

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 12th day of September 2016.

4.

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 Executive Session at 7:23 pm and move into the regular meeting.

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

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk
Walter Rooth III, Town Attorney; Mary Dosch, Sr. Account Clerk; Michael Quinn, Engineering Consultant; Gregory Wickett, Police Chief; Martin Denecke, Director of Youth, Recreation and Senior Services; Christopher Hull, Director of Community Development; Kurt Allen, Supervising Code Enforcement Officer; Thomas Taylor, Sr. Public Safety Dispatcher; Sean Crotty, Emergency Management Coordinator; Linda Rogers, Laborer – Highway Department

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

Stefan Mychjliw, Erie County Comptroller, comments that he has tried to visit every town across Erie County. The Town of Hamburg has a phenomenal Recreation Department, a great team. The Town of Hamburg Senior Services Department is one of the crown jewels across Erie County. In the Erie County Comptroller’s Office they have tried to bring a lot of private sector principles to government. They try to do as much as they can at the lowest possible cost. They put their accounting business out to bid and went with M & T Bank and are saving about \$25,000 per quarter on fees by using only one bank. They are also getting a percentage back for paying their bills by credit cards. He has crossed trained employees so that multiple employees can do the same job. They went out to a private sector firm to do a risk assessment. They now have an audit plan based on a professional risk assessment. They also publically post a taxpayers checkbook showing exactly where the money is going and a taxpayers credit card which shows

how much debt is accumulating. He is keeping an eye on the sales tax revenue which is down due to the Canadian dollar taking a bit of a hit which has a negative impact on sales tax. If anyone has any questions or wants to reach out to his Department about fraud, waste or abuse their email is whistleblower@erie.gov. All emails are confidential.

5.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

August 15, 2016 Work Session
August 15, 2016 Town Board Meeting

6.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

WHEREAS, a resident has offered to make a gift to the Town of Hamburg of a 2002 Ford Ranger pick-up truck to be used at the Eighteen Mile Creek Golf Course, and,

WHEREAS, the 2002 Ford Ranger pick-up truck will be used solely at the Eighteen Mile Creek Golf Course for day to day grounds maintenance, and

WHEREAS, pursuant to Town Law, §64(8), the Town Board on behalf of its residents, may accept a gift of real or personal property for public use or benefit, and

WHEREAS, the Town Board finds the acceptance of the 2002 Ford Ranger pick-up truck, for use at the Eighteen Mile Creek Golf Course to be in the best interest of the residents of the Town of Hamburg,

NOW THEREFORE BE IT RESOLVED that the Town Board of the Town of Hamburg accept the gift of a 2002 Ford Ranger pick-up truck, at no cost to the Town.

Supervisor Walters thanks the anonymous donor for this gift to the Town.

7.

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 Town Board is considering the maintenance and repair of an existing parking lot at the Hamburg Public Library; and

WHEREAS, the project includes pothole repair, sidewalk replacement, surface preparation, paving and associated striping; and

WHEREAS, in accordance with the New York SEQRLaw, the Town Board has reviewed the project which involves maintenance and repair involving no substantial change to the existing parking lot and meets the criteria established in the SEQRLaw as a Type II Action,

THEREFORE BE IT RESOLVED, that the Town Board has determined that the project does not have a significant impact on the environment and therefore is not subject to further review under SEQRLaw.

8.

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

ADOPTED	Ayes 3	Walters, Best, Quinn
	Noes 0	

APPOINTMENT OF HEARING OFFICER

I, Steven J. Walters, Supervisor of the Town of Hamburg in accordance with the provisions of sections 147(f) and 150(c) of the Internal Revenue Code of 1986, as amended, hereby appoint Mark Bernas, President of the Newton Abbott Fire Co., Inc., as Hearing Officer pursuant to a certain Notice of Public Hearing attached hereto, such public hearing to be held at the Newton Abbott Fire Company, 3426 Abbott Road, Blasdell, New York 14219, on September 26, 2016 at 6:00 p.m.

I further direct that the Hearing Officer shall within 10 days after the execution of this appointment cause to be published, in full, in the Buffalo News newspaper, published in, or having a general circulation within the Town of Hamburg, a notice of public hearing to be held not less than 14 days from the date of publication. The notice is to be published substantially in the form attached hereto.

DATED: September 12, 2016

Steven J. Walters, Supervisor
Town of Hamburg

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be conducted by an individual to be appointed by the Supervisor of the Town of Hamburg ("Hearing Officer") at the Newton-Abbott Fire Co., Inc., 3426 Abbott Road, Blasdell, New York on September 26, 2016 at 6:00 p.m. in relation to the proposed borrowing by the Newton-Abbott Fire Co., Inc. ("Volunteer Fire Department") to refinance the existing mortgage of the fire station facility located at 3426 Abbott Road, Blasdell, New York and the proposed issuance by the Volunteer Fire Department of an obligation to M&T Bank, or other appropriate lender.

