

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 18th day of December 2017.

3.

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 adjourned Executive Session at 7:02 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; Samantha Tarczynski, Director of Administration and Finance; Martin Denecke, Director of Youth, Recreation and Senior Services; Kurt Allen, Supervising Code Enforcement Officer; Michael Quinn, Engineering Consultant; Christopher Hull, Director of Community Development; Drew Reilly, Planning Consultant; Sean Crotty, Sr. Public Safety Dispatcher and Emergency Management Coordinator; Jerry Giglio, Chairman/Safety Committee Coordinator; Gregory Wickett, Chief of Police.

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

4.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

11/27/2017 Work Session
11/27/2017 Town Board Meeting

5.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, pursuant to NYS Agriculture and Markets Law, the Town of Hamburg is required to enter into a lease agreement for harboring and euthanizing dogs which may be picked up during the normal course of duties of the Hamburg Dog Control Officer,

WHEREAS, the Town of Hamburg entered into a Dog Sheltering Lease Agreement with "Eden Veterinary Clinic, PLLC for the period January 1, 2017 through December 31, 2017, with two one (1) year renewable extensions,

NOW THEREFORE BE IT RESOLVED that the Dog Sheltering Lease Agreement be extended one (1) year for the period January 1, 2018 through December 31, 2018.

BE IT FURTHER RESOLVED that the Town of Hamburg enter into a Secondary Shelter Lease Agreement with the Erie County SPCA, for the period January 1, 2018 through December 31, 2018,

BE IT FURTHER RESOLVED that Supervisor Steven Walters is authorized to sign the agreements on behalf of the Town of Hamburg.

6.

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 request for Town Justice Court employee, Kathy M. Scharlock, to carry over three (3) days of vacation into the 2018 calendar year.

7.

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 January 2018 Taylor Road rentals:

1/01/18	1/05/18	1/06/18	1/07/18
1/13/18	1/14/18	1/19/18	1/20/18
1/21/18	1/28/18		

8.

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 termination and rehiring of personnel for the Information Technology Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time hrly rate	PT/Sea/temp hrly rate	Term date
1	3163	Heidi Brunner	R	Clerk Typist Seasonal			\$18.00	12/25/2017
2	3163	Heidi Brunner	R	Clerk Typist PT	12/26/2017		\$18.00	

9.

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 Hamburg Town Board approve the request of Christopher Hull to carry over thirteen (13) unused vacation days to the 2018 calendar year due to personnel departures and further expansion of duties required of the CDBG, HOME, LISC grant programs.

10.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town of Hamburg received a request from Cheektowaga Concrete Products LLC to rezone 32.47 acres of land located on Camp Road and identified as SBL # 182.20.10-7.21 and 182.16-7-3.1 from M-3 (General Industrial District) to PUD (Planned Unit Development) for redevelopment to mixed residential, professional and retail space; and

WHEREAS, the Code Review Committee reviewed the application and found merit in the

rezoning of this property;

NOW, THEREFORE, BE IT RESOLVED that the Hamburg Town Board hereby refers this rezoning request to the Planning Board for its review with the following concerns:

1. Particular attention should be paid to the height of the proposed structures.
2. Particular attention should be paid to traffic ingress and egress.

BE IT FURTHER RESOLVED that the Planning Board is directed to coordinate its review with the Village of Hamburg; and

BE IT FURTHER RESOLVED that the Town of Hamburg Town Clerk is directed to send a certified copy of this resolution to the Village of Hamburg.

The following spoke concerning resolution #10:

Dennis Chapman, Planning Board Member, Supervisor Walters

11.

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 request for Town of Hamburg Police Department employee, Kathy Morlock, to carry over two (2) days of vacation into the 2018 calendar year.

12.

