

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 19th day of March 2018.

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

ALSO PRESENT: Brian Wielinski, Deputy Town Clerk; Christopher Hull, Director of Community Development; Ted Casey, Highway Superintendent; Steven Walters, Town Attorney, Ken Farrell, Deputy Town Attorney; Jerry Giglio, Traffic Safety Coordinator and Health and Safety Coordinator; Martin Denecke, Director of Youth, Recreation and Senior Services; Samantha Tarczynski, Director of Administration and Finance; Mike Quinn, Engineering Consultant; Kurt Allen, Supervising Code Enforcement Officer; Captain Peter Dienes, Police Department.

The Pledge of Allegiance was recited.

Information on location of Fire exits was provided.

Brian Wielinski, Deputy Town Clerk, reads the following as published in the Front Page, the Hamburg Sun, on the Town of Hamburg's website and the Town Clerk's bulletin board:

LEGAL NOTICE  
TOWN OF HAMBURG  
NOTICE OF HEARING PROPOSED LOCAL LAW #1, 2018

**PLEASE TAKE NOTICE** that there has been presented to the Town Board of the Town of Hamburg on January 22, 2018, pursuant to the Municipal Home Rule Law, a proposed local law to be known as proposed local law #1, 2018. This local law will delete and repeal Chapter A285 of the Hamburg Town Code, entitled "Rules of Order: Hamburg Town Board."

**THEREFORE**, pursuant to the statutes and the provisions of the Municipal Home Rule Law, the Town Board of the Town of Hamburg will hold a public hearing on the aforesaid law, at the Hamburg Town Hall, 6100 South Park Avenue, Hamburg, New York, at 7:00 p.m. (local time) on the 19th day of March, 2018, at which time all persons interested may be heard.

Dated: January 22, 2018

Catherine Rybczynski  
Town Clerk  
Town of Hamburg

# **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 a meeting in March, 1958.

1. REGULAR MEETINGS

- A. Regular meetings of the Town Board shall be held on dates as established, at least quarterly, by the Town. Regular meetings shall be on Mondays.
- 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. 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 10 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 Supervisor pursuant to Town Law §62(2) and shall be noticed by the Town Clerk upon direction of the Supervisor. Only business specified in the public notice thereof may be transacted at a special meeting. If possible, 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 designates 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 may hold a Work Session.
- B. The regular work session shall be held 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 Regular 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. Town Board Member reports
  - 10. Departmental reports
  - 11. Unfinished business
  - 12. Communications to the Town Board or Departments Heads from the Floor.
  - 13. Adjournment
- C. Order of Business for Special Meeting shall be determined on a meeting by meeting basis.

#### 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, including, without limitation, 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.
- F. For the purpose of this section, the resolution approving the Audit of Cash Disbursements shall be exempt and shall be treated as a properly pre-filed resolution without regard to time presented to the Town Board.

## 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 – An affirmative vote of a majority of the constituted 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.
- 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 or other pertinent statute, rule or regulation.
- H. PUBLIC EXPRESSION (PRIVILEGE OF THE FLOOR) – 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 resident of the public shall be permitted to speak 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. LATE RESOLUTIONS and AMENDMENTS** – The Town Board shall not vote on any proposal or resolution not properly filed pursuant to section 5A of these Rules of Order (“late resolution”) unless a copy of the late resolution has been delivered to each member of the Town Board and the Town Clerk in writing and 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.

**M. 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.

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

**O. 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.

**P. 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.

The following spoke concerning the Public Hearing:

Don Wiess, Steve Walters, Town Attorney, Teresa Ferraro, Supervisor Shaw, Councilman Best, Elsie Kelly, Councilman Petrie

**5.**

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**, the Hamburg Town Board Rules of Order be considered at a later meeting and revisions made.

**6.**

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 close the public hearing.

