

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 25th day of September 2017.

2.

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 adjourned Executive Session at 7:15 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 L. Rooth, III, Town Attorney; Joseph Collins, Deputy Town Attorney; Richard Lardo, Principal Engineering Assistant; Michael Quinn, Engineering Consultant; Gregory Wickett, Chief of Police; Tom Best, Sr., Highway Superintendent; Martin Denecke, Director of Youth, Recreation and Senior Services; Christopher Hull, Director of Community Development; Drew Reilly, Planning Consultant; Samantha Tarczynski, Director of Administration and Finance; Ted Casey, Traffic Safety 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, the Town Board approve the minutes of the following meetings:

08/21/2017 Work Session
08/21/2017 Town Board Meeting
09/11/2017 Work Session

4.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Hamburg Town Board adopted a resolution on November 27, 1995, granting permission to the Hamburg Snowmobile Club to use Town property located at the Electric Avenue playground, along Rush Creek (near Parker Road) and the dedicated recreation land commonly referred to as “Sixty-Five Acres” for development of snowmobile trails, and

WHEREAS, the Hamburg Snowmobile Club trail system also includes Town of Hamburg property located at 6040 Smith Road, and 4575 Tomaka Drive, and

WHEREAS, the Hamburg Town Board adopted a subsequent resolution on January 26, 2015, to also include Town of Hamburg property on Lake View Road, commonly referred to as the “Nike Base”, and identified as S.B.L. Nos. 194.00-4-15; 194.00-4-16 and 194.00-4-17 as part of their trail system.

WHEREAS, both parties are desirous of continuing the agreement for use of Town property as part of the Hamburg Snowmobile trail system for the forthcoming season that runs April 1, 2017, through March 31, 2018, (the actual snowmobile riding season will commence on or about December 15, 2017, and end on or about March 31, 2018), and

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign the agreement between the Town and the Hamburg Snowmobile Club, subject to the Club meeting all insurance and other requirements.

5.

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 authorizing alcohol waivers for the following October 2017 Taylor Road rentals:

| | | | | | |
|----------|----------|----------|----------|----------|----------|
| 10/01/17 | 10/06/17 | 10/07/17 | 10/08/17 | 10/13/17 | 10/14/17 |
| 10/15/17 | 10/20/17 | 10/21/17 | 10/22/17 | 10/27/17 | 10/28/17 |
| 10/29/17 | | | | | |

6.

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, the Board appoint Michael Kaney to the Board of Assessment Review for a five year term, beginning October 1, 2017 and ending September 30, 2022.

7.

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 SM180 Ronton Lift which is unusable, and stored at Woodlawn Beach be sold to Nuwer Auto Parts, Inc. for scrap metal in the amount \$263.00.

Funds to be deposited into EW.7250.413 – Repair & Maintenance

8.

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

| | |
|------------------------|-----------------------|
| Frank Rosati | Lisa Dobson |
| 5528 South Abbott Road | 5651 McKinley Parkway |
| Hamburg NY 14075 | Hamburg NY 14075 |

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 out of town travel request for Highway Employees Daren Smith, Tom Sullivan, Ed Hughes, Jake Fanning, Dan Bevelock and Chris Wilson to attend a workshop sponsored by the Cornell Local Roads Program.

The workshop is entitled “Surveying Methods for Local Highway Departments” to be held on September 26, 2017 at the Town of Chili Highway Department, 200 Beaver Road, Churchville, New York.

The cost of the workshop is \$250.00, 5 @ \$50.00 each. Daren has a voucher from a previous workshop that he had missed.

BE IT FURTHER RESOLVED, that the Town Board approves the transfer of funds from A1970.492 (Central Training & Seminars) to A5010.492 (Highway Administration Seminars).

10.

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, the Town Board approve the travel request for Martin Denecke and Nicole Dayka (Hamburg Youth Bureau) to attend the 47th Annual New York State Youth Development Training Conference in Syracuse, NY. The event is scheduled for October 3rd and 4th at the Holiday Inn Syracuse/Liverpool. Estimated travel costs are \$900 and include the following items:

| | |
|--------------------|----------------------------------|
| Registration (2) - | \$125 (One registration is free) |
| Hotel- | \$376 (Some meals included) |
| Mileage & Tolls- | \$349 |
| Dinner (10/3)- | <u>\$50 (for 2)</u> |
| | \$900 |

Funds are available in account A1970.492

11.

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 for the Town Clerk Department as follows:

| # | Emp # | Emp Name | N or R | Position | Start date | Full time | PT/Sea/temp | Term date |
|---|-------|--------------------|--------|--------------------|------------|-----------|-------------|-----------|
| | | | | | | hrly rate | hrly rate | |
| 1 | | | | | | | | |
| 2 | 4788 | FISHER, KEVIN | | P/T CLERK | | | | 8/30/17 |
| 3 | 2709 | Mc MANUS, ROSEMARY | | P/T CLERK SEASONAL | 9/12/2017 | \$12.50 | | |
| 4 | 2760 | ALLEN, BARBARA | R | P/T CLERK SEASONAL | 10/3/2017 | \$15.00 | | |
| 5 | 4238 | BRAUN, SHARON | R | P/T CLERK SEASONAL | 9/26/2017 | \$15.00 | | |
| 6 | 4159 | MORFORD, ROSINA | | P/T CLERK SEASONAL | 9/25/2017 | \$15.00 | | |

12.

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 approve the membership of the following into the Newton Abbott Fire Company, Inc.:

| | |
|------------------------------|----------------------|
| Nathan Ostrowski | David Marracco |
| 4591 Southwestern Blvd – BB7 | 65 St. Johns Place |
| Hamburg NY 14075 | Lackawanna, NY 14218 |

13.

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 for the Domestic Violence Department as follows:

| # | Emp # | Emp Name | N or R | Position | Start date | Full time | PT/Sea/temp | Term date |
|---|-------|--------------------|--------|---------------------------|------------|-----------|-------------|------------|
| | | | | | | hrly rate | hrly rate | |
| 1 | 4500 | O'Brien, Elizabeth | | Clerk typist P/T | | | \$11.59 | 10/17/2017 |
| 2 | 4500 | O'Brien, Elizabeth | R | Clerk typist P/T-Seasonal | 10/18/2017 | | \$11.59 | |

14.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED, that the Town Board hereby amend resolutions #35 of the Organizational meeting of 01/09/2017 regarding authorized signatures for purchase orders, town vouchers, request for supplemental and/or budget transfers, payroll input sheets for their respective departments by removing Barbara Allen, under Town Clerk, and replacing with Brian Wielinski.

