

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 22nd day of January 2018.

2.

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

ADOPTED	Ayes	5	Shaw, Best, Farrell, Mosey, Petrie
	Noes	0	

RESOLVED, that the Town Board adjourned Executive Session at 7:16 pm and move into the regular meeting.

ROLL CALL:	James M. Shaw	Supervisor
	Elizabeth Farrell	Councilman
	Michael Petrie	Councilman
	Michael Mosey	Councilman
	Thomas Best, Jr.	Councilman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Samantha Tarczynski, Director of Administration and Finance; Christopher Hull, Director of Community Development; Ted Casey, Highway Superintendent; Steven Walters, Town Attorney; Jerry Giglio, Jerry Giglio, Traffic Safety Coordinator and Health and Safety Coordinator; Sean Crotty, Sr. Public Safety Dispatcher and Emergency Management Coordinator; Gregory Wickett, Chief of Police; Martin Denecke, Director of Youth, Recreation and Senior Services.

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

3.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

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

12/18/2017 Work Session
12/18/2017 Executive Session
12/18/2017 Town Board Meeting
01/08/2018 Work Session
01/08/2018 Organizational Meeting

4.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Town Board authorizing alcohol waivers for the following February 2018 Taylor Road rentals:

02/10/18 02/11/18 02/17/18 02/18/18 02/24/18 02/25/18

5.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, the Town Board authorizes Police Officer Nicholas Borowski to purchase from the Police Department, the Departments K9 dog ENDY for a purchase price of \$1.00. ENDY has retired after serving as the Town’s first K9 and has lived with Officer Borowski and his family since 2009.

6.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

BE IT RESOLVED the Town Board approve the out of town travel request for Martin Denecke (Youth, Recreation & Senior Services) to attend the 2018 United States Tennis Association (Eastern) conference in White Plains, NY on January 26-28, 2018 as a “Peer Advisor” for USTA. Mr. Denecke’s registration and accommodations are complimentary. Other expenses for the conference include the following estimates:

WHEREAS, the within the 2018 budget, the Town of Hamburg set aside funding for this purpose at A - 8687.440.

NOW THEREFORE BE IT RESOLVED THAT the Hamburg Town Board authorizes the contract by and between the Department of Community Development and Disability Awareness Training (DAT) to provide “ADA Compliance and Disability Awareness” for the Town of Hamburg. The first contract period shall run from February 1, 2018 through December 31, 2018 and funding in the amount of \$5,000 shall be paid from the designated account.

10.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, the Town Board authorizes Margeaux Hallman, a student from Hilbert College, to do an internship in the Police Department, at no cost to the Town.

11.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

WHEREAS, the majority of Town of Hamburg residents receive sewer service from Erie County Sewer District No. 3 (ECSD No. 3); and

WHEREAS, as customers to ECSD No. 3 the Town can request a representative be appointed to the Board of Managers by the Erie County Executive; and

WHEREAS, Town resident and former Town Councilman Mark Cavacoli has expressed an interest and willingness to serve the Town in this manner and in the opinion of the Town Engineer is qualified to do so.

THEREFORE BE IT RESOLVED, that the Town Board supports the appointment of Mark Cavacoli to the ECSD No. 3 Board of Managers and authorizes the Town Supervisor to petition the Erie County Executive to make this appointment on behalf of the residents of the Town of Hamburg residing in ECSD No. 3.

12.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

WHEREAS, the Department of Community Development received grant funding from the NYS/LISC Zombie and Vacant Property Remediation grant in response to the zombie and vacant property issue within the Town of Hamburg, including the Villages of Blasdell and Hamburg, and

WHEREAS, as part of its continued response to this ongoing issue, the Department of Community Development is desirous of entering into a contract with the Western New York Law Center so as to receive “Comprehensive Research and Legal Services” pertaining to local zombie and vacant properties, and

WHEREAS, the Department of Community Development and the Western New York Law Center have agreed to enter into a contract starting March 1, 2018 and proceeding through March 31, 2019 for “Comprehensive Research and Legal Services”.

NOW THEREFORE BE IT RESOLVED that the Hamburg Town Board authorizes the Department of Community Development to enter into said contract by and between itself and the Western New York Law Center for research and legal assistance pertaining to its Zombie and Vacant Property Remediation grant. Funding in the amount of \$10,000.00 shall be paid from account A 8686.0450 the LISC Zombie and Vacant Property Remediation grant.