The proposed refinance of the existing mortgage is of the fire station facility located at 3426 Abbott Road, Blasdell, New York which is used for housing and storage of firefighting apparatus, vehicles and related equipment as well as for training, administrative and related facilities in order to render fire protection service to the Town of Hamburg pursuant to a contract for the period January 1, 2016 through December 31, 2016 between the Volunteer Fire Department and the Town of Hamburg. The proposed finance will be in the maximum face amount of \$1,132,000.00. The Newton-Abbott Fire Co., Inc. is the owner, operator and manager of the fire station facility described herein.

The public hearing and the subsequent approval by the Supervisor of the Town of Hamburg of the borrowing and issuance of the obligation are prerequisites to exemption from income taxation of the interest payable under the terms of such obligation, pursuant to section 103 and related sections of, and regulations under, the Internal Revenue Code. Neither the public hearing nor the subsequent approval by the Supervisor of the Town of Hamburg of the borrowing creates any obligation or liability of the Town of Hamburg for such obligation.

Persons attending the public hearing will be given the opportunity to make brief oral statements in connection with the proposed financing, and written comments may be submitted to the Hearing Officer at or prior to the public hearing.

Steven J. Walters, Town Supervisor
Town of Hamburg

12.

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 recommendation of the Chief of Police for the promotion of the following:

Three (3) Detectives to the vacant positions of Detective Sergeant-Temporary, effective September 13, 2016:

- Detective Scott Kashino
- Detective Timothy Crawford
- Detective Paul Randall

Salary is \$43.47 per hour; funds available in B3120.100.

13.

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 PLEASANT CREEK SUBDIVISION PHASE 1 street light installation work performed under Public Improvement Permit No. 1019 be received and accepted, and that the Supervisor is authorized to sign the report.

BE IT FURTHER RESOLVED, that the Town Board authorize New York State Electric & Gas (NYSEG) to connect eight (8) 50-watt high pressure sodium luminaries in accordance with the existing rate tariff, and

BE IT FURTHER RESOLVED, that two certified copies of this resolution be provided to the Engineering Department for transmittal to NYSEG, and that this resolution becomes effective on the day the report is signed by the Supervisor.

14.

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 authorize the Recreation Department to issue alcohol waivers for the following October Taylor Road rentals:

10/01/2016	10/02/2016	10/06/2016	10/08/2016
10/09/2016	10/14/2016	10/15/2016	10/16/2016
10/22/2016	10/23/2016	10/28/2016	10/29/2016
10/30/2016			

15.

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

Ayes	3	Walters, Best, Quinn
Noes	0	

RESOLVED, that the Town Board approve the recommendation of the Chief of Police in promoting ROBERT K. PAAS to the vacant position of DETECTIVE-TEMPORARY, effective September 13, 2016. Salary is \$43.08 per hour; funds available in B3120.100.

The Chief of Police, the three new Detective Sargeants and the new Detective come forward for the presentation of their badges.

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 Town of Hamburg is currently undertaking a project to establish railroad quiet zones through the installation of required supplemental safety measures at the Lakeview Road, Pleasant Avenue, and Bayview Road grade crossings of the CSX and Norfolk Southern railroads; and

WHEREAS, in that Lakeview Road and Pleasant Avenue are Erie County highways, the County required that the Town take over ownership and maintenance of a portion of Lakeview Road and Pleasant Avenue in order to allow the Town to install the supplemental safety measures, following the undertaking of various improvements by the County to bring the road up to acceptable standards; and

WHEREAS, the Town of Hamburg and the County of Erie previously entered into a Memorandum of Understanding, approved on September 13, 2015, which stipulated the conditions under which the transfer of a portion of Lakeview Road and Pleasant Avenue to the Town is to occur, pursuant to Sections 115-b and 115-c of New York State Highway Law; and

WHEREAS, the County of Erie has completed the necessary highway improvements to the satisfaction of the Superintendent of Highways of the Town of Hamburg,

THEREFORE BE IT RESOLVED, that the Town Board hereby accepts that portion of Pleasant Avenue between Lakeshore Road and Heltz Road, being approximately 0.79 miles in length, and that portion of Lakeview Road between Old Lakeshore Road and Versailles Road,

being approximately 1.59 miles in length as part of the Town Highway system; and

BE IT FURTHER RESOLVED, that the Town Supervisor and the Town Superintendent of Highways are hereby authorized to execute any and all documents necessary to effectuate this transfer of portions of Lakeview Road and Pleasant Avenue to the Town of Hamburg.

17.

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 provisional appointment of JENNIFER ROBERTSON to the vacant position of “COMMUNITY DEVELOPMENT AIDE” within the Department of Community Development.

The appointment shall be effective immediately with a starting salary of \$14.37/hour based upon the last approved CSEA White Collar Union contract. Funding for the position will be provided through a combination of grant sources via the A 8686.100 account.

