

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-6100 South Park Avenue, Hamburg, New York on the 14th day of December 2009.

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
Joan A. Kesner	Councilwoman
Thomas Quatroche, Jr.	Councilman
Kevin Smardz	Councilman

OTHERS PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Thomas Best, Highway Superintendent; Gerard Kapsiak, Town Engineer; Robert Hutchison, Town Assessor; Kenneth Farrell, Town Attorney; Carmen Kesner, Police Chief; Drew Reilly, Planning Consultant; Martin Denecke, Director of Recreation; Kurt Allen, Supervising Code Enforcement Officer; Tom Taylor, Senior Public Safety Dispatcher; Brian Doyle, Deputy Town Attorney

Pledge of Allegiance was recited.

Information on Fire Exits was provided.

Supervisor Walters introduces County Clerk Kathy Hochul.

Kathy comments that it is a pleasure to return to Town Hall bringing back memories of the many nights she spent at Town Board meetings. Tonight represents the end of an era she and Councilman Quatroche were elected at the same time and Councilwoman Kesner joined them two years later. She presents proclamations to Councilwoman Kesner and Councilman Quatroche stating the Town of Hamburg is a far better place because of their service to the Town. They represent everything that is good and right about public service.

Councilman Quatroche publicly thanks his family for being understanding about the many nights away from home.

Supervisor Walters introduces Marty Denecke, Director of Recreation.

Mr. Denecke introduces the Trustees of the Don Thiry Foundation who will present a check to the Town of Hamburg for \$7,500. This generous donation will be used to support our special needs programs. Don suffered from NF but bravely made a positive impact on all he came in contact with. His life was sports and he found ways to get involved. He touched many lives and they were so proud to have him on their team. His family raised money in honor of his memory and the Trustees of the program adopted our programs for the disabled as beneficiaries of these efforts. His spirit lives on in our community and they are grateful to the Trustees and for their generous support of the special needs programs.

Supervisor Walters introduces the Mayor of the Village of Hamburg Tom Moses.

Mayor Moses introduces the new Village Board Trustee Mark Colmerauer.

7:00 p.m. Public Hearing

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

LEGAL NOTICE

TOWN OF HAMBURG

NOTICE OF HEARING PROPOSED LOCAL LAW #9, 2009

PLEASE TAKE NOTICE that there has been presented to the Town Board on November 16, 2009 pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #9, 2009; 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 on the north side of Wayside Drive between Roberts Road and Amsdell Road. The property is to be rezoned from R-1 (Single Family Residence District) to R-3 (Multi-Family Residential District). The property can be identified as S.B.L. Number 169.19-14-3.2.

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 December 14, 2009 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: November 16, 2009

Catherine Rybczynski
Town Clerk
Town of Hamburg

Catherine Rybczynski, Town Clerk, announces that she was handed 15 letters of correspondence, concerning EduKids, just before the meeting.

Drew Reilly, Planning Consultants, presents an overview of the property and explains the surrounding zoning. EduKids came before the Planning Board with the idea of expanding or building a new building at that location. They had to inform them that under the present zoning, R-1, day cares are not allowed and they were a non-conforming use. They have the right to continue the use and can expand the use up to 25% but if the building is taken down they lose the non-conforming use status. They were given three options, get a use variance from the Zoning Board of Appeals, they could rezone the property to commercial or rezone the property to R-3. R-3 would allow day cares by special use permit. If the property is to be rezoned it has to go before the Town Board and the Planning Board. The Town Board can restrict uses within a

rezoning. The Planning Board can put special use restrictions on the property. There will be no action tonight they are only looking for input.

Supervisor Walters introduces the owner of EduKids.

Nancy Ware, owner, comments that they have been at this location for 19 years. They have had to make numerous repairs to the building; it has foundation and various structural issues. They have a contract with Frontier Central and have 40 preschoolers, 20 in the morning and 20 in the afternoon five days a week. All that they are asking for is a building that doesn't leak and is safe. They have no problem with the property being rezoned with restrictions that it could only be used for the day care. She has eleven other locations that are in neighborhoods throughout the County and they are part of the neighborhood and want to remain part of this one.

Joseph Dispenza states that he is opposed because the plans for the building look very commercial and it is a residential area. He is also opposed to the traffic it is generating.

Ron Biersbach is opposed to the rezoning because once the zoning is changed there will be no control over what will happen in the future with that building. There is also a discrepancy in the number of children enrolled. He is also concerned about the traffic. He presented photos of other locations and none are located in a residential neighborhood.

Melinda Biersbach comments that she recently learned that EduKids is in negotiations with Wayside Church to begin an infant room January 1st. Those numbers were not included or discussed. She is upset that the truth is not being presented.

Fred Platek is opposed to the rezoning because, even with restrictions, a future Board could change that. The plans are for a much larger building than what is there now and therefore the enrollment would have to go up. He is concerned about the traffic that it would bring to the neighborhood. The new building would not fit into the character of the neighborhood. There is a question how much longer EduKids will be there and what will happen to the building after they no longer have use for it.

Gene Romanyshyn comments he is opposed for the reasons that the previous residents stated and also because the surrounding water and sewer lines are old and he is concerned with the extra use.

David Peters is opposed and states that they should just fix the building and not rezone the property. He is also concerned with the traffic.

Michael O'Brien comments that he agrees with the previous comments and states that there is a daycare center at the Church as well and he is concerned about the traffic and safety issues; specifically emergency vehicles entering and exiting Roberts Road.

Kate Dust, Education Director for EduKids and partner, comments that no one is there after 6:00 pm and they are gone Saturday and Sunday and neighborhood children are in school when they are open. Therefore it should not interfere with after school recreational activities of the neighboring children. They have a highly regarded program and are nationally accredited. They have been very involved in the community as well. All they want to do is provide a better place for the children.

Mary Lou Kreinick comments that her understanding is that EduKids has outgrown their space not only in the building but in the playground and surrounding area.

Debbie Host, doesn't live in the neighborhood, but comments that neighboring children get out of school before 6:00 and during that time there is a lot of traffic and if the building expands it will only create more traffic.

