

A regular Town Board meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, 6100 South Park Avenue, Hamburg, New York on the 14th day of February 2011.

ROLL CALL:	Steven J. Walters	Supervisor
	Joseph A. Collins	Councilman
	Jonathan Gorman	Councilman
	Amy J. Ziegler	Councilwoman

ALSO PRESENT: Catherine Rybczynski, Town Clerk;
Kenneth Farrell, Town Attorney; Gerard Kapsiak, Town Engineer; Mary Dosch, Sr. Account Clerk; Michael Williams, Chief of Police; Martin Denecke, Director of Recreation; Drew Reilly, Planning Consultant; Thomas Best, Sr. Highway Superintendent; Christopher Hull, Director of Community Development; Kurt Allen, Supervising Code Enforcement Officer; Robert Hutchison, Town Assessor, Peter Reszka, Planning Board Chairman

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

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 # 1, 2011

PLEASE TAKE NOTICE that there has been presented to the Town Board of the Town of Hamburg, on January 24, 2011, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #1, 2011; this local law provides for the amendment of Local Law #12, 1968, entitled "Shopping Centers and Other Areas of Assembly: Traffic Regulations;" by adding thereto one new location as follows:

Berkley Place Association, Inc.
4330 and 4331 Berkley Place
Hamburg, New York 14075

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 February, 2011, at which time all person interested may be heard.

Dated: January 24, 2011

Catherine Rybczynski
Town Clerk

No correspondence was received.

Charles Ziembra, President Berkley Place Assoc., comments they are located close to Frontier High School and a lot of students park in the Association Parking lot, that is why they are requesting this.

1.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board close the public hearing.

Supervisor Walters questions if anyone was present to comment regarding the Home Occupancy law. This matter was brought to the Town Board's attention after the Public Hearing on January 24th and they have since corrected the ordinance to remove Stocking firearms sales from Section 1.5 Prohibited Uses.

LEGAL NOTICE
TOWN OF HAMBURG

PLEASE TAKE NOTICE that there has been presented to the Town Board on January 24, 2011 pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #2, 2011; 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 vacant property located on Cloverbank Road. The property is to be rezoned from R-2 (Single Family Residence, Attached District) to NC (Neighborhood Commercial District). The property can be identified as S.B.L. Numbers 169.19-6-3; 169.19-6-4 and 169.19-6-5.

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 February 14, 2011 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: January 24, 2011

Catherine Rybczynski
Town Clerk
Town of Hamburg

Drew Reilly, Planning Consultant, gives a brief presentation on the rezoning.

Corey Auerbach and Jeff Palumbo, Damon & Morey, who represent the petitioner present elevations of the project. Comment that many adjustments have been made to the original design as per Planning Board and Route 5 Overlay District. The Specific design has been done in three other communities. They will go back to the Planning Board for Site Plan and special use permit if the zoning is approved.

Albert Guglielmi questions if there will be sidewalks.

Mr. Auerbach responds that the plan has sidewalks on both Cloverbank and Lakeshore.

Bill Barrett questions if they are changing the zoning of the existing building.

Drew Reilly responds they are not.

Mr. Barrett questions what is allowed in the NC Zoning.

Mr. Reilly reads the list of allowable uses.

Joe Kilian comments on the Route 5 overlay pertaining to the rezoning.

Helen Paul questions buffering of playground as it pertains to her property.

Mr. Auerbach responds that they will install fencing to buffer the playground.

Councilman Collins comments favorably on the rezoning.

2.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board close the public hearing.

3.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board approve the minutes of the following meetings:

01/24/2011	Work Session
01/24/2011	Town Board Meeting

4.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board authorize the Police Department to purchase a new 2011, new and unused, Dog Control Vehicle from West Herr Ford, for a cost of \$16,416.82.

This van will be purchased off New York State Contract #PC65032.

Money is available in account A3510.202.

5.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the membership of the following into the Lake Shore Volunteer Fire Company, Inc.:

Gregory Larson	Aaron Palmer Taylor	Timothy Allen Curry
5278 Southwestern Blvd	2565 Amsdell, N.Y. 14075	5055 Overlook Point
Hamburg, N.Y. 14075	Hamburg, N.Y. 14075	Hamburg, N.Y. 14075

6.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following Feb/ March Taylor Road rentals:

2/25/11	3/4/11	3/5/11	3/6/11
3/13/11	3/19/11	3/27/11	

7.

