A regular Town Board Meeting of the Town of Hamburg, County of Erie and State of New York was held at the Town Hall, S-6100 South Park Avenue, Hamburg New York on the 27th day of November 2006.

TOWN BOARD MEMBERS
PRESENT:  Steven J. Walters  Supervisor
D. Mark Cavalcoli  Councilman
Kathleen C. Hochul  Councilwoman
Joan A. Kesner  Councilwoman
Thomas Quatroche, Jr.  Councilman

OTHERS PRESENT: Catherine Rybczynski, Town Clerk
Richard Boehm, Deputy Town Attorney; James Spute, Finance Director; Gerard Kapsiak, Town Engineer; Joseph Coggins, Police Chief; Robert Hutchison, Town Assessor; Michael Bartlett, Director of Hamburg IDA; Tim Ellis, Traffic Safety Coordinator; Martin Denecke, Director of Recreation; Kurt Allen, Supervising Code Enforcement Officer.

The Pledge of Allegiance was recited.

Information on Fire Exits was provided.

Councilwoman Hochul comments that every year the Town’s Rejuvenation Project honors recipients of the Town Beautification Award. This year there are six winners. She thanks them and asks them to come forward and receive their award as follows: Appolson’s Performance Center, Lake Shore Chinese, The Village Veterinary Clinic, Rose Lee of Western New York, Residents of Amsdell Heights, and Sweeney Steel.

7:00 p.m.  Public Hearing to consider the construction of a Sewer Improvement in the Town of Hamburg.

Catherine Rybczynski, Town Clerk, reads the following legal notice as published in the Hamburg Sun and the Front Page:
A regular meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, was held at the Town Hall, in the Town, on November 27, 2006.

There were present: Honorable Steven J. Walters, Supervisor, and

Councilpersons: Kathleen C. Hochul
                Joan A. Kesner
                Thomas Quatroche
                D. Mark Cavalcoli

There were absent:

Also present: Richard G. Boehm, Deputy Town Attorney
              Catherine Rybczynski, Town Clerk

*   *   *

The Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, in the Town of Hamburg, in the County of Erie, New York, at 7:00 o’clock P.M. (Prevailing Time) to consider the construction of a sewer improvement in an unincorporated area of the Town outside of any villages, which area has been determined to be the benefited area (herein referred to as the “Hamburg Sewer Improvement Area”), pursuant to Article 12-C of the Town Law. The Town Clerk presented affidavits showing that certified copies of the Order Calling said public hearing had been duly published and posted pursuant to the provisions of Article 12-C of the Town Law.
Mr. Kapsiak, Town Engineer, reviews a handout he prepares and explains the area, why this is necessary and what the cost will be.

The Supervisor stated that said public hearing on said matter was now open and asked if there was any interested person who desired to be heard.

Ferd Garcia questions if the $500,000 is for the entire sewer area or just the Wyndym area.

Mr. Kapsiak responds this is just for the Wyndym area.

Councilman Cavalcoci thanks Mr. Kapsiak and the entire Town Board for putting this into place. This will help defray the cost over a larger tax base. The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

1. On a motion of Supervisor Walters, seconded by Councilman Cavalcoci, the following resolution was ADOPTED

Ayes 5  Walters, Cavalcoci, Hochul, Kesner, Quatroche
Noes 0

RESOLVED, that the Town Board close the public hearing at this time.
A regular meeting of the Town Board of the Town of Hamburg, in the County of
Erie, New York, was held at the Town Hall, in the Town, on November 27, 2006.

There were present: Honorable Steven J. Walters, Supervisor, and

Councilpersons: Kathleen C. Hochul
               Joan A. Kesner
               Thomas Quatroche
               D. Mark Cavalcoli

There were absent:

Also present: Richard G. Boehm, Deputy Town Attorney,
              Catherine Rybczynski, Town Clerk

*      *      *

Supervisor Walters offered the following resolution and moved its adoption:

2.
On a motion of Supervisor Walters, seconded Councilwoman Hochul, the following resolution was
ADOPTED

Ayes 5  Walters, Hochul, Kesner, Quatroche
Abstain 1  Cavalcoli
Noes 0

RESOLUTION OF THE TOWN OF HAMBURG, NEW YORK,
ADOPTED NOVEMBER 27, 2006, APPROVING THE
CONSTRUCTION OF A SEWER IMPROVEMENT WITHIN
THE HAMBURG SEWER IMPROVEMENT AREA, IN AN
AREA OF THE TOWN OUTSIDE OF ANY VILLAGES,
WHICH HAS BEEN DETERMINED TO BE THE BENEFITED
AREA, AND MAKING OTHER DETERMINATIONS IN
CONNECTION THEREWITH

Recitals

WHEREAS, the Town Board of the Town of Hamburg, in the County of Erie, New York (herein called the “Town Board” and “Town” respectively), proposes to construct sewer improvements, consisting of pipe replacement, pipe lining, root cutting and grouting, cleaning and removal of build-ups, wye replacement, manhole replacement and rehabilitation and other related work, including any original furnishings, equipment, machinery, and apparatus required therefor (the “Sewer Improvement”), all within an unincorporated area of the Town outside of any villages, which area has been determined to be the benefited area (herein referred to as the “Hamburg Sewer Improvement Area”), pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by CRA Infrastructure & Engineering, Inc., competent engineers duly licensed by the State of New York, heretofore filed in the office of the Town Clerk for public inspection; and

WHEREAS, the Town Board has given due consideration to the impact that the
Sewer Improvement may have on the environment and, on the basis of such consideration, the Town Board has found that no substantial adverse environmental impact will be caused by the Sewer Improvement; and

WHEREAS, the Town Board and the Town have complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act, comprising Article 8 of the Environmental Conservation Law; and

WHEREAS, the maximum amount proposed to be expended for the construction of such Sewer Improvement is $500,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of assessments upon the several lots and parcels of land within the Hamburg Sewer Improvement Area which the Town Board shall determine to be especially benefited by the Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and