Megan Comerford, resident, comments that she is in support of EduKids. They are just trying to make the building safe for the children. It is difficult to find quality day care and they are wonderful, compassionate caregivers. With the addition of the infant room, they are allowing family members to stay together in one facility.

Eric Privateer comments that they are not questioning the quality of EduKids they are questioning what will happen to the neighborhood. There are no sidewalks which leads children to play in the streets and the traffic creates a problem with that. He is opposed to the rezoning.

Josilyn Ferguson comments that she is not from the neighborhood but familiar with it. The traffic cannot all be attributed to the day care center and the safest place for children to play is in a driveway, not the street.

Joe Dispenza presents petitions from residents who could not attend the meeting. He also comments his oldest son attended EduKids and it is not a question of the program, it was great, it is the impact of R-3 on the neighborhood that he is concerned with.

Pat Daly comments that she is opposed because of how it will affect the neighborhood.

Dennis Adams comments that he is opposed because they could remodel and increase by 25% under the existing zoning.

Councilman Quatroche wants a clarification on if they can tear down the building and build another one the same size on the same spot.

Drew responds that if they tear down the existing building they lose non-conforming status.

Kim Stewart, director at EduKids, moved here recently and one of the reasons is that Hamburg is a family friendly place. She knows the zoning is an issue but is happy to hear that people are pleased with the education and quality of the staff. All but 4 are Hamburg children, they just want a safe place for them.

Fred Platek states that the bottom line is that EduKids wants to improve the building. They can do that to the existing building; there is no need to tear it down and replace it. This would change the character of the neighborhood. The property should not be rezoned.

1.

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

ADOPTED

Ayes 4

Walters, Kesner, Quatroche, Smardz

Noes 0

RESOLVED, that the Town Board close the Public Hearing.

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

LEGAL NOTICE
TOWN OF HAMBURG
NOTICE OF HEARING PROPOSED LOCAL LAW #10, 2009

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg on November 16, 2009, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #10, 2009; this local law provides for the addition of a new chapter to the Hamburg Town Code to establish rules and regulations governing Secondhand Dealers.

This local law will apply to any person who in any way, as principal, broker or agent:

- A. Deals in the commercial purchases or sale of secondhand articles for any purpose and of whatever nature, including but not limited to old gold or other precious metals, coins, stamps, currency, firearms, cameras, business machines, musical instruments, outboard motors or electronic equipment.
- B. Accepts or receives secondhand articles as returns of merchandise or in exchange for or for credits on any other articles or merchandise
- C. Deals in the commercial purchase or sale of pawnbroker tickets or other evidence of pledged articles.

A detailed copy of the proposed local law will be available, for public review, during regular business hours at Hamburg Town Hall, Town Clerk's Office, 6100 South Park Avenue, Hamburg, NY 14075, and may also be found at the Town's website: www.townofhamburgny.com, Click on Legal Notices and Bids.

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 the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 7:00 p.m. (local time) on the 14th day of December, 2009, at which time all persons interested may be heard.

Dated: November 16, 2009

Catherine Rybczynski
Town Clerk
Town of Hamburg

Catherine Rybczynski, Town Clerk, states there was no correspondence received on this public hearing.

Brian Doyle, Deputy Town Attorney, wants to state, for the record, that there is a change to proposed Local Law #10, 2009 that was filed in the Town Clerks Office. Under Section 19. Penalties for offenses the fine not to exceed should be changed from \$1,000 to \$250. The Police Department approached the Town Board and Town Attorneys Office asking for a license for second hand dealers also known as pawn brokers. The reason for the license is that the proceeds of a burglary/theft will be taken to a secondhand dealer store and sold. Then before the Police have a chance to investigate, they are resold and cannot be traced. This law would require that all people who deal in this kind of merchandise must register with the Town, obtain a license and also abide by some restrictions on how they can handle the items. Some of the more important items are that they can't deal with anyone under the age of eighteen, they must hold the items for fifteen business days before resale and they must obtain verifiable identification from anyone who brings items in to sell. This way in the case of stolen property it would be able to be tracked down.

Supervisor Walters comments that he has some concerns with the law as it is set up. He agrees with the concept of the law, however, some of the requirements seem too onerous to the business owner; Particularly the part that requires them to fax a report to the Police Department every day. He also is concerned about holding items fifteen days. The dealers operate by having somewhat of a quick turn around on the items that are coming in. These aren't giant warehouses that can store things that long. He also feels the license fees are rather large. It is his opinion that they are asking the businesses to help in keeping the community safe and we should thank them for their assistance, not make them pay. However, he feels it is the right way to go and they need to work out the details.

Ken Farrell, Town Attorney, responds that this is just a first draft and they are looking for feedback. They have already earmarked three provisions that are specifically the items in this draft that will address his concerns. He has slotted them for either deletion or revision. Other than that he feels it is a good balance of the objectives they are trying to accomplish. One of the objectives was not to generate revenue.

Betty Newell, President Hamburg Chamber of Commerce, comments that the 15 day wait is too long. The dealers payout on the day they receive it and they need to turn it around quickly. They are calling this secondhand dealers, will it apply to all jewelers in the Town of Hamburg?

Brian Doyle responds that if they buy something from somebody on the street they would have to comply with this.

Betty responds it is not necessarily someone on the street. People come in and sell jewelry all the time, particularly in these tough times.

Brian Doyle comments that the idea behind this is to aid law enforcement in solving burglaries within the Town and surrounding areas. They will take that under consideration.

Ken Farrell responds that if you look at the exceptions in Section 2 they may be able to add a new exception if appropriate, they will have to discuss it with the Town Board.

Betty responds that anyone that is reputable would not want to get stuck, she will work with them on this.

Joe Killian comments that if they steal something in Hamburg they will take it to Buffalo.

A Businessman comments that in regards to the secondhand dealers the Police could post a list of lost or stolen items on the internet which would allow the shops that they are partnered with to go on that internet page and see what was reported missing that day.

Brian Doyle comments that is an excellent suggestion.