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

ADOPTED	Ayes 4	Walters, Collins, Gorman, Ziegler
	Noes 0	

WHEREAS, Under Title 19 NYCRR, Part 434 The Department of the State Codes Division requires each Code Enforcement personnel to receive a minimum of 24 hours of in service training on an annual basis and,

WHEREAS, the Western Southern Tier Building Officials Association periodically sponsors education training conferences, which can be attributed toward the State mandated in-service training and,

WHEREAS, in order that the Town employed Code Enforcement Officials, namely, Kurt Allen, Joseph Boncore, and Lon Robinson be eligible to attend such training seminars, they must be active members of Western Southern Tier Building Officials Association.

THEREFORE BE IT RESOLVED, that the Town Board authorized travel requests for Code Enforcement Officials, Kurt Allen, Joseph Boncore, and Lon Robinson to attend the Western Southern Tier Building Officials Association sponsored periodic monthly training sessions held throughout the year. New York State Codes Division will apply the required credit toward each of the attendees continuing educational needs.

BE IT FURTHER RESOLVED that Town Board approve the annual membership renewal for the three Code Enforcement Officials at an annual cost of \$50.00 per member or \$150.00 total (Funds are available in account A3620.492 (seminars). Use of a Town vehicle will be required.

8.

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

TABLED	Ayes 4	Walters, Collins, Gorman, Ziegler
	Noes 0	

RESOLVED, that the Town Board approve the hiring of personnel for the Building and Grounds Department as follows:

- | | | | |
|-----------------------|--|------------|---------|
| 1. Dash, William | Asst. Deputy Superintendent
Of Building and Grounds | 01/31/2011 | \$10.97 |
| 2. Pawlowski, Raymond | Working Crew Chief
Woodlawn State Park | 02/01/2011 | \$27.15 |

The following spoke concerning resolution No. 8:

Joe Kilian, Supervisor Walters, Steve Strnad, Ferd Garcia, Councilman Collins

9.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the termination of personnel for the Public Safety Dispatch as follows:

- 1. Scutt, Denise L. Part-Time Public Safety Dispatcher 02/01/2011 Terminate

10.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the hiring of personnel for the I.T. Department as follows:

- 1. Dosch, Amanda Clerk P/T 02/15/2011 \$8.98

11.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that the Town Board approve the travel request for Bob Hutchison, Town Assessor, to attend the Valuation and Market Perspectives Seminar sponsored by the Western New York/Ontario Chapter of the Appraisal Institute on February 28, 2011 in Ellicottville, N.Y. The Course will provide 7 hours of re-certification credits. Cost of the course is \$235.00

BE IT FURTHER RESOLVED, that the Town Board approve the transfer of funds in the amount of \$235 from Account A1970.492 to Account A1355.492.

12.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

BE IT RESOLVED, that in accordance with Section 230-26 of the Town Code, the Town Board hereby adopts the following 2011 Public Improvement Permit (PIP) Cost Estimating Schedule. This includes construction cost estimate increases averaging 4.55%, which is reflective of changes in the Construction Cost Index since the schedule was last revised in January 2009.

TOWN OF HAMBURG

PUBLIC IMPROVEMENT PERMITS COST ESTIMATING SCHEDULE 2011

- For Projects up to \$10,000: 6% of estimated cost (minimum \$20.00)
 - For Projects from \$10,000 to \$20,000: \$600.00 plus 5.0% of estimated cost over \$10,000
 - For Projects from \$20,000 to \$30,000: \$1100.00 plus 4.5% over \$20,000
 - For Projects from \$30,000 to \$100,000: \$1550.00 plus 4.0% over \$30,000
 - For Projects over \$100,000: \$4350.00 plus 3.5% over \$100,000
- *Plus \$20.00 filing fee for each permit
-

Clearing, Stripping, and Erosion Control

\$ 475 per acre of development
 \$2000 per acre of topsoil and seeding

Storm Sewer Lines

8"	\$24.00 per lineal foot	27"	\$ 61.00 per lineal foot
10"	\$26.00 " " "	30"	\$ 64.00 " " "
12"	\$29.00 " " "	36"	\$ 78.00 " " "
15"	\$35.00 " " "	42"	\$ 89.00 " " "
18"	\$42.00 " " "	48"	\$ 93.00 " " "
21"	\$46.00 " " "	54"	\$ 101.00 " " "
24"	\$55.00 " " "	60"	\$ 108.00 " " "

Storm Water Detention \$2600 per acre foot

Swales by Developer \$3.00 per lineal foot

Pavement 30' wide asphalt/concrete

Light \$108.00 per lineal foot
 Standard \$123.00 " " "
 Heavy \$147.00 " " "

(cul-de-sacs - add 50 lineal feet from end of radius to account for additional pavement area)

Pavement Crossings \$1000 per road crossing for sanitary sewers and water lines.

