

Meeting No. 20  
December 8, 2003  
Hamburg Town Board Meeting  
S-6100 South Park Avenue  
Hamburg, New York 14075

Supervisor Hoak calls the meeting to order at 7:00 p.m.

Roll Call:	Patrick H. Hoak	Supervisor
	D. Mark Cavalcoli	Councilman
	Kathleen C. Hochul	Councilwoman
	Joan A. Kesner	Councilwoman
	Thomas Quatroche, Jr.	Councilman

Also Present:	Catherine Rybczynski	Town Clerk
	Gerard Kapsiak	Town Engineer
	James Spute	Finance Director
	Richard Boehm	Deputy Town Attorney
	James Connolly	Highway Superintendent
	Joseph Coggins	Police Chief
	Drew Reilly	Planning Consultant
	Robert Hutchison	Town Assessor
	Martin Denecke	Director of Recreation

The Pledge of Allegiance was recited

Information on Fire Exits was provided.

**I.**

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

November 24, 2003                      Town Board Meeting

December 1, 2003                      Work Session

Moved: Hochul                      Seconded: Quatroche  
Roll Call:    Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche  
              Noes: None  
              Carried

**II.**

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

1. Harris, Patricia	P/T Rec. Attendant, Nutrition	11/17/2003	\$6.80
2. Wiencek, Cathleen	P/T Rec. Attendant, Nutrition	09/08/2003	Resigned
3. Felice, Laureen	P/T Seasonal Rec. Attendant	11/30/2003	Terminate
4. Felice, Laureen	P/T Rec. Attendant	11/30/2003	\$8.46
5. Farrell, Joshua	P/T Seasonal Rec. Attendant	11/16/2003	Terminate
6. Farrell, Joshua	P/T Rec. Attendant	11/16/2003	\$6.65
7. Palmieri, Katy	P/T Seasonal Rec. Attendant	11/02/2003	Terminate
8. Palmieri, Katy	P/T Rec. Attendant	11/02/2003	\$7.25

Moved: Cavalcoli                      Seconded: Kesner  
Roll Call:    Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche  
              Noes: None  
              Carried

**III.**

**RESOLVED**, that proposed Local Law #6 of 2003, concerning the rezoning of the + or - ½ acre of property, owned by Harry and Esther Hiller on North Creek Road from C-2 (General Commercial) to N-C (Neighborhood Commercial) be removed from the table.

Moved: Cavalcoli

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

**IV.**

**WHEREAS**, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (SEQR) of the Environmental Conservation Law, the Hamburg Town Board has reviewed the rezoning application of Harry and Esther Hiller for property located on North Creek Road, and

**WHEREAS**, this rezoning will not adversely affect the natural resources of the State and/or health, safety and welfare of the public, and is consistent with social and economic considerations.

**NOW THEREFORE BE IT RESOLVED**, that the Town of Hamburg has determined that the proposed rezoning and subsequent development of a single family home are not anticipated to result in any significant effect on the environment, and that a Negative Declaration is hereby issued, based on the following reasons:

1. The project is a down zoning and will allow the construction of one single family home.
2. The zoning amendment is in accordance with the Town's Comprehensive Plan, and will not result in any adverse impacts to the environment.

**BE IT FURTHER RESOLVED**, that the Supervisor be authorized to sign the Environmental Assessment Form.

Moved: Cavalcoli

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

**V.**

**WHEREAS**, the Town of Hamburg has received a rezoning petition from Harry and Esther Hiller for the rezoning of + or - ½ acres of property located on North Creek Road, from C-2 (General Commercial) to N-C (Neighborhood Commercial), and

**WHEREAS**, the Planning Board has reviewed the proposal and recommended its approval to the Town Board, and

**WHEREAS**, the Town Board has held the appropriate Public Hearing and has determined that the project will not have a significant affect on the environment and issued a Negative Declaration under SEQR, and

**WHEREAS**, the Town wishes to approve the rezoning for the following reasons:

1. The rezoning is in accordance with the Comprehensive Plan which does not encourage rezoning to commercial but encourages the saving of existing commercial/zoning (hence the N-C Zoning category).
2. The project will result in only one single family home being built which will not adversely effect the existing residential nature of the area.