15.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, several residents of Windover Drive have had ongoing drainage concerns along the rear of their property; and

WHEREAS, the Town Highway and Engineering Departments have investigated the situation and determined that stormwater runoff from the Town highway storm sewer along Windover Drive discharges into their failing private drainage system; and

WHEREAS, the residents are agreeable to executing a Town drainage easement for installation of a new storm sewer system,

THEREFORE BE IT RESOLVED, that the Town Board authorizes the Town Engineering and Legal Departments to prepare drainage easements for the project, and authorizes the Town Supervisor to sign the documents.

BE IT FURTHER RESOLVED, that the Town Board authorizes the Highway Department to install the storm sewer system and site restoration at an estimated cost not to exceed \$5,000.00. Funding is available for material and easement recording fees in Account No. H98.1620.460.

16.

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

WHEREAS, the Hamburg Town Code contains and specifies the local laws and ordinances of the Town of Hamburg; and

WHEREAS, the Hamburg Code Review Committee has evaluated these regulations based on issues raised by Town boards, departments, the public and officials; and

WHEREAS, the Hamburg Code Review Committee has prepared draft language for these proposed amendments relating to Subdivision and Site Plan notifications, condominiums, side yard setbacks, affordable housing and tourist homes- Airbnb (see attached laws); and

WHEREAS, the Hamburg Town Board set a public hearing for these code revisions for September 25, 2017, but the proper notice was not published by the newspaper and therefore the Town Board needs to reschedule the public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board sets a Public Hearing on these proposed amendments at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY for 7:00 pm on October 16, 2017.

17.

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 of Hamburg has previously adopted its Zoning Law which provides for allowable uses in the various zoning districts of the Town of Hamburg as well as regulating structures within the Town of Hamburg; and

WHEREAS, the Town of Hamburg has observed an increase in discussions and potential

applications for new Telecommunication's Facilities (cell towers and micro-cells) within the region and currently the Town of Hamburg has regulations adopted in 1996 that do not address the changing technology related to these facilities, and

WHEREAS, the Town Board of the Town of Hamburg has determined that it is necessary to update the Town's Telecommunications Facilities Law; Article XLVII of the Zoning Code, and

WHEREAS, the Town Board believes that it is in the best interest of the Town of Hamburg to impose a moratorium on the approval and construction of additional Telecommunications Facilities within the Town of Hamburg pending the adoption of provisions to better regulate such facilities; and

WHEREAS, the Town has introduced the following proposed "Local Law No. to be determined of the Year 2017", entitled "Amendment to the Code of the Town of Hamburg Placing a Six Month Moratorium on Telecommunications Facilities Within the Town" and presented a copy to each member of the Board which reads as follows:

A Local Law known as Local Law No. to be determined of the Year 2017 entitled "Amendment to the Code of the Town of Hamburg Placing a Six Month Moratorium on Telecommunications Facilities within the Town".

Be in enacted by the Town Board of the Town of Hamburg as follows:

SECTION 1. TITLE

This Law shall be entitled "Amendment to the Code of the Town of Hamburg Placing a Six Month Moratorium on Telecommunications Facilities within the Town".

SECTION 2. PURPOSE

The purpose of this local law is to amend the Code to place a six month moratorium on the approval and construction of Telecommunications Facilities within the Town to allow time for the completion of amendments to the Telecommunications Facilities law, Article XLVII of the Town Zoning Code. This Amendment, among other things, will address the changing technology such as micro-cells, where facilities can be located, height requirements, process and procedures and other amendments as may be necessary to promote and preserve the health, safety and welfare of the Town of Hamburg and its citizens.

SECTION 3. AMENDMENT OF PRIOR LAW

1. Chapter 280 of the Code of the Town of Hamburg is further amended as follows:

Chapter 280 is amended to add new §280-xxx which shall read as follows:

"For the period commencing on the effective date of this Local Law and for six months thereafter, there shall be a moratorium on the approval and construction of Telecommunications

Facilities within the Town of Hamburg”

SECTION 4. SEVERABILITY

If any portion, subsection, sentence, clause, phrase or portion thereof this local law is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not effect the validity of the remaining portion thereof.

SECTION 5. WHEN EFFECTIVE

This Local Law shall become effective immediately upon its filing in the office of the Secretary of State.

SECTION 6. GRANDFATHER CLAUSE

Any applications received after August 21, 2017 shall be subject to this Moratorium; and

WHEREAS, the Hamburg Town Board set a public hearing for this proposed Moratorium for September 25, 2017, but the proper notice was not published by the newspaper and therefore the Town Board needs to reschedule the public hearing.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS; A hearing before the Town Board of the Town of Hamburg, in the County of Erie shall be held at the Town Hall, S-6100 South Park Avenue, Hamburg, New York at 7:00 p.m. on the 16th day of October, 2017, for the purpose of hearing all persons interested in the adoption of this proposed Local Law; and

BE, IT FURTHER RESOLVED THAT; The Town Clerk is directed to (a) publish a notice of public hearing in the Front Page, designated as the official newspaper for this publication, such publication to be not less than ten days before the date of the public hearing; and post as required by law one copy of the Notice of Public Hearing no later than the day such Notice is published; and (c) notify by mail all parties of interest pursuant to the General Municipal Law and the Town Law of the Public Hearing, not less than ten days before the date of the Public Hearing; and

BE, IT FURTHER RESOLVED THAT; The Town Clerk is to make copies of the proposed Local Law, entitled “Amendment to the Code of the Town of Hamburg Placing a Six Month Moratorium on Telecommunications Facilities within the Town”, available at her office for inspection and distribution to any interested person during business hours.

18.

