

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 11th day of April 2011.

TOWN BOARD MEMBERS

PRESENT:

Steven J. Walters

Supervisor

Joseph A. Collins

Councilman

Jonathan G. Gorman

Councilman

Amy J. Ziegler

Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk;
Mary Dosch, Sr. Account Clerk; Wayne Drescher, Financial Consultant; Rick Lardo, Principal Engineer; Robert Hutchison, Town Assessor; Kenneth Farrell, Town Attorney; Brian Doyle, Deputy Town Attorney; Chief of Police Mike Williams; Marty Denecke Director of Recreation; Rick Krautsack Deputy Highway Superintendent; Kurt Allen, Supervising Code Enforcement Officer; Drew Reilly, Planning Consultant; Jerry Giglio, Traffic Safety Consultant

The Pledge of Allegiance was recited.

Information on 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

PLEASE TAKE NOTICE that there has been presented to the Town Board on March 14, 2011, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #4, 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 property located at 2873 Cloverbank Road (southwest corner of Cloverbank Road and Briercliff Drive). The property is identified as tax map parcel S.B.L. No.169.20-1-8. The property is to be rezoned from PUD (Planned Unit Development) to R-1 (Single Family Residential District).

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 April 11, 2011 at 7:00 p.m. (local time), at which time all interested persons may be heard.

Dated: March 14, 2011

Catherine Rybczynski
Town Clerk
Town of Hamburg

No correspondence was received.

Drew Reilly, Planning Consultant, describes the zoning process and how it pertains to this piece of property.

Councilman Collins comments that he is the liaison to the Planning Board and Zoning Board. This has been discussed and is very straight forward.

No one commented either for or against this rezoning.

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.

2.

On a motion of Councilman Gorman, seconded by Councilwoman Ziegler, 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:

- 03/28/2011 Work Session
- 03/28/2011 Town Board Meeting

3.

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 termination and rehiring of personnel for the Domestic Violence Department as follows:

- 1. Reynolds, Brigit Clerk Typist – Seasonal 03/13/2011 Terminate
- 2. Reynolds, Brigit Clerk Typist – P/T 03/14/2011 \$10.59

Councilwoman Ziegler notes Brigit is a Town resident.

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 approve the termination and rehiring of personnel for the Police/Dog Control Department as follows:

- 1. Jones, Heather Dog Control Officer Seasonal 04/14/2011 Terminate
- 2. Jones, Heather Dog Control Officer P/T 04/15/2011 \$12.46

Supervisor Walters notes Heather is a Town resident

5.

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 membership of the following into the Lake Shore Volunteer Fire Company, Inc.:

Chaplain Arthur J. Smith
4737 Lake Shore Road
Hamburg, New York 14075

Fr. Ross Michael Syracuse
4263 St. Francis Drive
P.O. Box 182
Athol Springs, New York 14010

Colin Chapin
5726 East Lane
Lake View, New York 14085

6.

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

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

WHEREAS, a public hearing was held on March 28, 2011, for discussion and public comment concerning adoption of proposed local law #3, 2011, and

WHEREAS, proposed local law #3, 2011, provides for a local law to require landlords to disclose the smoking policy of the dwelling unit.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board adopt the proposed local law to the Town Code of the Town of Hamburg to read as follows:

A LOCAL LAW TO REQUIRE LANDLORDS TO DISCLOSE THE SMOKING
POLICY FOR A DWELLING UNIT

BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF HAMBURG AS
FOLLOWS:

Section 1: TITLE

This local law shall be known as Local Law No. (to be determined upon adoption) for the year 2011, Landlord Smoking Policy Disclosure Law.

Section 2: LEGISLATIVE FINDINGS AND INTENT

Landlords often incur additional costs when apartments are vacated by smokers. Many landlords incorrectly believe that their tenant(s) have a legal right to smoke and are unaware of their own legal right to implement policies that restrict smoking in the personal living units, common areas and exterior grounds of their buildings. Furthermore, exposure to secondhand smoke has been casually linked to a variety of adverse health outcomes in both adults and children.

The New York State Real Property Law states that every tenant has the right to be free of "dangerous, hazardous or detrimental" conditions, and enacting a disclosure law would offer a standardized method to inform concerned renters of possible exposure to harmful secondhand smoke in their homes.