Josilyn Ferguson questions if people will have to show proof of purchase when trying to sell things because her grandmother is trying to get rid of things from 34 years ago and wouldn't have receipts.

Brian Doyle responds that they would just have to show ID and the store would hold onto it for fifteen days as proposed. The Town Board indicated there may be some sentiment to shortening those periods up. So, no they would not need the original receipt.

Detective Lieutenant Kevin Trask, comments that they are not trying to attack businesses, what they are trying to do is standardize the way places do business to try and make it easier for the Police to try and follow-up. They want to be reasonable and not put a hardship on any business, but with the spike in gold prices they have seen a huge increase in larcenies and burglaries. They need to require identification and come up with something reasonable and standardized.

Angela Wozniak owns a gently used store and is not opposed to the license and would like to help the Police and would like to be notified when something is lost or stolen. However, she would like to not have to question people when they bring in a set of glasses or dishes. She questions the way the law is written.

2.

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

ADOPTED

Ayes 4

Walters, Kesner, Quatroche, Smardz

Noes 0

RESOLVED, that the Town Board close the Public Hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Hamburg Town Board hereby determines that the proposed rezoning is not anticipated to result in any significant adverse environmental. impact and that a Negative Declaration is hereby issued, and

BE IT FURTHER RESOLVED, that any future development on this site will be the subject of its own SEQR Determination (Permissible Segmentation).

Lalaine Podkulski questions what a negative declaration is.

Drew Reilly, Planning Consultant, responds that all actions, approvals by the Town Board that would effect the environment must be reviewed by New York State through the State Environmental Quality Review Act (SEQRA). Before they can take action on anything they need a SEQRA determination. In this case they are determining that this will not have an impact on the environment. This was sent to all the different agents such as the NYSDOT, the County and DEC and no one had any adverse comments. This is a State Law and they must make this determination before they can proceed with any decision.

Richard Podkulski questions if there is a representative of TOPS in the audience.

The response is that there is no one present.

8.

On a motion of Councilman Smardz, seconded by Councilwoman Kesner, the following amended resolution was brought to a Roll Call Vote as follows:

ROLL CALL:	Supervisor Walters	Yes
	Councilman Quatroche	Yes
	Councilwoman Kesner	Yes
	Councilman Smardz	Yes

ADOPTED	Ayes	4
	Noes	0

WHEREAS, the Town of Hamburg received a request from Tops Inc. to rezone a total of 13 acres of vacant and developed land located at the southwest corner of McKinley Parkway and Southwestern Blvd. from C-1, Local Retail Business District to C-2, General Commercial District (parcel #'s 160.18-1-12 and 160.18-1-13), and

WHEREAS, this request has come in response to the non-conforming status that was created for this property when the Town amended the Zoning Code to restrict building size in the C-1, Local Retail Business District, and

WHEREAS, the Town has rezoned other properties from C-1 to C-2 where it had created non-conformities and where the area had been determined to be a regional commercial area in accordance with the Comprehensive Plan, and

WHEREAS, the Town has conducted the required public hearing and has addressed the comments raised at that hearing, and

WHEREAS, the Town has issued a Negative Declaration in accordance with the New York State Environmental Quality Review (SEQR) process for this proposed rezoning, and

WHEREAS, the rezoning is in compliance with the Town of Hamburg Comprehensive Plan and corrects a non-conforming use problem created by the Town when they amended the zoning code.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Hamburg hereby rezones the lands located at the southwest corner of McKinley Parkway and Southwestern Boulevard (as described below) from C-1, Local Retail Business District to C-2 General Commercial District with the following conditions:

- A. The following automotive uses will not be allowed on the property; automotive sales or repair (this will be accomplished through a Deed Restriction provided by the Owner) and any potential gasoline sales will not be located in the area near the existing residential home on McKinley.
- B. The applicant has offered to sell (for a price of one dollar) some of the land adjoining the residential property to the south (4332 McKinley Parkway) which encompasses the fifty foot National Fuel Gas easement and the sixteen feet to the south of the easement (a total of 66 feet) to the adjoining residential property (see attached map submitted by the applicant). This land extends from McKinley Parkway to the back of parcel 160.18-1-12. This property will be offered for sale to the adjoining property owner after a project is proposed and approved by the Town at this location (front of the site/ east of the existing Tops, adjoining the residential property). All costs associated with this sale, except for Attorney's fees, shall be paid for by the applicant (owner of the rezoned property).
- C. Any new entrance to McKinley, south of the current "lighted" entrance, will be a "right-in" only entrance and meet all Town, County and State standards.
- D. The developer, at the time of the property transfer required in Condition 2, will construct a fence, in accordance with Town Code, along the northern border of the National Fuel Gas easement on the applicant's property. The location of this fence can be an alternative location if mutually agreed to by the applicant and the adjoining residential property owner. This fence shall be a minimum of 325 feet in length.
- E. The applicant has agreed to install twelve, 8-10 foot Colorado Spruces and five, 2-1/2 inch Caliper Red Maples or an equivalent dollar value of Arborvitae in the 66 foot area

along the 250 feet of the adjoining residential property (acceptable to National Fuel Gas and at a location acceptable to the adjoining neighbor). This will be done after all approvals of any development project on the site (during construction of the project), and does not preclude the Planning Board from requiring additional landscaping or buffering requirements during site plan approval.

- F. Any development in the southeastern portion of the site (adjacent to the residential property), will have a design approvable to the Planning Board that restricts loading docks, garbage dumpsters, bailers, generators, refrigeration compressors and stormwater ponds) from the area adjoining the residential property.
- G. All lighting will be in accordance with Town Standards and will be as minimal as possible in the areas adjoining the residential property.
- H. Trees on the existing site will not be removed until all required Town Approvals have been received for any proposed project.
- I. Sidewalks will be installed in accordance with Town requirements and to State and County standards.