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

| | | | |
|---------|------|---|-------------|
| ADOPTED | Ayes | 2 | Best, Quinn |
| | Noes | 1 | Walters |

WHEREAS, the Hamburg Town Code contains and specifies the local laws and ordinances of the Town of Hamburg; and

WHEREAS, the Hamburg Planning Department has evaluated these regulations based on issues raised a Planning Board meetings and by applicants and determined that amendments may be necessary, and

WHEREAS, the Hamburg Planning Department has prepared draft language (see attached document) for these proposed amendments relating to residential grade wind turbines (Article LIII), and

WHEREAS, the Hamburg Town Board referred these proposed amendments to the Hamburg Code Review committee for their input and the Code Review committee recommended against the proposed code revisions.

NOW, THEREFORE, BE IT RESOLVED, that the Hamburg Town Board, although receiving a negative recommendation from the Code Review committee, would like to hear from the public and therefore sets a Public Hearing on these proposed amendments at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, NY for 7:00 pm on October 16, 2017.

The following spoke concerning resolution #18: Supervisor Walters
 Councilman Best

19.
 On a motion of Supervisor Walters, seconded by Councilman Best, the following resolution was
 ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, the Town Board authorizes Lieutenant Jeffery Lavelle and Detective Howard Widman to attend Pedestrian/Bicycle Crash Investigation School in Jacksonville, Florida, November 27, 2017 – December 1, 2017

| | |
|---------------------------|------------------|
| Cost of School: | \$1,590.00 |
| Airfare: | \$ 859.90 |
| Rental Car: | \$ 252.00 |
| Hotel: | \$ 485.90 |
| Meals-5days @ \$40.00/day | <u>\$ 400.00</u> |
| TOTAL: | \$3,587.80 |

Money is available in account B3120.492

20.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, the Town Board authorizes Officers John Baker and Joshua Eagan to attend Event Data Recovery School for Accident Investigations, in Jacksonville, Florida, March 12, 2018 – March 16, 2018.

| | |
|---------------------------|------------------|
| Cost of School: | \$1,980.00 |
| Airfare: | \$ 887.92 |
| Hotel: | \$ 584.77 |
| Car Rental: | \$ 177.36 |
| Meals-5days @ \$40.00/day | <u>\$ 400.00</u> |
| TOTAL: | \$4,030.05 |

Money is available in account B3120.492.

21.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 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, on May 8, 2017 the Hamburg Town Board referred this rezoning request to the Planning Board for its review and recommendation and resolved to initiate the SEQRA Coordinated Review process; and

WHEREAS, on June 9, 2017 the Planning Department performed the required mailings to the Involved and Interested Agencies.

NOW THEREFORE BE IT RESOLVED that pursuant to the State Environmental Quality Review Act (SEQRA), the Hamburg Town Board hereby declares itself Lead Agency.

22.

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 and rehiring for the Youth, Recreation, 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 | 4404 | Avery, Maxwell | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4404 | Avery, Maxwell | R | Rec Attd-EI7265-P/T | 9/3/17 | | \$11.00 | |
| 2 | 4717 | Bergman, Jason | | Rec Attd-A7310 | | | | 9/26/2017 |
| 3 | 4833 | Birt, Christina | | Rec Attd-A7310 | | | | 9/26/2017 |
| 4 | 4560 | Booth, Abigail | | Rec Attd-A7310 | | | | 9/26/2017 |
| 5 | 4730 | Casey, Quinn | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 6 | 4831 | Chiacchia, Jane | | Rec Attd-A7310 | | | | 9/26/2017 |
| 7 | 4528 | Colleran, Alexander | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4528 | Colleran, Alexander | R | Rec Attd-A7310-P/T | 9/3/17 | | \$10.25 | |
| 8 | 4780 | Compise, Jared | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4780 | Compise, Jared | R | Rec Attd-EI7265-P/T | 9/3/17 | | \$9.70 | |
| 9 | 4651 | Courtade, Courtney | | Rec Attd-A7310 | | | | 9/26/2017 |
| 10 | 4682 | Cross, Courtney | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4682 | Cross, Courtney | R | Rec Attd-A6772-P/T | 9/3/17 | | \$9.95 | |
| 11 | 4731 | DePalma, Peter | | Rec Attd-A7310 | | | | 9/26/2017 |
| 12 | | Devine, Madison | N | Lifeguard-A7310-P/T | 9/26/17 | | \$10.50 | |
| 13 | 4436 | DiPasquale, Ryan | | Rec Attd-ER7251 | | | | 9/26/2017 |
| 14 | 4757 | Dorr, Derek | | Rec Attd-A7310 | | | | 9/26/2017 |
| 15 | 4631 | English, Emma | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 16 | 4562 | Evancho, Paige | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4562 | Evancho, Paige | R | Rec Attd-EI7265-P/T | 9/3/17 | | \$11.00 | |
| 17 | 4846 | Fadale, Thomas | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4846 | Fadale, Thomas | R | Rec Attd-EI7265-P/T | 9/3/17 | | \$9.70 | |
| 18 | 4835 | Farrell, Emma | | Lifeguard-A7310 | | | | 9/26/2017 |
| 19 | 4563 | Fischer, Shawn | | Rec Attd-A7310 | | | | 9/26/2017 |
| 20 | 4809 | Gentner, Michael | | Lifeguard-ET7180-Seas | | | | 9/16/2017 |
| | 4809 | Gentner, Michael | R | Lifeguard-A7310-P/T | 9/17/17 | | \$10.50 | |
| 21 | 4805 | Giglio, Angelina | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 22 | 4820 | Glowacki, Jordan | | Rec Attd-A7310 | | | | 9/26/2017 |
| 23 | 4733 | Gorman, Meghan | | Rec Attd-A7310 | | | | 9/26/2017 |
| 24 | 4669 | Gunning, Daniel | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 25 | 4847 | Hart, Patrick | | Rec Attd-A7310 | | | | 9/26/2017 |
| 26 | 4227 | Hotho, Eileen | | Rec Attd-A7310-P/T | | | | 8/12/2017 |
| | 4227 | Hotho, Eileen | R | Rec Attd-A7310-Seas | 8/13/17 | | \$12.75 | |
| 27 | 4806 | Jarosz, Kelsey | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 28 | 4753 | Johnston, Emily | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 29 | 4264 | Kazibut, Kacper | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4264 | Kazibut, Kacper | R | Rec Attd-EI7265-P/T | 9/3/17 | | \$9.95 | |
| 30 | 4586 | Kaznowski, Lyndsey | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4586 | Kaznowski, Lyndsey | R | Rec Attd-A7310-P/T | 9/3/17 | | \$9.95 | |
| 31 | 4557 | Kroll, Evan | | Lifeguard-ET7180-Seas | | | | 9/2/2017 |
| | 4557 | Kroll, Evan | R | Lifeguard-A7310-P/T | 9/3/17 | | \$11.25 | |