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

WHEREAS, Under Title 19 NYCRR, Part 434 The Department of the State Codes Division requires each Code Enforcement personnel to receive a minimum of 24 hours of in service training on an annual basis and,

WHEREAS, the Niagara Frontier Building Officials Association periodically sponsors education training conferences, which can be attributed toward the State mandated in-service training and,

WHEREAS, in order that two of the Town employed Code Enforcement Officials, namely, Roger Gibson and Tim Willard are eligible to attend such training seminars, they must be active members of Niagara Frontier Building Officials Association.

THEREFORE BE IT RESOLVED that the Town Board authorized travel requests for Code Enforcement Officer Roger Gibson and Tim Willard to attend the Niagara Building Officials

Association sponsored Annual Educational Conference on Monday, January 22, 2018 through Wednesday, January 24, 2018. This program is to be held at the Millennium Airport Hotel, 2040 Walden Avenue, Cheektowaga, New York. The New York State Department of State Codes Division will apply 24 hours of in-service credit toward each of the attendees continuing educational needs.

BE IT FURTHER RESOLVED that Town Board approves the annual membership renewal for the Town’s two Code Enforcement Officers at an annual cost of \$40.00 and conference registration fees of \$ 275.00 per attendee. The total cost to the Town for the three-day seminar will be \$630.00. Use of a Town vehicle will be required. Funding is available in account A 3620.492 (seminars).

13.

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

RESOLVED, the Town Board authorizes the Town Clerk’s Office to solicit pricing for one (1) New and Unused, 2018 Ford Transit Connect.

Money is available is account H26.5130.202.

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 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	4599	Bogner, Mary Catherine		Rec Attd-A6870-Seas				12/17/2017
	4599	Bogner, Mary Catherine	R	Rec Attd-A6780-P/T	12/18/17		\$9.95	
2	3382	DeBerardinis, Patricia		Rec Attd-A6780-P/T				12/17/2017
	3382	DeBerardinis, Patricia	R	Rec Attd-A6780-Seas	12/18/17		\$10.75	
3	4711	Hollfelder, Evan		Lifeguard-A7310-P/T	12/19/17		\$10.75	
4	3905	Lease, Warren		Rec Attd-EI7265-Seas				11/21/2017
	3905	Lease, Warren	R	Rec Attd-EI7265-P/T	11/22/17		\$11.75	
5	4569	Loomis, Sarah		Rec Attd-A7310				12/19/2017
6	4362	McMahon, Grace		Lifeguard-A7310-P/T				12/19/2017
7	4629	Nitsche, Lindsay	R	Lifeguard-A7310-P/T	12/19/17		\$11.00	
8	4662	Padovani, Michael		Rec Attd-EI7265				12/19/2017
9	4813	Pasquerella, Paige		Lifeguard-A7310-P/T				12/19/2017
10	4399	Pitillo, Joan		Rec Attd-A6780-Seas				12/17/2017
	4399	Pitillo, Joan	R	Rec Attd-A6780-P/T	12/18/17		\$10.25	
11	3704	Reid, Gregory		Rec Attd-ER7251-P/T				12/29/2017
	3704	Reid, Gregory	R	Rec Attd-EI7265-P/T	12/30/17		\$10.70	
12	4775	Smith, Gabrielle		Lifeguard-A7310-P/T				12/19/2017
13	4680	Spino, Cindy		Rec Attd-A7310				12/19/2017
14	4808	Tomasi, Carmen		Rec Attd-ER7251				12/19/2017

15.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, Chris Luly, spokesperson for a local group with an interest to paint the Howard Road Water Tank has contacted the Hamburg Town Board for support of the project, and

WHEREAS, the Hamburg Town Board has found merit in the project,

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board is in support of the fundraising campaign for the project to paint the Howard Road Water Tank, and hereby authorizes Chris Luly and her group to begin fundraising activities.

BE IT FURTHER RESOLVED that this resolution does not authorize any work to begin on the tower prior to Town Board approval of a final plan, design and proper insurance submitted.

The following spoke concerning resolution #15:

Supervisor Walters, Don Wiess, Chris Luly

16.

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 approve Highway Foreman Daren Smith to carry over three (3) vacation days into the 2018 calendar year due to the winter weather conditions.