This proposed smoking policy disclosure law would NOT require landlords to either allow or limit smoking, but rather would simply require that landlords disclose to tenants whether smoking is restricted or allowed within rental units and common areas as part of any new, written lease.

Providing information on a landlord's smoking policy will be beneficial to both prospective tenants who smoke and those who do not smoke in that it will allow them to make informed decisions before signing a lease.

Section 3: DEFINITIONS

Smoking: The term "smoking" means inhaling, exhaling, breathing, carrying or possessing any lighted cigar, cigarette, pipe, other tobacco product or similar lighted product in any manner or in any form.

Section 4: DISCLOSURE OF SMOKING POLICY

The rental agreement or lease for a dwelling unit [regulated under this chapter] must include a written disclosure of the smoking policy for the premises on which the dwelling is located. The disclosure must state whether smoking is prohibited on the premises, allowed on the entire premises or allowed in limited areas on the premises. If the smoking policy allows smoking in limited areas on the premises, the disclosure must identify the areas on the premises where smoking is allowed.

Section 5: SEVERABILITY

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this local law.

Section 6: EFFECTIVE DATE

This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

7.

On a motion of Councilwoman Ziegler, seconded by Councilman Gorman, 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 April Taylor Road rentals:

4/1/11	4/2/11	4/3/11	4/9/11
4/10/11	4/15/11	4/16/11	4/17/11
4/22/11	4/23/11	4/24/11	4/28/11
4/29/11	4/30/11		

8.

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 authorize Patrolman Joseph Bloom to attend a “Police Motorcycle Operator Training” course to be held in London, Ohio, May 8 - 20, 2011.

Cost of Registration	\$1,495.00
Cost of Lodging:	
10 nights at Academy (\$15.00per)	\$ 150.00
2 nights (weekend) Hotel @ \$69.00	\$ 138.00
Meals: 13 days @ \$40.00 per	\$ 520.00
Tolls (approximate)	<u>\$ 50.00</u>
<u>TOTAL</u>	<u>\$2,203.00</u>

Use of unmarked Town vehicle for transportation is requested.

Money is available in account B3120.492

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 authorize Patrolman Nicholas Borowski to attend the 2011 Annual K-9 Seminar, to be held May 1 - May 5, 2011 in Penn Yan, New York.

Cost of Seminar:	\$600.00
(Inc. Materials, lodging and meals)	
Tolls (approximate)	\$ 50.00
TOTAL	<u>\$650.00</u>

Use of Police K-9 Vehicle for transportation is requested.

Money is available in account B3120.492.

10.

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

FAILED	Ayes	2	Walters, Ziegler
	Noes	2	Collins, Gorman

BE IT RESOLVED that the Town Board approve the purchase of a new and unused John Deere HPX 4 x 4 Gator from Z & M Ag and Turf in the amount of \$9,665.54. Funds are available in A.1640.202, Machinery and Equipment. Account balance is \$33,233.00. Three quotes were received as follows:

Z & M Ag & Turf	\$9,665.54
Lamb & Webster	\$16,315.00
Grassland	\$27,357.98

Ferd Garcia questions is this a new piece of equipment, what will happen to the old equipment.

Rick Krautsack responds that this is a new piece of equipment and the old piece will go to auction.

Councilman Collins questions what this equipment will be used for.

Mr. Krautsack responds that it is a utility vehicle for use on lawns at the golf course and ice arena area.

Steve Strnad comments on the large difference between the bids.

Supervisor Walters responds that before any vendor is paid the voucher needs to be signed and noted that the equipment was received and is satisfactory.

Councilman Gorman states that he is opposed to this because of the shortfall in the budget. He wants to have a spending plan in place before the purchase of equipment.

11.

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

FAILED	Ayes 2	Walters, Ziegler
	Noes 2	Collins, Gorman

BE IT RESOLVED, that the Town Board approve the hiring/termination of the following into the Buildings and Grounds Department:

Fanning, Sean		Terminated 3/30/11
Hojnacki, John		Terminated 3/29/11
Sweeney, William		Terminated 3/29/11
Ryan, Patrick	Maintenance Man	Terminated 4/11/11
Ryan, Patrick	Working Crew Chief	Start 4/12/11 Rate-\$27.15
Bennett, Michael	Temp. Maintenance Man	Terminated 4/11/11
Bennett, Michael	Maintenance Man	Start 4/12/11 Rate-\$26.48

Councilman Collins questions if the employees that retired need to be terminated.