**7.**

On a motion of Councilman Best, seconded by Supervisor Shaw, 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:

- 02/26/2018                Work Session
- 02/26/2018                Town Board Meeting
- 03/05/2018                Work Session
- 03/05/2018                Town Board Meeting

**8.**

On a motion of Councilman Farrell, 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 approve the termination and rehiring of personnel for the Domestic Violence Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	4500	O'Brien, Elizabeth		Clerk Typist p/t-seasonal				3/19/2018
2	4500	O'Brien, Elizabeth	R	Clerk Typist p/t	3/19/2018		\$12.24	

**9.**

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 authorize Chief of Police Gregory Wickett, Captain Peter Dienes and Lieutenant James Koch, to attend the FBI National Academy Association, 2018 National Conference, in Quebec City, Quebec, Canada, July 21 – 24, 2018.

Hotel for 4 nights:	\$950 x 3 (approximate)	\$2850.00
Conference Registration:	\$425 x 3	1275.00
Food: \$40/day x 4 days x 3		480.00
Rental car: (approximate)		540.00
Gas and tolls: (approximate)		<u>300.00</u>
	<b>TOTAL:</b>	<b>\$5445.00</b>

Money to be taken from Drug Forfeiture Account, B4358.

The following spoke concerning this resolution:

Councilman Best, Don Wiess, Supervisor Shaw

**10.**

On a motion of Supervisor Shaw, 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 schedules a public hearing on proposed local law #2, 2018. This proposed local law would amend Chapter 235 of the Hamburg Town Code, entitled “Taxation”, specifically Section 235-33 Duration of Time. The amendment would remove the ten (10) year limitation for Cold War veteran’s exemption.

The hearing is to be scheduled for April 9, 2018 at 7 p.m. local time.

**11.**

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

**BE IT RESOLVED** that a public hearing be scheduled to consider an amendment to Chapter 210 of the Hamburg Town Code, entitled “Shopping Centers and Other Areas of Assembly.” This amendment would provide for the addition of the following new location:

Holy Trinity Church  
3319 Lakeshore Road  
Woodlawn, New York 14219

The hearing is scheduled for April 9, 2018 at 7:00 p.m.

**12.**

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 Assessing Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	4790	David Flowers		Seasonal			\$11.00	3/18/2018
2	4790	David Flowers	R	Part Time	3/19/2018		\$11.00	

**13.**

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**, upon the recommendation of the TRAFIC SAFETY ADVISORY BOARD, and in accordance with the FEDERAL and NEW YORK STATE MANUAL of TRAFFIC CONTROL DEVICES, that the Buildings and Grounds Department be directed to install and maintain the following:

(2) W7-4B CHILDREN AT PLAY one north and one south of house number 4736 Edgewood Drive.

**BE IT FURTHER RESOLVED**, that the Town of Hamburg sign TH-1 (SLOW DOWN BE A GOOD NEIGHBOR) be erected on:

1. The northeast corner of Edgewood Drive at its terminus with Clark Street.
2. The northeast corner of Maplewood Court at its terminus with Clark Street.

**14.**

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 authorize Lieutenant Nicholas Ugale, Detective Thomas Boyer and Police Officers John Baker and Jason Nappo, to attend the 2018 New York State Tactical Officers Assoc., Seminar to be held in Verona, New York, April 24<sup>th</sup> – April 26, 2018.

Cost of Seminar:	\$1,199.96
Lodging: 2 nights, 2 rooms	700.00
Meals: \$40/day x 3 days x 3	480.00
Gas and tolls (approximate)	<u>100.00</u>
TOTAL:	\$2,479.96

Use of Unmarked Police vehicle for transportation is requested.