**NOW THEREFORE BE IT RESOLVED**, that the zoning code of the Town of Hamburg be amended as follows:

To amend Local Law #10 of the year 1986 and subsequent revisions (Chapter 280) of the



**VII.**

**RESOLVED**, that the Town Board approve the following 2004 Proposed Fitness Center Rates as recommended by the Recreation Advisory Board:

**Facility: TOWN OF HAMBURG FITNESS CENTER**

User Fees	TYPE	Rate Last Changed	Raised From	Current Fees	Rec. Proposed	RAB Proposed	Tn. Bd. Approved
RO	College Student Monthly	1998	11.00	15.00	20.00	20.00	
RO	College Student Quarterly	2003	40.00	45.00	45.00	45.00	
RO	College Student Yearly	2003	100.00	110.00	110.00	110.00	
RO	Adult Quarterly	2003	60.00	65.00	65.00	65.00	
RO	Adult Yearly	2003	150.00	160.00	160.00	160.00	
RO	Adult Per Couple Qtly.	2003	90.00	100.00	100.00	100.00	
RO	Adult Per Couple Yrly.	2003	250.00	275.00	275.00	275.00	
RO	Seniors Quarterly	2003	45.00	50.00	50.00	50.00	
RO	Seniors Yearly	2003	100.00	110.00	110.00	110.00	
RO	Seniors Per Couple Qtly.	2003	60.00	70.00	70.00	70.00	
RO	Seniors Per Couple Yrly.	2003	150.00	175.00	175.00	175.00	
RO	Aerobics Monthly	1995	12.00	15.00	15.00	15.00	
RO	Aerobics Yearly	2003	100.00	120.00	120.00	120.00	
RO	Beach Stickers	2003	5.00	10.00	10.00	10.00	
RO	Boat Launch Stickers	2003	30.00	40.00	40.00	40.00	
RO	Boat Launch Seniors			13.00	15.00	15.00	
RO	Boat Launch 2 <sup>nd</sup> Permit			7.00	10.00	10.00	

**Comments:**

Moved: Quatroche

Seconded: Cavalcoli

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried



## **XII.**

**WHEREAS**, the Town of Hamburg received a rezoning application from Benderson Development Co., Inc. For a 61,000 square foot grocery store on Milestrip Road across from the NYS Thruway interchange #56, and

**WHEREAS**, the Town of Hamburg issued a Positive Declaration in accordance with the State Environmental Quality Review Act (SEQRA), thereby requiring the preparation of an Environmental Impact Statement (EIS), and

**WHEREAS**, the applicant has submitted the Draft Environmental Impact Statement (DEIS), and

**WHEREAS**, in accordance with Section 617.9 of SEQR, the Town of Hamburg has reviewed this DEIS and determined that the document is complete and is adequate for public review (completeness does not mean that the document is "perfect", and does not mean that the Lead Agency agrees with the conclusions of the DEIS), and

**WHEREAS**, the project has had a great deal of public interest and significant adverse environmental impacts have been identified.

**NOW THEREFORE BE IT RESOLVED**, that the Hamburg Town Board, acting as SEQR Lead Agency hereby accepts the DEIS titled "Proposed Retail Milestrip Road at I-90, dated August 8, 2003" as complete, and

**BE IT FURTHER RESOLVED**, that a combined public hearing on the DEIS and the rezoning petition be held on January 26, 2004 at 7:00 p.m., in accordance with SEQR regulations and Hamburg Town Law, and

**BE IT FINALLY RESOLVED**, that the Planning Department be authorized to facilitate the filing, publication and distribution requirements for this process.