Sidewalk By Developer \$11.00 per lineal foot

Light Standards \$1500 per light standard

Buildings, Bridges, Pump Stations, and/or other facilities not included in the above schedule

- The inspection fee shall cover all costs incurred by the Town, as determined by the Town Engineer. This shall include the cost of contracting with an inspection consultant, if the Town does not have the necessary specialized inspection expertise on staff.

Subdivision Review Fee - A review fee of \$65 per lot or residential unit for up to 20 lots/units plus \$45 for each additional lot/unit over 20 lots/units is to be paid by the developer upon the submittal of construction plans for subdivision development to the Town Engineering Department.

Note: In the event that work is started on a project prior to obtaining all required approvals and permits, the fee charged for the permits shall be triple the above amounts.

13.

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

ADOPTED	Ayes 4	Walters, Collins, Gorman, Ziegler
	Noes 0	

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

1. Gennetti, Deborah Clerk P/T 02/15/2011 \$8.98

14.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, both the Town of Hamburg and Town of Evans have only one certified Electrical Inspector within their Townships to perform the regular and necessary duties of said Inspector, and

WHEREAS, in both the Town of Hamburg and Town of Evans, the Electrical Inspector from time to time may be unavailable to perform said duties due to illness, vacation, etc., and

WHEREAS, to serve the mutual interests of both respective townships, the Town of Hamburg and Town of Evans seek to enter into inter-municipal agreement with each other to provide reciprocal electrical inspection services on an as needed basis in accordance with the consenting inter-municipal agreement to provide such reciprocal electrical inspection services.

NOW THEREFORE BE RESOLVED that the Town of Hamburg enter into an agreement with the Town of Evans to provide electrical inspection services as stipulated in said agreement, and

BE IT FURTHER RESOLVED that the Supervisor is authorized to sign the inter-municipal agreement on behalf of the Town of Hamburg.

15.

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

ADOPTED	Ayes	3	Walters, Gorman, Ziegler
	Noes	1	Collins

WHEREAS, the Town Board previously adopted Town of Hamburg Fiscal Policies on June 25, 1990, and updated April 25, 1997, as amended by resolution dated April 14, 2008, (hereinafter “Fiscal Policies”), including Section 9 entitled “Purchase Orders,” which addresses the requirements of General Municipal Law (GML) § 104-b concerning procurement policies, and

WHEREAS, the Fiscal Policies are required to be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonable practicable, and

WHEREAS, comments have been solicited from those officers of the town involved with procurement;

NOW THEREFORE BE IT RESOLVED, that the Town of Hamburg does hereby reaffirm the following guidelines concerning its procurement policies and procedures, which were adopted by the April 14, 2008 resolution:

Guideline 1.

Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML § 103. Every town officer, board, department head or other personnel with the requisite purchasing authority (hereinafter "Purchaser") shall estimate the cumulative amount of the items of supply or equipment needed in a given fiscal year. That estimate shall include the canvass of other town departments and past history to determine the likely yearly value of the commodity to be acquired. The information gathered and conclusions reached shall be documented and kept with the file or other documentation supporting the purchase activity.

Guideline 2.

All (a) purchases of materials, supplies or equipment which will exceed \$10,000 in the fiscal year or (b) public works contracts over \$20,000 shall be formally bid pursuant to GML § 103.

Guideline 3.

All estimated purchases of:

-- Less than \$10,000 but greater than \$2,000 require a written request for a proposal (RFP)/ written request for a quotation (RFQ) and written quotations, proposals or price lists from at least three vendors.

-- Less than \$2,000 but greater than \$500 require a written request for a proposal (RFP)/ written request for a quotation (RFQ) and written quotations, proposals or price lists from at least two vendors.

All estimated public works contracts of:

-- Less than \$20,000 but greater than \$5,000 require a written request for a proposal (RFP)/ written request for a quotation (RFQ) and written quotations, proposals or price lists from at least three contractors.

-- Less than \$5,000 but greater than \$500 require a written request for a proposal (RFP)/ written request for a quotation (RFQ) and written quotations, proposals or price lists from at least two contractors.

In all cases, written quotations, proposals or price lists, etc. may be transmitted by facsimile to the Purchaser.

Any written RFP/RFQ shall describe the work to be performed , or the desired goods, quantity and the particulars of delivery, and any other information required by Section 9 of the Fiscal Policies. The Purchaser shall compile a list of all vendors from whom written quotes have been requested and the written quotes offered.

All information gathered in complying with the procedures of this Guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

Guideline 4.

The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the Purchaser prepares a written justification providing reasons why it is in the best interest of the town and its taxpayers to make an award to other than the low bidder. [For example, the second low bidder is a business in town, paying town property taxes, and their quote was within 5% of the low bidder which is an out-of-state business or supplier.] If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.

