

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 8th day of May 2017.

2.

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

ADOPTED	Ayes	2	Walters, Best
	Noes	0	

RESOLVED, that the Town Board adjourn Executive Session at 7:11 pm and move into the regular meeting.

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

ABSENT:	Michael Quinn, Jr.	Councilman
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ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney; Joseph Collins, Deputy Town Attorney; Samantha Tarczynski, Director of Administration and Finance; Richard Lardo, Principal Engineering Assistant; Michael Quinn, Engineering Consultant; Gregory Wickett, Police Chief; Martin Denecke, Director of Youth, Recreation & Senior Services; Kurt Allen, Supervising Code Enforcement Officer; Tom Best Sr, Highway Superintendent; Christopher Hull, Director of Community Development; Sean Crotty, Sr. Public Safety Dispatcher

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 2 Walters, Best
 Noes 0

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

04/24/2017 Work Session
04/24/2017 Town Board Meeting

4.

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

ADOPTED Ayes 2 Walters, Best
 Noes 0

RESOLVED, that the Town Board approves a contract with Potter Road Career Center, Harkness Career Center, Hamburg High School and Frontier High School, for Nathan Spino Website Design student, Andrew Henry Networking student, and Michael Gause Cyber Security student, to work as computer interns in the Information Technology Department. This 30 hour term is necessary for them to graduate and will be fulfilled starting May 8 thru May 26, 2017 for two hours per day. There will be NO cost to the Town.

5.

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

ADOPTED Ayes 2 Walters, Best
 Noes 0

WHEREAS, the Town of Hamburg received a rezoning application from South Shore Community LLC to amend the previously approved concept/development plan for the Planned Unit Development for 5076 Southwestern Boulevard (properties in and around the South Shore Golf Course) to accommodate a mixed use project; and

WHEREAS, the Code Review Committee reviewed the application and determined in general terms that it is in accordance with the Town’s Comprehensive Plan and therefore found merit in the requested amendment (PUD Zoning to amended PUD zoning) of the approved concept/development plan of this property, acknowledging that much more information will be needed to make a decision on an amended concept plan/development plan for the property; and

WHEREAS, the Hamburg Town Board is interested in starting the review process so more information can be developed about the mixed use project

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board hereby refers this request to amend the previously approved concept/development plan to the Planning Board for its review and recommendation on the request to amend the previously approved concept plan/development plan (rezoning to a new PUD) and with its assistance in connection with the required coordinated environmental review pursuant to the State Environmental Quality Review Act, and

BE IT FURTHER RESOLVED, that once additional information is provided on the project, the Hamburg Town Board will seek SEQR Lead Agency.

6.

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

ADOPTED Ayes 2 Walters, Best
 Noes 0

Town of Hamburg

Municipal Clerk’s Week

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering service to all, and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and the community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations, and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of Municipal Clerk.

NOW, THEREFORE, We, the Town Board of the Town of Hamburg, do recognize the week of May 7 through May 13, 2017, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Catherine A. Rybczynski, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, We have caused the seal of the Town of Hamburg to be affixed this 8th day of May 2017.

Supervisor Steven J. Walters

Councilman Michael Quinn

Councilman Thomas Best, Jr.

7.

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

ADOPTED Ayes 2 Walters, Best
 Noes 0

WHEREAS, the Town of Hamburg received a request from E F Burke to rezone property located on the west side of McKinley Parkway just south of Lake Avenue (SBL # 151.15-10-4.1) from C-2 (General Commercial District) to R-3 (Multi-Family District), and

WHEREAS, the Code Review Committee reviewed the application and found merit in the rezoning of this property, and

WHEREAS, the Hamburg Town Board entertained this rezoning request and referred the request to the Planning Board for review and recommendation, and

WHEREAS, the Hamburg Planning Board reviewed this request and made a positive recommendation on the rezoning at their 4/19/17 meeting.

NOW, THEREFORE BE IT RESOLVED that the Hamburg Town Board, pursuant to the statutes and the provisions of the Municipal Home Rule Law, hereby sets a Public Hearing on the proposed rezoning and that such hearing shall take place at the Hamburg Town Hall located at 6100 South Park Avenue, Hamburg, NY at 7:00 pm on June 12, 2017.

8.

