

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 5th day of February 2018.

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

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Ted Casey, Highway Superintendent; Steven Walters, Town Attorney, Ken Farrell, Deputy Town Attorney; Donna Gavin, Information Technology Sr. Computer Operator; Charles Naughton, Human Resources and Contract Negotiations Consultant; Linda Rogers, Building and Grounds; Gregory Wickett, Chief of Police; Martin Denecke, Director of Youth, Recreation and Senior Services; Sean Crotty, Sr. Public Safety Dispatcher and Emergency Management Coordinator; Kurt Allen, Supervising Code Enforcement Officer; Richard Lardo, Principal Engineering Assistant.

The Pledge of Allegiance was recited.

7.

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 approve the minutes of the following meetings:

01/22/2018	Work Session
01/22/2018	Organizational Meeting

8.

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

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

BE IT RESOLVED, that in accordance with section 230-26 of the Town Code, the Town Board hereby adopts the following 2018 Public Improvement Permit (PIP) Cost Estimating Schedule. This includes construction cost estimates averaging 10%, which is reflective of the changes in the Construction Cost Index since the schedule was last revised in 2011. (documentation attached)

9.

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

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

WHEREAS, the Town of Hamburg owns the assets of the Mount Vernon Sewer District (Sewer District) and is responsible for capital improvements and;

WHEREAS, the Sewer District continues to exhibit wet weather capacity issues and is currently under a New York State Department of Environmental Conservation Order on Consent for the abatement of Sanitary Sewer Overflows; and

WHEREAS, the Town of Hamburg applied for and received an Engineering Planning Grant in the amount of \$100,000 through the New York State Environmental Facilities Corporation (NYSEFC) to evaluate the system and identify sources of extraneous flows and develop an associated engineering report outlining the findings and presenting corrective measures; and

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to execute a Grant Agreement with the New York State Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the Town's obligations under the Engineering Planning Grant Agreement; and

BE IT FURTHER RESOLVED, that the Town of Hamburg authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Mount Vernon Sewer Capacity Study project. Under the Engineering Planning Grant Program, this local match must be at least 20% of the grant award of \$100,000. The maximum local share appropriated subject to any changes agreed to by the Town Supervisor shall not exceed \$50,000. The total estimated maximum project cost is \$150,000. The Town Supervisor may increase this local match using in-kind services without further approval from the Town of Hamburg Town Board. Funds for the local match are available in account S02.8120.456; and

BE IT FURTHER RESOLVED, that the Town of Hamburg acting as Lead Agent hereby determines that the development of an engineering report for the Mount Vernon Sewer Capacity Study project is a Type II action in accordance with 6 NYCRR Section 617.5(c) subparagraph 21 which constitutes conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action the development and is therefore not subject to review under 6 NYCRR Part 617; and

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

The following spoke regarding the resolution:

Councilman Petrire, Joe Killian, Supervisor Shaw

10.

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

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

WHEREAS, Simoncelli Electric, Inc. paid for and obtained an electrical permit for 13 Hawkins Avenue, Hamburg, New York 14075.

WHEREAS, once Simoncelli Electric examined the extent of the project they felt it necessary for the home owner to look elsewhere for assistance.

THEREFORE BE IT RESOLVED THAT, Simoncelli Electric be issued a refund for the electrical permit number 2017-02444 in the amount of \$100.00.

Simoncelli Electric, Inc.
 3740 California Road
 Orchard Park, New York 14127

11.