BE IT FURTHER RESOLVED, that the Zoning Code of the Town of Hamburg be amended as follows:

To amend Local Law # 10 of the year 1986 of the code of the Town of Hamburg Charter 280 entitled "Zoning" to provide for a change in the boundary of the Zoning map whereby the Zoning is changed from C-1 (Local Business) to C-2 (General Commercial District) for the property located at the southwest corner of McKinley Parkway and Southwestern Boulevard identified as tax map parcels S.B.L. No. 160.18-1-12 and 160.18-1-13.

Councilwoman Kesner questions if they have worked with the residents in that area and are at least meeting them half way.

Supervisor Walters responds that there are many conditions to this rezoning and some were a direct result of conversations they had with both the adjoining landowners, the Podkulskis, along with representatives from Benderson Development. He received an e-mail from the Podkulskis and they did address most of the concerns. The one request made by the Podkulskis and also made by the Town to Benderson, was the deeding of the easement that would go all the way from McKinley Pkwy to Southwestern Blvd. Benderson does not own all of the property and would be willing to deed what they own, however, as they do not own the portion abutting Southwestern Blvd they have no authority to transfer that property over. Benderson did indicate a willingness to increase the height of the fence. The increase would require a variance and he would be willing to support such a variance when the time comes. The other issues would be addressed when the Planning phase comes in during the Site Plan Review.

Laura Podkulski questions on the above resolution in the first paragraph, whether it encompasses 160.18-1-12 and 160.18-1-13.

The Board responds it does encompass both parcels.

Laura Podkulski questions a paragraph stating that this is in compliance with the Town of Hamburg Comprehensive Plan. She was wondering why they were never notified of the Comprehensive Plan.

Drew comments that in 1997 they did an update to the 1984 plan and last year completed an update to the 1997 plan. The 1997 Plan called for this to be regional commercial which didn't change in the new update.

Councilwoman Kesner states that the Comprehensive Plan is available out on our website.

Laura Podkulski questions about gas pumps.

Laura states that they want to add parcel 160.18-1-13 to paragraph B. They presented the request for this last Monday that the 66 foot easement extend all the way to Southwestern Blvd. Supervisor Walters responds that the problem with that is that they cannot force someone to deed over property and they don't have a commitment from the owner of 160.18-1-13 that they would be willing to deed over that property. There have been conversations with that property owner and they have indicated a willingness to work with the Town and the surrounding homeowners to make this consistent with what is being done with 160.18-1-12.

Laura comments that in paragraph B they also state that the property will be offered for sale to the adjoining property owner and she wants to know how they will be notified of this.

Supervisor Walters responds that Mr. Reilly should notify the homeowners when any project is submitted.

Mr. Reilly responds that this would not take place until a project is proposed; until then there will be no transfer of ownership.

Laura comments on paragraph E questioning the 16 foot.

Supervisor Walters responds that the developer had planned to do some plantings on the 16 feet on their side of the easement. The developer cannot do plantings on the easement. He thought they spoke with National Fuel and they would be willing to allow plantings on the easement with the caveat that if they have to come in and rip them out they would do it and it would be their responsibility for that. He would imagine that if they were willing to put the plantings on their side of the property that the developer wouldn't have a problem with it but it is contingent on them getting a letter from National Fuel saying that it is ok for the plantings to go on the easement.

Laura requests that the wording is changed in paragraph E above; Mr. Reilly has changed the wording in the above amended resolution. She also requests a condition to require sidewalks (which is paragraph I above).

Supervisor Walters comments that often issues come up where the Town Board is asked to balance issues between two property owners, one being the developer and one the homeowner and he wants to say that the Podkulski family acted like professionals and presented themselves well and he thanks them for that.

Mr. Reilly adds that they need a 4-0 vote, a super majority, to pass this resolution because there were petitions signed by more than 25% of the adjoining property owners. This is not a rezoning application this is a request, by letters, from Tops and Benderson.

Supervisor Walters thanks Tony Battista from Benderson for being cooperative as well.

9.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board authorize the Supervisor to sign a lease to buy agreement for fitness equipment available on State Contract #PC62431. The items are 2 treadmills and 1 elliptical trainer. The terms of the agreement are 60 months @ \$312.20. Purchase option is an additional \$1.00. Funds are available in account # A7180.206.

10.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board authorize the transfer of Appropriations within the 2009 Budget as follows:

From: Personal Services	A1410.100	\$5,234.46
To: Office Equipment	A1410.203	\$5,034.46
Miscellaneous	A1410.451	\$ 200.00

To fund shortages.

11.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 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 14 to 17, 2010. 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	=		460
Meals	=		120
Meeting Registration	=		100
Continuing Education Registration	=		150
Ground Transportation	=		<u>120</u>
Total	=		\$1,150

Funds have been included in the 2010 Budget under Account No. A1990.419, which are approved to be transferred for this purpose to Engineering Dept. Account No. A1440.492.

12.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

WHEREAS, the construction of waterline replacement Contract No. 14, which is part of the overall Hamburg Water System Improvement Project, was inspected by the Town Engineering Dept., and has been certified by the Town Engineer and CRA Infrastructure & Engineering, Inc. as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract closeout submittal requirements have been complied with,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts this contract as complete, and approves the release of final payment. The total amount paid under this contract is \$760,080.72, which is \$23,744.28 less than the originally bid and awarded contract amount of E&R General Construction, Inc., the contractor for this project. Resolution #11 from Agenda is withdrawn.

13.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

WHEREAS, the construction of a drainage improvement project in the Smith Road area was inspected by the Town Engineering Dept., and has been certified by the Town Engineer as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract closeout submittal requirements have been complied with,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts this contract as complete, and approves the release of final payment. The total amount paid under this contract is \$101,901, which is \$9,849 less than the originally bid and awarded contract amount of Russo Development, Inc., the contractor for this project.

14.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

WHEREAS, following review of a request from an area resident for additional street lighting on Stainton Drive, it has been determined that a street light is warranted on existing National Grid Pole No. 5, which is located in front of 1409 Stainton Drive,

THEREFORE BE IT RESOLVED, that the Town Board authorizes National Grid to install one, 70 watt high pressure sodium fixture on Pole No. 5, in accordance with the terms and conditions of the current National Grid street light tariff.