17.

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 Big Tree Volunteer Firemen’s Company, Inc.:

Joshua Azzarella
4205 Meadowbrook, Apt. #1
Blasdell, New York 14219

18.

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 it has been determined that the Town Code is outdated and does not properly address various issues concerning subdivision and site plan notifications, condominiums, setbacks, affordable housing and Airbnb's ; and

WHEREAS, the Town Planning Department has prepared draft language to revise these existing laws in the Town of Hamburg and the Code Review Committee has recommended these law revisions the Hamburg Town Board; and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Hamburg Town Board has conducted an environmental review of these Code revisions; and

WHEREAS, the Town has identified that there are no other Permitting or Approval agencies for these actions, and

WHEREAS, a public hearing was held regarding these Code amendments on 10 /16/17 and comments were received, and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to adopt these Zoning Code and Subdivision Code amendments by enacting a Local Law.

NOW, THEREFORE BE IT RESOLVED, the Hamburg Town Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the proposed amendments (see attached copies) of Articles X, XLI and XLIV of the Town Zoning Code, and of Articles IV and VI of the Subdivision Code , will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and therefore issues the attached SEQR Negative Declaration in accordance with Section 617.7 of the SEQR regulations, and

BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to sign the Environmental Assessment Form (EAF), which will act as the Negative Declaration.

19.

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 it has been determined that the Town Code is outdated and does not properly address various issues concerning subdivision and site plan notifications, condominiums, setbacks, affordable housing and Airbnb's ; and

WHEREAS, the Town Planning Department has prepared draft language to revise these existing laws in the Town of Hamburg and the Code Review Committee has recommended these law revisions the Hamburg Town Board; and

WHEREAS, the Town Board held the required public hearing on 10/16/17 and received public comment, and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law, as follows:

Be it enacted by the Town Board of the Town of Hamburg, New York, that the Hamburg Town Board amends the Hamburg Town Code as follows:

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 property owners 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.”

WHEREAS, the Town Board has issued a Negative Declaration in accordance with SEQR requirements.

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board amends Local Law #10 of the year 1986 of the Code of the Town of Hamburg Chapter 280 entitled “Zoning” and to amend Chapter 230 entitled “Subdivision of Land” to provide for the revision of the Town Code as referenced above.

20.

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 it has been determined that the Town Code is outdated and does not properly address issues concerning Wind Energy Conversion Systems (WECS); and

WHEREAS, the Town Planning Department has prepared draft language to revise the existing WECS law in the Town of Hamburg but the Code Review Committee has recommended against this law revision the Hamburg Town Board; and

WHEREAS, in accordance with Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act – SEQRA) of the Environmental Conservation Law, the Hamburg Town Board has conducted an environmental review of this new Code, and

WHEREAS, the Town has identified that there are no other Permitting or Approval agencies for this action, and

WHEREAS, a public hearing was held regarding these Code amendments on 10/16/17 and comments were received, and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to adopt this Zoning Code amendment by enacting a Local Law.

NOW, THEREFORE BE IT RESOLVED, the Hamburg Town Board, in accordance with the State Environmental Quality Review Act (SEQRA) has determined that the proposed amendment of Article LVIII, Residential Wind Energy Conversion Systems - WECS of the Town Zoning Code, will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public and is consistent with social and economic considerations and therefore issues the attached SEQR Negative Declaration in accordance with Section 617.7 of the SEQR regulations, and

BE IT FURTHER RESOLVED THAT, the Supervisor is authorized to sign the Environmental Assessment Form (EAF), which will act as the Negative Declaration.

The following spoke concerning resolution #20:

Supervisor Walters

21.

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 it has been determined that the Town Code is outdated and does not properly address issues concerning Wind Energy Conversion Systems (WECS); and

WHEREAS, the Town Planning Department has prepared draft language to revise the existing WECS law in the Town of Hamburg but the Code Review Committee has recommended against this law revision the Hamburg Town Board; and

WHEREAS, the Town Board held the required public hearing on 10/16/17 and received public comment; and

WHEREAS, pursuant to Municipal Home Rule Law, the Town Board is proposing to enact a local law, as follows:

Be it enacted by the Town Board of the Town of Hamburg, New York, that the Hamburg Town Board amends the Hamburg Town Code as follows:

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.”