WHEREAS, the Town Board determined to proceed with the construction of such Sewer Improvement and adopted an order on November 13, 2006, reciting a description of the improvements proposed, a description of the proposed benefited area, the proposed method of financing to be employed, the fact that map, plan and report describing the same are on file in the Town Clerk’s Office for public inspection and specifying November 27, 2006 at 7:00 o’clock P.M. (Prevailing Time) as the time when, and the Town Hall, in the Town, as the place where, the Town Board would meet to consider the construction of such Sewer Improvement and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town in relation thereto as may be required by law; and
WHEREAS, certified copies of such order were duly published and posted pursuant to the provisions of Article 12-C of the Town Law; and

WHEREAS, a public hearing in the matter of the construction of the proposed Sewer Improvement was duly held by the Town Board on the 27th day of November, 2006, commencing at 7:00 o’clock P.M. (Prevailing Time) at the Town Hall, in the Town, at which all interested persons desiring to be heard were heard, including those in favor of, and those opposed to, the construction of said Sewer Improvement;

Now, therefore, upon the evidence adduced at such public hearing, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG, IN THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. It is hereby determined that:

(a) the notice of public hearing was published and posted as required by law, and is otherwise sufficient, and

(b) it is in the public interest to construct the Sewer Improvement, described in the recitals hereof, within the Hamburg Sewer Improvement Area, at the estimated maximum cost of $500,000.

(c) all the property in the proposed Hamburg Sewer Improvement Area is benefited by the Sewer Improvement and all the property benefited by the Sewer Improvement is included in the proposed Hamburg Sewer Improvement Area.

Section 2. The construction of the Sewer Improvement within the Hamburg Sewer Improvement Area is hereby approved, as hereinabove described, and such improvements are hereby authorized to be constructed, as set forth in said Order Calling Public Hearing, within the Hamburg Sewer Improvement Area, in the Town, situate wholly outside of any incorporated village, and said
Hamburg Sewer Improvement Area is more particularly bounded and described as follows:

**BOUNDARY DESCRIPTION OF HAMBURG SEWER IMPROVEMENT AREA**

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Hamburg, County of Erie, and State of New York, being part of Township 9, Ranges 7 and 8, and Township 10, Ranges 7 and 8 of the Holland Land Company's Survey, with the benefited area of the sewer improvements proposed to be undertaken more particularly bounded and described as being coterminous with the boundaries of the following existing Town of Hamburg sanitary sewer districts, the legal descriptions for which have previously been recorded in the Erie County Clerk's Office:

<table>
<thead>
<tr>
<th>District No.</th>
<th>Sewer District Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>SS-4</td>
<td>Cloverbank</td>
</tr>
<tr>
<td>SS-5</td>
<td>Locksley Park</td>
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<tr>
<td>SS-6</td>
<td>Osborne Sagamore</td>
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<tr>
<td>SS-7</td>
<td>Osborne Sagamore Extension No.1</td>
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<tr>
<td>SS-8</td>
<td>Osborne Sagamore Extension No.2</td>
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<tr>
<td>SS-9</td>
<td>Osborne Sagamore Extension No.3</td>
</tr>
<tr>
<td>SS-10</td>
<td>Amsdell Heights</td>
</tr>
<tr>
<td>SS-11</td>
<td>Taylor Road</td>
</tr>
<tr>
<td>SS-12</td>
<td>Bethford</td>
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<tr>
<td>SS-13</td>
<td>South Lyth</td>
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<tr>
<td>SS-15</td>
<td>East Frontier</td>
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<tr>
<td>SS-16</td>
<td>Steiefer</td>
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<tr>
<td>SS-17</td>
<td>Salem Drive</td>
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<td>SS-18</td>
<td>Benz</td>
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<tr>
<td>SS-19</td>
<td>Sheldon Acres</td>
</tr>
<tr>
<td>SS-20</td>
<td>Linwood/Yovienne</td>
</tr>
<tr>
<td>SS-21</td>
<td>Hamburg Master</td>
</tr>
<tr>
<td>SS-22</td>
<td>Allen/James</td>
</tr>
<tr>
<td>SS-23</td>
<td>Elmwood/Oakwood</td>
</tr>
<tr>
<td>SS-24</td>
<td>Beacon Hill</td>
</tr>
<tr>
<td>SS-25</td>
<td>Northeast</td>
</tr>
<tr>
<td>SS-27</td>
<td>Ravenwood North</td>
</tr>
</tbody>
</table>

Section 3. The maximum amount proposed to be expended for said Sewer Improvement is $500,000, which is planned to be financed by the issuance of serial bonds of the Town and the levy and collection of assessments upon the several lots and parcels of land within the Hamburg Sewer Improvement Area which the Town Board shall determine to be especially benefited by the Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 4. The said $500,000 estimated cost of such improvements, as stated in said Order Calling Public Hearing, does not exceed one-tenth of one per centum of the full valuation of the taxable real property in the area of the Town outside of any villages, and the permission of the Comptroller of the State of New York is therefore not required in order to finance the cost of said Sewer Improvement, in the Town, as herein described, pursuant to the
provisions of said Town Law.

Section 5. The Town Clerk of the Town is hereby authorized and directed to record a certified copy of this resolution, within ten (10) days of its adoption, in the office of the County Clerk of Erie County.

Section 6. This resolution shall take effect immediately.

*   *   *

The adoption of the foregoing resolution was seconded by Councilwoman Hochul and duly put to a vote on roll call, which resulted as follows:

AYES: Walters, Hochul, Kesner, Quatroche

ABSTAIN: Cavalcoli

NOES: None

The resolution was declared adopted.
I, CATHERINE RYBCZYNSKI, Town Clerk of the Town of Hamburg, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on November 27, 2006, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 27th day of November, 2006

(SEAL)

______________________________
Town Clerk
Meeting of the Town Board of the Town of Hamburg,

in the County of Erie, New York.

