

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 23rd day of January 2017.

2.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board adjourn Executive Session at 7:07 pm and move into the regular meeting.

ROLL CALL: Steven J. Walters Supervisor
 Michael Quinn, Jr. Councilman
 Thomas Best, Jr. Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney; Mary Dosch, Sr. Account Clerk; Richard Lardo, Principal Engineering Assistant; Michael Quinn, Engineering Consultant; Gregory Wickett, Police Chief; Tom Best, Sr., Highway Superintendent; Christopher Hull, Director of Community Development; Martin Denecke, Director of Youth, Recreation and Senior Services; Kurt Allen, Supervising Code Enforcement Officer; Sean Crotty, Sr. Public Safety Dispatcher and Emergency Management Coordinator; Jerry Giglio, Safety Committee Coordinator

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

3.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

12/12/2016 Work Session
12/12/2016 Town Board Meeting
12/29/2016 Year End Meeting
01/09/2017 Organizational Meeting

4.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town of Hamburg has an existing Lease Agreement with Nuttall Golf Car Leasing, LLC (hereafter known as "Nuttall") to rent golf cars for the Town's golf course (18 Mile Creek Golf Course).

WHEREAS, Nuttall has agreed to extend its current Lease Agreement to the Town of Hamburg, and will provide fifty (50) new Golf Cars to replace all the current old Golf Cars under the Lease.

WHEREAS, the terms, conditions and costs contained in the existing Lease will remain the same.

WHEREAS, the Town of Hamburg wishes to extend the current Lease with Nuttall at no increased cost set to begin December 1, 2016, through November 1, 2021.

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Hamburg approves the Lease Extension Agreement, and authorizes the Town Supervisor, Steven J. Walters, to sign the Lease Extension Agreement.

5.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board authorize the Recreation Department to issue alcohol waivers for the following January and February 2017 Taylor Road rentals:

01/06/2017	02/04/2017	02/05/2017	02/11/2017
02/12/2017	02/18/2017	02/19/2017	02/25/2017

6.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

BE IT RESOLVED, that the Town Board authorize the Buildings and Grounds Department to Piggyback on the Erie County Contract #4500047680 to purchase one (1) new 2017 Ford Expedition - 4x4, XLT in the amount of \$45,775.28.

Funds are available in account A-7140.202 & A.1640.202.

7.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

BE IT RESOLVED, that the Town Board authorize the Buildings and Grounds Department to Piggyback on the City of Buffalo Contract #13804863-00 to purchase one (1) new 2017 Ford F250 - 4x4 truck in the amount of \$30,657.12.

Funds are available in account A-7141.303 & EI.7266.460.

8.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

RESOLVED, that the Town Board approve the following events sponsored by the Town of Hamburg Rejuvenation Committee:

Hamburg Town Wide Clean Up

Hamburg Town Hall
May 6, 2017

Blast on the Beach
Hamburg Town Park
July 29, 2017

Christmas at the Cabin
Taylor Road Cabin
December 2, 2017

9.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

I request that a Town Board Resolution be adopted approving the following personnel action: Full time PT/Sea/temp								
#	Emp #	Emp Name	N or R	Position	Start date	hrly rate	hrly rate	Term date
1	4246	FLIS, PAUL		P/T/LAB/EW7250.100			\$9.70	1/9/2017
2	3978	PAWLOWSKI, RODNEY		F/T/LABORER/EW7250.100			\$28.83	1/20/2017
3	3978	PAWLOWSKI, RODNEY		F/T/LABORER/A7140.100	1/23/2017		\$28.83	
4	4356	STALEY, SUZANNE		P/T/CLEANER/A7140.100			\$10.92	1/20/2017
5	4356	STALEY, SUZANNE		SEA/CLEANER/A7140.100	1/23/2017		\$10.92	

10.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board approve the termination and rehiring of personnel for the Town Clerk/Tax Department as follows:

Full time PT/Sea/temp								
#	Emp #	Emp Name	N or R	Position	Start date	hrly rate	hrly rate	Term date
1	4119	BROWN, BARBARA	R	P/T CLERK SEASONAL	1/24/17	\$12.50		
2	4770	HITE, KIMBERLY	R	P/T CLERK SEASONAL	1/24/17	\$12.50		
3	4159	MORFORD, ROSINA		P/T CLERK				1/28/17
4	4159	MORFORD, ROSINA	R	P/T CLERK SEASONAL	1/30/17	\$12.50		
5	4510	RYDZIK, SUZANNE		P/T CLERK				1/28/17
6	4510	RYDZIK, SUZANNE	R	P/T CLERK SEASONAL	1/30/17	\$12.50		