The following spoke concerning the resolution:

Christopher Hull, Director of Community Development

13.

On a motion of Councilman Best, seconded by Councilman Petrie, the following resolution was ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

BE IT RESOLVED, that the Town Board approve the termination and rehiring of personnel for the Town Clerk’s 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	2709	Mc MANUS, ROSEMARY	R	P/T CLERK SEASONAL	1/17/18	\$12.75		
3	2709	Mc MANUS, ROSEMARY		P/T CLERK		\$12.75		1/16/18
4								
5	4238	BRAUN, SHARON	R	P/T CLERK SEASONAL	2/1/18	\$15.00		
6	4159	MORFORD, ROSINA	R	P/T CLERK SEASONAL	1/17/18	\$15.25		
7	4159	MORFORD, ROSINA		P/T CLERK		\$15.25		1/16/18

14.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

BE IT RESOLVED, that the Town Board approve the out-of-town travel request of Town Supervisor, James Shaw; Councilmembers Elizabeth Farrell and Michael Petrie; Town Attorney, Steven J. Walters and Deputy Town Attorney, Kenneth Farrell, to attend the New York State Association of Towns Training School and Annual Meeting in New York City from February 18, 2018 through February 21, 2018. As part of their attendance, Town of Hamburg Board Members and the attorneys will be attending sessions pertinent to the functions of Town

Board Members and Town Attorneys. The Town attorneys may attend sessions for which required Continuing Legal Education/Professional Development credit hours are given.

Funds for this purpose have been included in the 2018 Budget under Account Number A1970.492. Any costs to obtain Continuing Legal Education/Professional Development credit hours shall not be reimbursed by the Town of Hamburg, but must be paid by the individual attorneys if they desire to obtain such credits.

Actual receipts shall be submitted following attendance at the Training School/Annual Meeting for reimbursement from the aforementioned account.

On a motion to amend the original resolution by Councilman Petrie, seconded by Councilman Mosey, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

Councilman Petrie states he would like to be removed from the resolution and will add Councilman Mosey and Highway Superintendent Ted Casey to the resolution.

The following spoke concerning the resolution:

Don Wiess, Supervisor Shaw

15.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

WHEREAS, the previously appointed attorney for the Zoning Board of Appeals has advised he is not able to take the position, therefore the position is vacant,

RESOLVED, that the Town Board approve the appointment of Tamara M. Harbold to the position of attorney for the Zoning Board of Appeals for a one (1) year term commencing January 23, 2018 and ending December 31, 2018.

16.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Town Board authorize The American Legion Auxiliary, Hamburg Post No. 527, to conduct their annual "Poppy" campaign during the month of May. The donations received are used for rehabilitation programs for the hospitalized and disabled veterans in this area, and aid for their families.

17.

On a motion of Supervisor Shaw, seconded by Councilman Mosey, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

WHEREAS, the Lake View neighborhood of the Town of Hamburg is celebrating their 150th anniversary this year, and

WHEREAS, various Sesquicentennial of Lake View events have been planned, and

WHEREAS, the Sesquicentennial committee requested a Town contribution to these events in a letter addressed to the Town Board dated October 1, 2017 (attached), and

WHEREAS, \$5,000 was budgeted for this event in account A.7310.440.27 Celebrations,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approve the payment and sponsorship of the Lake View Sesquicentennial events in the amount of \$5,000 to be paid from account A.7310.440.27. (documentation attached)

The following spoke regarding the resolution:

Councilman Best

18.

On a motion of Supervisor Shaw, seconded by Councilman Mosey, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

WHEREAS, the New York Government Finance Officers' Association (GFOA) is holding their 39th annual conference in Albany, NY from March 21 through March 23, 2018, and

WHEREAS, the Town of Hamburg Director of Administration and Finance, Samantha Tarczynski, is required to attend forty hours of continuing professional education per year,

NOW, THEREFORE BE IT RESOLVED, that the Town Board approve the Director of Administration and Finance to attend the GFOA Conference in Albany, New York. The approximate cost of the conference is \$750. Funds are available in A1970.492 Central Training and Seminars.

19.