Money is available in account B3120.492

**15.**

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 termination and of personnel for the Building and Grounds Department as follows:

#	Emp #	Emp Name	N or R	Position	Start date	Full time	PT/Sea/temp	Term date
						hrly rate	hrly rate	
1	4051	Jill Malota		Cleaner/A7140.100			\$10.40	3/5/2018

**16.**

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 the Town Engineer's report on the completion and acceptance of SOUTH BURKE ROAD SUBDIVISION work performed under Public Improvement Permit Nos. 1040 and 1041 be received and accepted, and that the Supervisor is authorized to sign the report, and

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

**17.**

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 Senior Services Department as follows:

#	Emp #	Employee Name	N or R	Position	Start date	Full time	PT/Sea/temp	Termination
						hourly rate	hourly rate	Date
1	4679	Kuznicki, Thomas	R	Rec Attd-ER7251-Seas	4/1/18		\$10.40	
2	4777	Lorquet, Mark		Van Driver-A6772				3/20/2018
3	3726	Scharlock, Matthew	R	Rec Attd-ER7251-Seas	4/1/18		\$11.00	
4	4808	Tomasi, Carmen	R	Rec Attd-ER7251-Seas	4/1/18		\$11.00	
5	4358	Volk, Charles	R	Rec Attd-ER7251-Seas	4/1/18		\$11.00	
6	4540	Voye, James	R	Rec Attd-ER7251-Seas	4/1/18		\$10.40	
7	4062	Wicka, John	R	Rec Attd-ER7251-P/T	4/1/18		\$12.50	
8	3167	Wiencek, Paul		Van Driver-A6772				3/20/2018
9	4609	Ljungberg-Hardick, Gayle	R	Rec Attd-A7310-P/T	3/20/18		\$12.00	

**18.**

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**, upon the recommendation of the TRAFFIC SAFETY ADVISORY BOARD , and in accordance with the Federal and New York State Manual of Traffic Control Devices , that the Buildings and Grounds Department be directed to install and maintain a P1-9C No Parking Here To Corner sign at the following location:

On the Eastside of Division Street, 20 feet north from the intersection of Division Street and Norway Ave.

**19.**

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

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

**RESOLVED**, that the Town Board approves a contract with Potter Road Career Center, Harkness Career Center, Hamburg High School and Frontier High School, for Connor Engel Website Design student, to work as a computer intern in the Information Technology Department. This 30 hour term is necessary for them to graduate and will be fulfilled starting April 2 thru April 6, 2018 for six hours per day. There will be NO cost to the Town.

**20.**

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 Town of Hamburg receives grants and donations from time to time and,

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

**WHEREAS**, these items are not included in the 2018 or 2017 budget (as labeled below),

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

Receipt	Revenue Code	Expenditure Code	
Amount	To Increase	To Increase	Purpose/Source
\$ 1,125.00	A3778	A.1110.453	Erie County Stenographer Reimbursements
\$ 1,095.00	A1972.40	A.6780.486	Participants Council Fund Donations
\$ 1,760.00	A3095	A.1110.453	Erie County Stop DWI grant 2017
\$ 1,250.00	A1972.40	A.6780.486	Participants Council Fund Donations 2017
\$ 100.00	B2705	B.3120.411	Citizen police donation
\$ 75,000.00	DB4910	DB.5110.210	HUD grant towards Highway department paving 2017
Total:			
\$ 80,330.00			

**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

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

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

**WHEREAS**, these items are not included in the 2018 or 2017 budget (as labeled below),

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

Receipt	Revenue Code	Expenditure Code	
Amount	To Increase	To Increase	Purpose/Source
\$ 1,000.00	B2680	B.3120.202	Travelers insurance recovery
\$ 1,820.00	A2680	A.3310.413	State Farm insurance recovery
\$ 125.22	DB2650	DB.5110.210	Highway scrap proceeds 2017
Total:			
\$ 2,945.22			

**22.**

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

ADOPTED                    Ayes   4           Shaw, Best, Farrell, Petrie

                              Noes   1           Mosey

**WHEREAS**, the Town Board of the Town of Hamburg has studied various options and issues incident to the prospect of purchasing the Willow Bend Tennis Club;

**RESOLVED**, that the Town Board directs the Supervisor of the Town of Hamburg to send a letter to the Officers of the Willow Bend Tennis Club informing them of the Town's inability to submit a formal purchase offer for the property. (Correspondence attached)

The following spoke concerning this resolution:

