

Town of Hamburg Vehicle Policy
Adopted by Town Board Resolution: , 2018

Policy:

It is the policy of the Town of Hamburg that certain positions require employee access to municipal vehicles, either during the work shift , or in limited circumstances, outside of the work shift. Town vehicles are not to be considered personal vehicles and are not for personal use. Town vehicles are viewed as belonging to the citizens of the Town of Hamburg and are solely for the purpose of providing services to those citizens, and enabling town employees to perform necessary functions in the delivery of services to the public when assigned .

Therefore, the purpose of this policy is to set forth guidelines under which town vehicles are authorized to town personnel and guidelines under which town vehicles are used.

1. Municipal vehicles must have the Town seal affixed on the driver and passenger side doors, and may only be used for legitimate municipal business.

2. Municipal vehicles will not be used to transport passengers who are not directly or indirectly related to municipal business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.). Family members shall not be transported in Town vehicles.

3. Vehicles should contain only those items for which the vehicle is

designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.

4. Only the following job titles can use a Town vehicle outside normal work hours without additional authorization from the Town Board: Chief of Police, and Emergency Management, Supervisor, and Chief Code Enforcement Officer.

5. The assignment of municipal vehicles during work time is based upon job description. Department Heads who have municipal vehicles available for this purpose may assign such vehicles in a manner consistent with departmental workload, employee function, and NYS licensing credentials. The assignment of vehicles may be rescinded at any time by the Town Board .

6. Employees must have a valid driver's license issued in the United States. Before approving a driver, the Human Resources must check the employee's driving record and verify the existence of a valid driver's license, An abstract of the driver's license must be obtained from the Department of Motor Vehicles annually and kept in the department files.

a) Employees who incur parking or other fines in municipal vehicles will be personally responsible for payment of such fines unless the payment of such fines by the town is approved by the Town Board.

b) Employees who are issued citations for any offense while using a

municipal vehicle must notify the Department Head immediately, but in no case later than 24 hours, failure to provide such notice may be grounds for disciplinary action.

- c) An employee who operates a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in a municipal vehicle, must notify the Department Head and Human Resources immediately but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
- d) In the case of "b" or "c" the Town Supervisor must be notified within twenty-four (24) hours of the incident.
- e) Any violations of the traffic, transportation or motor vehicle laws and any accidents must be reported to the Town Attorney's Office for a determination of continued use of a Town vehicle by the involved town employee.

7. Employees are not permitted, under any circumstance, to operate a Town vehicle, or a personal vehicle for Town business, when any physical or mental impairment causes the employee to be unable to drive safely. This prohibition includes circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication, or intoxication by drugs and/or alcohol. Employees whose jobs require regular

driving for business as a condition of employment must be able to meet the driver approval standards of this policy at all times. In addition, employees holding those jobs must inform their supervisor and the Town Supervisor of any changes that may affect their ability to meet the standards of this policy.

8. Employees driving a Town vehicle may claim reimbursement for parking fees (not fines) and tolls actually incurred. Employees who are authorized to use their personal vehicles for approved business purposes will receive mileage allowance as adopted yearly by the Town Board. All requests for reimbursement must be approved by the Town Board. No employee may use a municipal vehicle for out of state use without advance approval of the Town Board. Involved employees will report to the Town Supervisor and at the conclusion of the out of state activity.

9. Employees must report to the Department Head and Legal Department any accident, theft, or damage involving a Town vehicle or a personal vehicle used on Town business, regardless of the extent of damage or lack of injuries. This report must be made as soon as possible but no later than twenty-four hours after the incident. The employee will provide the Legal Department with all written information requested.

10. It shall be the employee's responsibility to maintain the security of the vehicle and its contents at all times the vehicle is in his or her possession. Drivers must also make sure that the vehicle has a valid New York State inspection sticker, oil is checked on a regular basis, tires have sufficient tread, and that the vehicle is kept

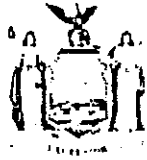
clean, etc. No vehicle should be driven unless it is safe for the road.

11. All employees will be given a copy of this policy and will be required to sign an acknowledgement of receipt.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination of Town employment.

Effective Date: 2018

THE SENATE
STATE OF NEW YORK



TIMOTHY M. KENNEDY
SENATOR, 63RD DISTRICT

RANKING MINORITY MEMBER
COMMERCE, ECONOMIC DEVELOPMENT
AND SMALL BUSINESSES
INFRASTRUCTURE AND CAPITAL
INVESTMENT
COMMITTEES
BANKS
CULTURAL AFFAIRS, TOURISM, PARKS
AND RECREATION
ENERGY AND TELECOMMUNICATIONS
FINANCE
INSURANCE
RULES
TRANSPORTATION
STATE NATIVE AMERICAN RELATIONS
SELECT COMMITTEE

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LEGISLATIVE OFFICE BUILDING
ALBANY, NEW YORK 12247
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DISTRICT OFFICE:
2239 SOUTH PARK AVENUE
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E-MAIL ADDRESS:
KENNEDY@NYSENATE.GOV

May 8, 2018

The Honorable Andrew M. Cuomo
Governor of New York State
Executive Chamber
New York State Capitol
Albany, New York 12224

Dear Governor Cuomo,

With oil prices on the rise and crude oil trains returning to tracks throughout Upstate New York, I write to respectfully request that you instruct the New York State Department of Transportation (NYSDOT) to, once again, begin inspections of rail and tanker cars that were suspended in early 2017.