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 condition of the property and abandoned residential structure located at 5837 Lakeview Terrace has been deemed by the Town Code Enforcement Official to be unsafe, an attractive nuisance and an endangerment to the public at large, and

WHEREAS, it was the determination of the Town Code Enforcement Official based on his formal inspection and report to the Town Board did proceed to condemn said vacant premises, and

WHEREAS, the Town has not received an adequate response from the listed owner nor has any remedial work been undertaken to alleviate the known associated hazards and currently the unsafe conditions which persist on the premises only have become more hazardous to the public.

THEREFORE BE IT RESOLVED, that the Town Board based on the review of the report prepared by the Town Code Enforcement Official and the absence of response by the property owner, order the demolition of the abandoned building, and

BE IT RESOLVED, the Town Board authorize the Town Code Enforcement Official to administer the proposed demolition by establishing the scope of work, necessary contract and cost estimate including the necessary remedial work to render the property safe, and

NOW, BE IT FURTHER RESOLVED, the Town Board and further order that a notice be forwarded to the owner of the structure and the property on which the structure is located in a manner as prescribed by Local Law No. 5-1972 , Section 80-3. (paragraph C.).

19.

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, hiring 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	4623	Birmingham, Shannon		Lifeguard-EW7251				9/13/2016
2	4599	Bogner, Mary Catherine		Rec Attd-A6780-Seas				9/3/2016
	4599	Bogner, Mary Catherine	R	Rec Attd-A6780-P/T	9/4/16		\$9.00	
3	113	Boswell, David		Rec Attd-ER7251-Seas				8/26/2016
	113	Boswell, David	R	Rec Attd-ER7251-P/T	8/27/16		\$9.50	
4		Brege, Linda	N	Rec Attd-A6772-P/T	9/13/16		\$9.00	
5	4719	Carlson, Tyler		Rec Attd-EI7265				9/13/2016
6	4730	Casey, Quinn		Rec Attd-EW7251				9/13/2016
7	4528	Colleran, Alexander		Rec Attd-EW7251-Seas				9/3/2016
	4528	Colleran, Alexander	R	Rec Attd-A7310-Seas	9/4/16		\$9.50	
8	4650	Compise, Kali		Rec Attd-EI7265				9/13/2016
9	3817	Cuevas, Katie		Rec Attd-EW7251				9/13/2016
10	4628	Duszkiewicz, Thomas		Lifeguard-EW7251				9/13/2016
11	4631	English, Emma		Rec Attd-EW7251				9/13/2016
12		Eschner, Victoria	N	Rec Attd-A7310-P/T	9/12/16		\$10.00	
13	4562	Evancho, Paige		Rec Attd-EW7251				9/13/2016
14	4640	Fildes, Alaina		Rec Attd-EW7251				9/13/2016
15	4399	Freitas, Derek		Rec Attd-EW7251				9/13/2016
16	4485	Gill, Scott		Rec Attd-EW7251				9/13/2016
17	4459	Grimaldi, Kevin		Rec Attd-EW7251				9/13/2016
18	4669	Gunning, Daniel		Rec Attd-EW7251				9/13/2016
19	4367	Gunning, Rebecca		Rec Attd-EW7251				9/13/2016
20	4553	Harvey, Ryan		Rec Attd-EW7251-Seas				9/3/2016
	4553	Harvey, Ryan	R	Rec Attd-A7310-P/T	9/4/16		\$9.00	
21	4704	Hite, Taylor		Lifeguard-ET7180				9/13/2016
22	4711	Hollfelder, Evan		Lifeguard-EW7251				9/13/2016
23	4710	Hutz, Alexander		Lifeguard-EW7251				9/13/2016
24	4753	Johnston, Emily		Rec Attd-EW7251				9/13/2016
25	4318	Joslin, Mark		Rec Attd-ER7251-Seas				9/3/2016
	4318	Joslin, Mark	R	Rec Attd-EI7265-Seas	9/4/16		\$9.00	
26	4264	Kazibut, Kacper		Rec Attd-EW7251-Seas				9/3/2016
	4264	Kazibut, Kacper	R	Rec Attd-A7310-P/T	9/4/16		\$9.00	
27	4654	Kaznowski, Taylor		Rec Attd-EW7251				9/13/2016
28	4345	Knaszak, Carly		Rec Attd-EW7251				9/13/2016
29	4557	Kroll, Evan		Lifeguard-EW7251				9/13/2016
30	4552	Kryszak,Nicholas		Rec Attd-EW7251				9/13/2016
31	4724	Kryszak, Rylee		Rec Attd- EW7251				9/13/2016
32	4221	Kumiega, Mark		Rec Attd-ER7251-Seas				9/3/2016
	4221	Kumiega, Mark	R	Rec Attd-EI7265-Seas	9/4/16		\$9.00	
33	4642	LaRosa, Gabrielle		Rec Attd-EW7251				9/13/2016
34	4454	Lane, Shannon		Lifeguard-EW7251				9/13/2016
35	4544	Madden, Timothy		Lifeguard-ET7180				9/13/2016

