

TOWN BOARD MEMBERS PRESENT:

Steven J. Walters	Supervisor
Michael Quinn	Councilman

ABSENT: Cheryl Potter-Juda Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
 Walter Rooth III, Town Attorney; Mary Dosch, Sr. Account Clerk; Christopher Hull, Director of Community Development

Supervisor Walters calls the meeting to order at 8:00 am

1.

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

ADOPTED	Ayes 2	Walters, Quinn
	Noes 0	

WHEREAS, the Town of Hamburg is a Community Development Block Grant (CDBG) entitlement community and is part of the Town of Hamburg/Erie County HOME Consortium as determined by the United States Department of Housing and Urban Development (HUD), and

WHEREAS, the Department of Community Development followed its “Citizen Participation Plan” in developing its 2016 “Draft” Action Plans for the CDBG and HOME programs, and

WHEREAS, while the 2016 federal Omnibus Budget was approved on December 17, 2015, HUD has not been able to issue the specific 2016 CDBG and HOME program allocations required for the town to complete their 2016 Action Plans.

NOW THEREFORE BE IT RESOLVED that in order to submit its required “Draft” Action Plans” to HUD by their required dates, the Hamburg Town Board authorizes Supervisor Steven J. Walters and Christopher Hull; Director of Community Development, to sign any and all documents and certifications required for submitting said 2016 “Draft” Action Plans to the Buffalo office of the United States Department of Housing and Urban Development (HUD).

BE IT FURTHER RESOLVED that once the towns 2016 CDBG and HOME program allocations have been released, the town will re-submit its Action Plans for the 2016 program year.

2.

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

ADOPTED Ayes 2 Walters, Quinn
 Noes 0

WHEREAS, due to year end commitments for the federal CDBG and HOME programs and for other state and local programs there was not enough time to for Christopher Hull; Director of Community Development, to utilize his remaining ten (10) vacation days.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board approve the request of Christopher Hull; Director of Community Development, to carry over ten (10) unused vacation days to the 2016 calendar year.

3.

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

ADOPTED Ayes 2 Walters, Quinn
 Noes 0

RESOLVED, that the Town Board approve the termination and rehiring of personnel for the Community Development Department as follows:

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1	4673	Jennifer Robertson	R	Clerk-Seasonal	9/1/15		\$13.00	12/30/2015
2	4673	Jennifer Robertson	R	Clerk- PT	1/4/16		\$13.00	

4.

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

ADOPTED Ayes 2 Walters, Quinn
 Noes 0

WHEREAS, South Park Plaza & Alex Schmidt (“Petitioner”) commenced an Article 7 Real Property Assessment Review case against the Town for the following tax years 2012/2013; 2013/2014 and 2014/2015, concerning the assessment on its property located at 290 Lake Street and identified as SBL No. 182.20-4-23, and

WHEREAS, the Town’s outside Attorney/Consultant and the Town Assessor have conducted settlement negotiations with the Petitioner, and terms of a settlement were reached and granted by the Honorable Sheila A. Ditullio, A.J.S.C. and entered in the Erie County Clerk’s office,

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board approves the proposed settlement of the tax assessment cases filed by South Park Plaza & Alex Schmidt for the following tax years 2012/2013; 2013/2014 and 2014/2015, concerning the assessment on its property located at 290 Lake Street and identified as SBL No. 182.20-4-23.

BE IT FURTHER RESOLVED that the Town Board further authorizes the Town Supervisor, Town Assessor, Town Clerk, and Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of the Consent Order and Final Consent Order.

5.

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

ADOPTED	Ayes 2	Walters, Quinn
	Noes 0	

WHEREAS, Frank Bolgulski and Junaid Ahmed Zubairi (“Petitioners”) commenced an Article 7 Real Property Assessment Review case against the Town for the following tax years 2013/2014; 2014/2015 and 2015/2016, concerning the assessment on their premises located at 5268 Briercliff Drive (identified as SBL No. 181.07-8-41), and 5456 Country Club Lane (identified as SBL No. 181.12-2-47)

WHEREAS, the Town’s outside Attorney/Consultant and the Town Assessor have conducted settlement negotiations with the Petitioners attorney, and terms of a settlement have been approved and recommended,

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board approves the proposed settlement of the tax assessment cases filed by Frank Bolgulski and Junaid Ahmed Zubairi for the following tax years, 2013/2014; 2014/2015 and 2015/2016 concerning the assessment on their premises located at 5268 Briercliff Drive (identified as SBL No. 181.07-8-41), and 5456 Country Club Lane (identified as SBL No. 181.12-2-47).

BE IT FURTHER RESOLVED that the Town Board further authorizes the Town Supervisor, Town Assessor, Town Clerk, and Town Counsel to execute settlement documents and take any additional steps necessary to effectuate the proposed settlement in accordance with the terms of the Consent Order and Final Consent Order.

