

Supervisor Walters calls the meeting to order at 6:00 p.m.

BOARD MEMBERS

PRESENT:

Steven J. Walters	Supervisor
D. Mark Cavalcoli	Councilman
Kathleen C. Hochul	Councilwoman
Thomas Quatroche, Jr.	Councilman

ABSENT:

Joan A. Kesner	Councilwoman
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OTHERS PRESENT: Catherine Rybczynski, Town Clerk
James Spute, Finance Director; Richard Boehm, Deputy Town Attorney; Marty Denecke, director of Recreation; Richard Crandall, Seaway Trail Consultant; Kurt Allen, Supervising Code Enforcement Officer.

1.

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

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

WHEREAS, the Town of Hamburg is a member of the Northeast-Southtowns (NEST) Solid Waste Management Board, which is comprised of 37 municipalities located within Erie County that meet bimonthly and work cooperatively with the Erie County Dept. of Environment and Planning in regionally addressing issues associated with solid waste collection, hauling, and disposal operations, including compliance with associated State mandated regulatory requirements; and

WHEREAS, in accordance with the 1993 Joint Municipal Agreement which created the NEST Solid Waste Management Board, each municipality is to annually designate a primary representative and one or more alternates to serve on the NEST Board,

THEREFORE BE IT RESOLVED, that the Town Board hereby designates the following to serve as the Town of Hamburg’s representatives on the NEST Board for the year 2007:

Primary Representative: Supervisor Steven J. Walters
 Alternate Representatives: Gerard M. Kapsiak, Town Engineer
 James F. Connolly, Highway Superintendent
 Susan C. Attridge, Resident (Volunteer)

BE IT FURTHER RESOLVED, that the Town Clerk is requested to provide one certified copy of this resolution to the Engineering Department, for transmittal to the Erie County Dept. of Environment and Planning.

2.

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

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

WHEREAS, the construction of the South Park Avenue/Bayview Road Sanitary Sewer Extension Project within the Hamburg Master Sewer District was inspected by the Town Engineering Dept., and has been certified by the Town Engineer and Nussbaumer & Clarke, Inc. as having been satisfactorily completed in accordance with the plans and specifications for the project, and all contract close-out 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 \$463,066.19, which is \$23,009.81 less than the originally awarded contract amount of Sicar, Inc., the contractor for this project.

3.

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

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

BE IT RESOLVED, that the Town Engineer's report on the completion and acceptance of the DEER SPRINGS SUBDIVISION PART 3 PHASE 2 work performed under Public Improvement Permit Nos. 897, 898, 899, and 900 be received and accepted, and that the Supervisor is authorized to sign the report, and

BE IT FURTHER RESOLVED, that this action does not relieve the developer of the responsibility of completing the street lighting installations under Public Improvement Permit No. 901.

4.

On a motion of Councilman Cavalcoli, seconded by Councilman Quatroche, the following

resolution was

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

BE IT RESOLVED, that the Town Engineer's report on the completion and acceptance of the WOODS AT VERSAILLES SUBDIVISION PART 3 PHASE 2 work performed under Public Improvement Permit Nos.904, 905, 906, and 908 be received and accepted, and that the Supervisor is authorized to sign the report, and

BE IT FURTHER RESOLVED, that this action does not relieve the developer of the responsibility of completing the street lighting installations under Public Improvement Permit No. 907.

5.

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

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

RESOLVED, that the Town Board authorize the Supervisor to sign Section 6 of the PO-17 Form requesting Erie County Department of Personnel to complete Section 7 for classification of a new full time Comptroller position in the Finance Department.

6.

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

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

WHEREAS, the Town of Hamburg entered into an agreement with Wendel Duchscherer, Architects and Engineers to provide design services for Phase II and Phase III of the Seaway Trail Visitor's Center, and

WHEREAS, said agreement was based upon services and time frame projected in the respective grant applications, and

WHEREAS, when the grants were finally approved and design work initiated, a considerable amount of time had elapsed, and

WHEREAS, the design work involved in the final approved program included in the two grants were more extensive than originally anticipated resulting in considerable additional design work, and

NOW THEREFORE BE IT RESOLVED, that the design fee for Wendel Duchscherer, Architects and Engineers for Phase II and Phase III be increased by \$16,000.00, and

BE IT FURTHER RESOLVED, the funding for said increase be from Account No. H-67 8310.332.4.