Councilman Mosey



**23.**

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

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

                              Noes   0

**RESOLVED**, that the Town Board approves the out of town travel request for the Supervisor of the Town of Hamburg and the Director of Finance. The Supervisor and the Director of Finance have been invited to the 18<sup>th</sup> Annual Town Finance School sponsored by the Associations of Towns. The program is scheduled for May 10-11, 2018 in Ellicottville, New York. Estimated expenses associated with the attendance include the following:

Event Registration: \$200 x 2	= \$400.00
Mileage: 72 miles @ \$.50 per mile	= \$36.00
Meals: 2 days @ \$40.00 per day x 2	= \$160.00
Hotel: 1 night @ 122.75 x 2	= <u>\$245.00</u>
Total	= \$841.50

Funds Available in account: A1970.492 central training and seminars

**24.**

On a motion of Supervisor Shaw, with a unanimous second, the following proclamation was

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

## **In Recognition of Jeff Adrian**

**WHEREAS, Jeff Adrian** has served the Town of Hamburg with distinction throughout the duration of his employment as a Code Enforcement Officer; and

**WHEREAS, Jeff Adrian** has demonstrated consistent respect for Hamburg taxpayers; and

**WHEREAS,** His leadership, dedication and honorable service has justifiably earned him the highest respect and admiration of his coworkers; and

**WHEREAS,** The Town of Hamburg has been fortunate to be served by **Jeff Adrian** who has been a credit to this community.

**NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Hamburg commends and thanks Jeff Adrian for his dedication and service to the people of the Town of Hamburg, and wishes him well as he enjoys his well deserved retirement and the Board extends its best wishes in all his future endeavors.

**IN WITNESS WHEREOF,** I have caused the seal of the Town of Hamburg to be affixed this 16<sup>th</sup> of March 2018.

\_\_\_\_\_  
James M. Shaw, Supervisor  
Town of Hamburg

Thomas Best, Jr., Councilperson  
Elizabeth Farrell, Councilperson  
Michael Mosey, Councilperson  
Michael Petrie, Councilperson

**25.**

On a motion of Supervisor Shaw, with a unanimous second, the following proclamation was

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

**Hamlet of Lake View 150<sup>th</sup> Anniversary**

**WHEREAS,** 2018 marks the 150<sup>th</sup> Anniversary of the beautiful Hamlet of Lake View in the Town of Hamburg; *and*

**WHEREAS,** residents of Lake View have formed a Sesquicentennial Committee to commemorate Lake View’s founding and celebrate its illustrious history; *and*

**WHEREAS,** Lake View, New York is a fascinating and beautiful slice of Western New York with beautifully wooded slopes descending into the highland cliffs and the mouth of the 18 Mile Creek; *and*

**WHEREAS,** 150 years ago early settlers of Lake View established a rail stop along the shores of Lake Erie; *and*

**WHEREAS,** the establishment of a rail station required the naming of this beautiful Hamlet, hence the name, Lake View, to memorialize an early estate overlooking Lake; *and*

**WHEREAS,** Lake View has grown in beauty, in size and in spirit to be an extended neighborhood of good friends in the Town that Friendship Built.

**NOW THEREFORE, BE IT RESOLVED,** that the Town Board of the Town of Hamburg extends best wishes to each and every resident of Lake View during this sesquicentennial year; *and*

**BE IT FURTHER RESOLVED,** that the Town Board expresses it’s hope that the next 150 years will be as productive, bountiful and happy as the first 150 years have been; *and*

**BE IT FURTHER RESOLVED,** the entire Township of Hamburg looks forward to participating in the commemorative 2018 events celebrating Lake View, New York.

That a copy of this Resolution, suitably embossed, be transmitted to the Lake View Sesquicentennial Committee.

**IN WITNESS WHEREOF,** I have caused the seal of the Town of Hamburg to be affixed this 1<sup>st</sup> day of March, 2018.

