

have been established as follows:

Demolition (Monckton Trucking & Excavating) -----	\$ 20,000.00
Environmental Assessment (as required) -----	\$.00*
Legal and Administrative costs (Town Building and Legal Departments) --	\$.00*
Contingency (Five percent of Hard Costs) -----	\$ <u>1,000.00</u>
Total Costs -----	\$ 21,000.00

*Represents additional costs to be included in the Town’s claim against the property owner for reimbursement.

BE IT FURTHER RESOLVED, the Town Board approve the transfer of funds from Account B599 to B3620.469 to finance this emergency work.

BE IT FURTHER RESOLVED, the Town Board authorize the Town Attorney to institute the appropriate actions against the property owner of 1846 North Creek Road for recovery of costs incurred by the Town in connection with these proceedings as provided by Local Law No. 5-1972.

5.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

RESOLVED, that the Town Board approve the Transfer of Appropriations for the Building and Grounds Department within the 2006 Budget as follows:

From: (#1) Personal Services	A7266.100	\$40,000.00
(#2) Heat, Light & Power	A7141.422	\$ 300.00
(#3) Social Security	A7266.830	\$ 3,060.00
 To: (#1) Personal Services	A7141.100	\$40,000.00
(#2) Telephone	A7141.421	\$ 300.00
(#3) Social Security	A7141.830	\$ 3,060.00

#1 & #2 - Wages were inappropriately taken from Lakeview Road Recreation Account instead of Ice Arena. #3 - Account insufficiently funded for 2006 Budget.

6.

On a motion of Councilman Cavalcoli, seconded by Councilwoman Hochul, the following

resolution was

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

RESOLVED, that the Town Board approve the transfer of Appropriations for the Building and Grounds Department within the 2006 Budget as follows:

From: Repair & Maintenance A7140.413 \$2,000.00

To: Repair & Maintenance A1640.413 \$2,000.00

Funds needed to pay invoices for tires for Senior Vans #118 & #123 and Building Inspection vehicle #29.

7.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

RESOLVED, that the Town Board approve the Transfer of Appropriations for the Building and Grounds within the 2006 Budget as follows:

From: Machinery & Equipment A7140.201 \$5,000.00

To: Gasoline & oil A1640.403 \$5,000.00

Funds needed to pay Fuel bills.

8.

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

resolution was

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

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

1. Grys, John	Laborer, Part-Time	11/19/2006	Terminate
2. Gerken, John	Laborer, Part-Time	11/19/2006	Terminate
3. Kales, George	Laborer, Part-Time	11/19/2006	Terminate
4. Zulawski, John	Laborer, Part-Time	11/19/2006	Terminate

9.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

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

1. McManus, Allison	Clerk, Part-Time Seasonal	09/08/2006	Terminate
2. McManus, Allison	Clerk, Part-Time Seasonal	12/08/2006	\$8.24

10.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

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

1. Cullen, Ruth	Part-Time Seasonal Clerk	12/17/2006	Terminate
2. Cullen, Ruth	Part-Time Clerk	12/18/2006	\$8.55

11.

On a motion of Councilwoman Hochul, seconded by Supervisor Walters, the following

resolution was

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

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

- | | | | |
|----------------------|----------------|------------|------------|
| 1. Omphalius, Ellen | B7310(320) | 11/30/2006 | Terminate |
| 2. Wilk, Peter | A7270(238) | 11/30/2006 | Terminate |
| 3. McDonnell, Mary | B7310(320) | 12/04/2006 | \$9.78 P/T |
| | Rec. Attendant | | |
| 4. McDonnell, Pamela | “ | ” | \$9.78 P/T |
| 5. Wozniak, Richard | B7310(320) | 11/30/2006 | Terminate |

12.

A proclamation commending Karen Sherwood for her 17 years of dedication and service to the Hamburg Libraries.

13.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Kesner
 Noes 0

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

VOUCHER #'S

OPERATING FUND:

BATCH #168	\$226,200.00	15500 - 15500
BATCH #168	\$481,690.80	15501 - 15061
BATCH #169	\$136,881.28	15562 - 15562
BATCH #170	\$ 45,595.77	15563 - 15621

TOTAL OPERATING FUND DISBURSEMENTS:

BATCH #57	\$738,844.10	990908 - 9919016
BATCH #58	\$ 11,622.04	990909 - 9919017

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 890,367.85

CAPITAL FUND DISBURSEMENTS:

BATCH #82	\$481,084.21	15499- 15499
BATCH #83	\$ 55,370.20	15614 - 15620

TOTAL CAPITAL FUND DISBURSEMENTS: \$ 536,454.41

PAYROLL:

PR #24	\$701,161.15
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TOTAL PAYROLL DISBURSEMENTS: \$ 701,161.15

PETTY CASH: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$1,878,449.55

14.

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

ADOPTED	Ayes 4	Walters, Cavalcoli, Hochul, Kesner
	Noes 0	

RESOLVED, that the Town Board move into Executive Session on Legal and Financial issues.

15.

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

ADOPTED	Ayes 4	Walters, Cavalcoli, Hochul, Kesner
	Noes 0	

RESOLVED, that the Town Board close Executive Session at 10:40 p.m.

Catherine Rybczynski, Town Clerk