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

Ayes 2 Walters, Best
 Noes 0

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

#	Emp #	Emp Name	N or R	Position	Start date	Full time		Term date
						hrly rate	PT/Sea/temp hrly rate	
1	3998	Militello, Frank	R	LABORER/SEA/A.7140.100	5/8/2017		\$10.92	
2	2925	Sortisio, James	R	LABORER/SEA/A.7140.100	5/8/2017		\$10.54	
3		Kukoleca, Zachary	N	LABORER/SEA/A.7140.100	5/8/2017		\$9.70	
4	4715	Spector, Ashton	R	LABORER/SEA/A.7140.100	5/8/2017		\$9.70	

9.

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

ADOPTED Ayes 2 Walters, Best
 Noes 0



Town of Hamburg

Office of Supervisor

In Recognition of Shirley Spaulding

WHEREAS, Shirley S. Spaulding began her career with the Town of Hamburg on November 4, 1996 and has served the citizens of the Town and Western New York with distinction for 20-plus years, assisting participants in the Adult Day Service as the Senior Program Coordinator in the Department of Youth, Recreation and Senior Services; and

WHEREAS, Shirley Spaulding began overseeing the day to day operations of the Adult Day Service one year after its inception in 1995, at which time a small number of participants were receiving services. Over the years, Shirley has met and provided services to thousands of participants and their families, not just from the Town of Hamburg, but from all over Erie County, and over time Shirley has built a rapport with several managed long term care agencies that support the Town's program, and to date, the Town has built a successful working relationship with numerous private and public agencies; and

WHEREAS, the citizens of the Town of Hamburg and County of Erie have benefited from Shirley's dedicated service as a public servant and administrator, and as she has always treated the participants of the Adult Day Service with the utmost respect. Shirley has always been an incredibly strong advocate and voice for the aging population, and as her ability to empathize with caregivers and her knowledge of long-term care has made her an invaluable resource; and

WHEREAS, Shirley will be missed not only professionally, but also personally, as the love, care and compassion she has shown has known no boundaries. Shirley has demonstrated the highest level of character and unselfish service, and as her last day of employment with the Town of Hamburg prior to retirement will be April 28, 2017; and

WHEREAS, on behalf of the entire Town Board, we want to express our sincere appreciation to Shirley for her loyalty to the Town of Hamburg over the past 20-plus years, and wish her much happiness as she begins this exciting new chapter in her life.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Hamburg proclaim April 28, 2017 as Shirley S. Spaulding Day in the Town of Hamburg.

IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 28th day of April 2017.

Steven J. Walters
Supervisor
Town of Hamburg

Thomas Best, Jr., Councilman
Michael Quinn, Jr., Councilman



10.