36	3905	Lease, Warren			Rec Attd-ER7251-Seas				9/3/2016
	3905	Lease, Warren		R	Rec Attd-EI7265-Seas	9/4/16		\$11.50	
37	4678	Manganello, Jack			Van Driver-A6772-P/T				9/13/2016
	4678	Manganello, Jack		R	Van Driver-A6772-Seas	9/14/16		\$9.00	
38	4626	McDermott, Evan			Lifeguard-ET7180				9/13/2016
39	4315	Mead, Karla			Rec Attd-EI7265				9/13/2016
40	4546	Michaud, Sarah			Lifeguard-ET7180				9/13/2016
41	4387	Morris, Mark			Rec Attd-EW7251-Seas				9/12/2016
	4387	Morris, Mark		R	Rec Attd-A7310- P/T	9/13/16		\$9.00	
42	4660	Olday, Alexander			Rec Attd-EW7251				9/13/2016
43	1729	Otremba, Steven			Rec Attd-EI7265				9/13/2016
44	4625	Ott, Megan			Rec Attd-EW7251				9/13/2016
45	4735	Palumbo, Samantha			Rec Attd-EW7251				9/13/2016
46	4478	Pezzino, Dana Rose			Rec Attd-EW7251				9/13/2016
47	4638	Pietras, Sarah			Rec Attd-EW7251-Seas				9/3/2016
	4638	Pietras, Sarah		R	Rec Attd-A7310- P/T	9/4/16		\$9.00	
48	4339	Pitillo, Joan			Rec Attd-A6780-Seas				9/3/2016
	4339	Pitillo, Joan		R	Rec Attd-A6780-P/T	9/4/16		\$10.00	
49	4347	Plarr, MacGregor			Rec Attd-EW7251-Seas				9/12/2016
	4347	Plarr, MacGregor		R	Rec Attd-A7310- P/T	9/13/16		\$9.75	
50	4473	Redanz, Katherine			Rec Attd-EW7251				9/13/2016
51	4701	Reed, Thomas			Lifeguard-EW7251				9/13/2016
52	3704	Reid, Gregory			Rec Attd-ER7251-Seas				9/3/2016
	3704	Reid, Gregory		R	Rec Attd-EI7265-Seas	9/4/16		\$10.45	
53		Ring, Jacqueline C.		N	Rec Attd-A6772-P/T	9/12/16		\$9.00	
54	3575	Ryan, Thomas			Rec Attd-A7310-P/T				9/3/2016
	3575	Ryan, Thomas		R	Van Driver-A6772-Seas	9/4/16		\$11.25	
55	4480	Schupp, William			Rec Attd-EW7251				9/13/2016
56	4568	Sortisio, Zachary			Rec Attd-EW7251				9/13/2016
57	2875	Steger, Joseph			Rec Attd-ER7251-Seas				9/3/2016
	2875	Steger, Joseph		R	Rec Attd-A7301-Seas	9/4/16		\$12.75	
58	4634	Vail, Mitchell			Lifeguard-EW7251				9/13/2016
59	4607	Walker, Samone			Rec Attd-EW7251-Seas				9/3/2016
	4607	Walker, Samone		R	Rec Attd-A7310-Seas	9/4/16		\$9.00	
60	4577	Wentland, Lauren			Rec Attd-EW7251				9/13/2016
61	3167	Wienczek, Paul			Van Driver-A6772-P/T				9/23/2016
	3167	Wienczek, Paul		R	Van Driver-A6772-Seas	9/24/16		\$10.00	
62	4550	Winder, Brice			Lifeguard-EW7251				9/13/2016
63	4702	Tornabene, Alexandria			Lifeguard-ET7180-Seas				9/12/2016
	4702	Tornabene, Alexandria		R	Rec Attd-EI7265-P/T	9/13/16		\$9.00	
64	4200	Walter, Lauren			Rec Attd-EI7265				9/13/2016
65	4754	Wells, Ethan			Rec Attd-A7310				9/13/2016

20.