Guideline 5.

A good-faith effort shall be made to obtain the required number of proposals or quotations. If the Purchaser is unable to obtain the required number of proposals or quotations, the Purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.

Guideline 6.

Except when directed by the town board, no solicitation of written proposals or quotations shall be required under the following circumstances:

- (a) Acquisition of professional services;
- (b) Emergencies;
- (c) Sole-source situations;
- (d) Goods purchased from agencies for the blind or severely handicapped;
- (e) Goods purchased from correctional facilities;
- (f) Goods purchased from another governmental agency;
- (g) Goods purchased at auction;
- (h) Goods purchased for less than \$500;
- (i) Public works contracts for less than \$500.

Guideline 7.

This policy shall be reviewed annually by the Town Board at its organizational meeting or as soon thereafter as is reasonably practicable, and

BE IT FURTHER RESOLVED, that any and all previously adopted polices, procedures, or resolutions pertaining to procurement, which are inconsistent with the current procurement policies and procedures contained in the Fiscal Policy, or which are not included in said Fiscal Policies, shall be rendered invalid, null and void.

The following spoke concerning resolution No. 15:

Councilman Collins, Kenneth Farrell

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

16.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

RESOLVED, that the Town Board approve the hiring and termination of personnel for the Youth, Recreation and Senior Departments as follows:

- | | | | |
|---------------------|------------------------------|------------|-----------|
| 1. Doody, Joseph | Part Time Rec. Attd. (A6772) | 02/14/2011 | Terminate |
| 2. Doody, Joseph | Seasonal Rec. Attd. | 02/15/2011 | \$11.32 |
| 3. Hornberger, Rory | P/T Van Driver (A6772) | 02/14/2011 | Terminate |
| 4. Hornberger, Rory | Seasonal Van Driver | 02/15/2011 | \$11.24 |
| 5. Jedynak, Richard | P/T Van Driver (A6772) | 02/14/2011 | Terminate |
| 6. Jedynak, Richard | Seasonal Van Driver | 02/15/2011 | \$9.44 |
| 7. Romanello, John | P/T Van Driver (A6772) | 02/14/2011 | Terminate |

The following spoke concerning resolution No. 16:

Steve Strnad, Marty Denecke, Councilwoman Ziegler

17.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, the Town of Hamburg created the Fairgrounds District, the requirements of which are generally described in Section 280-214.2 of the Hamburg Town Code; and

WHEREAS, the Town of Hamburg wishes to officially describe and rezone the property included in the Fairgrounds District, as well as amend the zoning map to reflect its boundaries; and

WHEREAS, the Code Review Committee has recommended this rezoning; and

WHEREAS, the Hamburg Town Board held a public hearing on this proposed rezoning on December 13, 2010; and

WHEREAS, the Town has conducted a Coordinated SEQR Review and has determined that the rezoning will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic consideration:

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board has determined that the rezoning of properties generally described in Section 280-214.2 of the Hamburg Town Code and indicated on the attached map is not anticipated to result in any significant negative effect on the environment and that a Negative Declaration is hereby issued.

18.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

WHEREAS, the Town of Hamburg created the Fairgrounds District, the requirements of which are generally described in Section 280-214.2 of the Hamburg Town Code; and