Moved: Cavalcoli

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

Councilman Cavalcoli comments that Mr. Reilly will comment on this. Please understand, this is only accepting the written draft document that they can begin to review for its accuracy and how it mitigates and meets the needs that were specified. The Town sat down and had a scoping session with the applicants and with other agencies and determined what they thought to be important to be included in the document. There was public input at this session and therefore they feel that the applicant, Benderson Corp., has at least met the intent of that scoping session and have addressed the issues. How accurately or thoroughly they have addressed them is yet to be determined. He then asks Mr. Reilly to give an explanation.

Mr. Reilly explains that this is a procedural step and does not commit the Town to any action. They told the applicant that this could have a potentially major environmental impact on the Town. They have spent the last six month plus studying everything they asked them to study. What we do now is check to see if they studied everything they asked them to. The SEQR law states that this is for public review. DEIS is done by the applicant and obviously the applicant is going to say that their project is good. The law is written in such a way that gives them the chance to present their case. The next step is the FEIS, final environmental impact statement, which must represent the opinions of the Town. It also answers any questions received, so it is no longer in the court of the applicant to say whether there is a problem, it is up to the Town. They will now leave this open for 45 days for comment. Then they will proceed to the next step.

Councilman Cavalcoli comments that they set a date of January 26<sup>th</sup> for the public hearing. He asks Mr. Reilly to explain what will happen at that public hearing.

Mr. Reilly comments that anyone interested should review the executive summary in the DEIS before the meeting. Then any questions can be brought up at the public hearing to be addressed. If you cannot make the public hearing, they will also keep this open for public comment until February 13<sup>th</sup>. Then, after this, if they move forward they will still have to go through the rezoning process and Site Plan approval.

Councilman Cavalcoli comments that three copies will be available for public review at the

Blasdell Library, the Town Clerk's Office and the Planning Department. We are also sending them to the Planning Board, Conservation Advisory Board, Traffic Safety Board, Big Tree Fire Company, Village of Blasdell, Erie County Department of Environmental Planning, Erie County Health Department, New York State Thruway Authority and the NYSDEC. This has been on the table for over three years and will not be finished in a couple of months.

Bob Reynolds, 4301 Rushford Dr., comments that Drew talked about the summary, could those 20 pages be put on the website. Mr. Reilly comments that they will ask the applicant to e-mail those pages to be placed on the website. Bob then asks if any of this has been before the Planning Board. Mr. Reilly responds that originally the Planning Board agreed to entertain this, however they also agreed that this would have a major environmental impact and they needed to do an environmental impact statement. The Planning Board will now get involved in helping them review this. Bob questions if they need to rezone for this project. Councilman Cavalcoli responds that this requires a rezoning. This document only allows them to get to the point of having the rezoning considered. Then once this is accepted they need to go to public hearing. Mr. Reilly comments that the meeting in January will be a public hearing that combines the rezoning and SEQR. But, at the end of the SEQR project, they have to issue findings. If they find against the project, the project is over. If they find in favor of the project the Town must craft the resolution for approval.

Councilwoman Kesner questions if the residents in this surrounding area will be notified. Mr. Reilly comments that the 500 foot criteria is in place. So everyone within that criteria will be notified. There is an extra copy of this, so if the residents need another copy, it is available. Councilman Cavalcoli comments if that were to take place, it should be officially signed out, and designated as to where it is.



**XV.**

**WHEREAS**, in compliance with Part 617 of the implementing regulations pertaining to Article 8 (SEQR) of the Environmental Conservation Law, the Hamburg Town Board has reviewed the rezoning of 5560 Deacon Street, and

**WHEREAS**, the Town of Hamburg has found no apparent significant environmental concerns that could not be mitigated by the changes agreed to during the project review, and

**WHEREAS**, this rezoning will not adversely affect the natural resources of the State and/or health, safety and welfare of the public, and is consistent with social and economic consideration.