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

ADOPTED Ayes 3 Walters, Best, Quinn
 Noes 0

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

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	4154	CZERWIEC, DAVID		LABORER/EW7250.100/SEA			\$15.00	9/12/2016
2	4154	CZERWIEC, DAVID		LABORER/EW7250.100/P/T	9/13/2016		\$15.00	
3	4341	SMITH, JAMIE		LABORER/A7140.100/SEA.				9/12/2016
4	4539	YACOBUCCI, JOSEPH		LABORER/A7140.100/SEA.				9/12/2016
5	4244	BIEBER, ROBERT		LABORER/A7140.100/SEA.			\$9.00	9/12/2016
6	4244	BIEBER, ROBERT		LABORER/A7140.100/P/T	9/13/2016		\$9.00	
7	4501	MIELCAREK, PETER		LABORER/A7140.100/SEA.			\$10.42	9/12/2016
8	4501	MIELCAREK, PETER		LABORER/A7140.100/P/T	9/13/2016		\$10.42	
9	4537	SCINTA, MICHAEL		LABORER/ET7250.100/SEA			\$9.00	9/12/2016
10	4537	SCINTA, MICHAEL		LABORER/ET7250.100/P/T	9/13/2016		\$9.00	
11	4533	FIGIELLO, CHARLES		LABORER/ET7250.100/SEA			\$9.00	9/12/2016
12	4533	FIGIELLO, CHARLES		LABORER/ET7250.100/P/T	9/13/2016		\$9.00	
13	4611	BATORSKI, TYLER		LABORER/A7140.100/SEA.				9/12/2016
14	4534	COLLINS, MICHAEL		LABORER/A7140.100/SEA.			\$9.00	9/12/2016
15	4534	COLLINS, MICHAEL		LABORER/A7140.100/P/T	9/13/2016		\$9.00	
16	4712	SMAIL, CONNOR		LABORER/A7140.100/SEA				9/12/2016
17	4405	BUSHA, CHRISTOPHER		LABORER/EI7266.100/SEA			\$9.00	9/12/2016
18	4405	BUSHA, CHRISTOPHER		LABORER/EI7266.100/P/T	9/13/2016		\$9.00	
1	4714	BOSWELL, CEEJAY		LABORER/ET7250.100/SEA				9/12/2016
2	4543	LAKSO, BRUCE		LABORER/A7140.100/SEA			\$9.00	9/12/2016
3	4543	LAKSO, BRUCE		LABORER/A7140.100/P/T	9/13/2016		\$9.00	
4	4616	DEINZER, NATHAN		LABORER/A7140.100/SEA			\$9.92	9/12/2016
5	4616	DEINZER, NATHAN		LABORER/A7140.100/P/T	9/13/2016		\$9.92	
6	4582	DONOVAN, RYAN		LABORER/EW7250.100/SEA				9/12/2016
7	3998	MILITELLO, FRANK		LABORER/A7140.100/SEA				9/12/2016
8	2925	SORTISIO, JAMES		LABORER/A7140.100/SEA				9/12/2016
9	4581	STEIGER, AUSTIN		LABORER/A7140.100/SEA				9/12/2016
10	4612	FIGIELLO, LOUIS, JR		LABORER/ET7250.100/SEA				9/12/2016
11	4242	KRAUSE, ROBERT		LABORER/EW7250.100/SEA				9/12/2016
12	4618	BENNETT, ETHAN		LABORER/ET7250.100/SEA				9/12/2016
13	4617	GATES, BRANDON		LABORER/EI7266.100/SEA				9/12/2016
14	4749	DICKEY, JACOB		LABORER/EW7250.100/SEA				9/12/2016
15	4707	JONES, SETH		LABORER/A7140.100/SEA			\$9.00	9/12/2016
16	4707	JONES, SETH		LABORER/A7140.100/P/T	9/13/2016		\$9.00	
17	4627	FEURSTEIN, SHAWN		LABORER/EI7266.100/SEA				9/12/2016
18	4697	KING, JAMES		LABORER/A7140.100/SEA			\$9.00	9/12/2016
19	4697	KING, JAMES		LABORER/A7140.100/P/T	9/13/2016		\$9.00	
20	4583	GAWLAK, LAUREN		LABORER/A7140.100/SEA				9/12/2016

21.

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

WHEREAS, On June 27, 2016 the Hamburg Town Board authorized the Department of Community Development to advertise bids for the purpose of completing the 2016 Village of Blasdell Allen Street Infrastructure Reconstruction project, and

WHEREAS, the bids were opened on Thursday, September 8, 2016 at 11:00 a.m. subsequently reviewed by the Department of Community Development, representatives of the Village of Blasdell and their engineering firm, and

WHEREAS, the following contractors submitted base bids for the project:

Occhino Corporation	\$76,815.25
Milherst Construction	\$117,500.00
New Frontier Excavating & Paving, Inc.	\$122,425.00
E&R General Construction, Inc.	\$164,125.00
Northeast Diversification, Inc.	\$245,500.00

WHEREAS, a post-bid submittal interview was conducted with the lowest responsible bidder, Occhino Corporation, to ensure that all items covered within the bid were fully understood and that the time tables required for construction were feasible and fully understood and agreed upon by the contractor.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board authorize the Department of Community Development to accept the bid of and enter into a contract with Occhino Corporation to complete the 2016 Village of Blasdell Allen Street Infrastructure Reconstruction project. Funding for the contract is available in CD 42 8662.354.

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 appointment of Sean P. Crotty to the position of Senior Public Safety Dispatcher-Provisional effective September 24, 2016. Salary is \$36.70 per hour, funds available in A3020.100. The exam was already administered.

Thomas Taylor and Sean Crotty come forward for the presentation of the badge.

Supervisor Walters comments that Thomas Taylor has done a great job for the Town and the Dispatch office and he will be missed. Congratulations on his retirement.