| # | Emp # | Employee Name | N or R | Position | Start date | Full time hourly rate | PT/Sea/tem hourly rate | Termination Date |
|----|-------|-----------------------|--------|-----------------------|------------|-----------------------|------------------------|------------------|
| 32 | 4654 | Kaznowski, Taylor | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 33 | 4670 | Lake, Michael | | Rec Attd-A7310 | | | | 9/26/2017 |
| 34 | 4836 | MacDonald, Marissa | | Lifeguard-ET7180-Seas | | | | 9/16/2017 |
| | 4836 | MacDonald, Marissa | R | Lifeguard-A7310-P/T | 9/17/17 | | \$10.50 | |
| 35 | 4678 | Manganello, Jack | | Van Driver-A6772-P/T | | | | 9/17/2017 |
| | 4678 | Manganello, Jack | R | Van Driver-A6772-Seas | 9/18/17 | | \$9.95 | |
| 36 | 4742 | Manning, Tyler | | Rec Attd-A7310 | | | | 9/26/2017 |
| 37 | 4362 | McMahon, Grace | | Lifeguard-ET7180-Seas | | | | 9/16/2017 |
| | 4362 | McMahon, Grace | R | Lifeguard-A7310-P/T | 9/17/17 | | \$11.25 | |
| 38 | 4832 | Mecca, Emily | | Rec Attd-A7310 | | | | 9/26/2017 |
| 39 | 4321 | Meyer, Jennifer | | Rec Attd-A6780-P/T | | | | 9/10/2017 |
| | 4321 | Meyer, Jennifer | R | Rec Attd-A6780-Seas | 9/11/17 | | \$13.00 | |
| 40 | 4659 | Myles, Jr., Mark | | Rec Attd-A7310 | | | | 9/26/2017 |
| 41 | 655 | Nelson, Gay Lynn | | Rec Attd-A7310-Seas | | | | 9/2/2017 |
| | 655 | Nelson, Gay Lynn | R | Rec Attd-A6772-P/T | 9/3/17 | | \$13.00 | |
| 42 | 4827 | O'Connor, Cassidy | | Rec Attd-A7310 | | | | 9/26/2017 |
| 43 | 4625 | Ott, Megan | | Rec Attd-EW7251 | | | | 9/26/2017 |
| 44 | 4825 | Page, Grace | | Rec Attd-A7310 | | | | 9/26/2017 |
| 45 | 4813 | Pasquarella, Paige | | Lifeguard-ET7180-Seas | | | | 9/16/2017 |
| | 4813 | Pasquarella, Paige | R | Lifeguard-A7310-P/T | 9/17/17 | | \$10.50 | |
| 46 | 4838 | Roche, Meghan | | Rec Attd-A7310 | | | | 9/26/2017 |
| 47 | 4801 | Piniewski, Ryan | | Lifeguard-EW7251-Seas | | | | 9/2/2017 |
| | 4801 | Piniewski, Ryan | R | Lifeguard-A7310-P/T | 9/3/17 | | \$10.50 | |
| 48 | 4347 | Plarr, MacGregor | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4347 | Plarr, MacGregor | R | Rec Attd-A7310-P/T | 9/3/17 | | \$11.00 | |
| 49 | 4795 | Royce, Jason | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4795 | Royce, Jason | R | Rec Attd-A7310-P/T | 9/3/17 | | \$13.00 | |
| 50 | 4811 | Scheffler, Kate | | Lifeguard-EW7251-Seas | | | | 9/2/2017 |
| | 4811 | Scheffler, Kate | R | Lifeguard-A7310-P/T | 9/3/17 | | \$10.50 | |
| 51 | 4839 | Schneider, Erin | | Rec Attd-A7310 | | | | 9/26/2017 |
| 52 | 2875 | Steger, Joseph | | Rec Attd-ER7251-Seas | | | | 9/30/2017 |
| | 2875 | Steger, Joseph | R | Rec Attd-A7310-P/T | 10/1/17 | | \$13.00 | |
| 53 | 4840 | Thurnherr, Paige | | Rec Attd-A7310 | | | | 9/26/2017 |
| 54 | 4702 | Tornabene, Alexandria | R | Lifeguard-A7310-P/T | 9/1/17 | | \$10.50 | |
| | 4702 | Tornabene, Alexandria | | Lifeguard-A7310 | | | | 9/4/2017 |
| 55 | 4737 | Touris, Matthew | | Rec Attd-A7310 | | | | 9/26/2017 |
| 56 | 4607 | Walker, Samone | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4607 | Walker, Samone | R | Rec Attd-A7310-P/T | 9/3/17 | | \$10.25 | |
| 57 | 4577 | Wentland, Lauren | | Rec Attd-EW7251-Seas | | | | 9/2/2017 |
| | 4577 | Wentland, Lauren | R | Rec Attd-A7310-P/T | 9/3/17 | | \$12.00 | |
| 58 | 4062 | Wicka, John | | Rec Attd-ER7251-Seas | | | | 9/20/2017 |
| | 4062 | Wicka, John | R | Rec Attd-ER7251-P/T | 9/21/17 | | \$11.50 | |

23.