BE IT FURTHER RESOLVED, that the Town Clerk is requested to provide two certified copies of this resolution to the Engineering Department, for transmittal to National Grid.

15.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

WHEREAS, the construction of waterline replacement Contract No. 16, which is part of the overall Hamburg Water System Improvement Project, was inspected by the Town Engineering Dept., and has been certified by the Town Engineer and CRA Infrastructure & Engineering, Inc. as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract closeout submittal requirements have been complied with,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts this contract as complete, and approves the release of final payment. The total amount paid under this contract is \$548,900.95, which represents an increase of \$43,932.70 over the originally bid and awarded contract amount of Mar-Wal Construction Co., Inc. the contractor for this project. This increased amount is hereby approved under Change Order No. 1, and is mainly resultant from additional work that was necessary to be performed to comply with Erie County Water Authority requirements, various field changes necessary to avoid conflicts with other existing surface and subsurface utility facilities, and additional pavement restoration requirements. Funds for this additional cost are available from the bonds which were issued for this project, under Capital Fund Account No. H97-8310.303.

16.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

WHEREAS, the construction of hydrant replacement Contract No. 17, which is part of the overall Hamburg Water System Improvement Project, was inspected by the Town Engineering Dept., and has been certified by the Town Engineer and CRA Infrastructure & Engineering, Inc. as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract closeout submittal requirements have been complied with,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts this contract as complete, and approves the release of final payment. The total amount paid under this contract is \$525,400.00, which is \$116,500.50 less than the originally bid and awarded contract amount of E&R General Construction, Inc., the contractor for this project.

17.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

WHEREAS, Josh Farrell, d/b/a Dayspring Services submitted the only bid for maintenance services at the Hamburg Town Senior Facilities,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby approves the hiring of Josh Farrell as an independent contractor to provide maintenance services at the Hamburg Town Senior Facilities, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to sign the written agreement on behalf of the Town of Hamburg for this purpose.

18.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board purchase a plaque for the foyer of the Town Senior Services Department honoring the late John Farrell, former Director, in his memory for his outstanding service to the Seniors and the Town of Hamburg.

19.

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

ADOPTED Ayes 4 Walters, Kesner, Quatroche, Smardz
 Noes 0

RESOLVED, that the Town Board approve the Recreation Department program and facility use fees for 2010. All fees remain as they are for 2009 with the following exceptions:

- Base fee for Day Camp be raised \$10 per child. 2010 fees would now be \$100 per week (resident) and \$130 per week (non-resident).
- Adult Softball be raised \$25 per team. 2010 fees would now be \$225
- A \$25 late fee be instituted for any team sports program registrations turned after the advertised deadline.
- The golf course fees will remain the same, with the exception that Seasons pass holders will receive a loyalty discount of \$25 towards their 2010 pass.

He then notes that the Recreation Advisory Board recommended taking into account fees from neighboring towns, but for now the fees will be staying the same (except for those noted above) as follows:

Proposed for 2010

Facility: TOWN OF HAMBURG SKATE PARK

User Fees	TYPE	Rate Last Changed	From	Current Fees	Rec. Proposed	RAB Proposed
All	Season Pass	2008	50	10	10	10

Program Fees	TYPE	Rate Last Changed	From	Current Fees	Rec. Proposed	RAB Proposed
RY	Skateboard Lessons	2008	30	35	35	35
NRY	Skateboard Lessons	2008	35	45	45	45

Rental Fees	TYPE	Rate Last Changed	From	Current Fees	Rec. Proposed	RAB Proposed
All	Private Rental	2003	45	45	45	45

Proposed for 2010**Facility: TOWN OF HAMBURG FITNESS CENTER**

User Fee	Type	Rate Last Changed	From	Current Fee	Rec. Proposed	RAB Proposed	Tn. Bd. Approved
RO	Monthly (All Types)	2009	-	15	15	15	
RO	Youth Annual	2009	12	20	20	20	
RO	College Annual	2009	120	125	125	125	
RO	*Adult Annual	2007	165	175	175	175	
RO	Senior Annual	2007	120	125	125	125	
RO	Adult Family (Annual)	2009	285	300	300	300	
RO	Sr. Family (Annual)	2009	185	200	200	200	
RA	Parking Permit (Annual)	2005	10	15	15	15	
RS	Parking Permit-Senior (Annual)	2005	Free	5	5	5	
RA	Boat Launch Permit (Seasonal)	2007	40	45	45	45	
RS	Boat Launch Permit –Senior (Seasonal)	2007	15	20	20	20	
RA	2 nd Boat Launch (Seasonal)	2007	10	15	15	15	
NR	*Guest Permit (Daily)	2007	-	5	10	10	

**Comments: 1. Adult annual fee includes parking permit.
2. Guest parking permits are intended for guests of residents only.**

Proposed for 2010**Facility: SCHOOL FACILITIES**

Program Fees	TYPE	Rate Last Changed	From	Current Fees	Rec. Proposed	RAB Proposed	
Summer							
RY	Youth Sports Clinics	2005	10(1) 18(2) 25(3)	30(1) 45(2) 50(3)	30(1) 45(2) 50(3)	30(1) 45(2) 50(3)	
NRY	Youth Sports Clinics	2008	45(1) 60(2) 70(3)	40(1) 55(2) 65(3)	40(1) 55(2) 65(3)	40(1) 55(2) 65(3)	
RO	Youth Tennis Lessons	2008	20	20 30w/bus	20 30w/bus	20 30 w/bus	
R	Adult Tennis Lessons	2005	25	30	30	30	
NR	Adult Tennis Lessons	2005	40	45	45	45	
R	Tiny Tot Aquatic	2005	15	20	20	20	
NR	Tiny Tot Aquatic	2005	25	30	30	30	
RO	Learn to Swim	2008	20	20 30 w/bus	20 30w/bus	20 30w/bus	
RA	Masters Swim	2005	15	20	20	20	
NRA	Masters Swim	2005	25	30	30	30	
R	Girls Basketball Lg.	2005	80	90	90	90	
NR	Girls Basketball Lg.	2005	120	130	130	130	
R	Boys Basketball Lg.	2005	80	90	90	90	
NR	Boys Basketball Lg.	2005	120	130	130	130	
R	Adult Basketball Lg.	2005	140	150	150	150	
NR	Adult Basketball Lg.	2005	180	225	225	225	
Fall/Winter							
ALL	Handicapped Swim			15	15	15	
R	Mens Basketball Lg.	2005	130	150	150	150	
NR	Mens Basketball Lg.	2009	225	250	250	250	
R	Rec. Volleyball Lg.	2005	115	125	125	125	