**THEREFORE BE IT RESOLVED**, that the Town of Hamburg has determined that the proposed rezoning and subsequent development of the site to a parking lot are not anticipated to result in any significant effect on the environment, and that a Negative Declaration is hereby issued, based on the following reasons:

1. The project will be in accordance with the Town's Comprehensive Plan.
2. Improvements on the site, and drainage design meeting local and State regulations will improve water quality and quantity (runoff) issues in the area.
3. Proper buffers, fencing and landscaping will help to reduce impacts to the adjoining residential properties.
4. The changes at the existing Pizza Hut site and at the rear property should help to reduce health and safety issues.
5. The parking problem in the area will be mitigated, and traffic issues on Deacon Street have been mitigated to the maximum extent practicable.
6. The project will not impact public water or sewer systems or air quality, plants and animals, agricultural resources, open space and recreational resources, or any historic or Archaeological resources.
7. Other design modifications will help to reduce the impacts from noise and odors, and will reduce the impacts to the character of the neighborhood.

**BE IT FURTHER RESOLVED**, that the Supervisor be authorized to sign the Environmental Assessment Form.

Moved: Cavalcoli

Seconded: Hochul

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

Councilman Cavalcoli comments that the following resolution approves the rezoning. Within this resolution there are certain conditions. These conditions have come about because of the public hearing and discussions with the residents in the area .

**XVI.**

**WHEREAS**, the Town of Hamburg has received a rezoning petition from David and Deborah Fite for the rezoning of their property at 5560 Deacon Street, from R-2 to C-2 to allow for the construction of a parking lot for the adjacent Pizza Hut, and

**WHEREAS**, the Planning Board has reviewed the proposal and recommended its approval to the Town Board, and

**WHEREAS**, the Town Board has held the appropriate Public Hearing, and thru work with the concerned residents and changes to the plan, has determined that the project will not have a significant effect on the environment and issued a Negative Declaration under SEQR, and

**WHEREAS**, the Town wishes to approve the proposed rezoning for the following reasons and with the following conditions:

Supporting Reasons:

1. The proposed rezoning with the site plan conditions will be in accordance with the Town's Comprehensive Plan which states that rezonings along the commercial Camp Road corridor can take place with proper buffering to adjoining residential properties.
2. The rezoning will help to improve some conditions in the area, and the projects impacts have been reduced by site plan conditions (see following conditions:

Conditions on the Rezoning

1. The final site plan to be considered by the Planning Board will include the following:
  - A note requiring the maintenance/protection of the existing trees in the area along the property line.
  - A six foot fence will be added along the new parking lot and will extend approximately 30 feet beyond the end of the parking lot away from the road, and wrap around the front of the lot by the street.
  - A landscape area (planting plan to be approved by the Planning Board) will be added at the front corner of the parking lot.
  - The dumpster will be constructed meeting all new Town standards (enclosure on concrete pad
  - The site plan will show a reduced center aisle in the new parking lot, thus increasing the buffer area to greater than 29 feet.
  - All lighting will be shielded and pointed away from the residential structure.
2. The Town will decide on the best flow of traffic through the site.
3. The TSAB will make determinations on signage in the area (dead-end, no parking)
4. The Town Engineer will work with the applicants to ensure a proper drainage design that addresses local problems.
5. No further rezonings will occur any further along this side of the road.
6. The Town and Pizza Hut will begin conversations with the Subway Restaurant for joint usage of the parking lot.

**NOW THEREFORE BE IT RESOLVED**, that the Zoning code of the Town of Hamburg be amended as follows:

To amend Local Law #10 of the year 1986 and subsequent revisions (Chapter 280) of the code of the Town of Hamburg entitled "Zoning" to provide for a change in the boundaries of the Zoning map whereby the zoning is changed from R-2 to C-2 for the property located at 5560 Deacon Street 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 12, T-9, R-8 of the Holland Land Company's Survey and according to a map filed in the Erie County Clerk's office under Cover 1319 known as Subdivision lots 10 and 11, situate on the west side of Deacon Street. Liber 8517, Page 359.

Moved: Cavalcoli

Seconded: Quatroche

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

Councilman Cavalcoli comments that he wants to commend the Planning Board and Mr. Reilly for all the time spent with the applicants and also Pizza Hut for being extremely cooperative not only with the Town Staff and the Board members but also with the residents in bringing about the conditions. They sat through the public hearing a month ago and heard the concerns of the residents, heard the traffic and safety concerns and the concerns of Pizza Hut. He commends all of them for the cooperative effort in bringing about this change. It keeps business in Hamburg and it serves the needs of our people.