Add the following clarification statement to the end of 280-362 C. (4); “It must be clearly understood that by the definition of a Residential Wind Energy Conversion System, these types

of systems are not allowed on vacant lands, they must be associated with a use. Also by the definition, a second wind turbine could not be placed on a property that only contained a single family home, as a single family home would not have the energy usage to warrant a second wind turbine. A second wind turbine would only be considered on a property that includes at least two allowable uses on that site that would warrant the construction of two wind turbines.”; and

WHEREAS, the Town Board has issued a Negative Declaration in accordance with SEQR requirements.

NOW THEREFORE BE IT RESOLVED, that the Hamburg Town Board amends Local Law #10 of the year 1986 of the Code of the Town of Hamburg Chapter 280 entitled “Zoning” to provide for the revision of the Town Code as referenced above.

22.

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 is the owner of property located at 353 Pleasant Avenue (S.B.L. #195.08-5-20), and

WHEREAS, it is no longer necessary for the Town of Hamburg to retain said property, and

WHEREAS, CRS Property Services Company, LLC, has expressed an interest in purchasing the property for \$157,000.00, and

WHEREAS, CRS Property Services Company, LLC, has agreed to accept the property in “as-is” condition, and

WHEREAS, the Hamburg Town Board has agreed to accept the purchase offer,

NOW THEREFORE, BE IT RESOLVED, that the Supervisor is authorized to sign the Purchase and Sale Agreement between the Town of Hamburg and CRS Property Services Company, LLC, for purchase of the property after reviewed and finalized by the Town Attorney.

BE IT FURTHER RESOLVED that pursuant to NYS Town Law §64, this resolution is subject to permissive referendum.

23.

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 request for Department of Youth, Recreation and Senior Services Director, Martin Denecke, to carry over three (3) days of vacation into the 2018 calendar year.

24.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

BE IT RESOLVED, that the Town Engineer’s report on the completion and acceptance of the DEER SPRINGS PART 4 PHASE 2D work performed under Public Improvement Permit Nos. 1028, 1029, and 1030 be received and accepted, and that the Supervisor is authorized to sign the report, and

BE IT FURTHER RESOLVED, that this action does not relieve the developer of the responsibility for completing the required street lighting installations under Public Improvement Permit No. 1031.

BE IT FURTHER RESOLVED, that this resolution becomes effective on the day the report is signed by the Supervisor.

25.

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 Board previously authorized GHD Consulting Services, Inc. (GHD) to proceed with the design of the restroom conversion in the Picnic Grove at Woodlawn Beach; and

WHEREAS, during the design, GHD identified a number of changed conditions from the original proposal as well as additional scope items that were by the New York State Parks Department; and

WHEREAS, these changed conditions and additional requirements resulted in the need for additional survey and design services and compensation in the amount of \$10,000.

THEREFORE BE IT RESOLVED, that the Town Board approves an amendment to GHD’s contract for design of the Woodlawn Beach Restroom Conversion in the amount of \$10,000 resulting in a final design fee of \$55,000. Funds are available in Account # H98 1620.460.

BE IT FURTHER RESOLVED, that one (1) certified copy of this resolution be provided to the Town Engineering Department.

26.