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

Ayes 2 Walters, Best

Noes 0

RESOLVED, that the Town Board approve the hiring, termination and rehiring 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		Agate, William	N	Lifeguard-EW7251-Seas	5/9/17		\$10.50	
2		Anderson, William	N	Rec Attd-A7310-P/T	4/30/17		\$9.70	
3	4623	Birmingham, Shannon	R	Lifeguard-ET7180-Seas	5/9/17		\$11.25	
4	3807	Betrus, Thomas	R	Rec Attd-EW7251-Seas	5/9/17		\$13.00	
5		Bojanowski, Natalie	N	Lifeguard-ET7180-Seas	5/9/17		\$10.50	
6	4644	Bojdak, Katherine		Lifeguard-A7310-P/T				5/8/2017
	4644	Bojdak, Katherine	R	Lifeguard-ET7180-Seas	5/9/17		\$11.00	
7		Buckley, Timothy	N	Rec Attd-ER7251-Seas	4/30/17		\$9.70	
8	4709	Casey, Owen	R	Lifeguard-EW7251-Seas	5/9/17		\$10.75	
9		Duffy, Sean	N	Lifeguard-EW7251-Seas	5/9/17		\$10.50	
10	4462	Emmerling, Ryan		Lifeguard-A7310-P/T				5/8/2017
	4462	Emmerling, Ryan	R	Lifeguard-EW7251-Seas	5/9/17		\$12.50	
11		Feuerstein, Julia	N	Lifeguard-ET7180-Seas	5/9/17		\$10.50	
12	4620	Gambino, Karlie	R	Lifeguard-EW7251-Seas	5/9/17		\$11.00	
13		Gentner, Michael	N	Lifeguard-ET7180-Seas	5/9/17		\$10.50	
14	4741	Griffin, Katie	R	Lifeguard-ET7180-Seas	5/9/17		\$10.75	
15	4669	Gunning, Daniel	R	Rec Attd-EW7251-Seas	5/14/17		\$9.95	
16	4400	Hayes, Corey	R	Lifeguard-EW7251-Seas	5/9/17		\$11.25	
17	4653	Hietanen, Andrew	R	Lifeguard-EW7251-Seas	5/9/17		\$10.50	
18	4704	Hite, Taylor	R	Lifeguard-EW7251-Seas	5/9/17		\$11.25	
19	4711	Hollfelder, Evan	R	Lifeguard-EW7251-Seas	5/9/17		\$10.75	
20	4710	Hutz, Alexander	R	Lifeguard-ET7180-Seas	5/9/17		\$10.75	
21	4318	Joslin, Mark		Rec Attd-ER7251-P/T				5/13/2017
	4318	Joslin, Mark	R	Rec Attd-ER7251-Seas	5/14/17		\$9.95	
22		Kabza, Ashley	N	Lifeguard-ET7180-Seas	5/9/17		\$10.50	
23	4654	Kaznowski, Taylor	R	Rec Attd-EW7251-Seas	5/14/17		\$9.95	
24	4557	Kroll, Evan	R	Lifeguard-ET7180-Seas	5/9/17		\$11.25	
25	4221	Kumiega, Mark		Rec Attd-ER7251-P/T				5/11/2017
	4221	Kumiega, Mark	R	Rec Attd-ER7251-Seas	5/12/17		\$9.95	
26	4679	Kuznicki, Thomas		Van Driver-A6772-P/T				4/29/2017
	4679	Kuznicki, Thomas	R	Rec Attd-ER7251-Seas	4/30/17		\$9.95	
27	4364	Lunz, Shaun	R	Lifeguard-EW7251-Seas	5/9/17		\$12.00	
28	4544	Madden, Timothy	R	Lifeguard-ET7180-Seas	5/9/17		\$12.00	
29	4545	McDermott, Conor		Lifeguard-A7310-P/T				5/8/2017
	4545	McDermott, Conor	R	Lifeguard-EW7251-Seas	5/9/17		\$11.25	
30	4626	McDermott, Evan	R	Lifeguard-ET7180-Seas	5/9/17		\$11.00	
31	4362	McMahon, Grace	R	Lifeguard-ET7180-Seas	5/9/17		\$11.25	
32	4629	Nitsche, Lindsay	R	Lifeguard-EW7251-Seas	5/9/17		\$11.00	
33	4547	Olek, Hannah	R	Lifeguard-EW7251-Seas	5/9/17		\$11.25	
34	1729	Otremba, Steven	R	Rec Attd-El7265-Seas	5/9/17		\$13.00	
35		Pasquerella, Paige	N	Lifeguard-ET7180-Seas	5/9/17		\$10.50	
36		Piniewski, Ryan	N	Lifeguard-EW7251-Seas	5/9/17		\$10.50	

37		Pope, Daniel		N	Rec Attd-ER7251-Seas	4/30/17		\$9.70	
38		Reed, Catherine		N	Lifeguard-EW7251-Seas	5/9/17		\$10.50	
39	4701	Reed, Thomas		R	Lifeguard-ET7180-Seas	5/9/17		\$10.75	
40	4115	Rost, Pamela			Rec Attd-A6772-P/T				5/14/2017
	4115	Rost, Pamela		R	Rec Attd-A6772-Seas	5/15/17		\$13.00	
41		Royce, Jason		N	Rec Attd-EW7251-Seas	5/9/17		\$13.00	
42	3821	Sadowski, Christopher			Rec Attd-ER7251-P/T				5/15/2017
	3821	Sadowski, Christopher		R	Rec Attd-ER7251-Seas	5/16/17		\$10.43	
43	4692	Sambora, David			Van Driver-A6772-Seas				5/3/2017
	4692	Sambora, David		R	Van Driver-A6772-P/T	5/4/17		\$9.70	
44		Scheffler, Kate		N	Lifeguard-EW7251-Seas	5/9/17		\$10.50	
45	4357	Simoncelli, Eric			Rec Attd-ER7251-P/T				5/14/2017
	4357	Simoncelli, Eric		R	Rec Attd-ER7251-Seas	5/15/17		\$9.95	
46		Sterns, Olivia		N	Lifeguard-ET7180-Seas	5/9/17		\$10.50	
47	4186	Sullivan, Amanda		R	Rec Attd-A7310-Seas	4/30/17		\$10.50	
48	4540	Voye, James			Van Driver-A6772-P/T				4/29/2017
	4540	Voye, James		R	Rec Attd-ER7251-Seas	4/30/17		\$9.95	
49	4550	Winder, Brice		R	Lifeguard-ET7180-Seas	5/9/17		\$11.25	
50		Wright, Addison		N	Lifeguard-EW7251-Seas	5/9/17		\$10.50	
51	4631	English, Emma		R	Rec Attd-EW7251-Seas	5/14/17		\$9.95	
52	4637	Miller, Michael		R	Rec Attd-EW7251-Seas	5/14/17		\$9.95	
53	4625	Ott, Megan		R	Rec Attd-EW7251-Seas	5/14/17		\$9.95	
54	4473	Redanz, Katherine		R	Rec Attd-EW7251-Seas	5/14/17		\$9.95	