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 approve the termination and rehiring for the Building and Grounds Department as follows:

| # | Emp # | Emp Name | N or R | Position | Start date | Full time | PT/Sea/temp | Term date |
|----|-------|-----------------------|--------|----------------------------|------------|-----------|-------------|-----------|
| | | | | | | hrly rate | hrly rate | |
| 1 | 4849 | PATTEN, MARK | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 2 | | WIESERMAN, AUSTIN | | LABORER/SEA/EI7266.100 | | | | 9/24/2017 |
| 3 | 4702 | TORNABENE, ALEXANDRIA | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 4 | 4702 | TORNABENE, ALEXANDRIA | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 5 | 4611 | BATORSKI, TYLER | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 6 | 4749 | DICKEY, JACOB | | LABORER/SEA/EW7250.100 | | | | 9/2/2017 |
| 7 | 4749 | DICKEY, JACOB | | LABORER/P/T/A7140.100 | 9/3/2017 | | \$9.70 | |
| 8 | 4244 | BIEBER, ROBERT | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 9 | 4244 | BIEBER, ROBERT | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 10 | 4616 | DEINZER, NATHAN | | CLEANER/SEA/A7140.100 | | | | 9/24/2017 |
| 11 | 4616 | DEINZER, NATHAN | | CLEANER/P/T/A7140.100 | 9/25/2017 | | \$10.17 | |
| 12 | 4533 | IORELLO, CHARLES | | LABORER/SEA/ET7250.100 | | | | 9/24/2017 |
| 13 | 4627 | FEURSTEIN, SHAWN | | LABORER/SEA/EI7266.100 | | | | 9/24/2017 |
| 14 | 4154 | CZERWIEC, DAVID | | LABORER/CLE/SEA/EW7250.100 | | | | 9/2/2017 |
| 15 | 4154 | CZERWIEC, DAVID | | LABOR/CLE/P/T/EW7250.100 | 9/3/2017 | | \$15.25 | |
| 16 | 4714 | BOSWELL, CEEJAY | | LABORER/SEA/ET7250.100 | | | | 9/24/2017 |
| 17 | 4583 | GAWLAK, LAUREN | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 18 | 4794 | GAWLAK, KAYLA | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 19 | 4246 | FLIS, PAUL | | LABORER/SEA/EW7250.100 | | | | 9/2/2017 |
| 20 | 4246 | FLIS, PAUL | | LABORER/P/T/A7140.100 | 9/3/2017 | | \$9.70 | |
| 21 | 4356 | STALEY, SUZANNE | | CLEANER/SEA/A7140.100 | | | | 9/24/2017 |
| 22 | 4356 | STALEY, SUZANNE | | CLEANER/P/T/A7140.100 | 9/25/2017 | | \$10.92 | |
| 23 | 4814 | AITKEN, CHRISTOPHER | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 24 | | NESTOR, ERIN | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 25 | 4803 | WRIGHT, EVAN | | LABORER/SEA/EI7266.100 | | | | 9/24/2017 |
| 26 | 4830 | CROWLEY, DEVON | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 27 | 3957 | SMARDZ, KEVIN | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 28 | 3957 | SMARDZ, KEVIN | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 29 | 4834 | QUINN, LOGAN | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 30 | 4829 | RILEY, RYAN | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 31 | 4792 | SHINER, DANIEL | | CLEANER/SEA/A7140.100 | | | | 9/24/2017 |
| 32 | 4792 | SHINER, DANIEL | | CLEANER/P/T/A7140.100 | 9/25/2017 | | \$9.92 | |
| 33 | 4618 | BENNETT, ETHAN | | LABORER/SEA/ET7250.100 | | | | 9/2/2017 |
| 34 | 4618 | BENNETT, ETHAN | | LABORER/P/T/A7140.100 | 9/3/2017 | | \$9.70 | |
| 35 | 4455 | LOVE, KEVIN | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 36 | 4455 | LOVE, KEVIN | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 37 | 4707 | JONES, SETH | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 38 | 4707 | JONES, SETH | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 39 | 4543 | LAKSO, BRUCE | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 40 | 4543 | LAKSO, BRUCE | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 41 | 4612 | IORELLO, LOUIS JR | | LABORER/SEA/ET7250.100 | | | | 9/2/2017 |
| 42 | 4612 | IORELLO, LOUIS JR | | LABORER/P/T/A7140.100 | 9/3/2017 | | \$9.70 | |
| 43 | 4404 | BUSHA, CHRISTOPHER | | LABORER/SEA/EI7266.100 | | | | 9/24/2017 |
| 44 | | JOSLIN, MARK | | LABORER/SEA/EI7266.100 | | | | 9/24/2017 |
| 45 | 2925 | SORTISIO, JAMES | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 46 | 4791 | KUKOLECA, ZACHARY | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 47 | 4791 | KUKOLECA, ZACHARY | | LABORER/P/T/A7140.100 | 9/25/2017 | | \$9.70 | |
| 48 | 4715 | SPECTOR, AUSTON | | LABORER/SEA/A7140.100 | | | | 9/24/2017 |
| 49 | 4242 | KRAUSE, ROBERT | | LABORER/SEA/EW7250.100 | | | | 9/2/2017 |
| 50 | 4242 | KRAUSE, ROBERT | | LABORER/P/T/A7140.100 | 9/3/2017 | | \$9.70 | |

24.

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 authorizes the Hamburg Town Justice Court to apply for the 2017-2018 Justice Court Assistance Program (JCAP) Grant, for courtroom and court facility improvements, and renovations, the maximum JCAP award is \$30,000.

25.

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 Clerk be authorized to advertise for a public hearing on the 2018 Town of Hamburg Budget. The hearing is to be scheduled for October 23, 2017, at 7:00 p.m. local time.

26.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED, that the Town Clerk is authorized to advertise for a public hearing to review the requests of the various volunteer fire companies and fire protection districts for their 2018 contracts with the Town of Hamburg.

The public hearing will be scheduled for October 23, 2017 at 7:00 p.m. local time.

27.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED, that the Town Clerk be authorized to advertise for a public hearing on the Proposed Local Law #6, 2017. The proposed local law seeks to override the tax levy limit established in General Municipal Law 3-c. The hearing is to be scheduled for October 16, 2017 at 7:00 p.m. local time.

The following spoke concerning resolution #27: Supervisor Walters

28.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

RESOLVED, the Town Board authorize Detective Robert Paas and Officers John Miller, Nedim Catovic, Andrew Lahrs, Bret McCabe, Jon Monaco and John Baker to attend Advanced Active Shooters Scenario (A2S2) Training in Oriskany, New York, October 16, 17, and 18, 2017.

| | |
|-----------------------------------|-----------------|
| No Cost for Training or Lodging | |
| Meals: 3 days @ \$40.00/day x 7 = | \$840.00 |
| Gas and Tolls (approximate) | <u>\$100.00</u> |
| Total: | \$940.00 |

Use of unmarked Town vehicles for transportation is requested.
 Money is available in account B3120.492.