November 27, 2006

* * *

A regular meeting of the Town Board of the Town of Hamburg, in the County of Erie, New York, was held at the Town Hall, in the Town, on November 27, 2006.

There were present: Honorable Steven J. Walters, Supervisor, and

Councilpersons: Kathleen C. Hochul
                Joan A. Kesner
                Thomas Quatroche
                D. Mark Cavalcoli

There were absent:

Also present: Richard G. Boehm, Deputy Town Attorney, Catherine Rybczynski, Town Clerk

* * *

3.
On a motion of Supervisor Walters, seconded by Councilwoman Kesner, the following resolution was adopted:

Ayes 5 Walters, Hochul, Kesner, Quatroche
Abstain 1 Cavalcoli
Noes 0

BOND RESOLUTION OF THE TOWN OF HAMBURG, NEW YORK, ADOPTED NOVEMBER 27, 2006, APPROPRIATING $500,000 FOR THE CONSTRUCTION OF SEWER IMPROVEMENTS WITHIN THE HAMBURG SEWER IMPROVEMENT AREA, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $500,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

Recitals

WHEREAS, the Town Board of the Town of Hamburg, in the County of Erie, New York (herein called the “Town Board” and “Town” respectively), proposes to construct sewer improvements, consisting of pipe replacement, pipe lining, root cutting and grouting, cleaning and removal of build-ups, wye replacement, manhole replacement and rehabilitation and other related work, including any original furnishings, equipment, machinery, and apparatus required therefor (the “Sewer Improvement”), at the estimated maximum cost of $500,000, all within an unincorporated area of the Town outside of any villages, which area has been determined to be the benefited area (herein referred to as the “Hamburg Sewer Improvement Area”), pursuant to Article 12-C of the Town Law, in accordance with the map, plan and report prepared therefor by CRA Infrastructure & Engineering, Inc., competent engineers duly licensed by the State of New York, heretofore filed in the office of the Town Clerk for public inspection;

and

WHEREAS, after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to construct said Sewer Improvement, and
ordered that such Sewer Improvement be constructed at the estimated maximum cost of $500,000;

Now, therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF HAMBURG, IN THE COUNTY OF ERIE, NEW YORK (by favorable vote of not less than two-thirds of all the members of said Town Board) AS FOLLOWS:

Section 1. The Town hereby appropriates the amount of $500,000 for the construction of the Sewer Improvement within an unincorporated area of the Town outside of any villages, which area has been determined to be the benefited area (herein referred to as the “Hamburg Sewer Improvement Area”), in accordance with the map, plan and report prepared therefor by CRA Infrastructure & Engineering, Inc., competent engineers duly licensed by the State of New York, on file in the office of the Town Clerk and heretofore approved by the Town Board of the Town. The estimated maximum cost of construction of said Sewer Improvement, including preliminary costs and costs incidental thereto and the financing thereof, is $500,000 which is planned to be financed by the issuance of serial bonds of the Town in the principal amount of $500,000 and the levy and collection of assessments upon the several lots and parcels of land within the Hamburg Sewer Improvement Area which the Town Board shall determine to be especially benefited by said Sewer Improvement, so much upon and from each as shall be in just proportion to the amount of benefit which the Sewer Improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Serial bonds of the Town in the principal amount of $500,000 are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the “Law”), to finance said appropriation.
Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the object or purpose for which said bonds are authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of the sale of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00 and Sections 56.00 to 60.00 of the Law, the powers and
duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This resolution shall take effect immediately and the Town Clerk is hereby authorized and directed to publish a summary thereof in “The Sun” and “Front Page,” newspapers having a general circulation in the Town of Hamburg, and hereby designated as the official newspapers of the Town for such publication, together with the Town Clerk’s statutory notice in substantially the form as prescribed by Section 81.00 of the Local Finance Law of the State of New York.

The adoption of the foregoing resolution was seconded by Councilwoman Kesner and duly put to a vote on roll call, which resulted as follows:
AYES: Walters, Hochul, Kesner, Quatroche

ABSTAIN Cavalcoli

NOES: None

This resolution was declared adopted.
CERTIFICATE

I, CATHERINE RYBCZYNSKI, Town Clerk of the Town of Hamburg, in the County of Erie, State of New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on November 27, 2006, has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 27th day of November, 2006

(SEAL)

Town Clerk
NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 27th day of November, 2006, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the TOWN OF HAMBURG, in the County of Erie, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

CATHERINE RYBCZYNSKI
Town Clerk
BOND RESOLUTION OF THE TOWN OF HAMBURG, NEW YORK, ADOPTED NOVEMBER 27, 2006, APPROPRIATING $500,000 FOR THE CONSTRUCTION OF SEWER IMPROVEMENTS WITHIN THE HAMBURG SEWER IMPROVEMENT AREA, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF $500,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

The object or purpose for which the bonds are authorized is the construction of sewer improvements, consisting of pipe replacement, pipe lining, root cutting and grouting, cleaning and removal of build-ups, wye replacement, manhole replacement and rehabilitation and other related work, including any original furnishings, equipment, machinery, and apparatus required therefor.

The amount of obligations to be issued is $500,000.

The period of probable usefulness is forty (40) years.

A complete copy of the Bond Resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, Hamburg, New York.

The bond resolution is dated November 27, 2006.
On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was
ADOPTED  Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

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

   November 6, 2006      Budget Hearing
   November 13, 2006     Town Board Meeting

5.
On a motion of Councilman Cavalcoli, seconded by Councilman Quatroche, the following resolution was
ADOPTED  Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

WHEREAS, the Town of Hamburg has received a rezoning application from Jack M. And Evelyn Keiffer for the rezoning of a landlocked parcel of land located near Southwestern Boulevard, from R-2 to C-2, and

WHEREAS, it appears that the Town of Hamburg rezoned this parcel from R-2 to C-2 in 1974, but the Town of Hamburg zoning map was never amended to reflect the rezoning, and,

WHEREAS, through other rezoning and mapping efforts over the years, the parcel remained zoned R-2 and

WHEREAS, the Zoning Code Review Committee has reviewed this application, finding merit in it, and has recommended it to the Town Board,

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board hereby refers this application to the Planning Board for review and consideration.