11.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was ADOPTED
 Ayes 2 Walters, Best
 Noes 0

BE IT RESOLVED, that the Town Board grant Martin Denecke, Director of Youth, Recreation & Senior Services and Nicole Dayka, Youthful Offender Coordinator, permission to attend the Association of New York State Youth Bureau’s (ANYSYB) Director’s Training. The event is scheduled to run May 24 & 25th, 2017 at the Gideon Putnam Hotel in Saratoga Springs, NY. The conference registration and hotel accommodations are free as part of our membership in the ANYSYB. Estimated expenses for the conference will include the following:

Mileage Reimbursement	- \$260
Tolls	- \$ 30
Meals (2 persons, 2 days)	<u>- \$160</u>
Total	\$450

Funds are available in Account# A1970.492

12.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was ADOPTED
 Ayes 2 Walters, Best
 Noes 0

RESOLVED, that the Town Board approve the membership of the following into the Newton Abbott Fire Company, Inc.:

Ethan Perry
 71 Knowlton Ave.
 Lackawanna, NY 14218

13.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was ADOPTED
 Ayes 2 Walters, Best
 Noes 0

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

#	Emp #	Employee Name	N or R	Position	Start date	Full time hourly rate	PT/Sea/tem hourly rate	Termination Date
1		Shiner, Daniel	N	Cleaner-A7140.100-P/T	5/9/17		\$9.92	

14.

On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was ADOPTED
 Ayes 2 Walters, Best
 Noes 0

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

TOWN BOARD
 AUDIT OF CASH DISBURSEMENTS MAY 8, 2017

VOUCHER #'S

OPERATING FUND:

BATCH #68	\$606.01	89227- 89230
BATCH #69	\$399,871.82	89231 - 89263
BATCH #70	\$19,129.50	89264
BATCH #71	\$46,699.42	89265
BATCH #72	\$453,345.31	89266 - 89320
BATCH #73	\$268.05	89321
BATCH #74	\$139,311.52	UNPROCESSED

TOTAL OPERATING FUND DISBURSEMENTS:	\$1,059,231.63
TRUST & AGENCY:	
TOTAL TRUST & AGENCY DISBURSEMENTS:	\$0.00
CAPITAL FUND DISBURSEMENTS:	
BATCH #13 \$1,899.00 89322 - 89324	
TOTAL CAPITAL FUND DISBURSEMENTS:	\$1,899.00
PAYROLL:	
PR#P/R #9 \$679,324.62	
TOTAL PAYROLL DISBURSEMENTS:	\$679,324.62
PETTY CASH	\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:	\$1,740,455.25

Reports from Town Board Members and Department Heads

Councilman Best congratulates Shirley Spaulding on her retirement and her dedication to the Town of Hamburg and comments that Cathy Rybczynski, Town Clerk, does a great job for the Town of Hamburg in honor of Town Clerk's Week. The Townwide clean-up was Saturday and he thanks the Rejuvenation Committee and everyone involved. The weather wasn't great but the community came together as they did with the Playground in the Village. The Supervisor will be announcing a public meeting regarding the Sports Complex and he urges everyone to attend. There was a news article concerning the transparency of the Town Board regarding the project. Some things are not able to be discussed in public because of contractual matters. However, they will release everything that they can, regarding the project at the meeting.