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

Ayes 5 Shaw, Best, Farrell, Mosey, Petrie

Noes 0

BE IT RESOLVED, that the Town Board approve the termination and rehiring of personnel for the Youth, Recreation and Seniors 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		Davis, Liam	N	Rec Attd-E17265-P/T	1/23/18		\$10.40	
2	3896	Dosch, Amanda	R	Rec Attd-A7310-P/T	1/23/18		\$10.40	
3	4227	Hotho, Eileen		Rec Attd-A7310-Seas				1/12/2018
	4227	Hotho, Eileen	R	Rec Attd-A7310-P/T	1/13/18		\$13.00	
4	3575	Ryan, Thomas		Van Driver-A6772				1/23/2018
5	4692	Sambora, David		Van Driver-A6772-P/T				1/21/2018
	4692	Sambora, David	R	Van Driver-A6772-Seas	1/22/18		\$11.00	

20.

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

ADOPTED

Ayes 5 Shaw, Best, Farrell, Mosey, Petrie

Noes 0

BE IT RESOLVED that the Town of Hamburg extend the present agreement with WASTE MANAGEMENT OF NEW YORK, LLC. For one (1) additional year, and

BE IT FURTHER RESOLVED that the work performed under the contract extension shall begin on April 1, 2018 and shall be completed on October 31, 2018, and

BE IT FURTHER RESOLVED that contract payments for the 2018 contract extension will be in the amount of six (6) equal payments of Twenty Four Thousand Four Hundred Eighty Five Dollars and Twenty Eight Cents (\$24,485.28), and a seventh payment to be in the amount of Twenty Four Thousand Four Hundred Eighty Five Dollars and Thirty Two Cents (\$24,485.32), and

BE IT FURTHER RESOLVED that a certified copy of this resolution be sent to the Legal Department.

The following spoke regarding the resolution:

Councilman Farrell

21.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

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

Brian Malayny
5127 Glendale Ave
Hamburg NY 14075

Andrew Kaczmariski
2824 Coventry Green
Hamburg NY 14075

22.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Town Board approve the following appointments to the TRAFFIC SAFETY ADVISORY BOARD for a one (1) year term commencing January 23, 2018 and ending December 31, 2018:

J. Scott Lycett Michael Flynn

23.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Town Board appoint the following to the VETERANS COMMITTEE for a one (1) year term commencing January 23, 2018 and ending December 31, 2018:

Rollin Shoemacher

24.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Hamburg Town Clerk shall coordinate with the Clerk Administrators of the Villages of Hamburg and Blasdell a meeting date at a mutually agreed upon location during the month of March 2018 for the purpose of conducting a public meeting of the Boards of the three municipalities relative to reaching consensus on consolidations, mergers, and various cost efficiency measures that may be undertaken.

25.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

RESOLVED, that the Hamburg Town Board appoint Nancy Ware to the Hamburg Industrial Development Agency and the Hamburg New York Land Development Corporation, effective February 1, 2018.

The following spoke regarding the resolution:

Supervisor Shaw, Councilman Farrell

26.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

WHEREAS, on February 23, 2009 the Town Board of the Town of Hamburg passed Local Law # 1, 2009 that mandates a minimum of four (4) hours of training per year for members of the Planning Board and Zoning Board of Appeals; and

WHEREAS, Section 6 of said law provides that training received by a member in excess of four (4) hours in any one (1) year may be carried over into the succeeding year upon the approval of the Town Board; and

WHEREAS, the following members of the Planning Board and Zoning Board of Appeals have exceeded the four (4) hours of required training for 2017 as follows:

Planning Board

Dan O'Connell	4.0
Augie Geraci	3.5
Bob Mahoney	4.0
Dennis Chapman	4.0
Doug Schawel	1.5
Al Monaco	3.0

Zoning Board of Appeals

Bob Ginnetti	1.0
Mike Chiacchia	2.0

NOW, THEREFORE, BE IT RESOLVED that the Town Board approves the carryover of the aforementioned training as listed above for the applicable members to apply to the 2018 year requirements of mandatory training.

The following spoke regarding the resolution:

Councilman Best

27.

On a motion of Supervisor Shaw, seconded by Councilman Mosey, the following resolution was

TABLED	Ayes	5	Shaw, Best, Farrell, Mosey, Petrie
	Noes	0	

RESOLVED, that the Hamburg Town Board Rules of Order (attached) be adopted to govern the conduct of all public meetings of the Hamburg Town Board. By such adoption all prior Rules of Order are declared to be null and void. (documentation attached)

The following spoke regarding the resolution:

Supervisor Shaw

28.