7.

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

ADOPTED Ayes 4 Walters, Cavalcoli, Hochul, Quatroche

Noes 0

WHEREAS, bids were opened on May 24, 2006 for Phase II & III of the Seaway Trail Visitor's Center, and

WHEREAS, the Town of Hamburg received a grant and entered into an agreement, with the New York State Office of Parks, Recreation and Historic Preservation, N.Y. State Agency No.: Bond 569936-N5, Waterfront Access and Shoreline Improvement for Phase II of the Seaway Trail Visitor's Center, and

WHEREAS, the Town of Hamburg also received a grant and entered into an agreement with the New York State Coastal Resources, Department of State, Agreement No. 6006186 for Phase III of the Seaway Trail Visitors Center, and

WHEREAS, a contract was awarded to Titan Development, Inc., the low bidder for the Construction Work, and

WHEREAS, subsequent to initiation of work, several unanticipated conditions were encountered, as well as several improvements are recommended, resulting in extra work, and

WHEREAS, it is in the best interest of the project to proceed with the issuance of a Change Order for the additional work in amounts as hereinafter itemized, and

WHEREAS, the work included in the change order has been reviewed and is recommended by Wendel Duchscherer Architects and Engineers, the Architect Engineer for the project,

NOW THEREFORE BE IT RESOLVED, to issue a Change order incorporating the following items to Titan Development, Inc.,

Item No. 1 Removal of all deteriorated steel cladding and associated plywood and insulation
Phase III along the lower wall of the north west corner of building,
Add \$3857.00

Item No. 2
Phase III Upgrade door to south basement to provide a more durable and secure entrance
Add \$1272.00

Item No. 3
Phase II Provide a concrete block wall with entrance door at alcove
Adjacent to door to north basement entrance. Door to match door in Item 2 above.
Add \$4535.00

RESOLVED, that the Town Board approve the 2007 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	2004	15.00	20.00	20.00	20.00	
RO	College Student Quarterly	2005	45.00	50.00	55.00	55.00	
RO	College Student Yearly	2005	110.00	115.00	120.00	120.00	
RO	Adult Quarterly	2005	65.00	70.00	75.00	75.00	
RO	Adult Yearly	2005	160.00	165.00	175.00	175.00	
RO	Adult Per Couple Qtly.	2005	100.00	110.00	120.00	120.00	
RO	Adult Per Couple Yrly.	2005	275.00	285.00	300.00	300.00	
RO	Seniors Quarterly	2003	45.00	50.00	55.00	55.00	
RO	Seniors Yearly	2005	110.00	115.00	120.00	120.00	
RO	Seniors Per Couple Qtly.	2003	60.00	70.00	80.00	80.00	
RO	Seniors Per Couple Yrly.	2003	150.00	175.00	185.00	185.00	
RO	Aerobics Monthly	2005	15.00	18.00	20.00	20.00	
RO	Aerobics Yearly	2005	120.00	130.00	140.00	140.00	
	Youth Yearly				12.00	12.00	
RO	Beach Stickers	2005	10.00	15.00	15.00	15.00	
RO	Beach Stickers Seniors	2005	Free	5.00	5.00	5.00	
RO	Boat Launch Stickers	2003	30.00	40.00	45.00	45.00	
RO	Boat Launch Seniors	2004	13.00	15.00	20.00	20.00	
RO	Boat Launch 2 nd Permit	2004	7.00	10.00	15.00	15.00	

8.

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

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

RESOLVED, that the Town Board authorize the Finance Department to transfer \$35,000 from Trust & Agency (Cash In Lieu of Land) T37 to Recreation (Contracted Services) B7310.440.

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign the contract with the Hamburg Natural History Society, Inc. to provide services for this amount.

Councilman Cavalcoli comments that this is in response to a request from the Natural History Society for the services they provide such as education, nature study, etc.

9.

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

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

RESOLVED, that the Town Board authorize the Finance Department to increase accounts A4212.100 (D.A.R.E. Personnel Services) \$2,806.20 and A4212.830 (D.A.R.E. Social Security) \$214.67 through the A599 (Appropriated Fund Balance). These funds are the remaining balance to the "D.A.R.E. Grant" that will be used to fund the coordinators salary for the month of January 2007.