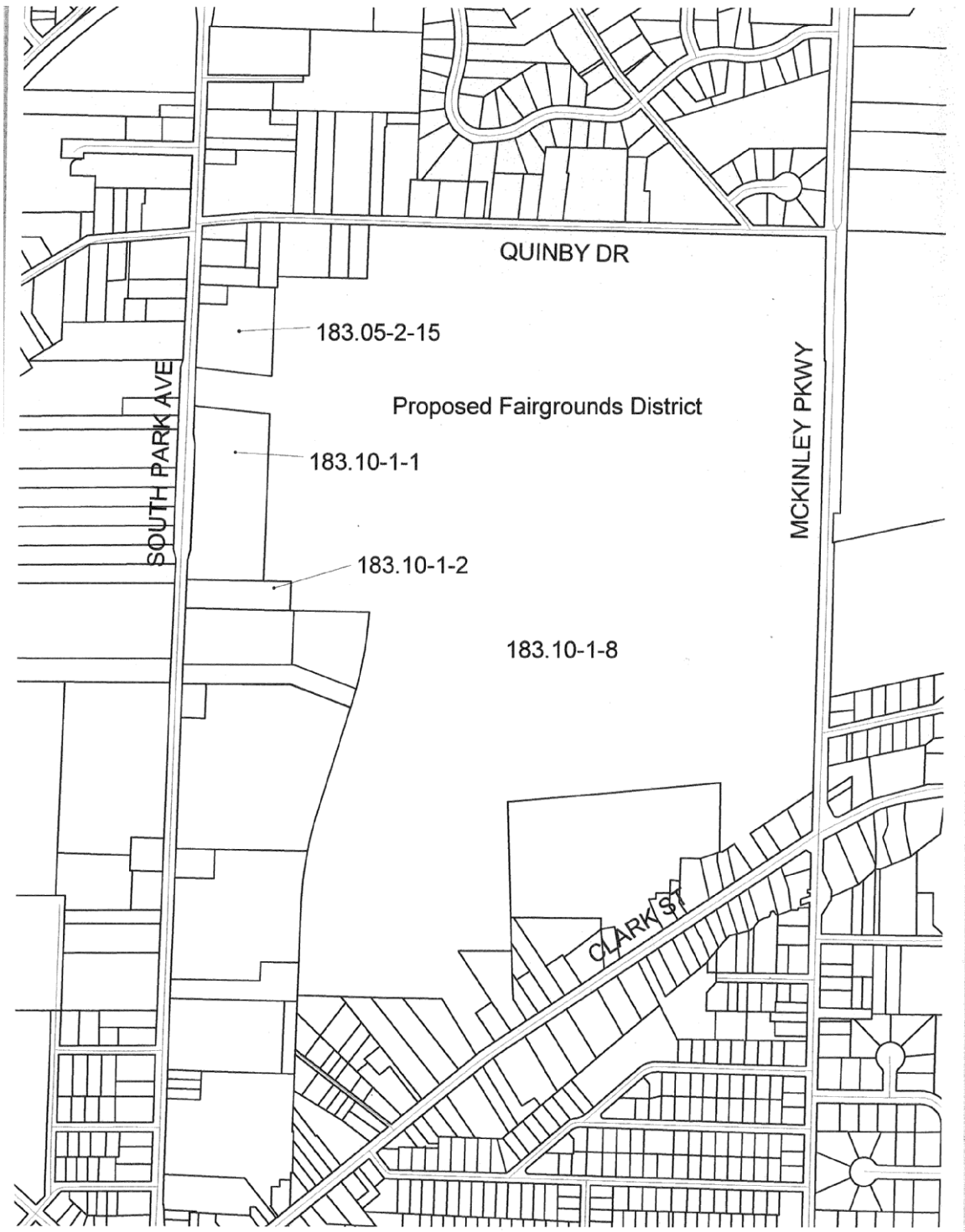
WHEREAS, the Town of Hamburg wishes to officially describe the property included in the Fairgrounds District and rezone it from M-1, C-2 and R-3 to FG, as well as amend the zoning map to reflect its boundaries; and

WHEREAS, the Code Review Committee has recommended this rezoning; and

WHEREAS, the Hamburg Town Board has determined that the proposed rezoning will not result in any significant negative effect on the environment and has issued a Negative Declaration;

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

To amend Local Law # 10, 1986 of the Code of the Town of Hamburg Chapter 280 entitled "Zoning", Section 280-14.2 "Fairgrounds District" for property generally located north of Clark Street, south of Quinby Drive east of South Park Avenue and west of McKinley Parkway (as illustrated in the attached map) from M-1, C-2 and R-3 to FG ("Fairgrounds District").



19.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board authorize the Finance Dept. to increase the Police Department appropriation B3120.494 in the amount of \$60,734.96 thru the B599 Appropriated Fund Balance. This is unexpended Drug Forfeiture and Seizure monies to be used for Law Enforcement purposes only.

20.

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

TABLED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board accepts the resignation of Brandon LoVullo from the Planning Board.

THEREFORE BE IT RESOLVED, that the Town Board make the following appointment to the Planning Board for a 7 year term commencing January 1, 2011 through December 31, 2018:

Ryan McCann

The following spoke concerning resolution No. 20:

Councilman Collins, Supervisor Walters

21.

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

ADOPTED Ayes 4 Walters, Collins, Gorman, Ziegler
 Noes 0

RESOLVED, that the Town Board approve the agreement with Sundance Kennels, located at 2875 Lakeview Road in the Town of Hamburg. The boarding rate set at \$25.00 per day and the term of the contract shall through December 31, 2011.

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign the agreement.

The following spoke concerning resolution No. 21:

Supervisor Walters, a resident

22.

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

FAILS Ayes 2 Walters, Ziegler
 Noes 2 Collins, Gorman

BE IT RESOLVED, that the Town Board approves the Enterprise Fund (EB) budget for Woodlawn Beach.