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 receives grants and donations from time to time and,

WHEREAS, the use of these funds has been determined by the granting agency/donor and,

WHEREAS, these items are not included in the 2017 budget,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the receipt of the following monies and approves a budget amendment to the revenue and expenditure accounts as follows:

	Receipt	Revenue Code	Expenditure Code	
	Amount	To Increase	To Increase	Purpose/Source
	\$ 500.00	A1972.40	A.6780.486	Participants Council Fund Donations
	\$ 450.00	A3778	A.1110.451	Erie County Interpreter Reimbursement
	\$ 864.00	A1972.40	A.6780.486	Participants Council Fundraising
	\$ 3,124.00	A3661	A.3121.451	Erie County Youth Engagement Services grant in excess of budget
Total:	\$ 4,938.00			

27.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, the Town of Hamburg receives insurance proceeds, rental income, and reimbursements for services from time to time and,

WHEREAS, the use of these funds has been recommended by the respective department and,

WHEREAS, these items are not included in the 2017 budget,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approves the receipt of the following monies and approves a budget amendment to the revenue and expenditure accounts as follows:

	Receipt	Revenue Code	Expenditure Code	
	Amount	To Increase	To Increase	Purpose/Source
	\$ 1,619.15	A2665	A.7140.413	Buildings & Grounds scrap proceeds for supplies
Total:	\$ 1,619.15			

28.

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 request for Department of Youth, Recreation and Senior Services employee, Joe Pietras, to carry over three (3) days of vacation into the 2018 calendar year.

29.

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

WHERE AS Richard Nowak, Buildings and Grounds employee requested to transfer five (5) comp time days to Highway employee Kyle Nowak,

AND WHERE AS, per agreement reached with the CSEA, Local 1000 AFSCME, AFL-CIO Union and the Town of Hamburg (see attached)

NOW THEREFORE BE IT RESOLVED the Town Board approve the request of Richard Nowak, Buildings and Grounds employee, to transfer five (5) days comp time to Highway employee Kyle Nowak.

30.

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 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	3085	KALES, GEORGE	R	SEA/LAB/ER7250.100			\$10.34	12/18/2017
2	3134	GRYS, JOHN	R	SEA/LAB/ER7250.101			\$10.79	12/19/2017
3	3712	GERKEN, JOHN	R	SEA/LAB/ER7250.102			\$10.79	12/20/2017
4	3925	CONNOLLY, TOM	R	SEA/LAB/ER7250.103			\$10.79	12/21/2017
5	4619	PARTAZ, CHESTER	R	SEA/LAB/ER7250.104			\$9.70	12/22/2017
6	3904	SCOTT, JOE	R	SEA/LAB/ER7250.105			\$10.34	12/23/2017
7	4531	DESING, JOSH	R	SEA/LAB/ER7250.106			\$9.70	12/24/2017
8	4739	BAGINSKI, ANTHONY	R	SEA/LAB/ER7250.107			\$9.70	12/25/2017
9	4064	MAZUR, WALTER	R	SEA/LAB/ER7250.108			\$10.00	12/26/2017
10	4530	MAC NEIL, RON	R	SEA/LAB/ER7250.109			\$9.70	12/27/2017

31.

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 Amherst, New York celebrates its Bicentennial in the year of 2018 and it is fitting to recognize the Town of Amherst on the occasion of this special milestone and to applaud its distinguished history; and

WHEREAS, The Town of Amherst was officially created on April 10, 1818 from part of the town of Buffalo (later known as the city of Buffalo), has a total area of 53.28 square miles, is the largest Town in Erie County, New York and includes the Village of Williamsville as well as the hamlets of Eggertsville, Getzville, Snyder, Swornville and East Amherst; and

WHEREAS, In the nineteenth century Amherst was a prosperous farming community with seven grist mills, several saw mills, a tannery and boot and shoe factory and two forges with commercial activity centered in Williamsville; and

WHEREAS, The Town grew from being primarily a farming community to an urban community in the twentieth century with the creation of new subdivisions, the building of the University of Buffalo Campus in Amherst and the location of the Millard Fillmore Suburban Hospital within the Town; and

WHEREAS, The Town today is comprised of 125,000 residents and provides many facilities and attractions including: a four rink recreational facility that attracts national and international ice tournaments, a state of the art senior center, three libraries, and a State Park; and

