

Hamburg Town Board Work Session

01-13-2020

James Shaw, Supervisor	(Present)
Shawn Connolly, Councilmember	(Present)
Elizabeth Farrell, Councilmember	(Present)
Karen Hoak, Councilmember	(Present)
Michael Petrie, Councilmember	(Present)

ALSO PRESENT: Catherine Rybczynski, Town Clerk; Walter Rooth III, Town Attorney; Gregory Wickett, Chief of Police; Alissa Strauss, Personnel Clerk; Christopher Hull, Director of Community Development; Kimberly Sessanna, Assistant Accountant; Martin Denecke, Director Recreation, Youth, and Senior Services; Samantha Tarczynski, Finance Director; Ted Casey, Highway Superintendent; Jennifer Robertson, IT Director; Roger Gibson, Supervising Code Enforcement Officer; Sean Crotty, Sr. Public Safety Dispatcher; Mike Quinn, Engineering Consultant; Drew Riley, Planning Consultant; Kate Hilliman, Traffic Safety

1.

RESOLVED, that the Town Board convene the Work Session to order at 7:00 P.M.

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

ADOPTED	Ayes	5	Shaw, Connolly, Farrell, Hoak, Petrie
	Noes	0	
	Abstained	0	

Supervisor Shaw opened the meeting by stating that there would be one (1) late resolution for the purchase of one (1) Dodge Chargers (as budgeted). If the town does not act right away they will lose the opportunity and the next chance to buy will not be until Spring. It will be addressed at the end of the meeting.

Supervisor Shaw recognized Drew Riley, Planning Consultant, to address the request for rezoning of 4535 Southwestern Blvd. from C-1 (Retail Business District) to C-2 (General Commercial District) for the purpose of placing a car wash at the location. Mr. Riley stated that Sean Hopkins, Esq. of Hopkins, Sorgi & Romanowski, PLLC was present to answer questions and speak on behalf of the applicant. The Code Review Committee recommended that the request be entertained and process started. Mr. Riley stated that the Code Review Committee did express concern over traffic in the area. The applicant has

agreed to commission a traffic study. Councilmember Connolly asked if the vote to forward the request by the Code Review Committee was unanimous. Supervisor Shaw replied that the decision was unanimous.

Mr. Riley also updated the Board on recent items he has been working on, including the Asphalt Plant, Speedway (withdrawn), updating the Comprehensive Plan, Retail Plan, Grant for Beach and 18 Mile Creek, Conservation Board looking into an agricultural district, etc.

Councilmember Petrie asked about the possibility of hiring a part-time employee in code enforcement to help pick up the slack as a result of an employee being out injured.

Councilmember Petrie also asked if the Board would like a representative from Tony Hawk Foundation to discuss matching grants for a skate park. Supervisor Shaw asked him to try to have them in for one of the February meetings.

Councilmember Farrell stated that the contractor updating the town website videos is attempting to finish the project and update the videos. She asked the Board members for any input they may have.

2.

RESOLVED, that the Town Board adjourn the Work Session and enter into Executive Session at 7:15 P.M. to discuss a possible settlement for a lawsuit involving the town.

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

ADOPTED	Ayes	5	Shaw, Connolly, Farrell, Hoak, Petrie
	Noes	0	
	Abstained	0	

EXECUTIVE SESSION MINUTES POSTED ON TOWN WEBSITE ON JANUARY 17, 2020.

*(Executive Session Minutes are also included herewith at the conclusion of the Work Session Minutes)

3.

RESOLVED, that the Town Board adjourn the Executive Session and reconvenes the Work Session at 7:25 P.M.

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

ADOPTED	Ayes	5	Shaw, Connolly, Farrell, Hoak, Petrie
	Noes	0	

Upon resuming the Work Session Supervisor Shaw opened a discussion regarding the items on the agenda.

3. Adoption of Winery Law – final approval of law
4. Retail Ad Hoc Committee – Adding new members, Roger Gibson, Mark Walling, and Milton Bradshaw.
5. Adoption of Shopping Center & Other Areas of Assembly – Woodlawn Church of Christ – final approval
6. American Legion – Poppy Campaign
7. Newton/Abbott – New Member
8. Approve Tom Nemmer to “Hamburg Moves”
-Councilmember Connolly asked if the previous member resigning, Andrew Palmer, provided a reason for his resignation. Supervisor Shaw and Councilmember Petrie agreed in stating that he was very busy with his business, family, and other commitments throughout the community.
9. School – Code Enforcement & Building Inspection
-Samantha Tarczynski, Finance Director, stated that some requests are not being done uniformly. She suggested that an estimated amount be proposed to include meals, gasoline, and other less predictable costs. Supervisor Shaw stated that he would discuss with Ms. Tarczynski and get a memo out to employees. Councilmember Connolly suggested issuing a standard form or universal format for use by all departments.
10. Training Conference – Town Justices – Supervisor Shaw pointed out that none of the costs are included or outlined. He suggested tabling and speaking with Chief Court Clerk, Brigid Lavelle, about the costs.
11. Training Conference – Court Clerks – Ms. Tarczynski stated that there may not be enough money in the budget for the Justices and clerks to travel to this particular event. They have \$6K in the training account. Supervisor Shaw suggested the board wait until the next meeting. Ms. Tarczynski added that this expenditure would use the entire allotted amount for the year. Supervisor Shaw asked that the item be placed on the Special Session Agenda.
12. Training Hours – Zoning and Planning Board members may carry over 2 years.
13. DCO Training – Is budgeted for – Acct. 1410.492
14. Government Finance Officers Association Conference – Supervisor Shaw asked for the details of the request as lodging, gas, meals, etc. were not mentioned in the resolution. Ms. Tarczynski responded that she provided an estimate and it was “all inclusive.”
15. Youth-Rec.-Sr. PAF – Winter Rec. program seasonal hires
16. PAF – Town Clerk – property tax hires
17. Perm Appointment: FT Assistant Code Enforcement – Jeffrey Skrzypek, 6 month provisional, scored top 3.
18. Provisional Appointment: FT Police Clerk – Hannah Sharlock, must take physical, score in top three, etc.
19. Defensive Driving Coordinator – Eugene Paolini (needs to be amended to reflect \$200 monthly rate rather than the stated \$250 which was a typo)
20. 2020 HUD