NR	Rec. Volleyball Lg.	2005	200	225	225	225	
R	Start Smart Programs	2005	40	45	45	45	
NR	Start Smart Programs	2005	50	55	55	55	
R	Start Smart General	2008	35	45	45	45	
NR	Start Smart General	2008	45	55	55	55	
R	Start Smart Football	2005	10	45	45	45	
NR	Start Smart Football	2005	10	55	55	55	

Facility: LAKEVIEW ROAD RECREATION AREA (NIKE)

Rental Fees	TYPE	Rate Last Raised	From	Current Fees	Rec. Proposed	RAB Proposed	
R	Prime Ice	2009	145	150	150	150	
N	Prime Ice	2009	155	160	160	160	
R	Non Prime Ice	2009	135	140	140	140	
N	Non Prime Ice	2009	145	150	150	150	
	Skate Rental			2/pair	2/pair	2/pair	
	Helmet Rental			2	2	2	
	Sport Court Floor Rental	2007	45	50	50	50	
	SABAH/Gliding Stars Ice Rental	2009	120	110	110	110	

User Fees	TYPE	Rate Last Raised	From	Current Fees	Rec. Proposed	RAB Proposed	
RY	Skate/Shoot	2009	3.50	4	4	4	
NY	Skate/Shoot	2009	4.50	5	5	5	
RA	Skate/Shoot	2009	4.50	5	5	5	
NA	Skate/Shoot	2009	5.50	6	6	6	
		New		100	100	100	

RA	Skate/Shoot Season Pass	2003					
NA	Skate/Shoot Season Pass	New 2003		150	150	150	
	PUBLIC SKATE:						
RY	Public Skate	2009	3	4	4	4	
NY	Public Skate	2009	4	5	5	5	
RA	Public Skate	2009	4	5	5	5	
NA	Public Skate	2009	5	6	6	6	
RSr.	Public Skate	2009	3	4	4	4	
NSr.	Public Skate	2009	4	5	5	5	
User Fees		Rate Last Raised	From	Current Fees	Rec. Proposed	RAB Proposed	
	SEASON PASS:						
RY	Season Pass	2009	50	70	70	70	
NY	Season Pass	2009	75	100	100	100	
RA	Season Pass	2009	75	85	85	85	
NA	Season Pass	2009	100	120	120	120	
RSr.	Season Pass	2009	50	70	70	70	
NSr.	Season Pass	2009	75	100	100	100	
	FAMILY PASS:						
R	Family of Two	2009	100	130	130	130	
R	Each Additional Person	2009	25	30	30	30	
N	Family of Two	2009	100	160	160	160	
N	Each Additional Person	2009	50	30	30	30	

Program		Rate Last	From	Current	Rec.	RAB	
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20.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

RESOLVED, that the Town Board approve the Transfer of Appropriations for the Town Clerks Office, within the 2009 Budget, as follows:

From: Contingency	A1990.419	\$20,292.43
To: Advertising	A1450.435	\$ 845.87
Contracting Pers. Serv.	A1450.440	\$12,390.00
Miscellaneous	A1450.451	\$ 1,981.56
Rent of Locations	A1450.458	\$ 5,075.00

To fund Special Downsizing Election.

21.

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

ADOPTED	Ayes 4	Walters, Kesner, Quatroche, Smardz
	Noes 0	

WHEREAS, the construction of waterline replacement Contract No. 15, which is part of the overall Hamburg Water System Improvement Project, was inspected by the Town Engineering Dept., and has been certified by the Town Engineer and CRA Infrastructure & Engineering, Inc. as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract closeout submittal requirements have been complied with,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts this contract as complete, and approves the release of final payment. The total amount paid under this contract is \$648,127.26, which represents an increase of \$54,377.26 over the originally bid and awarded contract amount of J.D. Northrup Construction Co., Inc. the contractor for this project. This increased amount is hereby approved under Change Order No. 1, and is mainly resultant from additional work that was necessary to be performed to comply with Erie County Water Authority requirements, various field changes necessary to address unanticipated conditions, and additional pavement restoration requirements. Funds for this additional cost are available from the bonds which were issued for this project, under Capital Fund Account No. H97-8310.303.

22.

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

ADOPTED	Ayes	4	Walters, Kesner, Quatroche, Smardz
	Noes	0	

RESOLVED, that the Town Board approve the recommendation of the Chief of Police in promoting **KEVIN TRASK**, to the vacant position of **POLICE CAPTAIN**, effective December 20, 2009. Mr. Trask is currently on the Civil Service List for Captain; Salary is \$44.49 per hour.

Supervisor Walters introduces Captain Trask at this time.

Chief Kesner thanks the Board for allowing this promotion, Kevin Trask has done an outstanding job.

23.

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

ADOPTED	Ayes	4	Walters, Kesner, Quatroche, Smardz
	Noes	0	

TOWN BOARD
 DECEMBER 14,2009
 AUDIT OF CASH DISBURSEMENTS

		VOUCHER #'S
OPERATING FUND:		
BATCH # 127	\$343,815.11	38264-38436
BATCH #		
TOTAL OPERATING FUND DISBURSEMENTS:		\$343,815.11
TRUST & AGENCY:		
BATCH #		
BATCH #		
BATCH #		
TOTAL TRUST & AGENCY DISBURSEMENTS:		\$0.00

CAPITAL FUND DISBURSEMENTS:

BATCH # 62	\$44,013.00	38262-38263
BATCH #		
BATCH #		

TOTAL CAPITAL FUND DISBURSEMENTS:	\$44,013.00
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PAYROLL:

PR # 25	\$846,632.80
PR #	
PR#	

TOTAL PAYROLL DISBURSEMENTS:	\$846,632.80
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PETTY CASH

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$1,234,460.91
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REPORTS FROM TOWN BOARD MEMBERS AND DEPARTMENT HEADS

Councilwoman Kesner thanks the Hamburg Rejuvenation Committee for implementing a new project in the Town of Hamburg "Christmas at the Log Cabin". It was a success, more than 300 children attended and she wants to thank everyone who helped.