\_\_\_\_\_  
James M. Shaw, Supervisor  
Town of Hamburg

Thomas Best, Jr., Councilman  
Elizabeth Farrell, Councilwoman  
Michael Mosey, Councilman  
Michael Petrie, Councilman

26.

On a motion of Supervisor Shaw, with a unanimous second, the following proclamation was

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

## **In Recognition of Rick Lardo**

**WHEREAS, Rick Lardo** has been an invaluable employee throughout his career in public service; and

**WHEREAS,** The Town of Hamburg owes **Rick Lardo** a debt of gratitude for his consistent professionalism and devotion to his duties in the Engineering Department of Hamburg Government; and

**WHEREAS, Rick Lardo** has earned a long and hopefully healthy retirement after decades of service to the people of our community;

**NOW THEREFORE BE IT RESOLVED,** that the Town Board of the Town of Hamburg issues this Proclamation to our friend, co-worker, and steadfast citizen of the Town of Hamburg, **Rick Lardo**. We and all of the employees of the Town of Hamburg salute him for a job well done.

**IN WITNESS WHEREOF,** I have caused the seal of the Town of Hamburg to be affixed this 16<sup>th</sup> of March 2018.

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James M. Shaw, Supervisor  
Town of Hamburg

Thomas Best, Jr., Councilperson  
Elizabeth Farrell, Councilperson  
Michael Mosey, Councilperson  
Michael Petrie, Councilperson

**27.**

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 Town of Hamburg requested bid submissions in relation to the purchase of new Zoll AEDs for the purpose of enhancing emergency service capabilities throughout Town owned and/or managed properties; and

**WHEREAS**, Municipal Emergency Services was the lowest bidder at the price of \$1,437.50 per unit among the four companies who submitted bids for AEDs; and

**RESOLVED**, that the Town of Hamburg shall replace a total of 11 AED units, re-using two units for an overall price of \$15,812.50 premised upon the per unit bid of Municipal Emergency Services; and

**BE IT FURTHER RESOLVED**, that the placement of these units shall be established under the auspices of Jerry Giglio, Traffic Safety Director, in compliance with OSHA “Best Practices”.

Funds for the purchase of the foregoing AED units shall be realized from account A1920.419 to the extent of funds therein and further upon an appropriation from the contingency fund account A1990.419.

**28.**

On a motion of Supervisor Shaw, seconded by Councilman Best, 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 - March 19, 2018**

OPERATING FUND:			VOUCHER #S
BATCH #	33	\$158,681.99	94877-94936
BATCH #	34	\$10,125.10	94938-94961
BATCH #	35	\$412,544.43	94962-95015
BATCH #	36	\$29,997.51	95016-95043
BATCH #	37	\$53,021.42	95044-95050
BATCH #	38	\$693,225.00	95051
BATCH #	39	\$11,211.20	95052-95076
BATCH #	40	\$1,052,689.64	95077-95177
TOTAL OPERATING FUND DISBURSEMENTS:			\$2,421,496.29
TRUST AGENCY			
BATCH #	4	\$145.50	94937
TOTAL TRUST & AGENCY DISBURSEMENTS:			\$145.50
CAPITAL FUND DISBURSEMENTS:			
BATCH #	7	\$45,140.79	95178-95179
TOTAL CAPITAL FUND DISBURSEMENTS:			\$45,140.79
PAYROLL:			
PR #	#5	\$660,400.11	
TOTAL PAYROLL DISBURSEMENTS:			\$660,400.11
			\$0.00
TOTAL CASH DISBURSEMENTS SUBMITTED FOR AUDIT:			\$3,127,182.69

**Reports from the Town Board**

Councilman Best congratulates Jeff Adrian and Rick Lardo on their careers on a job well done. He states they will be missed, hard to replace, and wishes them good luck.

Councilman Mosey echoes the previous statement made by Councilman Best. He states Lake Erie Seaway Trail Committee is in the process of reaching out for a \$25,000 grant for the non for profit organization under a federal grant.