TOWN OF HAMBURG
2011 BUDGET
ENTERPRISE FUND - WOODLAWN BEACH

		<u>2010 Adopted Budget</u>	<u>2011 Department Request</u>	<u>2011 Adopted Budget</u>	<u>Increase (Decrease) over 2010</u>
EB 7182	WOODLAWN BEACH MAINTENANCE				
	Department Head - Best				
.100	Personal Services	\$ -	\$ 60,618	\$ 60,618	\$ 60,618
	Total personal services	<u>-</u>	<u>60,618</u>	<u>60,618</u>	<u>60,618</u>
.201	Machinery & Equipment	-	59,000	59,000	59,000
	Tractor \$30,000				
	Shelters 2 @ \$12,000				
	Lawn Equipment \$5,000	-	-	-	-
	Total machinery and equipment	<u>-</u>	<u>59,000</u>	<u>59,000</u>	<u>59,000</u>
.413	Repair & Maintenance Supplies	-	12,000	12,000	12,000
.421	Telephone	-	1,000	1,000	1,000
.422	Heat, Light and Power	-	12,000	12,000	12,000
.460	Repair & Maintenance	-	15,000	15,000	15,000
.465	Water and Sewer	-	4,500	4,500	4,500
	Total contractual	<u>-</u>	<u>44,500</u>	<u>44,500</u>	<u>44,500</u>
	TOTAL EB 7182	<u>-</u>	<u>164,118</u>	<u>164,118</u>	<u>164,118</u>
EB 7183	WOODLAWN BEACH OPERATIONS				
	Department Head - Denecke				
.100	Personal Services	-	80,642	80,642	80,642
	Total personal services	<u>-</u>	<u>80,642</u>	<u>80,642</u>	<u>80,642</u>
.201	Machinery & Equipment	-	10,000	10,000	10,000
	Boats, guard chairs, bouys, first aid tables, bull horns \$7,000				
	Tables, chairs \$3,000	-	-	-	-
	Total machinery and equipment	<u>-</u>	<u>10,000</u>	<u>10,000</u>	<u>10,000</u>
.412	Recreational Supplies	-	2,525	2,525	2,525
.421	Telephone	-	5,000	5,000	5,000

**TOWN OF HAMBURG
2011 BUDGET
ENTERPRISE FUND - WOODLAWN BEACH**

		2010	2011	2011	Increase
		Adopted	Department	Adopted	(Decrease)
		<u>Budget</u>	<u>Request</u>	<u>Budget</u>	<u>over 2010</u>
.451	Miscellaneous	-	475	475	475
	Total contractual	-	7,525	7,525	7,525
	TOTAL EB 7183	-	88,167	88,167	88,167
	Employee Benefits:				
.810	State Retirement, Not Police	-	10,063	10,063	10,063
.830	Social Security - @ .0765 %	-	10,807	10,807	10,807
.860	Hospital & Medical Insurance	-	14,000	14,000	14,000
.865	Dental Insurance	-	1,325	1,325	1,325
.875	Vision Care	-	225	225	225
	Total employee benefits	-	36,420	36,420	36,420
	TOTAL APPROPRIATIONS ER FUND	\$ -	\$ 288,705	\$ 288,705	\$ 288,705

TOWN OF HAMBURG
2011 BUDGET
ENTERPRISE FUND - WOODLAWN BEACH

		<u>2010</u> <u>Adopted</u> <u>Budget</u>	<u>2011</u> <u>Department</u> <u>Request</u>	<u>2011</u> <u>Adopted</u> <u>Budget</u>	<u>Increase</u> <u>(Decrease)</u> <u>over 2010</u>
OBJECT OF REVENUE					
EB2001	Beach Entrance Fees	\$ -	\$ 160,000	\$ 160,000	\$ 160,000
EB2012	Concessions - Snack Bar	-	12,000	12,000	12,000
EB2410.1	Rental of Property - Shelters	-	4,705	4,705	4,705
EB2410.1	Rental of Property - Pavilion	-	<u>112,000</u>	<u>112,000</u>	<u>112,000</u>
	Total Rental of Property	<u>-</u>	<u>116,705</u>	<u>116,705</u>	<u>116,705</u>
ER 2401	Interest Earnings	-	-	-	-
ER 599	Appropriated Fund Balance	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL REVENUE ER FUND		<u>\$ -</u>	<u>\$ 288,705</u>	<u>\$ 288,705</u>	<u>\$ 288,705</u>

Supervisor Walters explains there are two major portions of the Budget, the maintenance portion and the operating portion. The maintenance portion includes Buildings and Grounds. The Total for that is \$164,118. This is broken down into Personal Services and a one time expense of \$59,000 for machinery and equipment. The second aspect is the operations portion which is the Recreation side of the facility. This portion totals \$88,167. The benefit section is listed next for the one full time employee assigned to the Beach. The total cost is \$288,705. On the revenue end it is broken down by entrance fees, concession leasing fees and rental of shelters and the pavilion.