Supervisor Walters reports that the Town has completed final submission to FEMA for weather related damage in early August. We submitted for \$283, 371.00 for reimbursement and we should be finding out if we will be rewarded any reimbursement. Primarily the funds are for damage to the golf course as well as damage to Hamptonbrook and Howard Road.

Catherine Rybczynski, Town Clerk, wishes Councilwomen Kesner and Councilman Quatroche the best of luck; it has been a pleasure working with them.

Martin Denecke, Director of Recreation, comments that both Councilmembers have had a very positive impact on the Recreation Department, their facility development and programs. Councilwoman Kesner through her work with the State Government and Councilman Quatroche as liaison to the Department for 14 of his 16 years.

Robert Hutchison, Town Assessor, thanks Councilman Quatroche and Councilwoman Kesner for their contributions to the Town.

Tom Best, Highway Superintendent, reports that the Highway employees and equipment came through the first major snowstorm with flying colors. The new GPS units they installed in each vehicle showed that every road within the Town was plowed within 12 hours of the storm and within 24 hours every road was done 2 or 3 times. He is very proud of his Department. He also announces the procedures for mailboxes which is on the town website. It will be publicized in the Hamburg Sun. The Town of Hamburg is under no obligation to pay for any mailboxes. They will replace a mail box that is knocked down by the snowplows with a standard mailbox and post. He also thanks Councilman Quatroche and Councilwoman Kesner for all their help when he was a Councilman and also as Highway Superintendent.

Chief Kesner reports that with the Holidays they have stepped up their patrols in the Mall area. He thanks the retiring Councilmembers for the support they have given public safety.

Kurt Allen, Supervising Code Enforcement Officer, wishes Councilman Quatroche and Councilwoman Kesner the best moving forward.

Joe Collins wants to publicly thank Councilman Quatroche and Councilwoman Kesner for their service over the years and he hopes to follow in their footsteps they have been an inspiration and he looks forward to working with the Town Board in the new year.

Assistant Chief Williams wants to thank the Town Board and Highway Superintendent for the use of the Hamburg Town Park to hold the Polar Plunge for the Special Olympics. They were able to raise \$125,000.

Supervisor Walters comments that it is the last meeting for Councilman Quatroche and Councilwoman Kesner. They have both had a long and distinguished career and their accomplishments are too many to list. He thanks Councilwoman Kesner for working with the Domestic Violence group and creating the only one in Erie County. He thanks Councilman Quatroche for his work with the Recreation Department and on the Shoreline Revitalization. He can honestly say the Town is better today than when they took office. On behalf of the Town he presents a memento for their many years of service.

Tom Taylor, Senior Public Safety Dispatcher, thanks Councilwoman Kesner and Councilman Quatroche for their support of the Public Safety Dispatch Center.

Tony Battista, Benderson Development, wants to speak personally that he has come to know Councilman Quatroche and Councilwoman Kesner over the many years he has been doing business with the Town and he has come to respect their dedication, along with Kathy Hochul, Mark Cavalcoli and the present Board Members, Supervisor Walters and Councilman Smardz. He lives in another community that does not always do what is best for that community and the dedication in the Town of Hamburg, by the Town Board, to their constituents is unparalleled.

Councilman Quatroche thanks the residents of the Town of Hamburg for the opportunity, whether they were in favor or not with his decisions they took part in the process either by voting, working on campaigns or attending Board Meetings. They are the reason that the 16 years flew by because it was an absolute pleasure serving the public. He has watched the Town mature over the many years with the many developments and he wants to recognize, Kathy Hochul, Mark Cavalcoli, Pat Hoak and Jim Connelly and Councilwoman Kesner. He and Councilwoman Kesner have been serving for 12 years together and they have shared a great relationship and love for this Town. He thanks the Taxpayer groups who attend every meeting. He thanks Steve Strnad who has been coming to meetings for probably 40 years. He has shared a love for the waterfront and recreation. He recognizes Mary Dosch for stepping into a tough situation with Jim Spute and Bob Brown retiring at the same time. The transitions was seamless and she never complains and has been an absolute pleasure. Gerard Kapsiak, Town Engineer, is the most detailed person he has ever met. Cathy Rybczynski, Town Clerk, has brought a whole new level of service to the Town Clerks Office, unparalleled for her professionalism. Ken Farrell and Brian Doyle, they didn't miss a beat and he appreciates all they have done. Tom Taylor has done an awesome job of keeping the new Dispatch center running, which is one of the most important services of the Town of Hamburg. He commends the Police Department, which is important as well, and he thanks Chief Kesner for bringing a whole new level of communication to the Department. He has seen the difference in the moral and attitude of that Department. Kurt Allen has handled many difficult situations in dealing with people and problems with their homes. Marty Denecke has a passion for Recreation and has had to take

some tough stances at times and his passion for kids and recreation is unparalleled in Erie County. Robert Hutchison, Town Assessor, is well respected in Erie County, when we hired him we hired a star. Tom Best has done a great job with Highway and B & G. He thanks Barb O'Brien, Buffalo News, and Felice Krycia, Hamburg Sun, for their objective reporting, it is appreciated that they get both sides of the story. He ends with his colleagues on the Town Board. He has served with Councilwoman Kesner for a long time, they have agreed on more that they didn't, and she has such a passion for the residents and the things that she worked on like Domestic Violence. She has brought more grant money into the Town than any previous Board member. He has developed a great relationship with Supervisor Walters; he has done a great job in this Town. Supervisor is a tough job, many of the problems go to him first and he has handled them with class he appreciates all that he has done. He hasn't met many people with the integrity of Councilman Smardz and he believes he will always do the right thing no matter what. He was a pleasure to work with. Thanks to everyone and he will still be around, involved in the community.