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 Audit of Cash Disbursements as follows:

TOWN BOARD
AUDIT OF CASH DISBURSEMENTS September 12, 2016

		VOUCHER #'S	
OPERATING FUND:			
BATCH #148	\$22,462.44	84666-84668	
BATCH #149	\$55,157.60	84669-84699	
BATCH #150	\$39,701.59	84700-84764	
BATCH #151	\$15,488.18	84765-84791	
BATCH #152	\$648,949.63	84795-84876	
BATCH #153	\$2,155.36	84880-84893	
BATCH #154	\$110,400.24	84895-84958	
BATCH #155	\$20,543.40	84959-85005	
BATCH #156	\$31,748.52	85009-85034	
BATCH #157	\$5,340.19	85035-85050	
BATCH #158	\$7,032.93	85051-85067	
BATCH #159	\$47,242.86	85068-85135	
BATCH #160	\$438.29	85136	
BATCH #161	\$537,891.47	85139-85203	
TOTAL OPERATING FUND DISBURSEMENTS:			\$1,544,552.70
TRUST & AGENCY:			
BATCH #4	\$3.71	84894	
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$3.71
CAPITAL FUND DISBURSEMENTS:			
BATCH #27	\$5,433.14	84663-84665	
BATCH #28	\$845.38	84792-84794	
BATCH #29	\$100,127.90	84877-84878	
BATCH #30	\$3,221.36	85006-85008	
BATCH #31	\$2,650.00	85137-85138	
TOTAL CAPITAL FUND DISBURSEMENTS:			\$112,277.78
PAYROLL:			
PR#P/R #17	\$702,162.31		
PR#P/R #18	\$683,811.49		
TOTAL PAYROLL DISBURSEMENTS:			\$1,385,973.80
PETTY CASH	\$173.61		\$173.61
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$3,042,981.60

Reports from Town Board Members and Department Heads

Councilman Best reports that to show what an innovator the Town is in regards to Community Development he reads a resolution from the August 26th meeting of the City of Buffalo Common Council meeting regarding the Fair Housing Law. The resolution stated “Whereas, Hamburg New York Municipal Chapter 109 is a worthy example in establishing affordable housing legislation and multi-family properties that contain eight or more housing units”. Congratulations to Christopher Hull, Director of Community Development, who instituted this in Hamburg. The City of Buffalo is following our lead and commending us for a job well done. He will be holding a second meeting this week with Senator Panepinto’s Office, Assemblyman Ryan’s Office, State Park’s Representatives and hopefully the NYSDEC concerning Woodlawn and the two creeks situation. Although they didn’t agree on everything they all agreed that doing nothing was unacceptable when it comes to the creeks down at Woodlawn and restoring the beach back to how it should be.

Councilman Quinn reports that he took a tour of the 18 Mile Creek Golf Course and the greens are very well taken care of. Everyone did a great job this summer.

Supervisor Walters commends everyone that was involved with the 9-11 Ceremony this past Sunday. The turnout was tremendous. He thanks the Fire Companies, the Police Departments, and the Veteran’s Posts that were involved. He also congratulates Christopher Hull who will be a Buffalo Community Builder Award recipient. He will be receiving this on October 6th from LISC of Buffalo at their second annual Community Development Awards.

Catherine Rybczynski, Town Clerk, also congratulates and thanks Thomas Taylor on his retirement stating he has done a great job in Dispatch and has been very helpful to her Department. Also, Wednesday the School Tax bills will be in the mail.

Christopher Hull, Director of Community Development, reports that they started their public hearings today at 4:30 and 6:30 pm. They will be having them again on Mon, Sept. 26th; Wed., Oct. 12th; Mon., October 24th and Mon., Nov 7th at 4:30 and 6:30 pm in the lobby at Town Hall. Everyone is welcome.

Michael Quinn, Engineering Consultant, reports that the Mt. Vernon Sewer rehab project will start this Thursday with the bulk of the work along Route 5. The contractor will reach out to Dispatch and the Police Department as there will be some lane closures along Route 5. The project should take about four months and then they should be wrapped up in Mt. Vernon. A resolution was passed for the transfer of the roads for the Railroad Quiet Zones and the Supervisor has signed the approval of the final plans. Once they get final approval this will be out to bid this fall for completion of construction this spring.

Kurt Allen, Supervising Code Enforcement Officer, also recognizes Thomas Taylor on his retirement. He did a great job, his service to the Town was outstanding and he will be sorely missed.

Marty Denecke congratulates Thomas Taylor as well stating that his department supplied their beaches and golf course with radios for the safety of their patrons. For the Recreation Department, this Saturday the 17th the Town Arena opens for ice. They will have learn to skate programs, skate and shoot, public skates and the Hockey Association will be in full force. From the Senior Department they have a free flu shot, compliments of Rite Aid on the 14th of this week and they will also offer pneumonia and shingle shots, however they will be by appointment only. With the partnership of Wegmans they will be doing an Eat Well Live Well series. The first is on September 23rd at 10:00 am and the topic will be blood pressure.