Supervisor Walters announces that Thursday, May 18th from 5:00 pm to 8:00 pm they will be having an open house informational meeting regarding the proposed Hamburg Sports Project. The Town Board is required to do their due diligence before scheduling a public meeting. They want everyone to show up and that is why they have given a good window of time and scheduled it after business hours. They have also identified the property where they are going to place this and it is the former South Shore Golf Course. They look forward to answering questions and showing the public what work they have done. This is not a completed project. There are more steps and work left to do. They are looking for public input on how and if to proceed. Memorial Day events are starting to be scheduled throughout the Town. For anyone wishing to attend they will be listed on the Town website under the Veteran's Services tab.

Catherine A. Rybczynski, Town Clerk, thanks the Town Board for the proclamation and states that she is honored to serve the Town as the Clerk.

Christopher Hull, Director of Community Development, reports that hopefully by July he will know the 2017 Community Development grant amount and what projects they will be doing. He met with the NFTA and they are trying to move a bus Shelter from Immaculata School, that is not being used, down to in front of 6122 South Park Ave. The first Zombie Task force meeting will be on May 17th at noon at 6122 South Park Ave.

Martin Denecke, Director of Youth, Recreation and Senior Services, reports that a few weeks ago they held their Annual Youth Awards Banquet where they honored adults that serve youth and some of their Y.E.S. Volunteers. He wants to congratulate all the award winners. For the Recreation Department, on Memorial Day they will be opening Hamburg Town Park and Woodlawn Beach State Park for swimming, weather permitting.

Sean Crotty, Sr. Public Safety Dispatcher, reports that they are waiting for a good stretch of weather to complete the tower project.

Tom Best Sr., Highway Superintendent, reports that they are looking for an early paving season starting the first week in June. He is looking at the entire Roundtree subdivision. For B & G, both beaches are being cleaned this week and will be ready for the season when it opens. There was a false report that they were handling the Woodlawn Beach sand incorrectly. He reports that they have all the correct permits for moving the sand and the DEC is on board with the Town.

Rick Lardo, Principal Engineer, reports that the Town Annual Stormwater Report (MS4) is being finalized and is available for review and comment in the Engineering Department and also on the town's website. The draft report is to be completed and submitted to the NYSDEC by the June 1st deadline.

Business from the Floor

John McKendry comments that the Town of Hamburg does not need a Sports Complex. All they need is another rink next to the current one. The Sports Complex will make hockey unaffordable for kids, from lower income families, to play hockey. He also states that the News article was unfair to the town. He has attended meetings and they have been very open about what they are doing.

Joe Kilian comments that they had a meeting at the Seaway Trail Building and noticed that the railings leading down to the Beach on the stair side are not in place and some bricks on the chimney are loose and need to be repointed.

Laura Flick comments that she lives on Morgan Parkway and there is a lot of flooding behind her house. She lives on the track side of Morgan. She called the Highway Department three times to clean the culvert out. She called CSX Railroad and they are coming out to look. The storm drains are not running the way they should be. She had five inches of water in her basement and the fire department had to come pump it out for her.

Tom Best Sr., Highway Superintendent asks for her specific address and comments that someone will be their tomorrow.

Laura Hahn questions where the meeting on the Sports Complex will take place.

Supervisor Walters responds it will be at the Senior Center on Southwestern Blvd.

Randy Zack comments he has lived in the Town of Hamburg for about 35 years. He had an unfortunate incident at the Senior Fitness Center. He had an altercation with a Town employee.

Supervisor Walters refers him to Mr. Denecke stating that he should leave contact information with him. The Town Board should have a report on this by the end of the week and will review the situation.

Bill Knab comments he will not be able to make the meeting on May 18th and would like to comment now. He hopes that the Town is not running a one horse race. He would like to see two competing proposals to do what is best for the Town of Hamburg.

Councilman Best comments that there is a private entity that wants to build a rink. The Town needs ice but they have to make sure that the risk is worth it. It needs to be done right and the Town does not need two Sports Arenas.

Bill Knab comments that they need to look at the Town of Amherst and what they are going through with their Sports Complex that is losing money.

15.

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

ADOPTED	Ayes	2	Walters, Best
	Noes	0	

RESOLVED, that the Town Board adjourn at 7:42 pm.

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