Supervisor Walters responds that Civil Service requires it.

Councilman Collins questions if the employees being hired are Town residents.

Councilwoman Ziegler responds that Mr. Bennett does not reside in the Town, however he would be subject to any grandfather provision of any anticipated residency rule.

Councilman Collins comments that there has not been any action on the residency law and he has been waiting for a response.

Ken Farrell comments that he did respond to him by letter for his review. There is no residency requirement in place for this employee.

Supervisor Walters comments that this person is a current employee who will fill in for one of the retirees.

Ferd Garcia wants to know how long they will wait for this law to be enacted. He suggests that they get this done.

12.

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 and rehiring of personnel for the Youth, Recreation & Senior Departments as follows:

1. Clendening, Robert	Rec. Attd. P/T (ER7251)	04/11/2011	Terminate
2. Clendening, Robert	Rec. Attd. Seasonal	04/12/2011	\$11.06/hr.
3. Wicka, John	Van Driver – P/T (A6772)	04/11/2011	Terminate
4. Wicka, John	Rec. Attd. Seasonal (ER7251)	04/12/2011	\$7.40/hr.
5. Steger, Amy	Rec. Attd. P/T (A7310)	04/11/2011	Terminate
6. Steger, Amy	Rec. Attd. P/T (ER7251)	04/12/2011	\$9.18/hr.
7. Boswell, David	Rec. Attd. P/T (ER7251)	04/12/2011	\$8.75/hr.
8. Reid, Gregory	Rec. Attd. P/T (A7265)	04/11/2011	Terminate
9. Reid, Gregory	Rec. Attd. P/T (ER7251)	04/12/2011	\$9.45/hr.
10. Lease, Warren	Rec. Attd. P/T (A7310)	04/11/2011	Terminate
11. Lease, Warren	Rec. Attd. P/T (ER7251)	04/12/2011	\$10.50/hr.
12. Turner, Ronald	Rec. Attd. P/T (ER7251)	04/12/2011	\$8.22/hr.
13. Martin, Jeffrey	Rec. Attd. P/T (A7310)	04/11/2011	Terminate
14. Martin, Jeffrey	Rec. Attd. P/T (ER7251)	04/12/2011	\$7.40/hr.
15. Scharlock, Matthew	Rec. Attd. P/T (A7310)	04/11/2011	Terminate
16. Scharlock, Matthew	Rec. Attd. (ER7251)	04/12/2011	\$8.42/hr.
17. Otremba, Steve	Rec. Attd. Seasonal (A7265)	04/12/2011	\$10.84/hr.

13.

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

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

WHEREAS, the Town of Hamburg has completed the process of updating the Town’s LWRP and can now proceed to its adoption, and

WHEREAS, the New York State Department of State (NYS DOS) has recommended its adoption with the conditions that the Town adopt a Consistency Review Law, and the amendments to the zoning map, prior to adopting the LWRP amendment, and

WHEREAS, the Town, as directed previously by the NYSDOS, has already adopted all of the zoning revisions (WC Zoning and Overlay District) and called for a public hearing on the rezoning of Woodlawn Beach State Park to PR (Park Recreation) District, and

WHEREAS, to meet all of the recommendations of the NYSDOS, the Town must adopt a Consistency Review Law, which the Town drafted during the completion of the LWRP.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board sets a Public Hearing on this new law entitled “Local Waterfront Revitalization Program Consistency Review”, for May 9, 2011 at 7:00 p.m.

BE IT FURTHER RESOLVED, that the Planning Department is authorized to perform a Lead Agency mailing and County referral on this action, and that a copy of this proposed law be made available at the Town Clerk’s office and on the Town’s website.

14.

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

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

WHEREAS, in accordance with New York State Law and Chapter 34 of the Hamburg Town Code, each Planning Board member and Zoning Board of Appeals member must receive four hours of training each year, and

WHEREAS, Sections 34-4 and 34-6 of the Town Code requires that the Town Board approve training providers and training programs that would be suitable to meet these training requirements, and

WHEREAS, the Town Planner, who provides training for the New York Planning Federation, the Association of Towns and various other State and Regional Agencies, has proposed a training session on 4/26/11 for Planning Board and Zoning Board members, and

WHEREAS, the training, as outlined in the Town Planners memo of 3/1/11, includes a discussion of the Town’s Zoning Code; including interpretational issues, how the code is used, coordination issues, affects of certain Zoning Articles, and potential problem areas.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorizes this training session as an Approved Training Session for Planning Board and Zoning Board of Appeals members.