6.

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

ADOPTED	Ayes	2	Walters, Quinn
	Noes	0	

WHEREAS, pursuant to the NYS Domestic Relations Law, Article 3, Section 11-C, the governing body of any village, town or city is authorized to appoint one or more marriage officers who have the authority to solemnize a marriage, and shall be determined by the governing body of the municipality, and

WHEREAS, the term of marriage officers is to be determined by the governing body which makes the appointment, but the term of office cannot exceed four years.

NOW, THEREFORE BE IT RESOLVED, that the Hamburg Town Board appoint Catherine A. Rybczynski as a marriage officer for the term commencing January 1, 2016 through December 31, 2019. Mrs. Rybczynski was first appointed marriage officer on December 9, 2002 and has assisted the town justices in providing this service to our residents.

7.

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

ADOPTED	Ayes	2	Walters, Quinn
	Noes	0	

WHEREAS, during the year ended December 31, 2015 and certain years prior, the General Fund has paid certain general liability and workers' compensation insurance costs on behalf of the Town Outside Village (B) Fund and Highway (DB) Fund,

WHEREAS, the Town has identified amounts to be transferred to the General (A) Fund to reimburse for the aforementioned insurance costs,

WHEREAS, the Town Outside Village Fund has available fund balance from excess sales tax revenue,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the use of available Town Outside Village Fund fund balance to amend the Town's Town Outside Village 2015 adopted budget to increase appropriations, as follows:

Increase appropriations accounts:	
B9910.0915 Transfers Out – General Fund	\$339,231
B9901.0990 Transfers Out – Highway Fund	\$780,510

BE IT FURTHER RESOLVED, that the Town Board increases the Highway Fund DB9910.0915 Transfers Out – General Fund adopted budget by \$780,510 to be supported by an increase in Transfers In of the same amount.

BE IT FURTHER RESOLVED, that the Town Board increases the General Fund Transfers In adopted budget by \$1,119,741.

Councilman Quinn asks the Supervisor to explain the reason for the above transfer.

Supervisor Walters responds that the Town pays for General Liability and Workers Compensation Insurance and there are three funds in the Town’s operating budget and they are the General Fund, the Town Outside Village Fund and the Highway Fund. The three funds are separate and distinct from one another. Over the past several years the Town General Fund has been paying the full amount for the insurance. This resolution addresses that non-offset.

8.

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

ADOPTED	Ayes	2	Walters, Quinn
	Noes	0	

RESOLVED, that the Town Board approve the Interdepartmental Transfers to balance accounts at year end as follows:

9.

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

TABLED	Ayes 2	Walters, Quinn
	Noes 0	

WHEREAS, Joshua Farrell has been working in the Buildings & Grounds Department as a temporary full time employee since March 30, 2015;

THEREFORE BE IT RESOLVED, that the Town Board approve the permanent employment of Joshua Farrell starting immediately.

Supervisor Walters comments that with the lay-offs he doesn't know how the contract will affect this. They should wait until after December 31st to address this. It is agreed to table the resolution.

10.

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

ADOPTED	Ayes 2	Walters, Quinn
	Noes 0	

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

TOWN BOARD
AUDIT OF CASH DISBURSEMENTS December 30, 2015

OPERATING FUND:	VOUCHER #'S
BATCH #266 \$11,172.21	80247-80266
BATCH #267 \$45,626.81	80267-80341
BATCH #268 \$69,723.39	80343-80379
BATCH #269 \$17,750.62	80380-80420
BATCH #270 \$112,494.47	80421
BATCH #271 \$91,803.25	80422-80467
BATCH #272 \$49,476.84	80471
BATCH #273 \$13,934.50	80472
BATCH #274 \$52,328.45	80473-80493
BATCH #275 \$47,140.89	80494
TOTAL OPERATING FUND DISBURSEMENTS:	\$511,451.43

TRUST & AGENCY:

TOTAL TRUST & AGENCY DISBURSEMENTS: \$0.00

CAPITAL FUND DISBURSEMENTS:

BATCH #53	\$108.76	80342
BATCH #54	\$1,520.90	80468-80470
BATCH #55	\$2,500.00	80495

TOTAL CAPITAL FUND DISBURSEMENTS: \$4,129.66

PAYROLL:

PR #P/R 26	\$667,171.15
PR #P/R 27	\$647,133.19

TOTAL PAYROLL DISBURSEMENTS: \$1,314,304.34

PETTY CASH \$0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: \$1,829,885.43

11.

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

ADOPTED	Ayes 2	Walters, Quinn
	Noes 0	

RESOLVED, that the Town Board adjourn at 8:13 am.

Catherine A. Rybczynski, R.M.C.
Town Clerk