BE IT FURTHER RESOLVED, that the Hamburg Town Board hereby waives the application fee of $500.00.

Councilwoman Kesner questions where this property is on Southwestern Blvd.

Councilman Cavalcoli responds it is just east of the Kia Dealership on the southside, it is a plumbing facility, and this is to correct an error in the recording of this on the zoning map.

6.
On a motion of Councilman Quatroche, seconded by Councilwoman Hochul, the following
resolution was
ADOPTED   Ayes 5   Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

WHEREAS, the following properties were left in an abandoned state: 2111 Lakeview Road,
5749 Lakeview Terrace, 4073 Johnson Street, 5637 Old Lakeshore Road and 5131 College
Street.

WHEREAS, as the result of the property owners allowing the grass to grow over 12 inches in
height these properties have become an attractive nuisance to the neighbors.

WHEREAS, due to these properties not being maintained, the Town Code Enforcement Officer
contracted services to address the high grass complaints. This action was executed in
accordance with Local Law No. 9 of 1972, Section 75-4 A & B of the Town of Hamburg.

NOW THEREFORE BE IT RESOLVED, that the Town Board approves the payment of $840
(Eight Hundred and forty dollars) to Highland Acres Landscaping, Inc. who provided the
necessary services to abate these complaints. The cost of maintaining these properties includes
labor, furnishing the equipment and cutting the grass two times at 2111 Lakeview Road and
5749 Lakeview Terrace and one time each at 4073 Johnson Street, 5637 Old Lakeshore Road
and 5131 College Street one time all at a cost of $120 each time.

BE IT FURTHER RESOLVED, the payment of such services, that the Town Board increase
appropriations to Account B3620.469 , (Clean-up of Properties) through B1990.419 -
Contingency Account. The cost of maintaining these properties will be put on the tax rolls for
each property.
7. On a motion of Councilwoman Hochul, seconded by Councilman Cavalcoli, the following resolution was ADOPTED by Roll Call Vote as follows:

Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

RESOLUTION APPROVING THE ISSUANCE OF CERTAIN OBLIGATIONS BY TOWN OF HAMBURG INDUSTRIAL DEVELOPMENT AGENCY TO FINANCE THE PROPOSED HICKEY FARMS PROJECT.

BE IT ENACTED by the Town Board of the Town of Hamburg, New York, as follows:

WHEREAS, pursuant to Title 1 of Article 18-A of the General Municipal Law of the State of New York, as amended (the “Enabling Act”) and Chapter 784 of the 1986 Laws of New York, as amended, constituting Section 925-v of said General Municipal Law (said Chapter and the Enabling Act being hereinafter collectively referred to as the “Act”), the Town Board of the Town of Hamburg, New York (the “Town Board”) has heretofore appointed the members of Town of Hamburg Industrial Development Agency (the “Issuer”) and has duly caused to be filed in the office of the Secretary of State of the State of New York the certificates required by Section 856 of the Act; and

WHEREAS, to accomplish its stated purposes, the Issuer is authorized and empowered under the Act to issue its revenue bonds to finance the cost of acquisition, construction and installation of one or more “projects” (as defined in the Act), to acquire, construct and install said projects or to cause said projects to be acquired, constructed and installed, and to convey said projects or to lease said projects with the obligation to purchase; and

WHEREAS, in June, 2003, MHT Holdings, Inc., a New York business corporation (the “Applicant”), on behalf of itself or a limited liability company or other entity to be formed (the “Company”), submitted an application (the “Application”) to the Issuer, a copy of which Application is on file at the office of the Issuer, which Application requested that the Issuer consider undertaking a project (the “Project”) for the benefit of the Company, said Project consisting of the following: (A) (1) the acquisition of an interest in all or a portion of an approximately 42 acre parcel of land located at 4628 South Park Avenue in the Town of Hamburg, Erie County, New York (the “Land”), (2) the construction on the Land of approximately 22 structures containing in the aggregate approximately 350,000 square feet of space, including a clubhouse, garage and approximately 280 to 300 units of housing and other related improvements (collectively, the “Facility”) and (3) the acquisition and installation of certain machinery and equipment (the “Equipment”) therein and thereon, all of the foregoing to constitute senior residential rental facility and affordable family housing facility (with approximately 65% senior housing and 35% family units) and related facilities
(the Land, the Facility and the Equipment being collectively referred to as the “Project Facility”); 
(B) the financing of all or a portion of the costs of the foregoing by the issuance of taxable and/or 
tax-exempt revenue bonds of the Issuer in one or more issues or series in an aggregate principal 
amount sufficient to pay all or a portion of the cost of undertaking the Project, together with 
necessary incidental costs in connection therewith, then estimated to be approximately $25,000,000 
(the “Obligations”); (C) paying a portion of the costs incidental to the issuance of the Obligations, 
including issuance costs of the Obligations and any reserve funds as may be necessary to secure the 
Obligations; (D) the granting of certain other “financial assistance” (within the meaning of Section 
854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales 
and use taxes, real property taxes, real estate transfer taxes and mortgage recording taxes 
(collectively with the Obligations, the “Financial Assistance”); and (E) the lease (with an obligation 
to purchase) or sale of the Project Facility to the Company or such other person as may be 
designated by the Applicant and agreed upon by the Issuer; and

WHEREAS, the Company has requested that interest on the Obligations be treated by the 
federal government as excludable from gross income for federal income tax purposes pursuant to 
Section 103 and Section 142(a)(7) of the Code; and