15.

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

FAILED	Ayes	2	Walters, Ziegler
	Noes	2	Collins, Gorman

BE IT RESOLVED that the Town Board accept the bid opened on April 8, 2011 for a 2011 F-250 Regular Cab and award it to DeLacy Ford in the amount of \$27,336.00. Funds are available in A.7140.202. DeLacy Ford was second lowest bidder, but met all specifications. Lowest bidder, Basil Ford did not meet plow specifications.

Councilwoman Ziegler states for the record that the fund balance in A7140.202 is \$32,000.

Councilman Gorman comments, again, there needs to be a spending plan in place before he will approve new purchases.

16.

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

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

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

- | | | | |
|---------------------|--------|------------|---------------------|
| 1. Granica, Michael | H.E.O. | 03/30/2011 | (\$26.48) Terminate |
| 2. Granica, Michael | H.E.O. | 03/31/2011 | \$25.86 |

Councilman Gorman asks to table the resolution to get answers to some questions.

17.

On a motion of Supervisor Walters, with a unanimous second, the following proclamation was

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



Town of Hamburg
Office of Supervisor

WHEREAS, today we are recognizing the achievement of rank of Eagle Scout; and

WHEREAS, Michael J. Raab and his fellow scouts built camp storage units for the campers that will be attending Cradle Beach Camp Facility in Angola, New York; and

WHEREAS, the Boy Scouts of America has a long tradition of developing fine young men who service their communities; and

WHEREAS, the Boy Scouts instill values in their members that stay with them throughout their lives.

NOW THEREFORE, on behalf of the Town Board of the Town of Hamburg, we salute:

Michael J. Raab

for his achievement of Eagle Scout. Congratulations and continue your hard work and dedication to the troop. Good luck with your future endeavors.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 10th day of April 2011.

A handwritten signature in black ink, appearing to read "Steven J. Walters", is written over a horizontal line.

STEVEN J. WALTERS
Supervisor
Town of Hamburg

Joseph Collins, Councilman
Jonathan Gorman, Councilman
Amy Ziegler, Councilwoman

Reports from Town Board Members and Department Heads

Councilman Collins reports that the Townwide Clean-up will be held on May 7th.

Councilman Gorman reports that there are some concrete issues on the ramp at the Hamburg Library. They will be holding a fundraiser; please watch for it and support your local library. Terry MacKinnon is on the downsizing board. A meeting will be planned soon. Contact them for more information.

Councilwoman Ziegler reports that there is a chicken barbeque on April 28th, to support the Bicentennial Committee, from 4 – 7 pm at Town Hall. Takeout dinners are available for \$8.50.

Supervisor Walters – no report

Marty Denecke reports that the golf course should open later this week, weather permitting. They are in the process of converting to the Sport Court floor; Skate Park will be open for the Easter Break and they have many programs running during that week for kids. In conjunction with the Youth Sports organizations they are having a scrap metal drive with the proceeds to go to the Recreation Foundation which is in the process of being formulated.

Business from the Floor

Betty Newell, Hamburg Chamber of Commerce, announces that the Farmers Market will open on Saturday May 7th. The hours are 7:30 am to 1:00 pm.

Joseph Schultz comments that along Bayview Road there are no sidewalks and drivers don't honor the speed limit. He asks if the speed limit could be reduced. Because of the construction on South Park and Big Tree, all the traffic is on Bayview Road.

Supervisor Walters comments that the Traffic Safety Coordinator is present. Frontier Schools, last year under the safe schools grants, tried to get federal funding for sidewalks. He is unsure of the status of that. He asks Mr. Giglio to look into the speed limit aspect.

Mr. Giglio responds that they just had a case like this at Pinehurst Elementary. The only way to get the speed limit reduced for a school is that the school has to be within so many feet of the highway and the School Board also has to supply a crossing guard and crosswalks which is per State law. The only thing they could do is patrol the area more.

Supervisor Walters comments that they could get the County involved to lower the speed limit from 45 to 35 mph.

Mr. Giglio comments that they should do a traffic study and then he will write a letter to the County Safety Division and if it is warranted there is the possibility of a reduction.

Steve Strnad questions if all the hires in resolution #12 are Town employees.