29.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, a 2017 Ford Utility Police Patrol car was declared a total loss that will be covered by insurance after being struck in the rear by another vehicle;

WHEREAS, the destroyed vehicle was purchased this year from DeLacy Ford, who was the low bidder (Bid#2-2017); and whereas DeLacy Ford has a replacement vehicle in stock and has agreed to honor their low bid price from Bid#2-2017;

WHEREAS, acquiring this vehicle will replace the destroyed vehicle several months sooner than if a replacement were to be ordered, which would leave the department short a Patrol vehicle during the time period;

THEREFORE BE IT RESOLVED, that the Town Board authorizes the emergency purchase by the Police Department of the 2017 Ford Utility from DeLacy Ford in the amount of \$28,433.00.

Funds are available in account B3120.202

30.

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 approve the membership of the following into the Lakeshore Volunteer Fire Company, Inc.:

Patrick Allen
 4317 Beach Avenue
 Hamburg NY 14075

Christopher Kitchens
 4950 Morgan Parkway
 Hamburg NY 14075

31.

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

| | | | |
|---------|------|---|----------------------|
| ADOPTED | Ayes | 3 | Walters, Best, Quinn |
| | Noes | 0 | |

WHEREAS, On September 13, 2017 the Department of Community Development advertised the bid for the purpose of completing the 2017 Village of Blasdell - Maple Avenue Infrastructure project, and

WHEREAS, the bids were opened on Monday, September 25, 2017 at 11:00 a.m. subsequently reviewed by the Department of Community Development, representatives of the Village of Blasdell and their engineering firm, Wendel and

WHEREAS, the following contractors submitted bids for the project:

| | |
|--------------------------------|--------------|
| E&R General Construction, Inc. | \$98,190.00 |
| Occhino Corporation | \$117,193.00 |

NOW THEREFORE BE IT RESOLVED that the based upon the recommendation of the Blasdell Village Board as well as Blasdell's engineering consultant, that the Hamburg Town Board authorize the Department of Community Development to accept the bid of and enter into a contract with E & R General Construction to complete the 2017 Village of Blasdell – Maple Avenue Infrastructure project. Funding for the contract is available in CD 43 8662.354.

32.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, On September 13, 2017 the Department of Community Development advertised the bid for the purpose of completing the 2017 Village of Hamburg - St. Mary's Place Waterline project, and

WHEREAS, the bids were opened on Monday, September 25, 2017 at 11:30 a.m. subsequently reviewed by the Department of Community Development, representatives of the Village of Hamburg and their engineering firm, GHD, and

WHEREAS, the following contractors submitted bids for the project:

| | |
|----------------------------------|--------------|
| E & R General Construction, Inc. | \$148,890.00 |
| M & C Utilities | \$254,625.00 |
| Occhino Corporation | \$259,611.79 |
| Anastasi Trucking | \$259,719.78 |

NOW THEREFORE BE IT RESOLVED that the based upon the recommendation of the Hamburg Village Board as well as Hamburg's engineering consultant, that the Hamburg Town Board authorize the Department of Community Development to accept the bid of and enter into a contract with E & R General Construction, Inc. to complete the 2017 Village of Hamburg – St. Mary's Place Waterline project. Funding for the contract is available in CD 43 8662.355.

33.

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 - September 25, 2017

| | | | VOUCHER #'S |
|---|-----|--------------|----------------|
| OPERATING FUND: | | | |
| BATCH # | 157 | \$18,262.25 | 9934373 |
| BATCH # | 158 | \$32,985.87 | 91823-91882 |
| BATCH # | 159 | \$11,488.58 | 91884-91910 |
| BATCH # | 160 | \$64,801.62 | 91911-91963 |
| BATCH # | 161 | \$5,083.94 | 91964-91980 |
| BATCH # | 162 | \$91,246.69 | 91981-92022 |
| BATCH # | 163 | \$45,643.11 | 92026-92074 |
| BATCH # | 164 | \$209.54 | 92075 |
| BATCH # | 165 | \$4,749.92 | 92076 |
| BATCH # | 166 | \$784.23 | 92077-92078 |
| BATCH # | 167 | \$24,263.54 | 92079-92110 |
| BATCH # | 168 | \$781,218.19 | 92111-92169 |
| TOTAL OPERATING FUND DISBURSEMENTS: | | | \$1,080,737.48 |
| TRUS' AGENCY | | | |
| TOTAL TRUST & AGENCY DISBURSEMENTS: | | | |
| CAPITAL FUND DISBURSEMENTS: | | | |
| BATCH # | 30 | \$59.19 | 91883 |
| BATCH # | 31 | \$14,795.04 | 92023-92024 |
| TOTAL CAPITAL FUND DISBURSEMENTS: | | | \$14,854.23 |
| PAYROLL: | | | |
| TOTAL PAYROLL DISBURSEMENTS: | | | |
| PETTY CASH | | | |
| TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT: | | | \$1,095,591.71 |

Reports from Town Board Members and Department Heads

Christopher Hull, Director of Community Development, thanks the Town Board for accepting all of the late resolutions.

Michael Quinn, Engineering Consultant, gives an update regarding the Quiet Zones. The project is on course to be completed by the end of the Fall 2017.

Martin Denecke, Director of Youth, Recreation and Senior Services, indicates the Town Ice Arena has opened for the season on September 16, 2017. On September 27, 2017 from 10:00 am to 12:00 pm Wegmans will be hosting a Flu Shot clinic at the Senior Center.

Business from the Floor

John McKendry, would like the Town to keep following up on the Quiet Zones. He believes the police department needs to add more speed notification signs on Route 5.

Joseph Killian, compliments the Building and Grounds Department on the work that was completed at the overlook point located at the Town Beach and how beautiful it is overlooking the Lake. He then asks the Town Board for an update on creating a Historical Committee and establishing Local Laws.

Supervisor Walters, responds that a Historical Committee is being researched.

Don Wiess, adds that the Town needs more speed notification signs due to the excessive speed on Route 5.

34.

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

ADOPTED Ayes 3 Walters, Best, Quinn

 Noes 0

RESOLVED, the Town Board then moves into Executive Session at 7:56 P.M. on personnel matters.

35.