WHEREAS, the Town Board has been advised by the Issuer that the Issuer proposes to 
issue, subsequent to the adoption of this resolution, the Obligations from time to time in a principal 
amount sufficient to fund all or a portion of the costs of the Project; and

WHEREAS, interest on the Obligations will not be excludable from gross income for federal 
income tax purposes unless, among other things, pursuant to Section 147(f) of the Code, the issuance 
of the Obligations is approved by the “applicable elected representative” of the Town of Hamburg, 
New York after the Issuer has held a public hearing on the nature and location of the Project Facility 
and the issuance of the Obligations; and

WHEREAS, the Executive Director of the Issuer (A) caused notice of public hearing of the 
Issuer (the “Public Hearing”) pursuant to Section 859-a of the Act and Section 147(f) of the Internal 
Revenue Code of 1986, as amended (the “Code”), to hear all persons interested in the Project and 
the Financial Assistance being contemplated by the Issuer with respect to the Project, to be mailed 
on June 17, 2003 to the chief executive officers of the county and of each city, town, village and 
school district in which the Project is or is to be located, (B) caused notice of the Public Hearing to 
be published on June 18, 2003 and June 19, 2003, respectively, in The Front Page and The Hamburg 
Sun, each a newspaper of general circulation available to the residents of the Town of Hamburg, 
Erie County, New York, (C) conducted the Public Hearing on July 22, 2003 at 8:10 o’clock, a.m., 
local time at Room 7B in the Town of Hamburg Town Hall, S 6100 South Park Avenue in the Town 
of Hamburg, Erie County, New York, and (D) prepared a report of the Public Hearing (the “Hearing 
Report”) which fairly summarized the views presented at said Public Hearing and distributed same 
to the members of the Issuer and to the Town Board; and
WHEREAS, pursuant to Section 147(f) of the Code, the Town Board desires to allow the interest on the Obligations to be treated as excludable from gross income for federal income tax purposes; and

WHEREAS, Section 870 of the General Municipal Law of the State of New York specifically provides that neither the Obligations nor any other obligation of the Issuer shall be a debt of the Town of Hamburg, New York, nor shall the Town of Hamburg, New York be liable thereon;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Hamburg, New York, as follows:

Section 1. For the sole purpose of qualifying the interest payable on the Obligations for exclusion from gross income for federal income tax purposes pursuant to the provisions of Section 145(a) of the Code, the Town Board, as the elected legislative body of the Town of Hamburg, New York, hereby approves the issuance by the Issuer of the Obligations, provided that the Obligations, and the premium (if any) and interest thereon, shall be special obligations of the Issuer and shall never be a debt of the State of New York, the Town of Hamburg, New York or any political subdivision thereof (other than the Issuer), and neither the State of New York, the Town of Hamburg, New York nor any political subdivision thereof (other than the Issuer) shall be liable thereon.

Section 2. This resolution shall take effect immediately.

Anthony Mancinelli, Attorney for MHT Holdings, comments that the project will be phased instead of one comprehensive complete project. The first phase will be for 174 residential units. All the land use issues are taken care of and they hope to start this next year.
STATE OF NEW YORK  )
                  )SS.:
COUNTY OF            )

I, the undersigned Clerk of the Town of Hamburg, New York (the “Town”), DO HEREBY CERTIFY that the preceding Resolution was duly adopted by the Town Board of the Town of Hamburg, New York (the “Town Board”) at a regular meeting of the said Town Board duly called and held on ____________, 2006; that said Resolution was entered in the minutes of said meeting; and that I have compared the foregoing copy with the original thereof now on file in my office and that the same is a true and correct transcript of said Resolution and of the whole thereof.

I FURTHER CERTIFY that (A) all members of said Town Board had due notice of said meeting, (B) said meeting was in all respects duly held, (C) pursuant to Article 7 of the Public Officers Law (the “Open Meetings Law”), said meeting was open to the general public, and public notice of the time and place of said meeting was duly given to the public and the news media as required by the Open Meetings Law; and (D) there was a quorum of the members of the Town Board present throughout said meeting.

I FURTHER CERTIFY, that, as of the date hereof, the attached Resolution is in full force and effect and has not been amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Hamburg, New York this _____ day of ________, 2006.

BY:

Clerk of the Town of Hamburg, New York

(SEAL)
8. On a motion of Councilman Quatroche, seconded by Supervisor Walters, the following resolution was

ADOPTED  
Ayes 5  Walters, Cavaccoli, Hochul, Kesner, Quatroche
Noes 0

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

1. Scott, Joseph  Laborer, Part-Time  11/03/2006  Terminate
2. Fraser, Sam  Laborer, Part-Time  10/13/2006  Terminate

9. On a motion of Councilman Cavaccoli, seconded by Councilwoman Kesner, the following resolution was

ADOPTED  
Ayes 5  Walters, Cavaccoli, Hochul, Kesner, Quatroche
Noes 0

BE IT RESOLVED, that the Town Engineer’s report on the completion and acceptance of the WOODSTREAM ESTATES SUBDIVISION PART 1 work performed under Public Improvement Permit Nos. 869, 870, 871, 872, and 873 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. 874.

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

ADOPTED  
Ayes 5  Walters, Cavaccoli, Hochul, Kesner, Quatroche
Noes 0

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

1. Flynn, Shannon  Clerk, Part-Time/Seasonal  10/15/2006  Terminate
2. Flynn, Shannon  Clerk, Part-Time  10/16/2006  $8.30
11. On a motion of Councilman Cavalcoli, seconded by Councilman Quatroche, the following resolution was
ADOPTED  Ayes  5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes  0

WHEREAS, the New York State Dept. of Transportation (NYSDOT) is planning an April 2007 bid opening for the reconstruction of Southwestern Blvd. (Route 20) between South Park Avenue and Orchard Park Road; and

WHEREAS, it is anticipated that various Town owned sanitary sewer manholes, waterlines, valves, and hydrants located within the highway right-of-way in the project area will require relocation or adjustment as a result of the NYSDOT highway project; and

WHEREAS, Subdivision 24 of Section 10 of State Highway Law enables NYSDOT to provide for the relocation or adjustment of municipally owned utilities at the expense of the State, when such work is necessary as a result of State highway work,

THEREFORE BE IT RESOLVED, that the Town Supervisor is authorized to enter into an agreement with NYSDOT in this regard, granting the State of New York authority to perform required utility relocations or adjustments as part of the project and at no cost to the Town of Hamburg, and agreeing that the Town will resume maintenance of such relocated or adjusted facilities following the completion and acceptance of the construction work associated with the NYSDOT project.

