

Supervisor Walters calls the meeting to order 6:00 pm

**TOWN BOARD MEMBERS**

**PRESENT:**

Steven J. Walters	Supervisor
Kevin S. Smardz	Councilman
Joseph A. Collins	Councilman
Jonathan G. Gorman	Councilman
Amy J. Ziegler	Councilwoman

**OTHERS PRESENTS:** Catherine A. Rybczynski, Town Clerk; Ken Farrell, Town Attorney; Mary Dosch, Sr. Account Clerk; Brian Doyle, Deputy Town Attorney; Gerard Kapsiak, Town Engineer; Christopher Hull, Director of Community Development; Stephen Mikac, Assistant Chief of Police

**1.**

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

<b>ADOPTED</b>	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

**RESOLVED,** that the Town Board approve the membership of the following into the Big Tree Volunteer Firemen's Company, Inc.:

Robert Riley  
5088 Thurston Ave.  
Blasdell, N.Y. 14219

**2.**

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED                   Ayes 5       Walters, Smardz, Collins, Gorman, Ziegler  
                                   Noes 0

**BE IT RESOLVED**, that the Town Board approve the out-of-town travel request of Gerard Kapsiak, Town Engineer, to attend the New York State Association of Towns Training School and Annual Meeting in New York City from February 20 to 23, 2011. As part of his attendance, Mr. Kapsiak will be attending sessions pertinent to the functions of Town Engineers, for which Continuing Education/Professional Development credit hours are given. The estimated costs are as follows:

Airfare	=	\$ 200
Hotel	=	470
Meals	=	120
Meeting Registration	=	100
Continuing Education Registration	=	150
Ground Transportation	=	<u>120</u>
Total	=	\$1,160

Funds have been included in the 2011 Budget under Account No.A1970.492, which are approved to be transferred for this purpose to Engineering Dept. Account No.A1440.492.

**3.**

On a motion of Councilman Collins, seconded by Councilman Gorman, the following resolution was

ADOPTED                   Ayes 5       Walters, Smardz, Collins, Gorman, Ziegler  
                                   Noes 0

**BE IT RESOLVED** that the Hamburg Town Board authorize the Department of Community Development to advertise “Request for Proposals and/or Request for Quotations” for completion of the following projects utilizing Community Development Block Grant (CDBG) and/or HOME Investment Partnership (HOME) program funds:

- 1) Comprehensive Housing & Financial Counseling Services: 4/1/2011 - 3/31/2013
- 2) Legal Services (Housing RLF Collections): 4/1/2011 - 3/31/2013
- 3) CAPER Services 2010 & 2011

The projects listed above are authorized under the Community Development Block Grant and/or the HOME Investment Partnership programs. Funding for publication of the notices is available within the CDBG and/or HOME Administrative Accounts.

**4.**

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

ADOPTED                   Ayes 5           Walters, Smardz, Collins, Gorman, Ziegler  
                                  Noes 0

**RESOLVED**, that the Town Board grant permission for Chief of Police Michael Williams to travel to the FBI Academy, in Quantico, Virginia, Thursday 12/09/10 and Friday, 12/10/10. No cost for trip, permission to use unmarked police vehicle for transportation and reimbursement for gas is requested.

**5.**

On a motion of Councilman Gorman, seconded by Councilman Smardz, the following resolution was

ADOPTED                   Ayes 5           Walters, Smardz, Collins, Gorman, Ziegler  
                                  Noes 0

**BE IT RESOLVED** that beginning January 1, fees for the Chapter 100 of the Town Code will be as follows:

Per Section 100-6, License fees shall be:

Spayed/neutered Dogs                   \$11.00 (\$10.00 town fee, \$1.00 state mandated fee)  
  
Unspayed/Unneutered Dogs           \$18.00 (\$15.00 town fee, \$3.00 state mandated fee);  
and

Per Section 100-13, Impoundment fees shall include:

Pursuant to Section 100-13 A. (1), (2), and (3) an additional charge of \$15.00 per day for the first, second, and third impoundments.