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

ADOPTED	Ayes	5	Shaw, Best, Farrell, Mosey, Petrie
	Noes	0	

RESOLVED, that the Hamburg Town Board accept the letter of resignation from the Hamburg Industrial Development Agency and the Hamburg New York Land Development Corporation from Patti Paul, effective January 31, 2018. The Town Board thanks Patti Paul for her years of service and dedication, and wishes her well in the future.

The following spoke regarding the resolution:

Councilman Petrie

29.

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

ADOPTED	Ayes	5	Shaw, Best, Farrell, Mosey, Petrie
	Noes	0	

RESOLVED, that the Town Board approve the request for Town of Hamburg Police Department employee, Kathy Clark, to carry over three (3) days of vacation into the 2018 calendar year.

30.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

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

Madison Wittschack
 3653 Sowles Road
 Hamburg NY 14075

Jacob Busch
 5228 Electric Avenue
 Hamburg NY 14075

31.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

BE IT RESOLVED that the Town Board schedule a public hearing to rescind Chapter A285 of the Hamburg Town Code entitled, Rules of Order, Hamburg Town Board. The hearing is to be scheduled for March 19, 2018, at 7:00 p.m. local time.

The following spoke regarding the resolution:

Councilman Best, Supervisor Shaw, Don Wiess

32.

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

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie
 Noes 0

BE IT RESOLVED, that the Town Board approve the hiring of personnel for the Town Clerk’s 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	4770	HITE, KIMBERLY	R	P/T CLERK SEASONAL	2/1/18	\$12.75		

33.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie

 Noes 0

TOWN BOARD AUDIT OF CASH DISBURSEMENTS - January 22, 2018

			VOUCHER #S
OPERATING FUND:			
BATCH #			
BATCH #	1	\$5,521.46	93843
BATCH #	2	\$39,949.48	93844
BATCH #	3	\$231,878.71	93845-94006
BATCH #	4	\$790,460.30	UNPROCESSED
TOTAL OPERATING FUND DISBURSEMENTS:			\$1,067,809.95
TRUST AGENCY			
BATCH #			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$0.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #	1	\$14,900.00	
TOTAL CAPITAL FUND DISBURSEMENTS:			\$14,900.00
PAYROLL:			
PR #	1	\$788,353.72	
PR #			\$788,353.72
TOTAL PAYROLL DISBURSEMENTS:			
			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$1,871,063.57

Business from the Floor

Laura Flick, 4905 Morgan Parkway, thanks the Supervisor and the Highway Department for helping cleanout the swell that is located in the back of her property where the railroad tracks are. She states that the water has been following very well through the storm drain and there hasn't been any flooding. She states that she noticed today there is a railroad tie back there and her concern is that it might cause more damage.

Highway Superintendent Casey, he responds they will look at it tomorrow.

34.

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

ADOPTED	Ayes	5	Shaw, Best, Farrell, Mosey, Petrie
	Noes	0	

RESOLVED, that the Town Board move into Executive session at 7:55 PM on two separate personnel matters to discuss performance, rates of pay, and all other work condition related issues in Buildings and Grounds and a Clerk.

Reports from Town Board Members and Department Heads

Catherine A. Rybczynski, Town Clerk, states that her office continues to collect Town and County taxes and the taxes bills have been sent out. She adds that passport applications have been extremely busy.

Christopher Hull, Director of Community Development, states that there is a Public Hearing on Wednesday evening, January 24, 2018, at 7 o'clock in the lobby in conjunction with the Erie County Community Development for their 2018 action plan.

Martin Denecke, Director of Youth, Recreation and Senior Services, reports that the Hamburg Drug Free Community Coalition had a fundraiser Saturday night at the Hamburg VFW. He adds they received a donation from the Hamburg Wesleyan Church and the money will be used for prevention and education with Middle School kids.

Sean Crotty, Sr. Public Safety Dispatcher and Emergency Management Coordinator, states that at the end of this week they will be working with some of their partners in the community and the Hamburg Schools to provide response to acts of aggressive deadly behaviors. He adds dispatch is continuing to build their resiliency with the public private partnership with Blue Wireless to put some more communication assets on their towers which we have lease agreements for.