BE IT FURTHER RESOLVED, that four (4) certified copies of this resolution be provided to the Town Engineering Department, for transmittal to NYSDOT together with the executed utility work agreements.

12. On a motion of Councilman Cavalcoli, seconded by Councilwoman Hochul, the following resolution was
ADOPTED  Ayes  5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes  0

BE IT RESOLVED, that the Town Engineer’s report on the completion and acceptance of the BIG TREE TOWN HOMES SUBDIVISION waterline installation work performed under Public Improvement Permit No. 868-A be received and accepted, and that the Supervisor is authorized to sign the report.

13.
On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was
ADOPTED: Ayes 5   Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

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

2. Wozniak, Richard " " 11/09/2006   Terminate
3. Clendening, Robert B7310(320) 11/10/2006   $7.25 Reg. Rate P/T
   Rec. Attendant
4. DiOrio, Christine B7310(320) 11/10/2006   $10.04 Temp Rate PT
   Rec. Attendant
5. King, Gilbert   " " 11/09/2006   $6.95 P/T
6. Omphalius, Ellen " " 11/09/2006   $8.00 P/T
7. Turner, Ronald   " " 11/09/2006   $7.52 P/T
8. Wozniak, Richard " " 11/09/2006   $7.50 P/T
9. Melewski, Mark A7265(230) 11/10/2006   $8.00 P/T
   Rec. Attendant
11. Scharlock, Matthew " " 11/09/2006   $7.00 Reg. Rate P/T
12. Steger, Joseph " " 11/09/2006   $7.73 Temp Rate P/T
15. Schulz, Gregory " " 11/09/2006   Terminate
17. Clendening, Robert " " 11/09/2006   Terminate
20. Melewski, Mark " " 11/09/2006   Terminate
22. Robb, James    " " 11/09/2006   Terminate
23. Scharlock, Matthew " " 11/09/2006   Terminate

14.
On a motion of Councilman Cavalcoli, seconded by Supervisor Walters, the following resolution was
ADOPTED
Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

WHEREAS, the construction of the 2005 Waterline Replacement Project in 10 locations throughout the Town of Hamburg 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 $987,030.19, which is $45,369.81 less than the originally awarded contract amount of CMH Company, Inc., the contractor for this project.

15.
On a motion of Supervisor Walters, with a unanimous second, the following resolution was
ADOPTED
Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

WHEREAS, The Town of Hamburg Industrial Development Agency (HIDA) was formed in 1986 to help spur development in New York State and in particular Hamburg, New York; and

WHEREAS, the Erie County Industrial Development Agency and the Erie County Executive have reportedly indicated a desire to eliminate all Industrial Development Agencies except the Erie County Industrial Development Agency; and

WHEREAS, the Hamburg Town Board and the HIDA believe that maintaining their own IDA is an important aspect in developing and maintaining appropriate commercial and industrial growth in the Town of Hamburg.

RESOLVED, that the Hamburg Town Board hereby affirms the fact that it supports the continuation of the existence of all five (5) Industrial Development Agencies: the Town of Amherst Industrial Development Agency, Town of Clarence, Erie County, Industrial Development Agency and Town of Hamburg Industrial Development Agency, Town of Lancaster Industrial Development Agency and Town of Concord Industrial Development Agency, as these Agencies serve an important and viable purpose for commercial and industrial growth and should be continued to remain separate for each community, and be it further

RESOLVED, that the Town Board of the Town of Hamburg directs that the Town Clerk send
certified copies of this resolution to the Erie County executive, the members of the Erie County Legislature, the Western New York State Legislative Delegation and the Town Supervisors of Amherst, Lancaster, Clarence and Concord.

16. On a motion of Councilman Quatroche, seconded by Councilwoman Kesner, the following resolution was
ADOPTED  Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

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

1. Putnam, Alan  Laborer, Seasonal  11/17/2006  Terminate
2. Putnam, Alan  Laborer, Part-time  11/18/2006  $7.75
3. Hojnacki, Dave  Laborer, Seasonal  11/30/2006  Terminate
5. Fabi, Alex  Laborer, Seasonal  12/10/2006  Terminate

17. On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was
ADOPTED  Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

WHEREAS, the lease on the mailing machine used in the Town Clerk's Office for town mail is due to expire in June, 2007, and

WHEREAS, the Town Clerk has received proposals as follows:

   Neopost IJ70 with 5 lbs scale  $227.69 per month
   Hasler     GWJS5150 with 5 lbs scale  $249.73 per month
   Pitney Bowes  DM500 with 5 lbs scale  $179.00 per month

WHEREAS, review of the pricing on the New York State Contract and features were evaluated, and

WHEREAS, by signing a new lease agreement now instead of waiting for the lease to expire in
June, 2007, the town will save $1,068.00 that is due in January with the current lease, and

**NOW THEREFORE BE IT RESOLVED,** that the Town Board authorize the Supervisor to sign a lease agreement for 51 months with Pitney Bowes for a DM500 mailing system with equipment maintenance at a cost of $179.00 per month. Funds are available in A1410.423.