21. 2020 HUD Applications - Christopher Hull, Director of Community Development, spoke on Items 20 & 21.
22. Tee Time Reservation System Contract – Councilman Connolly stated that he and Martin Denecke, Director Recreation, Youth, and Senior Services, have discussed the item and it will result in a savings to the town of \$1709.00 and an improvement to the process.
23. American Red Cross Agreement – training for life guards at a reduced cost and designates town as “Authorized & Licensed Training Provider.”
24. Lakeshore Library HVAC – award contract to Greater Niagara Mechanical, Inc. – Councilman Connolly and Mike Quinn, Engineering Consultant spoke on the item.
25. Rezoning – Car Wash – Begin process
26. RFP Approval – legal services for Community Development, Mr. Hull explained the item.
27. Clark Street Speed Limit Adjustment – lower to 30 mph and to 25 mph on “S” curves
28. Approve Finance Dept. to Collect Erie County PILOT payments – Supervisor Shaw instructed Ms. Tarczynski to explain the rationale to do so. Town Clerk Catherine Rybczynski pointed out that the resolution stated the due date of “February 18th of each year” was inaccurate and that the date is typically February 15th of each year. This year the weekend and President’s Day Holiday resulted in moving the date back to the 18th.
29. Recognition and thanks for service to the town to the individuals as follows:
 - Steven J. Walters
 - Kenneth Farrell
 - Dan Henry
 - Jerome Giglio
 - August Gerace

Late Resolution:

30. Purchase of Police Car – 2020 Dodge Charger: Either move now or lose the opportunity to purchase.

Town Clerk Rybczynski asked if any of the Board Members would be attending the February Association of Towns (AoT) meeting. The AoT has requested the town RSVP in order to know if a delegate will be present to vote on behalf of the town. Also, a resolution would need to be passed to name the delegate. No members will be attending the meeting.

Councilman Connolly asked for details about the Audit & Disbursements. Ms. Tarczynski stated that more detail was available and members are welcome to come by her office for information. Checks are not sent out until the Board approves them.

Councilman Petrie asked Jennifer Robertson, IT Director, how the process for updating was going. Ms. Robertson stated that it was going well, some unanticipated issues have popped up, but that was to be expected.

Councilman Petrie asked Mike Quinn, Engineering Consultant, if he could provide a summary of the LED proposal. Mr. Quinn responded that he would provide the information to the Supervisor, but it would be the same information handed out previously.

4.

RESOLVED, that the Town Board does adjourn the Work Session at 7:55 PM.

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

ADOPTED	Ayes	5	Shaw, Connolly, Farrell, Hoak, Petrie
	Noes	0	
	Abstained	0	

**Hamburg Town Board Executive Session
January 13, 2020**

Members Present:

James M. Shaw Supervisor
Shawn Connolly Councilman
Elizabeth Farrell Councilwoman
Karen Hoak Councilwoman
Michael Petrie Councilman

Also Present: Walter Rooth, III, Town Attorney

1.

RESOLVED, that the Town Board adjourn the Work Session and enter into Executive Session to discuss a legal matter at 7:15 P.M.

On a motion of Supervisor Shaw, seconded by Councilman Petrie, the following resolution was ADOPTED 5 - 0

Supervisor Shaw (Aye)
Councilmember Connolly (Aye)
Councilmember Farrell (Aye)
Councilmember Hoak (Aye)
Councilmember Petrie (Aye)

2.

RESOLVED, that the Town Board does hereby approve the resolution as presented below.

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

ADOPTED 5 – 0

Supervisor Shaw (Aye)
Councilmember Connolly (Aye)
Councilmember Farrell (Aye)
Councilmember Hoak (Aye)
Councilmember Petrie (Aye)

WHEREAS, there is pending litigation, Ann Aeschbacher vs. Town of Hamburg, et al in New York State Supreme Court, Erie County (Index No. 809290/2016), and

WHEREAS, the Parties have reached a settlement of the pending litigation the Town agrees to pay Plaintiff the sum of \$30,000 and,

WHEREAS, counsel for the Town of Hamburg, Michael Caffery, Esq., recommends that the Town pay the sum of \$30,000, in settlement of this claim, as full and final satisfaction of all claims against the Town of Hamburg,

NOW THEREFORE BE IT RESOLVED that the Town of Hamburg pay the Plaintiff the sum of \$30,000 in full and final satisfaction of all claims against the Town of Hamburg in the action, Ann Aeschbacher vs. Town of Hamburg, et al in New York State Supreme Court, Erie County (Index No. 809290/2016), and payment is to be made upon receipt of signed General Release and Settlement Agreement from the Plaintiff.

3.

RESOLVED, that the Town Board adjourn the Executive Session and resume the Work Session at 7:25 PM.

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

ADOPTED 5 – 0

Supervisor Shaw (Aye)
Councilmember Connolly (Aye)
Councilmember Farrell (Aye)
Councilmember Hoak (Aye)
Councilmember Petrie (Aye)