WHEREAS, The Town of Amherst will proudly mark its 200th Anniversary with a series of celebrations throughout its Bicentennial Year, beginning on January 1, 2018 with a 200th Birthday Party, and continuing with a gigantic Parade, historic walking tours, slogan contest, Interclub Service Club Luncheon and gala Bicentennial Ball; and

WHEREAS, In recognition of the Town of Amherst's rich history and enduring contributions, it is indeed an honor to pay tribute to this Town upon the occasion of its Bicentennial; now, therefore, be it

RESOLVED, That congratulations are sent to the Town of Amherst on their Bicentennial and the Town and its residents are to be enthusiastically recognized as they celebrate this auspicious occasion; and be it further

RESOLVED, That a copy of this Resolution, suitably engrossed, be transmitted to the Town of Amherst Bicentennial Commission.

32.

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 Audit of Cash Disbursements as follows:

TOWN BOARD AUDIT OF CASH DISBURSEMENTS - DECEMBER 18, 2017

			VOUCHER #'S
OPERATING FUND:			
BATCH #			
BATCH #	212	\$7,593.68	93244-93271
BATCH #	213	\$179.46	93272
BATCH #	214	\$101,182.04	93273-93325
BATCH #	215	\$29,289.11	93326-93375
BATCH #	216	\$26,441.47	93376-93383
BATCH #	217	\$2,367.63	93384-93399
BATCH #	218	\$12,144.26	93400-93406
BATCH #	219	\$35,056.44	93407-93457
BATCH #	220	\$37,352.40	93458-93459
BATCH #	221	\$17,317.84	93460-93498
BATCH #	222	\$35,670.44	93499-93528
BATCH #	223	\$26,778.30	93529-93580
BATCH #	224	\$87,372.35	93581-93620
BATCH #	225	\$1,379,898.00	93624
BATCH #	226	\$335.36	93625
BATCH #	227	\$349,230.47	93626-93747
BATCH #	228	\$102,950.00	93748
TOTAL OPERATING FUND DISBURSEMENTS:			\$2,251,159.25
TRUST AGENCY			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$0.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #	34	\$2,931.00	93621-93623
BATCH #	35	\$13,635.00	93749-93750
TOTAL CAPITAL FUND DISBURSEMENTS:			\$16,566.00
PR #	P/R 25	\$659,165.36	
PR #			\$659,165.36
TOTAL PAYROLL DISBURSEMENTS:			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$2,926,890.61

Reports from Town Board Members and Department Heads

Councilman Best, wishes the Town Residents and Employees of the Town Happy Holidays and a Happy New Year. He congratulates Supervisor Walters and Councilman Quinn on completing their terms.

Councilman Quinn, thanks the Town for the past four years. He then wishes the new Town Board good luck.

Supervisor Walters, thanks the community, town board members, town employees and departments heads for serving as the Town Supervisor for the past twelve years. He wishes Jim Shaw and the new Town Board the best of luck.

Michael Quinn, Engineering Consultant, states that the Quiet Zones are up and running. He adds that Town has received the \$100,000 grant for the Mount Vernon Sewer District.

Christopher Hull, Director of Community Development, states that a bus shelter has been moved and placed in front of the Community Development Building. He adds that the Hamburg Economic Area Revitalization Taskforce (HEART) paid for the cement pad for the bus shelter to be placed on. He states that if anyone has any questions regarding HEAP the number is 858-7644 and the County office is open from 8am to 4pm.

Catherine A. Rybczynski, Town Clerk, wishes Councilman Quinn and Supervisor Walters the very best. She states what a pleasure it has been working with both of them. She wishes all the residents a very Merry Christmas and a Happy New Year.

Sean Crotty, Sr. Public Safety Dispatcher and Emergency Management Coordinator, thanks and congratulates Councilman Quinn, Highway Superintendent Best and Supervisor Walters.

Gregory Wickett, Chief of Police, thanks Supervisor Walters and Councilman Quinn for being so helpful to the Police Department over the past three years since he has become Chief. He adds that the Police Department's first canine Endy is retiring after eight years of service. He sadly reports two retired police members Jim Baker and Tom Biersbach passed away.