As you know, over a three year period, NYSDOT inspected over 11,000 tanker cars carrying crude oil, along with over 5,500 miles of track, uncovering hundreds of defects and issuing numerous violations. I applaud the efforts made by you and the hardworking employees at NYSDOT during this period. As oil prices decreased, oil trains made less and less economic sense, and they disappeared from upstate tracks. However, with oil breaking \$70/barrel, the trains have returned, and so too must the inspections.

I know that you share my concern over the safety of these trains. In Western New York, they travel through densely populated neighborhoods. The disaster in Lac-Megantic, Quebec in 2013 illustrated the significant risk these trains pose to populated areas, with 47 dead and a significant portion of the town's downtown area leveled. When disasters occur, we must learn from them in order to prevent their repetition. The reinstatement of these inspections would help to give Western New Yorkers some comfort when they see oil trains again rolling through their community.

Again, I respectfully request that you instruct the New York State Department of Transportation to reinstate inspections of rail and tanker cars, with a special focus on oil-carrying trains. Thank you for your consideration of this important matter. Should you have any questions, as always, I welcome your call.

Sincerely,

A handwritten signature in black ink that reads "Timothy M. Kennedy". The signature is written in a cursive, flowing style.

Timothy M. Kennedy
New York State Senator, 63rd District

Hamburg Town Clerk

From: Hamburg Town Clerk <townclerk@townofhamburgny.com>
Sent: Tuesday, May 29, 2018 10:58 AM
To: 'michael.quinn@ghd.com'; Jim Shaw (jshaw@townofhamburgny.com); Michael Mosey (mmosey@townofhamburgny.com); Mike Petrie (mpetrie@townofhamburgny.com); 'Councilman Best'; Elizabeth Farrell (efarrell@townofhamburgny.com)
Subject: FW: funding LWRP projects

Good Morning:

I received a call this morning from Valeria of the NY Department of State. She said she hasn't seen any grant applications from us since Jerry Kapsiak left and there is state money for the waterfront. I am attaching the documentation she sent me and I am sure she would be willing to discuss this with any of you. Thank you

Cathy Rybczynski
Hamburg Town Clerk
6100 South Park Avenue
Hamburg, NY 14075

Phone: (716) 649-6111 ext. 2360
Fax (716) 646-1384

From: Ivan, Valeria (DOS) [<mailto:Valeria.Ivan@dos.ny.gov>]
Sent: Tuesday, May 29, 2018 10:45 AM
To: townclerk@townofhamburgny.com
Cc: crybczynski@townofhamburgny.com
Subject: funding LWRP projects

Dear Ms. Rybczynski,

It was very nice talking with you this morning. As promised, please find below links to the documents I mentioned during our short phone conversation:

- The entire approved Town of Hamburg LWRP is available here https://docs.dos.ny.gov/opd-lwrp/LWRP/Hamburg_T/Index.html.

Please open Section IV to review the projects that were proposed in this approved LWRP and decide if the Town would like to implement any of these projects, or parts of these projects. You may contact me to discuss any of the projects and how to implement them.

- Information about grants for funding projects proposed in approved LWRPs is located here <https://www.dos.ny.gov/funding/rfa-18-lwrp-10/index.html>, slide the mouse over the page to identify links to grant application and supporting documents that need to be completed.
 - read the Request for Applications (2018-19 EPF LWRP RFA), and complete and add to your application the budget details of your project (Budget Detail Required)
- next workshops explaining how to prepare and submit an application for funding municipal projects are scheduled for May 30 and June 7. The town should participate to at least one of

them and ask as many questions as necessary to understand how the funding application works.

- <http://regionalcouncils.ny.gov/western-new-york/events/western-new-york-consolidated-funding-application-public-information-1>
presented at Holiday Valley Resort, Ellicottville
- <http://regionalcouncils.ny.gov/western-new-york/events/western-new-york-consolidated-funding-application-workshop-jun-07-2018>
presented at Buffalo State College, 1300 Elmwood Avenue, Buffalo.

Please contact me with any questions regarding the implementation of those projects proposed in the LWRP. My contact information is included below in the electronic signature. We could discuss the elements of each project and the sequence of steps necessary to completed to develop a project.

If the Town is interested to learn more about the funding applications, please reach out to the County and its grant writer(s) to discuss the elements and content of a grant application, participate to the CFA workshops scheduled in your region and ask the presenters of different grant programs for clarifications regarding the available funding and the content of the grant application, and contact the Western New York Regional Economic Development Council to inform them about your projects and their importance of those projects for town residents, tourists visiting the town, and for the residents of adjacent communities. The regional council has a strong impact on the final score of a grant application, which determines the projects that will be awarded grants.

Please let me know if you have any questions.

Thank you

Valeria Ivan

Coastal Resources Specialist I

New York State Department of State
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