**6.**

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

ADOPTED                    Ayes 5            Walters, Smardz, Collins, Gorman, Ziegler  
                                       Noes 0

**RESOLVED**, that the Town Board approve the Transfer of Appropriations for the Town Board/Finance Department, within the 2010 Budget, as follows:

From: Central Training & Seminars                    A1970.492                    \$1,195.39

To:    Town Board – Seminars                    A1010.492                    \$1,195.39

Reimbursement for Councilwoman Ziegler for Association of Town's Meeting.

**7.**

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

ADOPTED                    Ayes 5            Walters, Smardz, Collins, Gorman, Ziegler  
                                       Noes 0

**RESOLVED**, that the Town Board approve the Transfer of Appropriations for the Building and Grounds Department, within the 2010 Budget, as follows:

From: Personal Services                    A7266.100                    \$40,000.00

To:    Personal Services                    A7141.100                    \$40,000.00

Account short.

The following spoke concerning resolution #7:

Councilman Collins, Supervisor Walters

**8.**

On a motion of Councilman Gorman, seconded by Councilman Collins, the following resolution was

ADOPTED                    Ayes 3            Walters, Collins, Gorman,  
                                       Noes 2            Smardz, Ziegler

**RESOLVED**, that the Town Board approve the hiring of personnel for the Justice Court as follows:

1. McCann, Erika    Clerk of the Justice Court    11/29/2010                    \$21.26

Supervisor Walters comments on resolution #8 saying that this could become a sticking point. Ms. McCann is replacing an employee who retired under Part A of the early retirement incentive that the Town offered. The Town is required to show a savings for 2 years following the retirement, which would be 2011 and 2012. The proposed rate is the same rate that Ms. Puleo was paid and at that rate they will not be realizing any savings. He has spoken to Judge Rooth about this and he asked if they would discuss it to try and figure out what to do with respect to her compensation. His one objection is that savings is required.

Councilman Collins states that other people are retiring and they could utilize that savings.

Supervisor Walters responds that they had seven people retire overall, two from Courts. One of those employees, a part-timer was requested which would get them 70% of the savings needed. They have not filled that position yet.

Councilwoman Ziegler comments that she shares those concerns and it was her understanding that they had agreed to a number when discussing budget issues.

Ken Farrell questions if there are any fluctuation in hours which would be expected to yield the savings.

Supervisor Walters comments that they have to show 50% savings of base salary. There will have to be a discussion concerning this and if the Town Attorney and Deputy Town attorney are comfortable that they can have that conversation down the road he is comfortable with getting someone in now for Judge Rooth, with that caveat.

Ken Farrell responds that they cannot guarantee a certain number of hours or a certain annual amount; if it is a temporary/provisional approach they would have time to address it.

## 9.

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

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

- |                    |                                      |            |                 |
|--------------------|--------------------------------------|------------|-----------------|
| 1. Trinchera, Joan | Rec. Attendant P/T (A6780)           | 12/06/2010 | Terminate       |
| 2. Wyler, Cheryl   | Seasonal P/T Clerk Typist<br>(A6772) | 12/20/2010 | Terminate       |
| 3. Wyler, Cheryl   | P/T Clerk Typist                     | 12/21/2010 | \$11.09 per hr. |

**10.**

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

ADOPTED                    Ayes 5            Walters, Smardz, Collins, Gorman, Ziegler  
                                       Noes 0

1. Jendrowski, Mindy	Police Matron P/T	12/01/10	\$12.00
2. Rzesiewicz, Barbara	Police Matron P/T	12/01/10	\$12.00
3. Kogut, Nicole	Police Matron P/T	12/01/10	\$12.00
4. West, Eunice	Police Matron P/T	12/01/10	\$12.00
5. Fest, Patricia	Police Matron P/T	12/01/10	\$12.00
6. McNight, Amy	Police Matron P/T	12/01/10	\$12.00
7. Kordasiewicz, Kathleen	Police Matron P/T	12/01/10	\$12.00
8. Formaniak, Beth	Police Matron P/T	12/01/10	\$12.00