Councilwoman Kesner questions Mr. Reilly on a number of concerns from the residents in reference to the lights shining on their property. Will the fence block any of the lights that would be shining on the house across the street. Mr. Reilly comments that they worked out the lighting design so that it will all point away from the structures and the fencing wraps around the front.

Councilwoman Hochul questions the condition of no further rezonings along this side of the road, does this bind future Town Boards. Mr. Reilly responds, you cannot bind future Town Boards, however, they are giving an indication that in their study they saw that it does not make sense to go back any further. They have set some precedence for future help.

Beverly Cardarelli, 5551 Deacon Street, comments that she represents the residents tonight and they have also found that it has been a good working relationship with Pizza Hut. She comments on the six foot fence that is going 30 feet beyond the end of the parking lot. They had originally asked that it extend all the way to the end of the property and that a fence go across the back of the property to connect to the residence next door so that no one could cut through the alleyway.

Mr. Reilly comments that in talking to the Planning Board, if they went back 30 feet, they wouldn't allow anyone to walk around, and to have them go all the way to the back of the property, their opinion, it wouldn't look good. Councilwoman Kesner questions how much further back. Mr. Reilly responds another 30 feet. Councilman Cavalcoli questions Pizza Hut if this would be an issue.

Walt Ruda, Pizza Hut, responds that at night this would give someone a place to hide, however, they wouldn't be opposed to doing it if that's what the Town wants them to do.

Councilman Cavalcoli comments that rather than changing the resolution, he would like the Pizza Hut people to work with the Planning Board and try and resolve that. He would like the people to look at the safety issue. 30 feet of fencing should not be a make or break issue, but he wants it to be the best possible thing for the people in the area, both sides.

Councilwoman Kesner questions if maybe they could put a chain link fence for the extension of the fence to solve the safety issue.

Bev Cardarelli, questions if they will have any input on the traffic safety issues. Councilman Cavalcoli responds that the Traffic Safety Board has public meetings and they give input to the Planning Board, so that is an issue that can be worked on with that group.

Bev Cardarelli comments that they may be looking at the same across the street with Arby's. Councilman Cavalcoli comments that it would be a separate issue.

Mr. Reilly comments that the Planning Board will meet to discuss this in January and they meet the first and third Wednesday of the month.

Supervisor Hoak comments that the Traffic Safety Advisory Board meets the first Thursday of the month.





**XXIII.**

**WHEREAS**, Kandey Company, Inc. is currently under contract to the Town of Hamburg for the construction of the Highland Acres Sanitary Sewer Extension Project; and

**WHEREAS**, due to additional time needed for the installation of the electrical service by New York State Electric and Gas, as well as the completion of the pump station and sewer system, Kandey Company has requested a 30 day extension of time for Substantial Completion of the contract until January 26, 2004. In addition, in order to allow sufficient time for completing all necessary property restoration, Kandey Company has requested that the date for overall Final Completion of the contract be extended until June 1, 2004. There will not be any change in the contract amount associated with these time extensions; and

**WHEREAS**, Malcolm Pirnie, Inc. and the Town Engineer have reviewed this time extension request, determined it to be reasonable and acceptable, and recommended that it be approved by the Town Board,

**THEREFORE BE IT RESOLVED**, that the Supervisor is authorized to sign Change Order No. G-3 for this project, approving the time extensions for the contract of Kandey Company, Inc.

Moved: Cavalcoli

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

XXIV.

At a meeting of the Town Board  
of the Town of Hamburg, held at  
the Town Hall, S-6100 South  
Park Avenue, Hamburg, New York  
on the 8th day of December, 2003.