Councilwoman Ziegler responds that it is her understanding that they all are residents except Jeffrey Martin, who was hired last year as a youth golf instructor. He also works part time at the ice arena and with the special needs program.

Mr. Strnad comments that they need to get the residency law approved.

Bob Kelly comments that he stopped at the golf course to pay his dues and the club house is in disrepair. It needs to be gutted and redone.

Supervisor Walters comments that a new carpet was put in, some of the trim work in the reception area has been replaced and in the back it has been opened up to allow for more seating opportunity. Painting has been done as well. This work will be done by the time the course opens.

Mr. Kelly questions if the tee times will be available as normal, through the phone or internet.

Councilman Collins comments that he received some phone calls on the concession stand and who will be running it.

Ken Farrell responds that the concession stand is part of the course improvement project. Mr. Denecke will be working on that. They have a contractual agreement which has to be re-bid every few years and they are discussing this now. Recreation is working on a RFP to bid for that.

Councilman Collins asks for a copy of the contract.

Greg Conrad is concerned about what happened with Mary Nosky who ran the concession stand at the golf course. They had the understanding that she had the bid for another year.

Ken Farrell comments that it was his understanding that Ms. Nosky did have a good working relationship with the Recreation Department and the contracts have terms and they do expire and have to be re-bid. There is a big undertaking to enhance and improve the facility. She has the right to participate in the future bidding process.

Margy Moses wants to express her concern about Mary Nosky as well. Mary is a pro at running the tournaments and knows more about the golf course than some of the people working there. She doesn't see what they are doing as an improvement. They are knocking out the place where all the leagues and golfers used computers to record scores and pushing them into the small back rooms with no windows or air circulation. If you really want to make improvements you could knockdown the clubhouse and build a new one.

She is also concerned about the golf course being re-named 18 mile creek golf course and that it would be marketed to people outside the Town of Hamburg. It appears they are trying to make money on an already sustainable golf course that pays for itself. Mary Nosky has already spent money on a liquor license for this year and has already purchased food in preparation because she didn't get a letter until April 2nd. They didn't do Mary or the residents of Hamburg any big favor by doing that.

Councilman Collins questions if plans were submitted for the renovation at the golf course.

Ken Farrell responds that he hasn't handled the improvements or any of those issues.

Councilwoman Ziegler responds that they discussed the golf course at a Work Session.

Councilman Gorman questions if the golf course is going to be re-named, he doesn't remember that discussion.

Supervisor Walters responds that the comment was made that the golf course is self-sustaining and over the last decade they had two out of ten years that the golf course ran in the black. Is this about money? Absolutely, they cannot ask the taxpayers to pay for the golf course. The way a golf course makes money is one of two ways. One is to increase the rates for the golfers going there and the other is to increase the number of people using the golf course. He thinks increasing rates is the lazy way out. It doesn't always work because if you increase rates some people will drop out. The better option is to make improvements, do things from a marketing and publicity standpoint to drive people to the golf course. We need to fill all tee times, which they are not doing now. That is why they are running in the red. A new clubhouse is not feasible now because the number of players coming through the golf course now could not sustain that kind of capital project; if they could increase the number of rounds played by 10% or 15% that might change the dynamic. They appreciate all the people that use the golf course but they cannot support the golf course on their own; rates would have to be increased. If they could fill open tee times by bringing people in from the Town of Evans, or Boston, etc. which the golf advisory panel actually recommended to the Town a couple years ago that they reduce the rates of non-residents to do just that. They need to continue to be proactive but also make sure the rates are not going up for the current golfers.

Councilman Collins comments about the golf course being in an Enterprise Fund and the suggestion to put Woodlawn Beach into an Enterprise Fund as well.

Ellen Landis comments that the golf course did not make money two years because it was flooded out.

Margy Moses questions when the golf course bond will be paid off?

Supervisor Walters comments this is the last year.

Ms. Moses questions if they will sell the golf course after the bond is paid off?

Supervisor Walters responds absolutely not. When he first came into office he did say that if the Town of Hamburg cannot run the golf course in a way that doesn't require taxpayer money then they should look to get out of the golf course business. He has been very active working with the Recreation Department to come up with new programs to drive up the number of people using the golf course and it has worked. The Town lost money on the golf course prior to 2008. Some years the loss was so significant that unless something drastically changed the golf course would have been closed. This has been turned around and they want to continue that trend by increasing the number of people who use the golf course.