**11.**

On a motion of Councilman Gorman, seconded by Councilman Collins, the following resolution was

ADOPTED                    Ayes 5            Walters, Smardz, Collins, Gorman, Ziegler  
                                       Noes 0

**RESOLVED**, that the Town Board approve the hiring of personnel for the Town Clerks Department as follows:

1. Coffey, Molly	Clerk P/T	12/08/2010	\$9.59
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**12.**

On a motion of Councilman Smardz, seconded by Councilwoman Ziegler, the following resolution was

ADOPTED                    Ayes 5            Walters, Smardz, Collins, Gorman, Ziegler  
                                       Noes 0

**BE IT RESOLVED** that the Town Board approve the hiring/termination of personnel for the Buildings and Grounds Department as follows:

1. Romanello, Marion	Laborer, Seasonal	Terminated 11-17-10
2. Romanello, Marion	Laborer, Part-time	Start 11/18/10    \$9.92/hr
3. Chmielowiec, Thomas	Laborer, Seasonal	Terminated 11/4/10
4. Chmielowiec, Thomas	Laborer, Part-time	Start 11/5/10     \$8.00/hr
5. Mazur, Walter	Laborer, Part-time	Terminated 11/6/10
6. Gerken, John	Laborer, Part-time	Terminated 11/20/10
7. Kales, George	Laborer, Part-time	Terminated 11/20/10
8. Gerken, Thomas	Laborer, Part-time	Terminated 11/24/10
9. Grys, John	Laborer, Part-time	Terminated 11/20/10
10. Connolly, Thomas	Laborer, Part-time	Terminated 11/24/10

**13.**

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

ADOPTED                    Ayes 5            Walters, Smardz, Collins, Gorman, Ziegler  
                                       Noes 0

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

1. Tenebruso, Robert	A7265(230) Rec. Attendant	12/07/2010	\$7.50 P/T
2. Nelson, Brett	A7310(320) Rec. Attendant	12/07/2010	\$8.22 P/T
3. Martin, Jeffrey	A7310(320) Rec. Attendant	12/07/2010	\$7.25 P/T
4. Zoda, John	A7180(215) Rec. Attendant	12/07/2010	\$9.76 P/T
5. Boswell, David	ER7251(225)	12/06/2010	Terminate
6. McGahey, Megan	“	“	Terminate
7. Omphallius, Ellen	“	“	Terminate
8. Picciano, Ronald	“	“	Terminate
9. Turner, Ronald	“	“	Terminate
10. Wozniak, Richard	“	“	Terminate
11. Clendening, Robert	“	“	Terminate
12. Ignatius, Christopher	A7310(320)	“	Terminate

**14.**

On a motion of Councilwoman Ziegler, seconded by Councilman Smardz, the following resolution was

ADOPTED                   Ayes 5           Walters, Smardz, Collins, Gorman, Ziegler  
                                   Noes 0

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

1. Cox, David	A7265(230)	12/06/2010	Terminate
2. McFeely, Maria	A7310(320)	12/06/2010	Terminate
3. Clendening, Robert	A6772	12/07/2010	\$10.84
	P/T Van Driver		
4. DeBaradinis, Trish	A6780	11/16/2010	Terminate
	Seasonal P/T Rec. Attd		
5. DeBaradinis, Trish	A6780	11/17/2010	\$8.50
	P/T Rec. Attd.		
6. Nowak, Kyle	A7310(320)	12/07/2010	\$7.40
	Lifeguard		

**15, 16 & 17**

On a motion of Supervisor Walters with a unanimous second, the following proclamations were

ADOPTED                   Ayes 5           Walters, Smardz, Collins, Gorman, Ziegler  
                                   Noes 0



# Town of Hamburg

## Office of Supervisor

### In Recognition of Mary Eisenhauer

- WHEREAS,** Upon the retirement from the position of Youth Director with the Town of Hamburg, and
- WHEREAS,** Mary Eisenhauer has served the Town of Hamburg for thirty-four years, and in these capacities demonstrated her dedication to excellence in this role, and
- WHEREAS,** Mary Eisenhauer made a difference in the lives of countless youth in the Town of Hamburg,
- WHEREAS,** Mary Eisenhauer truly believed in the youth of Hamburg, and
- WHEREAS,** The leadership, dedication and hard work that Mary Eisenhauer has exemplified has earned her the highest respect and admiration of her coworkers, and
- WHEREAS,** The Town of Hamburg has been fortunate for Mary Eisenhauer's outstanding dedication and service to the town.

**NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Hamburg commends and thanks Mary Eisenhauer for her dedication and service to the Town of Hamburg as Youth Director, and wishes her well as she enjoys her well deserved retirement and success in all her future endeavors.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 1<sup>st</sup> day of December 2010.

Steven J. Walters  
Supervisor  
Town of Hamburg

Joseph A. Collins, Councilman  
Jonathan G. Gorman, Councilman  
Kevin Smardz, Councilman  
Amy J. Ziegler, Councilwoman





# Town of Hamburg

## Office of Supervisor

### In Recognition of Carolyn Machelski

- WHEREAS,** Upon the retirement from the position of Clerk Typist for the Recreation Department of the Town of Hamburg, and
- WHEREAS,** Carolyn Machelski has served the Town of Hamburg community for twenty-six years, and in this capacity has had a record of quality and distinction, and
- WHEREAS,** The diligence, determination and dedication to duty that Carolyn Machelski has exhibited has earned her the highest respect and admiration of her co-workers, and
- WHEREAS,** The citizens of the Town of Hamburg have benefited from Carolyn Machelski's willingness to serve in a respectful, reliable and responsible manner, and
- WHEREAS,** Those who have come in contact with Carol Machelski have know her as a kind, caring and compassionate public servant.
- NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Hamburg commends and thanks Carolyn Machelski for her excellent service to the Town Hamburg with the Recreation Department and wishes her success and happiness in her well-deserved retirement.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 23<sup>rd</sup> day of November 2010.

\_\_\_\_\_  
Steven J. Walters  
Supervisor  
Town of Hamburg

Joseph A. Collins, Councilman  
Jonathan G. Gorman, Councilman  
Kevin Smardz, Councilman  
Amy J. Ziegler, Councilwoman





# Town of Hamburg

## Office of Supervisor

### In Recognition of Wally Bratek

**WHEREAS,** this day marks a milestone when Wally Bratek departs from his employment with the Town of Hamburg, and is entering into his retirement, and

**WHEREAS,** for more than twenty-four years, Wally has tirelessly served our Township to the demands as required of the profession, and

**WHEREAS,** through the conduct of his duties as a Code Enforcement Officer and over four decades of service to the Woodlawn Volunteer Fire Company, Wally was absolutely unbrokenly in his dedication to the cause of fire prevention and safeguarding buildings, and

**WHEREAS,** it should be fully recognized as the consequence of his devotion and commitment to the precepts of safeguarding our community from the hazards of fire and unsafe structures, an untold number of Town citizens have never been exposed to the potential hazards resulting from fire and unguarded circumstances.

**NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Hamburg extends the utmost gratitude to Wally Bratek for his loyalty to his work and years of public service commitment benefiting the Town of Hamburg as Code Enforcement Officer and former Woodlawn Fire Chief, and wishes him well as he embarks on his well-deserved retirement and success in all his future endeavors.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 18<sup>th</sup> day of November 2010.

A handwritten signature in black ink, appearing to read "Steven J. Walters", is written over a horizontal line.

Steven J. Walters  
Supervisor  
Town of Hamburg

Joseph A. Collins, Councilman  
Jonathan G. Gorman, Councilman  
Kevin Smardz, Councilman  
Amy J. Ziegler, Councilwoman



**18.**

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

ADOPTED	Ayes 3	Walters, Smardz, Ziegler
	Noes 1	Gorman
	Abstain 1	Collins

**WHEREAS**, in 2009 and 2010, Woodlawn State Park had operations reduced and the Town Board has learned that in 2011 Woodlawn State Park will be closed; and

**WHEREAS**, in March 2010, the Town of Hamburg reached out to the State in an effort to assist keeping the park open;

**WHEREAS**, since March 2010, the Town of Hamburg and the State of New York Office of Parks, Recreation and Historical Preservation has been negotiating an agreement for the Town to operate Woodlawn State Park; and

**WHEREAS**, the Town Board of the Town of Hamburg believes it is advantageous to the community that the Park remain open.