11.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Project being undertaken by the Town of Hamburg to create Railroad Quiet Zones by installing supplemental safety measures in compliance with the Federal Railroad Administration requirements at the Bayview Road, Pleasant Avenue and Lakeview Road at-grade crossings of the CSX and Norfolk Southern Railroads in the Town of Hamburg, Erie County, New York, PIN 5761.01 (the Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% Non-Federal funds; and

WHEREAS, the Town of Hamburg desires to advance the Project by making a commitment of 100% of the Non-Federal share, if any, of the costs of the Preliminary Engineering (Design I-VI) and Construction/Construction Inspection phases of the Project PIN 5761.01.

NOW THEREFORE, the Town Board of the Town of Hamburg, duly convened, does hereby

RESOLVE, that the Town Board of the Town of Hamburg hereby approves the above subject Project; and be it further

RESOLVED, that the Town Board of the Town of Hamburg hereby authorizes the Town of Hamburg to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-VI) and Construction/Construction Inspection phases of the Project or portions thereof; and be it further

RESOLVED, that the sum of \$300,000 is hereby appropriated from Town funds and made available to cover the cost of participation in the above phase of the Project; and be it further

RESOLVED, that in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the projects Construction & Construction Inspection phase exceeds the amount appropriated above, the Town of Hamburg shall convene its Town Board as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the Supervisor of the Town of Hamburg be and is hereby authorized to execute the Supplemental Agreement #1 (SA #1) to Federal Aid Local Project Agreement No. D034930, and all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the Town of Hamburg with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal Aid eligible Project costs, and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that this Resolution shall take effect immediately.

12.

On a motion of Councilman Best, seconded by Supervisor Walters, the following resolution was ADOPTED Ayes 3 Walters, Best, Quinn
Noes 0

WHEREAS, New York State Department of Transportation (NYSDOT) has requested additional street lighting at the newly constructed roundabout at the intersection of South Park Avenue and Sowles Road; and

WHEREAS, the Town Engineer has reviewed the street lighting at the intersection and determined that additional lighting is warranted.

THEREFORE BE IT RESOLVED, that the Town Board authorize New York State Electric and Gas (NYSEG) to install four (4) new wood poles with four (4) 150 watt HPS fixtures and install one (1) 150 watt HPS fixture on Pole 175, line 808, South Park Avenue and one (1) 150 watt HPS fixture on Pole 27, line 760, Sowles Road in accordance with the current rate tariff.

BE IT FURTHER RESOLVED, that the Town Clerk is requested to provide two (2) certified copies of this resolution to the Engineering Department for transmittal to NYSEG.

13.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was ADOPTED Ayes 3 Walters, Best, Quinn
Noes 0

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

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1		Cleversley, Lynn	N	Rec Attd-A7310-P/T	1/24/17		\$9.70	
2		Cole, Katherine	N	Rec Attd-A6772-P/T	1/24/17		\$9.70	
3	4228	Ebert, Rebecca		Rec Attd-A6772				1/24/2017
4	4645	Frampton, Lorraine		Rec Attd-A6780				1/24/2017
5	2697	Hornberger, Rory		Van Driver-A6772-P/T				2/16/2017
	2697	Hornberger, Rory	R	Van Driver-A6772-Seas	2/17/17		\$12.49	
6	4040	Jedynak, Richard		Van Driver-A6772-P/T				2/16/2017
	4040	Jedynak, Richard	R	Van Driver-A6772-Seas	2/17/17		\$10.69	
7	4678	Manganello, Jack		Van Driver-A6772-Seas				2/14/2017
	4678	Manganello, Jack	R	Van Driver-A6772-P/T	2/15/17		\$9.95	
8	4106	McGahey, Lyndsay	R	Rec Attd-E17265-P/T	1/24/17		\$11.25	
9	4321	Meyer, Jennifer		Rec Attd-A6772-Seas				2/9/2017
	4321	Meyer, Jennifer	R	Rec Attd-A6772-P/T	2/10/17		\$11.00	
10	4178	Romanello, John		Van Driver-A6772				1/24/2017
11	3575	Ryan, Thomas		Van Driver-A6772-Seas				2/4/2017
	3575	Ryan, Thomas	R	Van Driver-A6772-P/T	2/5/17		\$11.50	
12	4598	Wenzel, Traci		Rec Attd-A6780-P/T				1/23/2017
	4598	Wenzel, Traci	R	Rec Attd-A6780-Seas	1/24/17		\$9.95	
13	3167	Wienczek, Paul		Van Driver-A6772-Seas				2/24/2017
	3167	Wienczek, Paul	R	Van Driver-A6772-P/T	2/25/17		\$10.25	