On a motion of Councilman Mosey, 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 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	4466	Chilcott, Joshua		Rec Attd-EI7265-P/T				2/3/2018
	4466	Chilcott, Joshua	R	Rec Attd-A7310-P/T	2/4/18		\$10.40	
2		Gooch, Patrick	N	Van Driver-A6772-P/T	2/12/18		\$11.00	
3	2697	Hornberger, Rory		Van Driver-A6772-P/T				2/19/2018
	2697	Hornberger, Rory	R	Van driver-A6772-Seas	2/20/18		\$12.75	
4	4040	Jedynak, Richard		Van Driver-A6772-P/T				2/19/2018
	4040	Jedynak, Richard	R	Van driver-A6772-Seas	2/20/18		\$11.25	
5	4264	Kazibut, Kacper		Rec Attd-EI7265-P/T				2/3/2018
	4264	Kazibut, Kacper	R	Rec Attd-ET7180-P/T	2/4/18		\$10.40	
6	4586	Kaznowski, Lyndsey		Rec Attd-A7310-P/T				2/3/2018
	4586	Kaznowski, Lyndsey	R	Rec Attd-ET7180-P/T	2/4/18		\$10.40	
7	4678	Manganello, Jack		Van Driver-A6772-Seas				2/17/2018
	4678	Manganello, Jack	R	Van Driver-A6772-P/T	2/18/18		\$11.00	
8	4321	Meyer, Jennifer		Rec Attd-A6780-Seas				2/10/2018
	4321	Meyer, Jennifer	R	Rec Attd-A6780-P/T	2/11/18		\$13.00	

12.

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

ADOPTED	Ayes	3	Shaw, Best, Mosey
	Noes	2	Petrie, Farrell

WHEREAS, the Town board passed a resolution on December 18, 2017, authorizing the Town Clerk’s office to solicit pricing for one (1) New and Unused , 2018 Ford Transit Connect, and

WHEREAS, the following prices were obtained:

West Herr Ford Transit Connect	\$23, 670.00 (Trade in 61-\$1500; 62-\$10,000)
Town Ford Transit Connect XL	\$25, 980.00 (Trade in 61-\$500; 62 \$10,000)
Town Ford XLT Transit Connect	\$27, 060.00 (Trade in 61-\$500; 62 \$10,000)

WHEREAS, ordering a 2018 would take six month to come in and the vehicles above are on the lot currently, and

THEREFORE BE IT RESOLVED, the Town Board accepts the lowest price from West Herr Ford of \$12,170.00 for the 2017 Ford Transit Connect.

Funds are available in account H26.5130.202.

The following spoke regarding the resolution:

Councilman Petrie, Councilman Farrell, Supervisor Shaw, Laura Pudkulski, Councilman Best

13.

On a motion of Councilman Mosey, seconded by Supervisor Shaw, 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 March 2018 Taylor Road rentals:

- 03/02/18 03/03/18 03/04/18 03/09/18 03/10/18 03/11/18
- 03/16/2018 03/18/2018 03/23/2018 03/24/2018 03/25/2018 03/30/3018
- 03/31/2018

14.

On a motion of Supervisor Shaw, seconded by Councilman Farrell, 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 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	3569	Matt Giacomini	R	LEO/EI7266.100			\$30.16	2/5/2018
2	3569	Matt Giacomini	R	LEO/A7140.100	2/6/2018		\$30.16	
3	4415	John McCormick	R	LEO/EI7266.100			\$30.16	2/5/2018
4	4415	John McCormick	R	LEO/A7140.100	2/6/2018		\$30.16	

15.

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, that the Town Board approve the following reappointment to The Public Library Board of Trustees for another (5) year term commencing January 1, 2018, and ending December 31, 2022:

Marianne Chiumento
 7840 Boston State Road – Apt. #21
 Hamburg, New York 14075

16.

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

RESOLVED, that the Town Board authorizes The Veterans of Foreign Wars of the United States, Post 1419, request for permission to declare Friday, May 25th – Sunday, May 27th, 2018 this years “Buddy Poppy” campaign in the Township of Hamburg.

17.

On a motion to table Councilman Mosey, seconded by Councilman Best, the following resolution

FAILED
 Ayes 2 Mosey, Best
 Noes 3 Farrell, Shaw, Petrie

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was ADOPTED
 Ayes 3 Shaw, Farrell, Petrie
 Noes 2 Mosey, Best

RESOLVED, that the Town Board authorized the Supervisor to sign Section 6 of the PO-17 form requesting Erie County Personnel to complete Section 7 for the classification of

Geographic Information Systems Analyst in the Finance Department. Also to approve the Supervisor to sign Section 8 of the PO-17 form creating the position.

The following spoke regarding the resolution:

Councilman Mosey

18.