35.

On a motion of Supervisor Shaw, seconded by Councilman Mosey, the following resolution was

ADOPTED Ayes 5 Shaw, Best, Farrell, Mosey, Petrie

 Noes 0

RESOLVED, that the Town Board adjourned Executive Session at 8:55 pm.

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

HAMBURG TOWN BOARD

RULES OF ORDER

The following Rules of Order for the Hamburg Town Board shall be adopted immediately and supersede the Rules of Order adopted by the Hamburg Town Board at its reorganizational meeting in January of 1959.

1. REGULAR MEETINGS

- A. Regular meetings of the Town Board have been established for the first quarter of the calendar year 2018, and shall be held on the 1st and 3rd Mondays of each calendar month, subsequent dates shall be officially set forth by Town Board Resolution prior to the expiration of March 2018, and in all subsequent years at the annual re-organizational meeting of the Hamburg Town Board.
- B. Each regular meeting and all adjourned meetings shall be open for consideration of any matter which in accordance with these rules, may be properly brought to the attention of the Town Board.
- C. In the event that a regular meeting of the Town Board falls on an official holiday, then the meeting shall be held on the following evening at 7 p.m.
- D. All items duly noted and timely filed for the meeting agenda shall be considered by the Town Board unless a majority of the Board votes otherwise. The Town Board shall end its regular business meetings by 11 p.m., any unfinished items shall be carried over to the next regular meeting of the Town Board.

2. SPECIAL MEETINGS

- A. Special meetings must be for business that is truly of an emergency nature. A special meeting shall be held at the call of the Town Clerk upon direction of the Supervisor or upon filing with the Town Clerk a written request signed by any two members of the Town Board. Only business specified in the public notice thereof may be transacted at a special meeting. Notice shall be at least 48 hours before the date fixed for holding the Special Meeting.
- B. In accordance with New York State Open Meetings Law, the Town Board designate the following sites for the Town Clerk to place public notices for all meetings: (1) the Town of Hamburg website; and (2) the Town Clerk's bulletin

board in the main lobby of the Hamburg Town Hall. In addition, the Town Clerk shall send notification of the Special Meeting to at least one of its two official newspapers or other designated media outlets.

3. WORK SESSIONS

- A. Prior to each regular meeting or special meeting, the Town Board shall hold an informal Work Session.
- B. The regular work session shall be held at 5:30 p.m. in the main conference room of Town Hall.
- C. At such work session the Town Board shall discuss the regular or special meeting work agenda, and consider whether any late filed resolutions shall be considered as reflecting a true emergency circumstance.

4. CONDUCT OF MEETINGS

- A. All regular and special meetings and work sessions of the Town Board shall be conducted in strict accordance with the New York State Open Meetings Law and shall either be electronically recorded or transcribed by a stenographer. All regular and special meetings of the Town Board shall be open to the public, and held at the Hamburg Town Hall unless a majority of the Town Board selects a different site.
- B. The Order of Business for each meeting shall be:
 1. Call of the Roll
 2. Pledge of Allegiance
 3. Fire Exit references
 4. Presentation of memorials
 5. Discussion and approval of preceding meeting minutes
 6. Proclamations or community announcements
 7. Public hearings
 8. Presentation of pre-filed resolutions, to be followed by public expressions relative to the consideration of each pre-filed resolution to a maximum of three (3) minutes per speaker.
 9. Departmental reports
 10. Unfinished business
 11. Communications to the Town Board or Departments Heads
 12. Adjournment

5. AGENDA PROCEDURES

- A. Every item to be acted upon by the Town Board at a regular meeting thereof shall be clocked in or time-stamped in the office of the Town Clerk by either individual Town Board Members and/or their employees and/or representatives, by

individual Department Heads and/or their employees and/or representatives no later than 12 noon on the Thursday prior to the commencement of each regular meeting of the Town Board, that the item being submitted is to be acted upon.