PRESENT: PATRICK H. HOAK,	Supervisor
D. MARK CAVALCOLI,	Councilmember
KATHLEEN COURTNEY HOCHUL,	Councilmember
JOAN A. KESNER,	Councilmember
THOMAS J. QUATROCHE, JR.,	Councilmember

ABSENT:

On a motion of Supervisor Hoak, seconded by Councilman Cavalcoli  
the following resolution was proposed:

WHEREAS, JAMES F. CONNOLLY, Superintendent of Highways,  
states that all those parts of 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 34, Township  
10, Range 7 of the Holland Land Company's Survey, and being more particularly  
bounded and described as follows:

BEGINNING at the northwest corner of Sublot No. 111, Map Cover 1442, as  
filed in the Erie County Clerk's Office, the said point also being on the south line of  
Milestrip Road; thence southerly along the west line of Sublot No. 111, a distance of  
295 feet more or less to the north line of Milestrip Expressway (Route 179); thence  
westerly along the north line of Milestrip Expressway, a distance of 50 feet to the  
east line of Sublot No. 112; thence northerly along the east line of Sublot No. 112, a  
distance of 295 feet more or less to the south line of Milestrip Road; thence easterly  
along the south line of Milestrip Road, a distance of 50 feet to the point or place of  
beginning.

The above is intended to describe the northerly portion of Horton Avenue, a  
fifty (50) feet wide right-of-way, as shown on Map Cover 1442, filed in the Erie  
County Clerk's Office.

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 the certification be subscribed by all members of the Town Board of the Town of Hamburg.

ROLL CALL

VOTING

Supervisor Hoak	Aye
Councilmember Cavalcoli	Aye
Councilmember Hochul	Aye
Councilmember Kesner	Aye
Councilmember Quatroche	Aye

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 8th day of December 2003; 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 8th day of December, 2003.

CATHERINE RYBCZYNSKI  
Town Clerk  
Town of Hamburg



Letter 152 - Councilman Cavalcoli comments that this is from Richard Crandall of the Town Planning Board. Commenting that it is with great reluctance that he reads the letter. During his twenty years with the Town he has worked with Mr. Crandall as liaison to the Planning Board. We could not have a finer person to represent the Town to review projects, to be fair and impartial, knowledgeable, to research and spend hours and hours of time at extremely low pay. He put in many hours at Planning Board meetings that were at least twice a month which sometimes ran from 7:30 pm to 12:30 am. This Board knows and can commend Mr. Crandall for all he has done for the Town. There will be an event sponsored in his behalf to celebrate with him. He doesn't feel there is anyone who could provide the expertise he has provided to the Town. We may have lost him as Chairman to the Planning Board but he will still assist them on special projects. He chose to do it this way and asked Councilman Cavalcoli not to make a big public display. It is with a heavy heart that he accepts his resignation.

Councilwoman Hochul comments that she spoke to him and he assured her he would not abandon her with the Wanakah Water Works project. He has been the driving force behind that. This was a shared vision and Mr. Crandall who lives in the Lakeshore area drove by that building and thought they could do so much more with it. He has pledged his continued support. Every other month they talk about the Character Traits and Mr. Crandall really embodies all of them. He is truly a man of character who has been a role model for her, an advisor and a trusted friend. It has been a joy serving with him.

Councilwoman Kesner wants to join her colleagues in saying it is a sad day for the Town of Hamburg, she values his input on bike paths and on all the projects, he is true professional.

Councilman Quatroche comments he was definitely one to roll up his sleeves as Chairman of the Planning Board. There was not a project that he didn't personally visit himself. He was one of those people who always listened and then talked. He is a very thoughtful and intelligent contributor to the Planning Department.

Supervisor Hoak comments that if you go under Webster's and look under good public servant, if you don't find Dick Crandall you have the wrong book. This man has dedicated so much time, his honesty, integrity and commitment to this Town is second to none.

Mr. Boehm comments that success is those who provide support and encouragement and he was the one who supplied them with the support, especially on the Code Review Committee. He was a great man to work with and he will be sorely and personally missed by himself.

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

Councilman Kesner comments that this is the last public meeting before the Holidays and she wishes everyone a Happy Holiday.