Thomas Taylor, Sr. Public Safety Dispatcher reports that the two trainees are moving along well. They have school next week and they are hoping that in the next few weeks they will be released. Looking at the numbers from January to August of this year as compared to last year they are already up 3100 incidents. It is getting busier. He thanks all the Department Heads for helping him as well. It has been great working with everyone.

Chief Wickett also thanks Thomas Taylor for his friendship and professionalism. Mr. Taylor's department works hand in hand with the Police Department and he has been a tremendous help. He wishes him the best.

Business from the Floor

Theresa Ferraro comments that approximately 300 seniors use the Town Therapeutic pool and it is not adequate to meet the needs of the current and future seniors. She is in favor of the new therapeutic pool being constructed.

John McKendry reports that the number of oil trains going through this area are increasing. He will keep the Town informed.

Elsie Kelly comments that they will soon be preparing the 2017 Budget and they are asking that the Town Board reinstate the funding for the building of the therapeutic pool at the senior center on Southwestern Boulevard.

Kathleen Hens comments on transparency and questions why the decision to not build the therapeutic pool was never discussed publically.

Councilman Best responds that he was not on the Town Board when the bond was passed to build the new therapeutic pool and Councilman Quinn voted against it. He publically stated at a Work Session that the bond for the pool would be paid off in July. The Town Board reviewed their debt service and it was concurred by the three Town Board members that right now they just can't afford it. The bond was for 1.4 million dollars, it doesn't mean that they will never do the project. Taxes went up 6.9% last year.

Supervisor Walters comments that the bonding issue was subject to a public hearing. They did hold the public hearing and then the bonds were approved. He states that he was against paying off the bond in July. The Board gave direction to him and the Finance Department to have that bond paid off, which they did.

Councilman Best comments that they had a recent problem at the Senior Center with the HVAC equipment where they were searching for money to do the repairs. They have put a lot of money into the Senior Center. They went over budget with the renovations. It is a beautiful center and they will do all they can for the seniors. But putting in the therapeutic pool will cost 1.4 million dollars that they don't have.

Bonnie Gegenfurtner questions how long the lease is for the pool that is presently available.

Supervisor Walters responds that right now they have not been informed by People Incorporated that they have to vacate the building. However, the Town does not own that building.

Marty Denecke comments right now that People Inc. wants the Town to stay in the building at this point.

Ms. Gegfurtner questions what the cost is to keep the pool open each year and how long is the lease for?

Supervisor Walters responds that he doesn't have the figures in front of him but he can get that information for her. As far as a lease is concerned, per the Recreation Director, he is not sure of the term.

Mary Gaca questions what the total revenue was collected in 2015 for the therapeutic pool including New York State grants, reimbursements from insurance carriers plus private payments from participants and any other revenue.

Supervisor Walters responds that he can get her that information.

Mr. Denecke responds that he can get her a report tomorrow.

Dennis Chapman questions if it is a senior center or youth center? Seniors were displaced this summer that wanted to play pickle ball there. He questions if they have approval from Frontier Central Schools to put the Therapeutic pool there.

Supervisor Walters responds that is part of the process that the Town would have to get written authorization from Frontier Central before they could put a shovel in the ground.

Mr. Chapman asks that the gymnastic equipment be removed so that the seniors can play pickle ball again.

Supervisor Walters responds that this was part of the agreement with Frontier Central Schools, where two entities work together for the benefit of the community, one of the things with respect to the Town taking over the facility is that the Town would provide the opportunity for the gymnastic program to continue there. Mr. Denecke has been working diligently with Frontier Central to see if they can come up with alternative ways that they can continue their gymnastics program. When they held the public meetings initially they did say there were going to be

programs held there that were not for the seniors, especially at the gymnasium. They also agreed that as the senior programs expanded they would move those other programs elsewhere.

Mr. Chapman questions what the percentage of seniors is from Hamburg, that use the facility?

Mr. Denecke responds it is a high percentage, at least 80 to 90%, however they do welcome seniors from other communities. He apologizes for the inconvenience to the pickle ball players and he is working with the school to resolve the problem. Also if they build the new sports complex they will be able to move some of the programs there.

Gilbert King questions why they do not have two handrails to exit the pool.

Mr. Denecke responds that he will look into that.

Eric Volbrecht comments that he has a 75 year old mother that swims twice a day. This Town has never stopped building. The financing will someday be available. He believes what the Town Board is saying is that there are some big up and coming complexes. They all understand how therapeutic swimming can be. However, as a businessman and taxpayer his taxes have never gone down and over a million dollars is a lot of swim spas. They need to come up with the right concept and work together to move forward to resolve this issue.

Kathy Hens responds that they love the therapeutic pool, however, there are only two pools in the area and one is in Lancaster which is a bit of a drive. If they had a bigger pool the surrounding Towns would use the pool and they could make money to help fund it.

Paul Enger questions if him and his wife could attend the meeting with the Federal and State representatives at Woodlawn Beach concerning the creeks.