14.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED, that the Town Board approve the out of town travel request for Luke Sullivan (Recreation Supervisor) to attend the National Drowning Prevention Association Conference. This program is scheduled from April 10-14 2017 in Pittsburg, PA. Estimated travel expenses include the following:

Registration-	\$325.00
Hotel-	\$396.00
Mileage-	\$164.00
Meal Allowance-	\$160.00
Total	\$1,045.00

Funds are available in Account A1970.492

15.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board appoint SAMANTHA J. TARCZYNSKI to the full time position of DIRECTOR OF ADMINISTRATION AND FINANCE effective January 23, 2017. Salary is \$75,000 a year. Funds available in A1310.100

Supervisor Walters thanks Mary Dosch, who is retiring, for her 35 years of wonderful dedicated service to the Town of Hamburg. He then welcomes Samantha Tarczynski to the Town of Hamburg as a new employee.

16.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board approve the application for travel, thereby granting permission for the Town Justices – Gerald P. Gorman and Carl W. Morgan and their clerks, Angel Hoak and Diane Sauer to attend the Association of Towns training in New York City on February 19 to 22, 2017. Training is mandatory for Town Justices.

17.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board authorize the Highway Department to Piggyback on the Cattaraugus County Bid DPW#70 to purchase 2018 Western Star Plow Truck.

Western Star 4700SB Truck Cab & Chassis
10' Dump Body, Hydraulics, Plow Equipment \$206,451.00

The truck will be financed through Daimler Truck Financial at an annual payment of \$55,069.57 over four years.

Monies are available in account H26.5130.201 – Machinery & Equipment.

18.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, that the Town Board approve that Joseph Sajdak, appointed to president of the Armor Volunteer Fire Company, Inc., shall be the official liaison between the fire company and the Town of Hamburg.

19.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town has established the Golf Course Capital Reserve to fund capital improvements, repairs, and maintenance of the Town’s Golf Course, and

WHEREAS, during the year ended December 31, 2016 and prior years the Town has budgeted a transfer of \$22,000 from the Golf Course to the Capital Reserve; and

WHEREAS, during prior years the amount budgeted for the transfer to the capital reserve has been transferred to other Golf Fund accounts to fund other unanticipated and unbudgeted expenses; and

WHEREAS, total Golf Course Fund operating expenses were under budget \$11,043.87 at December 31, 2016; and

WHEREAS, the Golf Course operating revenues exceeded budget by \$73,338.68 at December 31, 2016;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby authorize the Finance Department to increase appropriation account ER 9950.0975 Capital Improvement by \$73,338.68 and the following revenue accounts:

ER.2050.0001	\$24,721.78
ER.2050.0002	\$36,094.60
ER.2050.0005	\$1,103.24
ER.2050.0009	\$11,344.62
ER.2050.0011	\$74.44

BE IT FURTHER RESOLVED, that the Town Board authorizes the transfer of \$84,382.55 to fund the Golf Course Capital Reserve at December 31, 2016.

20.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

WHEREAS, during the year ended December 31, 2016 the General Fund has paid certain general liability and workers' compensation insurance costs on behalf of the Town Outside Village (B) Fund and Highway (DB) Fund,

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board increases the Highway Fund DB9910.0915 Transfers Out – General Fund adopted budget by \$41,235 to be supported by available appropriations through a budget transfer from DB.9060.0861 Hospital, Medical -- Retirees;

BE IT FURTHER RESOLVED, that the Town Board increases the Town Outside Village Fund B 9910.0915 Transfers Out – General Fund adopted budget by \$301,802 to be supported by available appropriations through budget transfers from the following accounts:

B 3120.0100	\$204,008.22
B 3120.0403	\$89,053.26
B 3120.0411	\$8,740.52

BE IT FURTHER RESOLVED, that the Town Board increases the General Fund Transfers In adopted budget by \$343,037.