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 8:25 PM.

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

**TOWN OF HAMBURG, ERIE COUNTY, NEW YORK
REQUEST FOR PROPOSALS FOR**

Planning Consultant to provide professional services relating to Planning, Zoning, Code Review and Development for the Town of Hamburg.

The Town of Hamburg, Erie County, New York, seeks proposals from a qualified Planning Consultant to provide professional services relating to Planning, Zoning, Code Review and Development for the Town of Hamburg.

Each proposal shall be prepared simply and economically avoiding the use of elaborate promotional materials beyond what is sufficient to provide a complete, accurate and reliable presentation.

One (1) original and three (3) copies shall be submitted. Proposals **MUST** be signed. Unsigned proposals will be rejected.

Submission of the proposals shall be directed to:

Hamburg Town Clerk, Catherine Rybczynski
Hamburg Town Hall
6100 South Park Avenue
Hamburg, NY 14075

All proposals must be delivered to the above office on or before October 31, 2017 at 11:00 a.m.

Proposals delivered after the above date and time will not be considered. The Town of Hamburg is under no obligation to return proposals.

Responses submitted under the Request for Proposals are subject to public disclosure under the New York State Freedom of Information Law. If the company does not want certain data disclosed for any purpose other than evaluating the response, the data should be prominently identified as to what they wish to have restricted, if allowed by law.

Requests for clarification of this RFP must be written and submitted to: Walter Rooth, III, Town Attorney, 6100 South Park Avenue, Hamburg, NY 14075, no later than October 17, 2017. Formal written responses will be distributed by the Town of Hamburg on or before October 24, 2017. No communications of any kind will be binding against the Town of Hamburg, except for the formal written response to any request for clarification.

Proposers may be required to give an oral presentation to the Town to clarify or elaborate on the written proposal. If necessary, proposers will be notified of the date and time.

No proposal will be accepted from, nor any agreement awarded, to any proposer that is in arrears on any debt or in default of any obligation owed to the Town. Additionally, no agreement will be awarded to any proposer that has failed to satisfactorily perform pursuant to any prior agreement with the Town.

Certified Minority Business Enterprises/Women's Business Enterprises (MBE/WBE) proposers should include the Erie County Certification letter with the proposal.

If proposer is a Veteran Owned Business, proposer should include a letter indicating the company is 51% or more Veteran owned.

All proposals submitted must include a cost proposal in a separate sealed envelope clearly labeled with the proposal name, **Planning Consultant to provide professional services relating to Planning, Zoning, Code Review and Development for the Town of Hamburg**, and due date of proposal.

SCOPE OF SERVICES

The following provides, in general, the needs of the Town of Hamburg with regards to this Planning Zoning, Code Review and Development Services RFP. It is the requirement of the proposer to determine the proposed scope to accomplish these needs.

Project Needs/Services:

A. Daily/ Weekly/ Monthly General Planning Responsibilities

- a. Be represented by the designated qualified person at the Town Board Meetings and the Planning Board Meetings (up to 4 meetings per month), and review minutes of any or all meetings as designated by the Town.
- b. Provide memos to the Planning Board and Town Board for these meetings.
- c. Conduct Staff (other departments and committees) meetings once per month. Ensure coordination of departments, committees and boards regarding development activities.
- d. Provide resolutions dealing with Planning Department matters for those meetings.
- e. Provide representation at the Town Hall on a weekly basis and perform duties such as:
 - 1.) Management of the Planning Department Activities.
 - 2.) Management and Review of Development Applications.
 - 3.) Meetings with the Public and Development Applicants.
 - 4.) Consultation / Meetings with Departments, Committees and Town Board Members.
- f. Receive questions from the Town, its departments, boards, commissions, agents and employees, relative to general municipal planning services which require response at times other than scheduled representation at the Town Hall.
- g. Provide the Town with recommendations and examples for organizing Town procedures and record keeping. Review Town regulations during the year and make recommendations for improvements.

- h. Provide consultation for SEQR proceedings for Unlisted and Type 1 actions not requiring an Environmental Impact Statement, as defined by said proceedings. (The Town will provide the mailings for coordinated reviews).
- i. Attend information meetings of Federal, State and County agencies designated by the Planner and alert the Town to events and/or decisions that may affect the Town.
- j. Coordinate Planning Services with the Town Board liaison and the Supervisor's office.

B. Planning Department Support Services (in lieu of the Town providing secretarial support services; representation at Town Hall on a daily basis)

1. Meetings/Telephone calls; applicants, developers, citizens, businesses, etc. Telephone calls and e-mails responded to while at office and during the regular work week (sometimes outside of those times).
2. Receiving all development applications and fees, setting up files, sending appropriate information to advisory boards, departments, committees, etc. Follow-up with other boards, departments and committees to get their input.
3. Some applications sent to and coordinated with Erie County under GML 239 Referral.
4. Agenda and Public Notices created and sent to the newspaper. Public hearing notices also sent to appropriate newspapers. Ensure that all proper Notices and Publications are completed.
5. Completing SEQR coordinated review mailings
6. Scheduling and setting up of meeting room for PB meetings, and taking meeting minutes at meetings.
7. Creation of draft and final Planning Board meeting minutes and coordinating with Board members.
8. Attendance at Supervisor Department meetings.
9. Attendance at special Town Board work sessions, as requested.

C. Zoning Board/ Building Department Support Services for Variances

1. Assisting the Building department with Zoning Board applications, including setting up files and agendas, completing proper notifications (newspaper and adjoining residents), meeting with applicants, providing information to ZBA members, etc.
2. Attending Zoning Board meetings to take meeting minutes and answer questions about the project/application (Building department representative at the meeting).
3. Completing meeting minutes and coordinating with the members and attorney.

D. Code Review Services

1. Setting of Code Review agendas, attending monthly code committee meetings and researching and developing new zoning codes.
2. Discussing zoning and Planning issues with Town officials, citizens, land owners, businesses and developers, and providing input on whether issues could be resolved through Code revisions or other methodologies.
3. Writing new codes and suggesting other modifications.
4. Assisting the Town with adoption of new zoning laws, coordinating with Town Attorney's office and Town Board.
5. Provide Training to the Planning and Zoning Boards to help meet their NYS and Town requirements.
6. Providing advice on other non-zoning laws and codes.