Ms. Moses questions if the enterprise books are open so she could take a look at them?

Supervisor Walters responds absolutely. He would be happy to review the books with her.

Ms. Moses comments that the Town has done very little to mitigate the flooding.

Supervisor Walters responds that the Town did a very extensive study after FEMA denied the Towns request for them to do a study as to what improvements could be made to correct the flooding issues.

Marty Denecke responds the draft is waiting for approval and Mr. Kapsiak could comment on that but is not here tonight.

Councilman Gorman asks Mr. Denecke if the course has been re-named the 18 mile creek golf course.

Mr. Denecke responds that he does not think it is for him to answer.

Supervisor Walters comments that it has been discussed.

Councilman Gorman and Councilman Collins respond it was not discussed with them.

Councilman Gorman questions how much the renovations cost.

Mr. Denecke responds that was handled by the Building and Grounds Department.

Councilman Gorman responds that the numbers were never discussed with the Town Board and in 2008 and 2010 they were trending towards profitability and Mary Nosky ran the concession stand during that time period so they may be losing a Town asset and the Board may want to consider that.

Ken Farrell comments that the concession stand is not something that will make money for the Town or increase the money to the Town coffers. It is an arrangement where there is a set contractual amount paid and the profit goes to bidder.

Councilman Collins responds that regardless of who is in there it is a set rate. So if she gives good service why not keep her.

Mr. Farrell responds that she may well be the person providing that service in the future. When this is put out to bid the rate may vary.

Pat Shine questions how is Mary Nosky going to be able to compete with a larger restaurant business when this is put out to bid?

Ken Farrell comments that Mr. Denecke will tailor the bid to the needs of the golf course.

A resident comments that if you are looking to make more in revenues you couldn't do anything that would be a bigger detriment to those revenues than to get rid of a person that is the heart and soul of that course. She has gone out of her way to be more than just a concessionaire.

Paul Ratchuk comments on Woodlawn Beach and the people they have approached to bid on the concession there. They didn't notify restaurants that are in the Town of Hamburg, instead they approached places outside the Town.

Supervisor Walters responds that what he said is not true.

Linda Rogers responds that requests for proposal for the concession were sent out to local restaurants.

Supervisor Walters comments that obviously there is a great deal of support for Ms. Nosky and they have made that clear. He would like to move forward.

Walter Mazur comments that the improvements to the golf course restaurant are appreciated, however, they would like their old room back and they want their plaques back.

Supervisor Walters responds that the plaques are in a safe place, until renovations are complete, and will be put back up. The place where the clubs met will still be available.

Ms. Moses questions where they will be able to input their scores.

Supervisor Walters responds that when everything is finalized they will be able to see exactly what is available to them.

Marty Denecke responds that Joe Wenzel, Deputy Director of his Department, has been in contact or met with club leaders and is very concerned about their space and needs and he will work diligently with them to make sure that those needs are met.

A resident comments that Mary Nosky has already secured the liquor license, if someone else was brought in how quickly could they obtain it.

Bob Gordon, past President of the men's golf league for 18 years, comments they have used the clubhouse for tournaments, not meetings.

Supervisor Walters comments that when the clubs need that space they will make it available, but, when they are aren't using it they will make it available to the public.

Dick Bauer, Evans resident, has been a non-resident member for 5 years and an officer in the Men's 65 League and, on behalf of Mary Nosky they had a contract with her for 3 caterings for this coming year.

Jim Voye questions who the architect was for the interior renovation of the golf clubhouse?

Supervisor Walters responds there were no structural changes. An architect is not required for painting and new trim.

Mr. Voye questions what the work was budgeted at.

Supervisor Walters responds that those numbers are available, just not at their finger tips. There are certain moneys budgeted for certain improvements.

Councilman Collins questions who got the concession for Woodlawn Beach?

Supervisor Walters responds that has not been awarded; they have been talking to the owner of Doug's Dive.

Councilman Gorman thanks everyone for paying attention to what is going on. Next year the Board will be down to three members and this could potentially get worse. He appreciates the residents for speaking tonight. They are the watchdogs of this Town.

Steve Strnad comments that the Town Board should be aware of future headaches concerning Woodlawn Beach.

19.

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 move into Executive Session at 8:30 p.m. on personnel matters.

20.

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 adjourn Executive Session at 10:00 p.m.

Catherine A. Rybczynski, Town Clerk