10.

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

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

RESOLVED, that the Town Board approve the Transfer of Appropriations for the Supervisor,

within the 2006 Budget, as follows:

From: Contingency	A1990.419	\$914.00
To: Personnel - Cons. Fees	A1430.456	\$914.00

To fund account through year end.

11.

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

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

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

From: Contingency	A1990.419	\$4,000.00
To: Unemployment Insurance	A9050.850	\$4,000.00

To cover the extra cost of unemployment that New York State has billed us.

12.

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

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

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

From: Ready Mix, manhole covers	DB.5110.473	\$9,500.00
Cont. Pers. Services	DB.5110.440	\$7,500.00
To: Cont. Pers. Services	DB.5140.440	\$17,000.00

To cover overdrawn account.

13.

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

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

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

From: Personal Services	A1620.100	\$ 8,000.00
Personal Services	A3310.100	\$10,000.00
Machinery & Equipment	A7140.201	\$29,620.00
To: Personal Services	A1640.100	\$ 8,000.00
Personal Services	A7140.100	\$10,000.00
Personal Services	A7140.100	\$29,620.00

14.

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

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

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

From: Social Security	DB5142.830	\$8,420.00
To: Social Security	DB5140.830	\$8,420.00

To fund overdrawn account caused by October storm.

15.

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

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

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

From: Repair & Maintenance Supplies	A5010.413	\$200.00
To: Repair & Maintenance	A5132.460	\$200.00

To fund overdrawn account.

16.

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

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

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

From: Highway Improvement	DB5110.210	\$30,000.00
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To: Repair & Maintenance DB5130.460 \$30,000.00

To fund account overage.

17.

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

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

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

From: Pers. Services DB5142.100 \$112,220.00
 To: Pers. Services DB5140.100 \$112,220.00

October storm related overtime.

Councilman Cavalcoli comments that most of this money will be reimbursed from FEMA.

Councilwoman Hochul questions how long it will take to get the FEMA money.

Supervisor Walters responds that at the meeting they said that it takes an average of 6-8 weeks to receive the FEMA reimbursement money.

18.

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

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

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

1. Mitchell, Anne Clerk P/T 12/11/2006 Terminate

BATCH #174	\$721,446.00	15808
BATCH #175	\$778,906.00	15809
BATCH #176	\$275,928.50	15810-15924
BATCH #177	\$249,721.25	UNPROCESSED

TOTAL OPERATING FUND DISBURSEMENTS: \$2,026,001.75

TRUST & AGENCY:

BATCH #59	\$221,871.39	9919055
BATCH #60	\$521,174.10	9919030-991905
BATCH #61	\$ 41,875.74	9919024-991058

TOTAL TRUST & AGENCY DISBURSEMENTS: \$ 784,921.20

CAPITAL FUND DISBURSEMENTS:

BATCH #86	\$500,000.00	15806
BATCH #87	\$550,000.00	15807
BATCH #88	\$ 8,5093.49	UNPROCESSED

TOTAL CAPITAL FUND DISBURSEMENTS: \$1,058,502.49

PAYROLL:

PR #25	\$503,044.97
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TOTAL PAYROLL DISBURSEMENTS: \$ 503,044.97

PETTY CASH: \$ 0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$4,372,471.41

Catherine Rybczynski, Town Clerk, reads a letter of resignation, from James Spute Director of Finance and Administration, as of January 27, 2007.

Councilman Quatroche comments that Mr. Spute is the reason why the Town is in the financial shape it is in. He always gave them sound advice and he thanks him for all the guidance over the years.

Councilwoman Hochul comments there are a lot of plaques on his wall and he has been a great public servant in the best sense of the word.

Councilman Cavalcoli comments that he was proud to work with him and he will be sorely

missed.

Supervisor Walters expresses his gratitude for helping him through his first year.

22.

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

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

RESOLVED, that the Town Board move into Executive Session at 6:33 p.m.

23.

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

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

RESOLVED, that the Town Board close Executive Session at 8:30 p.m.

24.

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

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

RESOLVED, that the Town Board adjourn at 8:30 p.m.

Catherine Rybczynski, Town Clerk