21.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

TOWN BOARD
 AUDIT OF CASH DISBURSEMENTS January 23, 2017

		VOUCHER #'S
OPERATING FUND:		
BATCH#1	\$254,779.43	87216-87302
BATCH #2	\$25,054.46	87303-87317
BATCH #3	\$8,673.78	87318-87349
BATCH #4	\$7,267.31	87350-87364
BATCH #5	\$14,057.33	87365-87378
BATCH #6	\$71,679.27	87379-87439
BATCH #7	\$5,521.46	87440
BATCH #8	\$3,487.10	87441-87466
BATCH #9	\$205,279.05	87467-87523
BATCH #10	\$12,379.71	87525
BATCH #11	\$4,718.98	87526-87534
BATCH #12	\$92,316.43	87535-87573
BATCH #13	\$17,110.38	87580-87613
TOTAL OPERATING FUND DISBURSEMENTS:		\$722,324.69
TRUST & AGENCY:		
TOTAL TRUST & AGENCY DISBURSEMENTS:		\$0.00
CAPITAL FUND DISBURSEMENTS:		
BATCH #1	\$11,765.00	87524
BATCH #2	\$163,898.33	87574-87579
TOTAL CAPITAL FUND DISBURSEMENTS:		\$175,663.33
PAYROLL:		
PR#P/R #26	\$659,835.48	
PR #P/R #27	\$700,169.91	

TOTAL PAYROLL DISBURSEMENTS:	\$1,360,005.39
PETTY CASH	\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$2,257,993.41

Reports from Town Board Members and Department Heads

Councilman Best congratulates Mary Dosch on her 35 years of service. She will be missed. Also congratulations to Samantha Tarczynski, wishing her good luck in her new role. They are also losing their Court Administrator to retirement this week, Barbara Brauch. He wishes her good luck as well. They are actively looking for a replacement for her.

Councilman Quinn reiterates those sentiments.

Supervisor Walters wishes Barb Brauch well in her retirement.

Catherine Rybczynski, Town Clerk, reports that tax collection is in full swing. In the first week almost \$2,000,000 has been collected. Collection will continue, without penalty, until February 15th. Collection, with penalty, will continue until June 30th. She congratulates Mary on her retirement commenting that she has enjoyed working with her and she also welcomes Samantha.

Christopher Hull, Director of Community Development, thanks Mary for all her help to his department. He will miss her but is looking forward to working with Samantha as well. Their 2017 Action Plan is available in the Lobby on display. It has been a busy few months putting grants together. He is anticipating just under \$1.1 million dollars in grant money. This would include \$175,000 for the Town Highway Department.

Mary Dosch thanks everyone stating that it has been an honor and a pleasure serving the Town Board for so many years. She will miss everyone and the 2016 audit has begun.

Marty Denecke reports that the Youth Court began earlier this month. Thanks to Judge Morgan and Nicole Dayka who runs the program. Also, for the Recreation Foundation they have received \$2500.00 which will be dedicated for their programs for kids with autism. Last week, for the Senior Department, the old OLV hospital will be referring participants to the Town Adult Day Service program. He wishes Mary the best and thanks to her for all she did. Congratulations to Samantha as well.

Sean Crotty, Sr. Public Safety Dispatcher, comments that a tower has been erected in the rear lot of Town Hall. The next step is to move the antennas from the old tower to the new. There will be a press release regarding a meeting with Media Partners to get more of the public enrolled in Code Red and NY Alert, even those just passing through Hamburg will receive notification. They are also working with the State DOT for the re-routing of traffic from the Thruway to Route 179 during snow events.

Kurt Allen, Supervising Code Enforcement Officer, also wishes Mary well upon her retirement and a welcome to Samantha. He looks forward to working with her.

Business from the Floor

John McKendry thanks the Town and Michael Quinn from GHD for everything they have done concerning the Quiet Zones. There a lot of people that will be thankful for what they have done on this. He has an Emergency Response Book that is in the hands of all of our Policeman and Fireman. The book defines what can and cannot be carried on railroad cars and over the road in semi's. He asks that the Supervisor request another meeting with Joe Casper from Southtowns Hazmat Team. He explains that Town law prohibits the unloading, from railroad cars, of 1075 butane onto semi's which then go out in many different directions. Therefore the fire departments are not being told the correct information. He spoke to the Chief of Lakeshore Vol. Fire Co. and he us unaware of what is going on. Mr. Allen is being miss-informed. He explains how to reference the substance being unloaded in the book. The unloading is illegal. Contact the Governor on the Pilgrim pipeline which is supposed to run under the NYS thruway, that it will be extremely dangerous. Everyone in the Town needs to be educated on this because they are not being told the right information.

22.

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

ADOPTED	Ayes	3	Walters, Best, Quinn
	Noes	0	

RESOLVED, that the Town Board adjourn at 7:33 pm.

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