18. **WHEREAS,** our current high volume copier four year lease is up in December of 2006, and **WHEREAS,** we have quotes for three different high volume copiers as follows:

- Ikon Canon 6570 $611.70 per month
- Ikon Canon 8070 $740.97 per month
- Comdoc Ricoh MP7500 $539.22 per month

and **WHEREAS,** after careful review a Ricoh Model MP7500 was selected, based on the current needs of the Town and this model is on NYS bid

**THEREFORE BE IT RESOLVED,** that the Town Board authorize the Supervisor to sign a 3 year lease with COMDOC Communications Solutions for a Ricoh high volume copier model #MP7500.

16. On a motion of Councilwoman Kesner, seconded by Councilman Cavalcoli, the following resolution was **ADOPTED**

Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

**RESOLVED,** that the Town Board approve the membership of the following into the Woodlawn Volunteer Fire Company, Inc:

Catherine Wallace  
3621 Sixth Street  
Woodlawn, N.Y. 14219

17. On a motion of Councilwoman Hochul, with a unanimous second, the following
resolution was
ADOPTED  Ayes 5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

WHEREAS, on April 28, 1998, the Town of Hamburg became the first community to adopt a resolution calling for the relocation of Thruway toll barriers to outside the commuting area of Buffalo because of its discriminatory impact and additional cost for residents and businesses; and

WHEREAS, through the efforts of the Town of Hamburg and Senator Dale Volker, with support from the City of Lackawanna, the Towns of Evans and Eden, and the Erie County Legislature, a study was conducted regarding the impact of removing the Lackawanna toll barriers to a location further west of Exit 57A; and

WHEREAS, after four years of delay, and considerable pressure from the community, the Town of Hamburg and County Clerk David Swarts, the study was finally released and established that the relocation of the Lackawanna Toll Barrier as proposed would actually result in higher revenues for the NYS Thruway Authority, over $1.2 million within ten years, even before tolls were raised in 2004;

WHEREAS, the success of the efforts to remove the toll barriers on the I-190 has eliminated one of the two discriminatory toll barriers that Southtown commuters encounter on a daily basis, and that the relocation of the Lackawanna Barrier would finally result in residents from Hamburg and the Southtowns being treated equally as the residents of other Western New York and upstate communities that now enjoy toll free passage along the NYS Thruway;

NOW THEREFORE BE IT RESOLVED, that the Town of Board of the Town of Hamburg go on record once again to call for the immediate implementation of the Lackawanna Toll Barrier study by the NYS Thruway Authority.

Certified Copies of this Resolution shall be sent to:
NYS Thruway Authority Executive Director
Governor-Elect Eliot Spitzer
Congressman Brian Higgins
WNY Legislative Delegation
County Clerk David Swarts
Erie County Legislature
City of Lackawanna
Town of Evans
Town of Eden
Hamburg Chamber of Commerce

Councilwoman Hochul comments that they are emboldened by the success they had with the I-190 but they don’t want to lose sight of the next prize which is the Lackawanna toll barrier.
With the results of their own study showing that it makes economic sense to do it, she is not sure why they haven’t done it. So they will keep putting the pressure on to do it.

Councilwoman Kesner states that Senator Stachowksi sends a message that this will be one of his top priorities and thanks her for continuing to push for this.

18. On a motion of Councilwoman Kesner, seconded by Councilman Cavolcoli, the following resolution was
ADOPTED      Ayes  5  Walters, Cavolcoli, Hochul, Kesner, Quatroche
             Noes  0

BE IT RESOLVED, that the Town Board approve the purchase of a software maintenance agreement with ESRI, Inc. for ArcGIS, GIS software for the following departments:

- Assessing $400.00 A1335.423
- Dispatch $300.00 A3020.423
- Engineering $300.00 A1440.456
- Building Inspection $300.00 B3620.423
- Highway $300.00 A8540.413
- Emergency Management $300.00 A8760.201

Total Cost $1,900.00

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign the agreement authorization.

19.
On a motion of Councilwoman Hochul, seconded by Councilman Quatroche, the following resolution was
ADOPTED By a Roll Call Vote as follows:

Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

At a meeting of the Town Board
Of the Town of Hamburg, held at
the Town Hall, S-6100 South
Park Avenue, Hamburg, New York
On the 27th day of November 2006.

PRESENT: STEVEN J. WALTERS         Supervisor
D. MARK CAVALCOLI,         Council member
KATHLEEN COURTNEY HOCHUL,    Council member
JOAN A. KESNER,              Council member
THOMAS J. QUATROCHE, JR.,    Council member

On a motion of Councilmember Hochul, seconded by Councilman Quatroche
the following resolution was proposed:

WHEREAS, JAMES F. CONNOLLY, Superintendent of Highways, states that all
those parts of certain Town highways hereinafter designated have not been opened or worked for
more than six (6) years last past, and have not been traveled, or have been abandoned by the
public and have never been used as a public highway to wit:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Hamburg, County of Erie
and State of New York being part of Lot Number 48, Township 9, Range 7 of the Holland Land
Company’s Survey described as follows:

Beginning at a point in the west line of Brompton Parkway at a point where the south line of
Sublot 141 as shown on Map Cover 925 extends easterly to intersect said point; thence southerly
along the west line of Brompton Parkway along a curve to the left having a radius of 2914.79
feet, an arc length of 52.60 feet more or less to the easterly extension of the north line of Sublot
142 as shown on Map Cover 925; thence westerly along the said extension and the north line of
said Sublot 142 a distance of 304.22 feet to the southwest line Dorchester Road as now realigned
and located and shown on Map Cover 3306; thence northeasterly along the said southwest line of
Dorchester Road as now realigned a distance of 178.79 feet to a point on the south line of
aforementioned Sublot 141; thence easterly along the said south line of Sublot 141 and extending
BEGINNING at a point in the north line of Sublot 141 as shown on Map Cover 925 at the intersection of the west line of Highland Parkway as originally laid out; thence northerly along the west line Highland Parkway as originally laid out to a point in the west line of Brompton Parkway; thence southerly along the west line of Brompton Parkway to a point of intersection of the easterly extension of the north line of said Sublot 141; thence westerly along the said extension of the north line of Sublot 141 to the point of beginning.