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

ADOPTED	Ayes	3	Shaw, Farrell, Petrie
	Noes	2	Mosey, Best

RESOLVED, that the Town Board appoint JENNIFER ROBERTSON to the full time position of Geographic Information Systems Analyst (provisional) effective immediately

Salary is \$55,000.00 a year. Funds available in A1690.100

The following spoke regarding the resolution:

Councilman Mosey, Councilman Best, Supervisor Best

19.

On a motion of Councilman Petrie, 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 following event dates proposed by the Hamburg Rejuvenation Project Committee:

Hamburg Town Wide Cleanup – May 5, 2018 @ the Hamburg Town Hall

Blast on the Beach – July 28, 2018 @ the Hamburg Town Park

Christmas at the Cabin - December 1, 2018 @ the Taylor Road Cabin

20.

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 Audit of Cash Disbursements as follows:

TOWN BOARD AUDIT OF CASH DISBURSEMENTS - February 5,2018

			VOUCHER #'S
OPERATING FUND:			
BATCH #			
BATCH #	5	\$74,917.87	94008-94010
BATCH #	6	\$28,504.66	94111-94147
BATCH #	7	\$28,450.04	94149-94190
BATCH #	8	\$38,620.36	94191-94244
BATCH #	9	\$43,205.05	94245-94247
BATCH #	10	\$83,354.42	94248-94320
BATCH #	11	\$13,234.16	94331
BATCH #	12	\$4,042.99	94321-94330
BATCH #	13	\$199.98	94332
BATCH #	14	\$48.95	94333
BATCH #	15	\$502,383.53	94335-94419
TOTAL OPERATING FUND DISBURSEMENTS:			\$816,962.01
TRUST AGENCY			
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$0.00
CAPITAL FUND DISBURSEMENTS:			
BATCH #	2	\$47,974.34	94334
BATCH #	3	\$150.00	94420
BATCH #			
TOTAL CAPITAL FUND DISBURSEMENTS:			\$48,124.34
PAYROLL:			
PR #	2	\$697,274.59	
PR #			
PR #			
			\$697,274.59
TOTAL PAYROLL DISBURSEMENTS:			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$1,562,360.94

Reports from Town Board Members and Department Heads and Business from the Floor

Martin Denecke, Director of Youth, Recreation and Senior Services, states that Lynn Dixon will be at the Senior Center on Wednesday, February 7, 2018, with HEAP outreach between 10 am and 2 pm. The Recreation Department still has openings remaining in the Learn to Skate which begins on February 21, 2018 and in the Winter Thaw program located at the Frontier Middle School held during the school break. He reports that they have renewed their sponsorship with DICK'S Sporting Goods for 2018.

Gregory Wickett, Chief of Police, reminds everyone that there is a constant problem with cars being broken into across the Town. He reminds residents not to leave valuables in their cars and lock their doors.

Highway Superintendent Casey reminds residents they cannot park their vehicles overnight on the street.

Ms. Chamberlain, a student with the University of Buffalo, is asking to do a survey in the Town for her graduate project on local wildlife, specifically coyotes. With her project she hopes to see what issues or positives there are about them and get the public's opinion on them.

Catherine A. Rybczynski, Town Clerk, states that as part of the Town's Veterans Committee today she set up a Veterans Outreach that will be held here at Town Hall on March 14, 2018 from 5pm to 7pm in Conference Room 7A and 7B in conjunction with County Clerk Mickey Kearns. The Veterans need to be honorably discharged from the military and they need to bring their DD214s with them in order to get their Thank-A-Vet card.

Steven Walters, Town Attorney, states that the Town has received a favorable ruling on a Workers' Comp claim that was appealed on a case that could have cost the Town a lot of money and the case was dismissed by the Appellate Division.

Matt Gorczyca states he is concerned about the Hamburg Boat Launch and he would like it repaired when Walleye season opens.

Supervisor Shaw responds that the topic was discussed at the work session. He adds Mr. Denecke is going to put together some cost estimates and the issue has been tabled by the Town Board for consideration until the February 26, 2018 meeting.

Councilman Petrie responds that the Highway Superintendent mentioned a grant that he's waiting to hear back on in regards to the boat launch.

21.

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, that the Town Board move into Executive Session at 8:15 pm on personnel matters regarding employees' performances and abilities, and on pending litigation.