Councilwoman Hochul comments that she hopes everyone noted the expanded holiday decorations. Last year they kicked off the Light Up the Town Committee spearheaded by Karen Rogers and the Town Rejuvenation Project and they spent the entire year trying to raise funds to expand the decorations. The Town Board has been of assistance and they held a fundraiser a couple of weeks ago which was successful. Their objective is to take the beautiful snowflake lights to every part of the Town where there are Town facilities such as the Nike Site, Highway Department, Golf Course and Town Beach. They are hoping that eventually Businesses will want to tie into this and will sponsor snowflakes throughout the Town and tie this all together. It is an ambitious undertaking and something they are all very proud of. On Wednesday she will be attending a luncheon at Hopevale sponsored by the Erie County Commission of the Status of Women and Hopevale will be receiving an award for utilizing the talent bank. The Commission has put together a bank of women candidates to serve on Boards of Directors and Hopevale has utilized that in a very positive way. They are being recognized for that. That same morning she will be attending a meeting with the Thruway Authority. She has not received the toll study they said would be in her hands in mid November. She and Dave Swarts will be going to that meeting and asking where it is.

Councilman Quatroche wants to remind everyone that they can get gift certificates for the golf course at the Recreation Department. He wants to remind everyone that they are ahead as far as revenues from the Recreation Department and will exceed their goal. He also wishes everyone a happy holiday.

Supervisor Hoak also wishes everyone a happy, safe holiday season.

Mr. Spute comments that they just found out the Town is maintaining it's A-1 rating.

Catherine Rybczynski, Town Clerk, wishes everyone happy holidays.

**Business From the Floor**

Bob Reynolds, Vice President Local 897, 36663 Lakeshore Road, he got a report on vandalism on their building. They tried to power wash the building but they were unable to get it all off. They need warmer weather to paint over it. He is asking that the Town take an active role in supporting getting the license renewed with the New York Power Authority for Hydro-Power for manufacturing in the area.

Dan McGiveron, 3580 Old Lakeview Road, questions if anything is being done about the empty buildings where K-Mart was. Supervisor Hoak comments that they are striving through economic development to fill up those stores. They have met with some big retailers already, but they have not completed a deal or package yet. They do not like to see empty buildings.

**XXVI.**

**RESOLVED**, that the Town Board adjourn to Executive Session at 8:20 p.m.

Moved: Hoak

Seconded: Kesner

Roll Call: Ayes: Hoak, Cavalcoli, Hochul, Kesner, Quatroche

Noes: None

Carried

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Catherine Rybczynski, Town Clerk

## **Correspondence - December 8, 2003**

151 - To Supervisor Hoak from the Town Clerk's Office, the Monthly Report for November 2003 with receipts totaling \$37,310.68

152 - To the Town Board from Richard Crandall, Chairman, Planning Board, tendering his resignation effective the end of this year. Stating that his 17 years as chairman have been a very rewarding experience thanking the Board for the opportunity to serve and thanking them and his colleagues on the Planning Board for all their support. Also extending his gratitude Terry Dubey

153 - To Jack Rahill, D.A.R.E. Coordinator, from Phyllis Dewey, Hilbert College, thanking them for their support during the nationwide/collegewide Alcohol Awareness Week Activities.

154 - To Catherine Rybczynski, Town Clerk, from Adelpia stating that they assess rates to make certain they accurately reflect the cost of doing business and accordingly provide a chart that explains new rates effective January 2004.

155 - To Supervisor Hoak from Paul Gaughn, Deputy Mayor and Mary Ellen Glass, Imagine Hamburg, thanking him for allowing them to place pictures in Town Hall.

156 - To Catherine Rybczynski, Town Clerk, from Matthew Baudo, Erie County Water Authority, enclosing an Extract of Minutes from their meeting amending their Tariff effective January 1, 2004 with amendments at Schedule "A".

157 - To the Town Board from Douglas & Joyce Salvo, 4900 Lakeshore Road, concerning a long standing storm sewage drainage problem which has directly affected the community and himself. Asking for the Town's assistance in addressing this. Also thanking Councilwoman Kesner for her support and persistence in this matter.