Proposal is an Offer:

Your proposal is submitted with full knowledge and acceptance of all provisions of the request for proposal. The Town of Hamburg reserves the right to reject any and all proposals, to waive any and all informalities, to disregard all nonconforming, non-responsive or conditional proposals. Your proposal submitted in response to this RFP is a binding offer valid from the proposal due date until 120 days thereafter.

Proposals are Town Property:

All proposals and related material submitted in response to this RFP become the property of the Town.

Town may cancel RFP:

If the Town determines it is in the Town's best interest, the Town reserves the right, for any reason and at the sole discretion of the Town, to do any of the following:

- *cancel this RFP,
- *modify this RFP as needed, or,
- *reject any or all proposals received in response to this RFP.

Town Acceptance:

After the evaluation process the Town Board, by resolution, will award the contract to the successful consultant or consultants. This resolution will formerly accept the consultant's proposal subject to all the terms, condition and representations of the proposal, the request for proposal on which the proposal was prepared, and the same together will become the contract for the parties.

CODE REVISIONS September, 2017

Code revisions –

The following code revision has been recommended by the Hamburg Code Review Committee and the Planning Department for adoption by the Town of Hamburg.

The Following are the revisions being proposed to the Town of Hamburg's Codes:

Subdivision Notifications

Amend Section 230-14 D. of Article IV of the Town of Hamburg Subdivision of Land Law, as follows:

- D. Such preliminary plat shall be clearly marked, "preliminary plat," and shall conform to the definition provided in this section. Within 62 days after receipt of such preliminary plat by the Clerk of the Planning Board, the Planning Board shall hold a public hearing, which hearing shall be advertised at least at least once in a newspaper of general circulation in the Town at least five days before such hearing. The Town shall also notify all residents within 500 feet of the proposed subdivision by mail. This notification must be mailed a minimum of ten days prior to the scheduled public hearing. *(The remainder of the paragraph remains as is.)*

Site Plan Notifications

Amend Section 280-303, paragraph B. of Article XLIV of the Town of Hamburg Zoning law as follows:

Add to paragraph B. after sentence one: "The Town shall also notify all adjoining property owners by mail of the Public Hearing."

Condominium Issue

Amend Section 230-15 of Article IV of the Town of Hamburg Subdivision of Land Law by adding a new paragraph E., as follows:

- E. New road(s) being established for condominium ownership development shall be owned and maintained by the condominium association (private road(s)).

Amend Section 230-14A. of Article IV of the Town of Hamburg Subdivision of Land Law by adding a new item (5), as follows:

- (5) A signed statement that identifies the type of ownership that the development will have and what features will be owned and maintained by it (Homeowner's Association, Condominium, etc.)

Amend Section 230-28 C. of Article VI of the Town of Hamburg Subdivision of Land Law by adding a new item (5), as follows:

- (5) A copy of the approved (or pending approval) form of ownership for the development (Homeowner's Association, Condominium, etc.)

Side Yard Setbacks

Amend Section 280-48 B. of Article X of the Town of Hamburg Zoning Law, as follows:

- (1) Single-family dwellings: The minimum width of any side yard shall be ten (10) feet.
- Delete items (a) and (b).

Amend Section 280-55 B. (2) of Article X of the Town of Hamburg Zoning Law, as follows:

- (a) Single-family dwellings where the lot is served by a public sewer. The minimum width of any side yard shall be ten (10) feet.

Amend Section 280-282 F. of Article XL of the Town of Hamburg Zoning Law, as follows:

- (1) Side yards: Two required. The minimum width of any side yard shall be ten (10) feet.

Amend Section 280-147. of Article XXII: PUD Planned Unit Development District, of the Town of Hamburg Zoning Law, as follows: “There shall be no minimum required yards, subject to approved concept and development plans for the entire PUD area and consistent with any adjoining R, C, or M District. Side yards shall typically not be less than 10 feet, unless a specific waiver is received from the Town Building Department.”

Amend Section 280-142 C. of Article XXI: PRD Planned Residential Development District, of the Town of Hamburg Zoning Law, as follows: “Required yards. There shall be no minimum required yards, subject to approved concept and development plans for the entire PRD and consistent with any adjoining zoning. Side yards shall typically not be less than 10 feet, unless a specific waiver is received from the Town Building Department.”

Affordable Housing

Amend Article X of the Town of Hamburg Zoning Law, as follows:

Add a new section 280-51 A. as follows:

Section 280-51 A. Affordable Housing

For proposed multi-family rental dwellings of eight (8) or more units, the Town of Hamburg requires a percentage of the units to be affordable. See Chapter 109 of the Code of the Town of Hamburg.

Airbnb

Amend Section 280-342 of Article XLIX of the Town of Hamburg Zoning Law, as follows:

Amend the definition of Tourist Home as follows:

Tourist Home

Add the following section at the end of the paragraph.

“This definition includes uses/ services such as Airbnb.”

CODE REVISIONS- September, 2017

Code revision – Residential Wind Energy Conversion Systems law

The following code revision has been recommended by the Planning Department for adoption by the Town of Hamburg.

The Following is a revision being proposed to the Town of Hamburg’s Codes, and with an *explanation for this revision*:

1. Amend Chapter 280 (Zoning), “Article LIII: Residential Wind Energy Conversion Systems (WECS)”, by amending Section 280-362, as follows:

Amend Section 280-361 Definitions, by amending the definition of Residential Wind Energy Conversion System to read, “A wind energy conversion system consisting of one or two wind turbines, one or two towers, and associated control of conversion electronics, with a total height of not more than 165 feet, and is intended to primarily supply electrical power for the use on the subject property (net metering is allowed).”

Amend Section 280-362 C. (3) (a) to read, “The maximum overall height of any residential WECS shall be 165 feet. The maximum height shall be measured from the ground elevation to the top of the tip of the blade in the vertical position.”

Amend Section 280-362 C. (4) to read, “Only one residential WECS per legal lot shall be allowed, unless the lot is more than 20 acres. In that case (lots greater than 20 acres) a maximum of two WECS are allowed.”

This amendment changes the maximum height of a WECS to 165 feet, which is more in line with standard residential grade units. It also allows up to two units on properties greater than 20 acres in size.