Councilwoman Kesner comments that she feels blessed to have worked with Councilman Quatroche for so many years. When she was driving here today it was bittersweet, she couldn't believe where twelve years went. She will have a life now away from the concerns of the residents; however she really loves the job and wants to thank everyone for the vote of confidence and faith in her ability to bring in grant money and coordinate projects, particularly public safety. She is the wife of a Police Officer and she sees first hand their responsibilities, how dangerous their job is, and how criminals can have better technology than they have. She wanted to make a difference with our local Police Department and Fire Departments. She knows that the existing Board and the new Board will listen to their needs and help them because they are our first respondents and they are there when our families and children are in need. They need the tools and the support to do that. Carmen has been the best husband for 37 years and hopefully for 37 more. They have two new grandchildren and they will be her new projects. When you are in this business you do sacrifice family time but you want to serve and do the job right. She is so proud of the projects that have been started that she was a part of such as the water rescue unit and Erie County Sheriffs helicopter, which was born because of that unit. The Southtowns hazmat team was started 25 years ago and they have received national awards for that. She is so grateful that they are located right here in the Town of Hamburg. They have probably brought in over one million dollars in grants to keep active all volunteers. We have nine volunteer fire companies to keep our community safe. When the Nike Base went down in 1997 they came together to make sure that they put the money into the facility to keep it open and also obtained the sports court floor. This is so important to have quality of life in the community. It is keeping the kids off the street, providing something they love that is supervised and is a positive project. They procured grant money for a new van for the Recreation Department and she has loved working with the Seniors. They are a wonderful group of people and they got a \$430,000 grant to put in the aqua center. There is a waiting list of 3 months and they could have 3 more of them. We took the first step in the Town of Hamburg with the Mobile Home Rehab program. We have as many mobile homes in our Town as in all the rest of Erie County. That is a housing stock we need to keep healthy so they put that rehab program for new

roofs and flooring, etc. They were really in a dilemma with the Emergency Medical Service when she came on, they were losing volunteers with the Volunteer Fire Companies and they needed paramedics. They could not have ambulance calls taking 45 minutes. They had to figure out how to do make it better without costing the citizens money and yet they needed a better response time. They worked it out where they were able to respond within 6-8 minutes and they also brought in the Spirit Program and a contract with Rural Metro to help the volunteer fire companies. Five other Counties have adopted what we did in the Town of Hamburg. She had a great committee and they did it because their heart and sole was to make sure that our residents were taken care of. In 2004 they opened the doors for the Domestic Violence program and again this went hand in hand with her being the wife of a Police Officer. She new that the Domestic Violence incidents were rising in the Town and there was a vicious circle from the Courts to the Police and they needed to do better. So they put together two committees, one that put together the money for the emergency services of the victims for their shelters and housing and that ended up opening the Kathleen Mary House so that our victims in the Southtowns would not have to go to the City. She is so proud of that and thousands of victims and their children have received help because the Town stepped up to the plate. With the downturn in the economy the staff is bracing for more. Dispatch was another goal that was undertaken. Her goal was to get all the Police and Dispatch under one roof. When she first came on the Board they we in the hallway and their equipment was from 1979. The Detectives were in the basement and there was mold in the showers, she knew they could do better. She was able to get grants for seed money to get things moving. She is very pleased that as she leaves that is done. Dispatch is operating and the Supervisor came forward and worked with them to make sure that happened. She is very thankful for his support. She wants to say the she was honored to work with the past and present Board. She and Councilman Quatroche ran campaigns three times together and she can't thank him enough for his insight and intelligence. He is so level headed when they sat at the table to work out problems, for such a young man he is a wealth of wisdom and she will always treasure their time together. She was so glad to have a chance to work with the new Board members and she has complete faith in their ability and that the Town will be in good hands and they will always do the right thing. We have a rural town and people have invested their whole lives into their homes and they don't want to infringe on it. This was seen today. She started because of community service. She wasn't a political person, she became involved in her community and one thing lead to another and here she is. She thanks Mary Dosch and her staff for the excellent work in the Finance Department. It was a pleasure working with Gerry Kapsiak, Town Engineer, they relied on him for his expertise and he has set the standard for something to be so proud of. Cathy Rybczynski, Town Clerk, has done so much for the Veterans groups and she is tireless, always working and so involved in community groups trying to do it better. She is getting grants to update everything and merging offices and saving the Town lots of money. People don't realize the work that she has taken on and how much she is saving the taxpayer. The new Legal staff came in; they are very intelligent and were a pleasure to work with. She thanks Joe Kilian and Steve Strnad and the taxpayer groups; they helped her work through many challenges. She commends Robert Hutchison, Town Assessor, she gets comments all over the County that people are watching what we do in our Assessing Department and she is so proud. She is always talking about what a great place the Town of Hamburg is. We have our own

beach, golf course, ice arena and mall and she is so grateful. She thanks Drew Reilly, Planning Consultant, for working out larger buffers and more fences and she is so grateful that the residents were protected. Kurt Allen, Code Enforcement Officer, takes on new challenges such as billboards, etc. and he has been a real professional. She thanks Tom Best, Highway Superintendent, for doing a great job; her road was so clean after the last storm. She comments that she has complete faith in the ability of Joe Collins, the Department Heads have years of knowledge and will be there to help guide him. As a public servant they are there for the people and if they don't do their job the Town suffers. She has total faith he will keep that in mind. She thanks Rosemary McManus and Linda Rogers from the Town Council Office for keeping things going. She thanks all the employees and Department Heads in the Town and encourages the new Board and residents to do service in the Town because government can't pay for everything and they do rely on the citizens to help run the Town.

24.

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

ADOPTED	Ayes	4	Walters, Kesner, Quatroche, Smardz
	Noes	0	

RESOLVED, that the Town Board adjourn at 9:41 p.m.

Catherine A. Rybczynski, Town Clerk