Councilman Best responds at this next meeting probably no. However at the next meeting they are going to get the Woodlawn group involved.

Joseph Smith comments that the Buffalo News printed an article about the therapeutic pool that is not going to be built because of financial issues. Looking forward to bigger projects that have been mentioned and knowing that this pool was contemplated and financed before the other projects were brought to the table is anyone on the Town Board aware of any department in the Town that is running over budget this year that would potentially affect this project.

Councilman Best responds that he meets with Drescher and Malecki, our financial Consultant, once a month to review budgetary issues. The Town Board cannot communicate because of the size of the Board. There are some departments that they are concerned about and other departments that are under budget. That however does not affect the 1.4 million dollars. The decision to lower the debt service was discussed and the decision was made to pay off the \$1.4 million and possibly look at it again in the future. Frontier Central owns the senior center. They have a lease to own agreement.

Supervisor Walters responds that it is September and, as far as the budget is concerned, things can change between now and the end of the year. Based on 6 months projections some departments are being reviewed.

Councilman Best comments that these are tough times and last year the taxes were raised by 6.9%. The Town Board is not against having a therapeutic pool they are against having the debt service. They are looking into a Sports Complex and will hold public meetings so that the residents can be involved. This will only move forward if they feel it is affordable for the Town.

Savannah (student) comments that she is on the gymnastics team and they have set hours that they use the gym at the senior center and would hope that the seniors would be willing to work around their schedule because they have practiced there for as long as she can remember.

Elsie Kelly questions why they didn't just buy the building (Senior Center) from Frontier Central instead of leasing it.

Supervisor Walters replies that it was a great opportunity for both the Town and the School. The School operates under an education construction program where the State will pay 80% of the cost of the construction project and the project was bonded over the course of a thirty year period. Over the course of those thirty years the School pays 20% and the State pays 80%. When the Town took the building over they were 11 years into that 30 year term. They reached out to the State Department of Education and they said based on the intended use, a senior center, as long as the school maintained ownership of the building that they would honor the 80% - 20% payment. The Town's lease payment to the school is the 20% payment and over the course of the 19 years the total payment will be around \$1 million. At the end of that term the Town can purchase the building for \$1.

Councilman Quinn comments that the residents should look at it as they would look at running their own household. You had a tax increase so your costs went up, and you already have a pool, would you put in a new pool?

Ms. Kelly responds yes if it wasn't big enough.

Don Wiess comments that the situation with the lease of the Senior Center is a win win situation. Did Frontier Central approach the Town Board to take over the building?

Supervisor Walters responds they did reach out to them.

Mr. Wiess comments that what the seniors have at 4540 Southwestern is something no other community in this area has. He has sat in on meetings where the Town Departments have come to the Board looking for money for maintenance of buildings. They just had to put a new roof on the Library and on the Fitness Center and there are all sorts of things in the Town that cost money. That is what the Town Board is looking at as far as the financing is concerned and what they can afford.

Amy McKnight questions what the policy is on employees working on political business on work time.

Councilman Quinn comments that he believes it is against the law.

Ms. McKnight asks for an outside audit.

Councilman Quinn responds that he will look into it.

Ms. McKnight questions what is the policy of the usage of Town take home vehicles, specifically the Highway Superintendents. Does he have the right to give that to another employee?

Councilman Best responds that he does have the right to delegate the vehicle to another Town employee.

Ms. McKnight then comments that the gas records for the Highway Superintendent show excessive gas use. She asks Councilman Quinn, as liaison to the Highway and Buildings and Grounds Departments, to get to back to her with an answer to her questions.

Jack Tiberio speaks in favor of the pool. He feels the pool should be addressed before the Sports Complex because if they build the Sports Complex the taxes will go a lot higher.

Supervisor Walters addresses the Sports Complex stating that they are looking at a different funding apparatus. They are looking at doing a public/private partnership wherein the private sector would come in and finance the project as opposed to the Town Board financing the project. There has been no approval on that yet. They are going through the process slowly. The public/private partnership is a form of financing that is used throughout Canada and in many States. Unfortunately New York is one of the States that has been late to the table. It is newer here than if you went to Massachusetts or Michigan. They had the first meeting in March of last year with the Town Board. They believe they are almost to the point of fully presenting the project to the community. This includes financing, what the project entails and what amenities will be at the facility. This is different from the therapeutic pool because the funding mechanism is completely at a polar opposite. It is unfair to compare the two.

Councilman Best comments that the goal of the Sports Complex is to be self-sufficient, and after a few years profitable and after 30 years to be owned by the Town.

Supervisor Walters comments when they initially looked at 4540 Southwestern the thought was to do the pool in conjunction with the renovations. As they got into it, the pool made the project extremely complicated and so they decided to phase the project. The first phase was to renovate the administrative wing and get the administrative offices all together under one roof. The second phase was the main building which they did and had the grand opening in February of last year. The third phase was to have been the therapeutic pool. They are going to keep pursuing Phase three.

24.

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 8:50 pm.

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