- B. No entity shall be permitted to reserve space on the agenda prior to the agenda deadline in order for the text of these items to be given to the Town Clerk after the deadline is passed.
- C. The Town Clerk shall prepare and post the agenda along with all proposed resolutions, on the website of the Town of Hamburg no later than 12 p.m. on the Friday prior to the regular business meeting. Items requiring one (1) week notice prior to enactment shall be posted immediately upon receipt.
- D. All requests for budgetary transfers or budgetary amendments from Department Heads shall first be reviewed by the Town's Finance Department. Once approved by the Finance Officer, the request shall be put on the agenda by the Finance Department. Any requests that come directly to the Town Board without following this procedure shall be sent to the Finance Director before any action is taken.
- E. Suspension of the rules for unlisted items – no local law, ordinance, petition, resolution, communication or item can be acted upon unless it appears on the agenda. This includes committee reports unless there is a unanimous consent on the part of the Town Board. The Town Board may by unanimous consent suspend the rules in order to consider unlisted items, however, these items are limited to communications received after the agenda cut off related to an agenda item and resolutions that clearly state why time is of the essence and why the resolution cannot be tabled until a later scheduled meeting or Special Meeting.

6. MEETING PROCEDURES

- A. QUORUM – the majority of the duly constituted membership of the Town Board shall constitute a quorum for the transaction of business, but a lesser number may adjourn.
- B. SUPERVISOR TO SECURE A QUORUM- in the absence of a quorum during the meetings of the Town Board, the Supervisor may take such measures as provided by law and as may deemed to be necessary to secure the presence of a quorum.
- C. ROLL CALL: MINUTES-ABSENCES – at every meeting of the Town Board upon the members being called to order, the roll call of members shall be called by the Town Clerk and the names of those absent shall be inserted into the minutes. Any corrections, alterations or additions to the minutes of the preceding meeting, shall then be read and then the minutes approved or approved as amended. In all cases when an order, resolution or a motion shall be entered in the minutes of the Town Board, the name of the member presenting or moving

same shall be entered along with the name of the individual affording a second to the main motion.

D. APPEAL FROM THE SUPERVISOR'S RULING

1. Upon every appeal or challenge to the Supervisor's ruling, the Supervisor shall have the right to assign the reasons for his or her decision. If the question on which the appeal or challenge was taken was not debatable, the Town Board shall decide the matter without debate. If the question was debatable, no member of the Town Board shall speak more than once concerning the challenge or appeal from the Supervisor's ruling. The Supervisor shall state the question "shall the ruling of the Supervisor be overturned?".

2. A motion to overrule a ruling or a decision of the Supervisor shall require the approval by a majority vote of the Town Board.

E. MAJORITY VOTE – a majority vote of the total vote of the entire membership of the Town Board shall be necessary to carry any local law, ordinance, proposition, resolution, motion or any other matter except where it is otherwise provided herein or required by law that a two-thirds (2/3) vote or unanimous vote is required.

F. RECORDING AYES AND NOES – on a roll call, the ayes and nays shall be taken and entered in the minutes of the Town Board, and the Town Clerk shall record the names of the members and the way each voted. However, resolutions may be adopted absent a roll call vote simply upon calling for an aye or nay vote by the Supervisor. Votes with respect to the adoption of local laws shall always occur pursuant to a roll call vote. Votes with respect to resolutions, petitions or propositions shall be by voice vote unless one or more Board Members request a roll call vote.

G. ABSTENTIONS – every member present at the given Town Board meeting must cast his or her vote on the question as stated by the Supervisor. The only exception to this procedure is when a member abstains from voting in accordance with the Code of Ethics of the Town of Hamburg. If a member wrongfully attempts to avoid casting his or her vote or wrongfully abstains or otherwise refuses to vote, the Supervisor, or Deputy Supervisor, as the case may be shall direct the Town Clerk to record such member's vote in the affirmative on the question being voted upon.

H. PUBLIC EXPRESSION (PRIVILEGE OF THE FLOOR)

1. The purpose of public expression is to allow the opportunity for the public to formally communicate with the Board on any matter involving the Town of Hamburg. This is an opportunity for members of the public to express their opinion on issues that the Board will address in the course of any meeting thereof. Any member of the public shall be permitted to

speaking up to three (3) minutes on any question before the Board, following the reference of any item on the Town Board Agenda at a given meeting. In the opinion of the Supervisor, subject to a challenge from the Board, public commentary may be suspended on a given question if the commentary becomes unduly boisterous, argumentative, or prolonged.