Bob Reynolds, United Council of Taxpayers, questions the expense for Police, snowplowing, etc. He would like to see a breakdown on what it costs to keep it open, special activities, insurance costs and cost of new picnic areas. The taxpayer group has concerns on where the money is coming from.

Ted Casey comments on the personal services, will that be enough money to cover a full time employee and all the part-time employees needed to maintain the park.

Supervisor Walters responds the numbers came from the Highway Superintendent who listed what he would need from a seasonal and part-time basis.

Ted Casey references an article by Barb O'Brien of the Buffalo News.

Supervisor Walters responds that the numbers they received from the State are different.

Mr. Casey comments on the revenue portion of the budget; will they be able to bring in that much revenue.

Supervisor Walters responds that they will treat this like a business. They have already rented the facility and have been working with private sector restaurants that are extremely confident they will be able to meet the budget.

Mr. Casey questions if they are looking into a ten year contract.

Supervisor Walters responds that they can withdraw any year.

Ferd Garcia comments that according to published articles the best year they had was 2007 to 2008 when they attracted 213,897 people, which brought in revenue of \$50,145 with expenditures of \$272,000.

Supervisor Walters responds that the State admitted they did a terrible job at marketing and utilizing the facility. There will be other revenue sources that the State never pursued.

Dennis Chapman questions if they are required to honor the state passes.

Supervisor Walters responds that there are three types of passes and they are required to honor all three for the duration of the agreement.

Mr. Chapman questions how they will market the Beach so that it doesn't affect his Veterans Post.

Supervisor Walters responds that the price structure is different. The Beach would be a higher price structure.

Steve Strnad comments that he has a hard time believing the Town will run this like a business.

Supervisor Walters responds that if they don't, there will be a large number of people pointing fingers at the Town Board. That is a huge incentive for them to run it efficiently.

Paul Ratchuk comments on the Sewage Treatment facility being right next door and when the water levels are contaminated they have to close the Beach, have they taken that into consideration.

Supervisor Walters responds that they met with the State concerning that and the Town Park is not open 100% of the time and they don't expect this to be either. However they are working with the State and County and that is reflected in the budget.

David Bellissimo, owns a business in the Gateway building adjacent to the Beach. They have rented the Pavilion, it is a wonderful facility. The State purchased this back in 1993 for 6.5 million dollars; they didn't do a good job. Now this will be a professionally run activity center and he is very supportive of this.

Councilman Gorman comments that he ran some quick numbers and he had concerns about this project from the start. The \$160,000 entrance fees mean that they will need 22, 857 cars throughout a 2 ½ month season, if they average 400 for rental of the hall they will need 280 events. Woodlawn Beach is beautiful but isn't open very often. This is government expansion and comes at a time when we should be cutting back. This is a risk, they may break even, but are not in the business to break even. The numbers are not reasonable and again this is not the time to expand when we already have a Beach available to Town residents.

Councilman Collins comments that the public should have been involved.

Supervisor Walters comments that this started back in March or 2010. Numbers were released back in September.

Ken Farrell comments that the meeting needs to follow protocol, one person speaking at a time.

Supervisor Walters responds the matter has been voted on the discussion is over.

23.

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

ADOPTED	Ayes	4	Walters, Collins, Gorman, Ziegler
	Noes	0	

TOWN BOARD February 14, 2011
AUDIT OF CASH DISBURSEMENTS

		VOUCHER #S	
OPERATING FUND:			
BATCH #8	\$180.00	45669	
BATCH #9	\$274.00	45838-45855	
BATCH #10	\$100,606.56	45856-45927	
BATCH #11	\$48,738.92	45928-45983	
BATCH #12	\$910,296.23	45985-46083	
BATCH #13	\$312,056.99	46089-46144	
BATCH #14	\$469.09	46145	
BATCH #15	\$155,755.23	46150-46220	
BATCH #16	\$481,389.15	UNPROCESSED	
TOTAL OPERATING FUND DISBURSEMENTS:			\$2,009,766.17
TRUST & AGENCY:			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$0.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #2	\$1,452.00	45984	
BATCH #3	\$2,545.91	46084-46088,	
BATCH #4	\$91,715.91	46146-46149	
TOTAL CAPITAL FUND DISBURSEMENTS:			\$95,713.82
PAYROLL:			
PR #P/R #3	\$611,546.86		
TOTAL PAYROLL DISBURSEMENTS:			\$611,546.86
PETTY CASH			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$2,717,026.85

Reports from Town Board Members and Department Heads

Councilman Collins reports as liaison to Planning, Engineering and the Zoning Board that everything is running smoothly.