Councilman Farrell echoes the previous statement made by Councilman Best. She adds the Rejuvenation Committee is working very hard on preparation for the Town Wide Cleanup Day, Saturday, May 5<sup>th</sup>. She reminds the residents to mark their calendars.

Councilman Petrie thanks Jerry Giglio, Traffic Safety Coordinator and Health and Safety Coordinator, for the work he has done on the AED's and having a company come in regarding Town ID badges.

**Reports from Department Heads**

Captain Peter Dienes, Police Department, encourages everyone to be good citizens. If you see something, say something. The Police Department is more effective when it partners up with the community.

Jerry Giglio, Traffic Safety Coordinator and Health and Safety Coordinator, thanks the Town Board for its comments.

Kurt Allen, Supervising Code Enforcement Officer, states it was an honor and privilege to work with Rick Lardo and Jeff Adrian. He wishes them well.

Mike Quinn, Engineering Consultant, congratulates Jeff Adrain and Rick Lardo. He states it was a pleasure working with Rick Lardo and it will be a tough position to fill. He is working with Traffic Safety regarding the bike path at the Hoover Road extension. He is working with the Highway Department on five grant applications for culvert replacements through the Bridge New York program.

Ted Casey, Highway Superintendent, states he has met with Erie County's Commissioner of DPW regarding the horrendous condition of Lakeview Road and they've agreed to put it near the top of their list to be addressed. He broached the subject of the Town taking over Lakeview Road predicated on them fixing the drainage and the road the right way and they are amenable to that idea.

Christopher Hull, Director of Community Development, states they will be showing the movie Selma on April 18<sup>th</sup>, at 7 pm in room 7A at the Town Hall free of charge as part of the Fair Housing Act ceremonies. He states they are continuing their work on the Zombie Housing grant and making headway.

Martin Denecke, Director of Youth, Recreation and Senior Services, states the Recreation Department has a number of activities for children to attend over the school break. Taylor Road Cabin is having an Ecology Camp. The Frontier Middle School is having open gym called Spring Meltdown. The ice rink is having public skate sessions held daily. Our Youth Bureau awards nominations closed today to prepare for the annual Youth Bureau banquet to be held on April 25<sup>th</sup>.

**Reports from the Floor**

Dennis Chapman thanks the Town Board for putting the public hearing together for the Cold War Veterans.

**29.**

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

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

**RESOLVED**, that the Town Board adjourn back to the Work Session at 7:59 pm.

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Brian Wielinski  
Deputy Town Clerk



# TOWN OF HAMBURG

6100 SOUTH PARK AVENUE \* HAMBURG, NEW YORK 14075 \* (716) 649-6111 \* FAX (716) 649-4087

Supervisor  
JAMES M. SHAW

Councilmembers  
THOMAS BEST, JR.  
ELIZABETH FARRELL  
MICHAEL K. MOSEY  
MICHAEL R. PETRIE

Town Attorney  
STEVEN J. WALTERS

Town Clerk  
CATHERINE A. RYBCZYNSKI

Highway Superintendent  
TED CASEY

March 16, 2018

Mr. Rob Wagner  
6724 Vail Drive  
Hamburg, NY 14075

Ms. Karen Benz-Cohn  
110 Oliver St  
Hamburg, NY 14075

Ms. Marie Henessey  
27 Rosedale Ave  
Hamburg, NY 14075

**Re: Willow Bend Tennis Club**

Dear Bob, Marie and Karen:

After extended consideration of the various factors underlying the Town's decision relative to a possible purchase of the Willow Bend Club, I have been authorized to inform you that the Town of Hamburg cannot go forward with the purchase.

We appreciate the opportunity that was presented to us and we also appreciated the opportunity to have the undersigned and Councilwoman Farrell meet with you to discuss the pros and cons of a purchase.

The Town Board wishes you well and trusts that a sale will be forthcoming and will hopefully inure to the benefit of all concerned.

Thank you very kindly.

Very truly yours,

James M. Shaw  
Town of Hamburg Supervisor

JMS/tcr