- I. **WITHDRAWAL OF RESOLUTION OR MOTION** – any resolution or motion offered by a member of the Town Board may be withdrawn by the member presenting it at any time before an announcement by the Supervisor of the vote thereon, or before an amendment to such resolution or motion has been adopted, provided that the member seconding the resolution or motion shall also withdraw his or her second to same.
- J. **MOTIONS NOT AMENDABLE OR DEBATABLE**
 - 1. All motions for an adjournment, for a recess for the previous question, or to lay on the table shall be neither amended nor debated.
 - 2. After the roll call on any question has begun, no member shall speak on the question nor shall any motion be made until after the result is declared.
 - 3. While the Supervisor is stating any question or while the roll is being called, no debate or discussion shall be in order.
- K. **PREVIOUS QUESTIONS** – The call for the previous question after reasonable debate shall be as follows: “I move to call the previous question”. Until it is decided, all amendments and debate shall be precluded. The motion requires a second and must be approved by a two-thirds (2/3) majority of all members of the Town Board present. When the Town Board shall order the previous question called and amendments are pending, the question shall first be taken upon the amendment(s) and then upon the main question without further debate.
- L. **MOTION TO RESCIND** – a motion to rescind can only be entertained when moved by a Town Board member who voted with the majority in the action which is proposed to be rescinded and the motion requires the affirmative vote of a majority of the total members of the Town Board.
- M. **MOTION FOR RECONSIDERATION AND CHANGING ONE’S VOTE**
 - 1. A motion for reconsideration or a motion to change one’s vote shall not be in order unless made on the same meeting day.
 - 2. A motion to reconsider must be made by a Town Board member who voted with the prevailing side on the action proposed to be reconsidered. Afterward, a change of vote can be made only by permission of the Town Board. Such permission can be given by general consent or by adoption of a motion to grant permission.
 - 3. When a motion to reconsider or a motion to change one’s vote has been defeated, it shall not be submitted to the Town Board without unanimous consent for a period of at least thirty (30) days.

N. RESOLUTION AMENDMENTS – The Town Board shall not vote on any proposal or resolution unless each member of the Town Board and the Town Clerk have possession of the proposal or resolution in writing prior to the commencement of the meeting. Any amendment during a meeting must be presented to the Town Clerk and the Town Board in a concise written or oral manner.

O. MINUTES – The Town Board directs the Town Clerk to collect the names and addresses of every person who speaks during public expression or during public hearings and to publish their names in the Town Board meeting minutes.

P. SECOND REQUIRED FOR DISCUSSION- At a regular business meeting, the Town Board shall not discuss any agenda item that does not receive a second.

Q. AMENDMENTS TO THE RULES OF ORDER

These Rules shall not be rescinded, altered, or amended, nor shall any additional rule be added thereto except by a majority vote of the total members of the Town Board and only after at least one (1) week notice in writing filed with the Town Clerk.

R. MAINTENANCE OF THE RULES OF ORDER

The Hamburg Town Attorney’s Office shall be responsible for maintaining these Rules of Order and changing them pursuant to amendments adopted by the Town Board. As soon as possible after their adoption and subsequent amendment, the Rules of Order in effect shall be posted on the Town of Hamburg website and shall be filed with the Town Clerk, who will make them available to the public upon request.

The Town Clerk shall have available for immediate visual display for the public a complete and up-to-date copy of the Town Board Rules of Order.

These Rules are effective immediately.



October 1, 2017

Hamburg Town Board
6100 South Park Avenue
Hamburg, New York 14075

Supervisor Walters, Councilman Best, and Councilman Quinn:

The Sesquicentennial of Lake View, NY (LV150) will be here in 2018. A committee, comprised of representatives from the Lake View Community Association (LVCA), area churches, the fire department and area youth and civic organizations, has been formed to make 2018 a memorable year. The LV150 Committee is planning a celebration to honor the century and a half of history, friendship, family, and fun that truly represents our community of Lake View. Ours is a community whose heritage helped to define who we are and which continues to be a place we remember fondly, proudly raise our children and return home to enjoy the comradely unmatched by many other places in America.