Supervisor Walters reports on the status of Woodlawn Beach. He, Marty Denecke, Tom Best Sr., and Linda Rogers met with both the State and some local restaurants about creating a destination, turning the Beach around, running it like a business and breaking even. The comments they received from the private sector is that they are underestimating the revenue. They think that more will be brought in than estimated. This is the private people, the professionals. For anyone to say that revenues are inflated without substance is wrong and hurts this community. This is an important resource for this community. It is a mile long Beach with a pavilion that will bring people to Hamburg. By not passing this Budget the Town Board is closing off access to the waterfront. This is an opportunity to open the waterfront to the public at no cost to the taxpayers.

Catherine Rybczynski, Town Clerk, reports that February 15th is the last day of tax collection without penalty; it is the fifth day of extended hours from 8:00 am to 6:00 pm. There is a drop box in the front lobby and payments are accepted at all three M & T branches in the Town of Hamburg.

Robert Hutchison, Town Assessor, reports that March 1st is the last day for renewing or applying for tax exemptions for the upcoming year.

Marty Denecke, Director of Recreation, announces that they have activities planned for the week starting this Sunday including numerous public skates, discount passes for Kissing Bridge and Hockey skills scheduled throughout the week.

Business from the Floor

Laura Hahn, Woodlawn Budget, comments on the Budget for Woodlawn Beach not being available to the public.

Dennis Chapman comments that the Town should rent out Woodlawn Beach to the restaurateurs and businessman for guaranteed income.

Supervisor Walters responds that is part of the plan to lease it out.

Dennis responds they should let them run it and give the Town the revenue.

Steve Strnad questions if the Town Board has done a study on why the State failed with the Beach.

Supervisor Walters responds that the State said that they were not equipped to properly run a facility like this.

Dave Bellissimo comments that they should at least try it for one year. The Town Board should come together and pass this budget.

Councilman Collins responds that in this economy the taxpayers are concerned with cost. This is a cost item they are taking on.

Dave Bellissimo comments that the golf course lost money for many years and no one questioned that.

Ferd Garcia questions the stipends of \$4,500.00 in the Highway Department for doing the work they already do. Ferd questions what is happening with the Prospect Lawn Cemetery Board.

Supervisor Walters responds that they have not made the three appointments yet.

Ferd comments that a gentleman applied for that position and was willing to work free of charge.

Supervisor Walters responds they are still working on that.

Ted Casey questions if they have done any benchmarking with other State Parks for example, Evangola or Beaver Island.

Supervisor Walters responds some are in the red some are not. It is hard to make a straight comparison between individual State Parks.

Ted Casey comments that Edukids did their due diligence in providing a detailed presentation, he would suggest they do that for the public. Make it very visible so they can actually see what is going on.

Bob Reynolds comments that he read the contract with the State and any surplus they make has to go back to the State. There are so many hidden costs that are not addressed. They owe three plans of emergency evacuation; we owe additional insurance costs for people swimming at the beach. He has no problem getting into a public enterprise business but we already have a Town Beach, we are taking on additional responsibilities with hidden costs and he can't say that the budget submitted tonight addressed his concerns as a taxpayer.

Steve Strnad comments that it was brought to his attention that there are 19 people who work for the Town but don't live in the Town, is that accurate.

Supervisor Walters responds that is fairly accurate.

Steve responds that is wrong.

Ferd Garcia questions the residency law that has been discussed.

Supervisor Walters responds that they are working on that.

Roger Ferguson thanks Supervisor Walters, the Town Board and Superintendent Best for the donation of land and all the hard work they have put into the dog park. They are at the point were they need to build the fence. They need to make a commitment to spend the money for the fence; the cost of steel is going up about 10% every month. So for every month they wait it will be an additional \$1500 in cost. The problem is they don't have all the money yet. They have raised \$2500 and have another fundraiser planned for April. The grand opening will also be a fundraiser and they will be selling 10 feet sections of fence for advertisement. The cost for the fencing is \$15,275 and they would ask the Board if they could borrow the money and repay the Town as they get the money from fundraising.

Councilwoman Ziegler responds that they discussed this matter in the Work Session and she is proud to tell him that the Board unanimously agreed to purchase the fence on their behalf and await repayment by virtue of the fundraisers.

Councilman Collins comments that these are the kind of projects they want to support, projects that benefit the residents of the Town of Hamburg.

24.

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

ADOPTED	Ayes 4	Walters, Collins, Gorman, Ziegler
	Noes 0	

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

25.

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

ADOPTED	Ayes 4	Walters, Collins, Gorman, Ziegler
	Noes 0	

RESOLVED, that the Town Board adjourn Executive Session at 9:50 p.m.