As a condition of this transfer, Grantee acknowledges and Grantor hereby declares that all utilities that may presently have installations upon the above-described premises are hereby deemed to have a permanent easement for occupation, access, operation and maintenance of their existing facilities in their current locations.

BE IT RESOLVED that the members of the Town Board, constituting the whole thereof, consent to the making and filing of the necessary certificate that this highway be and hereby is abandoned, pursuant to Section 205 of the Highway Law, and

BE IT FURTHER RESOLVED that all members of the Town Board of the Town of Hamburg subscribe the certification.

ROLL CALL

VOTING

Supervisor Walters  Aye
Councilmember Cavalcoci  Aye
Councilmember Hochul  Aye
Councilmember Kesner  Aye
Councilmember Quatroche  Aye

The foregoing certification was duly adopted at said Town Board meeting, unanimously.

________________________
Catherine Rybczynski
Town Clerk

ACKNOWLEDGMENT
STATE OF NEW YORK) SS
COUNTY OF ERIE )

I, CATHERINE RYBCZYNSKI, DO HEREBY CERTIFY that I am the duly elected and acting Town Clerk of the Town of Hamburg, Erie County, New York; that the foregoing is a true and exact copy of a resolution adopted at a meeting of the Town Board held on the 27th day of November, 2006; and

I DO FURTHER CERTIFY that said meeting was called and held, and a quorum was present thereat.

IN WITNESS THEREOF, I have hereunto set my hand and affixed the seal of the Town of Hamburg this 27th day of November 2006.

_________________________________
CATHERINE RYBCZYNSKI
Town Clerk
Town of Hamburg

20.
On a motion of Councilwoman Hochul, seconded by Councilwoman Kesner, the following resolution was adopted:

**ADOPTED**  Ayes  5  Walters, Cavalcoli, Hochul, Kesner, Quatroche  
Noes  0

**BE IT RESOLVED**, upon the recommendation of the Traffic Safety Advisory Board, that an R1-1 (STOP) sign be erected and maintained by the Buildings and Grounds Department at the intersection of John Michael Way and John Michael Way.

21. On a motion of Supervisor Walters, seconded by Councilman Cavalcoli, the following resolution was adopted:

**ADOPTED**  Ayes  5  Walters, Cavalcoli, Hochul, Kesner, Quatroche  
Noes  0

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

**VOUCHER #’S**

**OPERATING FUND:**

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**TOTAL OPERATING FUND DISBURSEMENTS:**  $1,744,953.83

**TRUST & AGENCY:**

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**TOTAL TRUST & AGENCY DISBURSEMENTS:**  $ 837,659.76

**CAPITAL FUND DISBURSEMENTS:**
BATCH #79 $481,084.21 15217-15222
BATCH #80 $650,000.00 15427
BATCH #81 $54,213.10 15495-15498

TOTAL CAPITAL FUND DISBURSEMENTS: $1,185,297.31

PAYROLL:

PR#23 $772,229.51

TOTAL PAYROLL DISBURSEMENTS: $772,229.51

PETTY CASH: $0.00

TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: $5,377,800.17

The Town Clerk announces that there is one piece of correspondence that was requested to be read at this meeting to Chief Coggins from Patrick Puckhaber, Chief of Police, Village of Angola thanking him for the assistance rendered on the night of November 22, 2006. A call for assistance due to a large fight involving over 150 people at the Angola Roller rink. This incident whose participants were from four different Juvenile Detention facilities developed into a near riot situation as reported by Angola and Evans Officers at the scene. The response from neighboring Police Agencies such as yours and the actions of these officers at the scene helped calm and disperse this large group in a quick and safe a manner for all involved.

Reports From Town Board Members and Department Heads

Councilwoman Hochul thanks the Building and Grounds Department for the wonderful job they did decorating Town Hall; thanks the Town Rejuvenation Project for decorating the lobby and the lights donated. Reports on January 27th they will have a 30th anniversary commemorative display at the Lake Erie Seaway Trail Center for the blizzard of 1977.

Councilman Quatroche reports that Councilwoman Hochul was the one who started the Town Rejuvenation Committee and thanks her for all the things they are doing in the community.

Business From the Floor
Ferd Garcia questions, on the MHT Holdings/IDA project, can any builder become eligible for the same benefits that the IDA is giving this developer.

Supervisor Walters responds that there is certain criteria that has to be met for anyone to qualify.

Ferd then comments that on his street they haven’t picked up the brush or trash.

Councilman Quatroche responds that they are not picking up the trash, but are continuing to pick up the brush.

Lynn Morgan wants to commend the Town for a good job picking up the brush throughout the Town. She suggests that the Town look into a mulching and composting program similar to the Town of Orchard Park. It would be nice for the residents to have access to that mulch or compost.

Councilman Cavalcoti comments that the Superintendent of Highways has visited other Towns who have this program and the cost to do that is well over a million dollars for the equipment needed. They have been exploring a municipal sharing with Eden, Evans and Boston and would do a joint purchase with some grants.

22. On a motion of Supervisor Walters, seconded by Councilwoman Hochul, the following resolution was
ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

RESOLVED, that the Town Board adjourn to Executive Session at 8:10 p.m. on Legal and Personnel issues.

23. On a motion of Supervisor Walters, seconded by Councilman Cavalcoti, the following resolution was
ADOPTED Ayes 5 Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes 0

RESOLVED, that the Town Board close Executive Session at 9:20 p.m.

24. On a motion of Supervisor Walters, seconded by Councilman Cavalcoti, the following
resolution was
ADOPTED  Ayes  5  Walters, Cavalcoli, Hochul, Kesner, Quatroche
Noes  0

RESOLVED, that the Town Board adjourn at 9:20 p.m.

_____________________________
Catherine Rybczynski, Town Clerk