**NOW THEREFORE BE IT RESOLVED**, that the Town Board approves the Cooperative Operation and Maintenance Agreement between the State of New York Office of Parks, Recreation and Historical Preservation and the Town of Hamburg; and

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to sign the agreement and any other document to effectuate this agreement.

Councilman Gorman comments that he would like to table this resolution tonight and move it during a public meeting so that the public could comment on it. This could be done before the end of the year and there would still be time to sign the agreement and have the Town take it over by January 1<sup>st</sup>.

Supervisor Walters comments that generally speaking he would agree that resolutions with more substance should be saved for a Town Board meeting but with the timing of the year and the fact that a new administration is coming in on January 1<sup>st</sup> it is necessary to pass this tonight. The NYS Office of Parks has said they will be under the gun to get this done by Jan. 1<sup>st</sup> even with it being moved tonight. Their concern is that everything will be put on hold when the new administration comes, until appointments are made, until things are reviewed. They have a concern that if it is put on hold then nothing will be in place for a summer opening this year. The public could comment on this at the next meeting, the agreement does have options for the Town such as termination of the agreement and length of the agreement. If the State controls the Park it will not be open at all next year.

The Park does bring business into the Town and they have analyzed the numbers. It would be placed in an enterprise fund to protect the taxpayers and based upon the number it is a venture they can be successful in and he does not want to wait until the January 1<sup>st</sup> deadline and not having the beach open in 2011.

Councilman Gorman comments that his concern is that they will need to deal with the pollution issue and they don't know how much it will be open this summer and they are rushing into something and he would like to hear from the public how they feel. We have the Hamburg Town Beach for our residents. Another concern is they would not give up an asset that is making money.

Councilman Collins questions if the language of the agreement has been finalized.

Supervisor Walters comments that it has been.

Councilman Collins comments he would like to see it and questions if there is a projected cost.

Supervisor Walters responds that both Tom Best, Buildings and Grounds Department, and Marty Denecke, Recreation Department, have done a cost analysis as to what the cost would be for them to run the park and our costs were significantly lower than the States costs because of the difference in operating procedures. It would be in an enterprise fund, much like the golf course, the ledger has to balance between incoming revenues verses outgoing expenses. Therefore no tax dollars would be used to operate the facility. This has been reviewed by the accountant and Town Attorney and insurance advisors.

Councilman Collins requests a copy of the agreement for his review.

**19.**

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

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

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

TOWN BOARD DECEMBER 6, 2010  
AUDIT OF CASH DISBURSEMENTS

VOUCHER #'S

OPERATING FUND:

BATCH #118	\$39,162.62	44632-44675
BATCH #119	\$333,976.92	44677-44808
BATCH #120	\$4,121.45	44811
BATCH #121	\$58,744.83	44812-44892

TOTAL OPERATING FUND DISBURSEMENTS: \$436,005.82

TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS: \$0.00

CAPITAL FUND DISBURSEMENTS:

BATCH #41	\$472.00	44676
BATCH #42	\$87,995.00	44893-44898,

TOTAL CAPITAL FUND DISBURSEMENTS: \$88,467.00

PAYROLL:

PR # P/R 24 \$801,080.12

TOTAL PAYROLL DISBURSEMENTS: \$801,080.12

PETTY CASH	\$140.53	\$140.53
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TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$1,325,693.47

**20.**

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

ADOPTED	Ayes	5	Walters, Smardz, Collins, Gorman, Ziegler
	Noes	0	

**RESOLVED,** that the Town Board adjourn at 6:30 p.m.

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Catherine A. Rybczynski, Town Clerk