Kurt Allen, Supervising Code Enforcement Officer, bids farewell to the outgoing Councilman Quinn and Supervisor Walters. He looks forward to working with the new board.

Martin Denecke, Director of Youth, Recreation and Senior Services, announces that their Youth Bureau toy distribution is Wednesday, December 20, 2017 and they appreciate all the support from the community in gathering gifts. He adds that the Donny Thiry Foundation once again gave a donation of \$4,250 towards the recreation departments programs for children and adults with disabilities. He announces that Sax-Man Slim will perform at the Senior Center's Christmas lunch at the 50's Diner on Wednesday, December 20, 2017 from 12 pm to 1 pm. He wishes Councilman Quinn, Supervisor Walters, and Highway Superintendent Best well and thanks them for their accomplishments and support.

Business from the Floor

Dennis Chapman, thanks Councilman Quinn and the Town Clerk Catherine Rybczynski on organizing the Veteran’s Committee and with their support on the approval of the school tax exemption for war time veterans in the Frontier School District.

John McKendry, thanks everybody that has participated in implementing the Quiet Zones.

Don Wiess, states that on behalf of the Hamburg United Tax Payers he wishes Councilman Quinn and Supervisor Walters good luck. He states that the bike path from Hoover Road to Lackawanna still needs striping. He adds that there is a need to have a turning lane added on Rogers Road at the Walmart entrance.

Supervisor Walters, states that the 2018 re-org meeting has been scheduled for January 8, 2017.

33.

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 7:50 PM

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



Town of Hamburg
Office of Supervisor
Town of Amherst 200th Anniversary

- WHEREAS,** The Town of Amherst, New York celebrates its Bicentennial in the year of 2018, and it is fitting to recognize the Town of Amherst on the occasion of this special milestone and to applaud its distinguished history; and
- WHEREAS,** The Town of Amherst was officially created on April 10, 1818 from part of the town of Buffalo (later known as the city of Buffalo), has a total area of 53.28 square miles, is the largest town in Erie County, New York and includes the Village of Williamsville as well as the hamlets of Eggertsville, Getzville, Snyder, Swantonville and East Amherst; and
- WHEREAS,** In the nineteenth century Amherst was a prosperous farming community with seven grist mills, several saw mills, a tannery, and boot and shoe factory, and two forges with commercial activity centered in Williamsville; and
- WHEREAS,** The Town grew from being primarily a farming community to an urban community in the twentieth century with the creation of new subdivisions, the building of the University of Buffalo Campus in Amherst and the location of the Millard Fillmore Suburban Hospital within the town; and
- WHEREAS,** The Town today is comprised of 125,000 residents and provides many facilities and attractions including a four-rink recreational facility that attracts national and international ice tournament, a state-of-the-art senior center, three libraries and a State Park; and
- WHEREAS,** The Town of Amherst will proudly mark its 200th Anniversary with a series of celebrations throughout its Bicentennial Year, beginning on January 1, 2018, with a 200th Birthday Party, and continuing with a gigantic Parade, historic walking tours, slogan contest, Interschub Service Club Luncheon and gala Bicentennial Ball; and
- WHEREAS,** In recognition of the Town of Amherst's rich history and enduring contributions, it is indeed an honor to pay tribute to this Town upon the occasion of its Bicentennial; now, therefore, be it
- RESOLVED,** That congratulations are sent to the Town of Amherst on their Bicentennial, and the Town and its residents are to be enthusiastically recognized as they celebrate this auspicious occasion, and be it further
- RESOLVED,** That a copy of this Resolution, suitably engrossed, be transmitted to the Town of Amherst Bicentennial Commission.



IN WITNESS WHEREOF, I have caused the seal of the Town of Hamburg to be affixed this 18th day of December 2017.

Steven J. Walker
 Supervisor
 Town of Hamburg

Thomas Best, Jr., Counselman
 Michael Quinn, Councilman