We cannot do justice to the vision and events planned without financial support. The purpose of this letter is to request that the Hamburg Town Board assist in our planned activities by including the Lake View 150 event in its 2018 budget. We specifically ask you to be a participant in the preparation and publication of our Keepsake Book. This book will have the history of our community as well as interesting articles from area residents, Lake View alumni and the many cultural and civic organizations. While the book will reach more than 2800 families in Lake View, it will also reach out to people in Hamburg, Evans, Eden and a large area of Western New York. The Town of Hamburg will also be recognized on signage, banners, our website and social media. Funding is also needed for the fireworks display which is planned for Saturday of our celebration weekend, June 30, 2018. Lake View is a proud, tight knit and ever growing community. We respectfully request that monies be included in the budget as support to a cultural organization.

Please feel free to contact me or our LV150 Committee Chairperson Julie Palmer for more details on how to partner with us. To assist you in your decision, see the attached documents. We are hopeful that the Town of Hamburg will join with the Lake View community to make 2018 a memorable and successful year and we cordially invite you to visit with us during this exciting celebration of our history.

May God Continue to bless our community and all who pass through it.

Sincerely,

James Eberhardt
President LVCA
jse1890@aol.com
(716)658-9436

Julie Palmer
LV150 Chairperson
palmerjulie1@gmail.com
(716) 867-4057

LV150
c/o PO Box 321
Lake View NY 14085-0321

www.lv150.org



Save the Dates! 2018

*** LV150 Beer unveiled Spring 2018
at Hamburg Brewery**

***Gala Dinner Sat April 21, 2018 at LV Fire Hall**

***Founder's Weekend at Burke Road Property**

Fri June 29:

Music, Beer Tent, Chili Cook-off

Sat June 30:

**Parade, Battle of Bands, Pie Contest, Games,
Period Re-enactment, Sky Divers, Fireworks & more!
Beard Contest**

***5k Run/Fun Walk at St John Paul II Sat July 14**

Contact for more info:

Julie Palmer: 867-4057 Jim Eberhardt: 698-94363 John Wicka: 863-3756



Lake View NY 150th Celebration

Check our website for updates www.LV150.org

We are looking for LV historical memorabilia and photos – contact Julie if you have anything to share!

Sponsorship Donor Form



<p>EVENT SPONSORSHIP</p> <p><input type="checkbox"/> Event Sponsorship - \$10,000 (Platinum) award</p> <p><input type="checkbox"/> 40th Stan Gold Sponsorship - \$3,000 (Gold) award</p> <p><input type="checkbox"/> Gala Sponsorship - \$2,500 (Silver)</p> <p><input type="checkbox"/> Corporate Sponsorship - \$800 (Bronze)</p>	<p>KEEPSAKE BOOK SPONSOR</p> <p><input type="checkbox"/> Center Fold 1/2 - \$100</p> <p><input type="checkbox"/> Center Fold Full - \$500</p> <p><input type="checkbox"/> Full Page 1/2 - \$30</p> <p><input type="checkbox"/> Half Page - \$50</p> <p><input type="checkbox"/> Quarter Page - \$25</p> <p><input type="checkbox"/> Business Card - \$20</p>
--	---

Family Sponsorship
8 1/2" X 11" Keepsake Book

<p>Family Name</p> <p>Year Moved into Lake View NY</p> <p><input type="checkbox"/></p> <p>\$10</p>	<p>In Memory of Inhabitant of 1/8 page</p> <p>Picture (Optional)</p> <p><input type="checkbox"/></p> <p>\$25</p>	<p>Any 1/2 Page Picture And Story</p> <p><input type="checkbox"/></p> <p>\$40</p>	<p>Full Page Picture & Story</p> <p><input type="checkbox"/></p> <p>\$80</p>
--	--	---	--

Please accept the additional donation below as a "Thank You" to Lake View

\$25
 \$50
 \$100
 \$250
 Other Amount

Make checks payable to Lake View 150th C/O Jim Eberhardt 189B North Creek Rd Lake View NY, 14065

Donor Information

Name: _____ Organization/ Family: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ E-mail: _____

Total Amount Enclosed

\$ _____

We are interested in stories & historical pictures for possible inclusion in the LV150 Keepsake Program*
*Send info to: Julie Palmer Palmerjulie81@gmail.com

For Sponsor questions, please contact:
Chuck Mosey cmosey@cornell.net
716.826.1599

Artwork to:
Julie Palmer
palmerjulie81@gmail.com
Artwork .jpg format at
150 DPI minimum

Make checks payable to LV 150
C/O Jim Eberhardt
189B North Creek Rd
Lake View NY, 14065